

Appellate Attorney, Entrepreneur & Pilot: *Pittard* Makes an Impact

One of the cool things about what Kirk Pittard, JD '99, does for a living, if you ask him, is that in his practice, he is able to have an impact on law in the state of Texas.

KIRK PITTARD

“The cases that I brief and argue in the Courts of Appeals and the Texas Supreme Court end up shaping the laws in the state of Texas,” Kirk Pittard said. “Having an appellate practice allows me to have an impact statewide that I may not have had in another area of practice.”

Although he wanted to be an attorney (or a pilot) in junior high, Pittard was always interested in the interface of law and politics. He was student body president in high school and at Baylor University, and during his undergraduate studies he worked on Capitol Hill for a congressman. As it turned out, the two interests would converge through his appellate practice (three interests, if you count obtaining his pilot’s license).

After graduating from Baylor Law, Pittard worked for the Dallas Court of Appeals, where he met Leighton Durham who was also working for the court. The two became good friends, and after a few years, Durham persuaded Pittard to the plaintiff’s firm where he was working, Waters & Kraus, to be a part of their appellate section. There, Pittard and Durham assisted their trial attorneys with their appeals and substantive legal briefings at the trial level.

Just four years after leaving Baylor Law, Pittard and Durham decided to start an appellate firm in 2003.

“We were both young and starting families. We sat down one night and said there’s never going to be a perfect time for us to start our own firm. If we wait for the perfect time, it will never happen. It was a huge leap of faith because there was not another plaintiff’s appellate boutique in Dallas at the time,” Pittard said.

Since then, the appellate boutique firm has grown from two attorneys with zero clients, to a firm with 11 attorneys and three offices in Dallas, Houston, and Santa Fe, New Mexico. Now Durham, Pittard & Spalding, LLP, the firm has maintained its focus on serving small-and medium-sized firms in commercial and personal injury litigation with an emphasis on plaintiff’s work. The firm also provides litigation support at the trial level to attorneys across the states of Texas and New Mexico as well as nationwide.

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Early on, Pittard recognized the importance of excellent writing skills for appellate law. As a summer clerk in 1997 at the Supreme Court of Mississippi and the Amarillo Court of Appeals, and while working for the Dallas Court of Appeals after graduation, he saw how crucial it is for advocates to write concisely, persuasively, and in a way that simplifies complex legal concepts for the appellate courts.

“When I was working at the courts, I saw a lot more bad writing than good writing,” Pittard said. “To be an effective advocate in appellate courts and in district courts, you’ve got to be an effective writer. In the appellate courts, you generally only have 15 to 20 minutes to present an oral argument. Otherwise, the court is left with your legal brief—what you have written. That’s what is most important.”

During his time at Baylor Law and learning through his clerkships, the mock trial team, the moot court competition, and serving as Assistant Managing Editor for the *Baylor Law Review*, Pittard learned he had a knack for legal writing and research, and he continued to hone those skills.

Now, Pittard and his firm support future Baylor Lawyers in honing their writing skills by sponsoring The Ultimate Writer Competition at Baylor Law. He knows that this competition is a great opportunity for the student participants to continue to develop and improve their proficiency in writing—a skill that will certainly serve them well, as it has served him, in their future practice of law.



The Pittard family – Chloe, Kirk, Lisa, and Wyatt