

Mentor as...Perspective

By Luke Corbett, Senior Master

I started my practice with the firm of Lindley, Scales and Patton, consisting of three partners and two associates. While there was no formal mentoring program, there was continual contact between partners and associates regarding not only the correct answer to the client's problem, but the practical and ethical way to go about achieving that answer. Probably I worked more, and learned more, from Leon Scales than any other individual. One example of his ingenuity and perception in getting his point across will illustrate why that is so.

Within the first year or two after I started practicing, Mr. Scales asked me to draft a lease for him. I immediately immersed myself in the task, went through two or three drafts on my own, and in two or three days I presented to Mr. Scales a draft which I felt confident was letter-perfect. In a day or so he buzzed me and asked me to come to his office to discuss my draft. The discussion went smoothly until we reached a certain provision. While I don't remember the particular language involved, Mr. Scales' concern was that the language I had used was ambiguous, or at least susceptible to an interpretation adverse to our client's interest. I immediately took issue with his comments, and vigorously asserted that the correct interpretation of the language I had used was consistent with our client's objectives, and that a court would have to come to the same conclusion.

After a couple of exchanges along these lines, Mr. Scales asked in a quiet manner, "Let me ask you a question, Luke. Would you agree that I'm a reasonably intelligent man?" What else could I say but, "Yes." He continued, "And would you also agree that I am as intelligent as the average juror you would get in a trial?" Again, "Of course." And finally, the clincher: "Well, if my reaction is that the language is ambiguous, and the average juror is likely to have the same reaction, wouldn't it be better to redraft that provision and avoid the problem?"

I have long since forgotten the exact language we were debating, but the lesson he taught me is with me still.