

# Partner of Kentucky firm possesses instincts of an educator

By Brian Cox



One of attorney Matt Ellison's elementary school teachers had an especially profound influence on his life – because she was his mom. As a teacher of gifted and talented students in the Mishawaka (Indiana) School District, she set clear expectations for her son to prevent any perception of favoritism. In the classroom, he called her “Mrs. Ellison” just like all the other kids did. She even let him know that she might be a little more demanding on him in order to avoid any suggestion of special treatment.

“It pushed me to make sure I was minding my p’s and q’s,” he says.

He now credits the experience of having a teacher as a mother for informing how he understands one aspect of his role as an attorney.

“As the son of a teacher, I always feel like a part of my job as an advocate is to educate my client, educate the court, and, if it goes to trial, educate the juror,” says Ellison, a partner at Fowler Bell PLLC in Lexington, Ky., and member of the firm’s management team.



Attorney Matt Ellison and his wife Johanna have visited her ancestral home in Ireland several times. They’re planning a return trip this summer with their children, Rachael and Connor.

Despite having the instincts of an educator, Ellison attended the University of Kentucky with designs on becoming a journalist. He was interested in eventually covering government and politics, but after graduation he took a job at a sports marketing and publishing company in Lexington. After nearly two years, he was ready to consider a different career path.

“I realized it was going to take a long time to get to the point in my career that it would have been worthwhile,” he says. “I saw it taking it a lot longer to get where I wanted than I wanted it to take.”

Law school, he says, was a “shot in the dark” at a new direction. There was no history of law in his family, after all. His father was in commercial real estate. But he knew his mind was of the right sort for law and decided to give the LSAT a go. He did well on the test and enrolled at the University of Kentucky College of Law, where he would graduate magna cum laude in 2005.

“Everything lined up,” he says. “I went in eyes wide open, figuring, okay, this can unlock a lot of potential opportunities.”

During his second and third year of law school, Ellison clerked at Fowler Bell and was ultimately offered a position there after passing the bar. He’s been at the 126-year-old law firm ever since. He says it is the people and the firm’s philosophy toward the law and life that drew him to the firm and have kept them there his entire career.

“I connected from the outset with most of the attorneys,” he says. “I was fortunate to work a lot with some attorneys who were not just giving me assignments but were teaching me along the way. Explaining this is what the goal is here, this is what I’m looking for, this is why I’m asking you to do this. It was the good personal experience I had across the board that sold me on this is the kind of place I’d like to wind up working.”

The small firm that markets itself as efficient and cost sensitive has always maintained a focus on quality of life for its attorneys and staff, says Ellison.

“It’s an important part of our firm to allow all staff and

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attorneys a good work-life balance and I noticed that from an early point,” Ellison says. “We didn’t, by and large, have people who were here but miserable and felt they were trapped because they were making too much money to jump off the treadmill.”

While primarily concentrating on bankruptcy and creditor debtor rights, insolvency and reorganizing law and litigation-bankruptcy and insurance law, Ellison compares his practice to a Swiss Army knife.

“I prefer to have my practice area be broader than just one or two areas,” he says. “I’ve never wanted to limit myself.”

As a result, his caseload has run the gamut from civil litigation defense to business litigation, employment law, bankruptcy work, insurance coverage disputes, and even occasional probate matters.

“It’s a mixed bag,” he says. “Part of that is because at a very early age at the firm, I was given the opportunity to take on probably a lot more than peers at other firms might have. I practiced with partners who believed in giving the new associates an opportunity to learn and prove themselves. The more that you demonstrated you were capable of, the more you’d be given. I never felt like I was being pigeon-holed or put into a particular limited role.”

The firm currently has 12 attorneys, who practice in areas such as Business, Family, Education, Workers’ Compensation, Real Estate and Litigation. Its current managing member, Taft McKinstry, has been at the firm more than 50 years. Ellison says the firm’s size is preferable for operating in a lean, efficient manner and ensures that he has a relationship in some form with each attorney, which helps him to know their strengths and weaknesses.

In addition, everyone has input on decisions facing the firm, Ellison says, and while ultimately certain decision-makers decide what direction to take the firm on major issues, people have to trust their perspective was considered and valued.

“If I don’t have a relationship with everybody that’s practicing, then how am I going to ask them to trust me or our other managing partner when we make decisions?” explains Ellison. “The relationships we have help me to maintain credibility with them.”

As a way of nurturing and shielding the firm’s intimate and collegial culture, Ellison says when hiring he considers closely how well a potential new lawyer is balanced.

“I want somebody who knows their field of practice, but also knows when to ask questions if they’re over their head,” he says. “I want somebody who is motivated to do well, but not so motivated as to disrupt other people in the firm and become a problem rather than a solution. I want somebody who is willing to work hard, but I also want them to have an escape valve.”

He believes attorneys fresh out of law school are less willing nowadays to join a firm where they feel they may be taken advantage of or where they don’t feel they’re necessarily an equal with others in the firm.



**Alums of the University of Kentucky, both Matt and Johanna are Wildcat fans.**

“Newer lawyers are discovering more readily that they have more value than they might be led to believe by their supervising attorneys,” he says. “And that they’re capable of more than what practice areas they’re put into. I think what we can offer is a place where attorneys can work and feel more like an equal.”

The firm has had opportunities in the past to either merge with or be bought out by other firms looking to expand into the area, but Ellison says Fowler Bell has always wanted to maintain control over its future and is not “looking to expand just for the sake of expansion.”

Says Ellison: “We don’t have associates who are billing 2,400 hours in the course of a year and whose purpose is only making the partners rich, and I hope we never are that way. I’d rather have a firm and a team where we’re all working together and we’re all in the same boat together, and we can support each other through our hard work and through our efforts.”

The firm’s membership in Primerus helps it maintain its lean, efficient size while providing it the resources and reach of a larger firm.

“It helps to know that if I have an issue, I’ve got a network of like-minded attorneys who are concerned not only with appropriate representation, but also with controlling client costs wherever possible,” says Ellison. “I appreciate a team of individuals around me who I can bounce things off of and consult.”

Ellison says that McKinstry, the firm’s bankruptcy specialist, has noted a significant decline in bankruptcy filings over the last few years in Kentucky. He speculates that the COVID-19 pandemic may be a contributing factor to the trend. He’s also recently identified a rising unpredictability in jury decisions that he is keeping an eye on.

“Some verdicts have been remarkably high in cases where you might not expect it, compared to how things were in the past,” he says. “I don’t think the cases are any different but is there a

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**Matt and Johanna with their two children, Connor, 9, and Rachael, 12.**

difference in how the juries are perceiving the conduct of either plaintiffs or defendants that we need to know about or we need to figure out so that we can more appropriately advise our clients.”

He believes jurors may view certain conduct with different significance in light of their experiences during the pandemic, which for many served to erode trust in governments and institutions.

“I don’t think we can rely as attorneys on the strengths of the institution and reputation of our clients,” he says. “I think there’s a little less trust by your typical juror toward established institutions, ones which they were maybe more willing to trust in the past.”

Ellison and his wife, Johanna, have been married since graduating from law school. She actually works down the hall from him now after joining Fowler Bell eight years ago with a workers’ compensation defense practice. The couple, who met while studying journalism at UK, has distinct practice areas that rarely overlap. They have two children – Rachael, 12, and Connor, 9.

“It’s amazing how they have now reached an age where they’re picking up a lot of things we say and do and they perceive that to be the result of us both being lawyers, and so anything we say can and will be used against us in the court of home,” jokes Ellison.

Ellison is an amateur gardener who is quick to swap his business suit for a chef’s apron when not in the office. He appreciates devising meals around what may be available from the garden and finding ways to enhance flavors with the “versatile” ingredient of Kentucky bourbon. He enjoys the opportunity to be creative and views recipes as merely “starting suggestions.” He particularly enjoys managing the logistics involved in serving a meal to a larger gathering. For several years now, he and a friend

have overseen preparing a Christmas dinner for 180 people at their church.

Active in St. John’s Lutheran Church where he has served as president of the church council and chaired two fund-raising campaigns, Ellison says he is increasingly aware of how fortunate he is to do work he finds challenging and worthwhile.

“I think we would all be better served if we took a moment from time to time and realized how fortunate and blessed we are, particularly as lawyers,” he says. “We get to engage in a noble profession. Let’s take a moment from time to time to be grateful for what we have.”