



## John Hines

### Navigating Technology Field with Intellect and Creativity

by Mike Ramsey

Remember your first trips online and that feeling of a universe unfolding before your eyes and fingertips? John L. Hines Jr. does, too.

“I had a client who had a contract with Ameritech. He had a question regarding domain names, and I didn’t know what those were. And so I started playing around with the Internet,” Hines, a member of Chicago’s **Clark Hill PLC**, says.

“Up until that point,” he adds, “I thought I’d been born into a most mundane, uninteresting time. And then my vision altered forever. I stood in awe of peoples’ joy and sense of exploration on the Internet—anyone being able to speak freely and jump from listserv to listserv and library to library.”

That was in the mid-1990s. Hines, then a lawyer whose practice areas included intellectual property, began reading voraciously about the booming virtual realm. By 1998, he was teaching Cyber Law at Northwestern University School of Law, his alma mater.

Fast forward to 2014. Hines advises clients about licensing, technology services, Internet

law and e-commerce, privacy and data security compliance and reputation management, among other issues. Things have only become more complicated for consumers, governments, the courts, businesses, and, of course, lawyers.

With the Internet, “Cross-border transactions are becoming more the rule,” Hines explains. That means resolving a host of often-conflicting jurisdictional matters.

“The world’s getting smaller, but more complicated, especially with the velocity of change in messaging and social media. This is just a really interesting time to be a lawyer. It’s like watching developments in the law move at the speed of light as opposed to the speed of a stagecoach.”

How he got to where he is today is a little less complicated.

#### **Foundations in Art, Philosophy**

The 59-year-old grew up in the north suburbs, the son of venture capitalist pioneer John L. Hines and artist Claire Prussian. His parents divorced, but both made impressions on him

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through their respective creativity and their shared appreciation for education, he says. His older sister, Mary Bendix, is an artist.

Their mother “painted at home, which is really nice, and we had a lot of exposure to art,” Bendix says. “Probably the most interesting part of it is what he got from it and what I got from it are really different. John is extremely intellectual. He could teach art history anywhere, at any level. He didn’t become a visual artist, even though he does draw.”

After spending his high school years at Phillips Academy in Andover, Mass., Hines attended Princeton University to study philosophy. Profound thinkers who made an impression on him include Friedrich Nietzsche and modern pragmatist Richard Rorty.

“The process of thinking about thinking was really exciting to me, as well as the process of how we ask questions and how to think about learning and knowing,” he says. “For many people, there’s probably a disconnect in being a technology lawyer and being a philosophy major, and perhaps there is. I think between law school and my undergraduate studies I got a fairly good training on asking questions and on learning.”

Upon graduating Princeton with a bachelor’s in philosophy, he was drawn to law school out of a desire to “do good.” His ambition then was to be a defense lawyer—an opportunity he realized during an early leg of his career while working with the legendary Patrick Tuite.

Hines contributed to white-collar criminal defenses and had a hand in the Chicago Magnet Wire case that saw manufacturers hauled into Cook County Circuit Court for allegedly causing harm to workers (the defendants were acquitted at the end of an eight-month bench trial). He caught the tail end of Operation Greylord, working on appeals.

“I think the role of criminal defense lawyers, in protecting individual rights and protecting our system against the massive power of government, is extraordinarily important,” Hines says. “It was rare that I didn’t go to sleep at night and in some way feel good about what I was doing. I really felt it was the best thing that lawyers do, and Pat Tuite was a marvelous role model and an absolutely great lawyer.”

### A Taste of ‘Brass Knuckles’

Hines’ law career, as a whole, defies easy categorization. After graduating from Northwestern with a J.D. in 1981, he cut his teeth at the former Schwartz Cooper Kolb & Gaylor, a law firm that did commercial litigation and bankruptcy and reorganization. It was a “brass-knuckles,” high-pressure environment, but a rewarding one, Hines says.

“I learned a sense of accountability there—that when I was given a file, I was the one who had to take ownership of it, I was the one

who had to lose sleep over it,” he says. “That’s something that I think about a lot: how we, particularly at larger firms, give younger lawyers that sense of care and accountability in a profession like ours.”

His subsequent, four-year stint with Tuite ended in the early-1990s, and Hines started a law practice with Thomas Gardiner, a friend from Northwestern. Gardiner Koch & Hines handled an array of cases that included civil rights, employment discrimination, commodities fraud and intellectual property litigation.

His experience in the latter area came into play in 2000 when Hines became a partner at Sachnoff & Weaver Ltd. The firm (later Reed Smith LLP), known for representing technology companies, was expanding the scope of its IP services. Hines says he was at the right place at the right time when the digital realm was exploding.

“I was very lucky, very fortunate,” he says. “I was continuing to teach and continuing to teach myself. A lot of it was having to learn, dig in, stay late, learn myself, read and meet people.”

### Supports Early Education

The deliberative, soft-spoken Hines takes his time giving answers. He’s engaged in the conversation but teases and susses his thoughts while talking, doodling a little on paper, and seems to be editing his sentences while speaking them.

Bendix says her brother’s somewhat scholarly manner belies his sense of humor and down-to-earth nature. “He really can talk to anybody on many subjects—he’s pretty amazing,” she says. “He can relate to people. He’s not arrogant at all.”

Hines loves to read and spend time with his wife, Lauren, who teaches creative process at a private school in north suburban Deerfield. The Evanston couple has two adult children. Daughter Lily, a 2014 Stanford Law School graduate, is interested in the IP practice area. Son Woody is an entrepreneur who co-founded an online sweater business, hillflint.com.

Hines, who once considered teaching as a career, has enjoyed lecturing at Northwestern, where he received the Outstanding Adjunct Professor Award for 2008-2009. He’s especially proud of the 14 years he has spent on the board of the Erikson Institute, a graduate school for early-childhood education.

Longtime Erikson board member and past board president Kate Neisser praises Hines for volunteering his time and utilizing his law skills for the institution. Last year, he helped to negotiate a contract for the school’s new president, she says.

“I think education in general is really important to John,” Neisser says. “Part of Erikson’s mission is to serve underserved populations, and I think he values his own education and that of his family and his children, and



photo: Brittany Lynn Studios

Hines and his all-attorney book group of 11 years at a member’s recent wedding. From left: Spencer Waller, Frank Ballantine, Paul Carman, David Lauertney, Fred Snow and Hines.

he’d like to see everyone have as wonderful an opportunity as possible.”

Even though computers and the Internet play major roles in his area of law, Hines knows practically nothing about writing code. And you won’t find him immersed in social media. He dabbles on Facebook and on LinkedIn, and that’s about it. Smartphone, yes. Twitter—not at all.

“If I’ve got extra time, I’ll be either reading a book or frequently be watching C-SPAN. I’ll watch hearings,” he says. “I’ll try to catch the news when I can. I would say I’ve fallen behind the curve in my own use of what’s available. I wish I could change or be proactive, but I’ve just got so many things that are pulling at me in my off-time—which is not much.”

### A Complicated World

His enthusiasm for the Internet has tempered a bit, given all of the vexing challenges that have emerged over the past couple of decades. Some observers have lamented the excesses and abuses and even isolation the online world has spawned. Hines won’t go that far.

“Right now, I think that what I miss is sort of the elation and joy and the feeling of the kid in the candy store—and just the open opportunities that were available for everyone,” he says. “Now, so much of the talk is about security, exposures and protection. That to me is just not ultimately as exciting.”

Still, those concerns are never far from what he does. Today, at Clark Hill, where he has been for two years, Hines performs a lot of transactional work. Much of his time is spent advising clients as they negotiate contracts for technology services, such cloud computing (using a vendor’s remote online network to transmit and store data).

The cloud-service model is different from an earlier one in which businesses purchased software for their computer hardware. Hines uses the analogy of snow removal. People previously bought the snow shovel and worried about the craftsmanship of the tool. Now,

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they pay for a snow-removal service and worry about the contractor's competence.

"I not only have to be aware of your data practices, but I have to be doing diligence in understanding your cloud provider and the security that your cloud provider offers," Hines says. "We have a patchwork of laws that are inconsistent, and many of the transactions inevitably involve foreign countries. They have different laws, different expectations."

Recently, Hines served as outside counsel for Boart Longyear when the Utah-based mining company renegotiated a sweeping technology-services contract with a vendor. Roger Custodio, Boart Longyear's vice president of information technology, credits the detail-oriented Chicago attorney with anticipating several potential pitfalls during the back-and-forth.

"Our contracts were eight years old, and lots of things change in IT industries," Custodio says. "There were a lot of 'Ah, ha! I didn't think of that' (moments)... It was quite an ordeal."

The new agreement was finalized earlier this year.

"Here's where I think John added a lot of value: He learned our business quite well during the period of negotiations," Custodio says. "He inserted himself into how we do our IT business at Boart Longyear. So, with all of that knowledge, he was able to go back and really have good discussions and bring up issues and ask, 'How are we going to do this?' and 'How would this work?'"

Besides security, reputations are also a concern for clients. Anyone can post virtually anything online about any person or company, particularly in the United States, where freedom of speech is paramount.

Companies that find themselves under attack have some options, but "you have to think about a broader set of tools to deal with it," Hines says. Strategies range from hiring "messaging" experts to tapping firms that have insights into search-engine algorithms.

"Then there are ways of changing your whole way of communicating with your employees and being open and transparent," he says. "Listening to what people say and trying to learn from their comments is critical."

Hines emphasizes there are few easy legal solutions, if any, in these times.

"It's important to recognize there may be many different ways to ask a question and to find a solution," he says. "There may be technical solutions, there may be normative or administrative solutions, there may be solutions involving education. And, yes, there may be legal solutions. But the underlying environment, certainly in which I work, is you've really got to pull together groups of stakeholders and approach problems from different dimensions." ■