



Honest, Kind Lawyers Can, Should, and Do Finish First *Distinguished Lawyer, Tim Gresback*

Written by Tim Gresback with Editorial
Notes by Lindsey M. Welfley

Background

I was born into a family of 12 children near Saint Paul, Minnesota. My dad was a carpenter, and my mother was a nurse. We loved our hockey. With such a large family to support, my parents could not help me with my education. My father—raised as a hardscrabble tenant farmer in northern Minnesota—had limited educational opportunities but instilled in me the belief that education was the linchpin to success.

Inspired by my dad, I earned a bachelor's degree in history at St. Olaf College, which included a year abroad in England. I then graduated from the public-interest Antioch School of Law in Washington, D.C. in 1987.

I wanted to study law because when I was growing up lawyers were extremely well-respected members of the community. I learned that most of the Founding Fathers were lawyers. The law was a good fit for me; I can't imagine doing anything else. I realized lawyers can be a great source of positive social change.

I moved to Idaho in 1987 and clerked for Idaho Supreme Court Justice Stephen Bistline. I then moved to Coeur d'Alene, where I worked in the public defender's office for a few years before starting my own practice. In 1999, while interviewing for a job at the University of Idaho, my wife Sarah went into labor; our son, Luke, was born at Gritman Hospital that day, before we even lived in Moscow. Sarah got the job as an assistant professor of French and we settled in Moscow which, since then, has been our home.

My most rewarding community project was to help get a full-sized non-profit ice rink built in Moscow. I love to golf, play blues harmonica, and fish for trout in Idaho's great rivers. I like to hunt with my dogs, but I don't enjoy shooting birds so much anymore.

Folks tell me I have a great deal of energy. I don't wake up and say, "I'm going to be passionate today." The energy just comes naturally. As an advocate, my passion has served me well. However, as I have learned the hard way—with scars to prove it—that passion can easily cloud one's judgment.

Career Accomplishments

I have tried about 75 jury trials, mostly small cases, but some first-degree murder trials and large civil verdicts. One time I

sued a prominent lawyer. It was not fun but needed to be done. Sometimes lawyers have an obligation to go against the grain.

When I defended citizens charged with crimes, I earned an acquittal for a school-teacher accused of molesting four teenage girls, arguing that there was no such thing as “felony hugging.” I also defended a client

charged with first degree murder who shot his neighbor through the chest with a .44 Magnum. Our claim of self-defense prevailed. On the civil front, I earned a verdict in a crash case in excess of the cap on non-economic damages, even though my client had severe preexisting spinal degeneration and fell off his roof after his crash.



Tim with his wife, Sarah. Photo provided by Tim Gresback.



Tim and his son, Luke, backstage at a Mariners game in 2011. Photo credit: Unknown

Role Models

My professional role models include Professor Louis Yankowski, Justice Stephen Bistline, Judge Julia Cooper Mack, David Nevin, Ken Pedersen, Karen Koehler, Mike Verbillis, Chuck Kovic, Walt Bithell, Scott McKay, John Rumel, Kevin Coluccio, Judge John Patrick Luster, David Comstock, and Justice John Stegner. My personal role model is Tony Anegon.

Career Impact

So far, I've managed to survive the guilt, which comes in waves, from making a handsome living through clients that have suffered greatly—or even lost members of their family—because of the reckless conduct of others.

I'm extremely concerned about the future of the rule of law. I urge my colleagues to cherish and protect it. We also must defend independent and impartial judges, even when they rule against us. Finally, we must teach the next generation of lawyers how to try cases. Mediation skills are great, but they are hollow without trial skills. Some cases need to be tried.

I'm most proud of seeing the good in people and have not become cynical. I have written and lectured extensively on legal ethics and how to deal with bullies. I hope I have set an example showing that one can be a fierce *and* civil advocate at the same time. Honest, kind lawyers can, should, and do finish first.

Thank you to my wife, Sarah, for believing in me.

Editorial Notes

Tim Gresback has been in practice for 38 years and notes that the time “just flew by!” Throughout the course of his career, Tim has embodied a level of enthusiastic advocacy rivaled by few. He attributes some of his energy to his childhood commitment to escape indigence. From Tim's perspective, living in a constant struggle for survival didn't allow much room for anxiety or depression. He notes, “We often do better emotionally when we have a difficult challenge. I think young people did a lot better before

this affluent digital age.” As he’s reflected on his career, one of his regrets is not recognizing earlier that he had some talent. Had he done so, Tim thinks he would have relaxed more. Also, Tim regrets not realizing earlier that many of his adversaries would become lifelong friends.

Tim has worked on reducing bullying in the legal profession. Throughout his tenure as president of the Idaho State Bar, he dedicated his monthly columns in *The Advocate* to raising awareness of this very real threat to Idaho justice.

Tim served as president of the Idaho State Bar, the Idaho Trial Lawyers Association (“ITLA”), and the Idaho Association of Criminal Defense Lawyers. He has been certified as a Civil and Criminal Trial Specialist and as a Death Penalty Counsel. Tim was honored as the Trial Lawyer of the Year by ITLA in 2012 and received the Idaho State Bar’s Professionalism Award in 2019. He taught Trial Advocacy at the University of Idaho College of Law for several years. He lives in Moscow with his wife, Dr. Sarah Nelson. Their son, Luke, is now a videographer and filmmaker in Los Angeles.



Bird hunting with Adrian, Tim’s German Shorthaired Pointer. Photo by Chuck Kovis.

Becky Anderson

Mediation Services

Knows People.

Knows the Law.

Delivers Solutions.

- Top-Rated by Martindale-Hubbell in Dispute Resolution
- 30+ years’ experience as transactional and dispute resolution lawyer
- Highly successful track record resolving disputes



JONES WILLIAMS
FUHRMAN GOURLEY, P.A.
ATTORNEYS AT LAW

www.idalaw.com
208 331-1170
becky@idalaw.com