

Editor's Perspective



By Michael L. Sensor, Esquire

An Embarrassment of Riches

Recently, I read a fascinating essay by a computer programmer named Paul Graham, entitled, simply, *Stuff*.¹ The essay is an exegesis on the role of personal possessions in our lives. In the past, Graham says, stuff “used to be rare and valuable.” However, he writes, over the years, “Stuff has gotten a lot cheaper, but our attitudes toward it haven’t changed correspondingly. We overvalue stuff.”

As I look about my office while I write this, I can’t help but believe this is true. Hundreds of reams of paper fill my file cabinets (even in this age of the “paperless office” and electronic filing). Computers, printers, calculators, scanners, and telephones rule my existence. Even at home, I sometimes have a hard time keeping track of how many cable TV boxes I have—living room, guest bedroom, study; did I miss a room? And, of course, no American household with more than one person living in it can manage with only one car, unless you’re lucky enough to live in an area with an extensive public transportation system, which cuts out most of the nation except New York, Chicago, the Bay Area, and a few more larger U.S. metropolitan areas.

So why do we have so much stuff in our lives? I think I may know the answer, and by doing so I get to put my undergraduate degree to work, something that happens maybe once in ten years in my law practice. The English word “stuff” is a cognate of the German noun *der Stoff*, which is a rather amorphous term, meaning fabric, medium, material, substance, or matter. *Stoff* plays an important role in German; for example, the German

word for water is *der Wasserstoff* (literally, “water-material”) and oxygen is *der Sauerstoff* (“acidic-material”).

Stuff is so important to us because, just like it is in the German language, it is literally the fabric of our lives. The problem with this, however, and the point made by Graham in his essay, is that as material possessions have increased in their perceived importance, their actual importance has diminished.

Think, for a moment, about the modern practice of law. A hundred years ago, one could gain an legal education by apprenticing in the office of a practicing lawyer. Those days are over now, since practically every jurisdiction in this country requires a four-year undergraduate degree followed by three years of law school. I recall a sense of frustration near the end of both my undergraduate and my legal education. By the fourth year of college, I had already decided to go to law school, and I came to believe that I was merely marking time by taking useless elective classes simply so I would receive the magic B.A. degree which would admit me to law school. The third year of law school felt similarly useless to me, as I had already completed most of my core curriculum and was, again, marking time by taking classes such as Law & Psychology, Law & Medicine, and Estate Planning simply so I would have enough credits to obtain my J.D., which would be the secret sign that would permit the Bar to allow me to enter into the lodge room of the legal profession. I have certainly accumulated enough cerebral “stuff” to last me a lifetime.

Nonetheless, I often wonder if I, as an educated, 21st-century lawyer, really

know more about the law than did my counterparts in days past. In my office, along with reams of paper and gigabytes of memory and hard drives, is an old copy of *The First Institute of the Lawes of England, or a Commentary on Littleton* by Sir Edward Coke, that weirdly-abbreviated “Coke’s Littleton” we all remember well from our first-year property classes about livery of seisin, enfeoffment, and the Rule in Shelley’s Case. Coke’s Littleton is a meta-meta-analysis of English common law, a 17th-century treatise commenting on a 16th-century treatise commenting on a 15th-century treatise on property law, the latter in Old Law French, one set outside the other in strata of legal thought. This one sizeable volume, along with Blackstone’s Commentaries, could be all a property lawyer needed to practice in days of yore. With Westlaw and Google at my fingertips, and law libraries aplenty in the region, am I better situated than my quill-bearing forebears?

Similarly, think about our country in the early 21st century and compare it to days of yore. Although I certainly wouldn’t trade our nation’s progress in establishing equal rights for anything in the world, from the perspective of material goods and wealth, I have to wonder whether we’re better off now than we were in the past, even 100 years ago. Thanks to our nation’s seemingly endless agricultural output and the ubiquitous presence of starch and corn syrup in everything from pancake syrup to milkshakes, combined with ready access to relatively cheap transportation, we’re quickly becoming the unhealthiest nation in history. In 1908, our population was

1. The full essay is available at <http://www.paulgraham.com/stuff.html>.

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to penalize attorneys who take advantage of them. Work time flexibility should also include recognition of the need to develop work-life balance. Again, this is not just a women's issue. Firms are demanding more billable hours from all of their attorneys, leaving less time for professional and other non-billable activities. It is no wonder that retention issues abound.

In sum, law firms need to be aware of the important business reasons for recruiting, retaining and advancing women attorneys. Time alone has not and it will not solve this problem. The suggestions discussed above—mentoring, teaching business generation, providing quality assignments, working to eliminate gender bias, and promoting flexible work schedules—go a long way in the right direction. ☞

primarily concentrated densely-populated urban centers; in 2008, we're suburban and exurban, gladly trading city life for 50-mile commutes.

While it's easy to yearn for the Good Old Days, I'm not so sure I would willingly go back in time to live there. We've had a lot of positive changes since then, and we are overall a healthier and more prosperous nation. But prosperity has its perils, and we do ourselves a disservice if we are not aware of them. Our society's richness could, someday, be an embarrassment; some might say we are already there, although I don't think we are. Our challenge, both as individuals and as a society, is not to allow ourselves to be controlled by our possessions. In a nation of \$399 iPhones and high-def televisions, that's a tough task, but it's one that we're up to.

After all, if my copy of Coke's Littleton was good enough for the 18th-century lawyer who used to own it, it's good enough for me. ☞

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