

THE DAILY RECORD

WESTERN NEW YORK'S SOURCE FOR LAW, REAL ESTATE, FINANCE AND GENERAL INTELLIGENCE SINCE 1908

I hereby resign

When I first began my radio show on WHAM, I spoke mostly about estate planning and didn't mention that I was a trial lawyer.

I thought it was more important for the audience to get to know me first. I also was aware of the fact that, out of the thousands of people listening, a few might really dislike lawyers. Knowing that they could take anonymous potshots at me while on the air was intimidating to me, to say the least.

Nonetheless, I'm amazed at how gracious my audience has been all of these years. I was stopped in the store on Monday by a woman who said that she knew me even though we never met. She is an example of how gracious most of my listeners are. She said that she felt badly about a phone call I received during the show the day before.

During my first year on the air in 1996, my initial fear came to realization only once. A caller had spent \$1 on a form for a power of attorney, and began asking me questions about the law. I believe Scramtom's was still in business, so he was trying to save money, which in and of itself does not bother me. I explained that there were some new changes that were not included on the form that he purchased, and gave him some general ideas of different effects from recent legislation.

He then interrupted me and said, "I don't want to know what you think, I want to know what you know!"

I was a little shocked, but I tried to regain my composure, and in those days I had no co-host to intervene. I finally explained to the man that there were certain things about which he had to be concerned because of the numerous, potentially dangerous authority he would be bestowing upon his attorney-in-fact through the form.

He snapped back: "So you don't know the answer, do you?"

At that point, I finally told him that he should consider the fact that every dollar he would ever earn, any property he had acquired and his entire net worth could be destroyed without his knowledge if he did not use the document properly and make certain that it was executed correctly. I went on to add that I would fight for his right to do anything for himself, including brain surgery, but that I simply didn't recommend it. I concluded by saying that, for the cost of a consultation, he really should consider seeing an attorney.

I had decided by that point that I had my first major failure on the air. When I got home, my wife looked at me compassionately and said, "That guy was a real jerk."

I told her that I was extremely down and I thought I appeared foolish on the show, especially since it happened at the end of the hour.

"You don't have to worry about it. Everyone listening could tell

what he was like," she told me.

The next day, when she went to the copier at the school where she taught, a woman came up to her and said, "I feel so bad and I'm so sorry about the way that man treated Bob. He was being so polite."

That same morning, three new people called my office to say that they had heard the show, and they asked to be my clients. Except for the embarrassment, I sometimes wish that guy would call back. Alright, not really.

During last Sunday's show, I received a call from a person who began by wishing me a happy Easter, but it all went downhill rapidly from there.

The caller proceeded to ask what I understood the meaning of the word "bar" to be. I had just mentioned the upcoming Bench and Bar Meet and Greet, being held by the New York State Academy of Trial Lawyers on April 23 at the Penfield Country Club. I explained that, when I mentioned the event would include an open bar, it isn't the same thing as being admitted to the bar. I explained that in England, solicitors perform research and transactional work, but attorneys who go into court are called "barristers" because they actually approach a bar, which is in front of the bench.

My caller astounded me by saying that I must really know about the "British Accredited Registry," that he thought I was a Freemason, and that I am full of crap.

After he hung up, I told my co-host, Jim Philippone, that I wasn't sure that the caller's initial "Happy Easter" greeting was genuine.

But it winds up that on the Internet, there are many unattributed rumors, a fact of which most of you are aware. When those rumors are without authors, they are even more suspect. Apparently, my caller's accusation goes back to the Knights of Templar, which I first learned about when I read Dan Brown's "The DaVinci Code."

Although I am not a Freemason, I once had a friend who was and, since several people who founded our country — George Washington, Benjamin Franklin and John Hancock — were Freemasons, I'll take that part as a compliment. Anyway, I've always thought that if I were a Knight of Templar, I would be aware of it.

Just in case I am a member and I don't know it, I hereby resign.

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Daily Record
Columnist