

A Lawyer's Gyro

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According to Plato, law is order, and order in theory is integral. The common law, like the laws of nature, demonstrates the law's reconciliatory and harmonious essence. Our nation has also committed itself to perceived basic human and social imperatives (due process, equal protection, freedom of expression, etc.) that season the common law and with the common law constrain and acclimate legislatively enacted law. Consistently our judicial dispute resolution structure and processes further the goals of reconciliation and harmony customarily called "justice."

Within the dispute resolution system both the adjudicator and each attorney litigator, as an officer of the court, represent the public interest. However, while the adjudicator does so exclusively, each attorney litigator also represents a client, i.e., a party to the litigation. Hence, each litigating attorney must 1) represent and advocate on behalf of the client in a fashion compatible with the public interest and 2) advance the client's best interest a) within the context of the prevailing facts and circumstances, b) in accordance with the applicable law and c) pursuant to professional ethics. Non-litigation duties are likewise.

To perform properly the described duties, the professional attorney must honestly and objectively stay true to both the substance and spirit of the prevailing facts and applicable law. The attorney must not only gather and assess all relevant facts and gain an appreciation of their subtleties, nuances and implications but also acquire a sound understanding of the applicable law including its subtleties, nuances and implications. To do this the attorney must 1) pay close attention to detail and 2) exercise a loyal commitment to the law's essence – "justice," i.e., social reconciliation and harmony. Critical analytical and writing skills are crucial to this unfolding, evolving process, and the depth and quality of the attorney's understanding of the relevant facts and applicable law materially affect the strength, effectiveness and propriety of the litigator's advocated position and the non-litigator's finished product.

Teachers and training emphasized and judicial clerkship, teaching, evaluation, drafting and litigation experiences honed my analytical and writing skills. As "lawcraft" implies, these talents induce a creative, fluid, flexible law practice approach that each client's posture and attitude affect and each matter's history and relationship to applicable law shape. Furthermore, determining, as best possible, the client's true relationship to the prevailing circumstances and applicable law engenders a sharpened advocacy and an enhanced efficiency, i.e., a more proficient, orderly and proper process, in maximizing the likelihood of fulfilling the client's best interests and achieving the client's best lawful outcome, i.e., "Justice."