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Opinion: Does a lifetime of work get the job done?

James Horwitz

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The main Hartford Superior Courthouse building.

Ned Gerard/Hearst Connecticut Media

As a trial lawyer representing an often underprivileged and underserved community for almost 40 years, I find myself reflecting on valuable lessons learned. Not the least of these is that as trial lawyers we stand on the shoulders of the people who envisioned a system that, when it works properly, protects the rights of the individual, stands against greed and corporate abuse, and does so by a core belief in the fundamental fairness of the jury system.

Years ago, Ted Koskoff pointed out that it was lawyers standing up against larger forces that protected the rights of the individual. He was right then. He is right now.

Often, our clients have suffered extraordinary hurt. Their lives have been shattered. They seek answers. Why did this happen? Could it have been prevented? Parents, spouses, children or the injured themselves come to lawyers to help remedy a wrong. But as lawyers we are not only representatives of the clients, but we also serve as officers of the legal system having a special responsibility for the quality of justice.

In those roles we have a responsibility to zealously represent the interest of our clients. But in pursuing that role, the judicial system, and the faith that the public has in that system is enhanced when we as lawyers act with compassion, patience, respect and empathy. Whether serving as lawyers for the plaintiff or defendant, we should recognize our responsibility, remain grounded and not lose sight that more is at stake than wins and losses. Victory at all costs is not the roadmap to greater justice or enhanced faith in our system. Rather, victory at all costs is a formula that sews the seeds of cynicism.

While it is easy to lapse into a mindset that we do “battle” on behalf of clients, we should remember that we are part of a system of justice. Civility with the court, its staff, our staff, and our adversaries, and all the participants in the system is vital.

Civility does not equal weakness. Humility, patience, and understanding are not indicators of capitulation. We as lawyers must recognize that a more just society results when these values are centered.

We are grateful for those shoulders upon whom we stand. It is now up to this generation of lawyers to provide the shoulders upon which future generations will stand. We must continue to not only advocate for a system that is truly just, we must practice those values. Looking back on almost four decades as a plaintiff's trial lawyer, it is true that much has been accomplished. It is equally true that there is much, much more to be done.

James Horwitz is an attorney with the law firm Koskoff, Koskoff & Bieder, New Haven and Bridgeport. He can be reached at 203-336-4421. This month he was honored with a Lifetime Achievement Award from the Connecticut Trial Lawyers Association. www.koskoff.com.