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Book Review of Harold Hyman's Craftsmanship and Character: A History of the Vinson and Elkins Law Firm of Houston, 1917-1997

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among a population that has traditionally lacked a historic voice. It is a useful tool for the university classroom at both the undergraduate and graduate level and makes an important contribution to the literature on race in Latin America and the Atlantic World.

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Harold Hyman, *Craftsmanship and Character: A History of the Vinson and Elkins Law Firm of Houston, 1917–1997*, Athens: University of Georgia Press, 1998. Pp. xiv + 658. \$60.00 (ISBN 0-8203-1973-2).

Harold Hyman's history of the Vinson & Elkins law firm of Houston is one of the very few serious academic histories of large American law firms. As Hyman discusses in his first chapter, writing the history of law firms has been impeded by lawyers' understandable reluctance to allow access to records of dealings that, at least while the lawyer-client relationship existed, were cloaked from view by a strong and legally binding requirement of confidentiality. Fortunately, Vinson & Elkins resolved the issue in favor of history: "During the entire four-year period of research on the present study," Hyman writes, "my access to archival material I requested to see, or to persons I wished to interview was never denied" (549, n. 2).

The result is a massive work based on both archival sources and oral history interviews. This wealth of sources means that much of the story is told in the participants' words or in the words of those who witnessed or heard about events from the participants. The effect renders a long and complex story surprisingly intimate, and it is a story about people and their interactions rather than about the law these lawyers practiced and helped to make. As Hyman notes, however, his work is "a sample of some of the many truths derivable from exploitation of the Firm's rich records" (13).

The first truth is that *Craftsmanship and Character* is a story of financial success. Founded in 1917 by James A. Elkins and William A. Vinson, from the beginning the goal of the partnership was "[t]o succeed financially by initiating . . . a long-term partnership that would evolve into a large firm" (36). The new partnership, however, would not depend on the practice of law alone to reach financial well being. From the beginning, Elkins envisioned founding a bank that would work closely with the firm and its clients. Elkins accomplished his goal in 1924. So powerful was the need to succeed financially that Elkins invested both partnership funds and funds belonging to individual partners in the bank and in clients' businesses, without telling the partners any of the details, and used the bank to develop the firm's practice. Whatever lawyers elsewhere said about the nature of professionalism and differences between a profession and a business, the putative boundary lines were not well observed by Elkins. Hyman passes no judgment on the propriety of the lines that were drawn, a subject that deserves treatment in light of standards of the past and of the present, although there is ample evidence presented to conclude that the post-Elkins firm behaved quite differently. There is no better symbol of the importance of making money, however, than Elkins's custom,

which continues to this day, of circulating to every lawyer every day a list of the firm's disbursements and income and a list of the current billings and collections of each partner and associate (called from the time of the founding the "hero sheet") (519). Of course, a profitable firm is a happy firm, and the ability of Vinson & Elkins to change with the times and to maintain a lower ratio of partners to associates than similar other very large firms is clearly related to the very large pie distributed among all those working for the firm.

The second truth involves the importance of institution building. Elkins ran the firm like a benevolent autocrat for decades. The gradual easing of the founder from his position of absolute power in the 1960s is told in great detail and clearly shows how individuals working with intelligence, judgment, and a bit of craft toward a common goal can turn an organization dominated by a single personality into an institution. Seven years after Elkins's death in 1972 the firm once again overhauled its organization, but as befits an established institution the means were a retreat of its members followed by the selection of a representative study group. This part of the story helps explain why Vinson & Elkins has prospered while other large firms have broken apart and no doubt will help to cast light on those failures.

The third truth is that the American legal profession has changed greatly in the last generation. Through the 1950s Elkins personally hired new associates and selected new partners. All his selections were white Protestant males, many of them with some connection to Huntsville, Texas, where he had been raised. Others were referred by clients and friends and relatives. One of the causes of dissatisfaction with Elkins's autocratic rule after the Second World War was his unwillingness to hire new associates in sufficient number or to look beyond his accustomed sources for those he did hire. Nevertheless, the firm was prosperous and the partners wealthy. Yet, their professional standing in the 1950s and 1960s "was not high" according to one partner (316). Part of attaining higher professional standing was the systematized recruitment of associates from the best students at prestigious law schools. Once that sort of recruitment began in the 1970s the firm became much more diverse. Hyman chronicles the arrival of Jewish, female, and openly gay lawyers at the firm. Presumably, this wider recruiting net also swept up white Catholics of southern and eastern European ancestry. The focus on academic credentials may also be the result of the changing nature of legal work. Part of the firm's success in the early years was based on the ability of its lawyers to do accurate title searches, a skill that required enormous diligence and attention to detail. While Hyman does not say so directly, he presents evidence that indicates that after the Second World War even the routine legal work for a large firm required more academic skills than title searching had.

There are no doubt other truths in the story of Vinson & Elkins, but these three, at least, show how that story sheds light on large questions about American lawyers and how they practice. Finally, it shows quite clearly that a law firm has nothing to fear from opening its records to a historian as skilled and conscientious as Hyman.

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