

THE ORIGINALS

The First Law Clerk

THE LEGAL PROFESSION HAS CHANGED A LOT OVER THE PAST 40 YEARS. AS PART OF OUR 40TH ANNIVERSARY CELEBRATION, WE THOUGHT IT WOULD BE INTERESTING TO TAKE A STEP BACK IN TIME WITH “THE ORIGINALS” – THE SEVEN ATTORNEYS WHO JOINED JOHNSON & BELL IN THE 1970S AND STILL ARE PRACTICING TODAY. WE SAT DOWN WITH EACH OF THEM TO FIND OUT HOW THE LEGAL PROFESSION HAS EVOLVED, WHAT CASES BUILT THE FIRM OR THEIR OWN INDIVIDUAL CAREERS, AND THE VARIED PATHS THEIR RESPECTIVE CAREERS HAVE TAKEN OVER THE PAST FOUR DECADES. WE HOPE YOU ENJOY THEIR INDIVIDUAL STORIES.

It was 1979 and Jack Childers had just arrived for a second interview for a clerkship at the firm that would become Johnson & Bell. The only problem, almost everyone was gone at trial. “Bottom line: Nobody was around,” Childers recalls. “I interviewed with an older gentleman who was in the process of leaving the firm.”

As Childers rose to leave, firm President Bill Johnson walked in the door and shook his hand. In the end, Childers got the job. “Truth be told, I think they needed a clerk so bad, they would have hired me anyway,” the attorney quips self-deprecatingly. “I remember thinking to myself how young everyone was. At the time the oldest person was in his late 30s and that was Bill Johnson.”

“There were no departments and you worked for everyone. It was hectic but a lot of fun.”

For Childers, the defense litigation firm’s steady business in medical malpractice and product liability was something he always wanted to do. “It was a perfect fit,” says Childers, who was the first clerk hired after firm founder William D. Maddux left



with a group of lawyers to form a plaintiff’s practice. “And since I was the only clerk, I did research for everybody.”

For the next year and a half, Childers worked out of a library that was “about the size of a small to medium-sized bedroom.” It had the essentials, but “if you needed anything outside of that, you had to go to the Cook County Law Library.”

As soon as Childers passed the bar in 1980, he “was working on cases as an associate for everyone,” he says. “I took most of the non-medical stuff. There were no departments and you worked for everyone. It was hectic but a lot of fun.”

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When Childers started, there weren't any fax machines or voicemail. "The technology is just extraordinary now," Childers says. In fact, he can still remember when the firm acquired its first fax machine in 1987. Johnson & Bell's Bill Johnson and Pat Morris were litigating the DuPont Plaza Hotel fire case in San Juan, Puerto Rico. The fire killed 97 people and injured more than 140, and the firm represented two defendants. "The court decided that with the hundreds of plaintiffs and hundreds of lawyers involved, that fax pleadings were going to be the official form of notice rather than snail mail," Childers recalls, adding in jest, "We probably held a meeting to decide, 'do we really need to get it?'"

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In the 1980s, Childers became national coordinating counsel for a national drug store chain and litigated numerous mass tort matters, including the L-Tryptophan MDL litigation, as well as individual cases. He still works closely with this client today.

He also handled the Mississippi Hearing Loss Litigation, a class action suit in which the firm represented a tool manufacturer as their national counsel in several thousand hearing loss and Hand-Arm Vibration Syndrome claims.

Looking back 40 years, Childers sees a fundamental change in the way competing lawyers interact with each other. "I always tell the story to the young people at the firm that when you used to travel, you'd be in the deposition room fighting with the plaintiff's attorneys for hours and then later having dinner and drinks back at the hotel like nothing happened."

"Today, I think it's much more competitive, and less collegial. That's a shame for all these young lawyers. Part of it is that nothing used to get done unless you wrote a letter or made a phone call" to the plaintiff's attorneys. "You got to know people when you actually had to talk to each other. Now so much of the practice is handled by e-mail and electronic filing."

But as much as some things have changed, some things have remained steadfast, such as the firm's core values, he says. "You work hard to do the best job you can for your client, follow the rules of ethics, and everything else will take care of itself."

CHICAGO OFFICE

33 W. Monroe St. / Suite 2700 / Chicago, IL 60603
phone (312) 372-0770 / phone (312) 372-9818

INDIANA OFFICE

11051 Broadway / Suite B / Crown Point, IN 46307
phone (219) 791-1900 / phone (219) 791-1901
info@johnsonandbell.com

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