

## A LAWYER FOR LAWYERS

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I met Larry Hellman about 40 years ago, not long after he joined the faculty of the Oklahoma City University School of Law. His earlier years were spent teaching at Washington & Lee University School of Law and serving with the U.S. Department of Justice Anti-Trust Division. I realized Larry was an open and thoughtful lawyer. He made others comfortable in conversation because he was genuinely interested in what they thought. With his natural, affable manner, it drew others to what he had to say, always with a good sense of humor. The ability to connect with others made him special. Larry was also a careful thinker, with high standards for the legal profession, the practice of law, and how lawyers should be educated to become good lawyers. That is the essence of Larry, but there is more.

I was a young General Counsel of the Oklahoma Bar Association responsible for investigating and prosecuting cases under the new Oklahoma Rules Governing Disciplinary Proceedings. I recognized Larry as having knowledge and experience in legal ethics and lawyers' professional responsibility, an area I was only beginning to learn, and I knew I could learn from him. The next four decades only reinforced my initial assessment and revealed Larry to have many gifts in other areas.

Larry has an innate kindness that allows him to most easily see in others qualities that he himself possesses. A trait only exceeded by his modesty. Always a gentleman, gracious, appreciative, and thoughtful of others. This is demonstrated by things Larry has said and written about many people with whom he worked and served. Larry recognizes integrity, fairness, clear thinking, hard work, and a generous spirit in others. He is never bashful about giving credit to others where credit is due. Those traits were undoubtedly a part of his success as a professor and his long tenure

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as Dean, now Dean Emeritus. Plentiful recognition of Larry's teaching and scholarly achievements have been addressed by his colleagues more closely involved in his daily academic work life. My comments are more about Larry's service to the Oklahoma Bar Association, and his contribution to the legal profession in Oklahoma and the United States.

Larry and I served on a number of OBA committees together for many years dealing with legal ethics, professional responsibility, and regulation of lawyers' conduct, often from very different perspectives. Larry as a professor, scholar, and former government lawyer. Me as a former prosecutor and later a defender of lawyers charged with professional misconduct. Larry's ability to objectively analyze both sides of an issue made him equally helpful to one side understanding the other, an understanding necessary for reaching consensus among lawyers often divided. Consensus was needed about how they should properly serve the public and the judicial system, a consensus made more difficult to reach about what should be done when they fail. This was an invaluable skill for his challenges to come.

Committee assignments for study and recommendations regarding changes in rules governing conduct and regulation of lawyers at the state level came from the OBA Board of Governors and the Supreme Court. The most difficult committee assignments involved tedious time-consuming study of existing rules and their history in Oklahoma, in other states, and the American Bar Association Model Rules of Professional Conduct. The purpose was to make recommendations for changes needed in Oklahoma Rules of Professional Conduct to improve the administration of justice in the public interest. Formulating recommendations about regulating lawyers' conduct calls for careful legal scholarship and understanding the realities of law practice. Larry had both the scholarship and the understanding.

Committees were largely composed of lawyers engaged in private practice. Larry bridged that gap in part because he was always there, year after year. More so because other lawyers recognized him not only for the capable lawyer he was, but for constancy of his reasoned good judgment. This gave him credibility and a voice to be considered. Larry was an integral part of the institutional memory required for continuity of purpose for such efforts. Larry knows a lot about what lawyers should do and the consequences for the public interest and the judicial system that result when they fail to do so. Larry was a leader and major contributor in a long deliberative process necessary for reaching consensus on how to improve

the administration of justice. Lawyers are not likely to easily agree about issues effecting their own interests, especially recommendations involving changes in the way they practice law. Gaining support for proposed changes to rules governing lawyers' professional conduct requires patience and stamina to reach an acceptable result. Not all lawyers are willing or able to devote the time required for such tasks. Larry was among a small number that did so, and it was a good thing for all of us that he was there. He helped shape the standards for practicing law we have today in Oklahoma and the United States.

There were often serious disagreements about how lawyers should be regulated and disciplined in matters so closely connected with any lawyer's livelihood. Controversy fueled by strong feelings was often present. Larry's leadership talents were on full display in this contentious process necessary for resolution of the issues at hand. I learned a great deal from watching Larry. Larry was open and considerate in the debates, with calming patience and never overbearing. His leadership style invited constructive participation in discussions of uncomfortable topics.

Larry did so many things professionally to contribute to legal ethics and lawyers' professional responsibility that they can't all be mentioned. An example is for 27 years Larry wrote a regular "Ethical Considerations" column for the Oklahoma County Bar Association publication, BRIEFCASE. Like many others, I always read, copied, and saved the columns for future reference. I still use them today. Another example, Larry was one the handful of elected members of the American Law Institute since 1996 representing Oklahoma at the national level. He brought back to Oklahoma things he learned from the important work this body did to improve the legal system in the United States. Yet another, Larry was a member of the Consultative Group, Restatement (Third) of the Law Governing Lawyers, giving him regular contact with the nation's leading authorities in this area of the law, authors of the most recognized treatises and professors at the most prestigious law schools. Relationships formed in Larry's contributions at the national level would be illustrated years later by the participants in a symposium Larry organized on the future of the legal profession hosted by the OCU School of Law. Many of the nationally prominent members of the legal ethics community came to Oklahoma City to be a part of the symposium program because of their personal and professional relationships with Larry.

It was no surprise when Larry was asked by the OBA President to chair the OBA Rules of Professional Conduct Committee beginning in

2000. This would be the most important project in almost twenty years since the American Bar Association Model Rules of Professional Conduct and the Oklahoma Rules of Professional Conduct were last amended. The committee's task was expected to be a multi-year project. The assignment was to evaluate the anticipated amendments to the ABA Model Rules of Professional Conduct resulting from the work of the ABA Ethics 2000 Commission begun years earlier. This would require intensive study and formulating recommendations to the Oklahoma Supreme Court about which provisions of the Oklahoma Rules of Professional Conduct, if any, should be amended to follow revisions made to the ABA Model Rules, or amended in some other manner, or remain unchanged. Some may remember this as the Oklahoma E2K Project.

Larry asked what I thought about accepting the appointment, and I told him he should accept it. I knew Larry was the right person for the job. Larry said he would agree to the appointment and invited me to serve as co-chair. Neither of us had any idea the project would last for eight (8) years. Meetings were routinely scheduled for four hours on Friday afternoons. I learned a great deal about Larry by observing his skill for successfully running a productive meeting among participants with intensely different views on controversial points. The rules touch all aspects of what lawyers do in their professional and personal lives. From the amount of their fees to their personal conduct both in and outside of the office or courtroom. Larry knew how to run a meeting without alienating anyone with strong feelings on any of those sensitive issues. He kept things going with constructive, respectful dialogue. I admired this skill as much as any of his many others.

Thankfully, the E2K Project eventually ended with the Supreme Court adoption of the revisions to the Oklahoma Rules of Professional Conduct, effective January 1, 2008, that are in large part still in effect today with very few amendments since that time. Afterwards, Larry continued with his OBA committee work and many other projects.

Thinking about Larry's contributions, I remember shortly after he began serving as Dean, Larry wanted to get back in the classroom. He was not content with just being the Dean. He wanted to return to teaching the required course on legal ethics and professional responsibility. Duties as Dean required regular travel. He couldn't take on teaching the course unless someone would agree to teach the class with him as a team to cover the class when he would have to be absent. Someone to be a necessary substitute teacher. I agreed to be Larry's substitute teacher. But nobody

can really be a substitute for Larry Hellman.

Many years later after Larry stepped down as Dean of the Law School, it still didn't end there. He continued to teach. I had the opportunity to learn about his work with the Oklahoma Innocence Project devoted to addressing injustice in the criminal justice system and persons wrongfully convicted of crimes. There is no end to what Larry may do yet. He just keeps going, going, and going.

It has been a gift and a privilege to have known and worked with Larry Hellman. I have great respect for Larry based upon my personal experiences with him over a period of many years about what lawyers are, what they should do, how they should do it, and what happens when they don't. Larry was a great contributor to improving the legal system he served in many ways. Lawyers owe Larry thanks for his work in improving the legal profession in the State of Oklahoma and the United States.