

Q&A

30
YEARS

What interested you about going into your particular area of law? After three years in the Air Force, and then five years in business in Houston working with corporate executives, I was

with **Art Bayern** of Langley & Banack, P.C., San Antonio, Texas, listed in *The Best Lawyers in America* for 30 years

somewhat older and more practice oriented than the average law student. My interest in wills, trusts, and estate planning was piqued by courses in those areas and fiduciary administration.

What has been the key to your success? It is no secret that hard work is the single most important aspect. Having a mentor interested in your particular area of law is also important to a young lawyer. That has been aided by many years of volunteering to provide programs, speaking, writing, and networking on the local, state, and national levels with not only lawyers, but other professionals such as CPAs, trust officers, insurance agents, and financial planners.

What is one example of a case/

matter you are particularly proud of? The example of a rancher and his wife in a South Texas county with a large ranch, wildlife, and mineral interests, and being able to help them pass on their assets to the intended beneficiaries with no estate tax in either estate of the couple with appropriate estate planning.

How has the legal industry in your field changed in the last 30 years? The technological changes have been both exciting and advantageous for lawyers and their clients.

What does being included in Best Lawyers for 30 years mean to you? Recognition by your peers is the most meaningful notice you can achieve. I have been blessed

by having great partners and legal assistants, and now have the privilege of working with my son, Bill, in the firm and in the same type of practice.

What is one piece of advice you would give to new attorneys? Volunteer at every opportunity (especially for CLE programs) and network whenever you can.

What is the biggest obstacle you see for your practice area in the next 30 years? The crossover from other professionals who want to and are providing estate planning and estate administration services though not licensed to practice law. They seem to regard trust and estate lawyers as merely technicians to draft documents rather than counselors who advise clients. ■



What interested you about going into your particular area of law? I became interested in business litigation because I knew and looked up to several great lawyers who did that work—my dad and some of his partners and friends—and their cases sounded

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exciting. I stayed with it because the work did turn out to be very interesting and I got pretty good at it.

What would you say is the most rewarding aspect of practicing in your area of law? What I have enjoyed most about my business litigation practice is its variety. Over the years I have handled antitrust, securities, M&A, tax, and general commercial disputes. As a result, I am always learning something new—whether it is a new industry, a new aspect of the law, or simply new issues, facts, and witnesses. I have also thoroughly enjoyed meeting the other lawyers who do similar work, as they are among the best in the business.

What is one piece of advice you would give to new attorneys? New business litigators need

to be proactive about gaining experience and increasing their levels of responsibility. One way to do that is to master the documents, as business disputes are heavily influenced by the parties' contemporaneous documents. The lawyer who knows the documents will be invaluable in interviewing witnesses, preparing and defending depositions, and getting a case ready for trial. Another way is to think like a first chair lawyer—that is, instead of waiting for assignments, think about what your side should be doing to prepare its case—e.g., who you need to depose, what experts you need, what motions would be productive—and discuss your ideas with the lead lawyer. Often the lead lawyer's response will be to make you responsible for some of that work.

What is the biggest obstacle you see for your practice area in the next 30 years? I am not sure anyone can predict what the practice will look like in 30 years. After all, 30 years ago lawyers did not have personal computers and email. But clearly one of the major issues confronting the trial bar in the foreseeable future is managing the explosion of electronic documents and information, which presents at least two challenges. The cost of producing and reviewing electronic information must be brought down, or else it will make litigating all but the biggest dollar disputes economically unfeasible. Second, the task of mining an ever increasing volume of documents for "good" and "bad" documents in a systematic manner is almost overwhelming. ■