

# Leader in a Hurry

New Bar President Geoff Trachtenberg

Those who observe decision-making bodies learn quickly why they are described as *deliberative*.

The matters are often weighty, the stakes are high, the opinions diverse. Caution is baked into the system. For many leaders, a ponderous pace ensures wisdom in the face of challenging issues.

But new State Bar President Geoff Trachtenberg is in a hurry. It's early in his term, but at least one of the monthly meetings he's led crossed the finish line at about two hours—a lightning bolt in the world of legal pondering. Speakers are urged to be brief—or silent. Friendly amendments, welcome perhaps in the House of Lords, are greeted with the President's wrinkled brow or reddened face. The tempo is quickened, musing is minimized, votes rapid-fire.



Bar insiders might conclude that Trachtenberg's hustle is related to his shortened presidential year. And they could be right, as his tenure started mid-term after the former Bar President accepted an appointment as a Superior Court Judge. June 2016—the end of his term—is around the corner.

But those who have known Trachtenberg a long time say making haste is in his DNA. And in multiple areas—law practice, legal theory, transit on the road or in the air—he routinely feels that time's a'wasting, and that transparency, cooperation, and effectiveness can be achieved with alacrity.

Let's get on with it already.

Fleetness of foot may come more naturally to those who have remade themselves—or had to “pivot,” as Trachtenberg describes it.

Born in South Africa, the 44-year-old Bar President emigrated to the United States when he was age 5, “on Friday the 13th of August in 1976.”

His father, a Cape Town attorney, had died when Trachtenberg was an infant. His mother remarried, and she and his stepfather, an OB/GYN, moved the family to Phoenix. They eventually ended up on “the outskirts of town,” 42nd Street and Shea.

Growing up in Arizona was fine for the young boy. In fact, adorning his office wall (among dozens of other colorful items) is a framed cartoon that to a visitor appears very familiar. Trachtenberg brightens and recalls a memorable teenage day when he delivered a sub sandwich to a house on Camelback Mountain. His delivery ticket told him it was for “Bil,” and when the door opened, he saw framed cartoons from “The Family Circus.”

“So I said something like, ‘Wow, you really like this Family Circus stuff.’ When the homeowner replied, ‘You could say that,’ something went off in my head. ‘You’re him!’ I said.”

Smiling, the famous Bil Keane invited the young delivery boy in, and immediately set to work creating a drawing for him. The fact that the lad and Keane's own son spell their name “Geoff” led to a remarkable keepsake—and another story for an accomplished courthouse lawyer.

After high school, he headed west. Undergrad at UCLA and law school at UC-Berkeley were a welcome change, and the newly minted lawyer had no plans to return for an Arizona law career.

After a U.S. District Court clerk-ship, he landed at Irell & Manella in Los Angeles—a Big Law attorney. But despite some interesting work (white-collar crime, commercial work, securities matters), the fit did not feel exactly right. Discussing Southern California, he says, “It's really briefcase-carrying and doing lots of discovery and things like that.” Though the firm allowed lawyers to take much responsibility early on, there seemed to be limits to what was possible. And then a few things caused him to reassess.

One of the first came in the form of a manifesto of sorts taped to his office door (and today framed, of course, on Trachtenberg's office wall). A fellow Irell associate decided to leave the path she was on at the prominent silk-stocking law firm, and she left a parting message for her friend. It is a well-known tale (recounted in *Chicken Soup for the Soul*) about a fly doomed to failure and even death as it was committed to the adage that trying harder would yield success.

Trachtenberg grows animated as he retells the story, written by Price Pritchett:

“The fly is buzzing against the window, using all of its might to get out. On the other side of the room the door is open. If the fly only flew in the other direction, using a fraction of the energy, it would live to enjoy a different future and get what it wanted. But it's going to die trying because it'll never break the glass. It'll use all its life energy and end up dead on the windowsill. So sometimes trying harder isn't the answer; it could be as simple as trying something different.”

The lawyer who clearly knows how to tell an evocative story ends, “That has shaped everything that I've done.”

That got the wheels turning in Trachtenberg's head; perhaps a smaller firm in Arizona could yield a more fulfilling result. As he says, “Just about every major decision I've made in my life has been influenced by that type of thinking.”



One-of-a-kind keepsake drawn by cartoonist Bil Keane.

But there's thinking, and then there's action. His eyes were opened, but a tragic national event was the immediate spur to move.

“What made me come back was 9/11. That just shook me to my core. I moved almost six months later.”

With twin daughters, Skylar and Riley, just 1 year old, the young lawyer was jarred from Big Law life, and he “just sat in front of the TV for three days.” He thought about his work, “but I just couldn't do it.” The event “made me realize how important family is, how important that would be to raising my kids.” Arizona beckoned.

And when he pivots, he really pivots. He entered a plaintiff's injury practice, something he never expected he'd do. He “had never even touched a plaintiff's case” and

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says “this is 100 percent different.” He joined his father-in-law, Warren Levenbaum, at his firm, and Geoff has remained there happily, even after he and his wife divorced. (His brother-in-law also works at the firm.) And the pivot “took.”

“It turned out that I really had a knack for this kind of work, and liked it.”

Trachtenberg’s involvement in the Arizona legal community started with a typo, you could say. A typo he noticed, not of his own making, but one he corrected.

Ty Taber, a personal injury lawyer at Aiken Schenk Hawkins & Ricciardi PC, explains how the new Arizona lawyer—in his first week in town—spotted what he considered a mistake in a court rule. And he brought it to the court’s attention.

Trachtenberg laughs as he explains. It was a rule regarding service of process on an out-of-state defendant, and the cross-reference to an affiliated rule was incorrect. He told the clerk at the Supreme Court, who summoned someone from a judge’s chambers. They examined it, and “within a week they issued this change in the rule; I remember being kind of proud.”

But the guy who can spot a typo is also someone who “sees the big picture,” says Taber. He describes Trachtenberg’s approach as “know what the issue is, don’t waste time on minutiae, get it addressed, get a decision made.”

Hard issues and challenging confrontations “are not things Geoff shies away from,” Taber adds. “He will not take no for an answer.”

Taber also praises Trachtenberg as a personal injury lawyer.

“He has a focused passion in his soul that you don’t often see in younger lawyers. There is a lot of maturity in that young man.”

Dick Langerman agrees. The plaintiff’s personal injury attorney says that Trachtenberg has a strong personality and “leaves a large footprint.”

“He takes on projects even when other people say ‘It’s been tried; that will never happen.’ Those words don’t deter him at all. You can’t stop him from trying.”

In many people, that kind of strength can have another face, and Langerman admits that when it comes to matters he deems important, Trachtenberg “wants it right now.”

“He does not suffer fools well,” says Langerman.

“I know I piss off a lot of people,” Trachtenberg admits. “I’m definitely not afraid to speak my mind. I’m not afraid what people might think if they found out what I think. I’m not oblivious to how they feel; I just don’t let it interfere.”

He continues, “I don’t mind being reflective and changing my mind and apologizing when I’m wrong, which happens. But I also don’t mind being stridently proud of what I think is right and pushing forward.”

Chuck Muchmore describes Trachtenberg as “a force of nature.” An attorney at Scott Skelly & Muchmore LLC with a dispute resolution practice, Muchmore calls the new President “very level-headed. And he treats people well, and they are loyal to him as a result.”

He adds, “He’s a hell of a fundraiser,” praising his skill at persuading him to make larger financial commitments to the Bar Foundation.

Through various leadership positions, Taber says the new Bar President has grown in diplomacy and pragmatism. He is “level-headed and takes the job seriously.”

Serious, yes. But Trachtenberg is also known for having a wry and sometimes irreverent sense of humor. Take his filmography.

Taber laughs as he calls Trachtenberg “an amateur Alfred Hitchcock,” and his law-based short films draw audible laughs from some viewers. For example, one video titled “Better Call Geoff” addresses the harm caused by ungainly margarine tubs. (Get ready to chuckle at the satiric ads at <http://bettercallgeoff.com/> and the action-movie *Lienfall* at <http://lienfall.com/>). It’s the rare lawyer who can deliver a steely-voiced “Preemption” as a mic-drop line.

Trachtenberg calls the films “a release,” but he also says it offers the “chance to drive a message home.” For example, when he appears as “Arizona’s leading butter lawyer,” he conveys his opinion of some lawyer ads. Based on a real incident in which a tub of butter fell from a refrigerator and landed on the foot of a woman (not his client), Tracht-

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enber says his first thought was “comedy gold.”

Langerman agrees Trachtenberg’s humor may be an acquired taste. But he finds his occasionally offbeat take on the law to be entirely charming.

Only slightly less offbeat are Trachtenberg’s “sandwich summits,” lunchtime gatherings of attorneys to discuss particular topics.

Defense lawyer Don Wilson Jr. has attended, and he lists them as one of the ways Trachtenberg will be “a breath of fresh air” at the Bar. It is “a welcome thing,” he says, to gather lawyers across practice areas, sometimes on different sides, “to share ideas and see if there is agreement on law practice topics.”

Trachtenberg lists the issue of *voir dire* as one summit topic.

“*Voir dire* is something that is allowed less and less by judges, and that’s not something that people on both sides like. It was something we could agree on.

He says he likes “to bring folks together because we are all really on the same side, ultimately. We have different clients, but we’re all ultimately trying to get a fair outcome. It doesn’t have to be us against them on every issue. We don’t necessarily see everything the same way, but there are many things that we will see the same way; that is a stepping stone.”

Wilson, at Broening Oberg Woods & Wilson PC, describes Trachtenberg as “a

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dyed-in-the-wool plaintiff's lawyer." He finds him to be "approachable, down to earth, and congenial."

"He's an all-around great guy."

Chuck Muchmore agrees, calling him "a consummate gentleman."

Trachtenberg has a short list of goals for the coming year. But his top mission is related to the continued scrutiny the Bar receives from the Legislature.

Simply put, he says, "My Bar goal is to make sure the Bar is here next year."

In regard to legislative initiatives, Muchmore says the Bar is fortunate in who its public face is this year.

"He's nuanced. He understands the layers and complexities of political matters. He doesn't pick unnecessary fights."

President Trachtenberg also says he'd like to see the Bar develop a program that will help encourage pro bono work. There are multiple ways to do that, and he's confident the Bar could be a leader in this area.

Muchmore adds, "He always has the profession's interest at heart."

In that mission, Trachtenberg is all in: "My loyalty is to the organization and to making sure that it flourishes."

The core focus of Levenbaum Trachtenberg is visible as a visitor arrives at their downtown Phoenix offices. A flag beneath the U.S. flag—as well as a boulder and a minivan—are emblazoned with the Law Tigers logo. Committed to serving injured motorcycle riders, the law office is the primary firm licensing the brand.

If there was any fear that the former Irell associate would find this practice repetitive or uninspiring, a single conversation dispels that notion.

Trachtenberg describes the work as suffused with fascinating legal issues. Many arise due to specifics of technology, such as braking systems and helmet differences. Others relate to variations between state laws regarding motorcycles, such as lane-splitting or helmet use. And even liability can be at play, such as in the frequent occurrence in which an experienced bike rider will "lay his bike down" rather than collide with another vehicle; the result may include injuries and damages, though there was no contact with the other vehicle. Not to mention the need to understand liens and "unique insurance issues that come up with motorcycle riding."

"This is a challenging area," he says, "one that has provided me multiple opportunities to take issues to the courts of appeal."

(And yes, it also lets him ride. Asked what he rides, he says, "I'm a Harley guy. I've always owned Harleys, my favorite being my VRSCDX. That said, I'm in the market for a Triumph Bonneville T100.")

All of that only hints at the affinity he clearly feels for his clients, who may face challenges and setbacks wholly unknown to his onetime California clients. He speaks movingly about how to help people get a cellphone or groceries or a used car while they await their case's resolution.

"I think these are things that are lost on most people who just think about injury. I mean, it's getting people through, especially people who are poor—which turns out to be a lot of people."

Smiling again, he adds, "Every day at work is different."

His career reinvention was aided also by his involvement with the Arizona Trial Lawyers Association (now the Arizona Association for Justice.) He says he found many mentors there, and a home.

"I found collegiality there like I've never experienced. It's a remarkable bar. I'm a member of the trial lawyers in four states, and nothing comes close to the friendships and camaraderie that I have with my colleagues in Arizona."

What appeals to him in the group? "The personality, and people who love what they do. We're a group that unabashedly feels passionate about helping our community. I mean, while everyone loves to make money, there is little to no talk ever of money. And when somebody does make money, it's a celebration of the justice system and people getting what they ought to get, not people walking into a windfall."

"We all know how hard these cases are. It's true we get to pick our cases, but there are real burdens: the burden of proof, overcoming the public skepticism of injured people and lawyers in general, is an enormous

**Geoff Trachtenberg** is a partner at Levenbaum Trachtenberg, which focuses on personal injury, litigation, and appeals, particularly related to motorcycle injury and wrongful-death cases. He is certified by the State Bar of Arizona Board of Legal Specialization in Personal Injury and Wrongful Death Litigation.

### Education:

B.A., Psychology, UCLA, 1993; J.D., Boalt Hall School of Law, Univ. of California, Berkeley, 1997.

### Legal and Professional Experience:

Irell & Manella LLP, Newport Beach, Calif., 1998–2002; admitted in Arizona, California, Utah, and New Mexico. Judge *Pro Tempore*, Maricopa County Superior Court; State Bar Board of Governors; Arizona Association for Justice, Executive Director; American Association of Motorcycle Injury Lawyers.

### Clerkship and Honors:

Law Clerk to Hon. Gary L. Taylor, U.S. District Court for the Central District of California, 1997–1998; Editor, *California Law Review*; Member, *Ecology Law Quarterly*; Best Brief Award, Moot Court; Phi Beta Kappa.

### Author:

*Arizona Personal Injury Lien Law and Practice*

### Personal:

Daughters Skylar and Riley, both 14.

burden. We take it deathly seriously; there's a sense of responsibility."

A career's twists and turns may be unpredictable, but touchpoints recur.

Perhaps it's not odd that an attorney who has a pilot's license—as Trachtenberg does—now is fascinated by "quadcopters," or drones, as they're commonly called. He's used them in his work to look at commercial buildings and intersections, among other things, as well as for fun. And maybe it's such a lawyer who would be moved by the futile plight of a housefly.

The resonances continue as he describes his love for his transformed practice and how it's done his soul good.

"I've had clients bring me soup as a way of thanking me. I mean, that is just an amazing thing."

"I've really enjoyed the transition. But was it trying something different? Or was it just flying the other way?" 