

TENNESSEE BAR JOURNAL

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Struggling to Be More Like Malinda and Frank

"You make me want to be a better man."

— Jack Nicholson complimenting Helen Hunt in *As Good As It Gets*

"As lawyers, a bright spotlight is shown on our conduct whether we like it or not."

At a recent office party, our office's managing partner was called upon to make some remarks about me. Malinda was in attendance, so he naturally waxed eloquently about how Malinda had done a

great job of saving me from myself these last 19 years. My law partner reminisced about how in the 80s, my refrigerator was populated by ketchup, mayonnaise, and beer, and allowed as how I had a matching set of salad bowls, each emblazoned with the Cool Whip logo.

Later that afternoon, though, one of our more solicitous summer associates began telling me how they wanted my advice on how to make their place in our profession. That started me thinking about how we all need role models and

mentors and about how as we get longer in the tooth, we are role models whether we like it or not. As that same partner of mine says, "The further up the ladder we climb, the more our backsides stick out." If you don't think young lawyers and staff members and law students are constantly watching how we behave ourselves, you'd better wake up and smell the coffee.

Then it dawned on me that, as my partner said, the best role model I have has been by my side, saving me from myself, for nearly two decades. Goodness knows Malinda would be a great role model for young lawyers. Malinda is always cheerful. Good role models are never nattering nabobs of negativity. In the words of the old June Carter bluegrass tune, good role models "Keep on the Sunny Side of Life." Malinda is unselfish. She gives of her time and talents to her church, to her family, to the Memphis Bar's pro bono clinics, and now to the TBA. Good role models are always putting the welfare of their clients, their firms, their profession, and their communities before themselves. Malinda is sincerely interested in the lives of others. It seems as if every time we go to a family gathering, or a party, or a bar meeting, I look around and she has disappeared into some deep conversation with one of our nieces, or a friend she hasn't seen in a while, or a TBA staff member. On the way home, she recounts for me with

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Malinda and Buck at Clingman's Dome in the Smokies, Thanksgiving 2007



Justice Drowota and his clerks at his 2005 surprise birthday dinner.

amazing detail everything she has learned about the progress or difficulties in that person's life. Thank goodness for me, Malinda also forgives quickly and generously. Good role models don't carry grudges against discourteous adversary counsel or unappreciative clients or impatient judges (not that I myself have ever known anyone in these categories). Good role models move on to the next challenge and make the best out of every situation. Malinda is organized. She says she is "disgustingly organized." She budgets her time so as to make the most of each day. Good role models don't have offices that resemble Dempster-Dumpsters. Good role models are not known for doing the first edit on their work product the day it is due.

I was fortunate to have another great role model right after I passed the bar, way back in 1980 before the same fools who invented neckties and high heels invented cell phones and Blackberries. I was privileged back then to clerk for Justice Frank

Drowota. Frank was one of those judges who made his clerks feel as if they were working with him, not for him. Good role models do that, too. Almost every day at lunch or after the work day ended, he went to a church meeting or a YMCA meeting or a Red Cross meeting or a bar association meeting or Rotary or this or that. Good role models view community service as something everybody should just do without making a fuss about it. Frank never had anything but praise for all of Tennessee's judges. Good role models are also generous and careful with what they say about their colleagues. Frank was the classic example of a mentor who was always preaching but never with words. When all his clerks had a surprise birthday dinner for him when he retired in 2005, 19 of his clerks came from all over the country to tell story after story of how his modesty, work ethic, unselfishness, and public service had inspired them throughout their careers. Like Malinda

with her genuine interest in others, Frank had kept up with all of their lives and remembered spontaneously some personal anecdote about their work together.

At our annual convention in June, I said the theme for this bar year would be to Leave a Proud Enduring Legacy. Of course, we will all leave some kind of legacy, proud or not so proud, enduring or quickly forgotten. As lawyers, we are all involuntary role models. Like public officials, doctors, professional athletes, and clergy, a bright spotlight is shown on our conduct whether we like it or not. That's why I'm going to keep struggling to be more like Malinda and Frank, and less like the guy with the Cool Whip salad bowls in the 80s.

"Do not think of your faults, still less of others' faults. Look for what is good and strong and try to imitate it. Your faults will drop off like dead leaves when their time comes." — John Ruskin