

**ASSOCIATION OF CORPORATE COUNSEL-
HOUSTON CHAPTER
February 28, 2017**

**The Ties That Bind Presidents and Lawyers:
Presidential History and Legal Professionalism**

Talmage Boston

tboston@winstead.com

214-745-5462





CROSS-EXAMINING HISTORY

A LAWYER GETS ANSWERS FROM THE EXPERTS ABOUT OUR PRESIDENTS



TALMAGE BOSTON

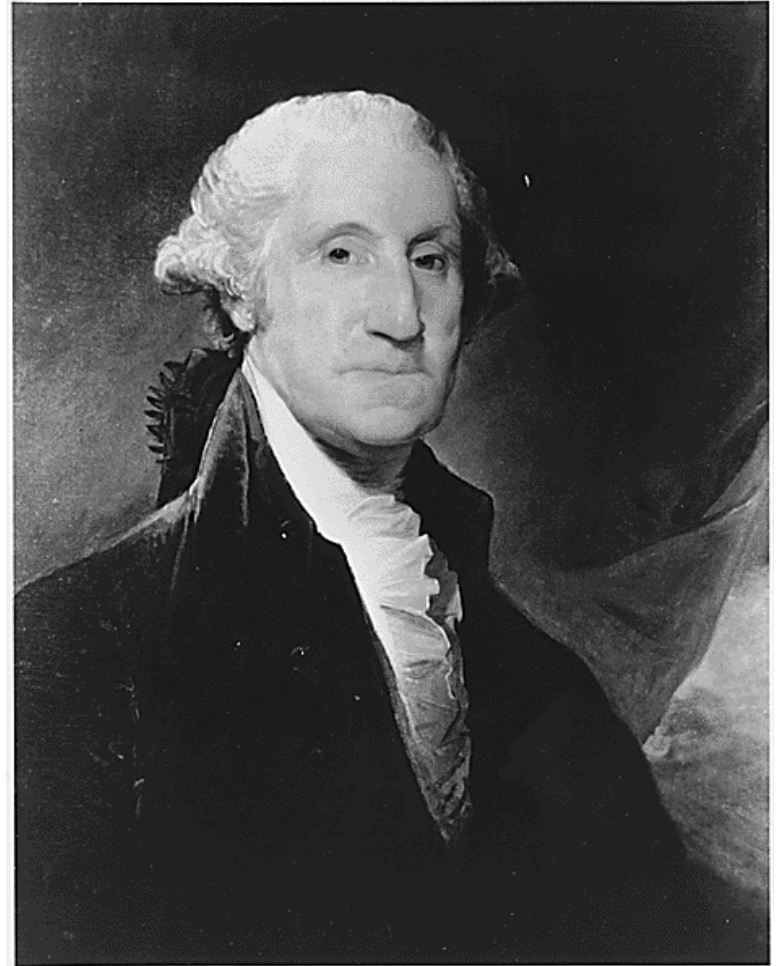
FOREWORD BY KEN BURNS

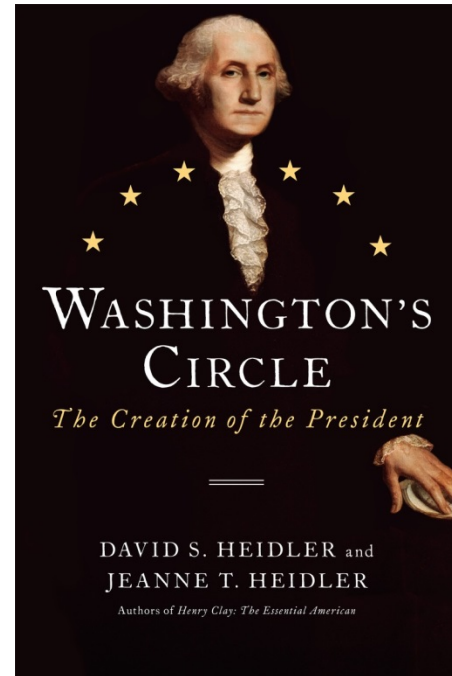
TEN COMMANDMENTS OF PRESIDENTIAL LEADERSHIP




Commandment 1

**A Great Leader
Shalt Be
Conscience-
in-Chief.**



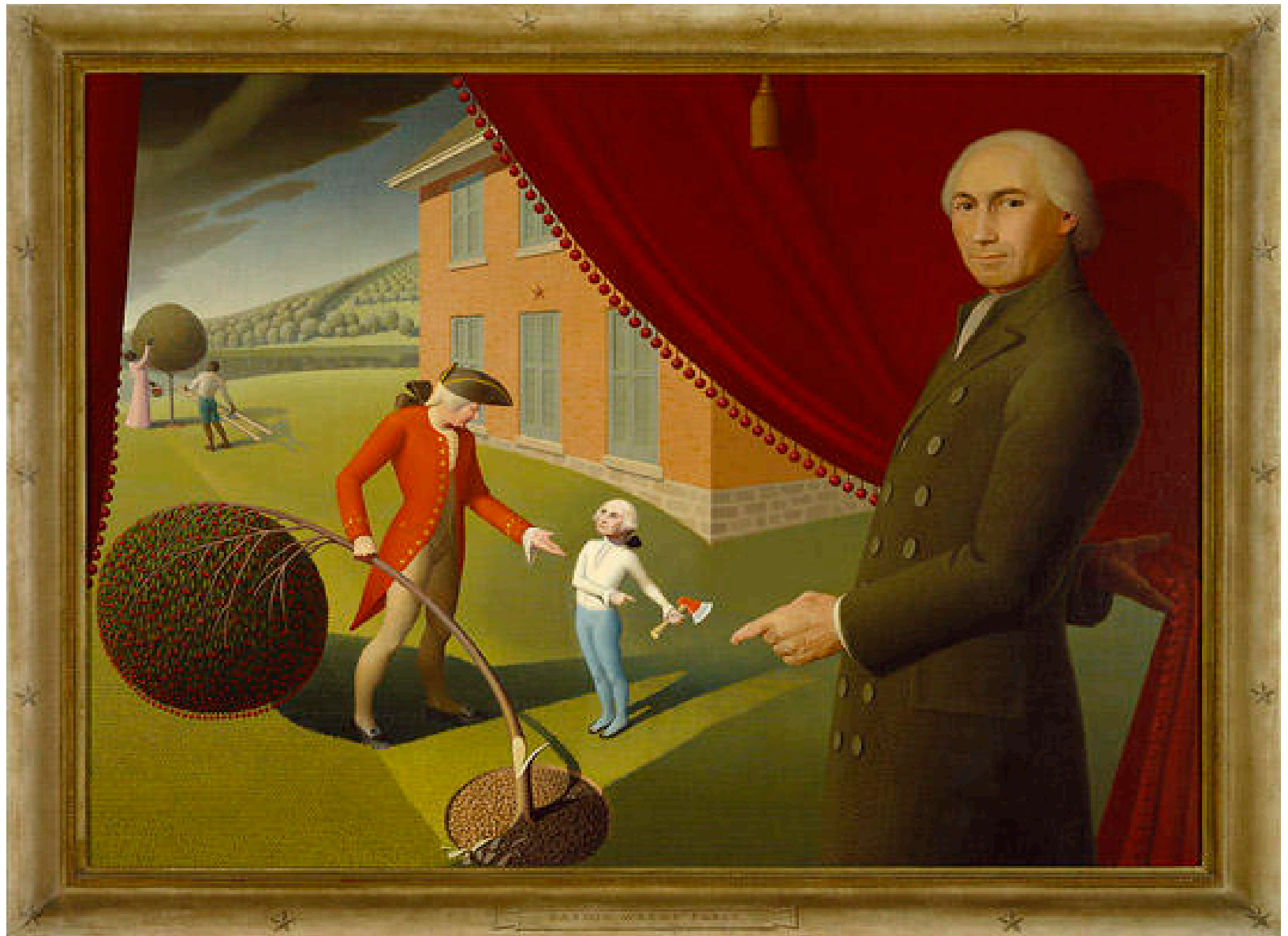


A rectangular piece of aged, cream-colored paper with handwritten text in cursive script. The text is enclosed in a thin black border. The paper is mounted on a white mat, which is set within a gold-colored, ornate frame with a repeating floral or scrollwork pattern. The entire piece is displayed against a dark blue background.

G. Washburn

Rules of Civility & Decent Behaviour
In Company and Conversation

- 1st Every Action done in Company, ought to be with some sign of Respect, to those that are present.
- 2^d When in Company put not your Hands to any part of the Body, not usually Discover'd.
- 3^d Show nothing to your Friend that may affront him.
- 4th In the presence of Others, sing not to yourself with a humming Noise, nor Dime with your fingers or feet.
- 5th If you Cough, Sneeze, Sigh, or Yawn, do it not loud but privately; and speak not in your yawning, but put your hand here, or there, or stand before your face and turn aside.
- 6th Sleep not when others speak, sit not when others stand, speak not when you should hold your Peace, walk not when others sit.
- 7th Pull not up your Cloths in the presence of Others, nor go out you Chamber half Dress'd.
- 8th At the Table and at Fire-side good manners to give place to the last comers, and affect not to speak lower than ordinary.
- 9th Speak not in the Street, nor stoop low before it, neither put your hands into the flames to warm them, nor set your feet upon the Fire especially if there be meat before it.
- 10th When you sit down, keep your feet firm and even, without pulling one on the other or Crossing them.
- 11th Shift not yourself in the sight of others nor gnaw your nails.
- 12th Shake not the head, feet, or legs, rouse not the lips, lift not one eye higher than the other, wry not the mouth, and beow no mans face with your spittle, by approaching him or you speak.



Each lawyer's own **conscience** is the touchstone against which to test the extent to which his actions may rise above the disciplinary standards prescribed by these rules.

Paragraph 9, Texas Disciplinary Rules of Professional Conduct

Commandment 2

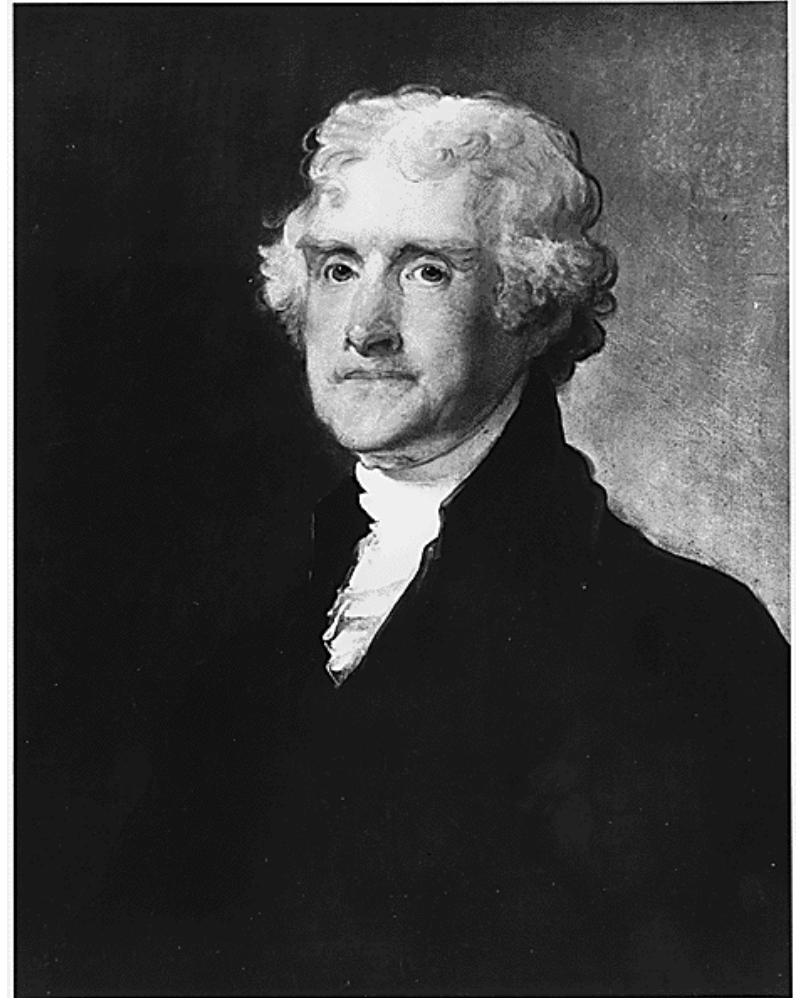
**A Great Leader
Shalt Stay
Above the Fray
and Build
Consensus.**

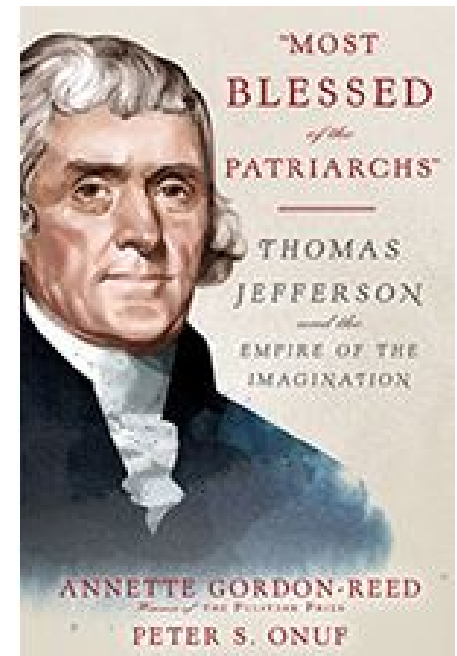
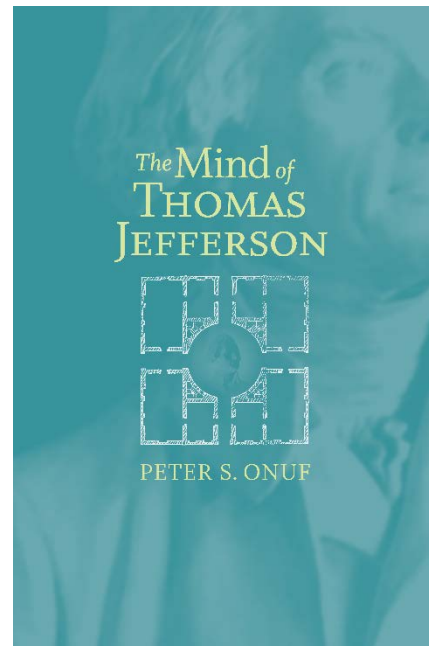


E Pluribus Unum

Commandment 2

**A Great Leader
Shalt Stay
Above the Fray
and Build
Consensus.**





An Act in addition to the act, intitled "An act for the punishment of certain crimes against the United States."

Penalty
on unlaw-
ful combi-
nations
to oppose
the mea-
sures of
govern-
ment, &c.

And with
such in-
tent coun-
selling,
&c. insur-
rection,
riots, &c.

Sec. 1. **B**E it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if any persons shall unlawfully combine or conspire together, with intent to oppose any measure or measures of the government of the United States, which are or shall be directed by proper authority, or to impede the operation of any law of the United States, or to intimidate or prevent any person holding a place or office in or under the government of the United States, from undertaking, performing or executing his trust or duty; and if any person or persons, with intent as aforesaid, shall counsel, advise or attempt to procure any insurrection, riot, unlawful assembly, or combination, whether such conspiracy, threatening, counsel, advice, or attempt shall have the proposed effect or not, he or they shall be deemed guilty of a high misdemeanor, and on conviction, before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding five thousand dollars, and by imprisonment during a term not less than six months nor exceeding five years; and

The *Sedition Act* of 1798

“Politics is about relationships.”

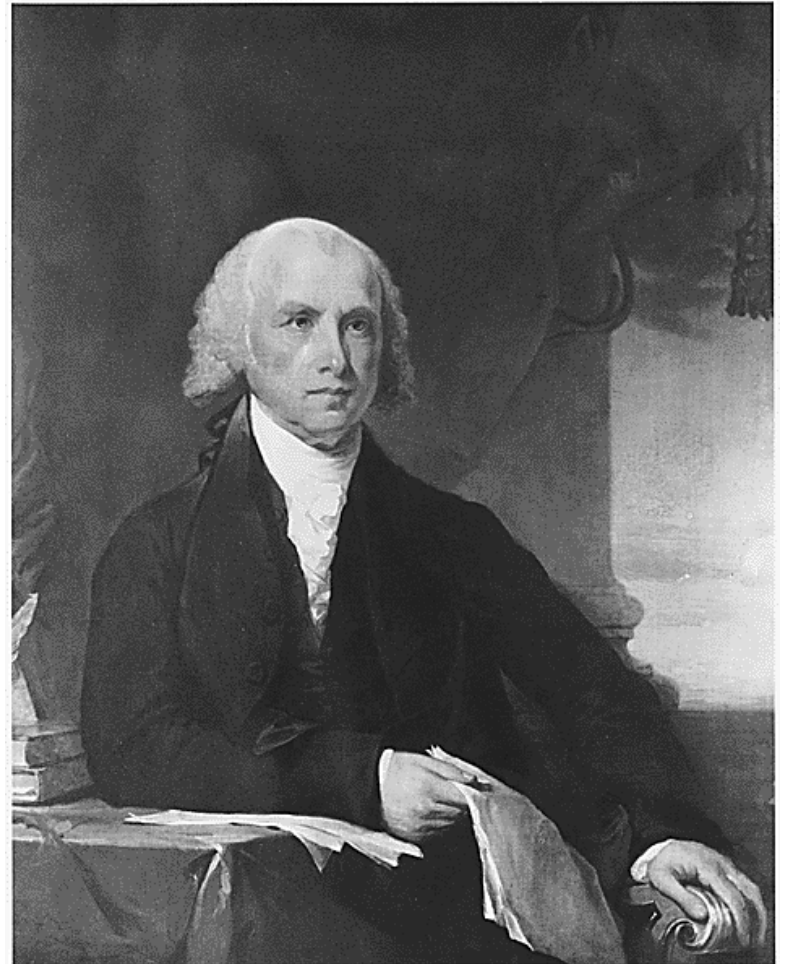


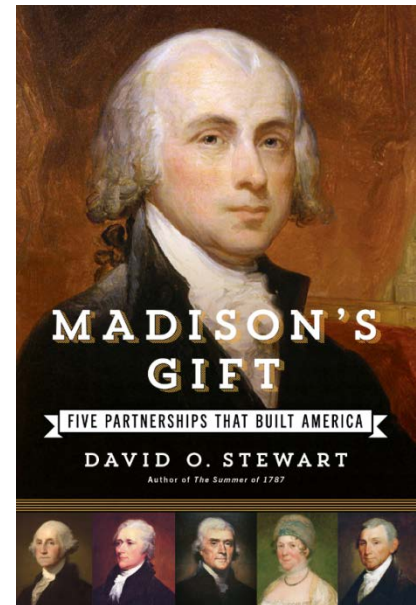
Harold Saunders,
American Diplomat

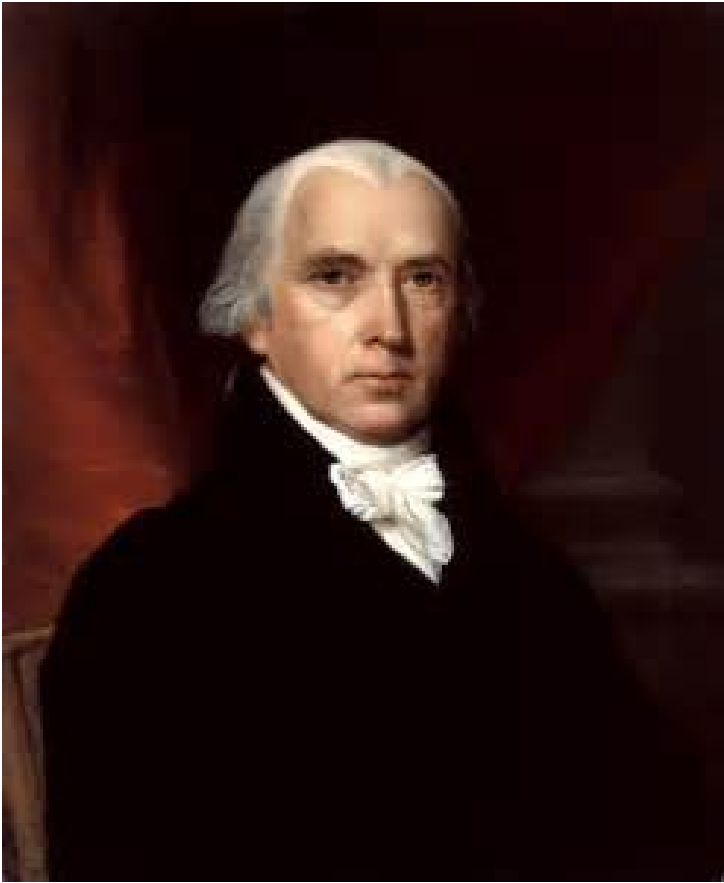
As intermediary between clients, a lawyer seeks to **reconcile their divergent interests** as an advisor and, to a limited extent, as a spokesperson for each client.

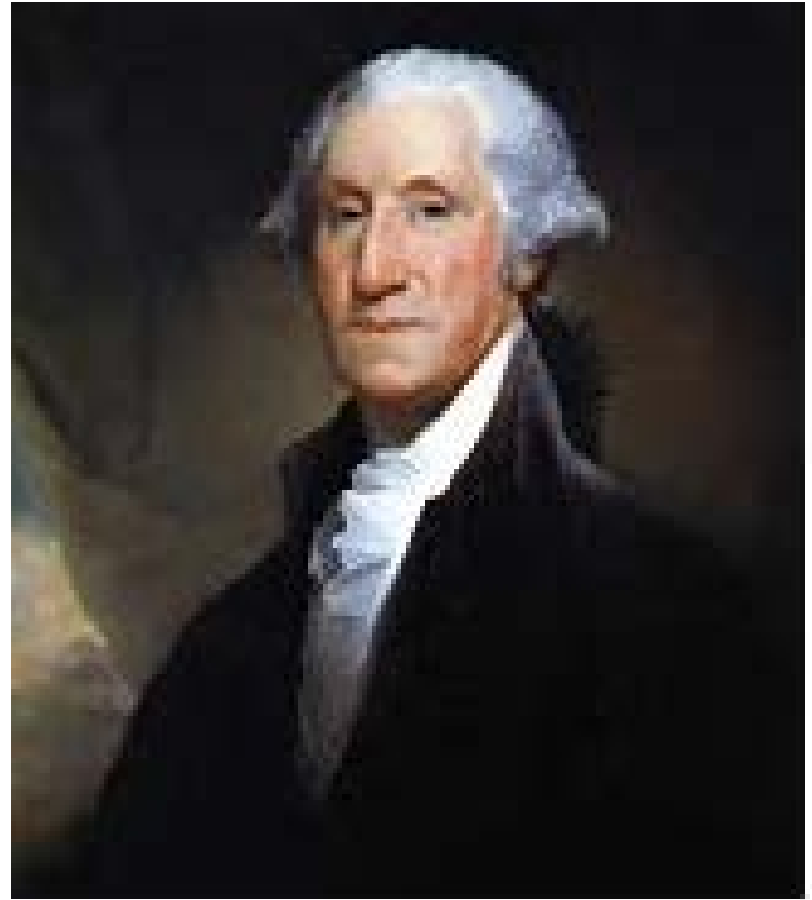
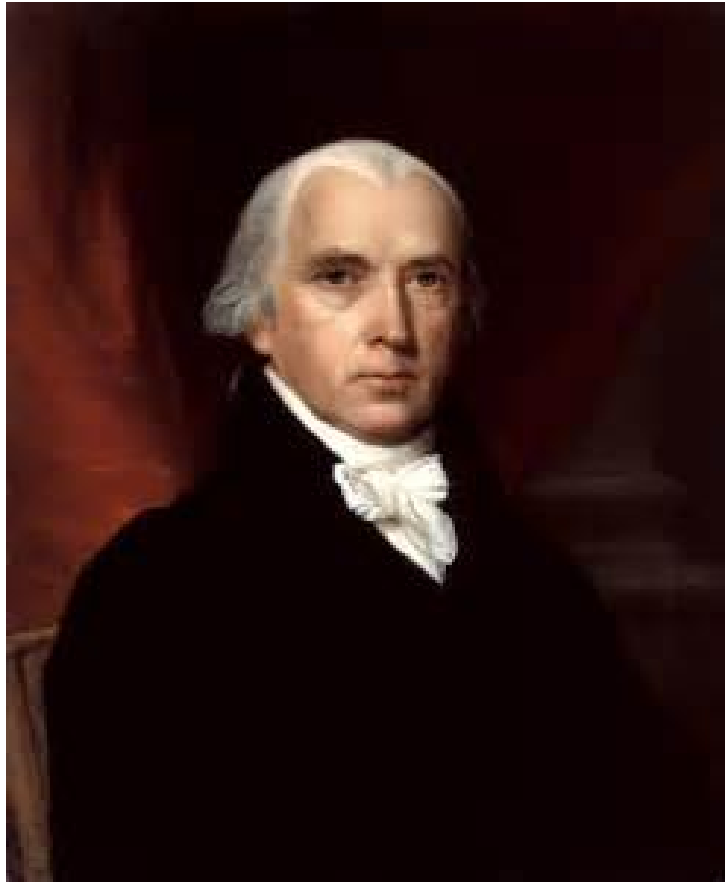
Commandment 3

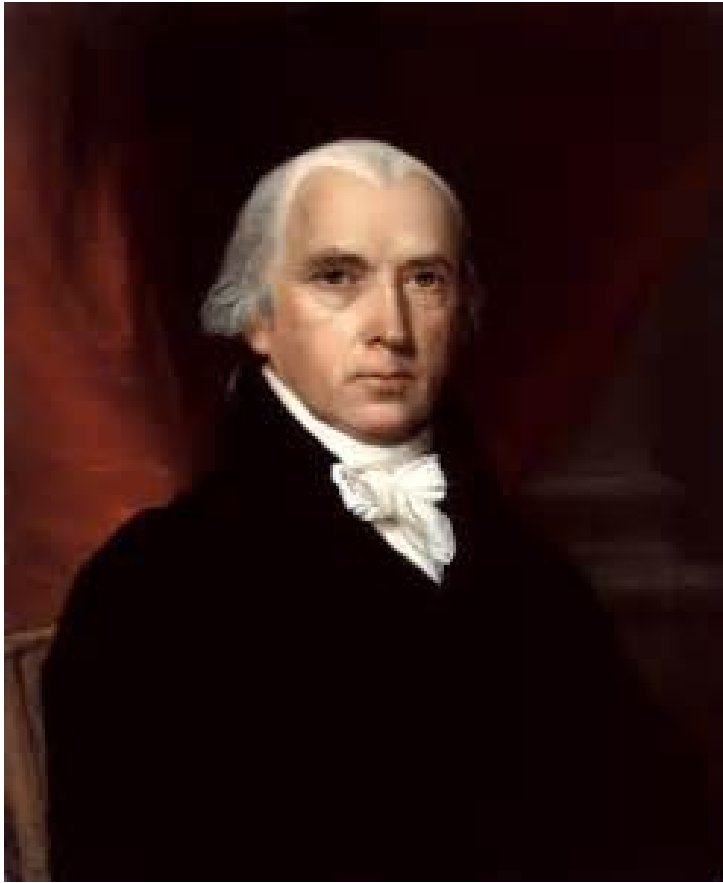
**A Great
Leader Shalt
Know and
Supplement
His
Limitations.**

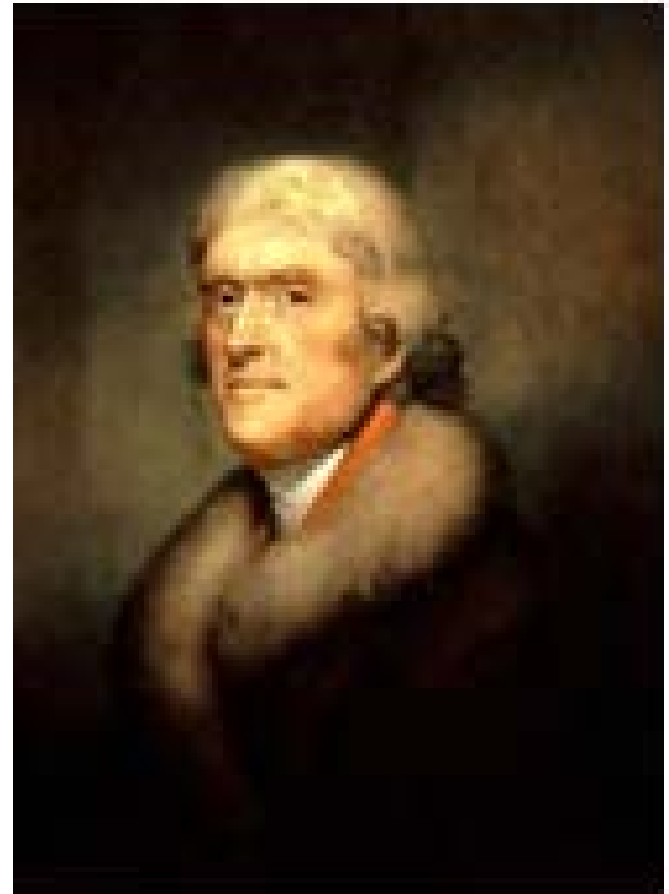
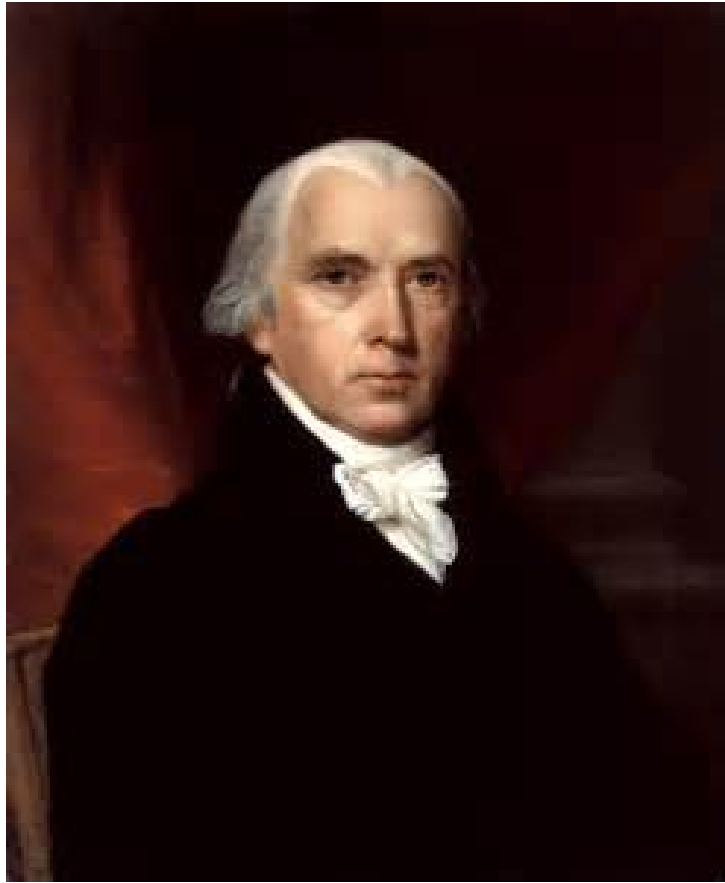












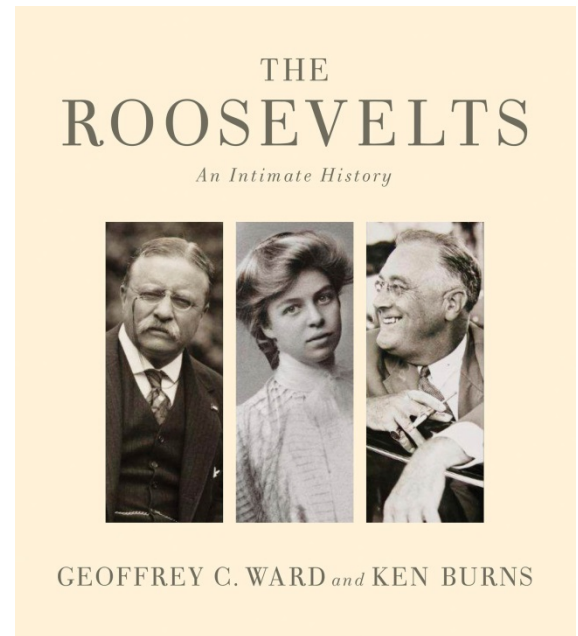
As advocate, a lawyer zealously asserts the client's position under the rules of the adversary system. **As negotiator**, a lawyer seeks a result advantageous to the client but consistent with requirements of honest dealing with others.

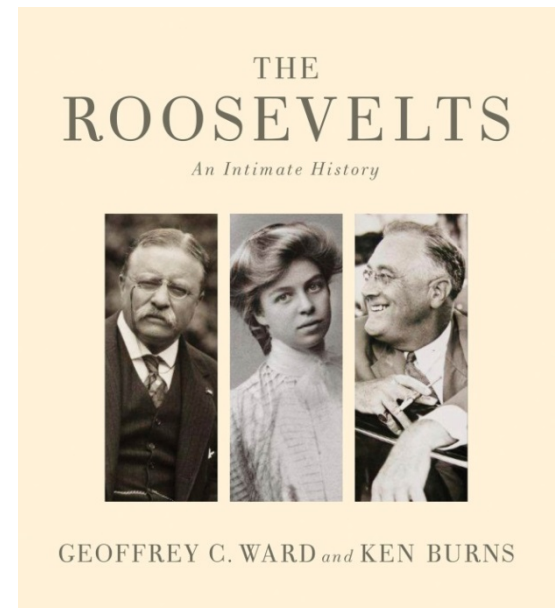
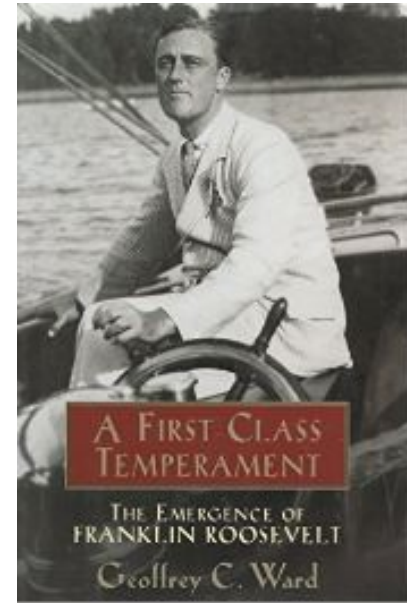
Paragraph 2, Texas Disciplinary Rules of Professional Conduct

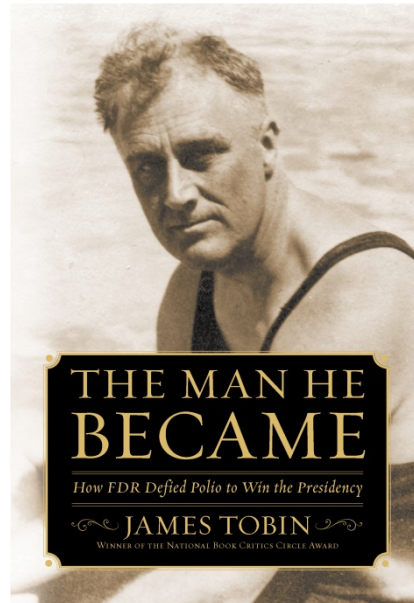
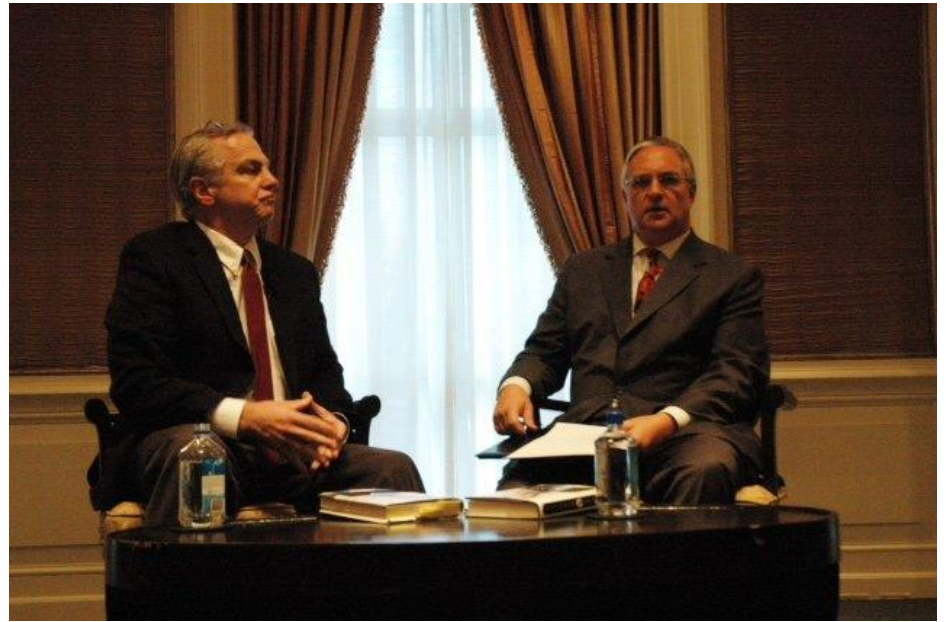
Commandment 4

**A Great
Leader Shalt
Persevere
Over
Setbacks.**









“Where you
stumble,
there your treasures
lie.”

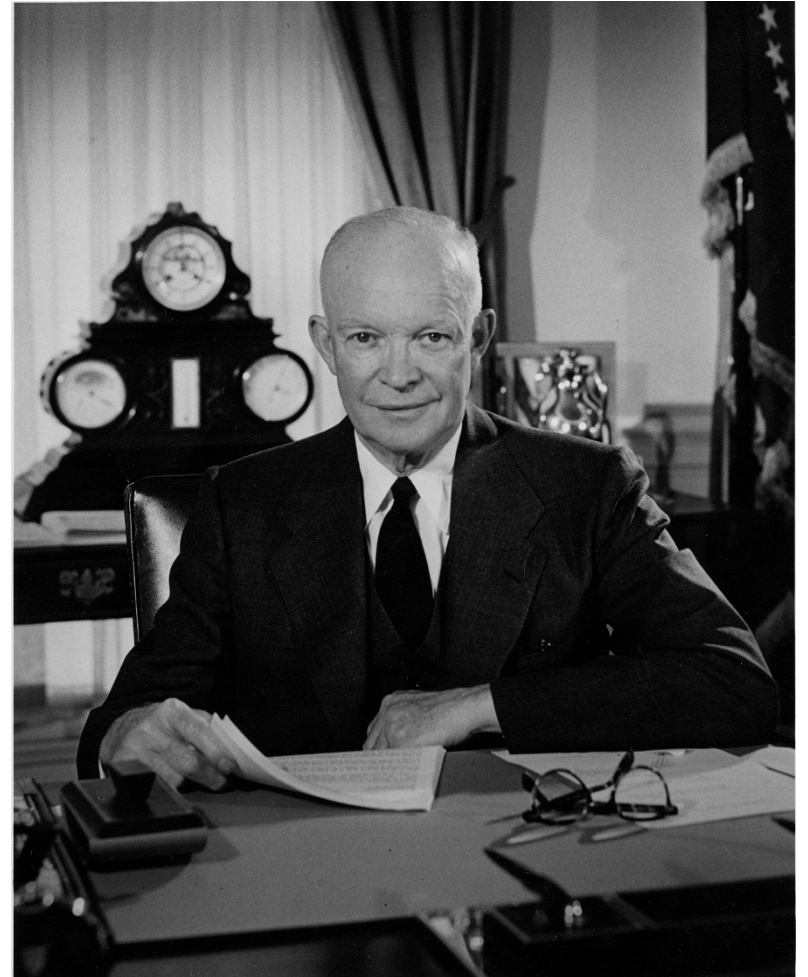


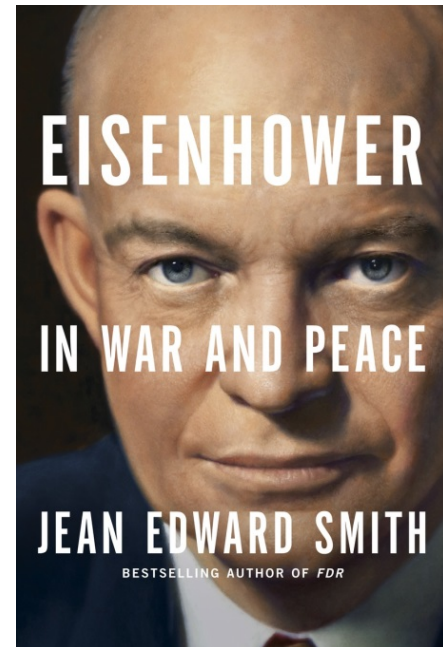
Joseph Campbell,
American mythologist

A lawyer should feel a moral or professional obligation to pursue a matter on behalf of a client with reasonable diligence and promptness **despite opposition, obstruction or personal inconvenience to the lawyer.**

Commandment 5

**A Great
Leader Shalt
Play
Hardball
When
Necessary.**





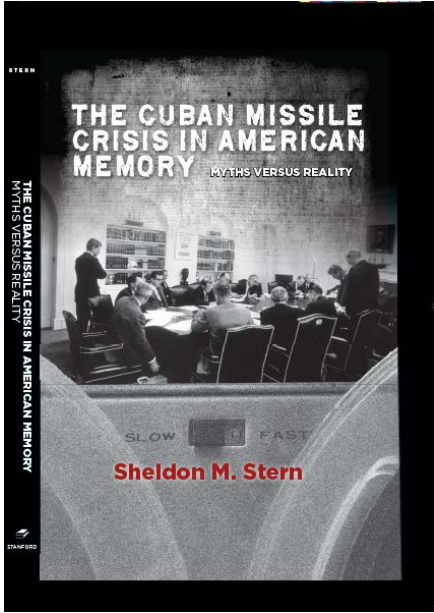
In all professional functions, a lawyer should **zealously** pursue clients' interests within the bounds of the law.

Paragraph 3, Texas Disciplinary Rules of Professional Conduct

Commandment 6

**A Great
Leader Shalt
Remain Calm
in a Crisis.**





Ill feelings between clients

shall not influence a lawyer's conduct, attitude, or demeanor toward opposing counsel. A lawyer shall not engage in

unprofessional conduct in retaliation against other unprofessional conduct.

Commandment 7

**A Great Leader
Shalt Be
Mindful of
Good Timing
When Pursuing
Initiatives.**

“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.”

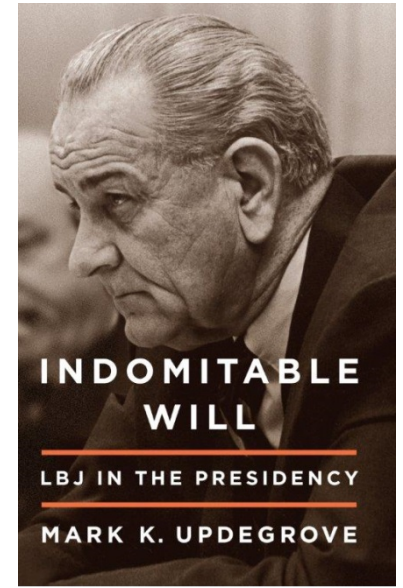
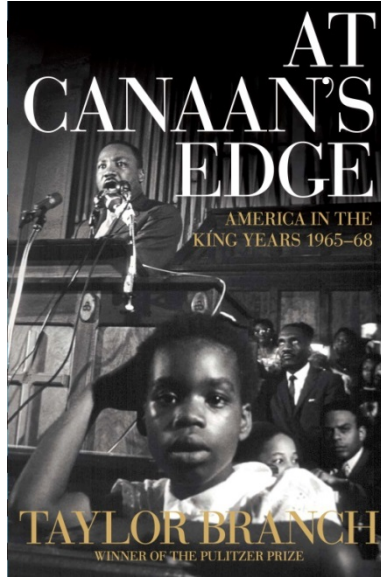
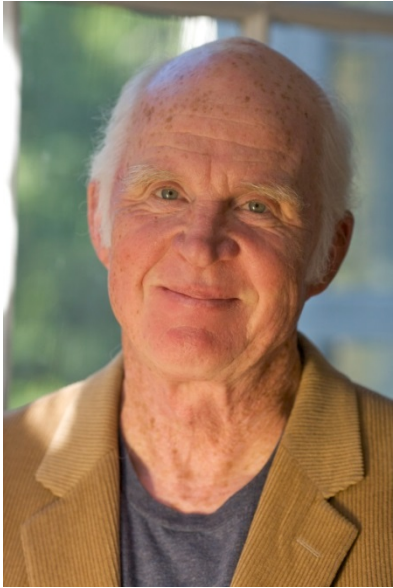


Carlos Castaneda,
Philosopher and Anthropologist

Commandment 7

**A Great Leader
Shalt Be
Mindful of
Good Timing
When Pursuing
Initiatives.**









President Johnson signs Civil Rights Act- July 2, 1964



MLK ASSASSINATION – APRIL 4, 1968

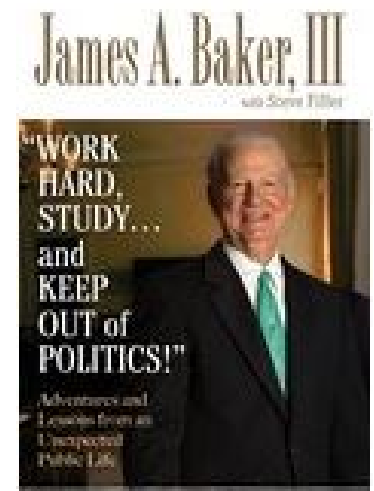
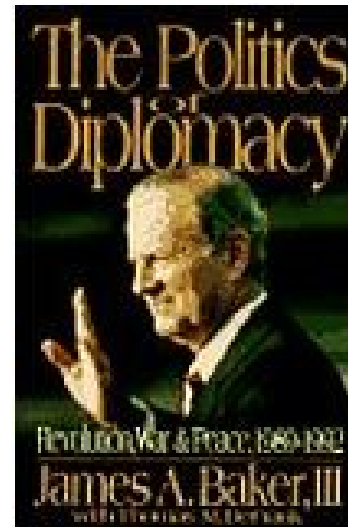
I will endeavor to achieve
my client's lawful
objectives in legal
transactions and in
litigation ***as quickly and
economically as possible.***

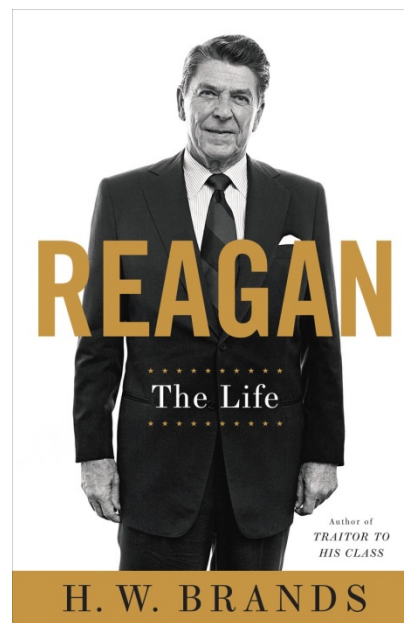
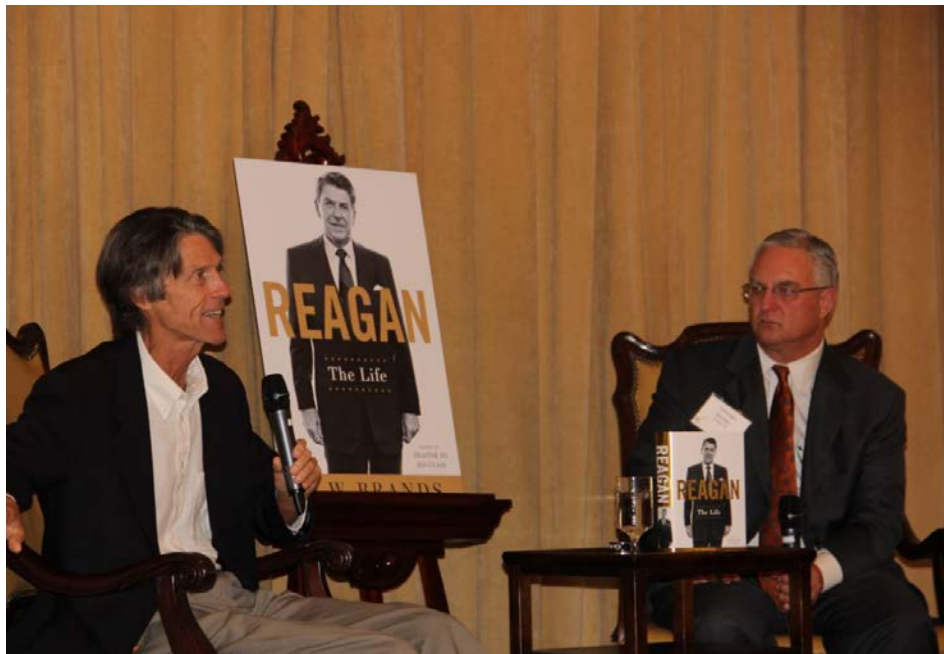
Section II, Paragraph 2, Texas Lawyers Creed

Commandment 8

**A Great Leader
Shalt be a Great
Communicator
and Follow
Through on What
One Says.**









**“Mr. Gorbachev - -
Tear down this wall!”**

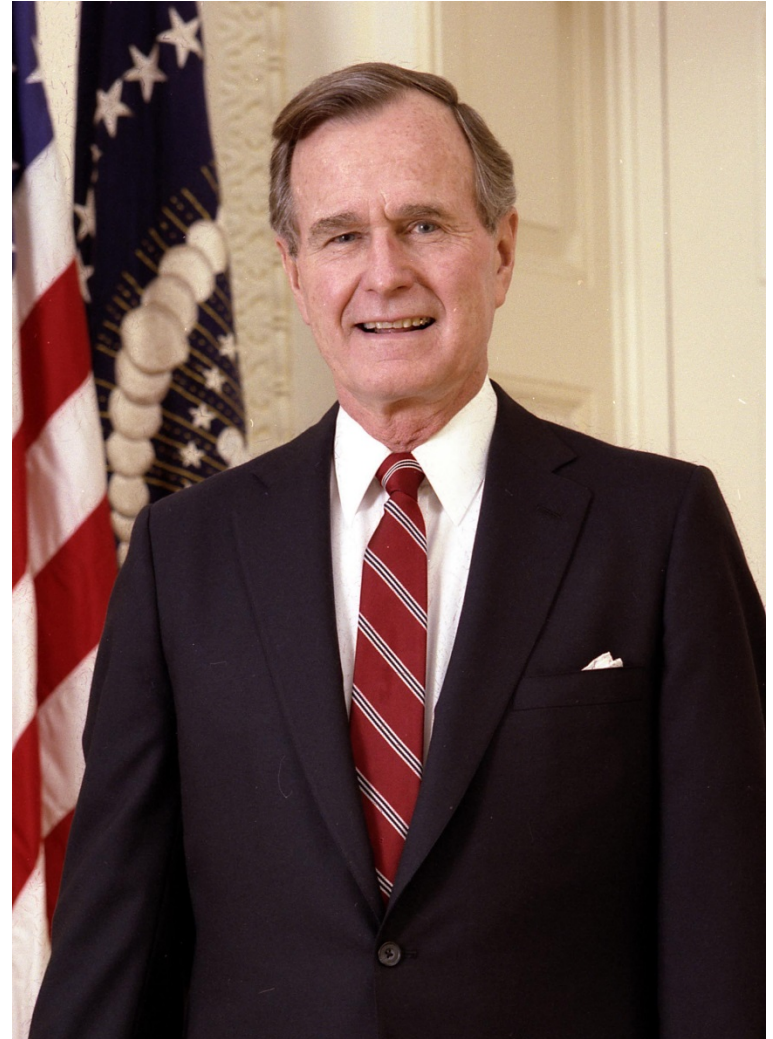
I am passionately proud
of my profession.

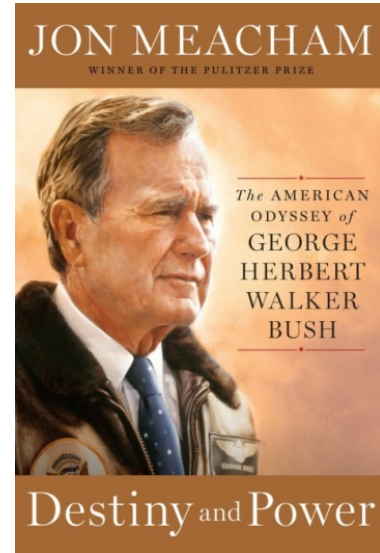
Therefore, **"My word is
my bond."**

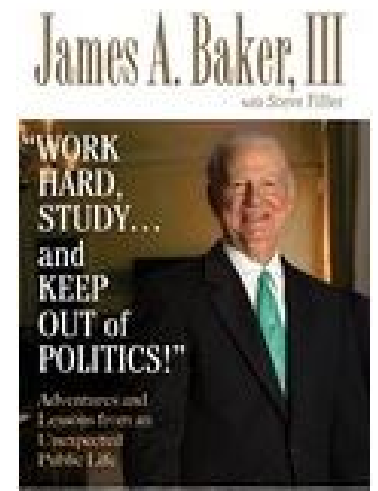
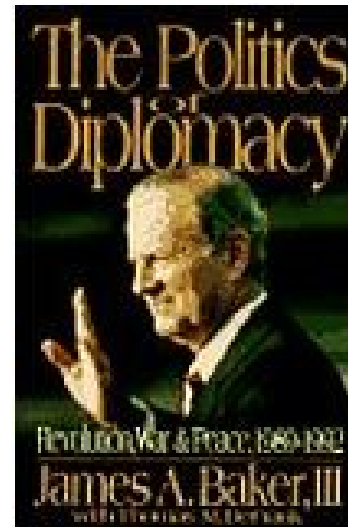
Section I, Paragraph 1, Texas Lawyers Creed

Commandment 9

**A Great Leader
Shalt Put the
Nation's Welfare
Above One's Own
Interest.**









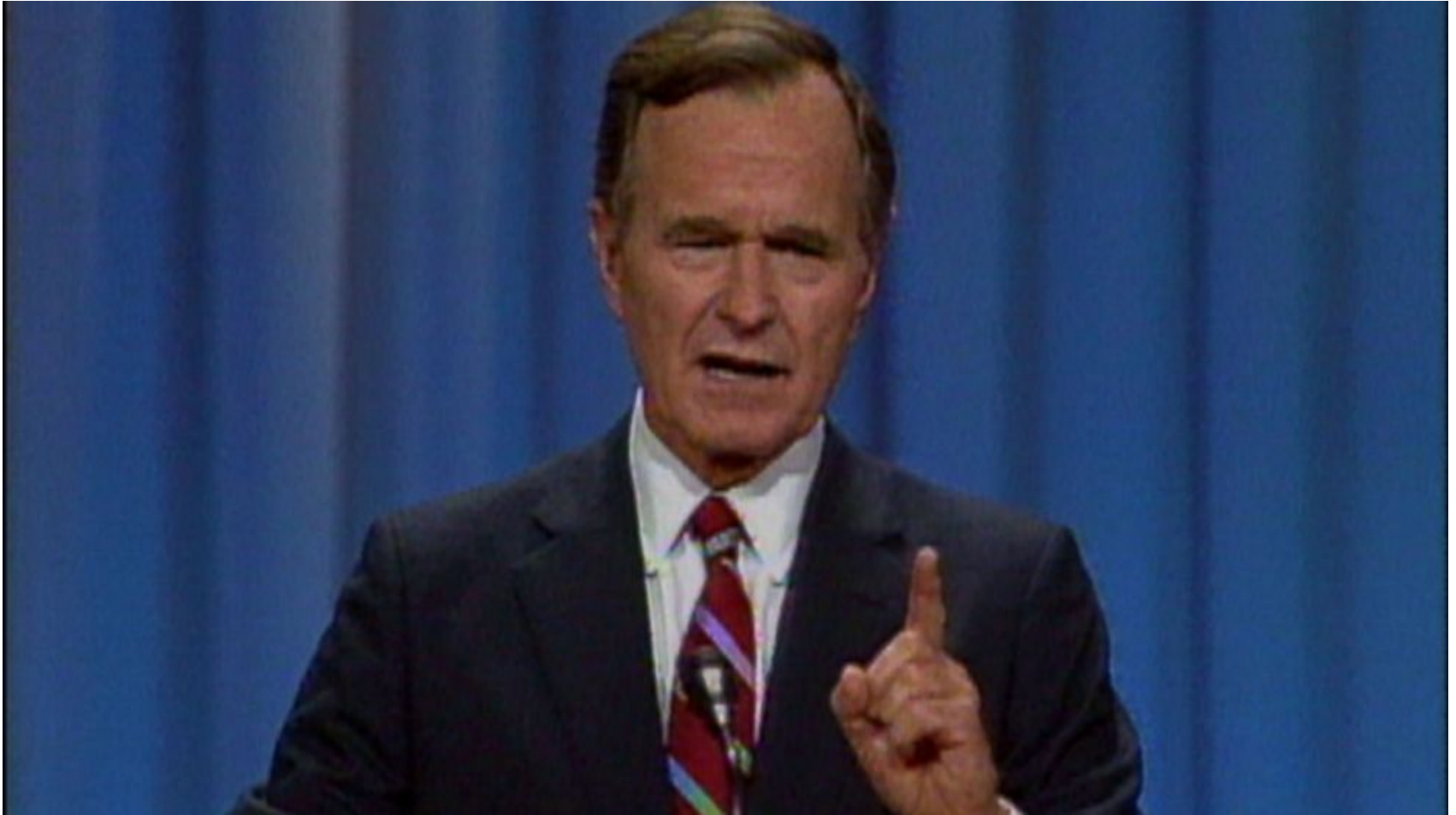
THE QUIET MAN



THE INDISPENSABLE PRESIDENCY OF
GEORGE H. W. BUSH

BY FORMER CHIEF OF STAFF
JOHN H. SUNUNU





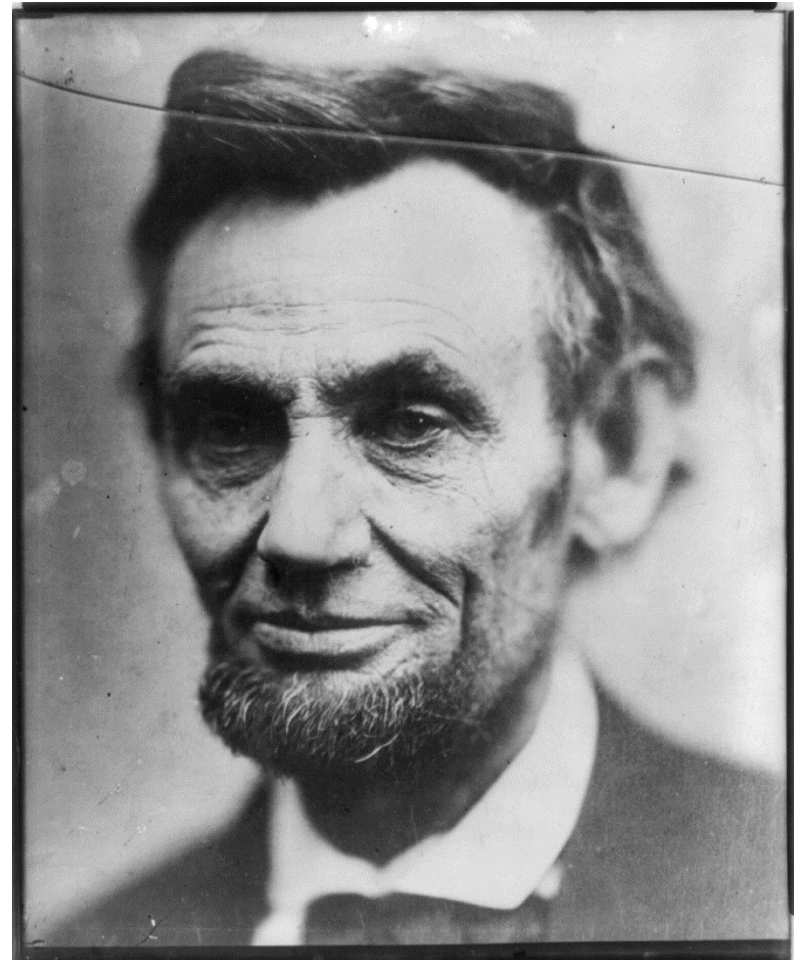
**“Read My Lips. No New Taxes”
1988 Republican National Convention**

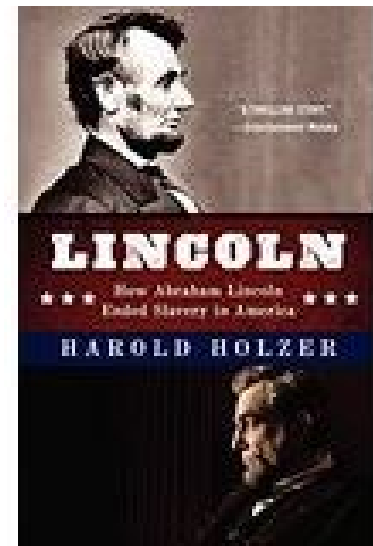
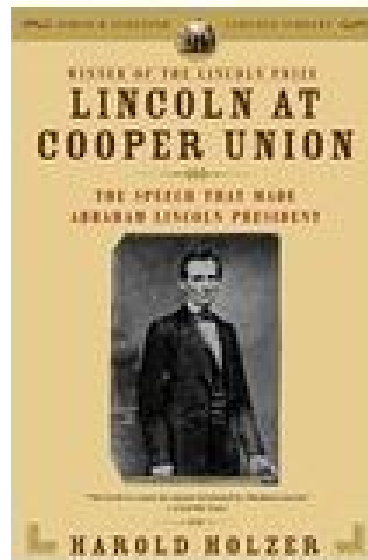
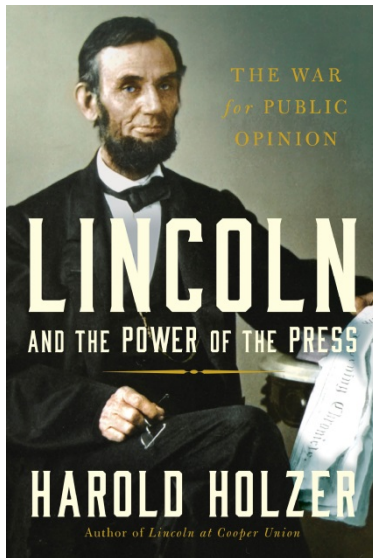
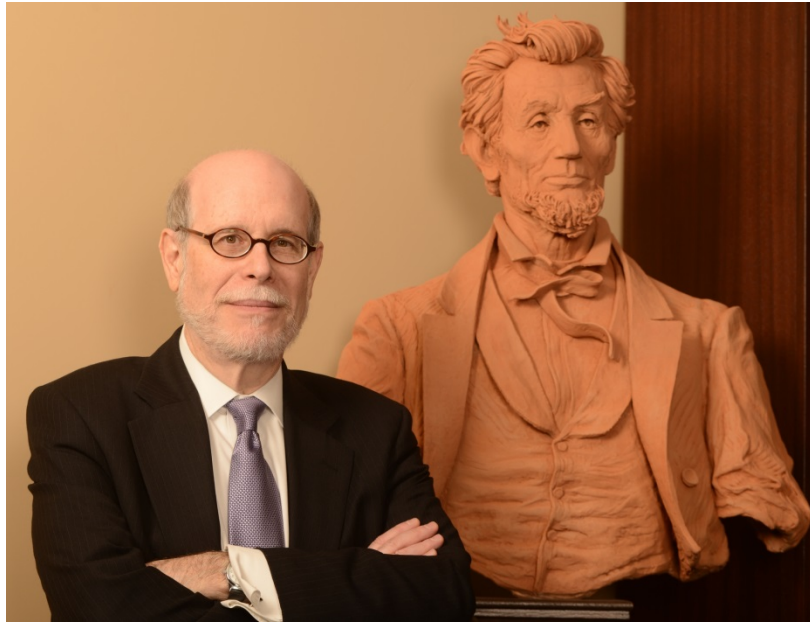
A lawyer shall not be deterred by any real or imagined fear of judicial disfavor or public unpopularity, ***nor be influenced by mere self-interest.***

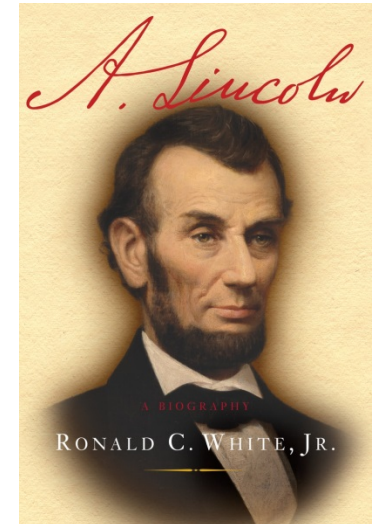
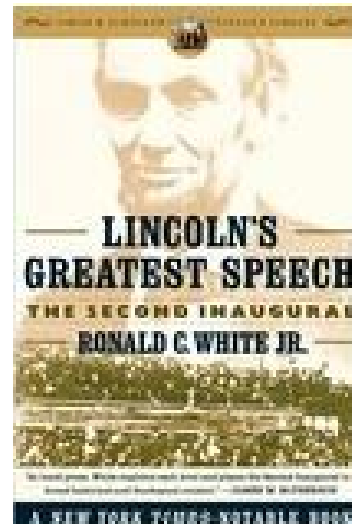
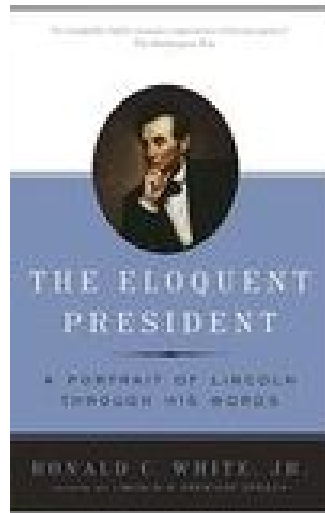
Section II, Texas Lawyers Creed

Commandment 10

**A Great Leader
Shalt Stay
Abreast of Public
Sentiment and
Find Ways
to Shape It.**







BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A Proclamation.

Whereas, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever, free; and the Executive government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make to obtain and enjoy that freedom.

Emancipation Proclamation –
September 22, 1862

I will be loyal and committed to my client's lawful objectives, but I will not permit that loyalty and commitment to interfere with my duty to provide objective and independent advice.

Section II, Paragraph 3, Texas Lawyers Creed



CROSS-EXAMINING HISTORY

A LAWYER GETS ANSWERS FROM THE EXPERTS ABOUT OUR PRESIDENTS



TALMAGE BOSTON

FOREWORD BY KEN BURNS