

GOLDEN OPPORTUNITIES

BRIAN H. RATCLIFF TAKES ON A NEW FIRM AND THE ARKANSAS BAR PRESIDENCY

BY JERRY GRILLO



It's the middle of July and Brian H. Ratcliff is one month into his term as president of the Arkansas Bar Association.

"Or another way to look at it is I'm one-twelfth done," he says.

Ratcliff, 52, is actually very glad to have the gig. It's the fulfillment of a promise he made to a now-departed friend—the same friend whose last advice helped guide Ratcliff through the biggest transition of his professional career: a move to PPGMR Law.

"It's a good story, a long time in the making," he says.

Ratcliff practiced for 24 years at Shackleford, Phillips & Ratcliff in El Dorado, Arkansas doing defense litigation mostly: insurance, workers' comp and environmental defense in some oil contamination cases. His partner Dennis Shackleford had once been president of the state bar association and always wanted Ratcliff to follow in his footsteps.

"I actually considered doing it before, had a chance, but it just didn't feel right in my heart," Ratcliff says. "Dennis was a little disappointed. I told him, 'Please don't be. I promise I'll do it, eventually.'"

Eventually arrived in 2012, when Ratcliff ran unopposed to become president-elect, the necessary step before assuming the presidency, which he did at the bar association's annual meeting in June.

Shackleford, who passed away in February at age 83, got to see his protégé introduced as president-elect in 2013. "It was one of the last times he saw all of his colleagues. He was very

proud of me, and I was very happy," says Ratcliff.

Ratcliff's last good conversation with Shackleford was in December 2013; he needed some counsel from his old friend.

During his years of environmental defense litigation, Ratcliff had grown close to Alan Perkins, the first name in PPGMR Law (Perkins, Peiserich, Greathouse, Morgan and Rankin), in Little Rock.

"They courted me more than once," Ratcliff says.

Near the Louisiana state line, El Dorado was the heart of the 1920s Arkansas oil boom, and it's still an oil town, headquarters of the Arkansas Oil and Gas Commission and Murphy Oil Corp. PPGMR's work includes a focus on oil and gas and environmental law, so work often takes its attorneys to El Dorado, about 120 miles south of Little Rock.

"I quickly learned that when there was commercial litigation there, Brian Ratcliff was likely to be involved," says Perkins. "Brian and I worked on joint defense groups together several times, and our strategies always seemed to naturally align. We had talked about joining forces several times over the years."

Just after Thanksgiving last year, Perkins asked again. Shackleford had retired and was ailing. Ratcliff was the only partner left at his firm, with majority interest of the stock, and an associate, Chase Carmichael.

"I talked to my wife, then went to see Dennis Shackleford," Ratcliff says. "I went over to his house, we drank wine and talked, and his last advice to me was, 'Life is all about change, and this sounds like a good one. You should try and make it.'"

So he reached an agreement with PPGMR Law to join as a partner in March. He would make the move without actually moving. "Part of the deal was I stay here in El Dorado, my associate stays here, the staff stays here, I join their law firm and they now have an El Dorado office," says Ratcliff.

His upcoming role as president of the state bar association also had something to do with his decision; it's easier to cover all of your bases at a firm with 12 attorneys like PPGMR versus one with only two.

Now Ratcliff can take the time to do what a president does, which often means dealing with the leftovers. "You inherit somebody else's agenda. It happens to everybody," he says. "You inherit some things and you start some things that you're not going to finish."

The work he's inherited includes an effort to fix attorney licensing rules through the state Supreme Court, and an ongoing search for better liability insurance for bar members. "Sounds easy, but it's turned into a bear," Ratcliff says. "This one will probably come to a head during my year."

Then there are the hijackers. That's what Ratcliff calls them, "hijackers." Every bar president has at least one, he says. "Something that comes up in your year in office that is unexpected and takes up a lot of your time, and you really can't plan for it. Last year it was a dispute with LexisNexis over who owned the Arkansas code."

And during his presidency? Ratcliff has a guess. The Arkansas General Assembly's schedule only allows substantive legislation to be introduced every other year, so bar presidents have a 50-50 chance of serving during a session, when new laws are proposed, discussed and passed or not. Ratcliff's presidential term is one such year.

During the 2013 session, state lawmakers considered a tort reform measure to amend the state constitution that essentially would have given the legislature the power of rulemaking for Arkansas's judicial branch. The state bar, of course, opposed it. The legislation didn't make it out of committee. But Ratcliff has a feeling.

"I don't think it's gone away," he says. "It's kind of like the movie *Poltergeist*, 'They're back ...' [Laughs] It may not. I just don't know." [S](#)