

WE ARE Family

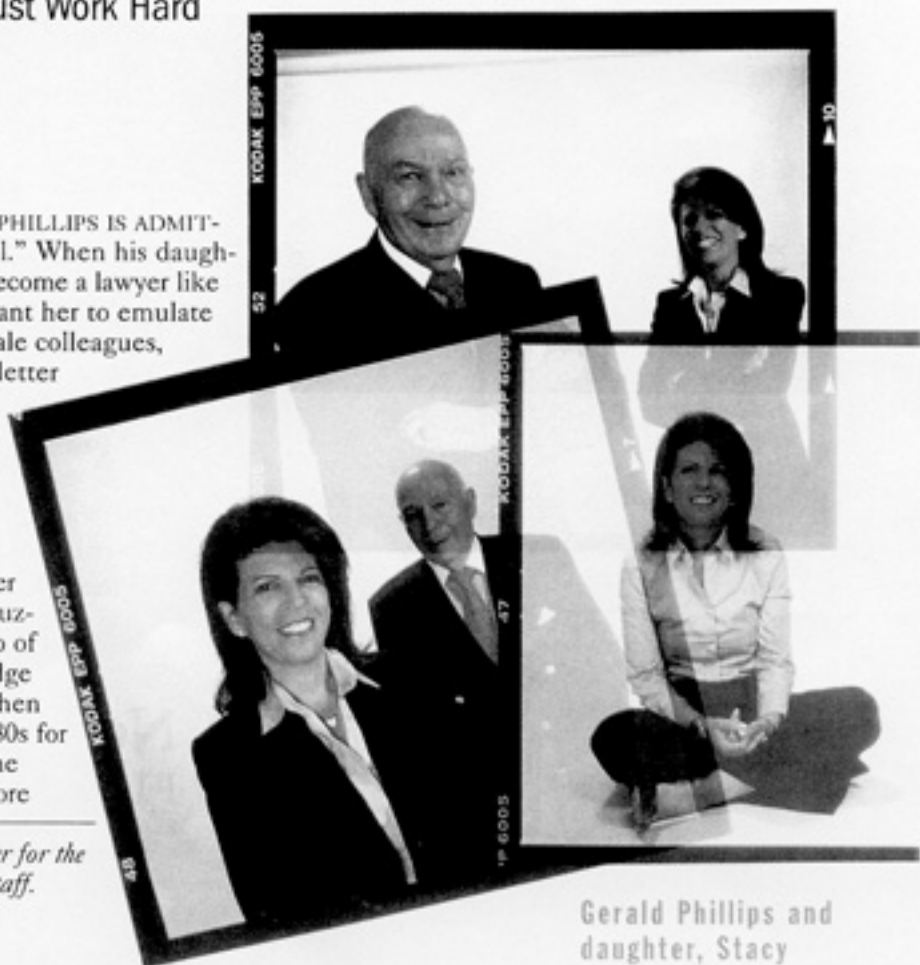
Children Who Practice Law With a Parent
Gain From the Support, but Must Work Hard
to Be Respected

STEPHANIE FRANCIS WARD

AT 78, GERALD F. PHILLIPS IS ADMITTEDLY "old school." When his daughter decided to become a lawyer like him, he didn't want her to emulate some of his female colleagues, who used "four-letter words" and dressed in "heavy black suits." Gerald didn't want Stacy to act like a man.

But he did want her to succeed. Stacy recalls that growing up in New York City, her father taught her to spell with crossword puzzles. She learned math skills when the two of them played blackjack. He taught her bridge so she could learn to analyze problems. When Stacy clerked one summer in the early 1980s for a lawyer who noted in an evaluation that she should wear her hair in a bun and dress "more

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Gerald Phillips and daughter, Stacy



dowdy," she rejected that advice and instead took her father's.

"He said, 'Don't be a man clone. Use what you've got,'" says Stacy, a California divorce lawyer. "You're a woman; be a woman."

The advice has worked. Stacy is a name partner in a law firm she founded in 1990. Her father works for her as of counsel. Gerald, a former vice president at United Artists Corp., focuses on mediation and arbitration work.

As if the working arrangements weren't indication enough, Gerald's office makes it clear how important family is to him. Two photographs from Stacy's wedding 18 years ago sit on a pedestal across from his desk. Snapshots of her with various politicians and bar leaders, as well as pictures of his wife, Francine; various grandchildren; and his son Louis, a vice president at Jim Henson Pictures, decorate the rest of his office.

Families like the Phillipses are unique, says Stephen Goldbart, a California clinical psychologist who specializes in wealth issues and counsels families about matters such as balancing personal, professional and philanthropic interests. Lawyers, particularly litigators, can be difficult bosses, Goldbart says, and when parents and children practice law together, it's not uncommon for parents to stifle their children's decision-making.

"It's hard in families, particularly with patriarchal fathers, to allow the generation below to really have a voice," he says. "People who become successful in law are often the entrepreneurial type, who worked really hard to put their firm together. They're often reluctant to step aside for anybody."

But when family practices click, they really click. Working for his own father may have helped Gerald to work with his daughter so well.

His father, Louis, was also an entertainment lawyer in New York City, and Gerald joined his firm in 1950, after graduating from Cornell University Law School. The United Artists Corp. hired him in his second year at the firm. Like Louis, who was general counsel and vice president at the Paramount Pictures Corp., Gerald continued to practice at the law firm while working for the studio.

"Why would they hire a young guy like me? Because they knew I would go to my father for help," he says.

But Gerald tries to avoid the appearance of nepotism when it comes to his daughter.

When they agreed to work together, she asked if they should call the firm Phillips & Phillips.

"I said no," Gerald says. "Don't ever let anyone think

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In Idaho, Jeff and Charlie Hepworth were inspired by their father, John (l-r).

that your name is on the door because of your father." The firm first was known as the Law Office of Stacy D. Phillips, and today is Phillips, Lerner & Lauzon.

Gerald does work hard for his daughter, though. He is usually the first person to arrive at the Century City office each day, at 8 a.m. He answers his own phone, which rings every 15 minutes or so. But he's not all business. Stacy, 44, calls him "Dad" at the office. "Other people in the firm call me 'Law Dad,'" Gerald says. "I thought that was cute."

Stacy says that having her father with her was a great comfort when she went out on her own. At first, Gerald worked in the same room with her. He set up a workspace

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in a corner so that he could more easily learn from her how to do family law cases. He wasn't sure he would stay, so he didn't see a reason to rent the extra space originally.

"I wasn't that big on mediation and arbitration initially, so I helped her on cases, at the beginning," he says. "As my practice started to grow, I got my own office. I'm her tenant; she's my landlady."

RESPECT

CHILDREN WHO PRACTICE WITH THEIR PARENTS MUST work harder to be respected, Goldbart says. If others at the firm make comments about nepotism, he advises that the children confront the issue.

"You need to have more self-esteem to work for a parent, not less," Goldbart says. "Working at a family firm, it's harder to prove yourself, and it's harder to get people to believe in you. Screwing up in a family firm is more embarrassing than screwing up in a nonfamily firm."

Jeff Hepworth, an Idaho lawyer who used to work with his father, understands the need to prove oneself apart from a parent. His father, John C. Hepworth, 76, belongs to the Inner Circle of Advocates, a national invitation-only group of 100 lawyers who have completed at least 50 personal injury trials and won a jury verdict of at least \$1 million. Jeff left the Twin Falls-based firm in 1999, and opened his own personal injury firm in the same town. His older brother, Charlie, still works with his father's firm, out of its Boise office.

"My dad was a tremendous resource," says Jeff, 44. "We sat at our desks, and the cases were handed to us. We had the luxury of not doing any marketing, and we didn't have to be

involved in the community," he says. "That was a tremendous luxury, but it's also not something that's good for you personally. Since I've left, I've branched out more and opened myself up to other friendships. It's been a great personal-growth experience."

Charlie, 47, has different thoughts on the issue.

He began his career in 1981 at a San Jose, Calif., personal injury firm, where he says the partners wanted associates to do significant work on cases but would not share clients. No one could make partner without having his or her own clients, and Charlie didn't see much room for advancement.

After two years, he moved to Boise and joined one of the state's largest defense firms. Then he joined his father's firm in 1986. Unlike at other firms, his father actively looked for cases that would be good for him.

"When you're with your father, who's there to help you, it's a real comfort," Charlie says.

Jeff's decision to leave the firm did not go over well with his father and brother. He told them the news on a Saturday morning, at their homes. "I think my dad didn't appreciate it, and he thought I was doing something to hurt him," Jeff says. "I think he thought I was foolish."

John acknowledges that he was surprised and disap-

pointed about Jeff's decision to leave. Jeff says his relationship with his father has since recovered, but he still has a way to go with his brother.

Like his father, Charlie was surprised at his brother's decision to leave. He admits that he may have big-brothered Jeff a bit and says that working at the firm has probably been easier for him, because he was able to establish his own identity. He works in Boise, instead of right down the hall from his dad.

But more than a need for personal growth prompted Jeff's departure. He says he disagreed with his brother and his father over how to handle a wrongful-death case. Jeff worked on the case for two years and wanted to try it. John and Charlie thought it should settle.

"I was trying to try some cases that they didn't support me in trying," Jeff says. "I had some problems with my father and brother supporting that." He adds, however, that when children go to work with a parent, they have to recognize that the parent has more experience. Jeff and Charlie both say that John for the most part let them make their own decisions, first as his associates and later as partners.

"He was very careful, even if he saw me making mistakes," Charlie



says. "Then if you invited his thoughts later on, he'd say it."

John agrees. He tries to let his sons do their own thing. For instance, he has an aggressive courtroom style, but he appreciates that Charlie is more low-key.

"Give your son or daughter some rope, and let them develop," John says. "Because, as Charlie says, we're all different."

Jeff says he has no plans to return to the firm, but he does tease his father about joining his office some day. Jeff and Charlie's children are still young and have no serious career prospects yet, but they do have a nephew at the University of Oregon School of Law, and he clerked at their father's firm last summer.

Charlie says he can see how having a child join your law firm would give a sense of accomplishment.

"I have a greater appreciation now with the experience of being a father, and seeing that there is a value to having a family member carry on a business that you have some pride in establishing," Charlie says. "It would be a fun thing to do if you have a good relationship with your child. We always had a great relationship, and we have a lot of fun practicing together."

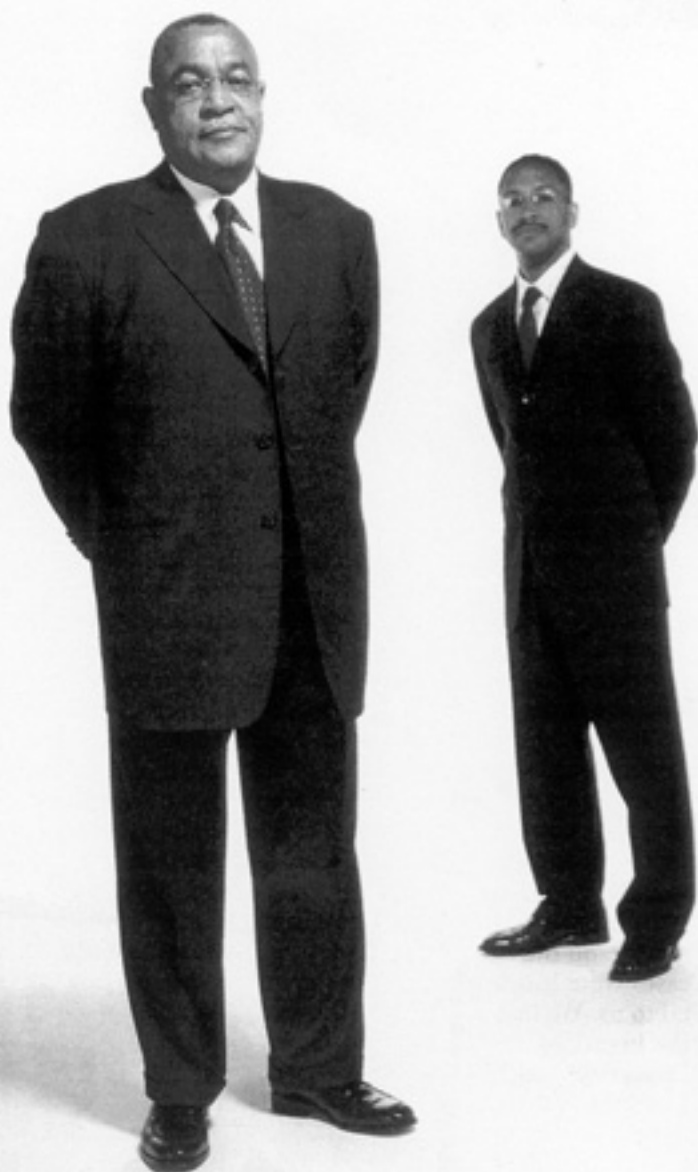
After spending years raising children, parents often say that it's extremely rewarding when they start taking your advice. It's an honor if they want to join your firm, says Edward Poll, a Los Angeles lawyer who advises firms on practice management issues.

"If your kid wants to come to work with you, that's a measure of success. And if he or she is an important contribution to your firm's success, that's kudos," he says. "Any parent who tries to program that into the kid will fail. It has to be the kid who makes the decision."

John Hepworth has two daughters who are not lawyers. He was careful not to pressure any of his children to practice law, he says, but his sons say that his actions encouraged them to enter the profession. They recall meeting judges and lawyers, who always mentioned their father's courtroom skills. John practiced his opening and closing statements on the family, Jeff says, and would get a high when he was in trial.

"My dad was very good at what he did, and he truly enjoyed what he did," Charlie says. "The model I had was that this could be an exciting profession."

But John's experience was much different. He grew up in Albion, a small town in the mountains of southern Idaho. His father, who owned a meatpacking business,



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Larry Rogers and Larry Jr. practice personal injury law together in Chicago.

hoped that John would become a doctor.

"He didn't think highly of lawyers," says John, a former Navy yeoman who got the trial bug during World War II, watching courts-martial. "They were a farce for the most part," he says. "It was sort of a railroad job."

When John came back to Idaho, his father was disappointed about his interest in becoming a lawyer. "Disappointed enough that my first semester in college, I signed up for premed classes," John says. He eventually took his own path and began his legal career in Twin

Falls, the southern Idaho town along the Snake River where he still practices. He tried his first case in 1952, the same year he graduated from the University of Utah College of Law. The town did have other lawyers, but no one John trusted for advice.

Says Jeff, "I have a great deal of respect for my father, and the fact he started with nothing and built a tremendous practice." He adds, "That's the thing I respect the very most about him, and it's something I wanted for myself."

PAPA'S GOT A BRAND NEW BAG

LARRY ROGERS JR. WAS 15 WHEN HIS FATHER BECAME A lawyer in 1983. Larry Senior had divorced Junior's mother when his son and a daughter, Ann Marie, were young. The children and their mother left Chicago for Oakland, Calif., when Larry Junior was a teenager.

In Larry Senior's first case out of law school, a products liability matter against the manufacturer of a soy-based infant formula, he won a \$27 million jury verdict.

That success made a big impression on the son. He remembers his father buying a new car in cash. His first purchase was a Nissan, and a few years later, following more million-dollar verdicts, he got a Mercedes.

Larry Junior returned to Chicago in 1990 to attend Chicago-Kent College of Law.

Now father and son practice law together in a Chicago personal injury firm where the father is a name partner. When they try cases together, they explain their relationship during opening statements, and both say juries like their work arrangement. They say juries like to see a father and son getting along and working together.

Larry Senior arranged for his son, as a first-year law student, to clerk for Robert Clifford, another Chicago plaintiffs lawyer. Larry Junior's law school

discouraged first-year clerkships, but Larry Senior thought it would be a good idea, so his son could get a sense of what the practice is like. He also believed it was important his son work for someone else first.

"I thought it would be better if he learned what you need to do as a lawyer without me looking over his shoulder," says Larry Senior, 55.

Clifford says he generally refrains from hiring first-year clerks, but he made an exception for Larry Junior, because of his friendship with his father.

"I'm very into nepotism," Clifford says. "Nepotism works in my world. If you can't help your friends, who can you help?"

Larry Senior's entrance to the legal profession was somewhat similar. He had taken a leave of absence from DePaul University College of Law and was working at an Amoco gas station across the street from the old Comiskey Park, home of the Chicago White Sox. That's where he met Joe Power.

Power was a student at Loyola University School of Law, and his car broke down regularly. Power and Rogers got to talking about the law while they worked on Power's car.

By the time Rogers re-entered law school, Power was in practice and arranged for him to clerk at the firm. Most of the clerks worked part time, but Power got his friend a full-time position, so Rogers could have health insurance.

When Rogers graduated from law school in 1983, he joined the firm as an associate. Now the firm, Power, Rogers & Smith, is one of Chicago's most prominent personal-injury boutiques.

When Larry Junior moved back to Chicago, he and his father grew closer. "We developed a friendship," says the father. Before Junior got married in 2000, he and his father often socialized together. When people saw one without the other, they would ask where the other one was.

So what activities could a man in his mid-40s and his 20-something son enjoy together? "That is top secret," says Larry Junior, while his father laughs. Their friendship makes their professional relationship successful. But both are well-aware that such relationships often fail.

"Usually [it's] because the parent is looking over the child's shoulder too much," Larry Senior says. "That's a mistake. The child has to develop."

Larry Junior came to his father's firm as a senior law clerk, and joined as an associate after law school. He and his father feared that others at the firm might think he didn't want to pull his own weight.

"I was more concerned that others might think he was getting special treatment, and he would not get proper credit for his work," Larry Senior says. "I really left it up to him to use his ability to show what type of personality he has."

The approach worked. His son jokes that people are probably just trying to be nice, but his father assures him that the remarks are made in earnest.

"I hear them all the time," Larry Senior says. ■

