

From the CIA to Pro Bono Phenom, Brian Fannin Gives Back

by Jackie Kruszewski

At his tiny Fredericksburg office in an historic, creaky building, Brian W. Fannin can almost touch both walls when he stretches out his arms. He jokes that he likes to remind his law school classmates of this fact when they express any envy at his eponymous law firm, Fannin Law PLLC.

“There was a writer named Grace Paley,” Fannin says. “She said the secret to being a successful fiction writer is keep your overhead low and never live with anyone who doesn’t believe in you.”

Fannin, 45, applied that logic when he did a stint writing for newspapers before law school, and now he applies it to the solo practitioner lifestyle. And it’s a maxim that’s allowed the New Jersey-raised roofer’s son to dedicate up to 20 hours a week to pro bono through Fredericksburg’s Legal Aid Works. Executive Director Ann Kloeckner calls him a “pro bono phenom.”

It’s Fannin’s version of success, and one he says he feels lucky to have achieved. His interest in pro bono work is rooted in a sense of justice and fairness for low-income citizens, especially when it comes to civil cases, where lawyers aren’t court appointed.

“That creates unjust outcomes in many cases, and that’s just not acceptable to me,” Fannin says. “If it were up to me, a lot more pro bono would be required of all of us. But I’m happy to do it as much as I can.”

Fannin, who lives in Spotsylvania County, is philosophical, too, about his initial interest in law. It goes to the heart of a person’s responsibility as a citizen, he says, and helping individuals negotiate their place in the community.

“If you believe in any of that social contract theory,” he says. “There’s this contract we’ve created to elevate ourselves above the caveman status, and

here we are struggling to perfect it as we move along.”

To Fannin, lawyers seemed to be able to make an outsized difference in that societal negotiation, which fueled his interest in becoming one. At Cornell Law School, he found purpose volunteering at the legal aid clinics. But it wasn’t a direct path from there to now. The events of September 11, 2001, came right as he was starting his third year at Cornell. Fannin tried to join the military but was thwarted by color blindness. So he applied to the CIA.

The influx of applications meant the security clearance investigation would take about a year, so Fannin completed his last year of law school while he waited to join the CIA — as one does. His career in intelligence and national security, as both a government employee and as a defense contractor, included service in the Middle East and Southeast Asia.

“I’m hesitant to say that I used to be a CIA officer, because every time I mention it, that’s a little more interesting,” Fannin laughs. But he says his work overseas and in war zones had similar themes to his interest in law — using diplomacy and the rule of law to solve conflict.

Eventually, he says, it was time to settle down. He’s happy to report that he got to do a stint as a stay-at-home dad for his three kids, now ages 10, 7, and 5, between CIA officer and officer of the court. He then took the Virginia bar in 2014. “Even though the hours of law can be pretty crazy, the law actually provided more stability to me than intel did.”

Fannin’s legal focus is very generalized — he likens himself to an old-school, small town lawyer who takes most of what comes through the door. It’s a style of counsel that complements



Fannin’s tendency to get bored quickly, but it’s also symbiotic with his pro bono work. Taking pro bono cases in new areas of law can lead to regular business in that area, and regular practice in another area makes pro bono there smoother and faster. Fannin recommends pro bono for lawyers, especially younger ones, who want to go into solo work.

“They just really inform each other all the time,” he says.

Fannin takes a special interest in clients struggling with mental health issues — a particularly vulnerable set of clients who are often disproportionately underrepresented. He bristles at the memory of an opposing lawyer calling a woman suffering from depression “a crazy plaintiff” in court. Another driver had hit her car, and she appeared pro se in court, before Fannin got involved.

Fannin’s mother struggled with mental illness, and he now volunteers for and supports Mental Health America Fredericksburg, a nonprofit providing local suicide prevention education, a senior visitors program, support groups, and a helpline.

He’s also barred in DC and New Jersey, which came in handy for a recent pro bono case, where a Virginia man

was being sued for divorce in a DC court. The man was illiterate, and the woman had been taking advantage of him, Fannin says. Fannin was able to get a default judgment vacated, get the man his divorce, and protect the man's assets.

"Sometimes with legal aid or pro bono or low bono stuff, you really just get a sense that you're doing something good in an area where a lot of people are doing something pretty bad," Fannin says. "I know moral judgments are out in a lot of cases, but I can't help but feeling that way. It's part of what motivates me."

Fannin recognizes that spending 20 hours a week on more complicated cases like that divorce isn't doable for everyone. But if he finds himself without any pro bono on his docket, he'll call up Legal Aid Works to offer his services.

"Even if it's just an hour doing some uncontested divorces, that's fine," Fannin says. "They're things that need to

be done, and it makes a big difference in people's lives."

The small stuff adds up. Legal Aid Works, like other similar organizations, has what Kloeckner calls an "unbelievably thin staff" of nine lawyers doing their best to cover 16 counties and the city of Fredericksburg.

"We are turning away easily two out of every three people, simply because how can those lawyers be in 51 courts?" she says. "That's enormous and not to be discounted at all. They are eligible [for legal aid] and desperately in need."

Lawyers like Fannin provide valuable bandwidth and can help Legal Aid Works assist exponentially more people. Plus, outside lawyers bring expertise, perspective and energy to the table. Fannin's broad practice experience and willingness to learn, Kloeckner says, allow her to give him more complex cases.

"As a solo practitioner with young children, he has every reason to claim

no time to spare on volunteering for us," Kloeckner says. "But he consistently and cheerfully takes pro bono cases for us and is eloquent about his motivation for doing that."

Kloeckner says Legal Aid Works takes all comers, and will even train lawyers in litigation, if need be. She says a huge area of need is uncontested divorces — often low-income couples who are long separated but unable to pay for the divorce. These are simple legal acts needing a fairly finite amount of time; Kloeckner says a lawyer can take on as many or as few as he or she wants. Legal Aid Works also hosts a number of estate planning days — "will-a-thons" where lawyers are matched with low-income people needing help.

"We just want to make things as easy as possible and meet them where they are," Kloeckner says of lawyers willing to help.



Wear the Pin That Says You're a Super Lawyer.

Answer 15 questions or more on Virginia.freelegalanswers.org and we'll send you a pin to wear with pride.

Virginia.freelegalanswers.org — A national ABA-sponsored program bringing legal answers to people who cannot afford an attorney.

Questions? Contact Crista Gantz at cgantz@vsb.org or (804) 775-0522.

Do Pro Bono. Do Good.