



The rewards of pro bono service

By **Andrew Kessler**

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Oct. 23-29 is Pro Bono Week. Founded by the American Bar Association, Pro Bono Week is an opportunity to bring awareness to the need for attorneys to provide volunteer legal services.

As an attorney who does pro bono work on an ongoing basis, I know firsthand the need we have in San Diego for volunteers. My law firm, Procopio, Cory, Hargreaves & Savitch LLP, has made substantial strides in its support of pro bono work and is a leader in providing pro bono services among the large San Diego firms.

Twice a month, my firm circulates an email outlining cases for which the **San Diego Volunteer Lawyer Program** (SDVLP) needs volunteer assistance. Even through the limited case scenarios included in the email, one can see that the situations are dire and the stories are heartbreaking: denial of benefits for those with HIV, immigration status appeals, domestic violence in which women and children are victims of threats, beatings, false imprisonments, and more.

I got my start in pro bono work not long after being licensed to practice in California. As a construction litigator, I had garnered an understanding of the courtroom, but not yet the nuances of the pro bono work I would begin to do.

My first case was one regarding financial elder abuse/identify theft in which I assumed representation of an 82-year-old victim who was left with \$30,000 in credit card debt through no fault of his own. Despite not having incurred the debt, he was facing potential eviction and harsh treatment from a debt collection company pursuing a judgment against him. Although the case took some time and required learning a new area of the law, it was simple to do. More importantly, my reward, in the form of the client's heartfelt appreciation, is something I will never forget.

Some years ago, I decided to attempt to specialize in an area of law that both appealed to my sense of justice and had a particular need in the pro bono community. My hope was to be able to more efficiently handle niche cases, which would permit me to represent more clients, given my work schedule. With that as a goal, I attended a four-hour SDVLP seminar, which specifically addressed both the need and nuances of the representation of battered women and children. I learned that this need was even greater than I had imagined, and I immediately began representing victims of domestic violence.

I learned a great deal over the course of my first few representations and have seen, firsthand, the good that lawyers can do when they take the time to do it. I now handle several pro bono domestic violence cases each year and am rewarded each and every time with a grateful client who can now live her life with her children free from the fear and intimidation she once knew.

There are enough hours in the day to do pro bono work if you are smart about it. Some of the cases are quick, while others take on lives of their own. Pro bono attorneys who also maintain a normal caseload of traditional clients must control the case so that it does not consume their day. But it can be done; many of us do it.

The American Bar Association and other bars have set a goal for each attorney to do 50 hours of pro bono work a year. I personally find that to be an adequate goal, if every attorney were doing

pro bono work. The problem is that there are not enough people volunteering, and the need is so great.

Law firm support can make all the difference. My firm has taken steps to change our culture and promote pro bono work as not only an admirable endeavor, but also one in which we should feel compelled to be involved. One of Procopio's founding partners, Alec Cory, established a storied legacy of pro bono service, and the firm partners of today have lived up to those ideals by instituting a program that provides financial incentives for their attorneys to perform pro bono work. It is my hope that all firms will follow the lead and put the full weight of their support behind pro bono representation.

For me, pro bono litigation is a way to channel my early desire to be a prosecutor, but not every pro bono opportunity requires a litigator. Pro bono representation is about being an advocate for someone in need of help in a situation wholly unfamiliar to them. We attorneys have niche information that others simply do not have, and it is our professional responsibility to share this with those in need.

Some of the cases require only transactional assistance. Many do require a hearing or two, but even these are conducted as less formal alternative resolution hearings, which any attorney could handle. SDVLP also sponsors a wide range of legal clinics that only require lawyers to give on-the-spot advice (after training from SDVLP).

Pro bono clients receive the advantage of our representation, but we attorneys also benefit — we get better every time we do pro bono work. I have learned a tremendous amount from my volunteer cases, and it has not all been about the law. When I first started, I never would have guessed the need was so great.

By the time I get the call to handle a case, the inevitable emergency room visit has already occurred and the physical and mental abuse has left the victim and her children traumatized. And it is never the first instance of abuse. Invariably, these victims have experienced many such instances over a long period of time. It is rewarding to be the one to put an end to such a destructive cycle.

Pro bono work has also allowed me, perhaps forced me, to see the emotional side of practicing law, which is not necessarily found in other areas. Domestic violence work is riddled with emotion, and the facts surrounding the representation are profound. It is also full of rewards. Knowing you have helped women and children who have faced abuse every day move on to a new life without fear is indescribable.

Throughout my four years of doing pro bono work, my first case is still among my most memorable. During my final phone call with my first client, I could hear in his voice that the weight of the world had been lifted from his shoulders. He would now be able to live out his life as he should, with a safe place to reside, with his credit restored and without the worry that the legal system can impose.

It was only 40 hours of time, but the impact was priceless. I feel that same sense of accomplishment and satisfaction each and every time I conclude representation of a pro bono client. And it is this feeling that ensures I will always find the time to be able to make such an impact on the lives of people in need.

Kessler is an associate with Procopio, where he focuses his practice on construction litigation and contract disputes in the California and Nevada regions. A former Marine of 12 years, whose parents founded and operate a camp for children with cancer, Kessler is SDVLP's 2011 Pro Bono Lawyer of the Year.

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