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News for Associates and Young Lawyers

New Booklet Commemorates 9/11-Related Pro Bono Efforts

BY THOMAS ADCOCK

IT WAS, the lawyers agree, their finest hour. Yet in all the days and weeks and months and years since then—that horrible Tuesday morning of Sept. 11, 2001—time has failed to heal all wounds. Their work is incomplete.

And so these lawyers and other professionals who distinguished themselves as members of the “9/11 Project” by providing hope and succor to surviving family members of the most vulnerable victims of terrorist mass murder at the World Trade Center will gather again next Tuesday morning.

They will talk of the people they served and continue to serve—the grieving spouses and children of 70 low-income restaurant and maintenance workers and security guards, nearly all of them immigrants from Latin America, Eastern Europe, Africa and South Asia—and they will receive copies of a newly published commemorative booklet of their work.

Kenneth R. Feinberg, special master of the September 11th Victim Compensation Fund, will be on hand at the gathering, hosted by Cadwalader, Wickersham & Taft. He will address attorneys from New York Lawyers for the Public Interest and nine Manhattan firms as well as bankers, economists, social service agencies and labor union officers (see sidebar).

“Whatever they do, wherever they go in their careers, they will never get the same satisfaction they received in working for the fund,” said Mr. Feinberg in a telephone interview from his office in Washington, D.C. “How could they?”

“There was \$2.7 billion in charitable giving for 9/11 families,” he added, noting that the figure compares with about \$600 million in giving for victims of Hurricane Katrina. Of 9/11 giving, said Mr. Feinberg, “There’s never been anything like that in American history.”

Chief Judge Judith S. Kaye said of the Project 9/11 lawyers, “They addressed the problems of people in terrible difficulty.

They involved themselves in the lives of these families. They looked at the whole person, and to what they could do beyond [legal] service to address the whole range of human problems. They were functioning in the highest order of professionalism.”



Kenneth R. Feinberg



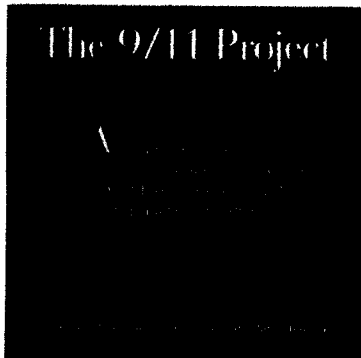
Chief Judge Judith S. Kaye



Michael R. Feinberg



Debra D. Steinberg



The 9/11 Project's newly published commemorative booklet

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Michael Rothenberg, executive director of New York Lawyers for the Public Interest, recollected the beginnings of the 9/11 Project. Starting with a few firms already in pro bono partnership with his organization, he said, others quickly agreed to help as the needs of survivors grew.

"We saw that immigration issues would be a huge challenge, so I called on Fragomen, Del Rey, Bernsen & Loewy," said Mr. Rothenberg. "Right away, they said yes."

When Mr. Rothenberg and others developed the financial model that became the 9/11 victims fund, economists were needed to assess the financial profiles of surviving families. Enter New York-based Eco-Stat, the longtime consultant to litigants for financial damage assessments.

"Every time there was a new issue or challenge, we found someone to provide help," said Mr. Rothenberg. "We were not alone, we were open to collaboration, and those are the key reasons for our success."

Two private lawyers and stalwarts of the consortium that became the 9/11 Project—Saralyn Cohen, pro bono attorney at Shearman & Sterling, and Debra Brown Steinberg, a partner at Cadwalader—remem-



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bered the earliest days of the ad hoc group.

"We met for the first time about a month after 9/11," said Ms. Cohen. "There were only a few of us then. We'd never met one another."

With reference to the Seventh Avenue offices of Local 100 UNITE HERE, the union representing workers at the former Windows on the World restaurant, she added, "We got together at a union hall on the West Side. It wasn't a Shearman & Sterling conference room, that's for sure. It was a lot more lively. Crowded and cramped with a lot of Spanish posters around and bilingual materials, and lots of phones."

"We forged a bond in that room," said Ms. Steinberg. "And then everybody began stepping up to the plate to give thousands of hours' pro bono work—not just hours, but a lot of heart. And not for glory, but because it was the right thing to do to rebuild our city."

Ms. Steinberg recalled the initial meetings with union families, devastated by the deaths of their principal breadwinners. At the time, the union hall set up tables for consultation with pro bono lawyers—a table apiece for Cadwalader, Shearman and Cleary Gottlieb Steen & Hamilton.

"We had an intake sheet and took down basic information, purely at random as the families came in," said Ms. Steinberg. During break times, when the lawyers from three different firms came to be acquainted with one another, "It struck us that these families needed much more than we'd anticipated. We started talking about how we might work together, understanding that the needs went far beyond our individual capacities. It just evolved from that."

All the volunteer attorneys, said Ms. Cohen, eventually did work they never imagined doing.

"We kept saying things like, 'I'm not a Workers' Compensation lawyer, but—' or 'I'm not an immigration lawyer, but—' And there would be brick walls, but we never let that stop us," she said. "So many times at meetings, we had problems we thought we just couldn't solve. But then we all pulled together and we found people to help us. We just wouldn't take 'no' for an answer."

Still Work to Do

Some might say that brick walls remain.

Ms. Steinberg, for instance, is lobbying for congressional passage of the bipartisan September 11 Family Humanitarian Relief and Patriotism Act, which would grant permanent residency status for the immigrant families of workers killed in the terrorist attacks. A House version of the bill (HR 3575) was introduced in July by Representatives Carolyn B. Maloney, D-N.Y., and Peter King, R-N.Y. The Senate version (S 1620 IS) was introduced last month by Senators Jon S. Corzine, D-N.J., and Sam Brownback, R-Kan.

Meanwhile, Ms. Cohen makes frequent appearances in Surrogate's Court—a decidedly new career experience—on behalf of eight clients.

And there is the case she is handling on behalf of a young girl born in the United States who lost her mother on 9/11 and whose father remains undocumented. Though the girl is an American citizen, she faces the prospect of being returned to her native country in a troubled region of South America if her father is not successful in Immigration Court.

"I cannot let him be deported," said Ms. Cohen. "Maybe by next Sept. 11 I'll be done."

— Thomas Adcock can be reached at tadcock@alm.com.

Participants in the 9/11 Project

LAW FIRMS and associated professional corporations, unions and social service agencies that forged the 9/11 Project organized by New York Lawyers for the Public Interest, with help from the New York City Bar Association, include:

- Bekerman & Reddy; Cadwalader, Wickersham & Taft; Cleary Gottlieb Steen & Hamilton; Debevoise & Plimpton; Fragomen, Del Rey, Bernsen & Loewy; Herrick, Feinstein; Morrison & Foerster; Shearman & Sterling; Sonnenschein, Nath & Rosenthal; and Zwering, Schachter & Zwering.

- Eco-Stat; Eisner LLP; and Mellon Trust of New York.
- Local 32BJ Service Employees International and Local 100 UNITE HERE.
- Restaurant Opportunities Center of New York; American Group Psychotherapy Association; Children's Aid Society; Community Services Society; New York Association for New Americans; and Windows of Hope Family Relief Fund.

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