

"PARD" – A Tribute to Jim Fischer



Heroes Among Us

To Jim, all of life was an adventure. With his patented oversize aviator glasses and broad "Ernest" like smile, Jim was both a leader and enthusiastic participant.

At 7:45 a.m. on a September morning in 1972, two young men awkwardly peered into an empty classroom. No other students were in sight; just these two. The lights were off but enough light streamed through the window to see the long bench desks and chairs. It was the first day of law school for both. The taller offered an outstretched paw. "My name is Jim Fischer, I'm from St. Pete." The shorter . . . much shorter, grasped the paw and replied "I'm Lenny Englander; I'm from Peekskill, New York." Fischer asked if Englander was going into that class. Englander replied "Yeah." They swung through the doors and cautiously stepped in together. "Where do you want to sit?" Fischer asked. "Here." I replied, randomly selecting a seat as if I knew.

In my mind's eye, I can still replay that scene with great physical detail. Stetson was a different school then; an institution looking to establish a name with high dismissal rates. It was the "administration vs. the students." "Look left, look right," we were told in the first week; "neither of your buddies will be here in three years." I threw up that first morning and was shaking as I walked down the hall. But as we walked into the class, my hysteria slowly dissipated. I knew it would be okay. For the next 32 years, that same routine with Jim would repeat itself time and again.

Before embarking on any event of significance, whether business or social, Jim would grasp my hand and solemnly say: "The adventure continues." It was a big boy's kind of blood brother ritual. With those words we'd head down the hallway, the Interstate, into a courtroom or judge's chambers. We'd take off on an airplane, move down the first fairway or simply shuffle to the conference room. To Jim, all of life was an adventure. With his patented oversize aviator glasses and broad "Ernest" like smile, Jim was both a leader and enthusiastic participant.

To those who were fortunate enough to practice with him, Jim's presence was a shelter in a storm. A calm voice whose collected and focused thoughts were steady, grounded and well reasoned. How would a judge react to an argument? Ask Jim. How do you deal with an employee? Ask Jim. How do you avoid controversy? Call the "Fish." Ask Ernie Jenkins, Judge Shames, Bob Byelick, Mike Brown, Jim Beach, Jay Verona, Brian Deeb, Scott Brainard, Rick Kriseman or Terry Hirsch. Each heard the measured words of our buddy in the collegial atmosphere of the practice.

In 1996, we were driving through Lawrenceville, Kansas on our way to play golf when a tornado popped out of nowhere and chased us down. I floored our Rover in the opposite direction in a seemingly losing effort as Jim looked over our shoulder and calmly told me to make an abrupt right...into the parking lot of the Barbed Wire Saloon. "Perfect," he remarked, "We'll be safe here." "What happens if the tornado hits the building?" I screamed at the bartender. "We climb into the cooler" he replied. "See", Jim said, "I told you we'll be OK, there's Heineken in there." How did he know?

Jim took a quiet pride in representing the nameless, faceless multitude. It was an internal engine of integrity and fairness. It came so easy to him. Fish was not flashy and he took quiet pride in representing those whose causes seemed hopeless. Just ask Latisha. A St. Pete police cruiser shot through a red light in hot pursuit of a fugitive. Broadsided - Latisha never knew what hit her. She lost her legs. No PI firm would take her case because there was no one to collect from (Sovereign Immunity). Jim took that case knowing there would never be a pay day. Five years and a thousand hours later, a claims bill awarded her enough to pay for prosthetics. He knocked on my door and asked if I'd help him celebrate by playing golf that Saturday.

While Jim may have appeared areligious, he was quietly vocal in his advocacy of individual belief. Practice as you please was his motto. It was this attitude that allowed us to exist in a culturally diverse atmosphere. Our office always displayed both Christmas Tree and Chanukah Menorah. One year we changed the name of our holiday party to "season party" to accommodate the sensitivity of a Seventh

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Day Adventist. Over the years, we've all learned religious tidbits from our Protestant, Catholic, Baptist and Atheist coworkers. Jim reveled in the stewpot. His religious fervor however, was typically saved for the golf course where he participated in a seemingly one way dialogue with his maker over the result of a variety of his shots.

Jim was a tireless worker for the community. No one but H. James Fischer has performed the hat trick of serving as President of St. Petersburg's three largest organizations: The St. Pete Bar, Kiwanis, and Suncoasters. He did this with seamless ease, never shuffling off his other responsibilities at home or in the office. For a litigator, Jim was simply noncontroversial.

Somewhere along the adventure Jim changed my birth name to "Pard," short for partner. What a wonderful compliment that was from someone I admired and respected so. But truly, he was the poster child for Partner. We never argued, never exchanged words and never, ever left the office mad. Jim simply wouldn't let that happen. I can still see him standing in my door, smiling from ear to ear just to make me do the same at the end of the day . . . no matter what agita the day had brought. Every morning the real Pard made an effort to stick his head in, gather Terry Hirsch and me together to sip coffee and talk about anything except politics, academics or theater - the only prohibited subjects. Sports, particularly golf, was the favored subject. Since August 14, my coffee has simply not tasted the same.

The only life goal that I ever heard Jim verbalize was to tee it up in all 50 states. He managed 38 before passing. Bob Byelick and I have loosely spoken of trying to finish the rest for him with something of his stored in our bags. But Jim was not big on possessions and there is nothing I can think of which will honor him better than if we all carry these thoughts, expressed by Kahlil Gibran, in *The Prophet*:

And let your best be for your friend.

If he must know the ebb of your tide,

let him know its flood also.

For what is your friend that you should seek him with hours to kill?

Seek him always with hours to live.

It is his to fill your need, but not your emptiness.

And in the sweetness of friendship let there be laughter, and sharing of pleasures.

For in the dew of little things the heart finds its morning and is refreshed.

Jim was right about life. It's all an adventure. And the adventure still continues with our Pard scouting the courses ahead for the rest of us. We simply ask that he send us a signal and let us know if there really is golf in heaven.

Leonard S. Englander is one of the founding members of Englander & Fischer, P.A. He received his B.A. degree from State University of New York at Oswego in 1971, and earned his J.D. degree from Stetson University College of Law in 1975. Lenny is a commercial litigation attorney and handles a broad range of litigation matters. In private practice for 29 years, he is a member of the Florida and Colorado bars, and is admitted to practice before the United States Tax Court, the U.S. District Court for the Middle District of Florida and the Eleventh Circuit Court of Appeals. Lenny has been board certified by the Florida Bar in Business Litigation since 1997.



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