



## Profile: Lee Harris

### *Insurance and bad-faith lawyer with a strong sense of community*

BY STEPHEN ELLISON

Motivations come in a variety of forms. Some are mildly suggestive – a nudge in one direction or the other – while others can be more straightforward, like a hard slap in the face. In Lee S. Harris' case, a very personal version of the latter scenario pushed him into a successful career in insurance and bad-faith law.

"I got into (it) initially when my wife was about nine months pregnant with our second child and we had a small house fire," recalled Harris, partner with Goldstein, Gellman, Melbostad, Gibson & Harris of San Francisco. "She fell down the steps as she was running from the house, and we were worried about our house and our soon-to-be-born child. The insurance company adjuster came out, and instead of helping out, basically tried to dump on us. I understood in a personal way the frustration that my clients feel."

That sense of powerlessness over one's life, family and property indeed is a feeling Harris wishes upon no one. So, it's no surprise that every time he takes a client whose insurance company has refused to keep up its end of the bargain, Harris not only sets out to make things right in that particular case, but also strives to uphold a much grander mission.

"When people come to me with a problem, my first impulse is to solve it with a baseball bat," Harris said. "Our society gave up the baseball bat as a solution long ago – we now have a justice system, right? But even with the justice system people feel powerless, abused. As



Harris

a lawyer, your clients are using you to help them get back control of their life – it's not just about money. And it's not always about winning. The fact that they've had a chance to have a fair hearing, have their say is a very important thing. What

I do is try to give people back control."

#### **Striving to make a difference**

An exemplary student at San Rafael High School, Harris had his pick of higher education, an opportunity his parents were never afforded. He opted for one of the top institutions in the nation in Harvard University, where he again excelled as an undergrad student. When it became clear that his future would be in law, he briefly entertained the idea of staying on the East Coast for law school. But there were stronger forces pulling him back to the Bay Area.

"Harvard provided a tremendous opportunity to live with and interact with a wide variety of talented people from around the U.S. and the world," said Harris, who was born and raised in Ohio. "I always intended, however, to come back home to California to be near my family. And I also had started dating a woman, now my wife, who was from my area and who I had first met while in high school.

"Law was a way to make the world different," Harris said of his career choice. "I really wanted to go into politics back then, and law was one way to get started with that. Plus, when I found out I

didn't have to learn Latin, that kind of clinched it."

Harris chose the University of San Francisco School of Law because of its sterling reputation for community involvement and justice. He saw it as a chance to be near home and pursue his interests in improving the community and making the world a better place.

When he landed a job clerking for nationally renowned trial lawyer Bob Cartwright, Sr., Harris knew he'd found a place where his difference-making goals could be realized. Cartwright took him under his wing, and it wasn't long before Harris discovered his true calling. "I saw right at the beginning of my career that plaintiff work was a natural fit for me," Harris said. "It was a perfect combination of my public speaking and debate background and my strong interest in community and public improvement.

"When I started with Cartwright, he had just finished his term as president of ATLA (now AAJ)," Harris recalled. "It was pretty exciting – I got to meet a lot of industry people, helping real people with personal crises. I felt like I was making a real contribution."

Harris stayed with the Cartwright firm after law school, went on to become a partner and eventually managed the firm. Through the years, he developed a reputation for evaluating and breaking down cases. "Lee is incredibly smart and efficient," said Jan Gruen, who joined Cartwright at about the same time as Harris and is now a sole practitioner based in Moraga. "How that translates to law is he doesn't waste time on unnecessary motions – he cuts to the chase. He sees the forest through the trees."



Another colleague, Stephen Tigerman, of San Francisco-based Harowitz & Tigerman, concurred. “Most impressive about Lee is his ability to distill the facts of a case and his ability to drill down to the real issues,” said Tigerman, another product of the Cartwright firm. “Lee is also very good at developing compelling case themes to fit the facts of his cases.”

### A people's lawyer

When it comes to discussing cases, Harris is bound by confidentiality agreements, so he speaks in general terms. One of the first he mentioned involved the mudslides of the 1980s. Some of the victims were former classmates and family friends who were let down by their insurance companies and came to Harris for help. “A lot of people lost their homes when the hills let go – people who were extremely secure were suddenly not so secure,” he remembered. “When we finally prevailed and were able to get them their checks, it was as if we gave them back their lives. It was a really unique feeling, different from other areas of plaintiff law. In insurance work, we were actually able to resolve an awful lot. That was very rewarding from a personal standpoint.”

Harris also remembered fondly a case in which he represented a young man who sustained brain damage as a result of a serious head injury. The client was “an incredibly sweet person who couldn’t speak clearly and lost a lot of his faculties,” Harris said. But the injury didn’t seem to affect the man’s ability to understand his legal situation. “When we decided we were going to try his case – we were trying to collect on disputed insurance coverage – he put his arm around me and looked at me and said, ‘Now you never lose, do you?’ That was a very nice thing.”

Even one opposing counsel could not help but praise Harris’ skills and style

in litigation. Troy Wiggins, of San Francisco-based Wiggins, Richard, Romano & Thorson, worked against Harris in a lengthy and complicated case centered on a fatal vehicle-rollover accident. Harris was well-prepared, had a keen understanding of the case and was cordial in all phases of the process, and having those traits put him in very rare company, Wiggins said. “When you handle a lot of civil cases, no matter which side you’re on, you find there are a lot of people who are not prepared or their approach is way too over the top, and they’re really doing a disservice to their clients,” Wiggins said. “Lee is not that guy. He’s a strong advocate for his client, and at the same time, he keeps everything on an even keel.

“One other thing I’ll say about Lee,” Wiggins added, “and you probably won’t hear many defense lawyers say something like this: If I needed a plaintiff attorney, he would be at the top of the list.”

### Community-oriented, technically savvy

Although Harris’ political aspirations have been somewhat tempered, it hasn’t stopped him from being active for both professional and public causes. He sits on the Planning Authority for the City of Alameda, where he deals with a number of community issues and is involved directly with the growth of the area. And he is quite proud of what’s been accomplished during his tenure on the executive board for Consumer Attorneys of California. “I’m on the business side of it, I keep an eye on that in sort of a supervisory role,” he said. “We’ve been very fortunate to grow the membership and improve our financial standing during my time there.”

When it comes to leisure, Harris won’t be seen carrying golf clubs or a tennis racket. What he may be seen doing is

tinkering with the latest high-tech gadget – an iPad, maybe? – or resolving a computer system problem as only the most skillful of technicians are trained to do. “I guess you can say my hobby is technology,” Harris said. “I used to rebuild computers. In college, we had our computer terminals in the laundry room (basement) – they were the old teletype computers. PCs back then were just being dreamed about.” (Microsoft co-founder Bill Gates was two years behind him at Harvard).

“So, when we weren’t studying, we spent a lot of time down in the laundry room taking apart and putting back together computers,” Harris said. “Eventually, I taught myself how to program, too. So, at all the firms where I’ve worked, I’ve always been the computer person.”

Mentoring is another role in which Harris has thrived, whether it’s law students, clerks or even co-counsel. “Once, when I was in a deposition, I had an opposing counsel who was making outrageous accusations on the record,” Tigerman recalled. “For example, she stated on the record that I had thrown a pencil at her. Frustrated, I took a break and asked Lee how he would deal with it. He told me that I should go back in the room and tell defense counsel to stop pounding her shoe on the table. I did, and the accusations stopped.”

The one piece of advice Harris would offer, if asked: “Listen very closely to what clients are telling you. A lot of lawyers want to please the people they’re working for. If you listen very carefully to what clients are asking for, you’ll have a lot more success.”



Ellison

*Stephen Ellison is a freelance writer based in San Jose. Contact him at [ssjellison@aol.com](mailto:ssjellison@aol.com).*