

# PUBLICATION

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## An Interview with Donna D. Fraiche: A Trailblazer, Titan, and Tactician

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### What inspired you to become a lawyer?



*Donna D. Fraiche*

I am a product of the baby boomer generation. My father returned from World War II and married my mom. While my upbringing and my family life certainly did not influence me to embark on a career in the law, I did have an extended family of loving grandparents, uncles, aunts, who all told me at every turn two things: "Education is the most important thing" and "You can only succeed if you try, and you can be anything you want if you try." That message resonated with me.

When I went to law school, I was following a boy who was going to med school early. He was going to New Orleans, so I figured, well, what am I going to do? I decided, well, there's always law school! It was also a very interesting time. The country was at war – we were trying to get out of war, and everybody planned their careers and lives around whether they were or were not going to fight in Vietnam.

At the time, there were very, very few women in my law school class - I think we had nine women. I was fortunate to get a great job at a law firm right out of law school where I was mentored the whole way through.

So I went to law school for all the wrong reasons. I actually wanted to be an actress. But I was a debater in high school, so I figured I could use that skillset in practicing law and make it a part of my success.

### What attracted you to Baker Donelson?

I practiced with a number of other firms in Baton Rouge and New Orleans (and even created and grew a niche health care firm) before I joined Baker Donelson. I practiced in a firm in New Orleans and then Baton Rouge before I decided to go out on my own and establish a midsize firm. Along the way I worked with firms with regional and national clients, and a Washington, D.C., presence.

While all of this was happening and evolving, I sold the assets of one firm, and invested in a new firm that had a large tax practice, a public policy practice, and a litigation practice. After that, I joined another firm, where I was extremely happy and essentially ran the New Orleans office. This was the era of interesting political evolution involving a high profile presidential election that caused a firm implosion. Overnight, some of us were forced to launch a brand-new law firm where I became a named partner. Some years subsequent and after yet another successful regional law firm merger, I was eventually drawn to the health care practice group at Baker Donelson. I ran into Dick Cowart at an AHLA event and that led to the opening of the New Orleans office Baker Donelson as a great place to house our lives, our clients, our families, and our future. I heard that Roy Cheatwood, previously with Phelps Dunbar may have an interest – and the rest is history. Most of the lawyers and all of our clients joined and followed us to Baker Donelson. During Katrina, the Firm rose to the occasion,

rescued our office and allowed us to open the Baton Rouge office. During my time at Baker Donelson, I was able to use many of the tools of the trade that I have learned along the way.

## How did you develop your niche practice as a health care lawyer and how did you begin to grow your book of business?

I started very unconventionally. Initially, I started working for a very small boutique, white-collar, criminal defense firm. We tried a number of high-profile cases, and it was exciting. I ended up moving to Baton Rouge when my husband took a medical residency there, leaving New Orleans and the practice that I *loved* to do something entirely different, in the corporate world: working with banks, large insurance companies, securities firms.

I found myself as a young litigator at a firm that had no litigators to mentor me. Therefore, I had to pick up the work quickly and was thrown into very complex federal, multidistrict litigation before there even was such a thing. It forced me to create a niche practice. While at the firm, I had a serendipitous opportunity to represent a client who was defending a challenge to the constitutionality of the Public Trust Act, which was the entity that issued nonprofit tax-exempt bonds and helped to build the infrastructure for hospitals. They said, "We need you to help us figure out what is Medicare and Medicaid and how does reimbursement work." They were business lawyers. They had no idea. Neither did I.

At the time, there were fewer than 100 health lawyers in the country, and at just 26 years old, I got to be one of them. In that role, I was able to go to national meetings and meet people who were a bit older (and had much more health law experience). I relied on them to pull me along and make referrals, which helped me develop my practice at a very young age. And so it was because of the niche specialty that I very quickly became known for subject matter that other people didn't.

I began to develop my own clients and because I was in a legal area where there were not many lawyers practicing, the book of business was forced to move with me to start my own practice and merge with other firms.

## What advice would you give women lawyers about how to succeed in this profession?

I never worried about the fact that I was a woman. Instead, I used it to my advantage, because there were so few of us at the time. I used the fact that I was a very passionate woman who was intent on getting things done – I didn't care if I wasn't terribly aggressive. And fortunately for me, I didn't have to be. I just had to seem smarter and work harder, which was easy enough because I was so passionate about the work.

However, I could never have done this without the right team. We didn't have computers, we didn't have e-mail, we didn't have any modern resources when I started as a lawyer. It was all in-person contact and meetings then. You had to actually pick up the phone and talk to somebody, go meet them face-to-face, get to know them, or fly halfway across the world on a lark, not knowing whether you were going to pick up that piece of business. You really had to go the extra mile.

I hired smart associates to help me. People who could do the work, that I could depend on, and that could help me meet deadlines. That was the way I was able to do it – by building a strong team. It wasn't just my clients anymore; it was *our* clients. There wasn't a person on the team who didn't know our clients personally. Regardless of the person's position within the firm, I wanted them to get to know our clients.

## There is a lot of value in saying yes to various projects and work for a client. How did you know when you should hop on a plane to go see a client to grow your book of business?

Someone once told me, "You know, you won't have difficulty with that person if you just take the initiative and go see them." That one piece of advice changed everything for me.

I had a very large health care system client and I was doing some work for them, but I wasn't doing the amount that I ultimately wanted, and I was getting some really bad feedback; there was an in-house counsel involved, there was an executive involved, and they said, "Go to L.A. Go. Go. Just get on a plane. Go figure it out." And I did. And I could not have figured it out without getting on a plane.

## What are some best practices that you have learned over time that you would like to impart to women lawyers?

I think being there for clients in person and talking to them one-on-one is really important. Nothing can replace being there in person to apologize for mistakes that were made and being able to move on and move forward with the client relationship.

I could also give you many examples of being in the right place at the right time and being able to be in your own environment where you get to be the expert. You're going to get your business from being an expert – at least, that is what I did in my practice. You will get the work because of the great work you have done, and then the client hires you because they trust you and depend on you. Then, the rest is history.

I have one quick story. There was a time that I had a hearing in court, and my sitter didn't show up, so I had to take my son with me to court, and he sat on the back bench. The judge said, "I hear something back there. What's going on?" I said, "Your Honor, that's my child." He said, "What?" (laughing). I said, "My child is in the back." He said, "You bring that kid here now." He put my son on his bench, literally, and they just played together, and I tried the case. Back then, you just learned to figure it out.

## How do you think the profession has changed over time for women lawyers?

There are systems in place that were not available to me when I was coming along as a young woman lawyer. However, there have also been a lot of life events that I did not have to experience. Working women today have gone through everything from COVID to a lack of baby formula. But I think we've seen how a crisis can create new innovative ways of being able to work on a more flexible schedule.

I often worry if our young women lawyers are at a disadvantage, because I don't think you learn through video interaction. I think you learn by shadowing, by being in the same room, by being there physically, by showing up. And we lost that over the last two years.

## How did you know when you wanted to retire from the practice of law and open your consulting business?

I loved Baker Donelson and my practice there, but I have so many incredible interests beyond just practicing law. I knew that when I turned 60, I was going to be gone by 65. By the time I got to be 65, I thought, "Well, maybe I can hang on a little bit longer." While still practicing, I began to plan my retirement from law by joining several corporate boards.

Ultimately, I was able to monetize my experience by turning it into a consulting business, including not just health care businesses, but businesses and individuals of all kinds who are looking for a team of people to solve their problem. And their problems often are not just legal problems; they need somebody to help them get through it, solve it, introduce them, make connections, and access a network because network is as important as business.

## How is your life different now after "retirement"?

My time is so valuable to me now. Being a grandmother is so important to me. I want to help raise my grandkids. I spend more time babysitting than I do consulting, and it's a joy.

Also, my vocation now is painting. I began painting in 2014 or 2015 and I've actually sold some of my work, believe it or not. I'm not going to go the grocery store on the revenue I get from painting or my artwork, but I'm certainly going to love doing every minute of it. And I've taught my grandchildren to paint – it's something we can do together. My eight-year-old grandson painted the most incredible picture I've ever seen.