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Pro Bono – Law Firms

Chadbourne & Parke's Pro Bono Program: A Commitment To The Highest Aspirations Of The Legal Profession

The Editor interviews Phoebe A. Wilkinson, Partner, Chadbourne & Parke LLP, and chair of the firm's Pro Bono Committee.

Editor: You have recently been named chair of the firm's pro bono committee. Would you give us an overview of the committee and its work?

Wilkinson: Chadbourne's Pro Bono Committee is comprised of 17 attorneys from eight of the firm's offices and all of its practice areas. We meet on a monthly basis and oversee all aspects of the firm's pro bono program, which includes identifying and approving the pro bono matters the firm will take in, and working with a variety of legal services providers on referrals. We are constantly looking for ways in which to respond to communities' needs for pro bono legal assistance. That includes responding quickly to unanticipated events such as those occasioned by the 9/11 terrorist attacks in this country as well as the 2005 London terrorist bombings.

Editor: How do these projects originate? Are they referrals from other organizations?

Wilkinson: There are several ways our pro bono projects originate. Many come to us as a result of a referral from an outside legal services provider as we have a number of such providers with whom we have built strong relationships over the years. In addition to referrals, these providers sometimes come to us with cases and projects on which they want to partner with us.

Other projects originate as a result of our attorneys coming to the Committee with a

request to take on a matter that they have identified on their own. Many of our attorneys also sit on governing boards of organizations engaged in charitable or community activity. They too may come to the Committee with

requests to take on a proposed pro bono matter, which we then review. Sometimes a client will approach us, having received a request for pro bono assistance that they believe worthy of consideration. And, because of the prominence of our program, we also receive a few direct requests.

Editor: Do you have participation at all levels of the firm?

Wilkinson: Yes, we do. All levels, from partners to first-year associates, participate in a wide variety of pro bono projects.

Editor: When I was a young lawyer, it seemed that there were plenty of pro bono opportunities for litigators, but that that was not the case for corporate and transactional lawyers. Is this still a problem?

Wilkinson: When I first became involved in pro bono work at Chadbourne, there were more litigators than transactional lawyers who handled pro bono matters. One of the many accomplishments of my predecessor Bernie McCarthy – Bernie served as Chadbourne's Pro Bono Partner from 1999 to 2006 – was that he identified and brought to Chadbourne a variety of non-litigation pro



Phoebe A. Wilkinson

bono opportunities for attorneys in our transactional practices. Bernie really spearheaded a major shift in that direction, and we now have attorneys in all of our practice areas who handle pro bono matters.

Editor: How do you handle the situation where a pro bono case takes an unexpected turn and begins to consume more of the firm's resources than originally anticipated?

Wilkinson: Once we begin a pro bono matter it is treated no differently than any other matter the firm handles. As with a billable matter, we allocate the people and resources to it that are necessary to bring it to the most successful conclusion possible. That is our commitment. We stand by the matter and see it through to the end.

Editor: Most of us think of pro bono as part of a uniquely American law firm culture. Chadbourne has managed to incorporate pro bono activities into its overseas operations. I am sure there is a story here.

Wilkinson: We have attorneys from our London, Warsaw, Moscow, St. Petersburg and Kyiv offices who sit on the Pro Bono Committee (and we make sure to schedule meetings of the Committee to accommodate the various time zone differences in those offices). To date we have been very successful in furthering Chadbourne's strong commitment to pro bono service in our international offices.

For example, following the 2005 London terrorist bombings, attorneys in our London office assisted several victims with their claims to the British Criminal Injuries Com-

Please email the interviewee at pwilkinson@chadbourne.com with questions about this interview.

pensation Authority. In Kyiv we provide legal assistance to local representatives of various international groups such as the Salvation Army and the American Chamber of Commerce. Attorneys in our Kyiv, Moscow and St. Petersburg offices also provide pro bono legal assistance to FINCA (Foundation for International Community Assistance) International – a non-profit microfinance organization that sets up “village banks” in some of the world’s poorest regions.

In Moscow and St. Petersburg we also handle work for Russian NGOs, and we have provided analysis on the right to civil counsel in Russia on behalf of the Brennan Center for Justice and International Civil Litigation. And our Warsaw office is involved in numerous pro bono matters. Our overseas offices are very much a part of Chadbourne’s pro bono culture and commitment.

Editor: Would you share with us some of the program’s recent success stories?

Wilkinson: We have had many recent success stories, including the following two. Chadbourne represented CAMBA/CAMBA Housing Ventures, Inc. in a pro bono effort to help in the development of supportive housing in the Flatbush section of Brooklyn. Together with Lawyers Alliance for New York (LANY), Chadbourne acted as developer’s counsel by assisting CAMBA with the formation of various legal entities and in the negotiation of financing documents related to the property. Ground was broken in June 2006 on the site of Morris Manor, a new 46-unit supportive housing development to be constructed in the heart of the Flatbush district of Brooklyn. The building is the first supportive housing project in Brooklyn Community District 14 and a new development for CAMBA and CAMBA Housing Ventures, Inc. Supportive housing is defined by the Corporation for Supportive Housing, a national non-profit that finances and advocates for the development of supportive housing, as a successful, cost-effective combination of affordable housing with services that help people facing the challenge of homelessness to live more stable, productive lives.

Second, Chadbourne recently assisted Housing Conservation Coordinators, Inc. (“HCC”) in the representation of a pro bono client at trial in a housing dispute. In September 2004, a landlord brought an action to evict the client from his rent stabilized apartment. Although the client had been living in the apartment since August 1993, the landlord argued at trial that the client had actually been living elsewhere and was ille-

gally subletting his apartment. Chadbourne and HCC argued that the client spent the majority of his time living in his apartment and did not sublet it. Chadbourne assisted in various aspects of the trial which took place over the course of three days before the Hon. Ernest J. Cavallo, the Supervising Judge of the Housing Court. After considering the testimony of 12 witnesses, as well as documents admitted as evidence, Judge Cavallo was not convinced that the landlord had proven that the client committed any of the kinds of acts that would permanently deprive him of his rights under the applicable housing laws. As a result, the judge found that the landlord had not met his burden of proof and dismissed the case, resulting in a favorable outcome for Chadbourne’s client.

Editor: Will you tell our readers something about your professional background?

Wilkinson: I received my undergraduate degree from Brown University and my law degree from Brooklyn Law School. I have spent my entire professional career at Chadbourne, beginning in 1992 as a summer associate and then returning to the firm after my graduation from law school in 1993. My practice is in Chadbourne’s litigation department, focusing on complex commercial litigation, products liability litigation and intellectual property litigation.

Editor: What were the things that attracted you to Chadbourne & Parke?

Wilkinson: Chadbourne impressed me on several levels during the recruiting process. A primary one was the depth and variety of practice areas that the firm offered its clients, and therefore the attorneys who practiced here. At the time, I believed I wanted to be a litigator, but I was not certain in what area of litigation I wanted to practice. What I found particularly appealing about Chadbourne was that, unlike many other New York firms, Chadbourne’s litigation practice was not dominated by any one type of litigation but instead had depth, talent and expertise in many different substantive areas of the law. The opportunity to work in such a diverse and complex group was very appealing to me.

Additionally, I was very favorably impressed with the people I met at Chadbourne and I felt extremely comfortable with the firm’s culture.

Editor: Your career also evidences a strong commitment to pro bono activities. What is the origin of that interest?

Wilkinson: My parents instilled in me the importance of trying to assist others who face hardship in their lives. That tenet was reinforced at Brown and at Brooklyn Law School, where I was one of a group of students who founded Brooklyn Law Students for the Public Interest (known as “BLSPI”), an organization founded to help meet the legal needs of underrepresented communities and individuals and to increase opportunities for Brooklyn Law School students in the field of public interest law. It is very gratifying on the occasions when I go back to Brooklyn Law School to see that BLSPI continues to thrive.

When I began my legal career at Chadbourne I quickly understood that lawyers have tremendous opportunities, particularly if they are litigators, to help others. Our legal system can be very intimidating, expensive and virtually inaccessible for many people. The message at Chadbourne has always been that the firm supports its attorneys in whatever pro bono, community and civic activities they choose to pursue. Right from the beginning Chadbourne partners encouraged me to get involved in a number of different pro bono matters. My first case was representing a tenant in an appeal of his landlord-tenant dispute. I also did fundraising work for The Legal Aid Society, and I now serve on the board of directors for New York Lawyers for the Public Interest.

Editor: Please tell us about the values that Chadbourne is attempting to instill in supporting a strong pro bono program.

Wilkinson: As lawyers, we hold a unique and privileged position in society. By virtue of our education and license to practice law, we are empowered to help people of limited means navigate what many feel is, at times, a complex, inaccessible and intimidating legal system. Chadbourne is attempting to instill in its lawyers recognition of the fact that with the privilege to practice law comes an obligation to help others. In my view, our empowerment as attorneys *requires* that we help those who are incapable of navigating the system on their own.

When a Chadbourne lawyer accomplishes something positive in a pro bono matter, it reflects well on the entire firm. It also serves to give everyone in the firm – whether they personally worked on the matter or not – a sense of pride and a sense of community. As individuals, we all experience enormous satisfaction in being part of a firm with such a profound commitment to the highest aspirations of the legal profession.