

A Lesson in Law From Hao

The author didn't think there was room in her crowded schedule for pro bono work. A young refugee from China taught her the value of making the time.

IN THE MIDST OF SKYROCKETING associate salaries, the never-ending battle to meet billable-hour requirements, and the perpetual effort to balance work with life in general, it seems that many lawyers have lost track of the one thing that has the ability to ground us while making a difference—pro bono work.

At a time when the economy and our profession have bestowed fortunes upon us, it seems ironic that firms and attorneys are turning away from, rather than toward, the less fortunate.

Bottom-line revenues, not enough time in the day, too many more important matters—I have heard (and used) every one of these excuses to justify a decision not to take on a pro bono case. But how much does it truly cost? How much time does it truly take? And what else is truly so important? Perhaps we should ask Hao.

Hao is a boy who fled China alone at age 15 because of alleged government harassment of himself and his family. Upon arriving at Chicago's O'Hare Airport after a long three-month journey, he was detained, interrogated, and then arrested by the U.S. Immigration and Naturalization Service as an illegal alien. Because he had been instructed to lie about his age if questioned by United States government officials, his first month in the U.S. was spent in adult detention before a dental check confirmed his true age and got him transferred to a children's detention center. Facing deportation nearly one year after his arrival and continued detention, Hao asked the immigration service to grant him political asylum.

Luckily for Hao, his case was initially taken by the Midwest Immigrant and Human Rights Center (MIHRC), which specializes in helping those in need of immigration assistance. But like so many not-for-profit agencies, it relies heavily on the work of outside volunteers. Several months earlier I had voiced an interest in handling an immigration case to the partner in charge of pro bono at my firm,

Chicago's Katten Muchin Zavis. My interest had been piqued after I read a compelling newspaper article about a family separated on opposite sides of the U.S. border because of some wrinkle of immigration law. The partner I'd spoken with notified Mary Meg McCarthy, director of MIHRC, of my interest. Yet when the e-mails from MIHRC detailing the multitude of cases needing outside assistance began to flood my computer screen, I only read them and saved them in a newly created pro bono folder on my e-mail system. That was the extent of my action.

My cases are exploding, I have two young children, I'm up for partner this year, billable hours at Katten Muchin are under more scrutiny now, we're about to move to the dreaded "suburbs." Each week I came up with another deadline, another commitment, another excuse.

What single thing eventually compelled me to take on Hao's case eludes me even now. Perhaps it was a confluence of divine intervention and the desire to repay, through an unrelated party, all the individuals who helped my immigrant parents so many years ago. Or maybe it was the ever-present realization that beneath the chaos of the frenetically paced life that I have chosen to lead, I am blessed and fortunate beyond comprehension, while others are not. Or maybe I just needed to be grounded.

Whatever the reason for my decision, it was a defining moment for me, both as a lawyer and as a person. Not that my trial brief was especially spectacular; not that my immersion in asylum law was so complete; not that the incessant prepping of my client—always through an interpreter—was so monumental; and not that the arguments I made to the court were uniquely brilliant.

But when the judge announced that he was granting this boy freedom, when the government announced that it had decided to waive its right to appeal, and when I saw the delayed reaction on my client's face as the events were translated to him in Mandarin, it suddenly dawned on me how unfortunate I had been. For not until that very moment could I have said that I had made a real difference in someone's life.

Hao, now 17, is currently in an INS-sponsored juvenile center waiting to be placed into foster care. Did it cost my firm a tremendous amount of money? Did it take an inordinate amount of time? It certainly involved many hours, but most of them were subtracted from the already minimal allotment I've left myself for sleep—not from time reserved for my family or other work commitments. Did I have more important things to do?

Perhaps we should ask Hao.

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