

Lawyering for a Cause: Do Good and Feel Great

by Crista Whitman Gantz



Doctors only attack a portion of cancer's sprawl. As if a diagnosis and the related treatment regimen isn't enough to overwhelm a patient and her loved ones, the surrounding non-medical challenges can create significant barriers to health. To achieve wellness, many patients need effective advocates as much as they need effective health care providers. One can't expect cancer patients to heal or respond well to treatment if they don't have money to pay for food, transportation, and a healthy and safe home in which to rest and recover. Patients need insurance to pay for necessary medicine and procedures, shelter from harassment on the part of bill collectors, and employers who work within the bounds of the law to allow for medical leave or reasonable accommodations so cancer patients can continue to work if they are well enough to do so. This is where the fight against cancer requires a lawyer's help.

Two lawyers in particular understood this need so much they created a non-profit organization to address it. The Legal Information Network for Cancer (LINC) was created in 1996 by two Richmond attorneys, Phyllis Katz and Ann Hodges, who as cancer survivors had experienced their own challenges with the business side of cancer. They started LINC to ensure cancer patients in the Richmond area had a trusted local resource available to help address the multitude of legal and financial issues that can become significant obstacles on the path to wellness. The LINC founders issued a call to service in the legal community that can still be heard today and the non-profit's dedicated volunteer attorneys continue to answer that call with vigor. LINC pro bono lawyers have helped low-income cancer patients achieve the following:

- Unemployment, social security disability, and other public-benefit awards to preserve income after being wrongfully denied.
- Reasonable accommodations in the workplace so they can continue to work and earn an income in the face of a disability.
- Approval of short-term and long-term private disability benefits so they have the financial stability to focus on healing while taking time off work.
- Coverage of medical treatments and procedures in response to unjust denials by private insurance companies.

- Cessation of harassment from creditors in violation of the consumer protection laws such as the Fair Debt Collection Practices Act.
- Avoidance of untimely eviction and related legal judgments that make finding an affordable and safe place to live and heal more difficult.
- Life planning documents to ensure their financial and health care needs are met and that their last wishes are honored.

The impact of pro bono service on the individual cancer patients that LINC assists has been sizeable, but so is the need, and it is growing faster than our current network can handle. Our organization saw a 53 percent increase in the number of clients served from fiscal year 2013 to 2014. Our hope is to increase our volunteer attorney network in response to the widening demand for assistance. LINC needs new volunteer attorneys and needs them now.

Rule 6.1 of the Virginia Rules of Professional Conduct challenges attorneys to meet a goal of dedicating 2 percent of their billable hours to pro bono service. It is not an especially lofty goal. One hopes, with the focus on service and equal justice at the core of our great profession, that giving of ourselves would be an innate priority and not a demand placed upon us. Yet Virginia attorneys are sadly falling short of our pro bono goal according to the Access to Legal Services Committee of the Virginia State Bar. An article written by the committee's chair, Joanna Suyes, and legal aid attorney John Whitfield, noted that, "There are 23,478 active Virginia Lawyers practicing in the commonwealth. If each of them met a minimum aspirational goal established by Rule 6.1, Virginia lawyers would log a total of 939,120 hours of pro bono legal services annually."¹

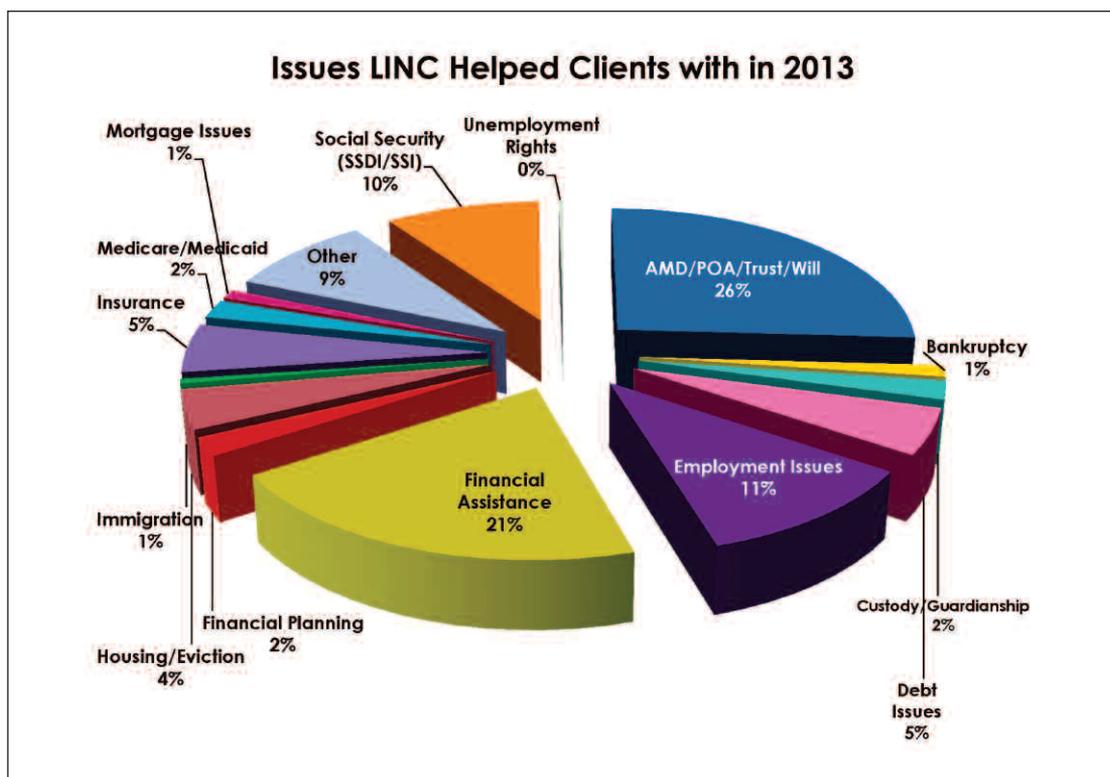
Unfortunately, data from the report generated by the committee suggests we are far from hitting that mark. Only "4.3 percent of Virginia attorneys are participating in pro bono activities sponsored by the legal aid programs."² Even bolstering the initial figures reported by formal legal aid programs to account for hours being logged for pro bono participation outside of legal aid, the report suggests that VA lawyers are only 8 percent to our overall goal.³ The bottom line: we need to do better.

Aside from it being our professional responsibility as attorneys, it simply feels great to give back. I've heard volunteers from my organization say this again and again as the reason they do pro bono work for LINC. The feel-good quality certainly comes from helping a person in need, but, partially I think it also comes from a slightly more selfish place. Being able to say, "I did a good thing

for another human being" to oneself, and, let's face it, out loud to others, can be extremely powerful. I know this from personal experience.

A few months after I started my job as the client services attorney for LINC, I found myself sitting and waiting for a pizza at a popular local restaurant after returning from a late-night fundraiser. I was alarmed out of my *Style Weekly* crossword puzzle by the sound of three people in the booth across from me bashing our noble legal profession. I was appalled at the things they were saying about lawyers. From what I could glean from the conversation, one of the restaurant goers had had a negative experience with an attorney he had hired for a traffic case and as a result felt justified to smear all attorneys everywhere with the unflattering label of — and I'm generously paraphrasing here — "no-good, sleazy, money-grubbing, dishonest so-and-so's." Prior to this point I had heard my fair share of lawyer jokes and, as the only sister of four brothers, I was no stranger to locker room language, but this declaration of hatred for attorneys felt different and too zealous to be ignored. I felt compelled to prove this naysayer wrong. I folded my paper into my purse, straightened my back and walked over to the table. They didn't even notice my approach until I interrupted their conversation with a cool, "Excuse me. I was just sitting over there." I pointed to an empty chair next to the take-out counter just a few feet away. "And I happened to overhear your conversation about lawyers. I'm sorry you had a bad experience, but, you see, I'm an attorney. I work for a non-profit that helps cancer patients with their legal and financial challenges. I have to disagree with what you're saying about attorneys. I know at least 180 of them in the Richmond area alone who are generously representing local cancer patients pro bono." Puzzled faces blinked back. "That means for free. I thought it might make you feel better to know that." Dead silence. I nodded, returned to my seat and unfolded my paper, but I held it up a little higher to conceal my widening grin. It felt fantastic. The boost to my pride had a glorious second wind when ten minutes later all three approached me and extended an apology and a hand to take my business card. Doing pro bono work and talking about this work gives attorneys a reason to feel good. The other, undeniable result is that a Virginia resident gets access to legal services that they wouldn't have had otherwise. So, for those of you giving of your time and talents, go ahead, pat yourself on the back and feel free to brag about it.

For those of you not yet convinced that volunteering will produce a warm, fuzzy feeling wor-



thy of your time, consider the results of recent studies showing that volunteering not only gives those who volunteer a better sense of mental well-being, but also creates a healthier physical well-being. Giving of your time and energy just 2–4 hours per week can lower everything from stress levels to blood pressure, thus increasing volunteers' longevity and quality of life.⁴ The author of one of these studies, Rodlescia Sneed, suggests the key factor in volunteers' improvement in health is stress reduction, which is "very strongly linked to health outcomes."⁵ UnitedHealthcare even recommends volunteering as a way to increase life expectancy, touting the studies that suggest the earlier you begin volunteering, the stronger the possibility of having better health later in life as well as having stronger functional ability over a lifetime.⁶

And, states tend to see decreases in heart disease and mortality rates when volunteer rates rise.⁷ Imagine what could happen if more lawyers chose to participate in pro bono work in Richmond, already one of the happiest places in the country.⁸

Virginia attorneys have plenty of reasons to engage in pro bono work, but it takes a village to answer the call to service. Law firms and legal departments need to get behind the pro bono initiative by encouraging and rewarding their attorneys for doing this philanthropic work. The benefits of volunteering can be extended to the

organizations that employ the volunteers. UnitedHealth Group, a Minnesota-based non-profit organization, focused on a different aspect in their research than the typical volunteer benefits. In their survey, UnitedHealth found that employers who support volunteer programs gain appreciation from their employees and generate goodwill within companies.⁹ Employers with employees who volunteer also see decreased health care costs and increased productivity, largely due to the lower stress levels of those employees who give back with support from their companies.

If you are serious about answering the Rule 6.1 charge to engage in pro bono service, why not do so for an organization that helps you do it as efficiently and effectively as possible. LINC understands that attorneys have professional and personal limits that might make signing up for pro bono work seem daunting. In response, LINC has a customizable referral process tailored to meet the specific needs of our volunteers. Our small staff makes personal referrals after a thorough screening process to determine income eligibility and the exact legal needs of the client. We keep detailed profiles of our volunteer attorneys and know their preferences in terms of practice area and pro bono work load. We're happy to accommodate requests such as, "I only want to draft simple life planning documents for clients in non-urgent situations who can come to my

office,” or, “I want to help but I don’t like going to hospitals. I’m happy to help cancer patients who aren’t admitted to healthcare facilities,” or, “I can only commit to providing occasional consult calls,” or, “Please don’t send me more than four clients a year,” or even, “I’m crazy busy, please don’t call me for six months.” Bring us your time and talent and we’ll help you deliver needed support to cancer patients in a way that works for you, your schedule, and your practice. We’ll also get you the training you need if you can’t leverage your current practice as a source of pro bono for our clients. Annually, LINC offers a free CLE training course on drafting simple life planning documents, and this year we launched a partnership with the Virginia State Bar to host a webinar CLE series of free “nuts and bolts” training for attorneys that we hope to continue each year.

Above all, at LINC we want our volunteers to feel valued. We say “thank you,” and we’re always quick to provide positive feedback from our staff and clients. Such feedback is never in short supply because members of our organization and the cancer patients we help are extremely grateful for the assistance. I recently received a call from a client wanting to provide an update on the outcome of a reasonable accommodation request she had placed with her employer. She had originally come to LINC at the end of her rope because her requests for a transfer to a smaller facility closer to her home with an open position in her field of expertise had gone unanswered. She came to LINC feeling hopeless and frustrated with the process. Her voice wasn’t being heard. The stress of the larger facility coupled with the long commute to work was leaving her exhausted and weak as she worked through her treatment and recovery from breast cancer. Despite multiple attempts to notify and work with her employer to improve her job conditions, she still had not gained ground. LINC referred her to a volunteer attorney the week before, hoping that, with legal representation, her transfer request would be heard and approved. On the day she called to give me an update, I answered the phone to find her in tears of joy. Within a week of receiving a reasonable accommodation request from her attorney, her employer had approved the transfer. Her words to me were simple yet powerful and full of hope: “Cris, we did it! Thank God for my attorney. He sent one letter and I got the transfer. We really did it. I’m going to be okay.”

One letter changed a cancer patient’s life. Imagine what your forty hours of pro bono could do for your community. Imagine what 939,120 hours could do.

Endnotes:

- 1 Joanna L. Suyes & John E. Whitfield, *Is there a Pro Bono Gap in Virginia?*, VA. LAWYER, Feb. 2014, at 46, <http://www.vsb.org/docs/valawyer magazine/vl0214-pro-bono.pdf>.
- 2 *Id.*
- 3 *Id.*
- 4 Compare Corp. for Nat’l & Community Service, Off. of Res. & Policy Dev., *The Health Benefits of Volunteering: A Review of Recent Research* (2007), at http://www.nationalservice.gov/pdf/07_0506_hbr.pdf at 10 (last visited Aug. 27, 2014) (finding an annual 100 hours as a “volunteering threshold” before which one does not experience the marked benefits of meeting that threshold, and after which there is no substantial benefit to volunteering more) with Rodlescia S. Sneed & Sheldon Cohen, *A prospective study of volunteerism and hypertension risk in older adults*. 28 PSYCHOL.& AGING 6 (2013), <http://psycnet.apa.org/journals/pag/28/2/578> (suggesting that one must volunteer 200 or more hours in a calendar year to experience a decreased likelihood of developing hypertension).
- 5 Stephanie Watson, *Volunteering may be good for body and mind*, HARVARD HEALTH BLOG (June 26, 2013), at <http://www.health.harvard.edu/blog/volunteering-may-be-good-for-body-and-mind-201306266428>.
- 6 UnitedHealthcare. *Invest in Your Health: Discover the Healthy Benefits of Helping Others*, Dogoodlivewell.org (2013), at <http://www.dogoodlivewell.org/healthy-benefits.html>.
- 7 Corp. for Nat’l & Community Service, Off. of Res. & Policy Dev., *The Health Benefits of Volunteering: A Review of Recent Research* (2007), at http://www.nationalservice.gov/pdf/07_0506_hbr.pdf at 11 (last visited Aug. 27, 2014).
- 8 Phil Riggan, *Volunteering Makes Richmond Happier*, Richmond.com (Aug. 26, 2014) at http://www.richmond.com/city-life/article_d2ec630e-2311-11e4-baa0-001a4bcf6878.html.
- 9 UnitedHealth Group, *Doing Good is Good for You: 2013 Health and Volunteering Study*, (2013), at <http://www.unitedhealthgroup.com/~media/UHG/PDF/2013/UNH-Health-Volunteering-Study.ashx> at 6.



Crista Whitman Gantz joined LeClairRyan’s Discovery Solutions practice group in 2007 where she most recently worked as an associate before making the decision to change career paths and pursue non-profit legal work. She joined the Legal Information Network for Cancer in August 2013 and currently works as client services attorney representing and assisting cancer patients with their legal and financial needs.