LAWYERS AND PRESIDENTS:
THE TIES THAT BIND

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THE TIES THAT BIND PRESIDENTS AND LAWYERS
Talmage Boston

I. INTRODUCTION

Since we've now had a new president for five months AND since you need CLE ethics credit, we're going to have some fun. I'm going to talk about presidential history AND legal professionalism.

Now, I realize your kneejerk reaction may be to think that those two subjects are apples and oranges – with no connection; though, as you'll soon learn, they're apples and apples. The leadership traits that make for a great president align in perfect synchronicity with the traits that make for a consummate professional lawyer.

As a historian who's now written a book on presidential history that was released a month ago AND as a full-time practicing lawyer for almost forty years, I encourage you to go with the flow and enjoy the parallels in these two areas.

II. HISTORY

Most lawyers love history because so much of our business depends on precedent. Years ago, I realized that most people love history for two reasons:

• First, it shows us how much things change; and
• Second, it shows us how much things stay the same.

One of the main ways history shows us how much things stay the same is that the traits that make a great presidential leader are the same in 2016 as they were in 1789 when George Washington was sworn in as president.

For my new book, Cross-Examining History, after completing my interviews with top presidential experts, I assembled some of the high points into what I call "The Ten Commandments of Presidential Leadership."

Whether you are moving toward leadership at your law firm, your company (if you're in-house), in bar activities, or in your community, I believe that these Commandments are worthy of all leaders' attention. They come from the people who faced their eras' greatest challenges and met them in ways that set the standard not just for presidential leadership, but for all in leadership positions.

When you hear the stories of the presidents who epitomized these commandments and then hear them matched up with the Kentucky Rules of Professional Conduct and the Kentucky Code of Professional Courtesy, it should help you understand why so many of our commanders-in-chief started their careers as lawyers and practiced law with the same leadership traits that served them well when they became president.
III. THE TEN COMMANDMENTS: THE PRESIDENTS WHO EPITOMIZED THEM AND HOW THEY APPLY TO LAWYERS

A. First Commandment: A Great Leader Shall Serve as His People's Conscience-in-Chief

A great leader is more than commander-in-chief. He's also his constituency's Conscience-in-Chief. The moral compass of the exemplary leader stays locked on true north, so he can be counted on to do the right thing when times get hard, or when no one is watching.

The president who set the standard as our nation's Conscience-in-Chief was George Washington – the subject of Award-winning historians David and Jeanne Heidler's acclaimed 2015 biography Washington's Circle.

When I interviewed the Heidlers at the Air Force Academy last year, one goal was to get an in-depth look at Washington's integrity. Here's what I learned from the Heidlers about George Washington and the way he led as Conscience-in-Chief.

1. Part of what made him such a natural for this position was his having a unique moral air to his countenance. He was physically imposing at 6'2", with penetrating pale blue eyes, and a broad lion-like nose. He spoke slowly and measured his words carefully to make sure there were no slips of the tongue. He sounded almost like the voice of God speaking.

   When he entered a room, his unique commanding presence made people notice him. They stopped what they were doing and started acting in a mode of best behavior immediately. They knew big time integrity had walked into the room.

2. Beyond how he presented himself, what actually caused Washington's ethics to be rock solid started early in his life.

   Besides his parents' mentoring, in his early teens, George injected integrity into his system while learning cursive handwriting, copying repeatedly from a book written by Jesuit priests titled Rules of Civility and Decent Behaviour in Company and Conversation.

   The idea was that as one disciplined the hand, he also disciplined the mind – and it worked for Washington. The rules in that book became his code for living from then on. He copied all 110 Rules hundreds of times, and knew them backwards and forwards.

   My two favorite rules he copied were:

   a. Every action done in company ought to be with some sign of respect to all who are present; AND
b. Labor to keep alive in your breast that little spark of celestial fire called conscience.

As president, he stayed grounded in virtue by reading daily devotionals, attending church regularly, and being totally committed to following the Constitution. He was such a moral straight arrow throughout his life that he inspired Parson Weems to write a biography of him right after Washington's death. To highlight his ethics, Weems invented the story that George, at age six, confessed to his father, "I cannot tell a lie, Papa. I cut down the cherry tree with my hatchet."

Yes, the cherry tree story was an early 19th century Aesop's Fable, but it told the truth about Washington's lifelong integrity, and how he always stood head and shoulders above the crowd as the nation's conscience-in-chief.

How does the First Commandment's leadership trait about the need to serve as Conscience-in-Chief apply to lawyers? Paragraph VIII of the Preamble to the Kentucky Rules of Professional Conduct answers the question:

Many of a lawyer's professional responsibilities are prescribed in the Rules of Professional Conduct, as well as substantive and procedural law. However, a lawyer is also guided by personal conscience and the approbation of professional peers.

So my fellow lawyers, in your daily practice, stay mindful of the Jesuit rule young George Washington copied again and again: "Labor to keep alive in your breast that little spark of celestial fire called conscience." Have a conscience so strong that it guides you to rise above the Rules of Professional Conduct.

B. Second Commandment: A Great Leader Shall Stay above the Fray and Build Consensus to Make Progress Possible

Building consensus is an essential part of the American story. On our money is the phrase "E pluribus unum." It is Latin, and means, "Out of many – one."

Most groups have more than one faction. A great leader has the horsepower to bring factions together and build unity among them. The president who set the standard for bringing unity out of dysfunction was Thomas Jefferson.

The Jefferson biographer for my book was Peter Onuf, author of six books on Jefferson and long-time history professor at the University of Virginia. I talked in depth with Peter on exactly how Jefferson went about building consensus with those across the aisle, at a very fragile time in our nation's history when the Federalist Party (led by Alexander Hamilton
and John Adams) was in constant conflict with the Republican Party (led by Jefferson & James Madison). Such was the conflict that the Federalist-controlled Congress during Adams' presidency passed the Sedition Act which made it a crime for anyone to criticize President Adams or Federalist policies.

During that totally dysfunctional time, when our country was barely a decade old, Thomas Jefferson became president in 1801, and he got the new country to lessen its divisions and start thinking collectively. How did he do it? Peter Onuf told me how.

Jefferson emphasized his commitment to national unity in his first Inaugural Address, when he told the crowd: "We are all Federalists. We are all Republicans," and he took it from there over the next eight years.

American diplomat Harold Saunders has said: "Politics is about relationships." A president starts building consensus by building relationships. Peter explained how, as president, Jefferson built relationships with the Federalists by hosting frequent dinner parties where his only invited guests were Federalist leaders. There Jefferson created a dialogue that moved the ball toward building relationships.

So how does the Second Commandment's leadership trait about the need to stay above the fray and build consensus apply to lawyers? Section 8 of the Kentucky Code of Professional Courtesy answers the question:

A lawyer should strive to maintain a courteous tone in correspondence, pleadings and other written communications.

Staying courteous means taking the high ground, not taking the bait when opposing counsel provokes you, and in time that steady stream of courtesy will often allow lawyers to reach consensus when disputes arise in a case.

C. Third Commandment: A Great Leader Shall Know His Limitations – and Know How to Supplement Them

A great leader does this by aligning himself with advisors who are strong in the areas where he is not. The president who was best at this trait was James Madison. He knew he was very smart and could outwork anyone; but he also knew he was short (5'4"), very thin (only 100 pounds), had zero charisma when he spoke publicly, and was level-headed but lacked creativity. When George Washington entered a room, everyone noticed. When James Madison entered a room, no one noticed.

The Madison biographer for my book was Award-winning historian David Stewart who, before becoming one of our top historians, was a top lawyer. Stewart devoted his book to Madison's gift for forming partnerships with those who had what he lacked.
1. What did Madison do to compensate for being a scrawny little guy who got lost in a crowd?

David Stewart explained how he buddied up with big, impressive George Washington. Washington was smart enough to know he wasn't brilliant and needed Madison's brainpower. The two of them aligned with each other at the Constitutional Convention and during the first part of Washington's presidency; and, together they became more than either was individually.

2. What did Madison do to compensate for being short on charisma?

He buddied up with Alexander Hamilton, the most dynamic Founding Father. Hamilton was smart enough to know he needed a hard-working brilliant advocate like Madison to team with in writing The Federalist Papers. By co-authoring the Papers, they led the charge in getting the Constitution ratified by the states.

3. What did Madison do to make sure there was full blown creativity in play in inventing our country's new government?

He buddied up with Thomas Jefferson, a creative genius. Jefferson was smart enough to know that some of his high-flying creative ideas needed to be toned down by someone level-headed like James Madison.

So how does the Third Commandment's leadership trait about the need to align with those with skills you lack apply to lawyers? Section 3 of the Preamble to the Kentucky Rules of Professional Conduct answers that question, where it contrasts the various duties that lawyers have.

As a representative of clients, a lawyer performs various functions. As advisor, a lawyer provides a client with an informed understanding of the client's legal rights and obligations and explains their practical implications. As advocate, a lawyer zealously asserts the client's position under the rules of the adversary system. As negotiator, a lawyer seeks a result advantageous to the client but consistent with requirements of honest dealings with others. As an evaluator, a lawyer acts by examining a client's legal affairs and reporting about them to the client or to others.

If you recognize that you're weak in one of these areas as a practicing lawyer, have the self-awareness to know it, and then bring in a lawyer who's good in that trait to help you with that aspect of your responsibility.
D. Fourth Commandment: A Great Leader Shall Persevere over Setbacks

The president who showed the way in this leadership trait was Franklin Roosevelt.

For my book, I interviewed three FDR biographers – Ken Burns; Pulitzer Prize finalist Geoffrey Ward; and National Book Critics Award Winner James Tobin. They all focused on how until age thirty-nine, Roosevelt led a vigorous life. He loved golf and other outdoor recreation activities. He loved dancing, and he loved working hard to fulfill his high political ambitions. Then, from out of nowhere, polio hit him in 1921 – and he lost the use of his legs for the rest of his life.

Both Geoff Ward and Jim Tobin spoke of Roosevelt having steadfast resolve and a first-class temperament. After losing the bounce in his step, he somehow kept a smile on his face and maintained his self-confidence.

By overcoming the reality of living with a major disability with unmatched tenacity, it is no wonder he was the man who could inspire the country to believe that "we have nothing to fear but fear itself."

By defying polio, Roosevelt proved the wisdom of Joseph Campbell's "Where you stumble, there your treasures lie." In responding to losing the use of his legs, FDR found resources of character – i.e., treasures – that he didn't know he had. This allowed him to rise up and do more than he ever thought possible.

So how does the Fourth Commandment's leadership trait about maintaining steadfast resolve so as to persevere over setbacks apply to lawyers?

Supreme Court Rule 3.130(1.3) of the Kentucky Rules of Professional Conduct answers this question. It says,

A lawyer should pursue a matter on behalf of a client despite opposition, obstruction or personal inconvenience to the lawyer, and take whatever lawful and ethical measures are required to vindicate a client's cause or endeavor.

We all know that in handling contested matters, there will be setbacks – a judge's unfavorable ruling, a witness who underperforms, a client who runs short of funds and slow pays, and an opposing counsel who lives to disrupt the flow of a case. Lawyers must persevere and find ways to power through with steadfast resolve in these types of opposition and obstruction.
E. Fifth Commandment: A Great Leader Shall Play Hardball When Necessary

By playing hardball, he proves his commitment toward achieving his goals. A modern president who played hardball with great skill was Dwight Eisenhower.

My Eisenhower biographer was Pulitzer Prize finalist Jean Edward Smith, who told a story that exemplified Ike's talent for hardball.

In 1956, Eisenhower completed his first term. Right before the election for his second term, America's long-time allies, England, France, and Israel joined forces, invaded Egypt, and seized the Suez Canal. They thought President Eisenhower would do nothing about their invasion for fear of losing the Jewish vote in the election. Wrong!

Eisenhower responded quickly and forcefully to their improper aggression and instructed his Treasury Secretary to make a run on the British pound. He then told Britain's Prime Minister that if they didn't withdraw immediately from the Suez, Ike would drive the pound down to zero. Britain had no choice. They had to remove all troops from the Suez.

That's how you play hardball when someone steps out of line.

So how does the Fifth Commandment's leadership trait of playing hardball when necessary apply to lawyers? Paragraph Ten of the Preamble to the Kentucky Rules of Professional Conduct answers the question.

The principles underlying the Rules include the lawyer's obligation zealously to protect and pursue a client's legitimate interests, within the bounds of the law.

Zealous lawyering means playing hardball (not softball) with fire in your belly within the bounds of the law, to get the best result you can achieve for your client.

F. Sixth Commandment: A Great Leader Shall Remain Calm in a Crisis so Everyone Will See He's not Panicking and Is Focused on Making Good Decisions

The president who stood out with this trait was John F. Kennedy.

For my book, the person I interviewed on JFK was Sheldon Stern. He is the former Historian in Residence at the Kennedy Library in Boston, and the author of three books on the Cuban Missile Crisis.

In October 1962, at the height of the Cold War, the Soviet Union delivered missiles to Cuba. During the thirteen days it took to resolve the crisis, all of President Kennedy's top advisors met at the ExComm meetings. They kept telling him that strong retaliation by the United States was needed to
get Russia to remove its missiles. These meetings were secretly taped and Stern listed to all forty-three hours.

Sheldon Stern described how, as his advisors kept getting riled up, John Kennedy was the only guy in the room who stayed calm. This allowed him to finally reach an agreement with the Russians. They removed their missiles from Cuba, thereby avoiding World War III.

So how does the Sixth Commandment's leadership trait about the need to stay calm in a crisis apply to lawyers? Section 10 of the Kentucky Code of Professional Courtesy answers this question. It says:

> A lawyer should recognize that the conflicts within a legal matter are professional and not personal and should endeavor to maintain a friendly and professional relationship with other attorneys in the matter.

When tempers flare (or explode) between clients or lawyers, it clearly creates a crisis in the case. Will anger cause the people involved in a business transaction or a lawsuit to go into a downward spiral OR will there be a cool head who stays above the crisis and brings the players into a mode of professional equilibrium? The professional lawyer's job is to be that cool head.

G. Seventh Commandment: A Great Leader Shall Recognize the Importance of Good Timing in Pursuing Initiatives and Not Force Things When the Time Isn't Right but Seize the Moment When It Is

The philosopher Carlos Castaneda said that "Warriors/great leaders recognize the cubic centimeter of chance that can make or break them. When it pops up, they move on it with the necessary speed and prowess to capitalize on the opportunity." The president with the strongest sense of seizing the cubic centimeter of chance was Lyndon B. Johnson in how he got Civil Rights legislation passed.

To get answers on LBJ and his Civil Rights leadership, I interviewed Pulitzer Prize winning Civil Rights historian Taylor Branch, Johnson biographer Mark Updegrove, Johnson's daughter, Lynda Johnson Robb, and his White House Counsel Larry Temple.

From them, I learned LBJ's explanation for why he didn't move hard on getting strong Civil Rights laws passed until he became president: "You don't try to kill the snake until you have the hoe in your hand." As president, he had the hoe, and the snake was the Jim Crow segregation laws.

1. Before becoming president, John F. Kennedy served in Congress fifteen years but during that time, he never learned how to get legislation passed. As president, after being in office more than two years, Kennedy finally offered Congress a strong Civil Rights
bill in June 1963; however, he didn't have what it took to get it out of committee before he was killed.

After Kennedy's death, with the hoe in his hand, President Johnson strong-armed Congress by telling them that the best way to honor JFK's memory was to make him the martyr for Civil Rights. With that as his driving force, Johnson got the bill out of committee, onto the floor, through a filibuster, and passed into law in July 1964.

Mark Updegrove and Larry Temple pointed out to me in their interviews that the safer road politically for LBJ would have been to wait until after the November 1964 election before trying to kill the snake with the hoe; but, to wait that long would have taken away the huge momentum behind the country's desire to honor President Kennedy's legacy.

2. The same thing happened with the Voting Rights Act of 1965. LBJ waited until the nation became horrified watching Bloody Sunday in Selma, Alabama, on television. Police troops beat up African-Americans who tried to march from Selma to Montgomery to protest Alabama's refusal to give them voting rights. With the nation's moral outrage behind him, LBJ made his "We Shall Overcome" speech shortly after Bloody Sunday, and the next day submitted his Voting Rights bill to Congress. This bill soon became the Voting Rights Act.

3. The same thing happened with the Fair Housing Act. The Housing bill was stuck in Congress in the spring of 1968. Then, Martin Luther King, Jr. was killed. President Johnson used that tragedy to persuade the House to approve the Senate version of the bill and make it law as a way of paying tribute to Dr. King.

So how does the Seventh Commandment's leadership trait about the need to be mindful of when to wait and be patient, and when to seize the day, apply to lawyers? Supreme Court Rule 3.130(3.2) of the Kentucky Rules of Professional Conduct addresses this.

A lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client.

All seasoned lawyers know the importance of timing. In the litigation arena where I practice, some disputes are ripe for mediation very early in the case and some should be mediated only after much discovery and summary judgment skirmishing. There are cubic centimeters of chance for achieving resolution at junctures throughout the timeline of a case. You better know when the time is right to wait, and when to strike quickly on pursuing resolution in order to expedite the litigation.
H. Eighth Commandment: A Great Leader Shall Be a Great Communicator; and Shall not Only Speak Well, but Shall Follow through on What He Says

The president who communicated best in the modern era was Ronald Reagan.

The people I interviewed on Reagan were his first term White House Chief of Staff and second term Treasury Secretary James Baker and Pulitzer Prize finalist historian H.W. Brands.

I learned many things from them about President Reagan, but one of the most important was what made him the Great Communicator. The conventional wisdom was that his having spent half his adult life as an actor trained him to look the camera in the eye and give his message with full dramatic force; but it was more than that. Bill Brands said it was Reagan's sunny disposition and cheerful countenance that caused him to speak with a spirit of optimism which gave Americans hope and allowed him to channel the American people's inner voice.

James Baker said it was Reagan's consistent confident message over time in communicating his steadfast opposition to Soviet communism that built the momentum which led to the Cold War's end.

In the modern era, presidents' speeches are written mainly by their speechwriters; but, obviously, the boss decides what's in the final draft. The most memorable line of Reagan's presidency came as he attempted to bring an end to the Cold War – when he said, "Mr. Gorbachev, Tear Down This Wall!" The speech with that line went through many drafts. His speechwriters kept taking the line out. They thought it was too inflammatory and would alienate the Soviet Union. Reagan kept putting it back in.

On June 12, 1987, the time was right, the place at West Berlin's Brandenburg Gate was right. Reagan's entire foreign policy message, that he had been saying since his first political speech in 1964, had finally arrived, and, to heck with the speechwriters!!! He said the words that will forever give him a special place in history: "Tear down this wall." Four words – each one syllable. They were simple and clear and passionate and right on the mark.

Just as important as his words, President Reagan followed through on what he said by leading the charge to tear down the wall and end the Cold War.

So how does the Eight Commandment's leadership trait of being a great communicator and following through on what is said apply to lawyers? Here's my answer to that:

You cannot be a great leader without being a great communicator; AND, you cannot be a great lawyer without being a great communicator.
Once you communicate to a court, or another lawyer, or a client, per Supreme Court Rule 3.130(4.1) of the Kentucky Rules of Professional Conduct,

In the course of representing a client a lawyer:

(a) shall not knowingly make a false statement of material fact or law to a third person; and

(b) if a false statement of material fact or law has been made, shall take reasonable remedial measures to avoid assisting a fraudulent or criminal act by a client including, if necessary, disclosure of a material fact, unless prohibited by Rule 1.6.

To sum that up, your "word" had better be your "bond" – meaning you better follow through on what you say.

I. Ninth Commandment: A Great Leader Shall Put His People's Interest above His Own Personal Interest

The president in modern times who had the courage to do that was George H.W. Bush.

For my book, I learned about President Bush from his biographer, Pulitzer Prize winning historian Jon Meacham; Bush's Secretary of State James Baker; his White House Chief of Staff John Sununu; and his Deputy Chief of Staff Andy Card.

At the 1988 Republican Convention, as George H.W. Bush accepted his party's nomination, he said six important words to the national television audience: "Read my lips. No new taxes." – Six short words. The people at the convention cheered; and he won the 1988 election.

The tax issue was politically huge, but it was a two-edged sword. The Reagan tax cuts had been popular throughout his presidency, but they were a major factor in causing significant increases in the federal deficit. Upon becoming president, Bush knew he had to address the deficit because the world had started reducing the amount of T-bills purchased over concerns about the American economy's health. When the time came in 1990 to get a budget deal done, there was only one way to get an agreement with the Democratic-controlled Congress, who refused to agree to any spending cuts. Therefore, additional funding from tax revenue would be needed, not only to cut the deficit, but also because President Bush saw future expensive American military action looming on the horizon in response to Iraq's invasion of Kuwait.

Thus, President Bush broke his convention pledge. He raised taxes. It caused a Newt Gingrich-led revolt in the Republican Party and became a factor in Bush's losing the 1992 election. Could President Bush have kept his 1988 convention promise and refused to approve new taxes in the
1990 budget talks? Of course, but it would have caused an impasse with Congress thereby triggering a government shutdown. The deficit would have continued to grow, further reducing the world's confidence in the American economy.

So how does the Ninth Commandment's leadership trait about the need to always put your people's interest above your own personal interest apply to lawyers?

Section 13 of the Preamble to the Kentucky Rules of Professional Conduct answers that question, where it says:

The profession has a responsibility to assure that its regulations are conceived in the public interest and not in furtherance of parochial or self-interested concerns of the bar.

A lawyer's main person to put first is the client – not himself. Sometimes we have clients who are not esteemed by our communities or by certain courts. To make a zealous stand on behalf of such a client may not be in a lawyer's self-interest, but by making such a zealous stand in representing an unpopular client or cause, you are following in the footsteps of Atticus Finch, in the way he zealously represented Tom Robinson. Remember, our word is to be our bond.

J. Tenth and Final Commandment: A Great Leader Shall Stay Abreast of Public Sentiment and Find Ways to Shape It so It Aligns with His Vision

The president who did this better than anyone was Abraham Lincoln, who said, "Public sentiment is everything. Whoever molds public sentiment goes deeper than he who enacts statutes, or pronounces judicial decisions."

The two historians I interviewed on Lincoln were Harold Holzer, winner of the 2015 Lincoln Prize; and Ronald White, best-selling Lincoln biographer.

Lincoln understood that in his era, the people who best knew the public sentiment in their communities were those who ran the local newspapers. Wherever he traveled on business, he made a point of meeting with the local newspaper publishers. From them, he caught up on the talk of their town. Once he found out what people were thinking, Lincoln then devised strategies to change their thoughts to align with his thoughts. As Harold Holzer pointed out in his book, Lincoln shaped public opinion by writing newspaper editorials; giving tightly eloquent speeches; strategically leaking information to newspapers; and writing letters to newspaper editors that he circulated to other newspapers around the country.

Here's an example of how Lincoln got out in front of an issue, and succeeded in shaping public opinion.
On the divisive issue of slavery during the Civil War, he found a politically acceptable way to issue the Emancipation Proclamation by declaring that its passage was not because he wanted to abolish slavery, but because emancipation was needed as a matter of "military necessity."

He knew where public sentiment was on slavery in 1862. If Lincoln had said he was emancipating slaves because of an altruistic desire to achieve equal rights for all people regardless of race, there would have been pushback. More than anything else, Lincoln knew that the people in the North wanted the Civil War to end with a Union victory as soon as possible. Therefore, they wanted everything done as a matter of military necessity to end the war. And his public opinion emancipation strategy worked!

So how does the Tenth Commandment's leadership trait to know and then mold public sentiment have to do with lawyers? Supreme Court Rule 3.130(1.2) answers this, when it says:

A lawyer and a client may disagree about the means to be used to accomplish the client's objectives. Clients normally defer to the special knowledge and skill of their lawyer with respect to the means to be used to accomplish their objectives, particularly with respect to technical, legal and tactical matters.

Yes, we darn sure better know completely the sentiments of our clients. But we also better be in the business of coming up with sound strategies to mold and guide their sentiments toward our own professional vision for the best possible final result for the matter we've been hired to handle.

IV. CONCLUSION

After hearing how these Ten Commandments of Presidential Leadership closely align with the Kentucky Code of Professional Courtesy and the Kentucky Rules of Professional Conduct, is it any wonder why of the forty-three men who have served as President of the United States, more than 60 percent have been lawyers? What makes a president great is also what makes a lawyer great. So it might be beneficial to you as a lawyer who aspires to be a consummate professional to start boning up on your presidential history.
I. COMMANDMENT 1 – A GREAT PRESIDENTIAL LEADER SHALL BE CONSCIENCE-IN-CHIEF

Tie: "Many of a lawyer's professional responsibilities are prescribed in the Rules of Professional Conduct, as well as substantive and procedural law. However, a lawyer is also guided by personal conscience and the approbation of professional peers." Paragraph VII, Preamble to the Kentucky Rules of Professional Conduct

II. COMMANDMENT 2 – A GREAT PRESIDENTIAL LEADER SHALL STAY ABOVE THE FRAY AND BUILD CONSENSUS

Tie: "A lawyer should strive to maintain a courteous tone in correspondence, pleadings and other written communications." Section 8, Kentucky Code of Professional Courtesy

III. COMMANDMENT 3 – A GREAT PRESIDENTIAL LEADER SHALL KNOW AND SUPPLEMENT HIS LIMITATIONS

Tie: "As a representative of clients, a lawyer performs various functions. As advisor, a lawyer provides a client with an informed understanding of the client's legal rights and obligations and explains their practical implications. As advocate, a lawyer zealously asserts the client's position under the rules of the adversary system. As negotiator, a lawyer seeks a result advantageous to the client but consistent with requirements of honest dealings with others. As an evaluator, a lawyer acts by examining a client's legal affairs and reporting about them to the client or to others." Section 3, Preamble to the Kentucky Rules of Professional Conduct

IV. COMMANDMENT 4 – A GREAT PRESIDENTIAL LEADER SHALL PERSEvere OVER SETBACKS

Tie: "A lawyer should pursue a matter on behalf of a client despite opposition, obstruction or personal inconvenience to the lawyer, and take whatever lawful and ethical measures are required to vindicate a client's cause or endeavor." Supreme Court Rule 3.130(1.3), Kentucky Rules of Professional Conduct

V. COMMANDMENT 5 – A GREAT PRESIDENTIAL LEADER SHALL PLAY HARDBALL WHEN NECESSARY

Tie: "The principles underlying the Rules include the lawyer's obligation zealously to protect and pursue a client's legitimate interests, within the bounds of the law." Paragraph Ten, Preamble to the Kentucky Rules of Professional Conduct
VI. COMMANDMENT 6 – A GREAT PRESIDENTIAL LEADER SHALL REMAIN CALM IN A CRISIS

Tie: "A lawyer should recognize that the conflicts within a legal matter are professional and not personal and should endeavor to maintain a friendly and professional relationship with other attorneys in the matter." Section 10, Kentucky Code of ProfessionalCourtesy

VII. COMMANDMENT 7 – A GREAT PRESIDENTIAL LEADER SHALL BE MINDFUL OF GOOD TIMING WHEN PURSUING INITIATIVES

Tie: "A lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client." Supreme Court Rule 3.130(3.2), Kentucky Rules of Professional Conduct

VIII. COMMANDMENT 8 – A GREAT PRESIDENTIAL LEADER SHALL BE A GREAT COMMUNICATOR AND FOLLOW THROUGH ON WHAT ONE SAYS

Tie: "In the course of representing a client, a lawyer:

(a) shall not knowingly make a false statement of material fact or law to a third person; and

(b) if a false statement of material fact or law has been made, shall take reasonable remedial measures to avoid assisting a fraudulent or criminal act by a client including, if necessary, disclosure of a material fact, unless prohibited by Rule 1.6."

Supreme Court Rule 3.130(4.1), Kentucky Rules of Professional Conduct

IX. COMMANDMENT 9 – A GREAT PRESIDENTIAL LEADER SHALL PUT THE NATION'S WELFARE ABOVE ONE'S OWN INTEREST

Tie: "The profession has a responsibility to assure that its regulations are conceived in the public interest and not in furtherance of parochial or self-interested concerns of the bar." Section 13, Preamble to the Kentucky Rules of Professional Conduct

X. COMMANDMENT 10 – A GREAT PRESIDENTIAL LEADER SHALL STAY ABREAST OF PUBLIC SENTIMENT AND FIND WAYS TO SHAPE IT

Tie: A lawyer and a client may disagree about the means to be used to accomplish the client's objectives. Clients normally defer to the special knowledge and skill of their lawyer with respect to the means to be used to accomplish their objectives, particularly with respect to technical, legal and tactical matters. Supreme Court Rule 3.130(1.2), Comment 2, Kentucky Rules of Professional Conduct