



LOS ANGELES

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Learning to Interact with Pro Bono Clients: How Close Is Too Close

Perspectives

By Mathew Sollett

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How do you represent your pro bono clients? Yes, you file pleadings and appeals; but how do you interact with them? How do you get to know them? How do you learn to tell their story?

Before I started law school, I worked as a housing organizer in New York City for four years. Older organizers often warned me to not get too close to my clients, to avoid wearing my heart on my sleeve. If I got too close, if I "took the work home," I was sure to burn out.

I lived by that advice then. Trying to save poor people from eviction or find them affordable housing was both rewarding and emotionally exhausting. As a defense mechanism, I took refuge in the fact that I was very different from my clients. I was a young, unmarried, college educated white man; the clients were typically Spanish speaking, low-income families with young children. I could help my clients with their struggles and I didn't have to worry about facing those same struggles in my life.

When I began my summer position at the Inner City Law Center's (ICLC) Homeless Veterans Project, I thought I could employ that same tactic to keep my life separate from my work. I have not served in the military and none of

my family members have served, so I thought I could again maintain an emotional detachment from my clients. But, because I had never worked with veterans before, I couldn't be sure how I would react to them. I also knew that some of the clients would be young veterans recently returned from war. What would it be like to serve clients my age and from similar backgrounds as my own?

One of the first clients I met at ICLC, Matt, is a young veteran with many combat decorations, including the Purple Heart for an injury sustained in Iraq. He had survived several life threatening situations, which caused him chronic anxiety and depression. Matt needed help because the Department of Veterans Affairs (VA) was denying him disability benefits for Post Traumatic Stress Disorder (PTSD).

Looking through Matt's military records, I was struck that our birthdates are only two weeks apart. Matt had enlisted shortly after the 9/11 terrorist attacks and served six combat tours in Iraq and Afghanistan. Matt was already receiving daily medication for PTSD when a grenade exploded in his Jeep, slamming his head against the vehicle's frame. The traumatic brain injury he suffered that day earned him a Purple Heart. Still, the Army encouraged him to sign up for a sixth tour of duty, then paid him a bonus to commit to a seventh. But by the end of his sixth tour his PTSD was so severe that he could not report for deployment.

What if I, like many people my age, had felt driven to put my college education on hold and enlist in the Armed Forces after 9/11? I could very well be in Matt's situation. I could be the one battling the trauma that often occurs after war and fighting to overcome the legal obstacles put in the path of many veterans seeking disability compensation. I would not have survived the flashbacks of enemy attacks and suicidal thoughts that haunted Matt.

These thoughts were a new experience for me. For the first time, I felt that my life and the life of a client were separated only by a thin line - a single decision, in fact; the decision to enlist in the military. I remembered the advice about not wearing my heart on my sleeve and feared that my new feelings would keep me from making honest assessments of my clients' legal claims.

Matt's case illustrates the bureaucratic hell the VA unleashes upon veterans. Even though Matt had combat decorations, the VA was skeptical of his claims of combat related PTSD because there was little documentation of that combat in his personnel file. It took months to convince the VA that Matt had actually been in combat and faced situations stressful enough to cause PTSD.

As if that wasn't frustrating enough, Matt also had trouble convincing the VA that he actually suffered from PTSD. Even though VA-employed



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physicians had already diagnosed him, the VA insisted that he be re-screened by contract physicians.

While learning about Matt's case, I wondered what would have happened had he not had pro bono counsel. Given the complexity of the case, it seemed unlikely that he could have navigated the VA system alone. Would he have ended up like so many older veterans who went ignored - homeless and without hope? Luckily, Matt's attorney was successful and the VA eventually granted Matt's request for compensation. He is now attending community college and pursuing a screenwriting career.

After hearing about Matt's struggles, I decided to push aside the old advice I had relied on. That I could see the similarities between my life and my clients' lives didn't feel like a bad thing or something to be feared. It felt like an asset. That I could be in Matt's situation made me want to fight that much harder for other veterans facing similar struggles. I wanted to know the obstacles they faced so I could more fully tell their stories.

I soon started working with a new client. John enlisted in the Marines in 2004 and served two tours in Iraq. While in service he signed up for the GI Bill education program. He made all of the required payments into the program and even paid extra to increase the benefits he would receive after his discharge. Although Congress recently revamped the GI Bill program to give veterans more education benefits, John hasn't gotten the benefits he deserves

because of an error he made on his application.

The VA has claimed that the controlling law doesn't allow it to correct John's error. I researched the law and drafted an appeal on John's behalf. Given the complexity of the law it was a challenge for me, a first year law student, to fully understand the case even after all my research. Like Matt's case, I thought about how helpless I would feel if I were in John's situation. It was very gratifying that I could use my education to assist John and give him hope of receiving what he deserves.

To fully represent a pro bono client you have to feel their struggles as best you can and really empathize with them. Look for similarities between your life and theirs and take those similarities to heart. Connecting with clients in a personal way is not something to be afraid of; it is something to be embraced. It raises the stakes for us as legal professionals and pushes us to give everything we can for a client in need. That's a lesson every attorney should learn.

You can get involved with the Homeless Veterans Project and help veterans in need.

Contact David Ackerly, Directing Attorney, at dackerly@innercitylaw.org or (213) 891-2880 for more information.

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