

# A love for football eventually gave way to a legal passion for defense attorney

By Brian Cox

A bookcase in Gerald Swann Jr.'s law office serves as a physical reminder of his roots.

It once stood in his father's law office in the small town of Ashville, Ala., and held law books and copies of *The Southern Reporter*, which held decisions issued by the state courts of Alabama, Florida, Louisiana, and Mississippi dating back to 1941.

"The books always fascinated me," says Swann, who remembers as a young child being drawn to the distinctive binding of the books.

Swann compares his hometown to Mayberry, the idyllic, fictional Southern community that was the setting for "The Andy Griffith Show." Ashville had a population of under 1,500 residents and only one stoplight. His mother was a schoolteacher, and his father was a solo practitioner who handled any legal concern that walked through the door, from criminal defense work to real estate contracts to preparing wills.

"If you're a small-town lawyer, you're a jack of all trades," says Swann. "You're not going to turn work away. Sometimes his

fees may have been paid with a ham or a chicken or whatever the client could afford to give up. If they didn't have money, they found some way to compensate him for his time."

At some point, Swann became aware that along with the preacher, the doctor, and the banker, his father was probably one of the four more important people in town.

"I think with that it helped me to see the important role a lawyer can play in someone's life, be it advising them on a personal matter or being able to assist them navigating a legal issue," says Swann.

Growing up, Swann held no conscious aspirations to follow in his father's footsteps and become a lawyer. He was far more interested in sports, playing football, baseball, basketball and running some track in high school.

"Even before organized sports, I was probably organizing a football game in the backyard of someone's house or a pick-up basketball game," he says.

Despite having an opportunity at a smaller college on scholarship, Swann's dream was to play football at the University of Alabama for the legendary Coach Paul "Bear" Bryant, who is considered by many as one of the greatest college football coaches of all time. Swann realized his dream after "finagling" an invitation to a walk-on. He made the team as a defensive back for the four years of Bryant's final seasons.

"It was an opportunity to be a part of that program in whatever capacity necessary," says Swann. "The experience was rewarding, it was testing, but by the same token I'm also confident that connection certainly opened some doors for me that probably would not have been opened absent that connection."

A political science major, Swann finally acknowledged in his junior year the career path in one sense he felt he was always destined for and readied to apply to law school. Around the same time, he made another life-changing decision and became engaged to his high school sweetheart, Denise, who also was attending Alabama. The young couple married after graduation as



Gerald Swann and his wife, Denise, on vacation in Belgium.

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Swann began his legal studies at Samford University Cumberland Law School.

"The best thing for me to have success in law school was to be married," says Swann. "You go to class in the morning, you're in class all day, you come back to the apartment, get ready for the next day. That structure was beneficial to me."

As a young law student, Swann says it soon became evident that his skill set and personality were suited for litigation work.

His first year, he worked for a small father-and-son law firm in Birmingham where he got his first taste of litigation. He followed that up by clerking at a large plaintiff's firm his third year where he enjoyed the frenetic pace.

He also realized he wasn't suited to do plaintiff's work. His nature and worldview aligned better with defense work.

When Ball, Ball, Matthews & Novak, P.A., one of the oldest firms in Alabama, offered Swann a position his third year, he found it an ideal fit and he's been with the firm ever since.

Founded in the 1890s, the firm has provided legal representation across a wide range of legal matters since its inception. With offices in Montgomery and Mobile, the firm offers a statewide practice defending lawsuits involving products liability, medical malpractice, industrial accidents, personal injury, premises liability, and more.

Swann's practice developed to focus in the areas of construction litigation, products liability, serious personal injury, and wrongful death. He has represented both commercial and residential contractors in disputes over construction quality and job site injuries. A large part of his practice also is focused on personal injury claims arising out of the use of products in both the private sector and industrial settings.

With 21 attorneys, Swann says the firm manages its growth with an eye on need.



Since first going duck hunting as a child with his father, Swann has enjoyed outings to hunt waterfowl with friends.

"We feel we have the staff and the ability to properly and efficiently handle pretty much anything that comes in the door," he says. "We're positioned such that we can service what a clients' needs are."

The firm joined Primerus™ in 2018. Swann attended his first conference that same year and his second the following spring before the pandemic hit and in-person events shut down.

"COVID changed us all," says Swann. "COVID made us all become more proficient with technology, and I think you're going to continue to see remote proceedings grow."

Swann expects depositions and even trials to become increasingly conducted via Zoom. While recognizing the need to adapt to the technological trend, Swann isn't a fan of the loss of in-person communication.

"I think it loses something in translation, even though I know all of us are now accustomed to acquiring our information via a laptop, an iPhone or an iPad," he says. "But I still think the interaction of in-person can't be replicated over a computer screen."

He has been involved in focus groups and mock trials that were held over Zoom and found that the "jurors" deliberations



Swann personally trained his 4-year-old chocolate Lab, Scout, from a puppy to retrieve waterfowl.



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in that setting took on an almost sterile quality. It was more difficult to establish a personal connection with participants and to get a sense of the personalities.

“You can get close, but I don’t think you can replicate in-person proceedings by an internet connection,” he concludes.

Swann and Denise have two children and two grandchildren. Their son works for a steel fabricating company and their daughter is in the multimedia department of a large Birmingham law firm.

In his spare time, Swann enjoys golf, outdoor activities, travel, and (of course!) Alabama football.

He also has a lifelong passion for waterfowl hunting. He remembers learning to duck hunt with his father, who died when he was 14. He finds pleasure being out on early, cold mornings and seeing the sun come up as thousands of waterfowl fly overhead. He enjoys the challenge of getting birds to respond to a call and then watching the dogs work to retrieve fallen birds.

“There’s a lot of work involved,” he says, “but I like seeing how the process comes together.”

He has even trained his own retriever, a 4-year-old chocolate Lab named Scout.

“My dog is not a finished product and would never win any awards, but he at least looks like he’s somewhat trained,” says Swann with a smile.

In June 2021, Swann became president of the Alabama Defense Lawyers Association. He led an initiative to launch the ADLA’s first statewide community service program the entire association took part in that year. It is one of Swann’s professional achievements that he is most proud of. His successor as ADLA president has carried on the program and Swann is hopeful it will continue to improve and become a tradition, a legacy that spans years into the future.

“You’ve got to start somewhere,” he says.



**Gerald Swann enjoys spending as much time as possible with his two grandchildren.**