



*Remarks of Incoming President Wade H. Watson III from the 2012-2013 Annual Meeting & Awards Reception*

### Heirs of a Powerful Legacy

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**H**onorable Judges, Colleagues, Friends, Ladies and Gentlemen:

This year marks the 125th anniversary of the founding of The Atlanta Bar Association. I am the 106th lawyer to serve as President.

My being here today is the culmination of 16 years of active service in the Atlanta Bar. I want to thank my partners at *Caldwell & Watson*, especially **Harmon Caldwell**, for supporting me in this work. I also must thank **Judge Jackson Bedford** for first getting me involved in the Sole Practitioner/ Small Firm Section, and **Paul Cadenhead** for inspiring me to serve in the bar.

But I especially need to thank **Judge McFadden** for winning election to the Court of Appeals, which moved me up a year in the leadership ladder, and thereby thwarted my plan NOT to be the first President in 46 years to serve without the assistance of **Diane O'Steen**.

One of the keys to the long-term success of our organization has been our professional staff, led by the inestimable **Diane O'Steen**, who served us superbly for 46 years, over 25 as our Executive Director. **Nita Wilson**, who handled our internal accounting, and **Mary Lynne McGinnis**, who led our outstanding CLE program, have also retired. Most recently, **Tanya Windham**, who has coordinated our sections for some 15 years, has departed as well to go into the ministry at her church.

That is a lot of talented people to replace all at once.

Fortunately, our bar leaders, led by **Lynn Roberson**, **Rita Sheffey**, **Wade Malone**, and others have recruited talented new professional leadership for us.

I hope that all of you will make it a point to speak with our new Executive Director, **Terri Beck**. She brings tremendous talent and energy to the job, but she will need our help and

support. And we have a new CLE Director **Jessica Galusha**, from whom we expect great things. She too needs our support.

So, this is a year of transition for our bar.

Over the past several years, I have attended meetings put on by The American Bar Association for local bar leaders.

The national speakers and experts at those meetings provide great insights to bar association leadership. They also raise a lot of concerns that suggest our profession is in transition and at risk.

Those concerns fall in three broad categories:

- (1) Declining participation in bar activities due to increased demand on professionals' time, some call it the time famine, and competition from private businesses that provide CLE and other services that bar associations used to provide exclusively;
- (2) The growing gap between the need for legal services by the poor and middle class and the ability of our profession to provide affordable services. And while we continue to produce more lawyers, many cannot find employment; and
- (3) The continuing challenge to our role in society as the exclusive providers of legal services. How many of you have heard advertising for Legal Zoom? That is becoming a big business. More and more people are left trying to provide their own legal services using Legal Zoom, Google and other information providers.

These are all daunting problems and questions, and I do not pretend to have the answers.

What I do know is this.

I am not worried.



I do not fear what the future will bring.

I am confident that we will rise to the challenges of this age and this transition.

Whenever we seem to have lost our direction or the challenges seem too great, we should remember that we are the heirs of a powerful legacy.

It is a legacy born of the enlightenment, forged in the crucible of a revolution, and tested to its limits in a bloody civil war, two world wars, a cold war, and now the war on terrorism.

**First, we are the heirs of the legacy of our character as Americans.**

We have within us a fundamental DNA that sustains us and uplifts us even when we are unaware of it.

As Americans, we are forever forming associations of one kind and another in order to improve ourselves and our society for the public good.

While we admire individualism, we often show our admiration by forming an association to promote it.

And it has always been this way in America.

In his 1835 book, *Democracy in America*, Alexis de Tocqueville famously observed, "Americans of all ages, all stations in life, and all types of dispositions are forever forming associations." "Hospitals, prisons, and schools take shape this way."

In his biography of Benjamin Franklin, Walter Isaacson credited Franklin, more than any other individual American, with helping establish the American character. Franklin believed that "Man is a sociable being."

Beginning in the 1730s, Franklin launched in Philadelphia: a library, a fire brigade, a night watchman corps, a hospital, a militia and a college.

"The good men may do separately is small compared with what they may do collectively," Franklin wrote.

What evidence do we have that this American character of forming associations to promote the collective good is still alive among lawyers?

Well, in our 12 county jurisdiction for the Atlanta Bar, there are literally dozens of volunteer bar associations; we already

have 15 that participate in the Multi-Bar Leadership Council. In addition we have multiple city and county bar associations, plus new bar associations spring up all the time. The most recent is the Korean Bar Association. Whatever ethnic, geographic, gender, or cultural affinity you may have, there is an association for you.

The same is true of our own Atlanta Bar Association. We now have 22 sections serving the various practice areas and interests of our members. New committees and sections form every year. And this is a good thing.

While the activities of these bar associations and sections in our own bar vary, they share in common two things: they are voluntary, and they are composed of people dedicated to improving themselves and their communities through collective action.

My friends, there is nothing more fundamentally American than that.

**As Americans, we are the heirs of a powerful legacy.**

A second powerful legacy we have as members of the Atlanta Bar Association is found in our name: Atlanta.

**We are the heirs of the legacy of the City of Atlanta.**

What does that mean? Well for most of us, it means that we were not born here. Rather, it means that we chose to live here. And for the few natives among us, you chose to stay.

Why?

One answer is that Atlanta, unlike many cities in the southeast and around the country, is an open and welcoming city. What do I mean by that?

When I moved here over 30 years ago to start my law practice, I had everything I owned in this world in the back of a pick up truck—and I had borrowed the truck.

I am sure many of you can cite similar experiences.

If you have talent and energy, regardless of who you are or where you are from; Atlanta wants you, and Atlanta will reward you. In order to become a full citizen of our city, it doesn't matter who your cousin is or where your grandmother is buried.

And it has always been this way in Atlanta.



## PRESIDENT'S MESSAGE

One of the early settlers of Atlanta was a man named Robert Webster. You may not have heard of him but his story is found in Marc Wortman's recent book, *"The Bonfire"* which is a fascinating history of the people of Atlanta during the civil war.

Through a series of accidents and circumstances, Robert Webster came in slavery to Atlanta. When the man who brought him here, Ben Yancey, was appointed Ambassador to Argentina, where slavery had been abolished, Robert Webster cut a deal with Yancey to let him open a barbershop on Marietta Street in exchange for paying him rent. Robert Webster was gifted in business and he soon had two shops and a house downtown. By 1856, he had amassed a fortune of \$16,000 and was one of Atlanta's wealthiest citizens.

On September 2, 1864, the day after Atlanta fell in the Civil War, Atlanta Mayor James Calhoun rode out with a surrender party from the city to meet General Sherman. Among the group was William Markham, whose great great nephew may be here today—Baxter Jones. Mayor Calhoun included Robert Webster in that group that he chose to represent the City. Robert Webster had become one of the leaders of the city. He came here as a slave but that did not define him, and he and others like him formed the nucleus of the black business community in Atlanta that accounts for so much of this city's success.

Friends, far be it from me to sugar coat the terrible history of slavery and Jim Crow in Atlanta, and the suffering that caused. But I love the story of Robert Webster because of what it illustrates about the people and character of this city.

If you have something to offer, Atlanta wants you and will reward you.

Many of you may be familiar with Henry Grady, for whom Grady Hospital and Grady High School are named. He was the editor of *The Atlanta Constitution*, and more than anyone helped restore Atlanta's place in the nation after its destruction. In a famous 1886 speech in New York, he said,

"I want to say to General Sherman...that from the ashes he left us in 1864 we have raised a brave and beautiful city." See Russell S. Bonds, *War Like the Thunderbolt: The Battle and Burning of Atlanta*.

What was true then is true now, and it is why we have the mythical bird, the Phoenix, rising from the ashes, on the seal of our city and on the seal of our bar association.

In our resilience, our optimism and openness, I have always thought that more than any other place in the South, Atlanta is fundamentally an American City.

Part of that lies in our geography—we are the biggest crossroads in America. Hartsfield Jackson Airport is our nation's busiest.

Captured in our city's character is a spirit of tolerance and cooperation among all people. Whoever you are and wherever you are from, you are wanted in Atlanta. It makes perfect sense to me that Dr. Martin Luther King Jr., and his great legacy of civil rights for all people, came from the City of Atlanta.

**So as Atlantans, we are the heirs of a powerful legacy.**

**Finally, we should remember the power of our legacy as lawyers.**

Again I turn to Alexis de Tocqueville, who observed, "Scarcely any question arises in the United States which does not become, sooner or later, a subject of judicial debate; hence all parties are obliged to borrow the ideas, and even the language usual in judicial proceedings in their daily controversies."

He goes on to explain that the language and ideas of lawyers penetrates outside the walls of schools and courts of justice "into the bosom of society."

There are two critical ideas that form the heart of our profession and that give me the greatest cause for hope in our future.

First, we are the guardians of the principal that we should decide all controversies of public and private life based on the evidence, the facts.

Whatever role we play as advocates, counselors, or judges, we are committed to resolving all matters—not on the basis of passion, religious belief, or cronyism, but on the basis of the evidence.

When he was a young lawyer in Boston, John Adams was called upon to defend the British soldiers who had been put on trial for murder as a result of what was known as the Boston massacre. The soldiers were acquitted because John Adams persuaded a Boston jury that the evidence showed the soldiers were being attacked by the crowd and were justified in firing in self-defense. Adams told the jury,

"Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passion, they cannot alter the state of facts and evidence."

Second we are fiduciaries and guardians of the American creed:



"We hold these truths to be self-evident, that all people are created equal, that they are endowed by their creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness."

In 1821, just a few years before his death, Thomas Jefferson predicted that the legacy of liberty established by the American experiment in self-government, had spread so far and was so powerful that it could never be defeated or destroyed. He wrote:

"And even should the cloud of barbarism and despotism again obscure the science and liberties of Europe, this country remains to preserve and restore light and liberty to them."

"Our Constitution and laws were enacted to preserve and protect these rights through self-government."

As lawyers, we all take an oath to uphold and defend the Constitution and laws of the United States. We should remind ourselves that this oath is no mere formality; it is to a large extent why we exist and why society places its trust in us.

Life, liberty, and the pursuit of happiness, I am convinced, cannot be preserved or advanced without the constant

resolve and dedication of American lawyers.

It is through our daily work that we lead this nation so that, in Lincoln's words, "government of the people, by the people, for the people shall not perish from the earth."

So my friends, I do not know the answers to all the challenges that we face as an association, and I may not even know the right questions.

But I know that you are the people that I want to be with as we face these challenges.

Because, as men and women of the Atlanta Bar Association, we are the heirs of a powerful legacy: a legacy as Americans, as Atlantans, and as Lawyers.

I am proud to share this legacy with you.

And it will be my great privilege to serve you as we continue this transition into our future.

Thank you. ■



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