

Kirt Zeigler
2014 Careers of Distinction Award Recipient
(Sonoma County Bar Journal, September 2014)

Among the many benefits provided by the Careers of Distinction Awards is an opportunity, through these biographies, the slide shows, introductions and speeches, for the extended legal community to get to know the award recipients on a deeper, more personal level. Even for the recipients who are in the public eye regularly, the COD program provides insight into the honoree's outside passions, family life and personal history which deepens our connection to them and makes our community feel tighter and more intimate. This is also a unique opportunity to get to know, at a deeper level, those with the "quieter" careers...the transactional attorneys whose professional lives are played out in client meetings and negotiations rather than a court room or press release.

It is my honor and pleasure to be able to provide a small window into the professional life, personal history and world view of one of the most effective, influential transactional lawyers in Sonoma County, Kirt Zeigler. The career and life-path of this "quiet" man provides inspiration and guidance for both those just entering the profession and those who have practiced law for decades about how to move through the world with integrity and honesty.

In looking at all aspects of Kirt's life (professional, community service, family, recreation), his defining characteristics clearly emerge. Kirt is always his true self, everywhere and with everyone. Based on my own experience of working with Kirt for the last 21 years as well as the completely consistent comments of those people who know him best, the characteristics which "define" Kirt are integrity, honesty, intellectual curiosity, lack of ego, and a deeply held work ethic. As his beloved wife Bev puts it "Kirt has complete integration and consistency between his internal moral code and his external actions".

Growing up in rural Modesto as the eldest of 4 boys, Kirt became the man of the house at age 4 when his father went off to war and he took the role seriously. Helping his mother tend to the chickens, rabbits, grapes and vegetable garden on their property and look after his little brothers, Kirt developed his strong work ethic early. Kirt credits his rural upbringing and his dad's love of gardening and working outside with his own life-long connection to farming and nature.

Evidence of Kirt's deep intellectual curiosity also emerged early. Having learned to read before he started school, Kirt was quickly skipped ahead a grade. Even a grade ahead, the work was still too easy for him but, as he reflects, "the teachers were good and wanted to keep me challenged so they encouraged me to read." Over the years, Kirt's hunger for knowledge led him to devour books on philosophy, politics, and science and laid the foundation for a broad perspective on how the world operates.

From the beginning, Kirt's drive to educate himself was balanced with the necessity of working hard to pay his own way. Whether it was working on the family property in elementary school or as a farm hand, lawn mower, Woolworth's dishwasher or security guard during high school, Kirt never had the luxury of focusing exclusively on his education...and probably never wanted it.

Since advanced education was not a high priority in his immediate family, Kirt's inspiration and desire to take his education further came from a variety of sources. He recalls an elderly math teacher telling him that he was smart enough to be Phi Beta Kappa in college but he did not know what the term meant. When he went home and asked his parents, they didn't know either so they all looked it up in the family encyclopedia. The idea that he could achieve that kind of academic success planted a seed of determination. Kirt was also inspired by his Aunt Leslie who obtained an advanced degree in biochemistry from UC Berkeley in the 1930s. A brilliant woman and well ahead of her time, Kirt's aunt was a mentor to him as he reached beyond his rural roots towards the wider world.

With the help of dedicated high school counselors, Kirt applied to the top universities in the country and was accepted to the best: MIT, Harvard, Yale, Stanford, UC Berkeley and University of Chicago. The quality of the education combined with the generous financial support offered by Stanford made the choice an easy one for Kirt and, at age 16, Kirt entered the Stanford Class of 1960.

Although he had developed a passion for geology and mineralogy in high school, Kirt quickly discovered that such a narrow science path did not satisfy his drive to learn as much about everything as he could. What he really wanted to do was take as many classes in every subject as possible. He sat down with the course catalogue and concluded that the best way to do that was to declare the least demanding major available in order to free him up to take classes across other disciplines. Political Science gave him the flexibility he was looking for.

During Christmas vacation of his freshman year, Kirt got engaged to his high school sweetheart, Carol, and came back to a barrage of "advice" from his fellow classmates. He was told that he was making a terrible mistake and that he would never make it through college, let alone graduate school, with a wife and family to support. Always a man of his own mind, Kirt didn't let the narrow vision of his friends dissuade him from something he felt in his heart was the right thing to do and he and Carol were married the Christmas of his sophomore year. Even with their first child arriving during his junior year, Kirt managed school, work and family obligations to graduate Phi Beta Kappa.

When Kirt started thinking about potential future careers during his sophomore year, nothing in particular jumped out at him as the perfect fit. He says that he knew he was interested in many subjects and just wanted a career that had flexibility and wouldn't constrain him. Although there had never been any lawyers in his family and he didn't know anyone who practiced law, he said that the field seemed like it would give him

“room to move”. Kirt described it as a choice made out of ignorance... looking back on the path of his professional and personal life from today, however, it looks to me like the guiding hand of fate.

Kirt’s undergraduate academic success continued throughout his years at Stanford Law School. He achieved a perfect score on the LSAT and graduated in the top 5 of his law school class. While he enjoyed the rigor of his classes, Kirt said he probably gained more practical skill in the years he spent during school working for a private investigator. As part of the team investigating a “tainted chicken feed” claim, Kirt spent hours traveling to rural areas, making friends with scary farm dogs, interviewing farmers who were reluctant to talk to their family members much less strangers and writing up statements for them to sign. Kirt said the experience taught him two important things: 1) how to interact with people in a way which gets them to open up and provide information and 2) how to process that information and bring it back to them in a way which is consistent with what they meant, not necessarily what they said.

Despite the fact that he was working full time, supporting a wife and baby and carrying a full load of law school courses, Kirt was awarded Order of the Coif and wrote for the law review. Upon graduation, he received offers from several of the most prominent New York law firms and settled on a position with Cleary Gottlieb on Wall Street. With a toddler in the back seat, and another on the way, Kirt and Carol loaded up their Volkswagen bug and headed east. At that point, Kirt had never travelled further than Sparks, Nevada so it was truly a brave new world for the Zeigler family.

Kirt told the Gottlieb firm in his interview that the 3 areas of the practice in which he had no interest were estate planning, tax and litigation. Of course, in his 6 years with the firm he did little else. In reflecting on his time at the “big firm in the big city” Kirt said that he learned several important lessons. First was not to be intimidated by the size of the firm or the size of any one lawyer’s reputation. According to Kirt, big firms are just a different way that the same kinds of people practice law. They are no smarter than anyone else...they are simply tenacious. Small firms can be quicker, smarter and just as tenacious.

He also learned the importance of litigation experience in building transactional skills. Whether you are fighting a battle in court or negotiating a deal, Kirt believes that you need to be aggressive about advocating your position and assume that people are going to question everything. Kirt learned that success is mostly about being thorough and assessing your vulnerabilities. Discovery work taught him how to ask the questions which are most likely to result in getting the information you need, especially when the person being asked has all the motivation in the world not to give you the information.

During Kirt’s six years living in and around New York City, he experienced an extended garbage strike and the black outs which resulted from the oil embargo. It was during the 7 hours that he spent stuck in an elevator during the first black out that Kirt decided he didn’t want to spend his life on a small island connected to the rest of the world by “bridges and wires”. Luckily for all of us, Kirt had a cousin who was married to a Santa

Rosa dentist. She convinced him that this was the type of community he was looking for, made introductions to all of the most prominent firms in town, and got the ball rolling for his move back to California.

After joining the Spridgen firm in 1969, Kirt spent most of his early years at the firm working with the man who would become his closest friend and business partner over the next 5 decades, Ed Anderson. Although Ed's focus was on estate planning and tax work, Kirt dug in to any project which crossed his desk, without regard to the topic. When asked what kind of law he practiced, Kirt would respond in all seriousness "I represent people and deal with all the problems that people have". And he has done so day after day, year after year, serving the community and his clients in a quiet, disciplined way with complete integrity.

Kirt loved the variety that practice in Sonoma County presented and he continued to spend enormous amounts of time reading. He devoured cases, horn books and all of the significant treatises such as Scott on Trusts and the Restatement. Kirt believes that half the art of lawyering is defining the question...without knowing the question you are asking, you can't find the authority which will give you the answer.

Following Ed Anderson's lead in recognizing that community service is a responsibility, in the 1980s Kirt joined the board of directors of the Santa Rosa Chamber of Commerce. He served quietly and competently for a few years and was pegged as a good choice for Chairman of the Board. Shortly after Kirt agreed to take the position, Paul Wright, the longtime Executive Director, left the chamber for a job in San Francisco. Kirt had to quickly figure out how to keep the organization running while a new ED was hired. Along with the creation of the Leadership Santa Rosa program, managing to keep the staff and volunteers happy and motivated during a difficult transition was an accomplishment of which Kirt is still quite proud.

Bill Hutchinson, founder of Hutchinson Capital Management, is a longtime friend of Kirt's and they have shared clients for decades. Bill has deep insight into Kirt's unique approach to representation: "Kirt takes ownership of each client by digging deep into their pasts and their ways of thinking, until he clearly understands how they process things in their heads...he is then able to be a calm guide for each person as to what lays ahead of them and the projects they will be facing." Bill also notes that Kirt is able to communicate clearly and with amazing empathy what the other person needs to know as he helps them craft a solution to their situation. Whether the matter is complicated or simple, Kirt can distill information in a way which enables anyone to take it in.

Kirt is also not afraid to tell clients the truth, even when it might be hard for them to hear. As his longtime friend, Ted Sibert, describes it, "Kirt will always tell you what the bear did in the buckwheat..."

In Kirt's view, the number one most important thing about practicing law is that you have to care about the clients. If you do, then you will do the best you can for them. The second most important thing is that you CANNOT care about the money because, if

you do, you will end up caring more about the money than the clients and the quality of your work will be compromised.

The 1980s was watershed decade for Kirt. He started a new law firm, helped found a private school and started his second family. After recognizing that the Spridgen firm no longer held a vision consistent with their own, Kirt, Ed Anderson and Rob Disharoon separated from the other lawyers (while staying in the same office!) and founded Anderson, Zeigler, Disharoon, Gallagher & Gray. From the beginning, the partners all had the same goal: to create a culture of absolute comfort and trust within the firm...among both partners and staff. 35 years later, that legacy continues and Anderson, Zeigler is truly a wonderful place to work.

Kirt's positive influence on the quality of life in our community does not stop at the door of the law firm. It is not an overstatement to say that over the past two decades, Kirt and his wife, Bev, have together changed the face of education in Sonoma County. When asked, Kirt will deny that he has a "passion for education". What he will tell you is that he has a passion for helping people to "use their God-given intelligence to do smart stuff." As to the vision he had for Sonoma Country Day School and Sonoma Academy, he simply wanted to start schools where they "did the right stuff more often than the wrong stuff". Kirt believes that the relationship between teachers and students is at the root of what happens in education. According to Kirt, the simple solution is to get the best teachers from wherever you can find them and pay them what they need to be paid.

While Kirt is a master of "knowing what he doesn't know", he is equally skilled at **learning** what he doesn't know. He recognizes that in order to delegate in any meaningful way, he must have a deep enough understanding of the subject matter (whether it is an area of the law, finance, construction, etc...) to be able to assess what the situation truly calls for. So he reads everything he can get his hands on, talks to everyone who can provide information and, in a very short time, gains mastery of almost any subject. Kirt says that, by digging in, he often discovers that, ultimately, no "expert" is required.

Kirt's ability to master any subject matter that crosses his path doesn't make him any less of a team player. In fact, as Janet Durgin, headmaster of Sonoma Academy will tell you, Kirt is gifted at "clearing out a big space so that people can fill it with their own creativity". She describes him as "completely devoid of ego" and says that he often operates from "instinct" and a deep faith that "if you bring good people together, something good will happen".

Kirt's constant striving to improve his knowledge in the wide and diverse variety of subjects that interest him has extended beyond intellectual pursuits to include sailing, farming and long distance hiking. A self-taught sailor, in 1980 Kirt, his first wife, and two of their children sailed from Sausalito to Hawaii using only celestial navigation. In 2012, to celebrate his 70th birthday, Kirt and his son, Scott, hiked 70 miles on the Appalachian Trail.

These days, after he puts in a good day at the office (usually from 5:30 a.m. to noon) and has breakfast with Ed Anderson at Mac's (as he has 6 days a week for decades) Kirt heads home to climb onto his tractor and work in his vineyard, orchard and vegetable garden. With 5 children, 12 grandchildren, 2 great grandchildren, a wife who is the love of his life, best-friend and partner in visionary projects, 3 vibrant, thriving schools which came into being through his efforts, thousands of clients whose lives and businesses have been enriched by his work, and a firm which will carry his legal legacy forward for decades to come, the view from that tractor seat has be to pretty satisfying.

By Wendy Whitson

Wendy Whitson has been an attorney at Anderson, Zeigler for 21 years and the Managing Director of the firm since 2011.