



Profile: Rick Baskin

Trial lawyer helps people shake the blues before he hits the stage to play them

BY STEPHEN ELLISON

For Rick Baskin the musician, not much can match the rush of being on stage with his band, belting out a blues tune on his harmonica. For Rick Baskin the person, helping people seek and find justice has been an encore performance most any artist, or lawyer, would envy.

Baskin, a personal injury sole practitioner based in Oakland, had artistic aspirations as a youngster, even going so far as to take advanced acting classes in college and test-run the American Conservatory Theater. Then he had a rather sudden change of heart.

"I thought about it and realized when you put on a great performance that carries a lot of depth and feeling, the audience will clap. But that's it. That's the impact you have," Baskin said. "Whereas, when I was growing up, I was interested in social change, in helping people. I believed in the adage, when you save one life, you save the world. So, acting wasn't good enough. That wouldn't be enough for me to just hear people clap.

"I don't think I was a good enough actor, and I didn't really want to be working as a waiter and waiting to hear if I got a part in a play or movie," he added. "I wanted more security. But I also just wanted to do more to help people, and I thought being a lawyer would have more power and influence toward making change, seeking justice for individual people."

Baskin, however, did not start his law career on that path. Rather, he cut his teeth as a deputy district attorney in



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Stockton. He tried criminal cases for three years in San Joaquin County, 20 trials total, including eight felonies and a first-degree murder case, he said. And though it wasn't his idea of a headlining gig in the law profession, all that experience in the courtroom, at trial, would prove to be a solid steppingstone toward the justice-serving journey he sought.

"I really didn't want to work for an insurance defense firm," Baskin said. "Coming out of DA's office, you have all these trials, it really gives you a lot of credibility that most young lawyers don't have. Right away, the first week, I was offered four jobs by insurance defense

firms. I couldn't do it. The third week, on the last day or two of my vacation after I left the DA, I was offered a job at a plaintiffs' firm. It was less money, but I took it."

Baskin joined Van Blois and Knowles, a four-person plaintiffs' firm, and stayed there for 10 years. He learned under senior partner Lew Van Blois, who enjoyed telling others that he taught Baskin everything he knows ... except how to play the harmonica.

For 10 years, Baskin took every kind of case imaginable, from small damage cases to slips and falls, he said. As he progressed, he became more involved in bigger cases involving brain damage and other catastrophic injuries. After a decade, and when it appeared others at the firm were going their own way, he decided to start his own practice.

"I thought this would be a good opportunity to try it," Baskin explained. "I wasn't sure I could make it on my own; I never worked for myself. My father had. He was an entrepreneur, and he supported me to open my own shop. I just went out on a limb and thought I would try it and make it work. And it did. Now, 20 years later, I'm still a sole practitioner."

Through the years, Baskin has obtained several seven-figure verdicts and settlements for his clients. He is a graduate of Gerry Spence's Trial Lawyers College and a former faculty member. Additionally, he is a past president of the Alameda-Contra Costa Trial Lawyers Association, has served 10 years on the board for Consumer Attorneys of California and three years as a director of the Alameda County Bar Association.



Also along the way, Baskin has learned that humility and sincerity lead to much more rewarding and satisfying results.

“I think it’s more important to be real, sincere, be yourself than to try to sound like a lawyer or try to be something you’re not,” he said. “Law is about people, and lawyers who are sincere and real and genuine and authentic are the ones people will believe.

“There’s a story Gerry Spence told: ‘The lawyers in these nice suits and tasseled shoes and handkerchiefs in the pocket, the smooth lawyers, they can never beat me. But the lawyer who can beat me is the young woman just out of law school, who is shy, who doesn’t have a lot of confidence, maybe she even stutters, and she looks at her shoes. But she’s sincere; people believe her. She can beat me.’”

Small town in a big city

Baskin was born and raised in Hayward in the East Bay. His father was a bail bondsman in the 1950s and ’60s, and the young Baskin was exposed to a lot of lawyers and judges and small-town politics, he said. His first memories of the law were tagging along with his dad to a place called Russel City, a tough part of Hayward, on bail runs. His father, whom people called Lenny, was a character: “Big cigar, Cadillac, bit of a belly,” Baskin said. One night in Russel City someone put a gun in his father’s back.

“He turned around, and the guy said, ‘Oh Lenny, I’m sorry, I didn’t know it was you.’ Everybody loved my dad,” Baskin recalled. “He was a friendly guy. Hayward was a working-class town, and he wouldn’t judge people. It didn’t matter if they were charged with a crime or what social status they had, he was friendly to everybody. I’ve tried to be like him in that respect – not think I’m better than anyone else. Their blood is red and their tears are wet just like mine.”

Getaway Spot: Sausalito Cruising Club – Monday night Jam Session

Go-To Music or Artist: Little Walter – Blues Harmonica Player

Recommended Reading: “The Social Animal” – David Brooks

Dream Job: Band Leader

Words to Live By: “Do the best you can with the tools you got” – Bob Weichman, my stepfather

Baskin graduated from UC Santa Barbara with honors, then from USF School of Law. During law school, he worked for a personal injury firm as a law clerk, his first exposure to plaintiffs’ law, then worked in the medical field as a nurse’s assistant in two hospitals, which to this day feeds his interest in personal injury cases, he said.

That interest is now more of an expertise, and Baskin shows it best with his diligent preparation and ability to empathize with a given client’s plight. He is a firm believer in knowing his clients well, spending time with them and committing to them and their case. For other aspects of a case, Baskin works with focus groups. This helps him learn how a jury would see his client, what are the important pieces of evidence, what are the problems in the case and what type of jurors are desired. And, of course, there’s preparing for what the defense has up its sleeve.

“You have to be intensely prepared and foresee what the other side is doing,” Baskin said. “I believe in role reversing with my clients – I learned some of these skills from the Trial Lawyers College. We learned the skills of role reversal and psychodrama. I’m really interested in psychodrama. It allows you

to get to the real kernel of truth to the case, what it’s really about.”

Baskin also is a strong proponent of making a case understandable by keeping it simple.

“It’s sort of like music,” he said, coming around to the inevitable analogy. “You can’t play too many notes. Some people are great musicians, they play a lot of notes, and technically, they’re wonderful. But the ones you remember are the ones who play fewer notes with great feeling. It’s the same with a jury: There’s only so many facts you can give them at one time. You want to simplify your case. Really, there’s only three or four main points you need to get across.”

Touching cases

Baskin keeps in touch with several of his former clients, something he considers an invaluable perk to the job. Of his most memorable cases, he sued the parent company of 7-Eleven, the convenience store chain, after four crimes occurred at the same San Francisco store. He claimed a history of violence and a lack of security in the suits against Southland Corp. For one particular case, a young man was beaten with a baseball bat and suffered a catastrophic brain injury.

“Ultimately, they offered \$1 million after I won liability,” he recalled. “But I turned it down, which was hard because back then it was a substantial sum of money. And in this case, people may not want to hold a business liable for a criminal act that happened in a parking lot. But we pursued it, and the jury came back with a \$3.75 million verdict. It was a real David and Goliath story because they claimed he was a gang member, he was a bad kid, and it was a fight, and he instigated it. That was a big deal for me and the client. I still keep in touch with him and his mother. In fact, she cuts my hair.”

Baskin also recalled one that didn’t go his way. It’s one of those losses that’s not easy to shake, a brain damage case



against a school district in Modesto. A boy was injured severely when he was hit by a car while walking home from school. It happened after the school district changed the bus schedule, forcing the boy to walk home by himself, Baskin said.

“I think about this one because I think I might have been a little too confident after having won the 7-Eleven case,” he said. “After a five-week trial, the jury came back after an hour with a defense verdict, and this little boy got nothing. From time to time, he calls me, and there’s nothing I can do for him, and it makes me sad to think that maybe I could have done better, I could have settled the case or something to get him some money.

“Lawyers always talk about their big wins, but there’s also the cases that pull at your heartstrings,” Baskin continued. “When I think of the big win, I also remember the other side. I think it’s important to be humble.”

Laying it down

Most of the people close to Baskin know where to find him when he’s not

working. He’s probably on a stage at a local blues club, wailing away on his harmonica. On Monday nights, he’s likely to be found at the Sausalito Cruising Club, where there’s a jam session that usually draws a bunch of local musicians. His band, Rick Baskin and Layin’ Down the Law, also plays occasional sets at clubs and events in Oakland.

“I started playing piano when I was younger, then I was playing trombone in elementary school – then my brother taught me guitar,” Baskin said, recalling how he became interested in music. “But the harmonica stuck with me.

“My dad played piano – he could hear a song and then play it on piano,” Baskin continued. “He played jazz, and he took me to see some of the acts of the Big Band era like Count Basie and Ella Fitzgerald. He had a lifelong interest in jazz, rock and blues. My dad and I would jam together sometimes, and he would come to hear me play.”

Baskin said he enjoys traveling – he speaks fluent German and often takes

trips overseas.. He’s also fond of bike riding and foreign films.

For those who aspire to being a trial attorney, Baskin advised a stint as a deputy district attorney or with a public defender’s office would get them on a faster track toward that goal. But it may come with some compromises.

“I had to go to Stockton; didn’t want to, but I wanted the job badly,” he said. “I made the sacrifice. It doesn’t come without a sacrifice.”

Baskin also believes today’s lawyers have to be open to new approaches because millennials and other young people have different concepts of what the law should be and what they expect in a court.

“You have to constantly be open to learning, and don’t think you have all the answers,” he said. “Just because you win a big case doesn’t mean you’re going to win another one.”

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