



Profile: Fernando Chavez

The son of civil rights leader Cesar Chavez has long since emerged from his famous father's shadow

BY STEPHEN ELLISON

Long before he even thought of becoming a lawyer, standing up for the rights of others had been a fundamental part of Fernando Chavez's life. As a child and young man, Chavez watched as his father – legendary labor leader Cesar Chavez – changed the course of history and became one of the most influential civil rights figures in California, if not the entire nation.

As high as the bar had been set, however, the younger Chavez says he never felt pressured to live up to his father's deeds. Instead, he absorbed the importance of his father's work, applied it to his own career in law and, to a certain degree, carried on the Cesar Chavez legacy.

"I've never felt limited by my father's shadow," said Chavez, founding partner of Chavez and DeLeon, P.A. of San Jose. "On the contrary, it has afforded me the opportunity to develop a very good personal injury practice. As one client once told me, 'the apple does not fall far from the tree.' I have always tried to live up to that legacy."

Through the law and the courts, Chavez has stood up for the rights of people who otherwise couldn't or didn't know enough to stand up for themselves. Many of those clients, even today, include the very people for whom Cesar Chavez stood up tall: migrant farm workers.

"I guess you could say I got into law because of my dad," Chavez said. "During the '60s, the UFW was involved in major litigation, and there was a lot of social and political activity. I used to hear my dad say 'we need more lawyers – everything is litigation.' I was around a lot of people who didn't have a voice in the system.



Chavez

"I mean, he never said to me, 'Fernando, you should become a lawyer.' But I kind of fell along that path. ... After I decided to become a lawyer, my dad would say, 'I hope you represent people who really need it.' And that's what I've tried to do."

Over more than 30 years, Chavez has done exactly that, and along the way, he's built a reputation as an intelligent and shrewd litigator. He has won several multimillion-dollar class-action verdicts and has worked with some of the biggest names in law. He has also managed to maintain a high level of integrity that many of his peers find refreshing.

"Number one, he's a gentleman," said Tom Brill, who worked under Chavez from the early 1990s until 2005. "He's always very straightforward in his approach. He doesn't play games, and you can't say that about many people in our business. He's also very creative in his approach to litigation. He has a keen ability to figure out exactly what steps need to be taken in a given case.

"Even though we work in a somewhat contentious business," Brill continued, "where often the stakes can be very high, he taught me that every time you approach a case, keep in mind that you should play fair. Play hard, but play fair."

Trial by trial

During his prime school-age years, at the height of his father's travails, Chavez remembered living in more than a dozen cities across California. It was difficult for

him to make friends at any given place, but it did bring him closer to his seven siblings. As the eldest son, Chavez accompanied his father on marches and rallies, watching as Cesar Chavez gradually became a face and voice not only for migrant farm workers but for the Latino population as a whole. What he didn't know at the time was the true significance of what his father would achieve.

"I had no idea. I just knew he would talk to people, tell them things were never going to change unless they organized," Chavez said. "Never, in my wildest imagination, did I see him accomplishing the things he did."

As he was getting ready to graduate from Santa Clara University School of Law in the late 1970s, Chavez was trying to decide what *he* could accomplish with a law degree in hand.

He first went to work for Ted Kennedy's presidential campaign, even doing a stint as the campaign manager. During that time, he was approached by a friend who worked for a "well-known personal injury firm" in San Francisco. The friend told Chavez he could bring him aboard part-time, and Chavez could learn along the way while gaining the necessary experience to eventually start his own practice.

That well-known firm was owned by none other than Melvin Belli, and he was more than pleased to bring aboard someone who could relate to a growing Hispanic clientele. The Belli firm wasted no time throwing Chavez into the fire with a wrongful death case headed to trial. The defense had offered \$5 million to settle, which Chavez said might as well have been zero. "Four months out of law school, I was already in trial," he recalled of his first case. "I was going up against a



Fernando Chavez, son of Cesar Chavez, started his career with Melvin Belli.

seasoned defense lawyer. I was nervous as hell – I had never even seen the inside of a courtroom. I didn't know where to stand or which side was the plaintiff's side."

Chavez was supposed to have a senior associate, his mentor from the firm, guiding him along. But that person was in Los Angeles working a case of his own. As the trial date drew nearer, he kept telling Chavez not to worry, he would be there in time to help. But the mentor got stuck in Los Angeles, and Chavez ended up on his own.

"So we start the trial, and of course I didn't know anything," Chavez said. "My mentor told me on the phone, 'Whatever you do, just be confident.' So, in my opening statement, I told the jury, this is my first trial, I'm really nervous, I might make mistakes, but you shouldn't hold any of that against my client. I had them. I had the jury, I could tell.

"Then the defense lawyer gets up," he recalled, "and says, 'This may be Mr. Chavez's first trial, but what he failed to tell you is he was trained by one Mr. Melvin Belli.' And the jury just burst out in laughter. ... I ended up winning a verdict – more than \$100 million."

Going it on his own

Chavez had the privilege of working side-by-side with Belli on a few cases, although at the time the so-called "King of Torts" was getting on in his years, Chavez said. He remembered getting from Belli one of the best pieces of advice he'd ever heard. It was just after the pair finished settling a quadriplegic case in Bakersfield. Belli was due to have dinner at a friend's place in Pebble Beach, and Chavez went along for the ride. "During the dinner," Chavez recalled, "someone asked him, 'Mr. Belli, how do you get a \$1 million verdict?' He said, without hesitation, 'Start with a case that's worth \$5 million.' I'll always remember that."

Chavez eventually started his own firm, partnering with Fred Sayre to form Sayre & Chavez. The two young and eager plaintiff lawyers built up the practice until they had three offices with about 15 lawyers, Chavez said. But it didn't stay that way for long. "It got to be too much – it was too draining," he said. "So, I backed off that for a while."

Although the two went their separate ways – Sayre is now the managing partner of the Law Offices of Federico C. Sayre in Santa Ana – they remain close and maintain a mutual respect. "Fernando has a very good heart; he cares about people," said Sayre, who represented Rodney King in the infamous Los Angeles police-beating case. "He goes a very long distance to help his clients.

"As a lawyer, he has a very good sense of people," Sayre continued. "He's able to establish a good rapport with juries. And he's a good questioner – very effective in cross-examination. But probably his greatest quality is his humanity. He takes after his father in that regard."

Indeed, Chavez remains a voice for migrant farm workers and the Latino community. And the outpouring of gratitude from the people he helps never ceases to amaze him. "We've impacted the lives of so many people," he said. "And they're always so thankful. Even to this day, farm workers send me boxes of stuff – strawberries, peppers, you name it. I get so much that I end up having to give a lot of it away. It's really incredible."

Some work and some play

These days, Chavez applies a formula for success that allows him to be selective with his caseload and achieve a better work-life balance. As good as he became at working juries and trying cases, he said he hadn't taken a case to trial in nearly four years. "I realized a

long time ago that good cases don't go to trial – they get settled," he said. "The quality of my cases has gotten better. I mean, you still have to work them as if they're going to trial, but the objective is to settle."

Because he handles a limited number of cases – he settles about four or five a year – being a sole practitioner hasn't been all that difficult, he said. And it has allowed him to spend the past 10 summers with his two sons, both of whom played on a national junior golf tour and are now Division I collegiate golfers.

Chavez also has jumped at another opportunity to have his voice be heard – literally. He is in the process of developing a talk radio show in Spanish called "La Ley es La Ley," or *The Law is The Law*. It's scheduled to start airing within the next month or two, he said. "It will cover all aspects of the law with call-ins and (online) questions," he said. "Each week will cover a different area of the law. The objective is for it to be a nationwide, syndicated one-hour weekly program."

With more than three decades under his belt, Chavez has plenty to offer in the way of legal advice, whether it be on or off the air. For his younger peers trying to find success in law, he offered this: "You can't get into law for financial reasons. You need to have a genuine desire to help people or at least have an area of law that you'll enjoy working in. Plaintiffs' lawyers do great work. I really wanted to help people, so choosing this path was easy for me."



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