

# The Godfather: Seven Lessons on Providing Effective Counsel<sup>1</sup>

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*Never hate your enemies. It affects your judgment.*<sup>2</sup>

## I. Introduction

It's your first day as a Brigade Judge Advocate. What do you do? How do you interact with the commander and staff? Interestingly, the basic rules for success as a judge advocate can be found by watching *The Godfather*.<sup>3</sup> Through the lens of Tom Hagen, the consigliere to the Corleone family, we see seven lessons for success as an advisor and counselor to any leader. After discussing the background of *The Godfather* movie, we'll look at those seven lessons and see not only how they are applicable to all judge advocates, but how following them can produce an effective legal advisor.

## II. Background

*The Godfather* is arguably one of the best-known and most popular movies of all time, as demonstrated by its #2 ranking on the American Film Institute's top 100 movies.<sup>4</sup> Directed by Francis Ford Coppola<sup>5</sup> and based on the book

and screenplay by Mario Puzo and Francis Ford Coppola, *The Godfather* is a story of a family, their mafia "family," and the business that intertwines the two.

In *The Godfather*, the Corleone family is headed by Don Vito Corleone<sup>6</sup> and focuses on his four children and the roles they play within the family and business. Don Vito's oldest child Santino,<sup>7</sup> commonly referred to as Sonny, is in line to take over the family business but has a troublesome temper. Son Fredo<sup>8</sup> is next and is revealed as a weak-willed man who seems lost in the shadows of his dominant older brother Sonny and his quietly powerful younger brother Michael. Michael,<sup>9</sup> as the third son, could easily have been lost in the family dynamic, but he is always shown as the reasonable, intelligent son who acts not out of emotion but with thoughtful and deliberate reason. The youngest child and only daughter, Connie,<sup>10</sup> is loved and protected by all the men. The viewer sees throughout the film that although she is aware of the criminal nature of her family's business, she is not brought into the business to the same degree as her brothers. Tom Hagen is the "adopted" son of Vito Corleone and considered a brother by Sonny, Fredo, Michael, and Connie. Tom is an attorney, and although he can never fully be considered part of the family because he is not Sicilian, he is the trusted advisor of Don Vito and subsequently Michael. Called a "consigliere," Tom serves as attorney, counselor, and advisor to the family and the business.

Although Sonny is the dominant personality initially, we quickly recognize that Michael is the quiet leader in the family. We first meet Michael as the returning war-hero<sup>11</sup>

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<sup>1</sup> THE GODFATHER (Paramount Pictures 1972). Nominated for eleven Academy Awards, the film eventually won three. Marlon Brando won for Best Actor in a Leading Role, and the film took home the awards for Best Writing, Screenplay Based on Material from Another Medium and for Best Picture. See <http://imdb.com/title/tt0068646/awards> (last visited Dec. 12, 2010).

<sup>2</sup> Stated by Al Pacino as Michael Corleone in THE GODFATHER, PART III (Paramount Pictures 1990).

<sup>3</sup> The author in no way intends to suggest that any U.S. military commander or leader acts as a mafia boss or criminal through any comparisons made in this article. Rather, this is an attempt to elucidate seven principles through a popular movie that, if followed, create an effective legal counselor.

<sup>4</sup> American Film Institute, *AFI's 100 Years . . . 100 Movies 10th Anniversary Edition*, <http://www.afi.com/100Years/movies10.aspx> (last visited Dec. 11, 2010). (According to the AFI rankings, *The Godfather* was topped only by *Citizen Kane* and followed by *Casablanca*.)

<sup>5</sup> A prolific writer, producer, and director, Francis Ford Coppola has won five Academy Awards and has been involved with a vast array of movies, including *American Graffiti*, *The Godfather* series, *Apocalypse Now*, *Black Stallion*, *The Outsiders* and *The Good Shepherd*, to name but a few. See

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Internet Movie Database, <http://www.imdb.com/name/nm0000338/> (last visited Dec. 11, 2010).

<sup>6</sup> Played by Marlon Brando Jr. Although legally a "junior," Brando dropped the suffix for his professional name. Interestingly, Paramount Pictures strongly objected to casting Brando in the role as Vito Corleone due to his previous disruptions on movie productions. Francis Ford Coppola argued stridently for Brando to play the role, and he eventually won the role and an Academy Award. See Wikipedia, [http://en.wikipedia.org/wiki/The\\_Godfather](http://en.wikipedia.org/wiki/The_Godfather) (last visited Dec. 11, 2010).

<sup>7</sup> Played by James Caan.

<sup>8</sup> Played by John Cazale. In *The Godfather, Part II*, we learn that in a moment of bravado or sheer stupidity Fredo betrays the family and Michael for another mafia family. When Michael learns of the betrayal, he orders the death of his brother Fredo. See THE GODFATHER, PART II (Paramount Pictures 1974).

<sup>9</sup> Played by Al Pacino.

<sup>10</sup> Played by Talia Shire. Talia Shire is the sister of Francis Ford Coppola.

<sup>11</sup> Michael returns as a Captain in the Marine Corps.

and it is clear from both Don Vito and Sonny's actions that Michael is not to have a role in the family's criminal enterprises. Both Don Vito and Sonny are immensely proud that Michael is on a legitimate career path, with his father even envisioning Michael becoming a future senator. Michael himself seems to have no interest in the family business when he initially expresses to his girlfriend, "That's my family, Kay. Not me," after revealing the violent nature of the family business. Whatever the intended role for Michael in the family, it changes after his father, Don Vito, is shot.<sup>12</sup> While Sonny reacts to the shooting by irrationally charging forward with his temper ablaze seeking retribution, Michael quietly reasons out a plan of action. From this moment on, Michael is clearly the successor to Don Vito.

Although Michael becomes the leader of the family after Sonny is killed in an attempt to topple the Corleone family, Tom Hagen is the thread that is woven throughout the story. Often quietly in the background, he is always present. At times offering advice and at other times acting as the messenger, Tom is the trusted advisor to all the Corleone men. Because of this relationship, he speaks honestly and candidly. It is through his actions throughout the movie that judge advocates can glean lessons and implement them to become effective advisors and counselors.

### III. Lessons for Judge Advocates

#### A. Lesson #1: Be in the room.

The opening scenes of *The Godfather* show Don Vito in his office receiving requests for assistance from wedding guests. Under Sicilian rules, Don Vito cannot refuse any request brought to him on the day of his daughter's wedding. As a result, guests bring requests for everything from assistance in immigrating a daughter's betrothed to the United States to killing the men who disfigured another man's daughter. Throughout these scenes we see Tom Hagen sitting in the room, listening. At all important decision points, the consigliere Tom Hagen is in the room, always paying attention and often participating in the debate and offering advice. Throughout the movie, we see this visual continuously repeated.

These actions are not only expressed in *The Godfather*, but also articulated by Judge James E. Baker.<sup>13</sup> Specifically, Baker advises that "[a] lawyer engaged at the advent of policy development is more likely to influence and guide than one that clears the final memorandum to the decision-

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<sup>12</sup> The conversation between Michael and Kay occurs at Connie's wedding reception. Michael is explaining to Kay why so many people are meeting privately with Michael's father.

<sup>13</sup> JAMES E. BAKER, IN THE COMMON DEFENSE: NATIONAL SECURITY LAW FOR PERILOUS TIMES (2007).

maker, where policy advisors have already committed to both the substance of decision and means of execution."<sup>14</sup>

Both Tom Hagen's example throughout *The Godfather* and Judge Baker's thoughts on the attorney having a seat from the beginning of the discussion illustrate that the judge advocate must remember to be present in the room, listen, and speak when necessary. It is too easy for the judge advocate to discount a meeting or discussion as having no legal issues and either excuse themselves or fail to listen to the discussion. In practice, it is in these meetings that the critical (and usually unforeseen) issues arise, rather than during a formal consultation with the judge advocate.<sup>15</sup> If the judge advocate is present, he can be relevant.<sup>16</sup> The true cause for a judge advocate's concern is not in being invited to too many meetings, but rather to too few.<sup>17</sup>

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<sup>14</sup> *Id.* at 315.

<sup>15</sup> Major Keirsten Kennedy deployed as the BJA with the 8th Military Police Brigade to Camp Liberty, Iraq, 2008–2009. Her schedule seemed quite empty as she trained to take over from Major Bonnie Dunlap, BJA, 18th Military Police Brigade. Then she started attending what seemed to be hundreds of meetings every day. Major Kennedy noted, "Had I not been invited and encouraged to attend many, if not most, of those meetings, it would have created twice as much work in the long run." Instead of being asked legal questions by memorandum, e-mail, or phone call after the fact, Major Kennedy was able to spot the issue as she listened, and deliver prompt and well-informed legal advice instantly (notes on file with author).

<sup>16</sup> Captain Laura O'Donnell, former trial counsel for 3d Brigade Combat Team, 25th Infantry Division, and currently a defense counsel at Fort Carson, Colorado states, "Individuals in the meeting develop a habit of looking to the judge advocate for answers" and [the judge advocate] integrates himself as part of the overall team. She continues that "Just like Tom wasn't actually part of the family, they viewed him as such because he was integrated" (notes on file with author). Additionally, based on the author's experience as a BJA with the 2d Stryker Brigade, 25th Infantry Division, 94th Army Air Missile Defense Command, and the 130th Engineer Brigade, issues arise in a meeting and the attendees do not recognize that a legal issue exists. One example is for a unit to be tasked to accomplish a mission with fiscal implications, but the existing legal framework does not allow the mission to be executed in the manner in which the unit was directed to act. Most staff members receive a mission and want to execute. By being in the room, you can identify the issue and work to resolve the problem. If the judge advocate is not in the room, she is relying on the commander or staff members to identify the issue and coordinate with the unit judge advocate after the meeting concludes.

<sup>17</sup> Judge advocates providing rule of law services deployed to Iraq caution other attorneys on the advisability of building coalition interoperability and interacting with multinational personnel: "It is worthwhile to integrate yourself with [coalition partners]. Their different experience and perspective are valuable. . . . You have to take the initiative and seek them out." TIP OF THE SPEAR: AFTER ACTION REPORTS FROM JULY 2008–AUGUST 2009 (2009 SUPPLEMENT TO FORGED IN THE FIRE—LEGAL LESSONS LEARNED DURING MILITARY OPERATIONS 1994–2008), THE JUDGE ADVOCATE GENERAL'S LEGAL CENTER AND SCHOOL, CENTER FOR LAW AND MILITARY OPERATIONS 419 (Sept. 2009) [hereinafter TIP OF THE SPEAR].

B. Lesson #2: If you do not create your own reputation, you will be known by the reputation of those you represent.

*“I know almost every big lawyer in New York; who the hell are you?”<sup>18</sup>*

When Tom Hagen is sent to talk to Los Angeles-based movie director Jack Woltze, Jack does not recognize Tom’s name. Only after some investigation does Jack recognize Tom’s boss as Don Vito Corleone. But Jack still does not know *Tom*. Any assumptions, beliefs, or methods Jack has for interacting, persuading, or negotiating with Tom are solely based on his knowledge of Don Vito. How much more effectively could Tom have advocated for Don Vito if Jack also knew Tom’s reputation as an honest broker?

The same is true for judge advocates. Whether serving in a courtroom or in a brigade, you must build your own reputation. If the commander is hot-tempered, but the judge advocate is reasonable, the judge advocate may use this difference to the benefit of the command as a whole. Additionally, if a judge advocate’s positive reputation is already known, even if a commander acts unethically, or possibly illegally, these traits will not be imputed to the judge advocate.<sup>19</sup> But if an independent reputation is not built, others may view the judge advocate as acquiescing to those acts of a commander which may otherwise be legally and ethically objectionable.<sup>20</sup>

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<sup>18</sup> In the movie, character Jack Woltze’s question to Tom Hagen when Tom visits Jack in Los Angeles to ask on behalf of Vito Corleone that Jonny Fontane, Vito Corleone’s godson, be given a part in a movie.

<sup>19</sup> A clear example of this is shown by Captain Sasha Rutizer, former defense counsel with Trial Defense Service and current instructor with the Trial Advocacy Program. Captain Rutizer states that if a chief of justice or staff judge advocate (SJA) is viewed as unreasonable, and the trial counsel does nothing to distinguish his own reputation, agreeing on adequate disposition of cases becomes difficult. At the same time, if a defense counsel does nothing to distinguish his reputation from that of his client, or is viewed as a “slickster” and engages in “gamesmanship,” then the client may suffer in the form of a negative disposition of the case. Based on personal experience, in the case of a BJA, if a commander is unreasonable, hot-headed, or tends to “go rouge,” and the BJA does nothing to distinguish himself from the commander, a SJA may view that BJA as unreasonable or unmanageable.

<sup>20</sup> Major Keirsten Kennedy, former BJA and currently assigned as the Director and Professor, Professional Communications Program, The Judge Advocate General’s Legal Center and School, emphasizes the importance of building your own reputation, independent of that of your supervisor, SJA, or commander:

In my two years as a Brigade Judge Advocate, I advised over twenty battalion commanders, all of whom had varying judicial temperaments, leadership styles, and—of course—reputations. Some were known to be hot-headed and passionate or emotional, others might be considered unapproachable or unable to relate to their Soldiers. No matter their reputation in or beyond the unit, I worked hard to ensure their behavior or decisions did not represent me or who I was. Of course I gave them advice and guided their legal decisions, but it was very important to me to be my own person, my own type of officer, with my

C. Lesson #3: Watch out for others’ agendas. Are they helping the cause, or using your access to the boss for their own purpose?

*“Now, it’s up to you to make the peace between Sonny and me.”<sup>21</sup> “Tom, you’re the consigliere. You can talk to the Don.”<sup>22</sup>*

Tom Hagen, as consigliere to Don Vito and Michael, not only had access to these two men, but also had their trust and confidence. Tom was privy to all levels of the business and was routinely sought out for his advice and counsel. If a relationship is properly established in the beginning, a judge advocate may find that he also has this same level of access to the commander.<sup>23</sup> Similarly, a judge advocate should have the ear of the commander. If he does, a judge advocate may be more successful than other leaders in getting onto the boss’s calendar. The commander will also trust his judge advocate to not only be aware of facts that few others are privy to, but also to provide thoughtful and reasonable advice on all manner of decisions, legal and otherwise.<sup>24</sup>

Because of this relationship, the judge advocate must always be mindful of other staff members seeking to manipulate this access for their own purposes. Often, staff members may bring an issue to the judge advocate in lieu of, or in addition to, the commander. The staff member may seek support for his position and knows a positive reaction from the judge advocate may be persuasive with the boss.<sup>25</sup>

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distinct actions dictating others’ opinions of me, along with my reputation.

(notes on file with author).

<sup>21</sup> Said to Tom Hagen by Sollozzo after Sollozzo abducts Tom Hagen and tries to use him to reason with Sonny after Vito Corleone is shot (and believed to be dead). Sollozzo wanted to create a business between himself and Vito Corleone to sell drugs, but Vito turned him down. Sollozzo believed by killing Vito, he could force the Corleone family to go into business with him.

<sup>22</sup> Said by Fredo to Tom Hagen when trying to overturn Michael’s decision to buy out Mo Green, a wealthy casino owner, in Las Vegas.

<sup>23</sup> Some command leadership may seek to limit the judge advocate’s access to the commander, such as the executive officer who is used to all staff actions being routed through him. According to published after action reports, “[Judge Advocates] need direct, unfiltered access to the commander so they can properly advise on all areas of the law. Some issues require the strictest confidence, excluding all unnecessary parties from hearing.” TIP OF THE SPEAR, *supra* note 17, at 524.

<sup>24</sup> Based on the author’s experience as a trial counsel and BJA, the author often found herself privy to information of which only the commander and command sergeant major were aware. During this deliberative period by the commander, the author’s counsel was sought both because of an established reputation of reasonableness and sound judgment, but also for her discretion and sensitivity to ancillary issues such as rank, nature of the issue, and impact to the unit.

<sup>25</sup> In some units, a commander may require a judge advocate to review specified (or all) issues before bringing the issue to the commander for action. The level of involvement will depend on both the personality of the commander and judge advocate, and also the relationship between the two.

Alternatively, the staff member may seek to evoke a reaction from the judge advocate and use this reaction to influence the boss subversively. In either event, when a staff member seeks not merely legal review but also action (or reaction) on the part of the judge advocate, the prudent judge advocate must independently analyze why the staff member is bringing the information forward and why the staff member is not raising the issue to the commander himself.<sup>26</sup>

D. Lesson #4: If you cannot adapt and stay relevant, you'll be replaced.

“Mike, why am I out?” “You’re not a wartime consigliere, Tom.”<sup>27</sup> “If I had a wartime consigliere, a Sicilian, I wouldn’t be in this shape. Pop had Genco, look what I got.”<sup>28</sup>

When the Corleone family was about to go to war with the other mafia families, the first thing both Sonny and then Michael did was to exclude Tom Hagen from the decision-making process. Some may view this cynically as a way to “protect” Tom so he would not be put in an ethical quandary, but the reality is that if the judge advocate proves that he can be an effective counselor in garrison and in the field, the commander will continue to look to the judge advocate for advice and counsel. Alternatively, if the judge advocate cannot adapt his perspective to the challenges and concerns of a forward commander, the commander will look elsewhere. The risk is that the commander looks to other staff members for this advice and counsel because far too often, other advisors to the commander who are not judge advocates are reluctant to advise that a prospective course of action may be imprudent.<sup>29</sup> An effective judge advocate

<sup>26</sup> I noticed a pattern of peers and at times superiors bringing issues to my attention rather than taking them directly to the commander. I began to question why this was happening, and checked my own initial reaction to the issue. Was this person hoping I would align myself with the issue, and then make recommendations to the commander based on this reaction? Was this person seeking to distance himself from any fallout that might result? Did he want to share needed information but avoid the appearance of disloyalty to his teammate? While there are legitimate reasons for bringing an issue directly to the JA and having the JA introduce the issue to the commander, the prudent JA should take a step back and ask why it's happening.

<sup>27</sup> Asked by Tom Hagen to Michael when Michael was planning to start a war with the other families. Michael planned to look to his father Vito for counsel during this time, because Vito had personal experience in these matters.

<sup>28</sup> Said by Sonny to Tom Hagen when deciding how to respond to the other families after Michael killed a corrupt police captain and was subsequently “hiding” in Sicily.

<sup>29</sup> Based on her experience, Captain Laura O'Donnell states that commanders dislike a legal advisor who always says “no.” “Learning to adapt means finding the correct and legal path to yes. If the legal advisor is always coming up with creative ideas to get to yes and make things work, then when she says no, the commander will know that that is a legitimate response [rather than] just an easy answer.” (notes on file with author).

considers not only the law, but the cultural, political, and emotional dynamics of an issue.<sup>30</sup>

E. Lesson #5: Sometimes it is your job to bring the vitriol, panic or unreasonableness down and keep the emotion out.

“This is business, not personal.” “Well then, business is going to have to suffer.”<sup>31</sup>

For Sonny, the family business was personal. When Don Vito was shot, it was personal to Sonny and he could not see the business aspect of the shooting. As a result, Sonny reacted emotionally and wanted to retaliate purely as an emotional response. Tom Hagen reminded Sonny that the actions were business, and the response had to be rational, focusing on what was best for business. During another critical scene when Don Vito is deciding whether to go into the drug business, Sonny emotionally advocates adding this enterprise to the family repertoire. Although Tom is also advocating to venture into the drug business, he does so unemotionally and lays out the positives and negatives of going down this path. In both instances, Tom lowers the emotion in the room, focuses the group on the core issues, creates logical options for the boss to choose, and discusses the positives and negatives of each course of action.

So too must the judge advocate ratchet down the rhetoric at times, and restore reasonableness to the debate.<sup>32</sup>

<sup>30</sup> According to a judge advocate working with coalition partners while deployed, “Not all officers have the personality to work successfully with coalition partners. It takes a certain degree of patience, objectivity, a willingness to listen carefully. . . . Senior JAs must consider very carefully who they send to fill this role.” TIP OF THE SPEAR, *supra* note 17, at 419.

In addition to being in the room, a judge advocate needs to be on the team. It is important for a judge advocate to not only build a strong relationship with the commander, but also with the staff. Based on the author's experience, if a judge advocate does not maintain a positive relationship with the staff, the staff may seek to exclude or even discredit the judge advocate. However, a positive relationship with the commander and staff will ensure that the staff seeks the judge advocate “buy-in” before presenting the commander with a plan and that the commander, upon presentation of a plan, will ask the staff “legal” has commented on the plan. See generally TIP OF THE SPEAR, *supra* note 17, at 525 (“Relationship Building”).

<sup>31</sup> When deciding how to respond to the shooting of Vito Corleone, Tom Hagen reminds everyone that “this is business, not personal.” Sonny responds that business will suffer, showing he cannot make decisions from a rationale perspective. To him, business is personal. Contrast this with Michael's decision to kill the police captain in response to his role in shooting Michael's father. Michael lays out the reasons his course of action makes rational sense, and is sound from a business perspective. Michael removes his emotion from the decision and still ends up with a proportionate (and palatable) response.

<sup>32</sup> Rudyard Kipling's poem, “If” captures this sentiment with the words, “If you can keep your head when all about you are losing theirs and blaming it on you; . . . Yours is the Earth and everything that's in it. . . .” Complete Collection of Poems by Rudyard Kipling, [http://www.poetryloverspage.com/poets/kipling/kipling\\_ind.html](http://www.poetryloverspage.com/poets/kipling/kipling_ind.html) (last visited Aug. 24, 2011).

It is understandable for individuals to want to react emotionally, especially when a loss has occurred or they are invested in a particular plan. The judge advocate must exercise thoughtfulness and demonstrate prudence in order to focus individuals.<sup>33</sup> This requires the judge advocate to determine the basic issue at hand; gather options; and then build an answer highlighting the positives and negatives of each option.<sup>34</sup> Through this deliberate action, a judge advocate can restore focus to the group and ensure the response is not emotional, but rational under the circumstances.

F. Lesson #6: If legally and ethically possible, get your boss to “yes,” even if the means are different from what the boss envisioned.

*“And please, do me a favor, Tom. No more advice on how to patch things up—just help me win, please.”<sup>35</sup>*

After Don Vito was shot, Sonny wanted to go to war with the other families in retaliation. Tom Hagen attempted to reason with Sonny and continued to state reasons why going to war with the other families was bad for the Corleone family. This response left Sonny dissatisfied and frustrated with Tom. In this instance, it was Michael who thought of a response that would give Sonny the emotional satisfaction he desired while still protecting the family’s interests. This was a weak moment for Tom Hagen as consigliere because he did not focus on the realities of what each party needed. Without Michael’s reasoned course of action, a dissatisfied Sonny may have ignored Tom’s counsel altogether and continued on his imprudent path of retribution.

Too often, judge advocates earn a reputation as the “no” person. While there are times when “no” is the correct answer, there may be alternate means for achieving the same result. Instead of asking a commander, “What do you want to do?” and then providing the legal answer, ask the commander, “Where do you want to end up?” If the judge advocate knows the end goal, she can think of unexplored ways of achieving that same end. This strategy requires not

<sup>33</sup> Based on personal experience, a commander or staff may push for an immediate and emotional response to a particular event, especially if a unit loss occurs. At times, a particular plan may even appear to meet the goals of the overall mission. But if the plan is not legal or prudent, the burden may rest on the JA to restore calm and focus to the discussions.

<sup>34</sup> Although this scenario is witnessed in a variety of ways, one such way involves a commander’s reaction to a Soldier’s indiscipline. Based on experience, a commander can react out of emotion rather than reason when a Soldier repeatedly seeks to test the commander’s authority. This reaction can actually work against the commander if the commander’s actions are limited or result in disciplinary credit to the misbehaving Soldier.

<sup>35</sup> Said by Sonny to Tom Hagen after Vito is shot.

only creative thinking<sup>36</sup> on the part of the judge advocate but also knowledge of the unit, its capabilities, and personalities. In order to do this effectively, the judge advocate should ensure he is integrated within the unit in order to have a proper understanding of the unit’s needs in advance of rendering legal advice.<sup>37</sup>

G. Lesson #7: Use the boss’s name judiciously.

*“Why didn’t you say you worked for the Corleones?”  
“I don’t like to use his name unless it’s absolutely  
necessary.”<sup>38</sup>*

The judge advocate that seeks to bolster his position, thoughts, or advice based on using the commander or staff judge advocate’s name commits a critical error. Not only is this not persuasive, but it can have a negative effect in that it tends to anger or irritate other commanders’ staff members and is generally viewed as weak. If the judge advocate’s advice is solid, it should stand on its own. Only as a last resort should the judge advocate resort to using the commander or staff judge advocate’s name, and even only then with permission from the commander.<sup>39</sup>

<sup>36</sup> This term is not utilized as a euphemism for illegal or unethical means of achieving the end result. It is merely used to say that a judge advocate may have to work a little harder or think outside the proverbial box to come up with a workable solution that satisfies the legal and ethical requirements while achieving the commander’s end objective.

<sup>37</sup> A deployed judge advocate working in the area of contract and fiscal law points out that academic instruction and what is actually happening in the field many times does not marry up:

Academic instruction does not always complement the actual situation on the ground in a deployed environment. . . . Attorneys deploying to overseas contingency operations should understand meeting the mission may sometimes require lawyers to ‘think creatively.’ Contract and fiscal law lawyers should work hard to get to ‘yes’ without violating the law. If possible, avoid giving answers of ‘why something cannot be done.’

TIP OF THE SPEAR:, *supra* note 17, at 277 (internal citation omitted).

<sup>38</sup> Jack Woltze’s question to Tom Hagen and Tom Hagen’s response after Jack realizes who Tom works for.

<sup>39</sup> Another aspect to cautiously using the boss’s name concerns the delicate balance SJAs must find when mentoring BJAs. Brigadier General Thomas E. Ayres states that the SJA must educate and mentor the BJA generally without unduly influencing the BJA or communicating a higher convening authority’s direct observations on a specific case, creating an unlawful command influence scenario. Regarding effectively using a commander’s influence to support your position, a deployed judge advocate reported,

The [Brigade Judge Advocate (BJA)] accompanied the brigade commander, with whom he had a long-standing relationship, to initial meetings with senior provincial officials. . . . If he required the brigade commander’s influence after an initial meeting, he asked him to attend a subsequent one. . . . JAs who develop a good relationship with their commanders have a better chance of leveraging this relationship to

#### IV. Conclusion

*The Godfather* is a classic movie that is not only beloved by many, but also continues to have a profound influence on other movies, television, and pop culture.<sup>40</sup> But beyond its cinematic achievements, *The Godfather* offers the judge advocate a visual lesson on how to be an effective

counselor and advisor, even when faced with an emotional, and sometimes irrational, client. If followed, the seven lessons discussed above will provide the new brigade judge advocate a solid path to follow when assimilating into the brigade staff and providing effective counsel to the boss.<sup>41</sup>

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increase their status and influence when dealing with Iraqi officials.

TIP OF THE SPEAR, *supra* note 17, at 419.

<sup>40</sup> *The Godfather* was referenced in *Analyze This*, *You've Got Mail*, *Arrested Development*, and *Seinfeld*, to name but a few classic media, and contains the second most quoted line, "I'll make him an offer he can't refuse," as nominated by AFI. See [http://en.wikipedia.org/wiki/The\\_Godfather](http://en.wikipedia.org/wiki/The_Godfather) (last visited Dec. 12, 2010).

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<sup>41</sup> The judge advocate who follows the aforementioned sentiments will find himself not merely the legal advisor, but a trusted advisor. It is in this relationship that victory is achieved. When the commander seeks your counsel not only on legal matters, but for issues not necessarily in the legal field (e.g., writing a position paper for . . . , or where to move personnel, or how to improve morale), then a judge advocate has added value to the commander.