

Profile: Skip Walker

Once an aspiring politician, the idea of helping those who couldn't help themselves drew him into plaintiffs' law

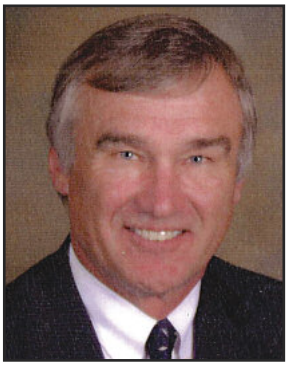
By Stephen Ellison

Already well into his third and final year of law school, with the goal of pursuing a career in politics, Walter "Skip" Walker had a change of heart. And for the past four decades, the plaintiffs' law community has been the better for it.

Walker, senior partner with Walker Hamilton & Koenig of San Francisco, spent the better part of his college years studying the public service landscape, rubbing shoulders with influential lawmakers and aiming to be an integral part of America's radically changing society during the Vietnam War era. The New England native was determined in his quest, so much so that he traveled 3,000 miles west to the Bay Area to be in a place which he figured provided the best springboard to success.

"I was interested in politics, and I thought the best way of getting into a position that mattered in D.C. was to go to law school and train that way," Walker recalled. "The other thing was, when I got out of college, it was a turbulent time – there were a lot of changes going on in America, and I thought a lot of those changes were emanating from San Francisco in particular and from California in general, and so I wanted to go to law school out here. I was of the mind that this would be my stepping stone to Washington, D.C."

Walker attended UC Hastings College of the Law in San Francisco, where he believed he could essentially combine his two main interests: being at the center of the developments that were taking place in the country and training for a career in politics. He seemed to be on a straight and narrow path to that end, even working with two very influential



Walker

politicians based in the Bay Area – Rep. Phillip Burton of San Francisco and Rep. George Miller of Martinez. It was while he was working on a young Miller's campaign that Walker came to a career crossroads.

"It wasn't until my third year of law school that I was taking a trial practice course," he recalled, "and I said, 'Wait a minute, I really like this trial lawyer thing. Maybe I don't want to be a politician, after all; maybe I really want to be a trial lawyer.' But by that point, all my contacts were in the political field."

After Miller was elected, Walker stayed true to his original plan, traveling back to Washington, D.C., with the congressman to continue working for him. But, before long, Walker got up the nerve to tell Miller his interests had changed, and the boss helped him get a job doing appellate litigation for the government.

Soon thereafter, he made the move into plaintiffs' law, a no-brainer in his book. "It was this concept: Somebody was injured, somebody had a disadvantage, somebody really needed help," Walker explained. "And with my training and with developed skills and hopefully with my intellect and imagination, I could do for them what they couldn't do for themselves.

"I kind of thought at the time that the defense represented the establishment, and they had everything going for them," he continued, "and the plaintiffs were the little persons who couldn't really stand up to the establishment unless they had somebody to serve as their warrior, their gladiator. That's what I thought a plaintiffs' lawyer was, and that's what I wanted to become."

Since his leap into plaintiffs' law, Walker has tried more than 50 cases to jury verdict. Along the way, he has earned fellowships in the two most prestigious organizations of his trade: the International Academy of Trial Lawyers and the American College of Trial Lawyers.

Path of influence

Walker's cases pretty well run the gamut of personal-injury litigation, but those that carry the most extraordinary of circumstances are the ones where he truly has made a mark in his profession, enabling him to become the warrior he set out to be. In a way, his trial-law work has afforded him a bit of political and social influence that he may not have been able to achieve even as a legislator. And it's just as well, for him, because he surrendered his political aspirations long ago.

"Once I was involved (in politics), it wasn't what I romanticized it to be," Walker said. "There were certain things that needed to be done that I wasn't willing to invest myself in – like the need to go out into the community. I wanted to be the decision-maker; I didn't want to be the one who was always asking for funds or glad-handing. I had to be involved to see how much that requires.

"But the interesting thing is my son, who went to West Point and last year just graduated from law school at Boston College, has become heavily involved in politics in Massachusetts. So, now I get to live vicariously through him."

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Born and raised in Massachusetts, Walker played football and baseball at Northfield Mount Hermon High School and then at the University of Pennsylvania before moving on to law school. His family had no connection to lawyers or the law – in fact, Walker's first encounter with a lawyer, he said, did not come until he took a business law course in college. "My concept of what a lawyer was all about," he admitted, "was really formulated in law school."

Despite his late venture into the profession, Walker wasted little time getting results. In one of his best known cases, *Bonnano v. Central Contra Costa Transit Authority* (2003) 30 Cal.4th 139, 148, he won a $3.89 million verdict for a developmentally disabled woman who was injured while crossing a busy street to reach a bus stop. In the precedent-setting case, Walker developed a theory that the location of the bus stop constituted a dangerous condition of public property. Everyone involved, he recalled, at first thought the idea was preposterous, and the case ended up going to trial three times, to the court of appeals three times and, finally, to the state Supreme Court.

"By the time I was done, 10 years later, we had a new law in California that said indeed the location of a bus stop could constitute a dangerous condition of public property," Walker said. "And I ended up testifying before the Assembly on that because it caused a certain degree of panic in the transportation industry. I managed to convince the Assembly committee that it wasn't really necessary to pass a new law to change what the Supreme Court had ruled in *Bonnano*."

Another of Walker's memorable cases, *Holmes v. Syntex*, involved British women victimized by birth control pills. They were the same pills American women were taking, only the British ones didn't come with 30 pages of warnings, he said, even though the same company owned both the U.S. and British subsidiaries. "That ended up being a significant case in California when we were able to keep the cases against Syntex here in this state," Walker said. "That for a while was the leading forum nonconveniens case."

Pattern of preparation

Like many of his peers, Walker believes wholeheartedly that preparation is the single most important aspect of a trial. For his part, preparation certainly depends on the type of case, and yet almost all the time it falls into a familiar pattern: trying to understand all of the evidence available to both sides at the beginning; mock direct examinations and mock cross examinations well beforehand; finding out whether there are holes in his approach, things that he doesn't know, or things that he should have obtained during discovery; singling out admissions or confessions ahead of time and planning for the best way to introduce them. "I basically try to come up with a game plan, a strategy," he said, "so before the trial starts, I know where I'm going and when I'm going to get there."

When he spends time away from his primary job, Walker stays active – he enjoys skiing, whitewater rafting, bicycling and swimming near his home on Cape Cod. He played rugby for 25 years and softball for 35 years, and though he has since hung up his cleats, he developed lifelong friendships with teammates from both sports.

Walker also is an award-winning fiction writer, having published six novels. His most recent work, Crime of Privilege, was published by Ballantine last year and was named by Guardian U.S. as the best mystery of the summer. It was his first novel in 20 years.

"I've always been a good writer, and when I went to college, that was the intention – that if I didn't go into politics, I would become a writer," Walker explained. "I actually went to a special seminar with Philip Roth, and he did very little to encourage me about writing, so I thought maybe I'll do the political thing. While I was going to law school, I started reading mysteries. I went through the whole pantheon of classic mysteries – Dashiell Hammett and Raymond Chandler and Ross McDonald – and I got to a point where I thought, 'Gee, I could do one of these.' So I wrote a mystery novel."

That first novel did not get published right away, Walker said, and at the request of an agent, he wrote a second that was soon picked up by Harper & Row, a major publisher in New York. "It got a lot of attention," he said. "The New Yorker picked it up and Penthouse Magazine gave it a good review. I was almost somebody. They ended up giving me a three-book contract."

While Walker is at work on yet another novel, he said stepping away from his law practice is not part of his immediate future. "I have no intention to retire, and I'm always surprised when my peers talk about it," he said. "But I really love what I'm doing, I have a great firm, and I work with great people."

For those who wish to emulate Walker's decorated career in law, he advises they focus on learning the job and getting the necessary experience rather than concentrating on the salary and paycheck. "If your primary concern is making a lot of money and making it right away, you're in for a miserable time in your occupation," he said. "You have to consider that even when you're getting out of law school, you're serving an apprenticeship. The thing to do is to get experience, to understand how things work and understand how the other side approaches cases. I've said it to my son; I've said it to attorneys who come in here. And those who heed that advice, I find, are those that become the best attorneys."

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