

Raising the Bar: a Lawyer's Vision of What the Profession Has Been, is Now, and Can Be in the Future

By [Talmage Boston](#)
Litigation Partner at Winstead PC

Lawyers with doubts about the legal profession's value in the American scheme of things need look no farther than *Raising the Bar: The Crucial Role of the Lawyer in Society* (TexasBarBooks 2012). The book is one lawyer's vision of what the profession has been, is now, and can be in the future, if we focus on the contributions lawyers have made in both the distant and recent past, in "raising the bar" for the good of American society. Consider the following questions:

- Who is the greatest hero in American history? Answer: A consummate trial and appellate attorney from Springfield, Illinois, who applied the communication, advocacy, empathy, and strategy skills developed in his lawyer's toolbox over the course of his stellar twenty-three year legal career to become the president who successfully led the country through the Civil War and eliminated slavery from our borders.
- Who is the greatest hero ever to be portrayed on the silver screen? Answer: Per the American Film Institute's poll, that distinction is held by a Caucasian trial lawyer with the courage to defend an African-American defendant indicted for the alleged rape of a white teenaged girl before an all-white jury in a small Alabama town during the Great Depression. And that "fictional" hero in *To Kill a Mockingbird*, in fact, was not "fictional" at all, since his words and deeds essentially channeled the life and personality of Harper Lee's father, Amasa Lee, in a book that was more memoir than novel.

- Who preserved the Rule of Law by bringing forth the removal from office of the President of the United States who had the audacity to



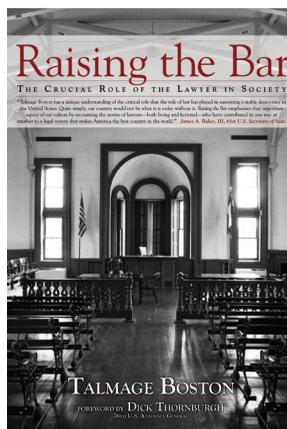
Talmage Boston

believe that his position put him above the law? Answer: A trial lawyer from Houston who, in addition to ending the American nightmare known as Watergate, also answered his country's call by prosecuting Nazi war criminals and the

Mississippi governor who thumbed his nose at the Fifth Circuit's order to integrate Ole Miss.

- Who, as United States Secretary of State, made the world a better place by orchestrating (i) the disintegration of the Iron Curtain, (ii) the end of the Cold War, (iii) the successful removal of Iraqi troops from Kuwait in Operation Desert Storm, (iv) the unification of Germany, and (v) meaningful dialog among all Middle Eastern leaders gathered together in one venue for the first time in decades? Answer: A deal-making lawyer from Houston who, with lightning speed proved to be the grand master of "the power game" in Washington, D.C. and around the world in guiding Presidents Reagan and G.H.W. Bush; and then in 2000, quarterbacked George W. Bush's prestigious legal team to the Presidency by achieving Supreme Court victory in the landmark case *Bush v. Gore*.

- Who, through their compelling fiction, have awakened and educated the American public to the interior worlds and exterior challenges facing those involved in confronting legal, social, and political issues? Answer: A white shoe New York City probate lawyer; a versatile government investigator, prosecutor, and (finally) commercial litigator whose legal career took him from Columbus to Washington, D.C., to Birmingham, to San Francisco; and, last but not least, a small town sole practitioner in Southaven, Mississippi.



These are the questions and the answers provided in my new book. The foreword by former U.S. Attorney Dick Thornburgh, and the dust jacket endorsements from the likes of former U.S. Secretary of State James A. Baker, III; Texas Supreme Court Chief Justice Wallace Jefferson; Baylor University President and former U.S. Solicitor General Ken Starr; CNN legal analyst and esteemed author Jeffrey Toobin; and lawyer

turned best-selling novelist Richard North Patterson hopefully bear witness to the fact that the book's contents are worthy of the reader's consideration.

Please visit www.texaslawbook.net for more articles on business law in Texas.

(Talmage Boston is a shareholder at Winstead PC. He has practiced law as a commercial trial and appellate litigator in Dallas, Texas, since 1978. His articles and editorials on legal issues have appeared in several major newspapers and trade publications nationally.

Raising the Bar: The Crucial Role of the Lawyer in Society, (TexasBarBooks 2012) is available at: <http://texasbarbooks.net/books/raising-the-bar>.

Speaking Engagements – Meet Talmage Boston

An accomplished keynote speaker, Talmage Boston speaks frequently at bar associations and civic group meetings throughout the country. His audiences leave the room recharged about their profession and encouraged to 'raise the bar' in their own legal circles. For speaking engagements, contact Rachel Guy at rguy@winstead.com or 214-745-5177.

- Are there timeless lessons for those in today's profession to be gained from the well-chronicled life of Theodore Roosevelt, arguably the most popular and one of the most accomplished presidents in American history, who spent his life in the big middle of the American "arena," constantly confronting laws, lawyers, legislators, and judges? Answer: Yes, two lessons in particular – in understanding what comes from living life 24/7/365 over several decades with gas pedal always floored to the dashboard; and in recognizing lawyers' responsibility to protect the Rule of Law from political demagogues.
- Where are we today, as a profession, in having a system that gives the American public the best possible, most efficient means of resolving disputes? Answer: We've improved our process by offering sound alternatives as means for achieving resolution, which provide parties in litigation with much needed options to complement our court system which, despite its flaws, will always serve as the ultimate backbone in bringing finality to those in the midst of civil conflict.