



Profile: Charles Davis

After 40 years of lawyering, he's trying to slow down the workload: "But it seems like the more I slow down, the faster I get."

BY STEPHEN ELLISON

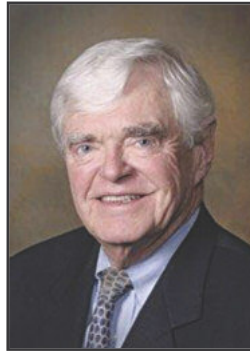
Of all things that could spark an interest in law, a 1950's film noir courtroom drama probably wouldn't be on the short list for many. But that's exactly what got it started for Charles A. Davis.

It happened when he was in the sixth grade, and his teacher showed the class "The Tattered Dress," starring Jeff Chandler as a shrewd defense attorney who gets his client acquitted in a murder case then goes on trial himself on a jury tampering charge. "He represented his client – and then represented himself – and I just remember I was impressed by that," Davis, a sole practitioner based in Petaluma, said about Chandler's character, James Gordon Blane. "I didn't really know what lawyers did at the time, but it stuck with me. And as I went through school, I learned to side with the little guys, the underdogs."

Though the movie merely was his first exposure to lawyers, the young Davis found his interest in the field growing, even as he was surrounded by a family of physicians. He said his mother rode him constantly about following in the footsteps of his relatives by attending medical school. So, naturally, he applied to law school.

"Had she not done that so much, I just might have applied (to medical school)," Davis recalled. "I loved science and math, and if she hadn't pressed me so much about medical school, I might have done it. I was just being rebellious, I guess."

Rebel or not, Davis followed his passion, learned the law through a group of top-notch attorneys and immersed himself in his work. Over his 40-plus years in law, Davis has been involved in more than 50 trials as a judge pro tem, served as counsel in more than 200 arbitration cases and as an arbitrator in about 200



Davis

more. He is a member of the American Inns of Court, Consumer Attorneys of California and California Employment Lawyers Association. He also has served as Special Master for the

State Bar of California.

But Davis's working life has not been exclusively in the legal profession. Some of his early jobs not only paid the bills on the road to becoming a lawyer but also prepared him – albeit unwittingly, at the time – for some of the issues he would face while representing plaintiffs. For instance, he worked as an X-ray technician and a surgery technician, which taught him about human anatomy and general medical practices. He worked for 10 years with the State Department of Human Resources, which helps him in employment law cases. And he has worked with his hands as an auto assembler and a lath and plasterer.

Having all that experience certainly makes his job easier, he said, but one of the things Davis enjoys most about being a lawyer is the new knowledge he constantly gains.

"Each case is different. One time you're learning about an exploding airplane and the next you're learning about an exploding water heater," Davis explained. "So you've got to learn the mechanics – along with the law. Accidents, explosions, crashes – you have to be up on that stuff as much as their experts are in order to have a meaningful examination.

"That's the thing about law – you're always learning," he continued. "Every day, I learn something new – about the law or the facts of a case or somebody has a medical issue that I've never heard of. Every day, something like that comes along. It's very intellectually challenging. I love that."

SoCal transplant

Born in San Diego, Davis grew up amid the iconic Southern California sun and sea, where he loved surfing, sailing and fishing and excelled in the more traditional high school and college sports of football and baseball. As an undergrad, Davis attended Cal State Los Angeles, where he graduated with a business degree. He was accepted to Golden Gate University in San Francisco where he had a couple of friends, he said, and that made the decision to move North for law school much easier.

"They became excellent attorneys and still are," Davis said. "San Francisco is like the pot of gold at the end of the rainbow when you're living in Southern California. I went to visit, took a look at the school and was very happy with the surroundings. ... And so I came up here, and I've been here ever since."

Davis put himself through college and law school by working for CalHR as an employment security officer, first in South Central Los Angeles and then in the Hunter's Point neighborhood of San Francisco. After graduating from law school and passing the bar, Davis went to work for Bergen Van Brunt, a prominent attorney in the city.

"(Van Brunt) took me in, and I learned a lot from him," Davis recalled. "Van Brunt knew several trial lawyers, and they were all right next to each other in the same building," he continued. "I gotta



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tell you, I learned more from them than I ever did in law school. It was exciting.”

“At the time, I also did criminal defense. I enjoyed representing the little guy – they needed somebody to stand up to these huge entities; whether it was the state, the county or Ford Motor Co., the odds weren’t even.”

Though Davis did his share of criminal defense during those early years, he eventually shifted his practice over to exclusively civil cases, representing clients in all areas of plaintiffs’ law but with an emphasis on personal injury, worker’s compensation and employment fair practices.

While his trial work history is significant, it has slowed over the years, Davis said. These days, most cases are decided through arbitration, mediation or out-of-court settlements. On those rare occasions when a case makes it to trial, Davis goes into the courtroom with a ready story that he typically tries to stick with throughout the proceedings. But that doesn’t mean he’s not ready to adjust when necessary.

“A lot of what happens at trial is thinking on your feet; you have to react quickly to things that occur during the trial that may or may not have been anticipated,” Davis said. “Those are the kinds of things you worry about, but you have to be on your toes. I think it’s wise to keep your eye on the clerk to see how they react to what’s going on and on the judge and on the jurors. I remember in school, they quoted a study that said 90 percent of trial outcomes are dependent on something that wasn’t anticipated – like ‘If it doesn’t fit, you must acquit’ – that sort of thing.”

“A lot of it is being on your toes and being ready to jump quickly and take advantage of a situation,” he continued, “or trying to minimize the damage of a situation when it happens.”

Cases in point

Davis certainly has had his share of surprises while doing criminal defense work, including one case he handled

involving a man who had been charged with attempted murder of a police officer. A jury convicted Davis’s client, and the judge released him on bail, but when it came time for the judgment hearing, the man was a no-show. Davis had no idea where his client was, but that didn’t stop the FBI from repeatedly grilling him about the man’s whereabouts and accusing Davis of harboring a criminal.

“They would try to kind of bully me,” Davis said of the FBI visits. “I remember calling the State Bar hotline once when they were in my office, and (the bar) told me to just tell them the truth, and that’s what I did. I told them I didn’t know where he was and that I did not particularly want to know – even though he was my client and I got along fine with him.

“As I understand it,” Davis continued, “he showed up back in the jurisdiction at a restaurant and was arrested and taken to the detention facility in Vacaville, where he promptly died of a heart attack. ... So he never spent time in jail for his conviction. That was an interesting one for sure.”

On the civil side, Davis remembered a case he worked for a woman who was mistreated by her employer when it was discovered that she was in a mixed-race marriage. The Caucasian woman, who worked for a medical insurance company, had performed her job well and never had any work-related issues, Davis said. On her day off – her birthday – she decided to bring her biracial children, whose father was African-American, to the workplace for a brief visit. In the days and weeks thereafter, her boss moved her desk into the hallway, took her phone away and generally harassed her. Ultimately, she was laid off. Davis took over the case from another attorney who hadn’t made much progress on it.

“I went down to depose her former boss in San Diego, and he was kind of a smart ass, and I was pleased with the outcome of that deposition,” Davis recalled. “We went to trial, and she was awarded almost \$2 million. That was

pleasing because she was being treated badly and had to go through psychiatric counseling, and she had lost a lot of weight.

“After the case was over, she wrote a book about the event, and she managed to get the book accepted by the Library of Congress,” Davis said. “So I think she made more money on the book than she did on the case. It all turned out well for her – she now lives in Southern California and owns a preschool, which is what she always wanted to do. And she’s successful.”

Active and busy

When Davis is not working, he enjoys the outdoors – hiking, fishing, backpacking, mountain climbing. He’s hiked most of the John Muir Trail and has scaled Mount Whitney four times, he said. He also loves to travel abroad, having trekked to Europe, Asia and South America – and he fully intends to add Australia to that list sometime soon.

“I have a thirst to learn something new all the time, and traveling is one way to do that,” he said. “You can go on the Internet and look at the news and all these things, but it’s another thing to actually experience a foreign culture firsthand. It makes you realize that we aren’t the most important people in the world.”

As for the future, Davis said he’s not quite ready to hang it up, even after more than four decades in the profession. “Old lawyers never die, they just get snowed under,” he said. “Yes, I have been trying to slow down the workload, but it seems like the more I slow down, the faster I get.

“I’m trying to spend more time with my three children and four grandchildren – and to travel more,” Davis added. “I must keep the mind engaged, and I think I could do that equally well traveling. ... But lawyering is in the blood.”

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