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## REGION

# Lawyers value pro-bono cases

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When Harrisburg attorney Amy C. Foerster heard about a commercial pilot who was grounded after being placed on a terrorism watch list, it just seemed unfair.

"This doesn't make any sense, and there has to be a way to help this guy so he doesn't lose his job," Foerster recalled thinking.

The pilot, Erich Scherfen, is a military veteran. Foerster, whose brother earned a Bronze Star in Afghanistan, jumped to take the case.

Foerster's day job at the law firm Saul Ewing is as a commercial and employment litigator. Now, she's knee-deep into a high-profile civil-rights lawsuit against the federal government.

And she's doing it for free.

Foerster took the case as part of Saul Ewing's pro-bono program, which encourages lawyers to take on needy clients who cannot afford to pay for the service.

Many attorneys devote hours of time to such work, and bigger firms like Saul Ewing have designated pro-bono coordinators. The primary benefit is to the client, but lawyers say working for free is good for them, too. They can stretch beyond their everyday duties and often get valuable experience. More importantly, such work appeals to a lawyer's higher instincts, said Karen Forman, who runs Saul Ewing's pro-bono program from the firm's Philadelphia office.

"They want to use the law as a tool for justice," Forman said.

Lawyers stand out as a profession committed to pro-bono service, said Samuel W. Milkes, executive director of the Pennsylvania Legal Aid Network. The concept is included in the disciplinary rules of the profession and reinforced by the state and local bar associations, he said.



Milkes

There is usually some connection between a lawyer's regular experience and pro-bono work, Foerster said. For example, she previously tack-

led constitutional issues as a senior deputy attorney general for Pennsylvania. Still, this experience is different. The Scherfen case involves First Amendment and Fifth Amendment claims. Foerster said she is well-grounded in First Amendment law, which includes the freedom of religion, but she is still learning about the Fifth Amendment, which guarantees due process.

It's also new for Foerster to be working on a case that has attracted attention from media outlets ranging from CNN to Al Jazeera.

"Just the magnitude of the attention ... has quite frankly been new," she said.

It's important that lawyers not go too far afield, said David Fine, a commercial litigator at K&L Gates in Harrisburg who does pro-bono work for prison inmates. His firm has declined pro-bono work when it lacked the in-house



Emily Damron, left, and Amy C. Foerster are attorneys in the Harrisburg office of Saul Ewing. Damron is assisting Foerster on a civil-rights lawsuit against the federal government. The case is part of the firm's pro-bono program.

PHOTO/AMY SPANGLER

"And then, when something good happens and someone writes you a thank-you note..."

Emily Damron,  
Saul Ewing

knowledge to give a case the best treatment, Fine said. On the other hand, learning is part of being a lawyer, he said.

"In some sense that's not terrifically different than what we're called upon to do all the time," he said. "I have clients in a great many different industries who are presented with a great many different problems in a huge variety of areas of law."

Meanwhile, pro-bono work allows lawyers to burnish their skills.

"It only takes one case, really, to kind of get hooked on pro-bono work," said Emily Damron, a junior lawyer in Harrisburg's Saul Ewing office.

Damron is assisting Foerster on the Scherfen



Fine

case, but she also has pro bono cases of her own. Managing a case is not something junior lawyers usually get to do, so the pro-bono work is exciting, Damron said.

"And then, when something good happens and someone writes you a thank-you note..."

She beamed. That doesn't happen in everyday work, she said.

Fine has seen the ups and downs of working for free. He has been fired by a prison inmate after refusing to do something Fine believed was unethical. Other clients treat him better. Fine is now representing a prison inmate in a case that originated in the U.S. Virgin Islands, which come under the jurisdiction of the federal appeals court in Philadelphia. Fine will likely have to fly to St. Thomas for oral arguments on the case in December.

"There are moments," Fine said. ■