



Law Firms Play Key Roles in Supporting the U.S. Military and Veterans



By Julie Savarino

Our military men and women are critical to the freedoms and way of life that we as U.S. citizens enjoy. The U.S. military consists of current troops and service members: Army, Navy, Marines, Air Force, Coast Guard, National Guard and all Reservists; veterans and veterans’ organizations such as The American Legion, Veterans of Foreign Wars (VFW), and others; POWs (Prisoners of War); those still MIA (Missing in Action); past and present Judge Advocate General’s Corps members (JAGs); and all the other civil servants who the military employs and those who support active military service members and veterans worldwide.

Without these millions of people and their commitment, effort, work, sacrifice, service and dedication — as well as the loving support of their spouses, children, parents, friends and other backers — our Republic and democracy as we know it and our cherished freedoms would not exist as they do today. As one member of The Patriot Guard (a group of veterans and other volunteers who honor fallen military heroes nationwide) perfectly summarized: “America is the land of the free, because of the brave.”

Throughout history, lawyers have played integral roles at many levels to help support the U.S. military and veterans, even in the highest elected role within the U.S. government. Of all the men who served as President of the United States, approximately 26 were or are lawyers, and 21 of them served in the U.S. military.

Today, approximately 20 percent of the members of the U.S. Congress have served in the military, and approximately 35 percent are lawyers. Many senators and congressmen who are lawyers have worked in outside law firms or as in-house counsel either before being elected to serve or after their government service ends.

In addition, many who currently serve or have served in the administrative branches of government (at federal, regional, state and/or local levels) are also lawyers.

According to Todd Bresseale, Lt. Colonel, U.S. Army, who currently serves as a member of the Department of Defense’s Office of the Assistant Secretary of Defense at the Pentagon, “Lawyers in the military have always been an invaluable resource, but today, more than ever, they are highly valued advisors to commanders at the tactical, operational and strategic levels. For instance, in our efforts in Afghanistan, judge advocates guide our Rule of Law mission, working in the areas of ‘courts, cops and corrections’ to encourage the development of professional institutions consistent with a healthy democracy.”

Private law firms of all sizes and lawyers of all types also help support the military. This may not be in any official governmental capacity, but through formal representation, pro bono representation and efforts, charitable contributions, employment assistance, employee volunteer programs and in other ways.

The majority of law firms that formally represent members of the military, veterans and their families are in the small to mid-size range, which allows them to maintain a lower hourly rate structure and more flexibility regarding flat and fixed fees for certain types of legal work.

One Michigan-based law firm, Legal Help for Veterans PLLC, represents veterans and their families in disability claims such as Post-Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), orthopedic issues, surviving spouse pensions and other issues.

Managing Partner Jim Fausone said, “We are a national law firm, helping almost 1,000 veterans in all 50 states with VA disability claims.”

Legal Help for Veterans PLLC is unique in that Brigadier General (ret.) Carol Ann Fausone, who served in the U.S. Air Force for 34 years in various capacities, assists in the practice. She said, “As a nurse and a veteran, I believe it is critical that the nation keep its commitment to protect those who have protected us through their service.”

Similar law firms operate in almost every other U.S. state and are organized through the National Association of Veterans’ Advocates, among other groups.

Gordon Thomas Honeywell, a Pacific Northwest law firm with offices in Seattle and Tacoma, Wash., often represents veterans in employment and discrimination cases. The Uniformed Services Employment and Reemployment Rights Act (USERRA) prohibits harassment, discrimination and retaliation against military members related to their service.

In a recent case, a federal jury in Seattle awarded more than \$900,000 to a U.S. Army National Guard member and found that her employer had engaged in willful discrimination and harassment based on her military service. The sergeant was fired from her position of 10 years when it was learned that she was set to deploy for active service in Iraq. The sergeant’s attorneys, James Beck and Andrea McNeely (partners at Gordon Thomas Honeywell), were pleased with the verdict.

“This is a vindication of the rights of our client and those like her who make sacrifices in their civilian lives to serve our country,” McNeely said.

“Our firm is proud to support our veterans, and we achieve that through our quality legal representation, community involvement and philanthropic contributions,” said Kathleen Carlson, director of marketing at Gordon Thomas Honeywell.

For lawyers whose practice already includes representing members of the military and veterans, or for those interested in doing so, the American Bar Association (ABA) offers more than 7,000 resources that can be accessed by searching “Veterans” on its website.

According to Phillip Tucker, chairman of the military committee of ABA’s Family Law Section, “Many state bars have developed either heroes’ or heroes’ and veterans’ assistance programs, such as Oklahoma, Georgia, Texas and North Carolina.”

Pro bono representation opportunities to help veterans and their families abound. For example, the case of *Snyder v. Phelps*,

which was heard by the Supreme Court of the United States in 2009, was undertaken completely pro bono by the Pennsylvania law firm of Barley Snyder. The case originated in 2005, when Albert Snyder, the father of deceased Lance Cpl. Matthew Snyder, approached the firm asking if they would help him sue Fred Phelps, his family and their church for their protest of his son’s military funeral.

“Once this case was accepted by [the Supreme Court], I and many other veterans did all we could to fully support Al Snyder in his efforts to protect the sanctity of military funerals,” said Carol A. Mutter, Lt. General, USMC (Ret.), who served as the first woman three-star General Officer in U.S. Marine Corps history.

In 2010, while the Supreme Court found against Al Snyder on First Amendment grounds, he was ultimately victorious because on Aug. 6, 2012, the president signed a new law containing a provision prohibiting all military funeral protests nationwide two hours before and two hours after any such service.

Larger law firms also represent veterans. For example, Steptoe & Johnson partner Stephen Fennell, chair of the firm’s Litigation Group, serves as lead counsel for his firm, which since 2002, has represented Gulf War POWs in a contentious, high-profile lawsuit against Iraq for damages arising from the torture of the POWs while in captivity.

In 2003, in the U.S. District Court, District of Columbia, Judge Richard Roberts ruled that the Iraqi defendants were liable for almost \$1 billion U.S. dollars in damages. He stated in his ruling: “No one would subject himself for any price to the terror, torment and pain experienced by these American POWs ... there must be a premium on protecting POWs [because] POWs are uniquely disadvantaged, and deterring torture should be of the highest priority.”

This ruling in favor of the POWs and their families was unfortunately challenged at length by the Department of Justice and other government agencies and officials. Finally, in mid-2011, after extensive negotiations between the United States and Iraq, and meetings with POWs’ counsel and members of Congress, a settlement agreement was reached for Saddam Hussein-era claims against POWs. Fennell stated: “This settlement allows the



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POWs families finally to achieve closure and sends a message of deterrence against the torture of future American POWs.”

At the grassroots level, law firms around the country participate in Adopt the Troops/Solider/Platoon campaigns. For example, Pacific Northwest-based law firm Cairncross & Hempelmann had a firm employee whose family member was serving as a Marine with a platoon stationed in Iraq. The firm informally “adopted” the platoon for the holidays (and beyond) by contacting local military organizations to learn what they could send in “care packages,” how to send them and where. Also, throughout the years, the firm has had a number of veterans and/or U.S. reserve members as employees.

In addition to ensuring that those employees were accommodated for their annual service time, the firm has also shown its support for military personnel and their families by providing financial help to organizations that support them. For example, in 2006, the firm made its annual holiday donation to Army Family Services, a program administered out of the Lewis/McCord USA-USAF Base. Their donation helped active-service military families with financial, housing and other assistance such as the purchase and delivery of holiday meals.

Law schools around the country also support veterans. A number of law schools (including Harvard) provide scholarships and/or tuition assistance for veterans, and several law school clinical programs provide training to help veterans handle VA benefits claims and appeals.

Every lawyer, law firm and legal industry employee can help support U.S. troops and veterans if they so desire. In addition to the organizations mentioned above, another solid veterans’ organization is Team Red White & Blue, which works to transform the way wounded veterans reintegrate into society when they return from combat and leave the service. Other excellent and bona fide pro bono or volunteer programs that support veterans can be found by contacting the following groups: The American Legion (www.legion.org/troops/volunteer); the VFW (www.vfw.org/Community/Get-Involved/); the ABA (www.americanbar.org) and/or state bars.

To volunteer or donate money, be sure to verify the organization, because not all veterans’ charities and organizations use or apply their donations legitimately. Websites you can use to verify charities’ track records are the American Institute of Philanthropy, Charity Navigator or GuideStar.

**This article is not intended to be 100 percent complete or exhaustive. It contains representative information known to the author at the time of publication and as space allowed. ■*

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