



LLS

Lynmar's Laws for Lawyers  
(and everybody else, too!)

lll



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### Lawyers in Thailand since 1890

Tilleke & Gibbins International Ltd.  
Supalai Grand Tower, 26th Floor  
1011 Rama 3 Road  
Chongnonsi, Yannawa Bangkok 10120  
Thailand

Telephone: +66 2056 5555  
Facsimile: +66 2056 5678

E-mail: [davidl@tilleke.com](mailto:davidl@tilleke.com)  
Web Site: [www.tilleke.com](http://www.tilleke.com)

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### Lyman's Laws for Lawyers

(and everybody else, too!)

#### David Lyman

Chairman & Chief Values Officer\*  
Tilleke & Gibbins International Ltd.

\*See definition overleaf

## **CHIEF VALUES OFFICER - My Definition:**

In this age of amazing technological advancements, broadband information overload, anxiety, turmoil, extremes, diversions and hope, a **Chief Values Officer** ("CVO") of an organization is the guardian of that organization's values and virtues, its culture, its spirit, its integrity, its ethical principles and moral foundations, and promotes adherence thereto. A **CVO** keeps the engine of an organization's life running smoothly with minimal disruption to the environment and a maximum of character building and social responsibility. A **CVO** nurtures relationships and preserves the vital interests of all stakeholders of the organization within its immediate sphere of influence. A **CVO** is charged to keep the human side of an organization functioning on the course of honest, wise, responsible, legal and accountable business and professional practices and in compliance with community standards and the organization's or accepted sectorial codes of conduct.

\* \* \* \* \*

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## **Dedication**

*These **LLL** are dedicated first and foremost to my parents, Albert and Freda Ring Lyman, American lawyers from 1921 in Washington D.C. and then in Asia starting in 1945, who guided me to become the best lawyer they knew how to mold; and then to the US Navy for teaching me about leadership, responsibility and adventure; and to my colleagues and all the clients who taught me about professional life, business and winning; and then to all the rogues, scoundrels and scalawags who bested me sometimes but who eventually succumbed to the lessons they taught me which I learned well.*

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# The Beginning

The **105 "LYMAN'S LAWS FOR LAWYERS"** ("**LLL**") of **TILLEKE & GIBBINS** (and for everyone else, too) which follow, my substantially revised, expanded and updated 2006 edition, are nothing more than courses of good conduct clients expect of their lawyers and are what clients pay for. Some readers will conclude that you already know what is written here. So for you **LLL** can serve as a refresher course. Many readers, however, are probably slow learners like me and still have much to gain from **LLL** compiled in one place.

More often than not, these guiding principles have been learned by me the hard way, i.e. from my defeats as well as my victories, from my own mistakes, and sometimes from bitter and other times humorous but always enlightening experiences over my almost 59 years in the law and military services (U.S. Navy). My parents, both lawyers, taught me many truisms, while some ideas were gained from other professional colleagues I admired, some from opposing parties and their counsel, and, of course, some from clients and friends.

**LYMAN'S LAWS FOR LAWYERS** do not address law firm management or business operations. They do not tell you how to make partner or where to work. Rather, these canons focus on and extol personal values, conduct, practices and attitudes.

Though my legal practice as a second generation American lawyer in Asia (one of the very few alive today who can make that claim) has centered on Thailand, a

Civil Law Code country here in tropical Southeast Asia, I have been told coincidentally that most of **LYMAN'S LAWS** are timeless and applicable to many vocations in addition to the law, as well as to much of day-to-day life itself.

Redundancy within **LYMAN'S LAWS** will be found. I decided that more benefit is derived from the emphasis of repetition than editing to remove repeated thoughts expressed in different ways.

Too many **LYMAN'S LAWS** you say! Too verbose? Well, nobody promised you that the successful practice of our profession was easy or lacking in challenges. My task in giving you **LYMAN'S LAWS** is to teach you, to prepare you, to remind you. They reflect my philosophy, my principles and my values.

No apologies are offered for sounding like a teacher. Somebody has to tell you about the rules to follow and traps to avoid. I'm certainly far from being one of the world's greatest lawyers, but by following these principles as a starting point, **TILLEKE & GIBBINS** and I haven't fared so badly over the years. You have the freedom to abide by them or to ignore them. The choice is yours. Each option has its own consequences.

My admonition to younger lawyers and law firm staffs everywhere is to follow all of **LYMAN'S LAWS FOR LAWYERS** simultaneously; certainly strive to. Believe in them. Be persuaded by them. Refer to them often for guidance and, I hope, inspiration. Older, more experienced successful people know that **LYMAN'S LAWS** merely set out the minimum criteria for you to become the great lawyers that you are capable of being.

Do supplement my **LLL** with your own lessons, however learned.

## I. In Practice

At all times....

# LLL 1

**Love the Law.** Love its practice and love serving clients. Ours is an honored calling. To do your best, you have to truly respect and deeply care for the law, the Rule of Law, a strong, fair and independent judiciary, our profession, and for your clients. If you don't or if you are in the legal profession just for the money or for the glory or for power, do the rest of us a favor and find another occupation in which to work the way you want.



## LLL 2

**The law is about people.** The practice of the law is based on personal relationships.

- a. Treat all persons involved with courtesy, dignity, respect, humanity and a smile.
- b. Act with honor, integrity, kindness, tolerance and compassion.
- c. Be a good listener. Talk little; listen a lot. When you do talk, make sense.
- d. Enjoy your career. Your enthusiasm is contagious.
- e. All concerned in your practice, not just your clients, colleagues and staff but also government officials, your opponents and their counsel and their witnesses, must trust you and respect you. Earn their trust. Earn their respect.

## LLL 3

**We have the law and the Rule of Law to keep mankind civilized,** stable, free from erosion and tyranny, free of abuse by government, by the stronger, from those who wield authority and to put boundaries of reason on our own personal conduct. Lawyers are their guardians. As the gatekeepers, we are responsible to safeguard against being defiled all the planet's Gaia, its creatures, great and small, including man and all his dominions and diversions. This is not an airy, overreaching or pompous concept but is a never-ending task from which we of the law can neither abdicate nor shrink.

## LLL 4

**Client care, personal attention and your total reliability to them and to your partners and co-workers** are your most important assignments.

## LLL 5

**Clearly identify exactly who your client is**, and who is not your client. This sounds obvious but it is not always so. Correct and early identification is critical for your duties, conflicts of interest, reporting channels, billing and knowing to whom you are responsible and who owes you your fees and reimbursables.

## LLL 6

**It's unpardonable to misspell a client's name.** And pronounce his/her/their name as the client would.

## LLL 7

**Know and always use the client's full name,** including the client's contact person's full name and title, plus client's most current and complete address. Keep your databases of this information current.

## LLL 8

**Clients will always remember the last matter you handled for them.** If you want to keep the clients, make sure that it was a positive experience for them. If it was a bad experience, you can be sure that they will never forget, and may not forgive.

## LLL 9

**Clients want solutions and options,** not just "No, it can't be done." Tailor solutions which are pragmatic, fair to all concerned, and build goodwill. Help clients do the doable within the law. Exceed their expectations. Strive for a **KISS** solution - **Keep It Super Simple.**

## LLL 10

**Be creative and innovative in your solutions.** Lawyers sell ideas. Go beyond. Seek to achieve the seemingly impossible. Don't be afraid or hesitant to challenge conventional wisdom - that's what makes change happen. And if it works in your favor, that's called brilliant judgment and good common sense. If it does not work, well, try another fresh idea.

## LLL 11

**Solve the right problem,** and don't get sidetracked solving the wrong problem.

## LLL 12

**Prepare and organize thoroughly.** It's inexcusable not to study and know all the known facts; know the applicable laws and regulations. Read. Study all relevant documents and other evidence before you undertake any action. They may not say what you expect them to say. Know every detail of your case inside and out, backwards and forwards. Costs of intelligence gathering are usually money well spent. Don't be caught by surprise. Know what's going on and be aware of what is happening around you. Know the lay of the land, the terrain and your best position in relation thereto. Think ahead. Identify and shore up your weaknesses as well as buttress your strengths. Be thorough. Do not be sloppy.

## LLL 13

**Representing clients can lead to adversarial confrontations.** Endeavor diligently to avoid battles. Peaceful solutions by way of negotiation, mediation or compromise are always preferable to war. **The best war is one that is never fought while still achieving your objectives.** But if fighting is inevitable, then pick your battles to suit your purposes, decide their objectives, gather, evaluate, and rely on intelligence, determine what is motivating the opposition, develop strategies, indulge in detailed planning and preparation, assemble all your resources, decide on timing, identify the places, rehearse and practice your tactics, then execute them decisively. **Make your opponents fight by your rules, not you by theirs.** You take the initiative; you set the parameters and the agenda. Make your opponents respond to your game plan. Have a Plan B, a fall-back strategy, maybe even a Plan C as well. **If fight you must, then fight to win the war, not just a battle or two.** To win, you have to outwork the other side. Wars are rarely of short duration and both sides suffer casualties. Prepare yourself and your clients for protracted and hence expensive campaigns. Do not mislead or delude them, or yourself.

## LLL 14

**Clients want assigned tasks done right and done quickly.** Maximize value added for clients. You may think about your **input** – your hours, your sweat, your brilliance, your lack of sleep – but clients think only about your **output**, achieving their objectives on time while paying you the least amount possible. But when they do say "Thank you" whether you win or lose, then they make practicing law a worthwhile and personally rewarding career choice.

## LLL 15

**When I would say I was overloaded** and had so many things to do I didn't know where to start, my mother would respond, "Pick one!"

## LLL 16

**If truth is an issue** in a matter you are handling, tenaciously seek the truth irrespective of whether it helps or hurts your case. **Truth is the currency of the law.**

## LLL 17

**As my father taught me, clients always need the hope of achieving their legitimate objectives. It's good for their health.** Don't rely on miracles to save the day. Be encouraging but honest with them, and yourself, in your assessments.



## LLL 18

**Identify, grasp and accommodate the very real motivations, drivers, pressures and rewards of people in the corporate, bureaucratic, political, judicial, legislative and home environments, i.e. your arenas.**

## LLL 19

**Reply to all incoming correspondence, including emails, faxes, short message service (SMS), letters and telephone calls within 24 hours of receipt** - even if only to acknowledge receipt. Then follow up.

## LLL 20

**Lack of or delays in communications from lawyers are the major complaints of clients.** Communicate with clients more than just frequently. Put it in writing. Furthermore, you are responsible to be sure you and your client are on the same wavelength and are connecting for mutual understanding of whatever it is you are communicating.

## LLL 21

**Make your clients full members of your legal team.** Think of them. Visit them. Call them. Learn from them. Do it for free. Get to know them as persons, learn about their businesses, products, services, places of work, their corporate culture/politics/policies/ownership/dynamics. Don't charge them every time. Include them. Provide them with training and education about matters of concern to them. Clients want, and are entitled to, your personal attention. Send them newspaper and magazine clippings pertinent to them. Let them know what you are doing for them and why it is necessary for you to do so.

## LLL 22

**Clients, especially the Firm's existing clients as well as your colleagues and subordinates, want and need to be courted, constantly.** Courting clients is like courting women – they want to hear, repeatedly, that you care for them, you need them, you think of them, you love them, and to see that you are providing for them.

## LLL 23

**Lawyers live by the Rule of Law, both its letter and its spirit. Learn all that it means.** Uphold this sacred principle. Do not compromise with it. Do not make exceptions or accommodations to derogation. No stretching, bending or twisting of this principle is allowed.

## LLL 24

**The freedom of the individual and society to choose and to live without fear, insult or injury is the essence of the Rule of Law.** Until denied to you, you probably do not value how to cherish our freedoms, rights, duties, and hopes for contentment. **The law may not always be perfect or right, but even flawed it is far better than the vicissitudes, manipulations and machinations of the Rule of Men who abuse or misuse their power for their own purposes or gratifications through Rule by Law.**

## LLL 25

**Personal and professional conflicts of interest, breaches of duties, violations of Bar Association/Law Council Rules of Professional Conduct/Ethics, dishonesty and corruption are intolerable and hence forbidden.** Even the appearance thereof is damaging and is to be shunned.

## LLL 26

**A lawyer without integrity, personal and professional honor, ethical behavior, morality and a conscience dishonors that individual, our profession, and our Firm.**

## LLL 27

You have a professional obligation to devote some of your time and talent to do **Pro Bono** work for those unable to afford legal services. Public service and community service should also be part of your agenda.

## LLL 28

**The practice of the law demands much from its adherents.** As a lawyer, you must be dedicated to the law, to clients, to the Firm, to the community. While a lawyer's time is rarely his or her own, for balance you must also devote quality time to yourself, your family; and you should engage in complementary, personally gratifying distractions.

## LLL 29

**The "Blackberry"**, that ubiquitous 5<sup>th</sup> (perhaps Freudian) appendage, and the addictive reliance thereon by today's North American legal counselors, is justified by its adherents as giving them freedom. From my observations of the habits of its users, I find the "Blackberry" an intrusive slave master, or, alternatively, a sophisticated security blanket. It is an extremely useful state-of-the-art communications tool, but it is only a tool. Don't let it control your life. Don't let it become the tail which wags the dog.

## LLL 30

**Young lawyers need mentors**, as did the mentors when they were young. Mentoring junior lawyers is an obligation of our profession.

## LLL 31

**You can never have enough knowledge.**  
Read, look, listen, question. Learn as much about the law and its application to clients' needs as your brain can hold, and then learn more. Pass on such learning to clients and colleagues. Share your knowledge and experiences.

## LLL 32

**You can be selective;** you do not have to take every case that walks in the door. Lawyers do not have to work for clients or persons who are impolite, rude, insulting, disrespectful, excessively demanding, who expect free or underpay for legal services or who pursue improper, immoral or illegal objectives. Stand up to them and say, "No, not if that is going to be your attitude." If they walk away, then you have saved yourself a lot of grief and aggravation.

## LLL 33

**No matter how driven you may be, you cannot know all the law in every field or even all the law in any one field.**



## LLL 34

**Not all lawyers are effective as leaders or managers.** Most of us receive no training for such tasks. Not everybody wants the job or can do the job. Fortunately, training in leadership and managing is now available to those who want it or need it. There is a place in the practice of the law to suit every interest, every age, every ability, every character, every personality, every background, every ethnicity, every nationality. The pursuit of the law as a profession knows no exclusions or discriminations. Find your personal niche which presents you the challenges you seek, which you are most comfortable with, and which provides you with the personal satisfaction of your achievements and rewards, great and small.

## LLL 35

**Absolute Justice is not attainable, so Substantial Justice is the best you can hope for.**

## LLL 36

**In the end, as lawyers, be thankful** – it may seem distasteful but in the words of my deceased Thai law partner: "God bless those who make problems for our clients, and for our clients who make problems for themselves!"

## II. Dealing with Legal Fees

## LLL 37

**Sorry but those damnable time sheets are your lifeblood.** Complete, clear, accurate, fully informative – and charged to the right client and matter – records under all circumstances must be kept for all of your time whether chargeable or not and whatever is the fee structure agreed to with the client after an open dialogue. Without time sheets to build legal fee bills, both you and the Firm will starve. It is that simple.

## LLL 38

**Our Firm must be profitable for us all to survive.** Yes, the practice of law is a profession, but it is still a business with salaries, expenses, assets, liabilities and taxes. Our only source of income is legal fees and service fees. Quality legal services are not cheap. Clients don't pay for low quality work. But premium prices demand premium quality work. Billing and collecting legal fees are more art than science. Bills should be transparent, justifiable, prompt, and should reflect fairness, the scope of legal services rendered and their value to the client. Follow our current *Memorandum Concerning Legal Fee Charges and Conditions of Engagement* which is attached to our fee letters to clients. Some clients specify their own criteria for legal fees and chargeable expenses.

## LLL 39

Over the years, **our Firm's most costly mistakes have been not having written Legal Fee Agreements** for each client and, even better, for each matter. In some jurisdictions, they are required by law. Be very specific as to the exact scope of work expected of the Firm by the clients and the billing basis and arrangements – hourly, fixed, capped, contingent, value, negotiated, success kickers, premiums, hybrids or whatever. **Get deposits up front** against anticipated or agreed fees and expenses. **Don't expect the Firm to be paid for services rendered but not instructed by clients.** If the Firm does not get paid, you don't get paid.

## LLL 40

**Clients do not have endless patience or bottomless pockets.** Be attentive to clients' objectives and time schedules. Timing is always important and may be crucial. Clients have limited resources for legal fees and expenses. So get it right, the first time.

## LLL 41

**Do not over lawyer a matter to drive up legal fees and expenses.** A Texas corporate client once told me in connection with limiting the number of lawyers assigned to his cases that he adopted the motto of the Texas Rangers (State Police) – "**One Riot, One Ranger.**"

## LLL 42

When clients say of their case you are handling, "It's not about the money, it's about the principle!", what they really mean is, "It's about the money." They soon realize that it costs money (legal fees and expenses) to uphold principle. Caveat: Do not start or continue any activity on behalf of your client that your client is not fully supportive of and committed to complete. Recognize the signs when a client starts calculating a cost-benefit analysis, waivers and withholds resources and support. When they become half-hearted, it is time to reassess your and the Firm's role, the value added for the client by your work and your chances of being paid for your past and continued efforts.

## LLL 43

a. **Law firms and lawyers are subject to unrelenting pressure to reduce their clients' legal costs.** Do whatever you can to accommodate and to be more efficient, but there are limits below which you cannot go. Do a cost-benefit analysis – educate clients that **if they pay only peanuts, they get only monkeys.**

b. If you have done your job for the client right, achieving the bulk of the client's objectives, and then the client does not pay the agreed fee, go after them tenaciously. **Attack vigorously.** Let them know they cannot cheat you and get away with doing so, that you will protect your own interests as you protected theirs.

## LLL 44

Clients want premium work done by a great lawyer at low cost. Or as a Spanish lawyer colleague put it, "**They want a virgin with experience.**"

### **III. Golden Rules to Succeed**

**Remember that/to...**

## LLL 45

**Never, never, never assume.** Verify.  
Check everything, every time. This is a  
postulate cast in concrete.



## LLL 46

**Clients and bosses don't like surprises.**

## LLL 47

**Communicate with clients, bosses, colleagues and subordinates** – clearly, completely, often, and honestly. Document all of your communications. Keep copies of every document you prepare and those which others produce. Back up in depth. Your matter files must be complete.

## LLL 48

**You have a mind – use it.** All the time.  
Think. Be logical. Be analytical. Be thorough.  
Relate together all known details and facts.  
**Think like a lawyer!** (Another postulate cast in concrete)

## LLL 49

**Keep an open and inquiring mind. Read, look, listen, touch, smell, taste, feel. Ask probing questions – Who? What? Where? When? Why? How? Get the answers, whether you like what you hear or see or not.**

## LLL 50

**If you don't know, ask.** If you do have to guess, remember it's just a guess, not fact or truth. If you need help to do the work correctly and on time – **ask for help, early.** Don't be shy or embarrassed to seek help. Don't wait.

## LLL 51

**There are facts and there are opinions and interpretations. The latter can vary; facts do not. Know which are which.**

## LLL 52

**There is no such thing as a dumb question;** there are only dumb mistakes. What is dumb is to keep quiet when you need to know something in order to do your job.

## LLL 53

**Errors are forgivable but carelessness is not. But don't make the same mistake twice.**

# LLL 54

**Foolishness is tolerable but stupidity is  
not.**

# LLL 55

**Keep your word.**

## LLL 56

**Meet all deadlines, ahead of time.**

## LLL 57

**Date all papers** - upper right-hand corner – date all drafts. It is advisable to precede all your computer file names by a 6-digit date of creation, e.g., YYYYMMDD, in order to stack them up chronologically.

## LLL 58

**Teamwork** usually produces better results than doing a task alone. Be a reliable and effective teammate. It's "We", not "Me". Always give credit to those who help you; they come first, then you.

## LLL 59

**A team requires mutual trust and mutual reliance.** Build internal networks. Garner support. The better the mutual understanding, respect, loyalty, cooperation, patience, and time spent working together, the more effective the team, the better the results, the fewer the mistakes.

## **LLL 60**

**Humility and modesty are in....except when what is called for is a fearsome, mad-dog litigator fighter who strikes fear into the hearts of opponents.**

## **LLL 61**

**Do not take credit for someone else's work.**



## LLL 62

**Talking is easy. Actions require effort and commitment. So act and grow.**

## LLL 63

**"Murphy's Law"** – "If things can go wrong, they will. And usually at the worst possible time." – is alive and well and as disruptive as ever. (An American observation which has universal application)

## ☪ 64

**If everything is going exceptionally well,** chances are you have forgotten to do something. Whatever it was, anticipate the possible consequences.

## ☪ 65

**Do not get into any trouble you cannot remedy by noon the next day.**

## LLL 66

**Never put anything in writing that you would not want to see in a newspaper the next day** – one of my mother's favorite sayings. And these days, the term "writing" and "newspaper" should be expanded to include emails, internet, faxes, blogs, chat rooms, short message systems (sms), newsletters, radio, TV, phones (landline, mobile, satellite). Nothing communicated is private these days – from eavesdroppers to hackers, to punching the "Send" button by mistake, to....

## LLL 67

**Be adaptable.** Maintain the capacity to respond to different situations as they arise. Have a Plan B and even a Plan C, just in case. You can't predict the future, but you can prepare and be ready for it. Never leave yourself without somewhere to go, even if it is backwards. (A lesson from my Navy days)

## LLL 68

**The unexpected always happens sooner or later.** Anticipate and prepare for it. Train yourself to deal with "What if" situations, including worst-case scenarios.

## LLL 69

**You have capabilities and limits, strengths and weaknesses.** Recognize which is which in you. You can do a lot but not everything. But don't stop trying.

## LLL 70

**Never, never, never belittle or disrespect another person's** religion, ethnicity, culture, traditions, language, family, physical appearance, dreams, beliefs honestly held, intelligence (or lack thereof) or their choices of dress, music, art, food, drink, politics, transport or mate(s).

## LLL 71

**Remember who and what you are.** In your day-to-day conduct, preserve your dignity and integrity. Always do yourselves, the Firm and our profession proud.

## LLL 72

**Have personal and professional goals,** and do what must be done to achieve them. Having done so, then set new goals. Have dreams, too, and work towards them. If you give up your dreams, you die.

## LLL 73

**If you don't keep up, you will be left behind.** In this very competitive world in which we live and work and learn, being left behind can mean failure. Continuing Legal Education (CLE), either formal or informal, is in your best interests. It may be required by your Bar Association/Law Society, or not. How to keep up? – Read, ask for and attend training courses, whether training be self-help, in-house or outside; get colleagues and even clients to teach you. Look, see, listen, ask, use your imagination to find ways to stay ahead and not fall behind.

## LLL 74

**Lawyers, directly or indirectly, have power.** Power itself is neutral. Power may command fear, but it does not engender respect. Respect has to be earned. Use power only for good. Do not abuse power or be swayed by its "Dark Side".

## LLL 75

**Search for wisdom. Knowledge is not wisdom. Information is not knowledge.**

## LLL 76

**Have a sense of humor.** Be able to laugh at yourself and at the humorous side of your matter. Take your tasks seriously but don't take yourself too seriously. Laugh at least four times a day and at yourself at least twice a day. Laughter is a marvelous stress and depression antidote.

## LLL 77

I have learned from decades of working in cross-cultural environments that, whether you think so or not, **every action taken by a person is logical to him/her.** Find the starting point of that logic and then you will see the path to understanding the "why" of their action.



## LLL 78

**You must have patience,** imperturbability, understanding and diplomacy to handle the delicacies of a cross-cultural challenge – and not all local citizens or expatriates are the same.

## LLL 79

**Eye contact** is always important, though in some cultures it may be considered impolite or even hostile. Know your cultures.

## LLL 80

**When you play, play hard.** When you work, don't play at all. It is preferable if work can be play and play can be work.

## LLL 81

**Everything has its place and everything belongs in its place.** That way you can always find what you are looking for when you want or need it. (One of the many lessons I learned in the U.S. Navy)

## LLL 82

**To minimize disappointment,** if you must do business with friends, relatives, or even loved ones, insist that the relationship be businesslike and professional. Try not to rely on trust alone.

## LLL 83

One of my law school professors at Hastings College of the Law (San Francisco, California) taught us **that finding a good business partner is ten times more difficult than finding a good spouse.** I have lived to see that axiom proven many times over.

## LLL 84

**Know your "enemy".** Never underestimate your adversary or overestimate or revel in your own abilities. "Bad guys" are often smart, clever and very adept at deception and diversion. Be thoroughly prepared to face them effectively. By the way, opposing counsel, if acting professionally and ethically, is a rival. Counsel is not necessarily the enemy, though he/she may represent the enemy.

## LLL 85

**Don't confuse skill with luck.** But know that without luck, at the right time, skill alone might not be enough to win the day. Napoleon knew this when he said, "Give me lucky generals." Coincidentally, as I alluded to earlier, don't rely on miracles to save you.

## LLL 86

**Control your temper.** Anger must not cloud your better judgment. Besides, "You catch more flies with sugar than with vinegar" – one of my mother's favorite sayings – self-discipline is the key.

## LLL 87

**Life** is full of risks and pains as well as ecstasies and satisfactions – **take risks; calculated ones.** Taking no risks means no progress, no loves, no achievements, no glory, no "Well Done." So do surge forward but don't be foolhardy about it. And remember – sometimes you are the statue, and sometimes you are the pigeon.

## LLL 88

**When you decide to act, think first,** if there is time, and then act rationally and calmly. Put your mind in gear before you put your mouth, or these days your fingers, in motion. This may mean after reflection you could decide that it is appropriate to go with your gut feeling, your instincts, your training.

## LLL 89

**You will have to make decisions.** Some will be easy, some difficult, some will be grave and some will be critical. Do not be reluctant to do so, even knowing that whether right or wrong you are responsible for your decisions. Make the decision. If you make a decision which is wrong, recognize your error and make another decision to correct your course. You and the others affected thereby will have to live with those decisions, so carry that responsibility well.

## LLL 90

**You will make mistakes, you will have failures and setbacks. We all do.** Admit them. You learn more from what you do wrong than what you do right. Get up and immediately get on with the job. Denying mistakes and your failures or hiding them leads only to consternation, and that misguided effort will come back to bite you much more viciously than the original error.

## LLL 91

**Don't burn your bridges behind you.** If you end up in Hell, you will want a clear way back from whence you came.

## LLL 92

**Know when to back off**, slow down, retrace your steps backwards, embark on a strategic advance in another direction. And know when to press home your advantage with vigor. (Another lesson from the U.S. Navy)

## LLL 93

**Don't be boring or one-dimensional.** A thorough knowledge of the law and honed skills in its practice alone do not make you an interesting, complete or well-rounded person. Get a life. Have hobbies. Read everything. Engage in a variety of activities other than the law. Be agile. Keep abreast of current events, of scientific, military, political, social, ethical, media, legal and legislative developments. Participate in family, cultural, academic, community, spiritual, sports, fitness, environmental, conservation, musical, artistic, travel, cross-cultural, welfare, entrepreneurial and other people and planet-saving oriented activities. Learn the techniques of effective negotiation, mediation, public speaking and storytelling. Learn how to protect and defend yourself and your family and to survive in dangerous or extraordinary circumstances.



## LLL 94

**Look after your health and fitness, mind, body and spirit.** Protect your eyes – only one set per customer. Don't try to save money on footwear – use only good quality foot- supporting shoes. Many maladies have been traced to originate from neglected teeth – check yours often and replace all the metal in your mouth with modern dental resin composites. Make quality of your life a goal. Yes, exercise regularly. Do all that good stuff like cut down on caffeine, Blackberry and TV dependence, limit alcohol intake, avoid smoking and drugs. Eat your veggies and fruits and proteins, take supplements. Meditate. Consider alternative and complementary medicine. Most important for a long healthy and happy life is to find, give, share and cherish love, compassion, companionship and relationships.

## IV. The Firm

## LL 95

**The Firm's reputation is its brand,** its most important asset, as is each lawyer's own reputation. Promote, enhance and protect such reputations, such brands. They take years to build, but only seconds to damage or destroy.

## LLL 96

**Clients must be and must remain convinced** that they have come to the right law firm to have their problems solved, and that you and your colleagues are the right lawyers to do so. Convince them by word and by deed.

## LLL 97

**Clients are clients of the Firm, not of any individual lawyer.** This is admittedly a controversial proposition. The only possible exception is when the client is in a "bet the company" bind and selects a specific named lawyer of known reputation to represent him/her/them.

## LLL 98

**Love the Firm's clients like you love the law.** If you treat them right, existing clients will give you far more work more often than new clients and at far less cost to the Firm to obtain such work.

## LLL 99

**Our Firm has its own culture which is unique and stands us apart from our competitors. Tilleke & Gibbins** is a multi-service (not a full-service) law firm with many specialties. Adopt as your own and adhere to the Firm's *Mission Statement, Creed, and Rules and Standards of Conduct*, in both letter and, particularly, in spirit. Live them; breathe them. They set our Firm's business strategy and define our values, our strategic objectives, who we are and what we stand for. To compete effectively, we must provide value added to our clients that is not provided by others.

## LLL 100

**Look after your subordinates and colleagues in the Firm,** have confidence in them if they have earned your trust; always treat them with sincerity, understanding, patience, humor, humanity, personal care; be there to support them when they need help; preserve their dignity and they will reciprocate in return – except for those few self-centered malcontents who no matter what you do are hopeless losers or disrupters! But try.

## LLL 101

**As the leader of our Firm, I demand** of each and every person in the Firm, or who otherwise works for me, **and they can all expect the same from me in return, total and absolute integrity, loyalty, respect, honesty and trustworthiness** to me, to the Firm, to our clients, to the Courts and to themselves. Constructive criticism courteously presented falls within the ambit of this law. Occasionally, forgiveness for lapses might be possible, perhaps, but otherwise no exceptions.

## LLL 102

**Anyone who deliberately hurts the Firm or our T&G family** will be pursued without end. Time and expense will not be impediments to my retribution. The head of the house protects his family.

## LLL 103

**The Firm is a family, your family,** which means you have family responsibilities and obligations in addition to benefits, protections and rewards. You cannot enjoy the latter without dedication to the former. The Firm is not a charity so perform up to standard or be prepared for the weight of the family to come down hard on you. You do not want to find yourself ostracized for letting down the family, do you?

## **V. The Last Law**

# LLL 104

**When the practice of the law stops being fun, it's time to seek a new line of work.**



**VI. OK. One  
Final Law**

## LLL 105

I find **lawyers jokes** (or should I say anti-lawyers jokes) tiresome and uncouth. My favorite rebuke to the vacuous purveyors of such tripe, best told for maximum effect in a large gathering, is the following: "A good accountant might be able to save your fortune. A good doctor can save your life. A good clergyman might even be able to save your soul. But only a good lawyer (pause) can save your ass (arse)!"

You are welcome to use this retort, with attribution to me of course! The impact is stupendous if you get the timing right.

# Epilogue

So now you have a significant portion of my accumulated, and I hope sage, advice, my passions, and perhaps some wisdom such as it is, about you and your practice of the law. This has been my purpose, my grand strategy, my edifice.

As I now begin to fade into a phased retirement - remember, I graduated from university in 1958, law school in 1962, and commenced full time with Tilleke & Gibbins in 1967 - my endurance and stamina are waning and I am reaching the age of becoming venerable. That means I can preach **LLL** from the vantage point of experience and sincerity.

Call **LYMAN'S LAWS FOR LAWYERS - LLL** - my legacy to the people of T&G, present and future, as well as to the legal profession, all of whom and which have provided me with boundless satisfaction. Not for one moment have I regretted my choices for my professional lives, civilian and military, my international upbringing, my life and long residence in Thailand, my schooling, travels, friends, diversions, avocations, hobbies, wives, loves and life experiences. May you be so fortunate!

Respectfully

David yman  
Chairman & Chief Values Officer

August 21, 2006  
Bangkok, Thailand

# The Tilleke & Gibbins Creed & Values

## **AS A LAW FIRM**

- We care.
- We value integrity.
- We are knowledgeable, dependable, responsible, perceptive, practical, realistic, competitive, community oriented.
- We have style, coupled with a sense of history.
- We are a business, yet family.
- Clients are our guests.

## **OUR FACILITIES**

- Reflect character, comfort, soul, stability, elegance.
- Impress yet relax.
- Are efficient yet friendly.
- Are professional and reassuring.

# David Lyman

David Lyman received his preliminary education in the USA, Korea, Japan, Thailand, India and Switzerland. He is a graduate of Duke University (B.S.E.E.) in North Carolina, USA in 1958; University of California Hastings College of the Law (J.D.) in San Francisco, California in 1965; and Parker School of Foreign & Comparative Law, Columbia University, New York City in 1974. He joined Tilleke & Gibbins, Thailand's oldest law firm, in 1967 after a career in the U.S. Navy Submarine Service, became a senior partner in 1984, and is currently the law firm's Chairman & Chief Values Officer.

Mr. Lyman, who first came to Thailand in 1949, has not only distinguished himself in the law practice but has also become one of Thailand's best-known American residents through his activities and services to the Thai government and to the Thai and foreign business and social communities. As a mark of his dedication to Thailand, he has received, among others, the Thai Suan Luang Rama IX Commemorative Coin, presented by HRH Princess Maha Chakri Sirindhorn in 1988; a Miniature Cartridge Pouch Pin of the First Infantry Regiment, the King's Own Bodyguard in 2003; the "Phra Dulyathipat" Badge, awarded by the Council of the Judge Advocate General's School in 2014; Apostolic Blessing imparted by the Pope, His Holiness Francis, on the occasion of the 25th Anniversary of the Father Ray Children's Home in Thailand in 2014; and an award in 2016 bestowed by Thailand's National Legislative Assembly for his devotion to help and protect abandoned animals.

These include many years of involvement in various capacities and in many areas with the American Chamber of Commerce in Thailand (Governor 1974-2001, 2010-2013, President 1975, 1986, Senior Advisor to Board of Governors 2014 - present), Foreign Investment Advisory Council (Founder 1975), Joint Foreign Chambers of Commerce in Thailand Working Group (Chairman 1987-1990), the

Asia-Pacific Council of American Chambers of Commerce (Vice Chairman 1975-1977 Taxation, 1985-1989 Americans Abroad, 1992-1993 Environment, and Director 1975, 1986), the ICC Thailand National Chapter (Founder Board Member, 1999-present), the Thailand Business Council for Sustainable Development (Founder Member, 1993-2000), and the Thailand Society for Prevention of Cruelty to Animals (Secretary General, 1997-2001, Board Member 1993-present). He has received several awards including a Certificate of Appreciation from the U.S. Department of Commerce in 1987, Distinguished Service Award from the American Chamber of Commerce in Thailand in 1990, and Certificate of Achievement from the Prime Minister of Thailand as Chairman of the Board of Investment in 1990 and 1992.

Mr. Lyman was a founder executive board member of Lex Mundi (the first and largest worldwide network of independent law firms) in 1989 and an 18-year member and a Program Fellow of the World Economic Forum; is a member of the Anti-Corruption Commission of the International Chamber of Commerce, Paris, and a member of the Environment Law Commission of the World Conservation Union (IUCN). From 2003 to 2013, he had been on the Advisory Board of the International Crisis Group, Brussels. He also currently serves on the Board of Governors of the University of California Hastings College of the Law. In 1997, he was voted "Boss of the Year" by the Women Secretaries' Association of Thailand. He is listed in Who's Who in the World and Who's Who in the Asia-Pacific, and Who's Who in Thailand. In 2016, in recognition of Mr. Lyman's many years of wisdom, guidance and support of AmCham Thailand and the American Business Community in Thailand, he was awarded a Certificate of Appreciation by AmCham Thailand at its 60<sup>th</sup> Anniversary Celebration event. In November 2018, Mr. Lyman received the American Embassy Gold Award, delivered by

Mr. Greg Wong, the then U.S. Commercial Counselor. According to Mr. Wong, this award has only been given 3 times before by the embassy. The award is from the American people for Mr. Lyman's services to, for and on behalf of the Thai people and the American community in Thailand over many years.

Mr. Lyman's experience encompasses many areas of the law including commercial, corporate, investment, maritime, criminal and intellectual property. He has written many articles and spoken on a variety of topics, among them, foreign direct investment, environment and sustainable development, corruption, money laundering, and corporate governance. His latest published work is "LLL - Lyman's Laws for Lawyers (and Everybody Else, Too!)"

He has also been active in reforestation tree planting, conservation of elephants, is co-founder of the Elephant Medicine Fund and Thai Dog Welfare Fund, is a supporter of TBIRD projects of the Population and Community Development Association Council and Wong, the then U.S. Commercial Counselor. According to Mr. Wong Father Joseph Maier of the Human Development Foundation, is a collector of Oriental carpets and elephant representations, and was one of Thailand's first NAUI scuba diving Dive Masters. He created his law firm's (Tai) Textile Collection and its Museum of Counterfeit Goods, one of only very few private collections in the world open to the public.

Mr. Lyman now lives in the suburb of Bangkok, Thailand, with his wife, Tongtae Panyakhosonant (formerly known as Thassaneeya Pimpila) and their 5 dogs. Their elephant passed away in 2013 of old age. They have no children.



*David Lyman*

