



Profile: Craig Needham

Veteran trial lawyer maintains balance in his profession, in life and on the bike

By **STEPHEN ELLISON**

Balance is the order of the day – every day – for Craig Needham. Whether it’s stabilizing his caseload or weighing the merits of a potential client or steadying himself for a steep incline on his favorite mode of transport – his bicycle – Needham always strives to maintain equilibrium in his life.

Cycling is perhaps the likeliest of metaphors for balance, so it’s not surprising that Needham took to the sport with ease and fervor, although it came relatively late in his life. The senior partner at San Jose-based Needham Kepner & Fish has clocked thousands of miles across the United States and Europe on his bike since he started riding in his mid-50s. He’s also an avid marathon runner and triathlete. And he does it all not only for his own personal fulfillment, but also to raise money for important causes, as he is a cancer survivor himself. “Melanoma,” Needham said matter-of-factly. “My wife saved my life telling me to go to a doctor and check it out, and I did, and fortunately they caught it at Stage 1.”

Oh, and Needham is a pretty darn good lawyer, too, having logged thousands of hours in the courtroom while trying more than 50 cases to verdict and winning numerous million-dollar awards for his clients. That part of his life – along with related work such as mediations and teaching – tips the other side of his scale just enough to keep him constantly on an even keel.

“Where I’m at now in my life, I take two months off during the year. When I biked across the country for two months, I learned that my life waited for me, my wife still liked me, the firm was doing great, and I had a great time,” Needham said during a recent interview at his San



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Jose office. “I’ll be 68 in August; I try to limit myself to five to seven large cases a year, plus assist my wonderful partners, Anne (Kepner), Kirsten (Fish) and Jeff Pickard, on about 60

to 70 cases total in the office. And then there are mediations, which I can control my calendar on by simply saying no.”

Indeed, turning down cases, he said, is a key part of establishing that work-life balance so many professionals covet. Needham recalled a pivotal piece of advice he heard while attending a lecture early in his career in which the speaker, a prominent attorney, told the audience he never started to make money until he learned how to say “no.”

“I had no idea what that meant then,” he said. “Now I know what he was talking about. You have to be selective – and you can’t be afraid to tell clients, ‘You have a very tough case here, and I’m not willing to take it.’ And you need to tell them why because once you say ‘yes,’ it’s very hard to get out of later. ... In fact, you shouldn’t try to get out of it once you’ve made that commitment to take it.”

Needham said even today he still has trouble saying no, except to certain areas of plaintiffs’ law such as medical malpractice and employment cases. And he only recently phased out speaking engagements from his regular workload.

Teaching, however, is one of Needham’s passions and remains a major part of the professional side of his life. At his alma maters, UC Hastings College of the Law and Santa Clara University, he has taught numerous subjects, including trial advocacy, tort law, mediations and, of course, how to balance and enjoy life. For the better part of two decades, he has been a volunteer teacher at Lincoln Law School, a night school in San Jose. “I was asked to give a one-time lecture 18 years ago,” he explained, “and fell in love with night students, who I have so much respect for because most of them are working, or English is their second language. ... And I just told myself I need to be here teaching torts.”

Cycling, law and more

Though he considers himself a cycling enthusiast, Needham made a point of saying that’s not necessarily what makes him a good lawyer on cycling cases. “I think for lawyers who are (athletic), you get a better appreciation for what athletes lose when they get hurt,” he said. “But when a lawyer says, ‘I’m a great cyclist therefore I can handle cycling cases, or I’m a pilot, so I can handle airplane cases,’ that’s (BS). I mean, you’re a trial lawyer, and you can try anything.”

“I have represented a lot of people (in cycling accidents), and I’ve had a couple of death cases involving bicycles,” Needham continued. “Four years ago, a sheriff’s deputy crossed the center divide and hit and killed two cyclists. I handled both death cases. Kristy, the woman, was on her way to the Olympics. She was a world-class rider and she was out in front of the pack.”

Needham was born and raised in the South Bay. When he was three years old, his mother contracted polio and was in



an iron lung, his father “split from the country,” he said, and Needham and his two older sisters were sent to foster homes. His mother eventually won back custody of the children and moved the family to a house in San Jose, where she required nurses to care for her around the clock. When Needham was in sixth grade, his mother authored a book about living with polio. She died in 1962, when Needham was a junior at Bellarmine College Prep.

After he graduated from Bellarmine, Needham attended Santa Clara University, where he was student body president and his interest in law began in earnest. He soon landed at Hastings and in the lecture hall of one of the most influential law professors of the time – the “king of tort law” – William Lloyd Prosser. “The truth is I had Prosser the first day of law school and fell in love with tort law,” Needham recalled.

In Needham’s second year at Hastings, Prosser sent him to interview at a San Francisco firm, Hoberg, Finger, Brown & Abramson. During the interview, a partner asked Needham why he wanted to be a plaintiffs’ lawyer as opposed to a defense lawyer. “I literally made up an answer on the spot,” he said. “I told him I’d rather be the guy on the white horse going over the hill as opposed to the guy in the foxhole on the other side. And one of the other guys said, ‘You’re hired.’”

“Proudest moment”

Needham worked at the Hoberg firm during his last two years in law school, and by that time, he and his wife had two daughters and a small apartment in San Francisco. Upon graduating from Hastings, he left for a stint in the Army at Fort Benning, Georgia, to fulfill his ROTC requirement. When he left the service as a First Lieutenant in 1972, his job at Hoberg was waiting for him, he said, and he continued there for about three more years.

Needham made his permanent mark in law just a few years later when a man came to his office in San Francisco and told him he’d lost his wife and seven children in the Jamestown massacre. “And then I got a lot of those cases,” he said. “I would say, to this day, the proudest moment I’ve had as a lawyer is helping to resolve those cases four years later in an evening settlement conference where I just basically called everybody together because all the assets were being depleted. That was a big deal.”

In his first million-dollar verdict, Needham won a wrongful death decision against Trader Vic’s in the late 1970’s, in a case that involved teenagers who unlawfully purchased alcohol at the restaurant and later ended up killing a man. Those two cases “got me going,” he said.

Needham said his greatest strength in trial is his credibility with juries. “I’m not flamboyant, I’m not a table pounder,” he said. “I have a saying: I don’t believe in good news, I don’t believe in bad news, I just believe in news. And that’s the way I approach life, and that’s the way I approach cases. I think that comes across with jurors. I’m not telling them what to do, but I’m presenting them with evidence that will compel them to find a verdict in favor of my client.”

“I’ve lost my share – because I try tough cases – and I’ve won some,” Needham added. “Any lawyer who says ‘I’ve won all my cases’ hasn’t tried very many cases.”

Besides his regular caseload, media-tions and teaching, Needham for the past 31 years has managed a program called Tort and Trial in which he prepares outlines of every single civil case in California for the prior year, and then they are presented for review at 13 locations across the state. “I’m very proud of that program,” he said. “It has caused me to be up on the law all the time. As of last year, I decided not to speak anymore, but I continue to do the outlines because I want to see this program passed on.”

Endurance through perseverance

As far as leisure goes, it’s pretty much a no-brainer for Needham to hop on his bike and hit the road. His impressive list of cycling achievements includes a 4,200-mile ride across North America; a 1,300-mile ride across British Columbia, Canada; a trek through the French and Italian Alps; and a 1,764-mile ride from Atlanta to Portland, Maine, that included 130,000 feet of climbing.

As a cancer survivor, Needham makes sure all of those miles go toward something other than his own resume. Each of the aforementioned bike rides raised money for the Children’s Skin Disease Foundation, he said. He also has raised funds with his cycling prowess for the Leukemia and Lymphoma Society of America and AIDS research.

As if the bike rides weren’t enough, Needham has taken his endurance to another level, having completed five Ironman triathlons, 12 marathons and every Bay to Breakers run since 1970. “That’s where it all started,” he said. “May 15, 1970, I was at a party, and people were talking about this thing called the Bay to Breakers. So I decided to do it, and I just finished my 45th in a row. That’s what changed my life physically; I was completely out of shape, 23 years old. Now, the third Sunday of May – red-eye flights, cab rides from San Francisco airport – no matter what, I’m there.”

Even after all he’s accomplished, Needham quickly dismisses any thought of the “R” word. “I’ll never retire – I love this, I’m having too much fun,” he said. “As long as my health holds up. Two months off a year, though. I promised myself and my family that.”

That time off is invaluable in Needham’s eyes. It falls in line with the whole concept of balance, as does his advice for young lawyers, which is to not burn out. He said he has seen many a lawyer join a big firm and work 60 hours a week, and they’re not sleeping right and not eating



right and not being smart physically, financially and emotionally, he said. “Being extraordinarily selfish with those three things is really good for you in the long run,” he said. “So you need to say no to certain things. I think people know inherently when things aren’t right. And lawyers, especially trial lawyers, the pres-

sure on you is tremendous because you’re representing people that are hurt, you have to deal with all kinds of people.”

“But if you don’t take care of yourself,” he continued, “you’re going to be really unhappy – and I see that a lot. I often bring juggling balls to start lec-

tures to other lawyers and always stress the importance of keeping the ‘me’ ball in the air. If the ‘me’ ball falls, eventually all the others will too.”

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