



Matthew Burgardt: Legal Clerk and Law Student

[By Douglas May]

Matthew Burgardt has the unique distinction of being both a legal clerk and a law student. After starting as a runner at Hinkle Elkouri Law Firm in Wichita, Kansas, Burgardt was promoted to legal clerk and is currently a law school student at University of Missouri-Kansas City (UMKC). Born and raised in Wichita, Burgardt says that his family and surroundings created a rich environment in which to grow up.

“Wichita is, to me, an ideal-sized town to live in, in that it’s large enough to be considered a ‘city’ but small enough that I think it has a bit of a small-town, tight-knit mentality. That dynamic is especially evident to me now in both the business and legal communities. As a native Wichitan, I truly can’t picture living anywhere else,” Burgardt affirms.

He says that about the only things that don’t appeal to him are not having any sports teams in town and typically having to travel to go see a concert, which in high school meant that either the band had to come to Wichita or he wasn’t able to go.

Burgardt grew up working in a family business and saw from an early age all of the time and hard work his father and grandfather put in each day to be successful. He says that he was therefore impressed by and cognizant of the strong work ethic and amount of delayed gratification necessary to be successful not only in business but in any walk of life.

“It’s something I’ve taken with me into the study of law and will no doubt drive my law practice once I get out of school. At the end of the day, a family retail business and a law firm are not so dissimilar.”

Burgardt holds a Bachelor of Science in Business Administration with an emphasis in finance from Kansas State University. He graduated in 2004 and is currently in

Q. What do you do for fun?

A. Reading, making my way through the AFI top 100 movies when I have time, hacking away at the guitar, running, still working on the first draft of my great American novel.

Q. What CD is in your CD player right now, or what was the last song you listened to?

A. *‘Round About Midnight* by Miles Davis and *Songs for a Blue Guitar* by Red House Painters have been in steady rotation lately.

Q. What’s the last magazine you read?

A. I don’t personally subscribe to any magazines at the moment, but the last book I read was *When You Are Engulfed in Flames* by David Sedaris

Q. What is your favorite TV show/movie?

A. I have to catch most of my favorite TV shows in syndication: *Seinfeld*, *Arrested Development*, and *Cheap Seats*. *Rescue Me* is good as well. At the risk of sounding too geeky, I’d have to say my favorite movie is *Back to the Future* and has been since I was about five years old.

Q. Who is your role model? Why?

A. Probably my dad, for the reasons mentioned above: his strong work ethic and his desire to provide for his family even at his own expense.

Q. What is something that most people don’t know about you?

A. I sang lead vocals and played drums in a rock band in high school, The Rushmore Beekeepers.

his second year of law school at UMKC. He says that he chose UMKC for several reasons: it’s close to his hometown, it has a solid tax program, which he says was key in his decision to go to law school, and Mitch Herren, the managing partner at Hinkle Elkouri and a UMKC Law alumnus, encouraged him to choose UMKC.

Burgardt’s journey to law school began when he took a summer job as a runner at Hinkle Elkouri the week after he graduated from high school, partially because he had a cursory interest in eventually going to law school but mostly because he thought it would be “fun to cruise around town delivering documents and get paid for it.”

He says, “At the end of the summer, they asked me to come back over Christmas break to help out with their closed files department. I then came back over spring break to run and help with closed files. At that point it ended up being cyclical; I would just come back and work during all the breaks all through college. Then, after I graduated from college, I worked for the firm in an administrative capacity for about a year and a half and then started law school.”

The time Burgardt spent at the firm as a runner was instrumental in fortifying his interest in law. He says he was able to observe the number of different practices and the manner in which people with different personalities would handle situations that came up.



"Obviously, the attorneys I witnessed day in and day out had an impact on me. At the risk of sounding overly sentimental, I made the decision to go to law school thinking, 'I don't just want to be a lawyer; I want to be this kind of lawyer.'"

Burgardt says that the greatest influences in his life have been his father and the attorneys at Hinkle Elkouri who "have imparted on me, both through conversation and personal mentorship as well as my own personal observations, the traits of being a great lawyer." He says that everyone at Hinkle is like family to him and that many secretaries and staff who have been there as long as he has often remind him that they've "pretty much seen me grow up, and it's true."

Burgardt maintains that during his time clerking at the firm, he has been given the opportunity not only to be involved "in the trenches," conducting research and other things law clerks do, but also to observe a broad spectrum of the legal practice while being able to see the fruits of his labor in the finished product for the client.

"The work I've done at the firm has definitely informed my studies. Also, during the school year a lot of the attorneys and staff will call to check in, act as a sounding board for me, answer questions, and just generally be there for support. I feel very lucky as I know not many other law students have that type of support system available to them."

Burgardt says that all of the associates in the firm who have been there to "answer all of the stupid questions that come up as you try to reconcile the fundamentals learned in law school with the actual practice of law" have acted as mentors to him. He says that a number of them have taken their time and gone out of their way to mentor him.

"For instance," he says, "Dan Peare has solidified for me the importance of a strong

work ethic as it correlates to success in the legal field. Dave Rapp has imparted on me the importance of integrity in the legal profession. And Duane Coyle, in his own special way, has taken the time to work with me and help develop my research, writing, and analysis skills as well as many of the practical aspects involved in practicing law. I truly feel like I've learned from the best."

When asked what he most enjoys about the law, Burgardt states, "I've always had an interest in research and writing, so having the opportunity to exercise that interest in a legal capacity is something I enjoy."

Showing a self-deprecating and humorous side, he adds, "Plus, the intellectual exercise of trying to understand some admittedly confusing legal topics is, for a dimwit like myself, personally rewarding."

He says that he has enjoyed all of his classes so far, but the few that stand out as favorites are Estates and Trusts, Business Organizations, Products Liability, and Constitutional Law. Burgardt found constitutional law especially fascinating because, he says, "it is kind of a hybrid of law and history, making it obviously critical to the practice of law but also interesting from a historical perspective as well."

Burgardt has been involved in numerous student associations. He has served as a staff member of and editor for the Urban Lawyer Law Journal, he has participated in the Ellison Moot Court Competition, he has been a student attorney for and member of the Kansas City Tax Clinic, and he has been a member of the UMKC Moot Court Executive Board, the Student Bar Association, and the Delta Theta Phi legal fraternity.

Each association has a main goal or purpose, and when asked about the goals of a particular one, Burgardt states, "The Kansas City Tax Clinic, for instance, is responsible for representing and assisting low-income

clients in the community in a variety of tax controversy matters, with some students even being able to take their issues to tax court, although I was not lucky enough to have that opportunity."

Enumerating some of his responsibilities, Burgardt says, "The journal puts out four issues each year, so there's a great deal of editing and Bluebooking involved in preparing each issue as well as tracking down some obscure sources in order to verify quotes, check citations, etc. For moot court the participants are not only responsible for drafting their own briefs and delivering oral arguments but also judging first-year students' oral arguments and helping to administer the moot court program to the second-year students."

The benefits of getting involved in student associations are myriad by Burgardt's calculations.

"Certainly, getting involved in a journal has helped my legal writing. The immense amount of Bluebooking, both as a staff member and, to a lesser extent, a member of the board, has aided the work I've done over the summers, and having the opportunity to analyze and help edit in depth the work of some of the top legal minds in a particular field has informed my own legal reasoning and writing. Additionally, having the opportunity to write a full brief and have it edited by federal district court clerks, having them point out what's good and what's not so good about your work, while not what one would call a 'pleasant' experience, is definitely a great opportunity for someone interested in legal writing.

"Similarly, having the opportunity to deliver a complex constitutional argument to actual judges was definitely a challenging, nerve-wracking experience, but having done it, I'm confident it aided my oral argument skills. Plus, I always considered myself an awful public speaker and, because of that,



counted myself out of ever pursuing the litigation field. However, going through the entire experience helped me realize that I may be cut out for a litigation practice after all. Also, inversely, having the opportunity to judge the first-year students' oral arguments has no doubt helped my own oral argument skills as it helps you to recognize points of improvement that are painfully evident in novices but are not entirely recognizable when you're doing them yourself.

"Finally, the obvious camaraderie inherent in participating in things like a scholarly publication or moot court competition allows you to build relationships with classmates and future colleagues that one wouldn't normally have."

As for plans for the future, Burgardt feels that Kansas is definitely the place for him.

He says, "I gave some serious thought to settling down in Kansas City or another big city, but I'm a Kansas boy through and through, and I'm definitely a homebody, so I

would consider myself very lucky to be able to come back and practice in Wichita...I'm still up in the air as to the type of law I would practice if given the choice.

"I was a finance major in undergrad and have an interest in tax law, so I would definitely be interested in any area involving estate planning, corporate law, things like that. That being said, the majority of the work I did last summer was in the insurance defense/general litigation area, so I definitely feel partial to that type of practice. Plus, given my interest in legal research and writing, being able to practice in litigation seems like a great opportunity."

A favorite law school memory so far is "probably the 10 seconds between stepping away from the podium after my last oral argument and walking back to my chair — that feeling that I was able to twice get up in front of a panel of federal district court and Missouri Court of Appeals judges and deliver a quasi-cognizable argument regarding complex constitutional and statutory issues

for 15 minutes without having a panic attack or having been reprimanded for my sheer stupidity by the judges was an elation I had not experienced before." Again, such humility and humor from such an intelligent, accomplished individual is refreshing.

Burgardt's other interests and activities include volunteering with the Leukemia and Lymphoma Society when time permits and active participation at his church, the Redemptorist Parish of Our Lady of Perpetual Help Catholic Church in Kansas City.

His advice for law peers?

"Get involved in other activities at school. Not only will they help you hone in on what your strengths and interests are, but they will help you develop skills that will benefit you both in and outside of class."