

American College of Consumer Financial Services Lawyers Senator William Proxmire Lifetime Achievement Award

Presented on April 26, 2025 to

JOHN R. CHILES

The American College of Consumer Financial Services Lawyers is pleased to present its Senator William Proxmire Lifetime Achievement Award to John Chiles, in recognition of his many contributions to the legal profession and the development of the law of consumer financial services.

Throughout his 30 years practicing consumer finance law, John has been a very busy member of the bars of many states, as well as a friend and mentor to so many lawyers who followed him. In those roles, John has been a consummate educator, with the friendliest demeanor and decency, while advancing knowledge, collegiality, and great lawyering. And this he has done with enthusiasm and energy, welcoming those on both sides. His reputation extends nationally through his broad portfolio of cases and his sought-after speaking engagements.

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John was born and raised in Albertville, a small town in Northern Alabama, roughly halfway between Boaz and Hustleville. His father Andy, mother Mary, and sister Nancy were all lifelong yellow dog Democrats. (In fact, his maternal grandfather and uncle both were Democratic Congressmen, representing Jefferson County, Alabama in Washington, DC, for 32 years in total.)

Something of a whiz at math, John exhausted the resources of the Albertville High School faculty, and so finished his schooling at Baylor, a boarding school in Tennessee. He went on to college in the North (sort of) at Johns Hopkins, but returned home in the summers to work on his family's farm or occasionally in nearby Huntsville at a NASA wind tunnel facility, testing models that would eventually become the basis of the space shuttle.

In 1975, after college and two years of work in Baltimore, he came to his senses and returned home for law school at the University of Alabama in Tuscaloosa. Although raised in an Auburn household – alma mater of John's sister Nancy, as well as his father and various aunts and uncles – John quickly converted to a rabid Bama fan. He met his beloved wife Frances at Alabama Law. John and Frances were married in 1978 and moved together to Birmingham where they both pursued a career in the law. (Frances began her career at the Legal Services Corp., but eventually went into private practice where she had a long and distinguished career as a litigator specializing in labor and employment issues.) Despite their demanding careers as full-time litigators, John and Frances managed to raise three lovely children. John, for his part, also managed to find the time to play in several different rock and roll bands – everything from sax to bass – and to raise cattle with his father on a farm in Northern Alabama.

John worked initially as a general commercial litigator for many years before handling his first consumer finance case in 1994, in the litigation wave that earned Alabama the title of "tort hell" for the widespread use of class actions and high-exposure fraud cases in dangerous venues. Plaintiffs' firms were filing hundreds of

class actions in small, rural counties like Albertville, Alabama, hoping to trade on relationships with local judges, the demographics of the jury pool, and quick class certification to leverage large settlements due to the risk of massive verdicts. The risks were so great that some financial services providers stopped doing business in these counties altogether, exacerbating the lack of access to financial services in counties that already were underserved.

The litigation wave in Alabama waned due to tort reform, but Mississippi took up the slack, adopting a mass tort structure which could feature dozens or even hundreds of plaintiffs all joined in one action. John and his team took the Mississippi bar and litigated there for many years. The litigation moved to Kentucky, Tennessee, and Florida, and John followed suit, obtaining new bar admissions for himself, opening new offices for his law firm, and helping to level the playing field in each new state. Ultimately, John was licensed to practice in Alabama, Mississippi, Kentucky, Texas, Tennessee, West Virginia, Georgia, and Florida, and handled cases in most of the federal district and appellate courts in those states.

John took a creative approach to defending these cases. He often befriended opposing counsel and sought creative solutions to these matters, and he just as often achieved his successes through novel legal theories, crafty jurisdictional arguments, and savvy litigating. During this time, John, with several others around the country, led the push to insert arbitration clauses into consumer credit contracts. He helped draft and defend dozens of these provisions, many of which were invalidated by hostile lower level courts, only to be upheld on appeal and used to create strong precedent for the enforcement of arbitration clauses.

In 2012, John moved his practice one last time, to Ft. Lauderdale in the midst of the foreclosure crisis, where he remained until retirement. Beginning with those early Alabama cases in 1994, John has done almost exclusively consumer finance litigation, and the team he organized and led has evolved from an Alabama-only group into a strong regional consumer finance group working nationally on consumer finance matters.

Despite his active practice, and extracurricular family-raising, cattle ranching and accordion playing, John found time to give back to the profession in very important ways. He has served as a Regent of the ACCFSL and Chair of the Lifetime Achievement Award Committee and a member of the Fellows Nominating Committee, as well as Programs Chair of the ABA's Consumer Financial Services Committee. He has been a stalwart contributor of legal scholarship and writing to law journals such as the *Conference of Consumer Finance Law Quarterly* and *The Business Lawyer*.

But his signal accomplishment has been the revitalization of the Conference on Consumer Finance Law. When CCFL was experiencing a decline, John – working with Gil Rudolph, John Ropiequet, and others – stepped in to save the organization. They revolutionized the programming, introducing popular and thoughtful conferences that have emerged as "standing room only." They increased the quality of the *Law Quarterly*. They also significantly increased membership of the Conference and its Governing Committee. Today, the CCFL is one of the best independent conferences for sharing consumer finance viewpoints and discussing new concepts. John deserves much of the credit for this.

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Over the last four decades, John has transformed the law of consumer financial services through his ingenuity and leadership. He has been an exemplary friend and colleague to all of us in the consumer financial services community, and is a most deserving recipient of the Senator William Proxmire Lifetime Achievement Award.