



Whayne C. Priest, Jr.

Of Counsel

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Overview

In 40 years of practicing law, Whayne Priest has certainly learned plenty about the practice of law. He's a member of the prestigious American College of Trial Lawyers, which includes a small percentage of attorneys in the U.S.

But he also knows something more universal: human behavior. If the members of a jury look you in the eye when they return to the courtroom, it is good news. "You can tell what the verdict will be if they look at your table," Whayne says. "You want them to search you out and look into your eyes and give you some sort of a nod, a smile or signal."

These days, waiting for a jury verdict is becoming a rare occasion. Whayne notes that cases are more often settled

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outside of the courthouse. Mediation and settlements often keep the cost of a case lower for the client, as trials are expensive. He has also seen another change that has worked to the benefit of the public: attorneys tend to know a few areas of the law well, and are not called on to practice outside of that. “When I started out, I would even prepare tax returns for clients and handle almost any type of case that came my way,” Whayne recalls. “Now, you have to be very proficient in one particular area. It forces us to keep up with case law and research. I think we are better lawyers because of that particular focus.”

The way attorneys practice law these days has changed, too, with more working via e-mail and cell phone to keep in touch with the office and sometimes to use that extra time they’ve gained to spend time with family. For Whayne, spending time in the office means time with his two sons, both of whom practice law at ELPO. “I couldn’t be more proud of them and to have them working with me every day is wonderful,” Whayne said.

At ELPO, Whayne is the law firm’s sounding board. Other attorneys come to Whayne for his considerable experience, and also for new ideas on how to tackle tough legal problems. He asks questions, examining a case from both the defense and plaintiff sides, and uses his extensive knowledge of case law to prompt attorneys to think through a legal problem in different ways. His fellow attorneys say they rely on his recommendations and thoughts, and new lawyers learn much by talking through issues with Whayne.

Most of Whayne’s time is spent in the area of business law. Since its inception, he has worked with the Inter-modal Transportation Authority, the organization that oversees the management of the Kentucky Transpark, a 1,200-acre high-tech business park located in Bowling Green. He has assisted the Transpark officials with several property acquisitions and rezoning petitions. So far, three large businesses have located in the Transpark, creating thousands of jobs. He has enjoyed helping build the organization from the ground up. “You get a chance to draft bylaws and envision what the organization will be in the future,” Whayne said. “It is exciting to help shape an organization that you know will have a positive, long-term impact on the community.”

Whayne started his law career in the U.S. Air Force. After his military career ended, Whayne was the City Solicitor for Bowling Green for eight years. His extensive experience in zoning and county and city ordinances has brought ELPO cases

in municipal law and represents clients in matters involving municipalities and counties. He advises local government bodies and their administrative agencies both privately and during public meetings. He also drafts proposed legislation for local governments.

Wayne handles business litigation involving a wide variety of issues, including breach of contract and other commercial disputes. He also advises corporations, partnerships and limited liability companies on choice of entity, formation and operational issues as well as preparation of agreements among shareholders or other owners.

In his of counsel status, Wayne still works with clients and actively practices law, but he is free to spend more time with his family, which now includes eight grandchildren. He has no plans to leave Bowling Green. "I could not picture a better place to live," Wayne says. "Bowling Green is a different place because of Western Kentucky University. It brings so much to the community and draws so many people to the area."

Credentials

Education

- University of Kentucky College of Law, J.D., 1962
- Kentucky Law Journal (Associate Editor)
- Order of the Coif
- Phi Beta Kappa
- University of Kentucky, B.A., magna cum laude, 1960

Admission

- Kentucky, 1962
- U.S. Supreme Court
- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Courts for the Eastern and Western Districts of Kentucky
- American, Kentucky and Bowling Green-Warren County Bar Associations

Affiliations

- Bowling Green-Warren County Bar Associations (Past President)
- American College of Trial Lawyers