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By David Susler
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Changing face of pro bono

To learn more about what attorneys Tina Martini and David Susler have to say about pro bono work visit chicagolawyer.com to see their video.

How have lawyers' opinions of pro bono changed in the last 10 years?

Martini: Now more than ever, I believe there is a real recognition as to how important pro bono is in the context of our society and a realization that there are more individuals and organizations than ever before with legal needs who are unable to represent themselves or to pay for legal services. Sometimes it is truly a matter of life or death. There is also increased awareness that these needs are not just local but are in fact international in scope and there are ways for U.S.-based lawyers to meaningfully assist people abroad. This has led to more flexibility with pro bono and a real willingness to engage in creative and collaborative partnerships with clients, potential clients, trade associations, governments and various other organizations, both within and outside the U.S. This has opened the doors to pro bono opportunities and achievements that just didn't exist before and it is exciting and fulfilling to watch and participate in.

Susler: Pro bono work has always been an important part of the profession and of the professional requirements for practicing lawyers. However, I agree with Tina that over the past several years, there have been some very creative initiatives and a greater push to get more attorneys involved in pro bono work, both in law firms and in the in-house world.

Law firms and in-house departments have been getting creative and launching various cooperative partnerships in which both in-house and private practice lawyers work together to provide pro bono services. This includes such things as staffing legal aid clinics and forming

creative partnerships with nonlegal organizations, such as legal-medical partnerships in which lawyers and hospitals team up to provide pro bono help to families and individuals trying to navigate Medicaid and its maze of paperwork.

What are the challenges for transactional lawyers when it comes to finding quality pro bono to do?

Martini: I believe that where there is a will there is a way and oftentimes whatever challenges we perceive are in our own mind rather than in our environment. There are endless opportunities for everyone to make a meaningful difference with pro bono, regardless of their practice area and years of experience. So many firms, corporations, bar associations, nonprofit organizations and other entities have or are in the process of institutionalizing pro bono programs with a myriad of litigation and transactional opportunities. Unfortunately, there is never a shortage of these needs and it is just a matter of going out and finding them if they do not typically cross your path.

Susler: For in-house lawyers, one challenge is malpractice coverage, as in-house lawyers often are not covered for pro bono work by their companies. Another challenge is simply finding pro bono work within their specialty. That being said, I would encourage transactional lawyers to use pro bono work as a way to spread their wings beyond their comfort areas. They can look at pro bono work not just as a way to help others in need but also as a way to learn something new and expand their skills in the process.

What was your first pro bono matter and what did it entail?

Martini: I began my career at my firm as a real estate lawyer with a focus on environmental law. Within a couple of months of joining the

firm, a special project came in from city hall. I was asked if I would be willing to join the city of Chicago Department of Buildings for several months to help it restructure the Chicago Building Code. The department was in the process of reviewing and revising the building code from cover to cover and wanted to include an outside lawyer as part of the process. My engineering background was a real asset for this project since there are many technical references within the code. The project went on for about half a year and I learned a great deal. It really helped me to understand how important relationships are, both personally and professionally. It was an amazing experience and I had a chance to meet Mayor Daley at the end of the project.

Susler: Shortly after I started practicing, I joined the board of a homeless shelter and services provider in Uptown. In addition to my board service, I provided legal advice to the organization over the years, including such things as responding to records subpoenas, various employment issues and drafting personnel policies and procedures.

The bulk of my pro bono activities since going in-house have been participating in activities for improving the practice of law and the legal profession through volunteer service with the Association of Corporate Counsel. This includes not only through serving on the board of directors but also helping plan and present continuing education programs, helping run a summer internship program for minority law students and helping our ACC chapter expand pro bono opportunities. ■

David and Tina are not only lawyers who practice on different sides of the tables, but they are also married to each other.

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