



A Lawyer's Struggle to Overcome Barriers and Live by Ideals in the Practice of Law

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This article is adapted from a keynote speech that Muhammad Faridi gave at John Jay College of Criminal Justice's Law Day Program on March 24, 2017. Mr. Faridi is a partner in the litigation department of Patterson Belknap Webb & Tyler LLP.

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The ability to earn a legal education and serve a greater good has rarely been more important than it is today.

There are few things more important today than lawyers willing to serve their communities—whether its people of color or immigrants or anyone pursuing freedom of speech, religion or from oppression. We're living in extraordinary times. The ability to earn a legal education and serve a greater good has rarely been more important than it is today.

My law school's library and classrooms were my home away from home. I came to law school not only to learn, but to also get nurtured. There, I had the privilege of learning and being mentored by some of the most committed educators, who persuaded me and many more like me that with hard work and good luck, we could go on to have careers that are fulfilling and rewarding.

MY BACKGROUND

Let me first tell you a little about my story in the hope that you will find some inspiration. I've been where you've been. Wondering what my future holds. Questioning how I can get ahead. Asking myself whether I can improve my situation. Wondering whether I had the will, drive, and smarts to elevate myself from my background.

I came to this country at the age of 12 from a little village in Pakistan. My father left Pakistan for America when I was a few years old. When he got here, he began driving a taxi cab, and saved up enough money to bring me, my siblings, and mother to America a decade later. I struggled when I got here—I didn't speak any English, didn't have many friends, and couldn't understand most of what was going on, in school and outside.

A couple of years into high school, I began working at Sizzlers, the chain restaurant, as a bus boy. I then moved onto pumping gas at a Mobil gas station. As soon as I turned 18, my father took me to the taxi commission's office where I got my livery cab license. Throughout college and law school, I drove a livery cab in the evenings while I went to school in the mornings. And in the summers, I drove double shifts. I didn't have any other options. That is what was needed to provide for my family, both here and back in Pakistan.

I struggled a lot—I didn't know what I wanted to do or what I could do. I drove lawyers, bankers, and business people in my livery cab every day. I was determined to be like one of them, but I did not know how. I did not know what challenges laid ahead.

As I look around the room, I look into the eyes of so many of you who remind me so much of myself. I see that look in your eyes—determined, driven, but worried that no matter how hard you work, the odds against you are insurmountable.

It is not an easy road ahead. Your success is not guaranteed. You will undoubtedly face many of the same challenges I faced. And they will be hard challenges. Ones that make you question yourself.

So let me now focus on the obstacles that I faced over the years and how I overcame those challenges.

THE FIRST CHALLENGE

The first challenge that I dealt with was the lack of a role model who I knew or who I could relate to. There was no one in my immediate family whose life showed me the path to success. I had to figure it out for myself. Role models, for me, were important, because they guide you in the right direction as you make decisions, often very difficult decisions. There are so many paths in the road ahead of you. Role models provide inspiration and support. And they teach you, through example, how to live a fulfilling and impactful life. They help you navigate the road ahead.

But I, too, much like many of you, did not come from a family of lawyers, or even people who had the types of jobs where they carried a briefcase to work every day. Yes, I looked up to my parents, and I still do, and I admire their struggle. I admire their strength and fortitude. They remind me that struggle is a necessary element to success. But neither they, nor anyone else I personally knew, had the background and experience to guide me through the law school application process, the law school process, and the legal profession. This was uncharted waters for me. I had no guideposts. I had no narrator. But it was something I yearned to do.

How was I to proceed? You can log on to the Internet and try to Google your answers. But you'll get some generic advice written by someone on About.com that may not even be applicable to your circumstances. Who do you talk to in order to get some candid and accurate advice about your capabilities and your possibilities? Because there is no one single path for everyone.

Let me tell you what I did, not because it is right for everyone, but because it worked for me: I went to every event like the event today. I introduced myself to as many people there as possible. I never passed on an opportunity to talk to someone. I told them that I was looking for guidance. I was initially shy, but I taught myself to get over

it. And I got lucky, very lucky. I ran into some people who took interest in me and guided me.

One such person was the former president of Ireland, Mary Robinson, who had at that time just finished her tenure as the UN high commissioner of human rights. I didn't meet her at a networking event or a cocktail party, but as a livery cab driver. I got a chance to drive her to a university in New Jersey where she was delivering a talk about human rights. On the way back to the City, my cab got a flat tire on Route 80 in New Jersey. There I was, on the shoulder of a highway, trying to fix a tire, with the former president of Ireland sitting in my car. I didn't want to call for another car, because I needed that \$80 fare. She came out of the car and stood over my shoulder as I replaced the tire.

In that moment, I connected with her, and it gave me the confidence to seek her advice. On the ride back, I told her that I was confused. It was a year or two after 9/11, and I did not know what I wanted to do. I was torn. I wanted to help the community that I came from, which was under severe scrutiny, surveillance, and pressure, by pursuing a legal education, but I wasn't sure if I could make that happen, given all of the other obligations I had.

She responded that I did not have an option. I must do it. That I could not just be an ordinary citizen. I could not live a suspended life. I needed to be an extraordinary citizen. That's what the circumstances called for. And that's what I needed to do. It's almost as if she was telling me that I had a responsibility—and a privilege—that was beyond myself.

At the end of the trip, she gave me a card that had printed on it a poem by the great Irish poet Seamus Heaney, titled "From the Republic of Conscience," which he had written to commemorate international human rights day. In that poem, Conscience is a solitary republic where people go to for self-awareness and self-examination, to examine their rights, as well as their obligations others. That copy that she gave me that night hangs on my wall today. It

serves as a constant reminder of the need to reflect as to why I wanted to become a lawyer, which was, at that time, to focus on human rights work.

So I had a goal. I had a vision. Now I needed to figure out how to get there.

THE SECOND CHALLENGE

That brings me to the next challenge. And that is managing your personal, financial, and familial obligations while trying to get into law school. Getting into law school requires good grades and a good score on your LSAT. And in order to get good grades and a good score on the LSAT, you need time to study. You also need to make ends meet.

But, unfortunately, our milieu poses significant challenges. Our backgrounds—no matter how hard you try—sometimes impede our ability to get into the law school, and once we are in law school, to excel there and graduate with flying colors.

Let me give you a personal example.

I, too, much like many of you, have parents and family members who depended on me throughout college to contribute to the family's income. Yes, they wanted me to excel in school and have a career, but they also expected me—or rather, they needed me—to work and to maintain a job while I went to school. So that created some tension between what I wanted to do (try to get into law school) and what I needed to do (provide for my family).

I struggled with the same issue when I was in law school. And the problem was compounded because not only did I need more time to study and participate in extracurricular activities (such as law review and moot court) that would help me with my career, but I now also needed more money to defray some of the additional

costs associated with going to law school.

So how do you deal with that? For people in our situation, there's only one way that I know—you work hard. Harder than your peers, many of whom do not come from the same backgrounds as you. Some of whom don't need to work to pay the rent. Who don't have parents who rely on them to pay their mortgage. Who aren't putting their younger siblings through school. They have all day to do their school work.

You're not one of them. There is no time to sulk or be jealous. You have to make sacrifices to get ahead. Unlike them, you have to skip that Saturday night party that you were invited to, and instead go to work, or to the law school library to catch up on reading that you had missed during the week. For you, there is no such thing as downtime. If you're going to law school in the daytime and driving a livery cab in the evening, you have to get your reading done waiting for passengers at bars, restaurants, and airports. Or whenever you get a free moment. There is no rest. There are no vacations. When your friends go away on Spring Break to Mexico, you stay back and work the shifts that you had missed out on while you were trying to study for the midterms. When you are a summer intern working for free at a law firm, a non-profit, or a government agency, you can't go to the happy hour with the other interns because you have to work that evening shift just to pay the rent. And in the process, you may lose a friend or a boyfriend or girlfriend. That hurts. It's the price you pay for getting ahead.

And you have to have—and this was the most difficult thing for me—those difficult conversations with your family members and those who depend on you. You have to let them know that you may not be able to satisfy that need, make that rental payment on time, and pay for your parents' airfare to go back home to visit their parents, because you're trying to become a lawyer. They will understand. Trust me. Even if you think

they are disappointed in you at that moment, they'll be secretly cheering you on. And that will become more apparent when you see them tear up at your law school graduation and when you pass the bar exam.

The most satisfying moment for me was this past year when I became a partner at my firm. As soon as the announcement came down on December 8 at 5:53 p.m., I went downstairs to 43rd Street between 6th Avenue and Broadway where my father had been waiting for me in his cab after having finished his shift. I did not know that the old man was such a good hugger.

THE THIRD CHALLENGE

Now the next challenge: When you become a lawyer, you cannot just be an average lawyer, you have to be an extraordinary lawyer. You have to be better than your peers and better than your adversaries. Because graduating law school is the beginning of the road, not the end.

And here is why: At your first legal job, when you walk into that law firm, the in-house law department, or government agency, many of you—just because of your background—will be in the minority. The legal profession has made many advances over the years, but it still struggles when it comes to diversity.

So don't be surprised if you get mistaken, as I was by a security guard, as an employee of the mailroom department or as a paralegal at the firm. Also, your peers and adversaries may not have worked with people of your background before. You may be the first lawyer with a dark skin tone, an accent, or an immigrant-sounding name they have met in that capacity. And because of that they may have an implicit bias—a pernicious perception that some people, even many of us, don't recognize. They may think that the only reason you got the job was because of affirmative action. That

you're not really qualified. You may be doing the same job as your peers, but they may expect more from you. If your peers make a mistake, they may let that slide, but whatever you do may be viewed through a microscopic lens.

So how do you deal with that?

First, you just have to do a better job than your peers. You have to work harder than them. You have to make sure you proofread your briefs, memos, and contracts twice. You'll have to get in early and stay late.

Second, don't fall victim to the inferiority complex. Don't quit or underestimate yourself. You will not ultimately be judged by your pedigree or whether you went to an Ivy League school. You will be judged on your efforts, hard work, and results. Because ultimately that's what matters.

One note of caution: Don't be presumptuous in thinking that all of your bosses are biased or that you won't be able to have genuine relationships with them just because they have a different background than you. That can perhaps be the biggest mistake that you can make. You'll find that many of these people are in your camp. They will appreciate your background and struggle. Many of them will have struggled too.

And, here, let me again give you a personal example. There are many people who come from very different backgrounds than me but took an extraordinary interest in my career and professional development. One such person is Erik Haas, my mentor and now my law partner. I began working with him when I joined the firm as a junior associate. I tried to do what he did—work hard and be a zealous advocate for our clients. I tried to emulate his commitment to his clients—whether they were corporate or pro bono. Here's an example of his commitment: I worked with him on a pro bono case

where we represented a grandmother who was being thrown out of her house because her grandson, who suffered from mental disabilities, retaliated against his bullies. After having spent the entire night in the office working for a corporate client, he showed up at the projects in Yonkers at 8:30 a.m. to meet with the client and me. That's the type of lawyer I wanted to be, and I think he saw that. Because of that, he helped me navigate my path through the firm.

I tell you all this to underscore the point that you should not pre-judge. Don't be afraid to seek mentoring from people who come from very different backgrounds than you. As I said, you will ultimately be judged based on your efforts.

THE FOURTH CHALLENGE

Now to the fourth challenge: understanding what it means to be successful in the practice of law. How you define success is important.

Let me be blunt: If you want to be rich, do not go into the practice of law. Go become a businessperson or go work in finance. Success in the legal profession is not measured by how much money you make, but by how fulfilled you are.

You'll need to find what drives you and what makes you happy. A deeper purpose for becoming a lawyer, other than money.

You'll also need to understand that, sometimes, success does not come immediately. You'll have many years that will go by empty. You'll have to keep on trying. And if you do that, you'll eventually catch a break.

THE FINAL CHALLENGE

The last challenge, and perhaps the most overlooked one: once you are successful, don't forget where you're from. And don't forget those who made sacrifices to help you get to where you got.

When you become a successful lawyer, you'll be hanging out with a different crowd. Many of you may no longer be living in the communities in which you grew up in. You may drive a better car and wear better clothes. You may eat in fancy restaurants and take exotic vacations. Many of you won't have to deal with the struggles that your parents and family members dealt with, or may still be dealing with. You'll have a new group of friends, and a new social circle. In that moment, it is very easy to forget what made you who you are. Don't.

I am not saying that you shouldn't be proud of your accomplishments. You should be proud, as I'm sure your families and friends will be.

But you can't forget your past, because your past is your identity. You're going to need a constant reminder of the struggle. Because if you lose that perspective, you'll lose your humility. If you lose that perspective, you'll become arrogant. If you lose that perspective, you'll lose your drive and motivation.

Don't forget the fact that you got to where you are also in large part due to luck. Just mere luck. I'm going to paraphrase Michael Lewis, the financial journalist and author: If you've had success due to luck, don't forget that luck comes with an obligation. You owe a debt, and not just to your Gods. You owe a debt to the unlucky. Those who may not have had the same opportunities and support system as you. And those who may have had a better support system than you, but just not your good luck. You're going to have to watch out for them, and help them.

You are also going to owe a debt to the communities that you come from. You are going to be obligated to help them with their issues and their struggles. They are going to depend on you. Your communities will not have many lawyers who can protect them from those who will cause them harm; from the bank that engages in predatory and discriminatory lending in your community; from the police department that harasses our youth; from the education system that is inadequate; from the criminal justice system that is punitive, excessive, and discriminatory; and from an immigration system that separates families and does not respect basic human dignity.

Sadly, this list of issues is—and will continue to be—endless. So you will be called on to help, to represent those who cannot represent themselves, to bring that lawsuit, to advise clients, to draft contracts, to show up at airports to help refugees prohibited from entering the country, and to advocate.

So I struggled with this issue, as I advanced in my career. I loved representing my corporate clients, but I also felt an obligation to the community that I came from. I thought constantly about the reasons I wanted to become a lawyer. I read regularly that Seamus Heaney poem that hangs on my wall.

So what did I do? I was tired of being broke, so I wasn't going to quit my law firm job and go work at a non-profit. I was lucky enough to be at a firm that was committed to helping the unlucky. So I began taking on pro bono cases. I began representing runaway and homeless kids who were thrown out of their homes because they were gay and were without any shelter in New York City. I began representing tenants who were being thrown out of their homes by the landlords. I began representing a death-row inmate who did not have a lawyer to represent him as he went through the appeals process. I began

representing a group of Muslims who were denied their right to build a house of worship in the community that they have lived in for decades.

So how do I measure my success as a lawyer and as a human being? I struggle with this issue. Late in the night, in my office, I go back to that Heaney poem, to the Republic of Conscience, to self-examine. I think about the people I have helped, the difference that I made for them. That makes me feel fulfilled, happy, and content. But I know I could be doing more. There are more people to help, a lot of unlucky out there.