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## Ethics in the Oil Patch... Or A Review of Random Things I Read About So You Wouldn't Have To

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## ETHICS IN THE OIL PATCH

...OR A REVIEW OF RANDOM THINGS I READ ABOUT SO YOU WOULDN'T HAVE TO.

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### I. INTRODUCTION.

A poll conducted in November, 2010 by a national firm asked participants to rate the honesty and ethical standards of people in 22 different professions. The poll reveals that only 17% of the participants ranked lawyers as having high or very high standards. Lawyers were behind nurses, bankers, nursing home operators, and even auto mechanics. Attorneys only beat out business executives, state office holders, advertising executives, members of Congress, car salesmen and lobbyists. We were all taught that the law is an honorable profession. As of last November, it appears that, at least in the eyes of the public, we have missed the mark.

In hopes of making a modest contribution towards keeping us on the straight and narrow, this paper focuses on a variety of topics which relate to professionalism, the profession, and ethical behavior generally.

II. AND GOD SAID: "LET THERE BE SATAN, SO PEOPLE DON'T BLAME EVERYTHING ON ME. AND THEN HE SAID, LET THERE BE LAWYERS, SO PEOPLE DON'T BLAME EVERYTHING ON SATAN." *George Burns*.

The *ABA Journal* regularly publishes snippets which describe various ethical challenges faced by attorneys over the country. A review of those articles for 2010 would suggest that most violations, surprisingly, involve stealing.

Following is a summary of a few of the more unusual and interesting items reported by the *Journal*:

*Sex in South Carolina:*

The South Carolina Supreme Court ruled that an attorney who had sex with a current client's spouse committed a *per se* violation of South Carolina's Rule 1.7 (substantially the same as Arkansas' Rule 1.7), as "it creates the significant risk that the representation of the client will be limited to the personal interests of the attorney."

*Fanny Flicking by Dirty Old Santa Clause in Georgia:*

A 70 year old chief judge of the Superior Court in Cobb County, Georgia was forced to resign after two female attorneys sat on his lap for a photo shoot while he was dressed in a Santa suit. During the photo shoot, the Judge did a little 'fanny flicking' which was reported by the female attorneys. His resignation preceded any ethical review.

*Voyeur Tax Lawyer in Georgia:*

A tax lawyer whose firm website biography said that he "enjoyed photography", went a bridge too far when he put a surveillance camera under the desk of a female employee who worked at the firm. Tax lawyer got arrested. Ethical proceedings to follow.

*Bad Form to Call Judge Crazy in Illinois:*

An Illinois lawyer who called a Judge a "narcissistic, maniacal mental case" in a telephone conversation with the Judge had his license suspended for 6 months. His claim that his statements were protected by the First Amendment didn't fly.

*Groping Opposing Counsel as a Strategic Maneuver Doesn't Pan Out in Oregon:*

A Portland attorney apparently groped his female opposing counsel during a party while a construction defects trial was proceeding. The female attorney alleged that she thought the male attorney was trying to gain a strategic advantage in the trial by unsettling her. The male attorney pleaded guilty to a misdemeanor. The State Bar is investigating.

*Dilatory Estate Lawyer Disbarred in New Hampshire:*

A long time New Hampshire attorney worked on a modest estate for nearly 5 years without much progress. In the course of his representation, he lied to his client about the progress of the case. Although the Professional Responsibility Committee recommended a 2 year suspension, the New Hampshire Supreme Court ruled that the attorney must be disbarred because he lied.

*Aggressive Fee Collection Efforts Don't Work in West Virginia:*

A West Virginia attorney who was handling an estate for a client got cross with the client over a check the lawyer had cashed for his fee and ended up taking a baseball bat to the client. He went to jail...where he was attacked by other prisoners...and lost his law license.

*Cash Doesn't Talk for Massachusetts Attorney:*

A Massachusetts attorney agreed to pay his receptionist in cash so that she could keep her state health benefits. Of course, he fired her, and, of course, she filed for unemployment, and, of course, he got tagged for not reporting her as an employee. His license was suspended for 3 months.

*Romance with Client Results in Suspension for Iowa Lawyer:*

An Iowa lawyer who had sex with a client at her home and in his office (but not, he says, at the Courthouse), later married her, later divorced her and later started paying her \$200 a month in alimony was suspended from practice for 3 years. Apparently, his ex-lover/wife/alimony recipient turned him in [alimony ran out or was not enough?]. The lawyer initially denied the charge which caused problems with the Committee. [Bad result for the ex-lover/wife/alimony recipient if she thought she was going to get more alimony]

*'No Fee' Agreement with Prostitute to Whom He was Handcuffed Backfires on Chicago Attorney:*

A Chicago lawyer was arrested for visiting a house of ill repute. Shortly before his arrival, a prostitute was arrested for soliciting an undercover Chicago vice cop. While handcuffed together in the back of the squad car, the lawyer agreed to represent the prostitute for no fee. The lawyer worked a deal for the prostitute, but failed to mention that he would be appearing before the Court later. Although the criminal charges against the lawyer were later dropped, he was censured and required to take an ethics course for his failure to explain the potential conflict of interest to his 'no fee' client.

*Exotic Dancer Brings Down Federal Judge in Atlanta:*

An Atlanta Federal Judge who visited a strip club in Atlanta was arrested on a tip from the exotic dancer with whom he allegedly had relations, snorted cocaine, and used marijuana [guess he shorted her on the tip?]. No word yet on the outcome but, suffice it to say, the Judge's future is in serious jeopardy.

*Observations and Conclusions:*

Ethics are simple. If your Mama or your preacher wouldn't approve, there is a good chance that proposed behavior is inconsistent with the Rules of Professional Conduct. Presumably, we would all agree that the conduct of the lawyers in the majority of these examples violates not only the Rules of Conduct, but also our fundamental sense of right and wrong. The Preamble to the Arkansas Rules says it best in Section 13[A]:

“A lawyer owes a solemn duty to uphold the integrity and honor of the profession; to encourage respect for the law and for the courts; to act as a member of a learned profession; to conduct affairs so as to reflect credit on the legal profession; and to inspire confidence, respect and trust of clients and the public. To accomplish those objectives, the lawyer must strive to avoid not only professional impropriety, but also the appearance of impropriety. The duty to avoid the appearance of impropriety is not a mere phrase. It is part of the foundation upon which are built the rules that guide lawyers in their moral and ethical conduct. This obligation should be considered in any instance where a violation of the rules of professional conduct is at issue. The principle pervades these Rules and embodies their spirit.”

Our charge, our obligation is to be paragons of honor and virtue in the conduct of our professional calling. To really pull that off, we need be paragons of honor and virtue in the conduct of our personal lives.

III. THE LEADING RULE FOR THE LAWYER, AS FOR THE MAN OF EVERY OTHER CALLING, IS DILIGENCE. LEAVE NOTHING FOR TOMORROW WHICH CAN BE DONE TODAY. *Abraham Lincoln*.

The decisions of the Arkansas Committee on Professional Conduct are regularly reported in the *Arkansas Lawyer* and are also available, in full, by year, on the Arkansas Judiciary website ([courts.state.ar.us/professional\\_conduct/index.cfm](http://courts.state.ar.us/professional_conduct/index.cfm)). A review of those decisions rendered in 2010 reveals nothing nearly as juicy as the matters reported in the *ABA Journal*, but a few decisions are worthy of note.

*Disassembling Communication with Court Nets Berryville Attorney Reprimand:*

A Berryville lawyer told a District Court Judge that her 8<sup>th</sup> Circuit argument in St. Louis might not be heard and that she needed a continuance of cases in his Court. Turns out that when she was having this conversation with the District Court Judge, her case had already been heard. Also turns out that she got back to Berryville in time to appear, but went to Washington Circuit Court instead. The Committee found that the attorney violated Rule 3.3(a)(1) for making a false statement to the Judge, and Rule 8.4(b) when she was in contempt of court for misrepresenting her availability to the District Judge. The attorney was reprimanded and fined by the Committee. (CPC Docket No. 2009-041)

*“Too Busy” Doesn’t Fly with Committee:*

A family law matter turned ugly for a lawyer who accepted a \$2,500 retainer to pursue a Motion for Contempt on behalf of her new client but failed to maintain contact with the client or otherwise pursue the matter for 5 months. After the client terminated the relationship, the lawyer gave her a refund of \$630. The client filed a complaint with the Committee which ultimately found that the attorney had violated Rules 1.4(a)(3), 1.15(b)(2), 1.15(a)(1), and 8.4(d), for failing to keep her client informed, failing to pursue the matter entrusted to her with diligence, and failure to deposit the retainer in her IOLTA Trust Account. The attorney was Cautioned and ordered to refund the client the entire \$2,500 retainer. (CPC Docket No. 2010-007). (See also, CPC Docket No. 2008-086 which was resolved in July, 2010, where a similar lack of diligence resulted in a suspension of the attorney’s license for 24 months).

*Dissing the Court's Ruling in Brief Gains Caution for Little Rock Attorney:*

In a Petition for Rehearing before the Arkansas Supreme Court, a Little Rock lawyer, although articulate, was too aggressive in his argument when he suggested that “something other than justice or the rule of law may have affected the Court’s decision making” and that the Court exercised “dishonest legal reasoning”. On a referral from the Supreme Court, the Committee found that the attorney had violated Rule 3.4(c) when he used language and made statements which were disrespectful to the Court and issued a Caution for his conduct. (CPC Docket No. 2010-044).

*Defense Attorney Sanctioned on Complaint of Plaintiff.*

A Mena defense attorney who drug out a case for 4 years by failing to cause his client to respond to discovery, failing to cause his client to appear for deposition, failing to respond to various motions filed by Plaintiff’s counsel, and otherwise being uncooperative in moving the case to trial was sanctioned by the Committee on a complaint filed by the Plaintiff who ultimately prevailed at the trial of the underlying action. The Committee found that the defense attorney violated Rules 3.2, 3.4(c), 3.4(d), 4.4, and 8.4(d) and reprimanded him for his conduct and imposed a fine of \$2,500. (CPC Docket No. 2010-059).

*Observations and Conclusions:*

A review of these decisions suggests that the Committee is going to heed Abe’s advice every time. Don’t accept a matter unless you are prepared to devote the necessary time to the matter, proceed with diligence and keep your client informed of your progress.

Likewise, in case you didn’t get the memo, retainers belong in your IOLTA Trust Account from the get go, not your operating account. A review of the noted decisions as well as



a number which are not mentioned make clear that the Committee will consistently find a Rule violation if this is not done.

IV. SEND LAWYERS, GUNS AND MONEY, THE SH\*T HAS HIT THE FAN. *Warren Zevon*

For those in attendance in 2009, you will recall that Bob Honea cursed us with a presentation raising the question of whether the work of petroleum landmen constituted the unauthorized practice of law. Although there are no new cases, no new rules, and no new initiatives to address the questions raised by Bob's presentation, at least one lawsuit has been filed in the United States District Court for the Eastern District of Arkansas which raises the question. The Plaintiff in that case is seeking a determination by the Court that landmen who negotiated leases on behalf of a company were engaged in the unauthorized practice of law and that, as a consequence, all leases so negotiated should be voided. A motion to dismiss is pending. [See, *Vanoven v. Chesapeake Energy Corporation, et al.*, USDC No. 4:10-CV-158-BSM].

V. THEY DO TRICKS EVEN I CAN'T FIGURE OUT. *Harry Houdini*

Facebook, My Space, Linked-In, Twitter and a myriad of other services which fall into the general category of "Social Media", offer opportunities for tricks which could create ethical problems for attorneys.

A recent Pew Research Center report ([pewinternet.org/Reports/2009/Adults-and-Social-Network-Websites.aspx](http://pewinternet.org/Reports/2009/Adults-and-Social-Network-Websites.aspx)) suggests that 75% of adults age 18-24 use social networks. Interestingly, the same report indicates that usage among older adults of social media is increasing at a dramatic rate. 20% of adults, ages 50-64 use social networking sites on a typical day and 13% of adults, ages 65 and above use social networking sites on a typical day. Since, apparently, folks put a lot of personal stuff on their social media pages and, often, have little

regard for the privacy settings for their accounts, the information which may be available there could prove potentially beneficial in many contexts...gaining information about witnesses, parties and jurors, among others.

So, may an attorney examine the Facebook page of another party or witness to obtain evidence regarding a pending matter without violating his ethical obligations? The answer may depend on the means by which access is gained and who you are.

Although most States (including Arkansas) have not weighed in on the issue, it appears that the current consensus among those who have is that if an attorney has access to a social media site, he may access the social media pages of others which are not protected by privacy settings without running afoul of the Rules. (See, e.g. *N.Y. State Bar Assn. Com. On Prof'l Ethics, Op 843 (2010)*). This position seems reasonable inasmuch as similar information gained from print media, or other public internet sites would certainly be available for access. If the Facebook user has no better sense than to allow public access to his page, one would suppose that he should suffer the consequences.

So what if the Facebook user has set his privacy settings such that access is available only to 'friends'. May a lawyer seeking to gain information create a bogus Facebook account and seek friendship to gain access? Again, most States have not addressed the issue, but for those who have, the consensus appears to be...depending on who the lawyer is...that a lawyer may not deceptively 'friend' a witness or opposing party in order to thwart privacy settings. (See, e.g., *N.Y. State Bar Assn. Com. On Prof'l Ethics, Op 843 (2010)*; *Philadelphia Prof'l Guidance Comm., Op. 2009-02 (March, 2009)*; *In Re Gatti, 8 P3rd 966 (Ore. 2000)*; *People v. Paulter, 47 P. 3<sup>rd</sup> 1175 (Colo. 2002)*). In some jurisdictions, not all, if the lawyer who dissembles his way into information by utilization of a bogus Facebook account, is a government lawyer, the activity

is not deemed to be a violation of the Rules of Professional Conduct. (See, e.g., *Office of Lawyer Regulation v. Hurley*, No. 2007 AP478-D (Wisc. Sup. Ct. Feb. 11, 2009).

Since the Arkansas Rules of Professional Conduct provide, at Rule 8.4(c) that a lawyer may not engage in “conduct involving dishonesty, fraud, deceit or misrepresentation” it seems reasonable to conclude that bogus “friending” requests would not be determined to pass muster in Arkansas.

You are probably aware of the new changes to AMI 101 to add instructions regarding the use of cell phones, and other electronic devices by jurors. This was done in response to repeated reports of jurors doing independent research on the internet about cases they were hearing, tweeting about cases in the midst of the proceedings, and the like. Since tweeting is, apparently, for a number of folks, stream of consciousness writing reporting on the tweeter’s (or is it “twit’s”) daily activities, daily frustrations, anxieties, etc., it would seem that there might be a fairly considerable risk that a frustrated employee might tweet someone and in that tweet share information about a client or a client’s business. Facebook and the other social media offer similar opportunities for breach of client confidences. It follows that, like the AMI, we need to be mindful that probably most of our staff folks are ‘connected’ and should be counseled and trained about the use of their social medium of choice, both during and after work.

#### VI. THE STUDY OF LAW IS SUBLIME, AND ITS PRACTICE VULGAR. *Oscar Wilde*

Here’s a vulgar thought: Did you know that you may have liability to non-clients for opinions you render to clients? Indeed you may.

There is a line of cases out there, in other jurisdictions which would suggest, in certain circumstances that an attorney may have liability to non-client, third parties for opinions rendered for the benefit of his client. Many factors contribute to the potential liability: (i) the

client's or the lawyer's intent toward the non-client and the nature and purpose of the advice rendered; (ii) whether the duty to the non-client arises by operation of law, or in light of the circumstances in which the advice was rendered; and (iii) in the context of a transaction, the lawyer's role in the transaction.

In *Kline v. First Western Government Securities, Inc.*, 24 F. 3<sup>rd</sup> 480 (3<sup>rd</sup> Cir. 1994) a law firm was held to have liability to investors on a securities law claim in spite of a disclaimer in its opinion that the opinion could not be provided to third parties without the express prior consent of the law firm when it was demonstrated that the law firm became aware that its opinion had reached potential investors. [See also, *Mehaffy, Rider, Windholz & Wilson v. Central Bank Denver, N.A.*, 892 P.2d 230 (Colo. 1995)]

In *Petrillo v. Bachenberg*, 655 A. 2d 1354 (N. J. 1995), the Court held that a seller's attorney may be liable to third parties for a misleading report where it was foreseeable that his client would provide the report to potential purchasers. [See also, *Greycas, Inc., v. Proud*, 826 F.2d 1560 (7<sup>th</sup> Cir. 1987)]

In *Guy v. Liederbach*, 459 A. 2d 744, (Pa. 1983), an attorney who was hired by a testator to prepare a proper Will had liability to those devisees whose bequests were denied because of the attorney's failure to make an effective disposition in the Will. [See also, *Lucas v. Hamm*, 56 Cal. 2d 583, 364 P. 2d 685, 15 Cal. Rptr. 821 (Cal. 1961); *Stowe v. Smith*, 184 Conn. 194, 441 A.2d 81 (Conn. 1981); *Pelham v. Griesheimer*, 92 Ill. 2d 13, 440 N. E.2d 96 (1982)]

In *Faherty v. Weinberg*, 492 A. 2d 618 (Md. 1985), an attorney who was hired by a mortgagee bank was subject to a claim from a purchaser that he did not directly represent because he utilized an incorrect property description in a contract of sale. [See also, *Vanguard*

*Products, Inc. v. Martin*, 894 F.2d 375 (10<sup>th</sup> Cir. 1990); *National Savings Bank v. Ward*, 100 U.S. 195 (1879)]

In the context of today's presentation, for those who are rendering mineral title opinions, even if you include language in your opinion which states that it is rendered solely for the benefit of your client, if you know, and you will when you prepare your opinion, that there are working interest owners in the unit other than your client, it seems reasonable to me that you should expect to have potential liability to those non-client working interest owners if you render an erroneous opinion.

Likewise, if you render an enforceability opinion in a lending transaction where you know that there are, or will be, participants other than your lender, it stands to reason that you have potential liability to those participants.

VII. IF YOU LAID ALL OUR LAWS END TO END, THERE WOULD BE NO END. *Mark Twain*

If you thought that the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 only dealt with Wall Street and bankers, you were wrong. Buried in the Act at Section 1504 is an afterthought provision that sprang out of the Gulf Oil spill and the discovery during its investigation that employees of the former Minerals Management Service might have been the beneficiaries of some largesse offered up by contractors or operators in the Gulf. Section 1504 amends the Securities Exchange Act of 1934 and directs the SEC to adopt regulations which will require "resource extraction issuers" to disclose payments made to foreign governments and the federal government for purpose of the commercial development of oil, gas or minerals in annual reports to be filed with the Securities and Exchange Commission. The SEC has 270 days to adopt regulations pursuant to Section 1504.

VIII. LAWYERS, PREACHERS AND TOMTITS EGGS, THERE ARE MORE OF THEM HATCHED THAN COME TO PERFECTION. *Benjamin Franklin.*

With more and more lawyers developing websites, buying full page yellow page ads and advertising on television, a refresher on the requirements of the Rules of Professional Conduct which relate to that topic are in order. Rule 7.1 sets the tone for the rules which govern lawyer advertising.

“Rule 7.1      Communications concerning a lawyer’s services.

A lawyer shall not make a false or misleading communication about the lawyer or the lawyer’s services. A communication is false or misleading if it:

(a)      contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading;

(b)      is likely to create an unjustified expectation about the results the lawyer can achieve, or states or implies that the lawyer can achieve results by means that violate the rules of professional conduct or other law;

(c)      compares the lawyer’s services with other lawyers services, unless the comparison can be factually substantiated; or

(d)      contains a testimonial or endorsement.”

A recent article published in *Arkansas Law Notes 2010* highlights some fairly common advertising practices which are apparent violations of Rule 7.1. Specifically, the author suggests that utilization of nicknames such as “The Hammer” or “The Barracuda” may violate Rule 7.1(b) as they may create an unjustified expectation as to the results that lawyer might achieve. The author also points out that testimonials in advertising are strictly prohibited by Rule 7.1(d). I wonder if the Martindale Hubbell “client review” feature that has recently been introduced might be at least an indirect violation of Rule 7.1(d). The author also suggests that using phrases such as “results obtained” or “it’s the results that count” or references to awards, settlements or

verdicts are inappropriate under Rule 7.1. [See, *Ethical Advertising for Lawyers: Is it Time to Update your Ads?*, David A. Bailey, 2010 Arkansas Law Notes I]

For those of you who have websites, yellow page ads and the like, might want to take a look at Professor Bailey's article and re-visit your advertising media.

IX. I NEVER SAID MOST OF THE THINGS I SAID. *Yogi Berra*.

If you are not careful, you may cause your client to lose his attorney-client privilege with respect to email communications and everyone will know what you said.

The attorney-client privilege prevents the disclosure of confidential communications between an attorney and his client which are made for purposes of seeking or rendering legal advice. [See, *Upjohn Co. v. United States*, 449 U.S. 383(1981)] The information communicated in an email with respect to which the privilege is asserted must have been necessary for an effective consultation between the attorney and client. [See, *Judson Atkinson Candies, Inc. v. Latini-Hohberger Dhimantec*, 529 F. 3d 371 (7<sup>th</sup> Cir. 2008)] The party asserting the privilege has the burden of demonstrating that legal advice was the predominant aspect of the communication and that reasonable efforts were made to protect confidentiality. [See, *United States v. El Paso Co.*, 682 F2d 530 (5<sup>th</sup> Cir. 1982)]

Emails that serve both business and legal purposes present special challenges. An email from an attorney forwarding a document for signature but also including communication on other business issues may not be protected by the privilege. [See, *Park W. Radiology v. CareCore Nat'l LLC*, 675 F. Supp. 2d 314 (S.D.N.Y. 2009)]

Is there a bright line? Probably not. But, if your communication to your client is of particular import, seems best to include on the 'Re' line that it is an "Attorney-Client Privileged

Communication” and that the content of your email include legal advice or a response to a legal issue only.

And then there’s the issue of metadata. Metadata is embedded information that is automatically generated in an electronic document which may not be visible when viewed or printed...but it’s still there. Metadata can reveal the names of everyone who has worked on a document, text, and comments that have been deleted in various drafts of the document. Some states have issued opinions that suggest that lawyers should take steps to prevent the transmission of metadata. Others have ruled that if you receive a document in which metadata is available, you have a right to review it, and still others have determined that it is inappropriate to review metadata if available. Arkansas has not weighed in.

Word and Word Perfect both have features which allow documents to be saved without metadata. It seems obvious that the smart move is to save documents without metadata and attempt to avoid this issue altogether.

[For a more detailed discussion of these issues, see, *E-Mail in Attorney Client Communications: A Survey of Significant Developments, The Business Lawyer, Vol. 66, Issue 1, Page 191*]

X. IT IS AN HONORABLE CALLING THAT YOU HAVE CHOSEN. SOME OF YOU WILL SOON BE DEFENDING POOR, HELPLESS INSURANCE COMPANIES WHO ARE CONSTANTLY BEING SUED BY GREEDY, VICIOUS WIDOWS AND ORPHANS TRYING TO COLLECT ON THEIR POLICIES. OTHERS WILL WORK TIRELESSLY TO PROTECT FRIGHTENED, BELEAGUERED OIL COMPANIES FROM BEING ATTACKED BY DEPRAVED CONSUMER GROUPS. *Art Buchwald in a Commencement Address to the Tulane School of Law.*

The law is an honorable profession.



The first Rule of our Rules of Professional Conduct, Rule 1.1, provides:

“A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.”

We have a duty to our profession and to society as a whole to act responsibly and to provide competent, careful and wise counsel to our clients. We need not undertake representation where we have no knowledge or are not prepared to devote the time to develop the knowledge necessary to effectively represent our clients. We need to be wise and strong enough to tell our clients when the fight is over and when to cut losses and go to the house. [“About half the practice of a decent lawyer consists of telling would-be clients that they are damned fools and should stop”. Elihu Root]

Read Professor Carl T. Bogus’ article in the Indiana Law Journal entitled “The Death of an Honorable Profession” which you can find at [www.law.indiana.edu/ljl/...bogus.html](http://www.law.indiana.edu/ljl/...bogus.html). Professor Bogus presents a very thought-provoking discussion of the changes in our views and society’s views of lawyers and our profession over the last 50 years.

Finally, occasionally, step back and reflect on where you have been and where you want to go and, importantly, your legacy. Do you want to be remembered as Atticus Finch or Mitch McDeere?

#### XI. OTHER STUFF TO THINK ABOUT.

Here are a few random and interesting quotes regarding law, lawyers and life:

“If you learn a single trick, Scout, you’ll get along better with all kinds of folks. You never really understand a person until you consider things from his point of view, until you climb inside of his skin and walk around in it.” *Atticus Finch, from To Kill a Mockinbird.*

“Very few souls are saved after the first five minutes of the sermon.” *Mark Twain.*

“And do as adversaries in law. Strive mightily, but eat and drink as friends.” *William Shakespeare, The Taming of the Shrew.*

“The very definition of a good award is that it gives dissatisfaction to both parties.” *Goodman E. Sayers.*

“Never fear the want of business. A man who qualifies himself well for his calling never fails of employment of it.” *Thomas Jefferson*

“Our profession is good, if practiced in the spirit of it; it is damnable fraud and iniquity when its true spirit is supplied by a spirit of mischief-making and money catching.” *Daniel Webster.*

“In the heart of every lawyer, worthy of name, there burns a deep ambition so to bear himself that the profession may be stronger by reason of his passage through its ranks, and that he may leave the law itself a better instrument of human justice than he found it.” *John W. Davis.*

Do no harm.