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## WALTER TRINKAUS— ATTORNEY, COLLEAGUE, FRIEND

*Mark P. Robinson\**

I think it was Oliver Wendell Holmes who is quoted as saying, "I would rather socialize with lawyers than with any other group." Throughout the history of Western jurisprudence, law professors, text writers, and judges commonly refer to a certain magic quality or virtue known as "collegiality." If one looks in the dictionary for the word "collegiality," he or she is likely to find that it is considered to be synonymous with collegueship. That word in turn is commonly defined as "a state of being involved with colleagues, i.e. to associate or unite; to cooperate or combine; as an associate in a profession or a civil or ecclesiastical office." In short, a colleague is a true partner—a partner who shares not only material things, but intellectual and spiritual things also.

Unfortunately, it is the writer's perception that the concept of collegiality in the law profession has been going downhill at an accelerated rate, totally strangled by lawyers seeking sanctions against each other, and the court's putting its imprimatur on jungle-animal-like tactics, engaged in by even the most "prestigious" law firms. Therefore, you could hardly blame me for looking back, every now and then, to view a mental picture of my friend and colleague Walter Trinkaus in some setting where he and I are sharing an intellectual or spiritual meal. I could tell you it was great fun and always inspiring. I loved to be with Walter Trinkaus. The legal profession, as a group, would do well to emulate his collegiality.

While Walter had a wonderful ability to research in rarely trodden forests of legal history and issues, and was no doubt a great teacher, he was also an outstanding advocate. He loved to compete and to do battle on legal issues. He and I began our "partnership" back in the early sixties at the firm of Vaughn, Brandlin, Robinson & Roemer. I was specializing in civil litigation, and, therefore, it was "natural" that he and I would have many occasions to work together on the legal nuances involved, especially on procedural and eviden-

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\* The Law Offices of Mark P. Robinson; Judge, Orange County Superior Court 1983-84. Judge Robinson is a founding member and the first national president of the American Board of Trial Advocates (ABOTA).

tiary issues. What made this collegiality even more fun was sharing our legal philosophies, then moving into general philosophy, and then to theology. We were constantly finding overlaps and common sources among these disciplines. Later it was my good fortune that, in his latter years, he had time to work with me on complex cases which presented difficult and little-studied legal issues. It was at that point that I think he was at his best. To extrapolate from a known area of the law and to transplant the product and apply it to a little-known area of the law was recreation to Walter.

I have this eerie feeling that he is observing the writing of this tribute because I can clearly hear his modesty and humility coming through the ether—"You have said enough; enough is enough."