



# Pumping Up Pro Bono Provides Psychological Paycheck

By Claude Solnik

Fighting the good fight also makes  
good business sense

**L**awyers often save clients' necks, but Elizabeth G. Land, an associate at Nixon Peabody, helped save someone's life a few weeks ago. On October 19, she and attorney David Feldman scored by helping a woman from Tibet win the right to remain in the U.S.

Rather than being deported to Tibet where, she believed, her life was in danger, the woman was released from a detention center. Land was ecstatic over the victory, but Nixon Peabody won't get a penny, since the firm took the case pro bono.

Although such cases don't feed corporate coffers, they do feed attorney's souls. "We are able to help people that would not be represented otherwise," Land said. "Clients' lives can be saved if they're granted asylum."

Sound like a good deed? It is. But law firms increasingly believe pro bono is good business.

## Pro Bono Proliferating

Law firms are pumping up pro bono efforts in a myriad of ways. They are assigning partners full- or part-time to lead pro bono pushes, taking major pro bono cases such as representing detainees at Guantanamo Bay, helping people with housing and using pro bono as a morale-builder and training tool.

Andrew J. Turro, pro bono coordinator and litigation partner at Garden City-based Meyer, Suozzi, English & Klein, has seen a "gradual growth in pro bono activity."

"We try to service the needs of the community with our existing departments and disciplines," Turro said. "It's really taken seriously."

Nixon Peabody in 2005 named Stacey Slater partner in charge of pro bono, a newly created (and increasingly common) job supervising and assuring quality in the program.

"We wanted to expand our pro bono initiative. Everybody recognized there are a lot of benefits to the firm, as well as giving back to the community," Slater said. "This contributes to attorney satisfaction. It provides great training opportunities for our young lawyers."

Esther F. Lardent, president of Washington, D.C.-based Pro Bono Institute at Georgetown University Law Center, has seen attorneys' attitudes toward pro bono shift. "For young lawyers, even more senior people, doing pro bono work is an important value," she said.

Law firms aren't just giving pro bono lip service: The nation's 150 largest law firms last year spent 4 million hours on pro bono, more than double what it was 10 years ago, she said.

"Pro bono performance has outpaced firm growth," Lardent said. "Firms are doing more. They're doing a broader range of work."

Nassau County Bar Association President Lance Clarke said nearly half New York State attorneys do pro bono, but the number could be larger.

"I believe a number of attorneys do pro bono on their own, but don't like to claim credit for it," Clarke said. "A lot of attorneys donate their time."

The Nassau County bar's volunteer lawyers project, encompassing about 1,500 attorneys, includes clinics for bankruptcy, landlord-tenant issues, the military and senior citizens.

# Pro Bono A Plus for Job Satisfaction, Training Opportunities and Good for Business

## The invisible community

Still statistics show that 20 percent of the legal needs of the indigent aren't being met. "Those are there every day," Levin said of the poor. "They don't get that attention. And they have a much greater impact. It [existing pro bono efforts] falls far short of completely addressing their problems."

Donna-Marie Korth, a member of East Meadow-based Certilman Balin Adler & Hyman, said there's a growing need on Long Island.

"People think Long Island is so affluent," said Korth, who provided pro bono services to the elderly, a growing population needing services. "In many cases it's not. There's an invisible community there."

But she said most of Certilman Balin's pro bono work is for nonprofits, helping with leases, transactions and other services. While nonprofits benefit, some said there's a risk that firms find themselves providing services to groups instead of individuals.

"The definition is becoming expanded," Clarke said. "We're starting to find there are a lot of organizations that don't have a big budget. There's a fear that the definition could become too broad."

## Hand-picking cases

Firms are careful about how they pick pro bono work, funneling in cases from various groups. Meyer Suozzi lawyers propose pro bono candidates, often people attorneys feel were treated unfairly.

"There's no specific area that we target," Turro said. "We do a lot of pro bono work with students with special needs. That has grown."

Meyer Suozzi hasn't set a target number of hours for pro bono work. "We've tried to shy away from that," Turro said. "We try to encourage it by making it clear that [in reviews] one thing that gets considered is pro bono activities."

Concerns over government's possible violations of fundamental rights are prompting firms to take cases they view as involving larger issues. About 50 law firms are representing inmates in Guantanamo Bay pro bono, Lardent said.

"That would have been the third rail four or five years ago," Lardent said. "There was a recognition that there were some



A. Thomas Levin is Partner and Chair of the Municipal, Land Use & Compliance practice at Meyer, Suozzi, English & Klein, P.C.

very important legal issues, that the core of the character of the American legal system was at stake."

Malpractice can be covered by various groups that refer pro bono case, such as Volunteer Lawyers project run by the Nassau or Suffolk County bars or the state bar's programs.

"Does anybody use this [malpractice risk] as legitimate grounds for not doing it?"

asked Tom Levin, a partner at Meyer, Suozzi. "I've never heard of anybody declining to do pro bono case because they were concerned about a malpractice claim."

## Corporate giving

Corporations are boarding the pro bono bandwagon, which can be good for morale and marketing. Microsoft's legal department represents immigrants facing detention; other legal departments represent death row inmates. "Corporate clients are taking on pro bono representation," Lardent said.

Nixon Peabody has been building a strong, organized pro bono practice; attorneys spend 30 hours on average annually on pro bono.

High-profile causes sometimes attract attorneys. Nixon Peabody helped victims of Katrina in Mississippi denied financial help. Ordinarily, its lawyers might not be allowed to intervene, but Mississippi groups got approvals for out-of-state attorneys. Nixon Peabody also sponsors a fellowship at the Mississippi Center for Legal Services.

In addition to high-profile problems, Nixon Peabody has helped poor people start businesses and veterans get medical care and disability benefits. In the end, firms through pro bono not only build their organization, but remind each other of some of the best reasons attorneys go into law.

"We think we have an obligation to give back to the communities," Slater said. "It really is rewarding work."