

RISA L.

It is now my privilege to introduce Cate Stetson, a 1994 graduate of this law school and, in my view, a model of the UVA lawyer you are all poised to become. And I feel very confident by the time she finishes talking, you will think that she is the model as well. Cate is so smart, so accomplished, so generous with her experience and her wisdom, and she is equally concerned with getting every nuance of the law right and with treating people with respect and humanity. There's that word again.

GOLUBOFF:

Like you, Cate began her legal career here at UVA after graduating cum laude from Duke University in 1991. She graduated here in 1994 order of the coif. You may not know what that phrase means yet. There are going to be a lot of phrases you don't know what they mean yet, but I'll tell you this one. It means she did really well.

[LAUGHTER]

She clerked for the honorable Stanley S. Harris of the US District Court for the District of Columbia, and then the Honorable David S. Tatel of the US Court of Appeals for the DC Circuit. Cate has spent the lion's share of her career at Hogan Lovells in Washington, DC, where she is now partner, the co-director of the appellate practice group, and an elected member of Hogan's global board. As an appellate advocate, Cate's cases span the spectrum of issues and practice areas, from constitutional problems to complex regulatory appeals to patent appeals, habeas appeals, and on behalf of all sorts of clients from multinational corporations to death row prisoners. And she has spent quite a lot of time doing pro bono work on behalf of the latter.

She is currently representing Adnan Syed, subject to the popular podcast *Serial*, which you may have listened to and you may know that our own professor Deirdre Enright of the class of '92 and co-director of the law school's innocence clinic appeared on *Serial* to talk about Adnan Syed's case. And Cate is now representing him and his appeal to the US Supreme Court for a new trial.

It is an understatement to say that Cate is a superstar and also, possibly, superhuman. She has argued before the Supreme Court numerous times, sometimes winning unanimously. She has argued in all but one Federal Circuit court and in multiple state appellate courts from New York to California. And she is closing fast on a 100 appellate arguments in all of these various

courts. So keep up to date on that, she's going to get there soon.

She even won a staged trial based on Shakespeare's *Twelfth Night* by offering her closing argument in iambic pentameter.

[APPLAUSE]

That's not, I think, even the best. This is the best one. She did four arguments in four different circuit courts in nine days. That is superhuman.

[APPLAUSE]

I am by no means the first person to recognize Cate's superpowers. Chambers USA has ranked her in nationwide appellate law for the past eight years. And she is one of only four women to be so ranked. One anonymous practitioner said, she is highly respected by the judges, well-liked by opposing counsel, and her legal skills are exceptional. I enjoy litigating against her, but I would rather not have her on the other side, as she is excellent.

She has been an [INAUDIBLE] independently rated lawyer. She is an elected fellow of the American Academy of Appellate Lawyers. She was an Washington, DC, super lawyer for appellate law for 11 years as well. She's been in the legal 500 US for the Supreme Court, appellate litigation, oil and gas litigation, and rail and road litigation. I told you, spans the gamut.

She has been in [INAUDIBLE] Best 45 Under 45, American Lawyers Best 40 Under 40, and under her leadership, Hogan Lovells was named appellate group of the year by Law 360 in 2015 and 2016. I could go on. But as you can see, Cate is shaking her head no. Because she is not only a superhuman, she is a super human. She is modest and kind and wise and so unbelievably generous in every way.

I went through-- I read quite a lot of interviews with Cate in various legal periodicals, and she gives the most incredible advice, which you will hear in a moment. But I just want to say that I recommend that at those down moments-- which I hope are few and far between, but they will come and then they will go-- and one of the ways I think they can go is that in those down moments, you should Google her, and you should read the interviews. Don't read the accomplishments, that might get you a little down, but read the interviews when you are

looking for wise words from a caring older sister.

Her words of wisdom and encouragement are just perfect. They are coming from an amazing lawyer and a truly wonderful person who once sat here where you sit. You might even get a chance to hear her advice in person, as she often judges spring 1L Oral Arguments, and maybe if her schedule allows, she'll come back again this year. How lucky you will be if you have Cate Stetson in that role.

And how lucky we all are to know Cate, to hear from Cate now, and to be able to call her one of our own. Please join me in welcoming the incredible Cate Stetson.

[APPLAUSE]

CATE STETSON: Oh, my gosh. Thank you so much, Risa. That has left me a little bit speechless, which is not necessarily what you want to hear at the beginning of a speech. So welcome all of you. This is such an exciting day and an exciting beginning, and I am so happy to be here with all of you.

I think the last time I was in this room, actually, was probably for moot court. And I remember it vividly because I was wearing, what in hindsight, was just a fantastically awful bright green plaid suit. So, bygones.

So, like any good lawyer, for this speech I did a little bit of research, and I went back and I listened to past speeches given by past alums to past law school 1L classes. And similar to what you've heard today from Jasmine and from Risa, a lot of those speeches had an element of this. They said, I remember where you are right now. I remember sitting where you are. I remember how it felt.

I would love to tell you that I remember sitting where you are. But the truth is I don't. And it's not, I think, because the speeches were-- I'm sure the speeches were incredibly deep and profound-- I think it was because by this time of the morning my head was already swimming with everything I didn't know. The classes, the unknown professors, the as-yet-unknown classmates. I was so busy processing everything that I don't think I remembered anything.

So, in service of hoping that you will remember at least a couple things, I'm going to try to keep my advice this morning to you pretty straightforward and to the point. And I think it actually knits together a few of the things that you've been hearing consistently all morning. And it's going to boil down to just three things.

Number one. Surprise yourself. If I cold called on one of you right now-- which I'm not going to do-- and I asked you to describe yourself in a few words, you would have something to say.

You all would. You'd say, I am a distance runner. I am a reader. I am extremely good at beer pong. Just by way of example, maybe.

Now some of these I am are at the very core of who you are. Like, that's true. But there's something else that's also true-- and it's true no matter whether you came here from a different career or a different job or straight through from college-- is that some of who you are right now can be and should be subject to some change.

So my first day during the speech I don't remember, if someone had cold called on me, I would have said, I am a writer. I wrote my law school entrance essay for this school on the power of good writing, the power of writing to change minds and to spur action. I was a writer, I was very sure of that. The one thing I was equally sure of that I was not was a speaker.

And it's important to the story for you to understand how much of a not-speaker I was. In Mr. Brodsky's high school English class, I once faked laryngitis to get out of presenting an essay to my classmates. In college, I would very carefully select my classes to avoid speaking as much as possible. In law school, I got cold called on the first day in Contracts class, and I cried.

Now, in my defense, I didn't, like, burst out sobbing. It was not some dramatic thing. I answered the question. It was about two British dudes named Hadley and Maxenale, and I answered the question. And then I sat there as the rest of the class went on around me, and I felt these tears pooling in the bottom of the glasses that I used to wear.

That was a problem. And I had resigned myself to it. Because that's who I was. I was going to be a writer lawyer, not a talker lawyer.

There was one minor impediment to this plan. And it was legal writing class, which it turns out is not accurately named. Because the culminating event in legal writing class, you will discover, at the end of second semester of law school is an oral argument in front of a panel of alumni. And it is not optional. So I could not laryngitis my way out of that one.

So the end of the second semester approached, and there came a day in my legal writing class when our professor started previewing what these oral arguments were going to be like in a couple weeks. And I was sitting in the back of the class-- that was usually my jam, right

back there-- to make myself as unobtrusive as possible, and the professor asked for a volunteer. And he asked for a volunteer to essentially give a practice oral argument in front of the legal writing class so that we could get a sense about what it was like before the oral arguments began.

So he asked for this volunteer, and everyone turned around and looked at me. Which I thought was very strange. Except that my hand was in the air. This was not in my plan. But yet it became in my plan.

So I remember very vividly how utterly terrified I was, honestly, in those days leading up to the next legal writing class. But time has this way of keeping going even when you don't want it to. And I walked into legal writing class, and the practice argument began, and it was OK. It was actually better than OK. It was actually a tiny bit exhilarating.

And so I finished the practice argument, and I did the first year argument, and I did moot court. And then I went to my law firm and I did a lot of arguments, sometimes very close together. I would love to tell you that after that first day and after that first epiphany things got much easier for me and that it was really just that one time that I needed to get myself over these nerves. That doesn't happen. You know, I still get nervous speaking in public, including right now.

But the reason that I am telling you this story is because that moment in legal writing class when I raised my hand was one of the most surprising things that ever happened to me. And it changed the trajectory of my life. And it didn't happen to me, remember. I did that, I surprised myself by putting my hand in the air before I even realized that I had.

Now this is a rather extreme example of what I'm talking about, I will grant you. But what I want you to do these next three years, what I urge you to do, is to surprise yourself. So if you never talk in class, speak. And do it soon, do it this week, and set a goal and have a friend hold you to it.

Now there are going to be several of you in this audience who are thinking, this is not a problem for me. I speak in class relentlessly. If you are one of those people, I have a different project for you. And that is, instead of speaking, listen.

Listen to a classmate's question or comment, and later in the class, build on that. Listen rather than speak. If you find yourself having a personal destiny to be a corporate lawyer, take a

constitutional history seminar. If you think it is your personal destiny to be a trial litigator, take mergers and acquisitions. I did, it's quite fun.

If you are not a joiner, join a thing. Join two things. Make friends who are not like you, who actually are very different from you, and affirmatively pursue those friendships.

And if you have never skipped a class a day in your life-- sorry, Risa-- skip a class. Go out to Humpback Rock, go to the reservoir, and just sit for a little while. Surprise yourself in big ways and in small ways every day. Think about who you want to be and who you can be and grow toward that.

Number two. Look around. Over the course of the next three years, you will get to know a roster of legendary case and person names. Oliver Wendell Holmes, Learned Hand, Ruth Bader Ginsburg, Marbury, Obergefell, Miranda. And I'm talking, of course, about Lin-Manuel Miranda.

[LAUGHTER]

Lin-Manuel Miranda, not a trained legal scholar, dabbles in writing and possibly good Broadway musicals, and he has this wonderful line from *Hamilton*. And the line is, "look around, look around at how lucky we are to be alive right now." Now, law school, when you first think about it, does not seem like a looking around sport. In fact, it seems like all you are going to do for the next year is to look down at your computer screen, at your textbook, at your notes, at your outlines, at your essays. You are going to be so busy, you feel, learning all of these concepts and precepts and doctrines and theories.

But, just as you've heard from Risa today, the practice of law is in fact a looking around profession. It requires you to engage with others. It requires you to pay attention to the world. You are learning here about a way to think, a way to identify issues that need solving, and the solutions to those problems. And when you emerge from here in three years into the real world, you're going to be using those skills in service of others.

So as you learn your doctrines and your concepts and your precepts and your theories, I want you to pick your head up and look around and think about the ways in which the law and the rule of law govern your life every day. Think about the ways your classes interact with each other. Think about the things that you've learned in contracts and torts and how they might reflect into something you pick up later in a tax seminar.

Engage with your community and with the community around you and outside of law school. And look for ways outside and within law school to apply that learning while you're here to the real world, to a trial practice clinic, to another clinic, to a pro bono service trip.

Look around your law school, too, and pay attention to things. Learn everyone's names, not just your classmates' names, but the people who keep the law school running, the people who fix the doors, the people who clean the bathrooms. And do this after law school, too. This is important. It matters.

It matters because it demonstrates that you are fully engaged with where you are in the world. And, frankly, it matters because in the middle of the night when the printer is broken or the elevator doesn't work or the garage door won't open, the person who is going to come to your rescue is not going to be some distant senior lawyer, it's going to be Jennifer the building's manager or Hiba the parking garage attendant or Benny the IT guy who works the late shift. Those are your colleagues just as much as you are each other's colleagues. So start that habit of mind here.

Number three. Take care of each other. We are all very painfully aware that lawyers as a profession get a bad rap. This has been a cocktail party cliché for approximately 400 years, since Shakespeare recommended we all be killed.

We are sharks. We are sharp elbowed. We argue for the sake of arguing. We are unethical. That will not be you, any of you, and I know this because of the law school you have chosen and the law school that has chosen you.

You are already starting to see and hear the seeds of this, but you will see it and feel it more and more over the next three years. This is a special place. It is a place that in word and deed encourages you to connect with each other, to engage with each other, to support each other, and to pick each other up. It is a place where summer associate candidates call out their classmates by name for praise in the middle of an interview. I've seen this happen.

It is a place where Lile Moot Court competitors beat the heck out of each other, rhetorically, in the quarterfinal and the semifinal and the final rounds of moot court here in this auditorium. And then they walk out of the auditorium with their arms around each other's shoulders. It is a place where the students take care of each other.

I came back to Charlottesville for my 25th law school reunion this past May, and the person I

was most looking forward to seeing wasn't a professor. It was not even somebody with whom I'd kept in regular contact over the years. But I wanted to see him most of all because I wanted to thank him for something that I wasn't sure he even knew he had done for me. Which was that this classmate had looked out for me, and he had my back, and he kept me balanced for those first few very difficult weeks and months of law school. He took me out with a group of friends for a beer, he cracked a joke to ease the stress right before a midterm, he showed me, by balancing his classwork and his family, that there is a life outside of law school and to be happy in that life.

That in the end is what matters. You, walking into your 25th reunion, 28 years from now, and seeing somebody across the room and saying, that person had my back. That person is my friend. This is what this law school wants from you and for you.

And that is also what will make this demanding profession so fulfilling for you. Because I won't soft pedal it. This is a demanding profession. Being a lawyer requires you to bring to bear a range of skills and judgment arguably that no other profession does. You have to have the skill to persuade all kinds of audiences and all kinds of situations, you have to have the intuition to read rooms full of people, arguably with competing or adverse interests, and try to put together a coherent narrative, a consistent solution to a difficult problem.

You will experience moments of incredible happiness and deep satisfaction in your future work life. And you will also find yourselves called into situations where you are dealing with people and clients who are not at their best, who are anxious, stressed out, angry, close to the edge of despair, in a difficult litigation, an arduous closing, an impossible, beat-the-clock effort to turn aside a death penalty.

This profession can take a toll on you, and it can erode your well-being. Your very best defenses against that are exactly the things that we have been talking about. Your network of friends and family and colleagues, your range of experience, and your understanding of who you are and what you are made of.

These next three years here are going to serve up for you almost all of the available emotions that we know how to describe in our language. Happiness, terror, frustration, joy, calm. The one emotion I hope that you never experience at the end of your time here, though, is regret for something unsaid or undone. I want you to make the most of your time here by challenging yourself every day, being an engaged and open minded friend and classmate, and become an

example of what a true lawyer is.

Someone who does not argue, but persuades. Someone who counsels, not contends. And someone who wins the trust and respect of everyone around them, colleagues and adversaries alike. I wish you all, all of you, every success here at UVA and well beyond. Thank you.

[APPLAUSE]