

President's Column

We Are Called

by R. Christian Hulburt

Chris Hulburt is CASD's President for 2004. He is a partner at Hulburt & Bunn with CASD Past President Benjamin Bunn. Mr. Hulburt was named the CASD Trial Lawyer of the Year in 2000, Consumer Advocate of the Year in 1998, and received the President's Award in 1996 and 2002. He handles personal injury and medical malpractice cases, coaches youth basketball, and tries to keep up with his wife, Annalee, and their four children. He can be reached by e-mail at: chris@hulburt-bunn.com.

It is often in the face of adversity that one finds great inspiration to continue. . . .

Late last year, *Newsweek* and NBC launched a familiar, but sweeping, assault on the civil justice system. *Newsweek's* cover proclaimed "Lawsuit Hell" and offered up a series of anecdotal propaganda seemingly written by the tort reform associations. In fact, the article's most referenced source was Philip K. Howard, whom it described as a "corporate lawyer and civic activist with a philosophical bent." Ralph Nader was quoted more correctly describing Howard as "a partner in the giant law firm of Covington & Burling, which has historically represented some of the most damaging corporate behavior, from tobacco to pharmaceuticals to chemical companies." In true service to his clients, Howard is the founder of Common Good, a coalition "organized to overhaul America's lawsuit culture." (The Board of Trustees of Common Good includes three Covington partners, a Fellow at the conservative think tank, American Enterprise Institute, the General Counsel to the Bank of New York, and a media relations consultant, which probably explains Nader's other quote: "You can't take away people's rights and call it reform.")

Newsweek also promoted NBC's week-long barrage of hit pieces on every one of its outlets: On NBC, "Holiday Lawsuits" on the *Today* Show, and "Slip-and-Fall Suits" and "Class

Action Suits” on *The Nightly News*; “Daily Reports on Civil Wars,” and “Is the Civil System Broken?” on MSNBC; and “America’s Winningest Litigator” on CNBC. (Newsweek, Dec. 15, 2003, pp.42-53.)

Adversity was everywhere, it seemed.

Inspiration came from John Edwards, Senator from North Carolina, candidate for President of the United States, and unabashed trial lawyer. *Newsweek* included an essay from Edwards entitled “Juries: Democracy in Action, ” in which he wrote passionately about the struggle for justice he fought for his, and we fight for our, clients:

There was nothing frivolous about the families who came to me for help. . . Many were in very difficult places in their lives. Often they found themselves up against powerful opposition - insurance companies, large corporations - who had armies of lawyers to represent them. Giving them a chance for justice was very important to me. I was more than just their lawyer. I cared about them. Their cause was my cause.

Newsweek, Dec. 15, 2003, p.53, emphasis added.

Coincidentally, days later I spoke to Edwards at a small breakfast gathering at Ben Bunn’s house. The intimate setting allowed Edwards “the candidate” to speak freely, more like what I imagine Edwards “the man” to be. I like John Edwards, the candidate and the man. He makes no apologies for being a trial lawyer. None are necessary. Edwards shows us we should be proud of the professional work we do, on an individual level for each specific client and on a public level, effecting positive change to prevent harm to others in the future.

As a high profile national image of trial lawyer, Edwards is a great role model. He gave out autographed copies of his new book, **The Four Trials**. It is not about politics. The book is a quick inspirational read about the real work of a real trial lawyer helping real people in desperate situations. It is Edwards’ successful effort to explain his calling to be an advocate for the people

who need him most. **I highly recommend it.**

Days later, Edwards was featured on *60 Minutes* on CBS. Asked if being a trial lawyer might be used against him by George Bush if he gets the Democratic nomination, Edwards responded that he will gladly match the people he has represented his whole life (children, families, and workers) against those Bush represents (insurance companies, big corporations, and HMO's) anytime. "Bring it on," Edwards welcomed confidently. "Their cause was my cause," I remembered.

A week later, at Mass, we sang what for years has been my favorite hymn: "We Are Called." The text is based on a passage from the ancient Hebrew prophet, Micah. The hymn speaks to me on many levels: as husband, father, employer, friend, and trial lawyer. Its refrain offers simple yet profound wisdom that completed my year-end quest for inspiration. It captures John Edwards' sense of mission in wholly representing his cause, whether in court or in government, and might guide us all in our efforts in this New Year. It sets the standard which I probably will not meet, but which I will try to apply to all I do:

We are called to act with Justice;

We are called to Love tenderly;

We are called to Serve one another;

To walk Humbly with God.