

PRESIDENT'S COLUMN

A Conversation with our President – Wayne Alan Hughes

by Kerry Hoxie, Editor-in-Chief
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Wayne Alan Hughes is CASD's President for 2009. He practiced criminal and domestic law before joining with his "significant other," Tracee Lorens, to practice in various areas of complex civil litigation. Their first trial, as co-counsel, served as a chapter in Judge Ehrenfreud's book, You Be the Jury. Currently he practices in the areas of mass torts and class actions for which he received two Outstanding Trial Lawyer Awards. He is blessed with three children: Alexander Zaharopoulos Hughes, MBA Oxford, Vice President at Wells Fargo; Cassandra Zaharopoulos Hughes who just completed Vet. school; and Alexandra Rose Lorens, first year college student and dynamic carbon copy of Tracee. You can reach Wayne by email at: waynecloud@aol.com.

It is always a pleasure to interview our presidents so that I can tell our members a bit about them and perhaps pass on some tidbits they have learned during their years of practicing law. An attorney doesn't reach the presidency of our organization without slogging in the trenches and collecting a share of life's hard lessons. Catching up with Wayne this year has not been easy. He put me off with many excuses, but finally I succeeded and here's what I learned.

Wayne got into the practice of law because he thought he would eventually move on into politics and thought law was a good background. In addition, he had won the California state debate championship in college and enjoyed debating. But as he got involved in politics, he learned that it is very hard to be an idealist and hold office and that it takes a lot of effort to achieve very little movement or change in the political world. By then he was busy practicing law and decided that he could accomplish more change as an attorney than as a politician.

One of Wayne's favorite things about practicing law is that it is not boring. Where else can you learn about many other professions and businesses – medicine, soils engineering, hog farming, accounting, business, people management, teaching, the list is endless – and then present a case involving that field or profession to a jury?

Wayne started out practicing criminal law. In his first 11 months in practice, he defended three murder cases, obtaining two acquittals and a plea bargain with no time in custody. A marriage counseling group asked him to set up a corporation for their association and that led him into family law as the association members began referring their "failures" to him. He had gradually shifted his practice to complex litigation cases when he met his life partner, Tracee Lorens, CASD's president in 2003. He actually hired Tracee as a new associate and they have practiced together ever since. Today they primarily practice class action litigation.

Tracee introduced Wayne to the importance of becoming active in various legal organizations and the value of networking and collaborating with other attorneys. Until that time, he had been

somewhat of a “lone wolf,” he says. “Tracee taught me the value of teamwork on cases – the value of collaborating with people you mutually respect. I learned that teamwork is most effective when you recognize each other’s strengths and capitalize on them.” By networking in legal organizations such as CASD, he learned that when you share information and skills with other attorneys, you enhance the creative process and multiply your own effectiveness.

An attorney’s primary job is problem solving. When you first start practicing, you believe your client tells you his story and you merely present it. Wayne soon learned that you must discover your client’s story by assembling it from the pieces of a mosaic which forms the case. The magic is in putting the case together so that you can tell the client’s story and help him or her tell it in an effective way. He believes that helping the client present his or her story so that they can obtain justice is one of the big rewards in practicing law.

Wayne thinks the biggest challenge for new attorneys is learning how to explain to clients what the legal process involves, including the risks and the impact the process will have on their lives, and getting the clients to trust them. As the adage goes, “People don’t care how much you know until they know how much you care.” He tries to explain to clients, “You are not going to get everything you want – it will be a mixed bag and you need to be prepared for that.” In order to obtain a successful result it is important to ask your client to define his or her goals in the legal process, then decide which of the goals are achievable and explain this to the client so that, together, you and the client agree on the goals. He urges attorneys to make sure they understand the client’s priorities.

The most important thing Wayne would like to share with young attorneys is that they will not always know the solution, but they can be diligent and assertive in advocating the interests of their clients. He believes it is important to establish trust with clients and to always tell them the truth about developments in their case as it evolves – to give them your best honest assessment about how these developments impact the progress on reaching their goals.

Wayne believes it is the duty of all attorneys to help each other and improve the legal system in the process. We need to pay back the information and support others have given us along the way by “paying it forward” to those just getting involved and learning the skills. He is especially pleased that CASD is a community of diverse attorneys who provide advice, knowledge, skills, support and encouragement to each other. Most of our members practice in very small firms or are solo practitioners. He notes the strong “esprit de corps” among the members as we share resources and insight with each other. The opportunities for sharing are greatly magnified as the organization develops the informal gatherings, our educational offerings and the technologic advances which make group emails, document banks on the web site and Internet information sources a readily-available equalizer.

As he reflects back on his years in practice, Wayne admits that he still loves winning more than losing. He loves the best of law – solving problems and helping people. He notes, however, that he is increasingly critical of the worst of law. It is a cumbersome, expensive and slow means of solving people’s problems. As a result, he says, “Most lawyers are no longer cost effective at solving \$100,000 problems.” The need for expensive resources and the time delay, especially if appeals are involved, makes the legal process a pitiful remedy for too many people. Dragging a resolution on for five or six years is destructive and it is difficult to get clients and the public to understand what is

involved in attempting to obtain justice.

Probably Wayne's biggest frustration with the legal process is that justice is not equal – from one geographic place to another, from one judge to another, and from one client to another or even one juror to another. This is unfair – both to clients and to their attorneys. He finds explaining this to clients and getting them to trust you when they see this disparity to be a daunting task. As he speaks, his passion for helping people comes through. Clearly, this passion for justice has not dulled over the years.

Wayne notes that practicing law is like going to an amusement park – there is a 2 ½ hour wait for a 2 ½ minute ride. You work a very long time for that brief moment of exhilaration. He says that as he has matured, he realizes that whereas he thought of happiness as that 2 ½ minute thrilling ride on the big hill of the roller coaster, he now knows the bigger reward is the contentment and balance you can achieve on the smaller hills or by chatting with the people in the line waiting for the big hill. He started out wanting to be perfect. Gradually, he learned this goal was not realistic. Now he most enjoys looking for the balance and contentment he finds during the journey.

Wayne is the proud father of three children. He gets a great deal of satisfaction and joy watching them develop their own lives and spending time with his adorable granddaughter. He notes that he recently had a terrific time watching “Peter Pan” with his granddaughter, reveling in her delight at the story. He especially appreciates the gift of partnering in life and law with his significant other, Tracee. He says that a “best friend” is one who will tell you the whole truth as he or she perceives it and then step back and not judge what you decide to do with it. He likes to think he and Tracee do that for each other.