

Supreme read!" –Ludovic Beaufils, General Manager, Whirlpool

MULTI-AWARD WINNING, #1 INTERNATIONAL BEST-SELLING AUTHOR

ALINKA RUTKOWSKA

SUPREME LEADERSHIP

GAIN 850 YEARS OF WISDOM FROM
SUCCESSFUL BUSINESS LEADERS



Shanin Specter, Kline and Specter

Always promote values such as preparation, hard work, integrity, loyalty, kindness, responsiveness, attention to detail, flexibility, and a strong interest in continual improvement.

"We concentrate our law practice in the representation of persons who are catastrophically injured. Those cases arise out of medical malpractice, or a defective product, or a serious motor vehicle accident, or improperly maintained premises, or some other type of circumstance where there has been fault that has led to a very serious injury," Shanin explained to me during our interview. His victories combine monetary awards for their clients with notable news-making remedies, and the corporation's success is undeniable: he has obtained more than 200 jury verdicts and settlements in excess of \$1 million, and more than 50 case resolutions — including 16 verdicts — greater than \$10 million.

Among Shanin's verdicts are a whopping \$153 million against a major automaker, and \$109 million against an electric power company. His legal victories have included industry-changing cases involving medical malpractice,

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defective products, medical devices, premises liability, motor vehicle accidents and general negligence. "The firm is the largest personal injury firm in Pennsylvania, and it's one of the largest in the United States," Shanin said. "I would attribute our success to old-fashioned values and principles, those being preparation, hard work, integrity, loyalty, kindness, responsiveness, attention to detail, flexibility and a strong interest in continual improvement."

In light of such monumental — not to mention sizable — victories, I was curious to know what obstacles Shanin experienced as his firm grew. His answer was unusual in that he addressed a challenging issue not every business person will face: preconceived discrimination against his profession. "The public holds lawyers in low esteem, and they hold personal injury lawyers in especially low esteem. That translates to a potential issue in the courtroom with jurors. Of course, the jurors don't know us, and they don't know our firm, for the most part, so it can be difficult to get over those preconceived attitudes with jurors. What we have found to be successful is to be always candid with the jurors; to tell them the strong points and the weak points of our cases; to refuse to exaggerate the claims; to be straightforward and honest in every respect in the courtroom; and to win their confidence fair and square. Even with all of that, there will be some jurors whose negative feelings about the civil justice system will be so substantial that they may have a hard time reaching a fair verdict. But we have found that adhering to the guidelines I've described usually provides an outcome on the merits of the case. It usually produces an outcome on the merits, and not on some sort of collateral bias."

Aside from developing the guidelines Shanin described above — preparation, hard work, integrity, loyalty, kindness, responsiveness, attention to detail, flexibility and a strong interest in continual improvement — I wondered about other

important leadership guidelines he developed during his illustrious career and how they have impacted his business.

"Always promoting the values that I've described. I think that as a law firm or other type of endeavor grows, there can be temptations to get out of your lane. That should be resisted, because when you get out of your lane you get out of an area with which you're familiar, and you can get chewed up in dozens of different ways through a lack of experience. We have tried hard, though not always successfully, to stay in our own lane."

I wondered if there were particular types of cases Shanin's firm tried that caused him to speak from experience. Indeed there were.

"There was a point in time 15 or so years ago where there was a developing shift in the tort liability field, potentially changing the laws that would apply to the claims in which we concentrate: the catastrophic injury claims, particularly in the area of medical malpractice. So we took a step into the class-action practice as a supplement to what we were doing. After five years of doing that, we found it to be unsatisfactory, and we reversed course. I learned it's easier to get into something than to get out of something, so that's an object lesson as well."

Shanin felt that his leadership structure in particular as well as the reasoning behind it would benefit readers. "The firm was founded by Tom Kline and me. We remain the only owners of the firm. A two-person ownership structure is very advantageous. The reasons that I say that are that a sole owner arrangement is very simple, but you need somebody to talk to, because with one person acting alone, that introduces a lot of fallibility into the dynamic of running an enterprise. Two very experienced people working together sharply reduces the risk of making a bad decision. There is a synergy with two experienced people working together that

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produces results far in excess of what those two people could produce if they were acting alone.

For that to work, obviously there has to be trust, and friendship, and mutual respect, and each partner needs to feel, and be committed, to the enterprise. There's an expression that you should try to do 60 percent of the work of the enterprise when you're in a two-person partnership, because your other partner won't see all the work you're doing, and I think that that's a good observation. I think Tom Kline and I work as hard as we possibly can for the success of our firm, and I think that's created a lot of mutual respect, and even harder work from each one of us. It's been a very, very good model.

The other aspect that I would point out is that in a two-person equal partnership, which is our arrangement, you have to have agreement. Because if one person says 'No', then the idea doesn't go forward. That's also a good thing. Sometimes one of us might be strongly in favor of something, and the other might be mildly opposed. The person who's mildly opposed will defer to the person who is strongly in favor, because of that mutuality of respect. On the other hand, if one person is strongly in favor and the other person is strongly opposed, or if one person is mildly in favor, and the other person is mildly opposed, then we don't go forward. That's probably saved us from a bunch of mistakes.

"We don't work the cases together, because we have too much work to do that. But in terms of making decisions (for example, about hiring particular new lawyers, or taking on a very large project such as a mass tort involving a defective product that may have caused a lot of people to be injured, which is going to commit the resources of a lot of people in the firm), we make them together."

When asking which books influenced Shanin in the way he conducts business, I learned something quite fascinating: he

uses history to create closing speeches!

Shanin doesn't read a lot of the pop culture books. "I skip the self-help section of the bookstore, and some of the sections that are near the self-help section. I tend to rely on the lessons of history. I read a lot by and about Winston Churchill. That has been very useful to me. The way he guided the United Kingdom, particularly in 1940 when their backs were against the sea, literally, is inspirational and contains a lot of excellent lessons. The speeches that he gave in the House of Commons are great fodder for a closing speech in a courtroom, and also, they are great fodder for assessing what we want to achieve professionally. Professional satisfaction can be produced in many different ways, one of which is money, but there are other important ways as well, such as improving society."

If you haven't been privy to injury law on the level on which Shanin practices, you might not have considered before that the "wins" are about more than just monetary awards for their clients, but about the satisfaction of remedying the situation that caused the problem in the first place. How satisfying it must be to help so many!

Shanin said, "We have worked very hard in our cases to obtain remedies from the people that we sue that go beyond money, but include things such as changing their practices, changing the way they do business, changing the design of their products, changing the condition of their premises, changing hospital policies, changing police department procedures. That has been enormously professionally satisfying," Shanin explained. "It also to some degree, particularly where we live, has changed opinions about the importance of the work of trial lawyers. A lot of people who have come to understand our work have also come to understand the importance to themselves, and their family, and society, of the work of the trial bar in making our society

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safer."

I asked Shanin to discuss one of those significant moments in time when he was able to make a significant impact through his work in the community.

"Tom Kline recently settled a case against the City of Philadelphia involving a catastrophic injury sustained by an innocent civilian who was shot because of mistaken identity by plain-clothes police. In addition to maintaining a very large monetary recovery for the client, he got the police commissioner and city solicitor to agree to very significant changes to police procedures in the manner in which plain-clothes police officers identify themselves to suspects, so that suspects can know that they are dealing with a police officer and not with a robber. When somebody's coming at you with a gun and they're not wearing a police uniform, your assumption is going to be that that's not a police officer. You're going to flee. A young man was approached by men with weapons wearing plain-clothes, and he thought he was going to be robbed, and he sought to flee, and he was then shot because the officers didn't identify themselves. Tom's win resulted in a very important change in Philadelphia with the police department," he said.

"I had a case where on a clear sunny day a power line fell on top of a wife and mother in western Pennsylvania, causing her death by electrocution," Shanin said. "After a successful trial, I got the company to agree to inspect and fix all 26,000 miles of their power lines, and I got the public utility commission in Pennsylvania to change their procedures for the investigation of fatal incidents like this one in Pennsylvania. That's also a good thing, because all of us walk under power lines every day, and we're all at risk of an improperly installed or improperly maintained power line falling and killing us. Power lines fall with some frequency, even on a clear sunny day, but fortunately they don't tend to

fall on top of people, but it can happen. It's certainly foreseeable that it will happen. Therefore, the power company needs to be sure that they've installed the lines correctly and that they inspect them."

Readers visiting www.klinespecter.com can click on the toolbar to view a drop-down menu for a synopsis of various cases in which the firm has achieved widespread remediation. Under "The Major Victories", you can read about money changing hands, but they have a whole different section of the website to talk about the kind of remediation Shanin has described above. "That's an important part of what we do, and we talk about it, and we think it's important to talk about it," he said in closing.

Shanin mentioned that determination, among other things, is what allowed him to succeed. I feel very strongly about the power of persistence and I was pleased to discover that many successful CEOs attribute perseverance as their No.1 factor to success. Let's take a closer look.