

By Kathleen J. Tuttle

Breakfast with Giants

Wise counsel from Warren Christopher and Seth and Shirley Hufstedler was on the menu

The series of Los Angeles County Bar Association programs last fall that was billed as “Breakfast with Giants” was a fine example of truth in advertising. I attended the session that featured Warren Christopher and Seth and Shirley Hufstedler. My hand could not write fast enough to keep pace with the wisdom the speakers imparted. Collectively they possess nearly 150 years of professional experience that includes running a federal cabinet-level department, serving on a federal appellate court, leading bar associations, writing books, guiding universities, and advising presidents. They have traversed the breadth and depth of the law in a manner that few achieve, bringing positive change to their communities and nation.

It was fascinating to hear these giants reminisce about the highlights of their careers. But the real pleasure came from observing their equanimity, humanity, and depth of professional devotion. It was well worth the price of admission to hear the principles that have guided them and the advice they now offer lawyers rising through the ranks.

Warren Christopher, a longtime O’Melveny & Myers partner and former U.S. secretary of state, described the elation he felt in 1981 when the 52 American hostages in Iran were freed. He had been waiting for the news in Algiers. Christopher is credited with skillfully negotiating the release of the hostages during his service as the deputy secretary of state. To him, integrity is the most important commodity lawyers have to offer; indeed, lawyers should possess the ability to give “faithful and honest advice.” Still, Christopher conceded that, even at our best, we are all imperfect. He quoted Los Angeles Dodgers great Duke Snider, who was once asked, “What would you have done differently in your life?” Snider said, “I would have stretched more.” Christopher also quoted Sigmund Freud who, to similar effect, said, “We all live the present immaturely.”

This veteran of Los Angeles legal circles and Washington politics urged lawyers “to stand back; put yourself in context; get happiness and satisfaction from what you’ve undertaken.” To young lawyers, Christopher counseled: “Preserve your idealism about the law and judges; you’ll find it rewarded. Maintain your professional network but be relatively unselfish about what you do.” He noted that the most precious gift of a legal career is “the relationships and friendships of people that grow out of what you do.”

Shirley Hufstedler, former Ninth Circuit judge, vividly recalled the late 1970s when, as the first U.S. secretary of education, she was assembling the new cabinet department’s office. “It was a killing job. There were innumerable constituencies that fought like cats and dogs. We succeeded because of the cooperation of extraordinary people who made it happen.” The effort taught her that the key to success in most positions is to find people who are willing to sacrifice for the greater good. Grateful for her friends “of extraordinary quality,” she warned

that “you can’t be a chilly, remote person and get very far in life.” She reminded lawyers of first principles: Never cite a case you haven’t read; don’t cut corners with things that matter; there is no excuse for sloppy work; do the best with the law and facts at your disposal.

Hufstedler is nostalgic for the profession of yesteryear: “It was a profession of ‘gentlemen’: your word was good enough.” There was, as she put it, “an orthodontic pressure to obey the rules of good behavior.” She observed that “the bar has lost part of its cohesiveness; I’m not sure we can recapture it.” The fact that “hardball is played regardless of who gets hurt” is “appalling” to Hufstedler. For balance, she is a voracious reader, and urged younger colleagues to “keep your hands in the soil: feel the reality of the earth and watch things grow. That gives meaning to life and reminds you of your humanness.” She added, “You won’t be a good lawyer unless you’re pleased with yourself—unless you have a whole life.”

For decades Seth Hufstedler has enjoyed a highly successful trial and appellate practice while leading local, state, and national bar associations. He noted that one of his most memorable career moments came in 1977 when he represented the California Commission on Judicial Performance in its unprecedented investigation of an ailing 82-year-old California Supreme Court justice’s fitness to continue in office. Ultimately, the justice was forced into retirement by a specially convened tribunal.

Hufstedler—an inveterate hiker who has walked the 2,850 miles that separate Mexico from Canada, among many other journeys—counseled lawyers to try to avoid divisive tactics. He offered special advice to young lawyers: “Give more than you’re asked to give and the chips will fall where you want them to.” Like his wife, he regrets the decline in professional camaraderie and believes the legal profession has lost a great deal as a result of practitioners’ zealous pursuit of money. He noted that his colleague Leonard Janofsky was fond of beseeching lawyers, “Is there a dollar sign in Esquire?” Hufstedler urged lawyers to become active participants in the organized bar: “It’s good for your practice and you’ll feel better about the world—do it for selfish *and* public reasons.”

These legal luminaries have soared to great heights but still have their feet on the ground. We would all do well to borrow a page from their playbooks. ■



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