

November 2004 President's Column

DAVID S. CASEY, JR.: Civility... Integrity... Professionalism

by R. Christian Hulburt

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This year at the 20th Annual Red Boudreau Dinner, the collective community of trial lawyers came together to honor a genuine leader among us. It is an extraordinary idea. Often when members of the Consumer Attorneys of San Diego come together with members of the San Diego Defense Lawyers, it is to do battle. Usually when we encounter members of the Association of Business Trial Lawyers, it is because they represent a corporation we are suing. But for the last 15 years these associations, and the American Board of Trial Advocates, have selected one lawyer who exemplifies all that is best in each of us, one lawyer that inspires us to be better, one lawyer that we all recognize as a true leader. No one deserved it more than this year's winner of the Daniel T. Broderick Award III for Civility, Integrity and Professionalism -- our own David S. Casey, Jr.

Last year's recipient, Chuck Dick, captured the essence of Dave Casey's leadership style when he said eloquently that a true leader is one who makes everyone around him better for his efforts. Such has been the burden that David bore for us for the last 20 years. He has been President of every plaintiffs lawyer organization at every level: San Diego (1984), California (1996), Western States (1997), and ATLA (2003-2004). In doing so, he led the battle for preservation of our clients' rights to civil justice. There are thousands of lawyers with big ideas,

big complaints, and big criticisms, but very few who ever do anything. David is a doer. He has consistently done what is right, and he has done it *for us*, without expectation of reward, but simply because it had to be done.

Some people have a special ability to see the big picture, to see outside their own limited circle, to see beyond their fences. David Casey is one of those very rare people. He not only sees the big picture, but he has been a constant hand painting the picture for the rest of us. District Judge Marilyn Huff spoke of David's unsung, but successful, efforts in Washington to secure necessary funding for the federal judiciary. Senator Diane Feinstein spoke of David's relentless, and successful, efforts to derail President Bush's mean spirited tort reform agenda. Not a single bill made it to the President for signature.

But for me, the highlight of the tribute came from Kenneth Feinberg, Special Master of the September 11 Victims' Compensation Fund. He was responsible for distributing the nation's justice to more than 7,000 families who suffered death or injury on 9/11. When Mr. Feinberg spoke of Dave Casey, it was as if he spoke on behalf of the nation, and the nation thanked David for making us feel better about ourselves.

The Victim's Fund was an idea that came from a conference call of a few select ATLA leaders, two days after the 9/11 attacks. David was on that call. When it was his turn, he spoke as a leader should – with clarity of purpose and focus on the essential. He spoke with the power of a simple idea: “No matter what happens, we must take care of these families.” And his was the first voice to propose a fairly radical solution -- a fund for the victims, free legal services to be sure they were represented, and a moratorium on lawsuits. No one could be sure how trial lawyers would react to the decision. Such is the fear of leadership. But the idea gave us a purpose. We were part of the solution. We could help. The largest *pro bono* effort in the history

of American jurisprudence was born that day! A moratorium on lawsuits related to the attacks was urged. Over 1,500 lawyers across the country volunteered to represent the families for free, and at their own expense. Outside of New York and New Jersey, our own Consumer Attorneys of San Diego represented the largest group of victims and involved the largest group of attorneys.

The purest moment of the night was when David finally took the podium himself to accept the award. His first words would reveal his true self -- not the Washington lobbyist, not the seasoned trial lawyer, but the genuine, caring, wholesome man. Before he said anything to the room full of lawyers and judges, he brought his wife and beaming children into the spotlight with him. He spoke to them with love and respect and compassion, because, of course, that's what the big picture is all about.

Brian Monaghan's comments about David captured the feeling in the room for most:

"In a world in which our profession is all too often maligned, your personal integrity, your sense of decency, and the wonderful good works you have done, have all given us reason to hold our heads up high and say with pride and dignity, 'I am a trial lawyer.' We thank you." Indeed.