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Carriage's Mike Elliott & Shook Hardy – Creative Partnering

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The Texas Lawbook Free Speech, Due Process and Trial by Jury ACC Association of Corporate Counsel HOUSTON



Mike Elliott

Carriage Services is a \$350 million company in the intensely regulated and highly litigated world of funeral operations.

The Houston-based company runs a tight ship – only three lawyers in its in-house legal department and a tight budget for outside legal spend.

“Our number one goal is to avoid trouble and stay out of litigation or regulatory disputes,” Carriage Legal Counsel Mike Elliott told *The Texas Lawbook*. “But sometimes, there are situations that are so important and become so contentious and-or involve complex legal issues that they require us to turn to outside counsel.

“When my company is on the line, I want to know that I have qualified and experienced lawyers who I absolutely trust with the future of our business,” he said.

Since joining Carriage three years ago, Elliott has developed a unique relationship with a cadre of lawyers at Shook Hardy Bacon in Houston in order to strategically analyze and address matters in the most efficient and cost-effective manner.

The goal, according to Elliott, is to have “truly open and honest communication” between the in-house counsel and outside law firms about risks, staffing strategy, costs – all bound by the faith that you want each other to succeed.

The Association of Corporate Counsel’s Houston Chapter and *The Texas Lawbook* are pleased to present Carriage’s Elliott and Shook Hardy with the 2019 Houston Corporate Counsel’s Creative Partnership Award.

“Through our partnership with Mike, our

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cases move forward deliberately and with clear goals in mind,” Shook Hardy partner Kristen Page wrote in nominating Elliott and Carriage for the honor.

“This kind of execution is only possible when you have knowledgeable and committed corporate counsel with strong connections to business leaders within the organization,” Page wrote. “Mike has these qualities. It is this combination of strategy, attentiveness, business knowledge and relationship skill that supports Mike’s success in partnering with outside counsel and achieving strong results.”

Born in Newport Beach, California, Elliott says he felt no pressure to be a lawyer growing up. His father was a surgeon, while his mother managed the office finances.

“I had no idea what I wanted to do at the end of college, so I took the LSATs,” he said. “My dad and his brother were always getting sued for crazy stuff. So, my first thoughts were medical malpractice defense.”

Elliott went to law school at Georgetown and then worked for more than two years as an associate at Hollingsworth, a litigation boutique in Washington, D.C.

“My wife was with the Coast Guard and we visited Houston in late 2011 and we decided it would be a great place to move,” he said.

Shook Hardy hired Elliott to be a part of its multidistrict litigation team dealing with pharmaceutical clients.

“I did a deep dive into the science itself and worked on the depositions of doctors and expert witnesses from Columbia University and Johns Hopkins,” he said.

Elliott said that the multidistrict litigation taught him to how to work with other law firms representing the same, or similarly situated clients.

He brought that expertise with him to Carriage in January 2017.

“My goal was to develop a partnership with outside counsel where we jointly thought about ways to handle legal matters uniquely and differently,” he said.

“In-house counsel needs to recognize that law firms need to make money and remain competitive in their markets,” he said. “Law firms need to understand that corporate legal departments are under pressure to save money. There’s always a better way to do things.

“But it requires trust,” he said.

Elliott said he was happy practicing law at Shook Hardy in Houston, but then he met Carriage’s chief financial officer at his son’s soccer game. Both men were coaches.

“I thought going in-house would give me a great opportunity to work with other executives in the C-suite, and it absolutely has,” he said. “Carriage is a wonderful company doing wonderful things.”

Shook Hardy partner Bert Ocariz, in the firm’s nomination of Elliott, said that it is important that in-house and outside counsel must have a shared vision of the client’s legal needs and expectations. He said that it works with Carriage because Elliott “takes the time to thoroughly understand the challenges before him,” which helps the Shook team “develop the legal road map needed to achieve the best result” for their client.

A good example, Ocariz said, is how Elliott “waded into the area of Florida’s statutorily-governed funeral services contracts and has clearly become an authority on the topic.

It helps, Ocariz said, that “Mike is extremely pleasant to work with and properly measured in his response to situations. “Where he needs to be tough, he is,” he said. “However, when the situation requires a lighter touch, he is very capable of doing so. Mike has shown creativity and judgment beyond his years of practice.”