Public Interest’s Pitch Man

BY SCOTT MEDINTZ

Spend five minutes with NAPIL executive director David Stern, and you’ll probably be convinced that sponsoring public interest law isn’t just a good cause—it’s a good deal.

DAVID STERN (ABOVE), NAPIL’S EXECUTIVE DIRECTOR, WITH PUBLIC INTEREST FELLOWSHIP APPLICATIONS.

In addition, Stern solicits donations from corporations, law firms, and grant-giving foundations to fund post-graduation public interest fellowships and supplement the endowment established in 1991. (The endowment’s unusual source: Chicago federal district court judge Ann Williams’s decision to channel to NAPIL some $2.3 million, money left over from an antitrust class action settlement fund after all the class members had drawn their share; several months later, New York federal judge Charles Stewart, Jr. seconded the gesture with $800,000; also funds from an antitrust class action settlement.) Stern developed the postgraduation NAPIL Fellowships for Equal Justice during his first three years at NAPIL, before being appointed executive director last year.

An indefatigable salesman, Stern’s boundless enthusiasm—which pours forth in pronouncements about this student’s or that firm’s all-too-law-by-fable magnificent commitment—sometimes belies his political savviness and verbal sophistication: His come-on seems somehow to combine the hokey energy of an infomercial pitchman with the dogged persuasive powers of a methodical trial attorney. Stern may be an idealist, but he makes sure that his fund-raising efforts will appeal to even the most business-minded of lawyers.

“The numbers are unquestionable,” says Stern, sitting in NAPIL’s third-floor office near Washington, D.C.’s Dupont Circle in early May. He holds out an elaborate chart that represents the results of a Law School Admissions Council survey of students finishing their first year of law school: “This is the first time I know of that there’s been some quantifiable numbers to confirm what I have been sensing all along.” According to the survey, close to 26 percent of students who have completed their first year of law school want to work in public interest jobs after they graduate (compared to 33 percent who want to work in large or midsize firms). Stern, who spends countless hours talking to law students about their public service aspirations and frustrations at NAPIL conventions and local gatherings, knows that many of those best intentions will ultimately be set aside in favor of debt-paying, prestigious, big-firm jobs—but to him that’s all the more reason for firms to take interest in programs like NAPIL.

Firms that demonstrate a commitment to public interest law, he feels, will have an advantage in attracting those public interest-minded students. Says...
What is NAPIL?

Founded in 1986 by students at 25 law school campuses, the National Association for Public Interest Law (NAPIL) seeks to expand access to civil legal services for poor and underserved communities.

At 139 student chapters at law schools nationwide, NAPIL members fund summer internships at legal services organizations around the country, largely through auctions, bake sales, and other activities that mobilize the energy and enthusiasm of their peers.

In addition to running the undergraduate NAPIL Fellows for Equal Justice, the ten professional staffers at NAPIL D.C. headquarters advise students around the country on the nuts and bolts of public interest advocacy—from fund-raising and organization to administration and media relations—and run training sessions to offer students more formal instruction.

NAPIL also draws the students public interest community together at an annual conference, which attracts 1,200 students from 150 schools last year: 600 of those students stayed on for NAPIL's two-day annual conference, where students attend seminars on both organizational and issue-related topics.

"Rather than feel isolated and atomized ... people can affirm their feelings of commitment," says Stern, reflecting on the value of getting students involved in NAPIL's wide range of programs. "That's what it's all about."
proposed project (which must be affiliated with an existing nonprofit legal service), its short- and long-term goals, a timeline detailing when those goals will be met, and an essay on the applicant's public interest experience and commitment.

When Stern set out to convince law firms to sponsor their own fellowships (after funding the first seven fellows out of the endowment fund), he often emphasized his faith in the rigorous selection process. "When I talk to managing partners of big law firms, I'm willing to bet money that they will look at these people and say, 'Well, the habitants of coal mining regions in West Virginia don't have to drink poisoned water. On Chicago's Southside, one NAFLP fellow is helping to secure the rights and safety of women and children fleeing domestic violence. Yet another, reports Stern, just secured several favorable settlements on behalf of exploited Thai sweatshop workers in Los Angeles. These are no one-shot deals, either: Every NAFLP fellowship is designed to have a lasting impact.

"NAFLP is targeting specific problems that need to be addressed—with very little money—and it's making a difference," says Manuel Duran, the NAFLP fellow fighting home equity scams in South Central L.A. In addition to taking on illegal acts to protect his clients, Duran has drafted and successfully lobbied through the California legislature two laws protecting homeowners from fraud, and he has built an informational network for replicating his work. Already his model has spawned similar projects in Oakland, San Francisco, and Contra Costa California. And Duran's fellowship dollars will stretch indefinitely into the future. He independently sought out funding, found an available cy pres fund, and secured enough money to continue his project for at least another year. Says Duran, a graduate of Boston College Law School: "I wouldn't have had this type of work without NAFLP.

Ryan Alexander, the NAFLP fellow fighting for clean drinking water in coal mining regions of West Virginia, says his project will also have a long-lasting effect on the community, regardless of whether his host organization, Appalachian Research and Defense Fund, Inc. (Appalled), can drum up enough funding to keep her on. Even if it can't, she says, a critical mass of local attorneys in both the public and private sectors have now been exposed to her work, which involves both litigation—on behalf of individuals against mining companies (for example, or against the EPA for failing to enforce its own policies—and less traditional legal work, like establishing alternate water delivery systems for communities whose water is contaminated. "I can now tell politicians to work on these things, and even if I can't keep working in this place, there are lawyers who will talk to these clients," says Alexander, who attended the University of Wisconsin Law School.

Expanding the range of services in itself has had a kind of multiplier effect, she adds. Because lawyers had never confronted local mining companies on the issue of water safety, the cases, even small efforts can have unexpected force. "Sometimes things get accomplished with just one phone call and a threat," Alexander says.

Stearn is quick to point out that a sponsor does not fund an entire fellowship. San Francisco-based Levi Strauss & Co. recently gave NAFLP $10,000 to support the general pool of fellows, for example. However, Stern says, "the bang for the buck is enhanced by being used for the whole bulk of work." For example, if a firm only funds part of a fellowship, it is not allowed to select its own fellow (unless it can team up with other partial sponsors to sponsor a whole fellowship jointly). Moreover, if a firm wants its fellows to be affiliated with a legal service program in a particular geographic location, or to work on a particular field of public interest law—say, homelessness—NAFLP will accommodate the firm's choice. The flexibility is designed to make the process efficient and yet still responsive to the sponsor's interests. And the firms that fully fund fellowships have been able to integrate the fellow into the firm's pro bono work.

Indeed, each of the firms that have sponsored full fellowships have selected fellows whose projects were to be located nearby: Crowell & Moring: 1993/94 fellow Mary Bissell is fighting to establish and protect the legal rights of nonparental guardians in the D.C. area to ensure appropriate health and education services and public benefits for the children in their care. Saterini Perot, the 1996/97 fellow, will use the law to alleviate problems of D.C.-area homeless families in getting back on their feet.

McCutchen, Doyle, Brown & Enersen: 1995/96 fellow Judy Appel is defending the rights of San Francisco's homeless population with both litigation and policy work.

Mobil Corporation: Headquartered about 15 minutes from Washington, D.C., Mobil is sponsoring fellow Laura Roemer, also based just outside the capital, to counter discrimination against the deaf.

Arnold & Porter: 1996/97 fellow Alexandra Ashbrook will help D.C.-area women make the transition off welfare; 1996/97 fellow Tammy Selner will protect the rights of emotionally disturbed children in the D.C. area.

Wilson, Sonin, Goodrich & Rossati: The firm will fund a fellowship starting in 1997, using money collected from the firm's pro bono representation of inmates at California's Pelican Bay State Prison.

Despite the benefits of sponsoring a whole fellowship, Stern says, "we recognize that some firms just can't do it, and we are developing a strategy for them to get the most out of their contributions without devaluing the benefits of funding a whole fellowship.

Either way, David Stern's message is clear. "You don't have to be a Skaddan to get in the game," he says, referring to the renowned fellowship program funded entirely by New York's Skadden, Arps, Slate, Meagher & Flom ("Money Well Spent," January/February). "You don't have to have $10 million dollars. There are a lot of ways to participate." —S.M.
can do more for a firm than just make
them feel good inside. "There is a grow-
ing interest among law students to want
to do public interest work, and I believe
it's one of the things they are looking for
at firms when choosing among them.
They are saying, what kind of public
service commitment does your firm
have, and what opportunity will I have
to participate in those things," says
Stern. "The fellowship program
not only gets the word out that a
firm has this commitment, but it
also is a mechanism by which to
funnel interesting cases to those
associates."

Stern points to NAPIL fellow
Bisell as an example of how one
fellow can significantly impact a
firm: Crowell & Moring has be-
come closely involved in the legal
work that Bisell is doing on be-
half of D.C.-area kinship care-
givers, nonparental guardians
who face legal obstacles in trying
to secure health and educational
services for the children in their
care. The firm has helped her
with nonprofit incorporation and
tax work, designed a waiver and
release form for caregivers, and
taken on individual advocacy
cases under her supervision. Bis-
ell speaks with Crowell & Mor-
ing's public service counsel, Susan
Hoffman, once a week, and goes
in to talk to groups of firm
lawyers about once every six
months.

"The firm is conscious, in-
spired, and proud of the fact that
we're doing this for her," says
Crowell. "And, she's feeding us in-
teresting pro bono projects as
well."

THE NEXT STEPS FOR NAPIL
In the long term, Stern wants
to build an even more com-
prehensive support system for law
students and lawyers with an in-
terest in public service. "My hope
is that from before people go to
law school, to after law school,
they feel part of a public service
community," he says. "So one of
our ideas is to try to reach law stu-
dents before they even go to law
school—even before that first
class." He envisions, for example,
including NAPIL inserts in the
packets that go out to incoming
law students before they begin
school.

Stern can rattle off several
other programs he'd like to
launch: A homelessness corps; an
environmental corps, and a do-
moistce violence corps, each of
which could be loosely modeled
on the already-existing National
Rural Summer Fellowship Pro-
gram, which sends about 50 law
students every summer to work in
underserved rural communities.

He also hopes to expand the range
of materials that NAPIL's three full-
time student liaisons send in response
to student questions—which now in-
clude what the NAPIL staff calls "cook-
books," step-by-step solutions to stu-
dent problems like how to run a
fund-raising auction or how to handle
the media. "Because NAPIL has so
many students and we have such a
small staff, we have been somewhat re-
active, and so we give generic advice for
a lot of student problems," he says. "I
want to be able to customize our re-
ponses."

But these are just elements of Stern's
larger vision for NAPIL—"I feel I'm at
the beginning of my time as the leader
of this organization," he says. "I believe
that my primary responsibility is affir-
mation; letting students with a public
service commitment know that what
they do is valued and valuable.

The investment you make in these
people early will pay off for the rest of
their lives," he says. "My ultimate vision
is that we are creating the next genera-
tion of lawyers to take on cases for peo-
ple who would otherwise never see a
lawyer."