

Attorney Profile...

D O N A L D F . P A I N E

by: Tom Bickers

I was honored when I was asked to prepare a short article about Don Paine, the most recent recipient of the Knoxville Bar Association's Governors' Award. I was honored not only because Don is one of my role models, but also one of my best friends.

Don has been a member of the law firm of Paine, Swiney, and Tarwater since 1987. Prior to that, he was a member of the Egerton, McAfee firm.

Don's love of the law and his involvement in the legal profession are well known. He is a former president of both the Knoxville and the Tennessee Bar Associations, and is a Fellow with the American College of Trial Lawyers. In addition to his many continuing legal education lectures and seminars, he has taught classes at the University of Tennessee College of Law for several years. His book, "Tennessee Law of Evidence," is undoubtedly on the shelves of many, if not most, law firms.

Don has also been a member of the Tennessee Judicial Conference for several years and since 1974, served on the Advisory Commission to the Tennessee Supreme Court on civil procedure. As part of his work on this Commission, Don has been instrumental in drafting many changes to the Tennessee Rules of Civil Procedure as well as drafting the advisory comments to the Rules. Thus, it is without exaggeration that one can refer to Don Paine as a true legal scholar.

While his scholarly attributes may be well known, Don also has a deep and heart-felt commitment to the legal profession and our system of justice. It is this aspect of Don's life and practice that has influenced not only myself, but I suspect other members of the Bar. Paine believes that all individuals are entitled to justice and competent legal representation, and has committed a significant portion of his practice to representing individuals who cannot afford to hire legal counsel. As a result of Don's commitment to providing legal services to the needy, he has been awarded Pro Bono Awards by both the Knoxville and the Tennessee Bar Associations.

Paine has worked hard to instill in me, and, undoubtedly, in others, the principle that everyone is entitled to competent legal counsel notwithstanding their social standing or financial means and that we, as lawyers, should give the same level of zealous representation to clients that cannot pay as we give to those who can afford to pay us for our services.

Contrary to what it may seem, however, Paine's life is not consumed with the law. Don is also an acclaimed zymurgist. Zymurgy, for the uninitiated, is the art and science of brewing beer. As a result, one visiting Don's modest apartment should expect to find one or more five-gallon carboys of fermenting beer among his sizeable collection of legal works. Moreover, while Don has confided this fact in very few, a review of the back issues of a magazine devoted to beer will reveal that he has been a contributing author to periodicals devoted to something other than the law. In fact, if the truth be known, Paine may be equally as happy discussing the different attributes of a fine pale ale or Belgium lambic as he would discussing the evidentiary implications of Tennessee's dead man's statute.

Don Paine is one of the good guys in our profession, as the Knoxville Bar Association recognized when it recently honored Don with its highest award. He has established a standard of professionalism, integrity, and scholarship that all of us can hope to achieve.

Governors' Award - 1993

Donald F. Paine