

T.E. Holloran presentation at Fredrikson & Byron's Pro Bono Lunch & Award Celebration on 9/22/06

It is a pleasure to be here with you – for many reasons.

I want to add my congratulations to Jim Baillie. I first met Jim more than 40 years ago when I was with the firm searching for talented young lawyers. I met Jim on the campus of the University of Chicago. He was in this final year of law school. I was attracted to his common sense and his desire to serve. It was a time not long after, the University of Chicago withdrew from Division I athletics and as much as possible from all athletics. I believe when I met Jim, he was the coach of the wrestling team.

His culture of service started young in his life. I admire his willingness to serve as President of the Hennepin County Bar Association and as President of the Minnesota State Bar Association. But even more, I admire him for his tireless efforts to advocate for legal assistance to the underserved.

The prestigious awards he has received are only an indication of the numerous lives he has touched. Those, because of him, have had their rights observed and their fears and worries lessened.

I am very proud to be an alumnus of Fredrikson & Byron. It is where I learned to be a lawyer. It is where I formed relationships that have lasted through the years. I look at you – your numbers, your talent, your experience, your proficiency in serving your clients and marvel at what you are accomplishing. I have benefited as a client both personally and when at Medtronic.

I think back to my first office with the firm. It really wasn't an office – it was a hallway that John Byron and I shared. It contained our two desks and our first copy machine. The copies all had to be dried, were a pallid yellow in color and curled around the edges. Our word processing equipment was IBM electric typewriters that had the power to imprint through eight sheets of paper with carbon paper in between. What a clatter they made. What a marvelous firm you have developed from these meager beginnings.

From what were only dreams, you have developed levels of expertise and service and caring not then imaginable.

I am warmed by your web page comment “Fredrikson and Byron, both as an institution and as a collection of individual employees, contributes to and strengthens the fabric of our community by providing our services, talents and leadership ability to individuals and community organizations that serve those in need”.

While not so beautifully expressed, this aspiration was present in the early days of the firm. My involvement in the community started then. I have received back much more than I have given – received in self assurance, feelings of participation and understanding others. It has made me a better person and a better lawyer. I assure you, involvement will have a similar impact on you.

The Twin Cities is a wonderful place to live and work. The region has one of the most highly educated populations in the country in terms of its share of high school and college graduates. A recent magazine placed it in the top five of brainy communities.

We have a broad and diverse business community. We have more than our share of Fortune 500 companies and many smaller, growing companies financially supported by bank and venture capital.

There is here a long history of sharing and an egalitarian attitude many others envy.

Our household income is 14th among the 100 largest metropolitan areas. Job growth and per capita income growth have out-paced the nation's for the last decade.

A recent study of Brookings Institution is called "Mind the Gap". The study points out that underneath these broad regional successes are disturbing social and economic disparities demonstrating that progress is not widely shared.

The study describes in detail three disparities:

- (1) Race disparities;
- (2) Class disparities – that is the gap between wealthy and poor;
- (3) Place disparities – as jobs and people moved outward, the two central cities are not home to the bulk of the poor and minority households.

Patty and I grew up in Minneapolis. For a time, as our children were growing, we moved to the suburbs. For the last 20 years we have lived in the center of Minneapolis in a condominium. Some of our former suburban neighbors feel we are living in a location of turmoil and danger.

I can honestly respond that the only assault I have encountered is on my own sense of justice for the disparities I see around us.

The business community through United Way and the Itasca Project proposes a response to these disparities of race and wealth. Among their strategies are the direction of philanthropic resources and the encouragement of volunteer time to reduce disparities.

The report seems to distinguish between philanthropy by monetary gift and volunteer activities. I choose a broader view that fuses them as does *Webster's New Collegiate*. There philanthropy is defined as "goodwill to fellowmen; to promote human welfare"; and includes the concept of an act or a gift.

The Minnesota Council on Foundations in a recent publication describes the new philanthropy as "the means by which a group pulls together their financial, human and intellectual capital to promote collective social good."

In a recent year in Minnesota, monetary gifts were made of almost four and one-half billion dollars. 80 percent of this came from individuals. This did not include the value of contributed services. How immensely this amount is increased by the cost equivalent of contributed services.

But, back to Fredrikson & Byron. You understand well the impact of the gaps described by the Brookings report. You are living the concept of monetary support through your foundation and donating one's time by your pro bono efforts. You have institutionalized your activities through the tireless efforts of Pam Wandzel. I have read your 2006 Pro Bono Community Service Report. I am in awe at the breadth of your representations. From local clients to Pakistan and back to the Midtown Market in the old Sears building where I had lunch yesterday. Your

support of economic development is impressive. The report is a vibrant testament to your caring community efforts. You are living the highest traditions and aspirations of the profession.

Earlier this week, a very interesting recently published small book entitled *Profit with Honor* by Daniel Yankelovich found its way to my desk. Yankelovich has a long history of tracking social values. He suggests our society currently finds itself in an unstable place, ethically speaking. He believes the extreme hedonism, narcissism, the insistence on having it all and the moral relativism of the post-sixties area have passed.

He believes Americans are painfully and awkwardly struggling with ethical issues in our individual and family lives, moving back from the precarious edge of relativism toward moral absolutes.

He argues that the search is on for more communal ethical values. In this quest, while men have similar concerns, women are largely leading the way, seeking ways to strengthen family stability, to take better care of both children and aging parents and in general to pay greater heed to the communal values of a civil society.

He writes that in our institutions, especially in our economic institution, the struggle is more muted. Business, like any subculture, exists in partial isolation from the larger society. The pressures of group think, combined with the rewards of not changing, have made many institutions slower to absorb the changing ethical consciousness of the larger society.

Yankelovich wisely concludes, the solution to these societal shifts develops out of how one defines the problem.

Perhaps, the answer lies in how we define community.

I ask you to consider:

- Is his analysis credible;
- How is your profession affected;
- How is the firm affected
- How are you affected
- How is your community affected

and even how do you define community.

Certainly the breadth of the firm's practice give it a broad view of societal needs and norms. And particularly in your great generosity in your gift of yourself in your pro-bono practice you are acting in a selfless and in a communal manner.

Let me close with a few lines written in 1934 in the midst of the depression by T.S. Elliot¹:

“What life have you if you not have life together?

There is no life that is not in community. And no community not lived in praise of God.

And now you live dispersed on ribbon roads

¹ *Choruses from the Rock*, T. S. Elliot, 1934

And no man knows or cares who is his neighbor,

Unless his neighbor makes too much disturbance . . .

When the stranger says “What is meaning of this city?”

Do you huddle close together because you love each other?

What will you answer? We all dwell together to make money from each other? Is this a community?

And the stranger will depart and return to the desert.

Oh, my soul be prepared for the coming of the stranger

Be prepared for him who knows how to ask questions.”

Should the stranger come – he will already know your answer. It is evident in your generosity of self and spirit.