

# LETTER TO THE EDITOR

## Embodiment of Professionalism

Jonathan S. Ricketts

You may recall that Chief Justice John Roberts stated in his confirmation hearings that it was his “job to call balls and strikes and not pitch or bat.”

Although the Chief Justice to-be was referring to the role of judges, in the spirit of using baseball to make a point, I have taken a cue from recent baseball events to become a better practitioner.

Unless you’ve been under a rock, you know that during a June 2, 2010 game between the Detroit Tigers and the Cleveland Indians, Armando Galarraga pitched a perfect game until Umpire Jim Joyce’s subsequent call took his no-hitter away. You may have known that Galarraga stood to become the 20th player in the *entire* history of baseball to pitch a perfect game, and that Joyce’s call, with two outs at the top of the ninth, wasn’t even close. In the words of ESPN’s Jerry Crasnick, “Joyce inexplicably ruled [the batter] safe on a play that, even to the most diehard Indians fan, was clearly out.” This was a BIG deal.

I didn’t realize until later that in this small, anticlimactic moment in the history of mankind, despite its magnitude in baseball, was an example that would make me a better lawyer.

The practice point came not from the pitch, bat or the call; it came from what happened next. After the call, Galarraga smiled, adjusted his cap and returned to the mound to resume the game. He didn’t rush the umpire with slurs and gestures. He didn’t throw his hands in the air or throw his glove to the ground. He didn’t storm off the field or even give a sign of disbelief.

He smiled, and carried on. But that’s not all! After the game, when the press pushed him for a sound bite in the locker room, he didn’t belittle the call or the man who made it. He simply said, “It’s a fast game” and “nobody’s perfect.”

My initial response: “WHAT!!! You just lost a spot in the Hall of Fame from this one!@#\$\$% call! This one man took from you what every MLB pitcher dreams of. How could you be

so calm and so...so...so...human?” Yes, an epiphany. At the time of the call, it would have been easy to get swept away by the magnitude of the moment. It would have been easy to react in an un-sportsmanlike way. Fans, and even the Commissioner of baseball, would have forgiven such a tirade. But that’s why he’s is a *professional*, right? And then I thought of the courtroom.

Galarraga’s moment embodied professionalism. His reaction to the call gave me an example of how a *professional* should handle the bad calls the moment they happen. And beyond that, Galarraga’s behavior *after* the bad call gave me an example of how a *professional* treats his colleagues when they screw up. He showed compassion and a deep understanding of the human condition. He showed that indignation does not have to be a part of persuasion.

Sure, our profession is based on being more right than our opponent’s lawyer, and now we have mandatory reporting. But we don’t have to achieve our goal at the expense of another’s reputation. I was reminded of the words from Federalist 78 that the judicial system ultimately derives authority only from the consent of the governed.

What good does it do our profession—which, in the words of Morris Dees at the KBA convention this year, holds the keys to the gates of justice—to publicize the mistakes of other colleagues to gain some advantage? We all end up looking bad. I’m not suggesting that we should lower our standards of practice or expectations of other lawyers. I simply recognized a moment of professionalism when I saw it.

Wait, there’s more! Remember the umpire, Jim Joyce? He later admitted that he had blown *the* call and apologized to Galarraga. He sincerely declared that this wasn’t just any call, and acknowledged that it might have been the most important call of his career. He didn’t pass the blame, dismiss those who questioned his call or hide behind the game’s tradition. Some reported that he even cried



(The Wall Street Journal, Digital Network. [www.blogs.wsj.com/photojournal](http://www.blogs.wsj.com/photojournal)) (Paul Sancya/Associated Press)

about it. How easy it would have been for him to say, “He was safe from where I was standing. Deal with it.”

A lesson on professionalism came from the umpire too. It’s okay to reflect on my work, and if I screw it up, admit it.

As a lawyer who still has more ahead of him than behind, I know I’m far from perfect. I know I’ve made good calls and bad. But most importantly, I know that I have learned more about practicing law from the lawyers who were kind, generous and gracious than the ones who were well within their rights to make me look bad and did. I have learned more from those who have forgiven me, than the ones who have condemned me.

It’s not going to make me a million dollars by following them, but in a small way, the

examples Armando Galarraga and Jim Joyce have given me are examples that might make me a better lawyer and professional. Now I just have to practice.

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