

TEXAS LAWYER

TEXAS CHRISTIAN TRIAL LAWYERS ASSOCIATION FORMED

by BRENDA SAPINO JEFFREYS

When Mark Lanier was in Austin in 2003, testifying against provisions of tort-reform legislation that the Texas Legislature ultimately passed as H.B. 4, Lanier was shocked and offended at how some at the Legislature treated him simply because he's a trial lawyer.

"I was amazed to find out that as a trial lawyer, everybody initially thought I must be some liberal Democrat and it couldn't be further from the truth," Lanier recalls. "I was offended some of the representatives were able to brand me as a trial lawyer and write me off and not hear what I would say."

But in Lanier's view, not all trial lawyers are alike, and he's starting a new nonprofit group to prove it.

Lanier, of Lanier Law Firm of Houston, is organizing the Christian Trial Lawyers Association, which Lanier envisions as a do-good group of trial lawyers with Christian values. He says the group would be the first of its kind in the country.

"The goal of this is not to raise money, but to provide for an organization that positively influences the public perception of lawyers, how we conduct ourselves in communities, our offices, our courtrooms [and] to demonstrate professional competence, godliness, while defending Christian values in the public sector," he says.

The goal isn't to supplant the Texas Trial Lawyers Association, and the CTLA won't lobby, Lanier says.

"Our goal is to be an independent organization that advances Christian principles as they co-exist within the practice of plaintiffs work," he says. "I'd love the public to start associating trial lawyers with Christians."

Lanier started organizing the CTLA late last year, and he says a number of lawyers from throughout Texas have joined by paying the \$5 membership fee. He hopes to have hundreds of members by the end of the year.

"Lawyers need a support group where they can get

together and say, 'Let's talk about other things, other than the cases I've won or the hours I've billed,'" says Gerald Treece, an associate dean and professor at South Texas College of Law in Houston who has joined the CTLA. "When a Christian runs into another Christian in the practice of law, it's almost like finding a friend."

Treece is a member of the Church of Christ, while Lanier teaches Sunday school at Champion Forest Baptist Church.

Another CTLA member, Paul Pressler, a retired judge on the 14th Court of Appeals, says, "It's good for fellowship and good for promoting integrity and morality in the legal profession." Pressler is active in First Baptist Church in Houston and in the Southern Baptist Convention.

Mike Moriarty, of Houston's Moriarty Law Firm, is in Lanier's Sunday school class and joined CTLA.

"We are so tied up with groups that have such a self interest and this would be a selfless interest group," says

Moriarty. "I would call it an accountability group, that we are all accountable to one another and you must be accountable to the right people."

Group's Goals

Lanier has several goals for the group. He hopes to improve what the public thinks of trial lawyers and show that lawyers can be successful and still have Christian values. Lanier, who once won a \$500 million verdict, also wants the members to provide pro bono legal services in disaster situations, and to provide good training for lawyers in a Christian environment.



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But the CTLA is not a lobbying group, or a political organization, Lanier says. He thought about forming a Republican trial lawyers group, but decided against it because he hopes to “find the greater good here — community service.”

Lanier says CTLA will not be the equivalent of a chapter of the Christian Legal Society.

The CLS, based in Virginia, is open to judge and lawyers regardless of their practice, says CLS president Wallace Larson, a partner in Carson Messinger Elliott Laughlin & Ragan in Phoenix, Ariz. He says he welcomes the CTLA and wants to learn more about it.

Larson says the CLS has chapters in many states, although none in Texas, and chapters at nearly all accredited law schools in the nation. The group provides legal aid ministry in about 25 communities, partners with the law school chapters to present Bible studies on campus, holds regional conferences, and handles religious liberty and pro-life litigation at the trial and appellate levels, he says.

Fort Worth’s Thomas Brandon Jr., a CLS board member, says he knows of no other group in Texas that would be similar to the fledgling CTLA, but he would consider joining.

“If it could help me sort of integrate my practice and my beliefs that might be helpful because sometimes I feel as Christian lawyers you feel like your hands are tied behind your back because you are facing Rambo lawyers out there and we are bound by an ethical standard,” says Brandon, a trial lawyer with Whitaker, Chalk, Swindle & Sawyer.

Tim Floyd, a professor at Texas Tech University School of Law, is not surprised to hear about the CTLA. Floyd, an ethics professor, says he has been hearing more and more lately about lawyers trying to find ways to integrate their religious faith — not just Christianity — with their work. He has noticed interest in religious beliefs ever since he edited a special issue of the school law review in 1997 that focused on faith and the law.

“I find that [CTLA] pretty interesting. I know that plaintiffs trial lawyers have been criticized a lot, especially by Republicans,” Floyd says.

He says the Christian moniker on the group could be a negative if it is interpreted as a way to keep the group exclusive. But, he adds, “I would hold that a plaintiffs trial lawyer would represent somebody the same whether they are a Christian or not a Christian.”

TTLA president John Eddie Williams, a partner in Williams & Bailey in Houston, says he supports Lanier’s

efforts to form the CTLA.

“As a good Baptist who attended Baylor [University], I’d join it,” says Williams. “Mark is a very dedicated Christian and leader in his community and I think it’s a good thing for him to do.”

Williams agrees with Lanier that the public incorrectly believes that all trial lawyers are partisan Democrats. “I support Republicans and Democrats and I want to support people who believe in the integrity of the jury system, whether they be Republican or Democrat,” he says.

Williams says Lanier told TTLA members at the group’s annual meeting in December 2003 about the CTLA, and invited lawyers with interest to call him about joining the group. Williams says no one at the TTLA meeting raised objections to the group.

Lanier says he’s a social conservative, and a pro-life advocate who usually supports Republican politicians, although not exclusively. He says he never took the time to lobby in Austin before the 2003 legislative session, but he found some provisions of the proposed tort reform law so disturbing that he felt compelled to testify and present his views.

He is opposed to the new caps on non-economic damage awards in medical malpractice suits because he believes they undervalue the elderly, undervalue the homemaker and will lead to more abortions because the doctors who perform them will not have as much at risk due to the caps.

H.B. 4 caps non-economic damages in medical-malpractice cases at \$250,000.

Moriarty, a Catholic who now attends a Baptist church, says lawyers of all religious backgrounds are welcome to join the CTLA. “Religion is not for you to isolate yourself from other people,” he adds.

Treece, of counsel at O’Quinn, Laminack & Pirtle in Houston, says he eagerly joined the new group because it doesn’t have a political agenda.

“I have long advocated the need. When people talk about drug problems, and alcohol problems with lawyers, I have long thought to develop the spiritual part of the person,” says Treece. “The greatest mystery is why the richest most successful people I know are the unhappiest.”

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