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## News Story

### Exhibit A: Raleigh lawyer inspired friends, colleagues

By *GUY LORANGER, Staff Writer*

Friends and colleagues of Howard F. Twiggs remember him as a lawyer who fought for the rights of the injured and accused, a legislator who advanced the interests of the powerless and neglected and as a storyteller who rarely, if ever, made it to the punch line of a joke without bursting into laughter.

"By the time some of his stories were over, you wouldn't know much about the story because he had laughed all the way through it," said Don Strickland, Twiggs' law partner for more than two decades, "but you were laughing, too, right there with him."

Twiggs died March 4 at age 77.

He is survived by his wife of 40 years (Betty), four daughters (Mary Catherine, Jennifer, Elizabeth and Ashley) and their families, and by the countless members of the state's legal community who were inspired by his sense of service, integrity and professionalism and charmed by his ability to brighten any situation with his warm personality.

"He was someone who, if you spent any time in his presence, you just knew he had a good heart," said Jay Trehy, another of Twiggs' longtime law partners.

#### The positive perspective

Twiggs was born in Cincinnati, Ohio, in 1932, but he spent most of his life in Raleigh, where he began practicing in 1957 after receiving his undergraduate and law degrees from Wake Forest University.

In 1960, he established the firm that is now known as Twiggs, Beskind, Strickland & Rabenau in a little, two-story building on Fayetteville Street where the Wachovia tower now stands.

That's where Joseph Cheshire met him in 1971 as a law school student working as a summer clerk, and where he rented an office for four years after becoming licensed.

"Every time I had a problem, I was in Howard's office," Cheshire recalled, "and every time Howard [a devout Wake Forest fan] wanted to talk sports or uplift me, he was in mine.

"He was just one of these people who are always positive. No matter how bad things were or how bad your case looked, he would always give you a positive perspective on life and how to practice law and what you could accomplish."

As a young lawyer, Cheshire said he was inspired by Twiggs' intelligence, the hard work he would put into each case and especially the subtle grace he displayed in a courtroom.

"I can remember moments when things would be so unbelievably tense, and then Howard would do something that Howard would do: He might bumble around or say something so self-effacing that it would turn the whole courtroom around," Cheshire said.

Twiggs practiced criminal defense the path Cheshire took and later became a leader in the civil plaintiff's bar.

Strickland joined Twiggs' firm in the early 1980s and became immediately struck by the trust and respect that the senior partner commanded in a courtroom.

"No matter how adversarial the situation was, Howard had the ability to defuse the situation and help everybody get along," Strickland said.

"It was all about keeping an even keel and not letting your emotions overtake your judgment. i% Howard and I tried a lot of cases, and many of those cases were hotly contested. The defense lawyers were aggressive. But we were always able to keep it civil."

Before Burley Mitchell became the chief justice of the state Supreme Court, he worked both with and against Twiggs in the courtroom.

"And he was just as enjoyable to be with in both situations," Mitchell said. "He represented his clients well, but there was no bluster or deceptiveness or cutting corners. He did it in a straightforward, honorable way.

"As long as I've been around here, I've never heard anyone particularly the lawyers who were against him in court say that he was anything other than just completely honorable and above board.

"To me, Howard Twiggs was the Exhibit A that you want to introduce at every law school and say, 'This is who you want to be.'"

#### **Voice for the voiceless**

Trehy came to Twiggs' firm from the public defender's office in Fayetteville. He was impressed by the attention Twiggs gave to every lawyer who bent his ear for advice and every client who came through the door.

"You really felt not only that you were important, but he cared about you," Trehy said.

In the General Assembly, Twiggs treated his constituents like he did his colleagues and clients. In short, people no matter where they came from were important to him.

According to Cheshire, he was "a voice for the voiceless."

During his stint in the House from 1966-1974, Twiggs helped to pass legislation that enhanced protection for the injured through revisions of the statute of repose and wrongful death statutes, improved treatment of the mentally ill, removed racial references from state laws and ensured that state buildings would be accessible to the handicapped. He also was a staunch opponent of the death penalty.

"What that says to me is that political expediency was never important to him," said Don Beskind, who came to Twiggs' firm in the 1990s. "There were always bigger and larger principles."

#### **Howard's mantra**

Twiggs loved to play golf, loved to sail, and loved Bald Head Island. And he really loved being a lawyer.

"He had fun," Mitchell said.

John Day recalled seeing Twiggs give a lecture in the late 1970s when Day was a law student at the University of North Carolina. Afterwards, they met and started a 25-year friendship.

"I just remember he was nice enough to talk to a geeky law student who would spend his whole Saturday at a seminar," said Day, who became a plaintiff's lawyer in Tennessee and eventually worked on a case with Twiggs.

"It wasn't about the money. It was all about the client for Howard. That was his sole focus," Day said, "and he had a real passion for the law and the profession."

Twiggs was one of the lawyers who helped to launch the N.C. Academy of Trial Lawyers, which is now called the N.C. Advocates for Justice. He also strongly supported Cheshire's efforts to start the NCAJ's criminal defense section in the early 1980s, which was the first time the state's criminal defense bar had organized.

His guidance to the NCAJ through the years was invaluable, Trehy said, especially when it came to the leadership's decisions on legislative issues.

"Howard was kind of a wise uncle," Trehy said. "Howard's mantra was that you couldn't trade one person's rights for another person's, even if it would gain you an advantage."

The country's trial lawyers got to know the wise uncle in 1996-1997, when Twiggs served as the president of the Association of Trial Lawyers of America (now American Association for Justice).

During that time, a controversy heated up over whether the national organization should have thrown its support behind a \$365.5 billion "global settlement agreement" between 46 states and four of the country's largest tobacco companies.

Many in ATLA supported the settlement, which called for tight restrictions on the companies and which stood to benefit the lawyers working on the settlement.

But in exchange, the companies were to be freed from class-action lawsuits and exposure to punitive damages.

"I say nuts to this settlement," Twiggs told a newspaper at the time, saying the settlement would make it impossible for future lawsuits against the tobacco companies.

With Twiggs persuading the leadership, ATLA ultimately rejected the settlement. The tobacco companies and states eventually entered a different settlement with fewer restrictions on future litigation.

"He did so much for people, but you wouldn't have known it, because he wasn't one to toot his own horn," Cheshire said. "There are very few selfless people I've met in the legal profession or in life. Howard was one of those people."

"I think you're just born with that."

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