HE GOOD MARINE

Terry Tottenham takes office as president of the State Bar of Texas



erry Tottenham has played many roles in his life. Lawyer. Pharmacist. Snake charmer. Marine. Teacher. Peanut vendor. Eagle Scout. Serial killer. Darth Vader.

Some have been actual jobs. Others have simply reflected his propensity to dress up anytime he can get away with wearing a costume. It can be difficult to tell the two lists apart.

For the record, the lawyers of Texas have elected neither a serial killer nor Darth Vader to serve as the 130th president of the State Bar of Texas. The leader they have turned to during an economic downturn and a period of significant change in the legal profession and the world is a tireless advocate, respected adversary, proud Marine, and devoted husband, father, and grandfather.

From an early age, Tottenham proved he is a hard worker. He was raised in Brenham, where his father was a doctor and his mother was a nurse and teacher. When Tottenham was 12 years old, he became the youngest Eagle Scout in the history of Washington County. His first job was selling peanuts at wrestling matches. "That's where I learned client service," he said. "You get a bunch of thirsty, harddrinking people together and you learn the importance of prompt service very quickly."

From an early age, Tottenham also proved to be a leader. He participated in Boys State, started the student council at his high school, and served as senior class president. "I have always been interested in government and organizations," Tottenham said.

An after-school job at a local pharmacy launched him on a unique career path. An acquaintance who served on the State Board of Pharmacy gave Tottenham the idea of combining the study of law with pharmacy. Tottenham knew he didn't want to be a physician, but he didn't really know any lawyers except for the father of a classmate who had left Tottenham with little impression of what lawyers actually do. When Tottenham retired from Fulbright & Jaworski L.L.P. earlier this year (he continues to serve of counsel to the firm), he could look back on a trailblazing health law career. He helped found Fulbright's health law practice group, which includes more than 100 lawyers nationwide. He also developed the firm's pharmaceutical and medical-device litigation practice, which would lead him, among other things, to travel the world.

Tottenham started school close to home, enrolling for two years at Blinn College before transferring to the University of Texas at Austin. He completed a degree in pharmacy. More important, he met his wife, Sue. (The Tottenhams have three daughters, Leslie Jo, Dana, and Jessica; two sons-in-law, Chris and Doug; and three grandsons, Carter, Drew, and Lyndon.) After sitting for the pharmacy board exam, Tottenham prepared to start law school. It was 1967, a challenging time in the nation's history and an eventful time in the Tottenhams' life. Sue worked as a pharmacist at the University of Texas Student Health Center. Terry studied hard and continued to immerse himself in student leadership. His coursework at the University of Texas School of Law solidified his intent to be a litigator.

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Soon after Tottenham graduated from law school, he started a four-year commitment to the U.S. Marine Corps. While his classmates were clerking at big law firms, he was training in the hills of Quantico, Va.

Tottenham's service in the Marines left two major impressions on his life. First, he gained invaluable experience as a litigator. Second, he developed an acute sensitivity to the challenges veterans face when they return from war.

As a lawyer in the Marine Corps, Tottenham had the opportunity to work as both defense counsel and prosecutor. He tried more than 100 cases as trial or appellate counsel. He even won a reversal before the U.S. Court of Military Appeals. "Military service provided me with a tremendous opportunity to try lawsuits," Tot-

tenham said. "I not only learned trial skills, but was able to expand my education." (During the evenings, he completed an LL.M. at George Washington University.)

As State Bar president, one of Tottenham's primary initiatives will be to implement a program to provide basic civil legal services to veterans. "Texas has committed a lot of men and women to the wars in Afghanistan and Iraq," he said. "A lot of these veterans are coming back in desperate need of services we as lawyers can provide."

Texas Lawyers for Texas Veterans is patterned after a successful program of the Houston Bar Association. "They did a fantastic job of getting this off the ground," Tottenham said. "We're taking it statewide." Tottenham has enlisted the assistance of the medical directors of the VA hospitals in the state,







Tottenham with his three grandsons

which will provide space for the pro bono legal clinics to take place. He is also working closely with the Texas Veterans Commission and state mental health officials.

An overview of the program will be presented to local bar association representatives during the Bar Leaders Conference in July. A formal rollout will take place on Veterans Day. Lawyers who participate in the program will be equipped with everything they need to help veterans. More than 100 attorney volunteers attended a recent training program at Baylor Law School, where they learned the intricacies of representing veterans. Tottenham is in discussions with State Bar sections to identify panels of lawyers with expertise in specialized areas of law who can help with complex cases that may arise. Most of the work, however, will involve basic civil matters such as family law issues, consumer law issues, bankruptcy and taxation issues, landlord/tenant disputes, or estate planning and probate. "There are a lot of moving parts, but it's all coming together," he said.

Tottenham has a knack for bringing people together. He will talk with someone, who will mention someone else, and pretty soon Tottenham is on the phone with that person and has an entire network working toward a shared goal. He also has a knack for being places at the right time. As a young man, he was an usher at Kyle Field in College Station during a Texas A&M-TCU football game in which a tornado touched down. When he served in Washington, D.C., he watched the "Pentagon Papers" case argued before the U.S. Supreme Court. He was at the White House the day President Nixon resigned. "That had a profound impact on me," Tottenham said. "During a tumultuous time, I saw the tremendous stability of our system of government and the rule of law."

Tottenham completed his service as a captain in the Marine Corps and went to work for Fulbright & Jaworski in Houston. Among his proudest professional accomplishments is helping to found the firm's health law practice. His background in pharmacy and law made him a natural fit for working with teams of doctors, lawyers, and scientists.

In the mid-1980s, when Tottenham had the opportunity to move to the firm's Austin office, he seized it. Austin's unofficial motto is "Keep Austin Weird," which Tottenham has done his best to uphold. He encouraged the staff on his floor to dress up for Halloween. When he became partner-in-charge, he expanded the costume initiative officewide. (The staff, he claims, loves it.)

As a member of Fulbright's executive committee, Tottenham urged modified work schedules, advocated for the advancement of women, and promoted diversity. Diversity remains a cause dear to his heart. As president-elect of the State Bar, he appointed a record number of women and minorities to leadership positions on State Bar committees.

In his professional and volunteer activities, Tottenham has honed four skills that allow him to lead. He has the ability to work with an array of personalities. His natural tendency is to be extremely devoted to staff. He believes loyalty is a two-way street. He knows he must delegate.

Like many leaders, Tottenham has his share of idiosyncrasies. He doesn't like to dally (at his favorite lunchtime spot, he calls in his order, picks it up at the window, and then walks into the restaurant to dine), but will happily lose himself for hours in movies, sporting events, rock concerts, or books. He is a self-professed health nut, but has little control over his fondness for chocolate. He is a creature of routine (he would be

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Tottenham as a leader at the University of Texas

The Tottenham family

content to eat the same thing every day) but is "cautiously adventurous" when traveling and always willing to engage his grandchildren in whatever they want to do.

Tottenham has traveled the globe to locations as far-flung as India, New Zealand, and Turkey, but is perhaps nowhere more comfortable than Darrel K. Royal Texas Memorial Stadium on the campus of the University of Texas at Austin. In a town brimming with alumni and a profession well represented among the school's boosters and supporters, Tottenham may be the biggest Longhorns fan of them all. Despite growing up in Aggie country, he concedes he has always been "pretty rabid" in his devotion to all things UT.

Earlier this year, when Tottenham announced his retirement, he held a party at the UT alumni center and asked guests to wear a costume or burnt orange. For colleagues beholden to a different alma mater, this might have seemed an awkward demand. It's testament to the loyalty friends feel toward Tottenham that proud graduates of Texas A&M, Oklahoma, and other schools spent the evening bedecked in the colors of their rival.

There is no doubt Tottenham has the requisite credentials to be a good State Bar president. He has served on the State Bar Board of Directors. He is a former chair of both the Health Law Section and the Litigation Section. He is a fellow of the American College of Trial Lawyers, International Academy of Trial Lawyers, and International Society of Barristers.

Tottenham has served in countless leadership positions with the American Board of Trial Advocates, Austin Bar Association, Austin Bar Foundation, American Academy of Healthcare Attorneys, Texas Bar Foundation, Texas Board of Legal Specialization, and Texas Young Lawyers Association.

For 25 years, Tottenham has served as an adjunct professor

at the University of Texas School of Law, where he teaches pretrial and trial strategy and revels in the opporunity to teach students to act professionally and with integrity. He established an affordable trial advocacy program for pro bono and public interest lawyers using top trial lawyers as volunteer instructors. He is certified in personal injury and civil trial law by the Texas Board of Legal Specialization. He has received a litany of awards.

There is also no doubt Tottenham has the leadership skills to be a great State Bar president. His strengths — thinking big, bringing people together, and delegating responsibility — will be essential to the success not only of Texas Lawyers for Texas Veterans but of two other major initiatives he is planning: A video to assist lawyers dealing with anxiety, addiction, and depression, and a series of webinars targeted to small firm and underemployed lawyers. His leadership skills and experience will also be essential to guiding Texas lawyers as they debate proposed changes to the Texas Disciplinary Rules of Professional Conduct (which may lead to a referendum of all Texas lawyers) and any other issues that arise.

Whatever happens, Texas lawyers can be assured that as Tottenham travels the state, audiences will hear a lot about Texas veterans. They will also hear a lot of Bruce Springsteen. "Not only is Bruce a great singer-songwriter, but he has a great work ethic," Tottenham said. "He never fails to deliver a strong performance. He always gives 110 percent."

The same could be said of Tottenham. He has high expectations for those who work for and with him and a strong sense of obligation to those who entrust him to help. During his tenure as president of the State Bar of Texas, Tottenham is resolutely committed to helping Texas lawyers, Texas veterans, and the millions of Texans they serve. •