

GREATER TAMPA BAY EDITION | PREMIERE 2012

# ATTORNEY AT LAW

MAGAZINE®

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# Benjamin H. Hill III

By Charlotte Lidov

**M**ost lawyers are content to spend their careers arguing cases in front of judges, but not Benjamin Hill III. He does this, of course, but he also has helped select many of the federal judges in courtrooms throughout the country. In fact, he's completing a term as Chair of the American Bar Association's Federal Judiciary, which vets all Federal judges being considered by the President for lifetime service on the Federal bench.

Not bad, especially when you consider the fact that Hill, who is considered not only one of the finest lawyers in Florida, but in the U.S. as well, almost didn't become a lawyer. In fact, upon graduating from college, Hill went to work as a cost accountant, but he quickly changed course. "After a very short period of time, I decided accounting was not for me. Out of an abundance of caution, I had taken the LSAT, so I decided to try law. As soon as I entered law school, I realized I made the right decision," Hill

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recalls. His tipping point came when he realized that law, not accounting, would better enable him to be of service to people, which has always been his goal.

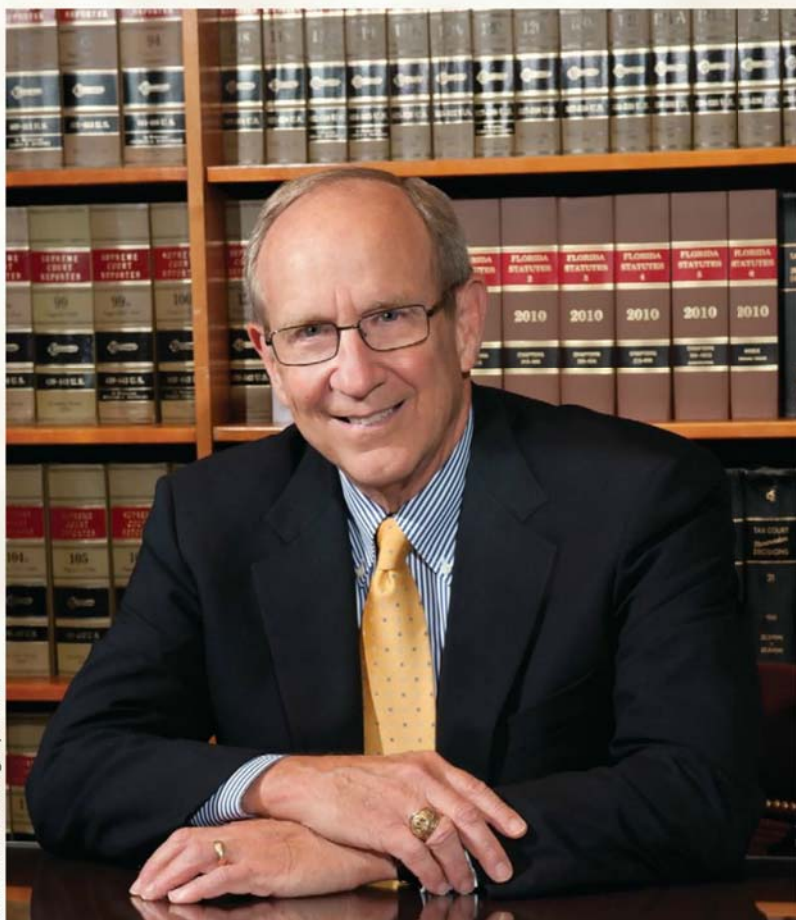
Raised in rural Hillsborough County, Hill's major influence was his dad, Ben Hill Jr., who was so highly regarded in the community that Ben H. Hill Middle School bears his name. "My father was one of the first chairs of the American Cancer Society, he was a member and chair of the Hillsborough School Board, and was involved in a number of community activities locally and in the State of Florida.

He served as president of the Florida Junior Chamber of Commerce and was a real community leader," says Hill.

Hill left accounting to enter the University of Florida's School of Law, after which he went into private practice in Tampa in 1966. He was finishing his term as president of the Hillsborough County Bar Association when Gov. Bob Graham tapped him for an opportunity that changed the course of his life.

At the time, the newly elected Graham was bent on seeking advice from outside the traditional Tallahassee political community, so he came up with a plan; he selected a lawyer from outside government to serve as his special counsel for a term of six months, after which the attorney would return to private practice. "Bob's theory was that he could bring in outside lawyers and seek their advice and independent judgment, free from the typical political considerations which commonly existed in Tallahassee," recalls Hill.

Right off the bat, Hill was involved in a very high-profile issue, which also gave him the opportunity to make history. He had just started working for Graham when a crisis hit Hillsborough County. Three of the county's commissioners had been indicted and consequently removed from office, leaving the government without a quorum and, therefore, unable to conduct business. Working with Florida Speaker of the House Lee Moffitt, Hill identified three top replacement candidates, which were then appointed by Graham. The trio included E. L. Bing, who became the first African-American to serve in



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the county's government.

After his six months were up, Hill went back to his law firm. But Graham was not about to lose Hill's expertise permanently. He recruited Hill to serve on the board of Hillsborough Community College, which was in a state of disarray. Then, when Graham became a US Senator he called upon Hill to help him and fellow Senator Connie Mack with Federal judicial nominations. He was selected to chair the Federal Judicial Nominating Committee for the State of Florida. During his four years as chair, the Committee established a record by having 13 federal judges appointed in the State of Florida.

Right from the start, Hill became a fan of Graham, who he credits as one of the major influences in his life. And, on Graham's part, the feeling is mutual. "In addition to being one of the state's most preeminent legal minds and sought after trial lawyers, Ben has given generously of his time to public service throughout his distinguished career," says Graham.

As if helping to fill vacancies on the US federal bench was not enough, Hill built a distinguished career as a top trial lawyer, representing private clients in all types of civil disputes. In fact, it's the never-ending variety of life as a lawyer that keeps Hill charged up. Earlier in his career, one of his most memorable cases was the high-profile "Sunshine Skyway Bridge Case," which resulted from a freighter plowing into the Skyway Bridge, knocking it down, and sending 34 passengers aboard a Greyhound bus hurtling to their death. Hill represented the State of Florida, which owned the bridge. The challenge of presenting a case, which involved a very sophisticated level of engineering, construction, design, and maintenance, was an experience Hill enjoyed. Similarly, Hill says there is never a dull moment in his law practice as he faces similar challenges in commercial cases, product liability cases and a variety of other cases. Along the way, he also built up another specialty, which is representing lawyers who are charged with legal malpractice, a task involving discretion and sensitivity. "Law firms are not public companies. They don't have stockholders, so, generally speaking, their preference is to stay under the radar and to resolve their cases without exposing them to public scrutiny." Hill has represented many of the large firms in Florida.

Over the past 25 years, Hill's firm has grown to 90 lawyers. Shareholder David Knight now recalls waiting four years after Hill invited him to join the firm as "the biggest mistake I ever made in my life." Of Hill, Knight says, "Ben is universally respected at every level of our profession. He has contributed in every way,

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Left to right: Ben Hill, IV, Gordon Hill, Ben Hill, III

both as a trial lawyer and as an advocate of the independence of the judiciary. He is the ultimate role model."

Dennis Waggoner, another shareholder, spoke with admiration of his longtime friend's expertise as a trial lawyer, and his cool demeanor as well. "Ben understands the key issues in a case and how to approach making his point on behalf of a client. He's very insightful, very persuasive, and always acts with the highest degree of professionalism, no matter what the circumstances or how great the pressure might be."

With Hill's expertise, passion for justice, and his reputation as a public servant, it seems only natural that he would serve on the board of the Florida Innocence Commission, which is charged with devising ways to prevent innocent people from being wrongfully convicted of crimes they did not commit. The Commission was created by Chief Justice Canady after several Florida inmates were found to have been wrongfully convicted. Hill noted, "There have been several people, who were found guilty of crimes and sentenced to serving terms of up to 35 years, and then DNA testing came along and established their





innocence.” Since Hill is not a criminal lawyer, but is known for his objectivity, the Chief Justice of Florida chose him to help bring the various sides, including prosecutors, sheriffs and defense attorneys together as they work to establish rules that minimize the chance of a wrongful conviction.

But the legal profession is not Hill’s only passion. For the past decade, he’s been very involved with the H. Lee Moffitt Cancer Center & Research Institute, and his efforts have resulted in the organization’s obtaining record-breaking contributions, said William S. Dalton, Ph.D., M.D., Moffitt’s President and CEO. “Ben inspires those around him to aim high. From leading key boards to being active in our community outreach efforts, Ben has demonstrated a solid commitment to Moffitt’s mission,” Dalton added.

While Hill is not the product of a legal dynasty (his dad owned a men’s clothing store) he may be well on the way to creating one, as both of his sons, Ben Hill IV and Gordon, are now lawyers, and, in fact, practice in his firm. And, while the younger Ben Hill does not recall a moment when he suddenly realized he wanted to be a lawyer like his father, he knows that his father instilled in him an appreciation of the profession. “Growing up, I knew my father was a lawyer and, to me, that just meant he was helping people.” And, as he began practicing law himself, he found in his father, a ready mentor. “As I grew older, I realized that, when he is acting as someone’s voice, he leaves nothing to chance. He is very, very well prepared and this is a trait that I try to mirror in my own everyday cases,” said Hill. And, as to his father’s penchant for public service, Hill added, “This is not lip service. This is something he eats and sleeps, and it’s real.”

Gordon Hill agrees with his brother, and added, “It was just so inspirational to be around someone who believed in what he was doing, and was having so much fun doing it, there just seemed like there was nothing else that one would want to be.” In fact, he added, “I know that he gets paid, but my father is the kind of person who enjoys practicing law so much he would probably do it for free.”

## At a Glance

### Benjamin H. Hill, III

Founding Shareholder - Hill Ward Henderson

### Practice Areas

Commerical Litigation

Professional Liability

Consumer Products

### Education

The Citadel, with honors, 1963 (B.S., B.A.)

University of Florida College of Law, 1967 (J.D. replaced LL.B conferred 1965)

### Bar Memberships

American Bar Association

The Florida Bar

Hillsborough County Bar Association

### Court Admissions

All Florida State Courts

All Federal Courts in Florida

11th Circuit Court of Appeals

U.S. Supreme Court

### Board Certifications

Board Certified in Civil Trial Law by The Florida Bar

### Professional Recognition and Associations

Best Lawyers in America 1995-2012

2012 Tampa Legal Malpractice Law. Defendants Lawyer of the Year.

“Bet the Company” Litigation, 2006-2012

Florida Super Lawyers, 2006-2011

Florida Super Lawyers’ Top 10 Attorneys in the State, 2006-2011

Florida Trend’s Legal Elite, 2003-2012

Florida Trend’s Legal Elite Hall of Fame, 2009-2012

Stetson University’s College of Law J. Ben Watkins Award, 2008

Tradition in Excellence Award from the Executive Council of the

General Practice, Solo and Small Firm Section of the Florida Bar, 2007

Leading Lawyers in the U.S. by Chambers- Top 10 in Florida (2004-Present)

Hillsborough Country Bar Trial Lawyers Section In The Trenches Award, 2000

Hillsborough County Bar Association Outstanding Lawyer Award, 1999

Tampa Inn of Court Professionalism Award, 1998

George Carr Award for Excellence in Federal Practice, 1997

Served as President of The Florida Bar in 1991

Florida Lawyer of the Year, 1979