

# SCOTS LAWYER WITH AN ACCENT ON SUCCESS IN

# USA



By Kapil Summan, Assistant Editor, Scottish Legal News

**Scottish lawyer Pete Reid hit the headlines last year when a tongue-in-cheek caber-tossing advert for his Texas law practice became an internet sensation. He spoke to Kapil Summan about his legal career on the other side of the pond.**

A proud Scot and Edinburgh law graduate Pete Reid is one of a small but growing group of Scots lawyers who are practicing law in the US. Pete is a member of both the New York and Texas bars and is the owner of Pete Reid Law based in Austin

He became a lawyer almost by accident but six years learning his trade in the tough, highly adversarial world of law in New York City prepared him well to set up and run his own firm in the Lone Star state.

From 2005 to 2010 Pete practiced exclusively in New York City where he focused on trial work and commercial litigation, specifically, property litigation, contract disputes, sports law, and entertainment law. It was a stage in his career that saw the boy from Barrhead at the centre of a case which drew international attention when he successfully defended clients who wanted to build a mosque and Islamic centre close to the Ground Zero site of the former World Trade Centre.

He recalls, "When I was studying law I didn't fancy being a lawyer at all. I did the degree because I thought it was something good to have, to fall back on but I never imagined myself being a lawyer.

"I did my four year undergraduate degree then I travelled for a while. I worked as a mediator and I worked for the Scottish Parliament for a couple of years as a clerk for the Education, Culture and Sport Committee at the Scottish Parliament."



Image by Amanda Elmore (www.girlskill.net)

In 2004 Pete decided it was time to pursue a career in the law and found himself thrown into the deep end: "I was about to turn 30 and I thought it was time to get a proper job. I chose New York because I discovered that my law degree made me eligible to sit their bar exam, as well as it being one of the greatest cities in the world.

"It was daunting because I'd never studied New York law. I'd graduated with my law degree seven years earlier but there is no traineeship or diploma in New York. I just took the bar exam, passed it, then pounded the pavements and applied for jobs. I got offered an entry level litigator position with a midtown firm almost immediately, and within two weeks they were sending me off to court to argue small cases. So there was a really steep learning curve. I didn't know New York City, I didn't know people there, I didn't know New York law, I didn't really know how to be a lawyer."

**"I think the salaries are higher here because law students have a huge amount of debt. The law degree is a postgraduate degree here. So students have had seven years of college tuition which they pay themselves. I think probably most law students have a six figure debt before they leave and that impacts the market for salaries."**

At times the experience had an air of unreality but being Scottish helped break down the barriers. Pete explains, "The court of first instance is the New York Supreme Court --- it's the building with the big columns that you would recognise from shows like *Law & Order*. There was a feeling like 'I'm in a TV show here'. But having a Scottish accent, I always felt, was to my benefit. It would make me stand out before a judge and jury. It's something that the judges would remember me by.

But the young lawyer soon received a massive boost to his confidence: "In one of the first cases I worked on I was sent off to Staten Island. This is when I was working in personal injury. The client was a girl who had gone to the hairdresser and had suffered a burn to her scalp. She'd been in surgery four times to reduce the bald spot she was left with --- but it was still about the size of a 10p piece.

"We were about to go to trial and I got sent to a pre-trial conference. They'd offered maybe \$25,000 to settle at the outset of the case and I managed to beat them up to \$235,000 and we settled. So I came back to the office like a hero and then it made the *New York Post* newspaper. And because this was one of my first cases I imagined, 'This is easy, you go to court, you settle a big case -- you're in the *New York Post*. This is the life!"

The work regime in the Big Apple was gruelling but rewarding. "In New York I never left the office before 8 o'clock at night," says Pete. "We had an unspoken billable hour requirement at my firm of 2000 hours a year, which, to me was manageable. Especially as every case was hotly disputed. We might eventually reach a settlement but only after we had gone to war. Litigating in New York is very adversarial."

He added, "I think the salaries are higher here because law students have a huge amount of debt. The law degree is a postgraduate degree here. So students have had seven years of college tuition which they pay themselves. I think probably most law students have a six figure debt before they leave and that impacts the market for salaries."

Despite the hectic work schedule, Pete still found time to become an active member of the American Association for Justice and the New York State Trial Lawyers Association. He also founded the Scottish Bar Association of New York and became its first President.

He is often contacted by law students who have identified that there are Scottish lawyers working in America, where holders of a Scots law degree are eligible to take the bar exams in New York and California. There are presently around a dozen Scottish born and educated lawyers working in New York and a handful in California. However, several states are now looking to open their doors to foreign qualified attorneys. Indeed Pete pointed out that Texas actually changed its rules in October 2014 and so some Scottish qualified lawyers would now be eligible to take the Texas Bar exam.

He is happy to give advice to Scots who are exploring the idea of working in the States: "I tell them that you can do it and that the Texas and New York bar exams are pretty intense but probably no harder than any exam they've taken back home. If you're looking for a job over here it can be difficult for anyone if you've gone to a smaller college. It was a struggle for me because most people don't know how Edinburgh University ranks as a law school. Employers look at your CV here and realistically they're looking for a law school they recognise. But if you can sort out the visa, then it's a great thing to do. I got a green card through marriage." He jokes, "There are a lot of attractive, single Americans out here who would love to meet Scottish lawyers. Maybe that's a service I need to set up!"

**“Americans do have a preconceived notion about the Scots. It is that we are very smart, honest and well educated. They believe that we are very erudite, very well presented and prepared. – so that is one stereotype that I try to live up to.”**

During his five year stint in New York, working for three different firms, Pete benefited from a lot of trial experience doing personal injury and medical malpractice cases. He then went in the direction of real estate and commercial litigation and took on his most memorable case : “I represented the builders of the ‘ground zero mosque’. Our clients were planning on building a mosque about two-and-a-half blocks from Ground Zero and there were a couple of lawsuits trying to block it and so that was definitely the highest profile case I worked on.”

One of those actions was raised by a 9/11 firefighter called Vincent Forras who filed a lawsuit with the Supreme Court of the State of New York seeking \$350 million in damages for the “psychological terror and extreme emotional distress” he claimed the building proposals caused him and others.

The atmosphere was highly charged but despite the public opprobrium Pete stuck to his guns and in his motion to have the case dismissed noted, “The First and Fourteenth Amendments guarantee to defendants the right to the free exercise of their religion.” He added, “I will not let the right to prayer in the manner one chooses be silenced by shouts of rage; I will not let the right to the free exercise of religion be confined by narrowness of vision; and I will not let the right to erect a house of prayer be torn down by blind bigotry.”

He remembers, “In terms of the legal side of it one of the suits was completely frivolous, it said, for example, that this guy Forras was in so much shock when he heard about the so-called mosque that he just

passed out. The other lawsuit claimed that the original building was a landmark and should be preserved, both architecturally and historically because parts of one of the planes had actually landed on it. That was a more nuanced argument, the bigotry was not as obvious, but we won in the end.

By 2010 Pete and his wife wanted to start a family and they decided to return to his wife’s home town of Austin. So it was back to the books and a new set of bar exams for the state of Texas where the ideas of the Enlightenment are still regarded by many as a dangerous communist plot.

Pete concedes: “Texas is another world. But Austin is a liberal enclave, in that respect it has more in common with New York than with anywhere else in Texas. It’s a big college town, it’s more cosmopolitan --- It’s a great place to live. I have good relationships with the lawyers here . It is not nearly as adversarial as in New York. I still haven’t completed a jury trial in Austin and I’ve been here for four years.”

Pete continued to work in New York as an associate with Adam Leitman Bailey, PC while he built up his Texas business. “It was,” he says, “really hard work to start the business. I had to learn Texas law and civil procedure, learn about the judges and the court system and build a client base to establish myself. But I’ve managed to do that now and so I’m enjoying that as it is. If I was to bring in another associate it means another couple of years of building. Right now I can get out of my office at six o’clock and spend time with my family. I’m enjoying it. I think in the future the business probably will grow but I’m not in a rush to do it.”

Throughout his experiences Pete has found his Scottish nationality an advantage: “Almost every time I’m in front of a judge they’ll tell me about a relative or a time they visited or something they love about Scotland. People warm to Scots in a way they don’t warm to other nationalities and I’ve seen this in New York and in Texas. English people don’t get the same warmth and welcome as Scottish people do, likewise French, Dutch, Italians and so on. But for some reason Scottish people are well received.”

He adds, “Americans do have a preconceived notion about the Scots. It is that we are very smart, honest and well educated. They believe that we are very erudite, very well presented and prepared. – so that is one stereotype that I try to live up to.”



Image by Amanda Elmore (www.girlskill.net)