

THE DAILY RECORD

WESTERN NEW YORK'S SOURCE FOR LAW, REAL ESTATE, FINANCE AND GENERAL INTELLIGENCE SINCE 1908

Pro Bono SPOTLIGHT

Answering the 'pro bono' wakeup call

By **LINDA KOSTIN**
Daily Record Columnist

Welcome to Volunteer Legal Services Project's new monthly column, in which unsung heroes will get their 15 minutes — or 1,500 words — of fame.

Each month, I'll feature a dedicated volunteer attorney assisting low-income members of our community with civil legal needs. VLSP also will share our "Honor Roll" of attorneys and paralegals who recently took cases or staffed clinics.

This month, the VLSP spotlight shines on Matthew Fero, a partner in Fero & Ingersoll who has volunteered since being admitted to the bar in 2004. Fero regularly handles contested family law matters for VLSP.

"I was destined to be a lawyer," Fero joked recently while pointing to a childhood photo capturing the moment he and his sister met former U.S. Supreme Court Justice Sandra Day O'Connor.

Perhaps; but the young attorney didn't merely pass the bar, he also raised it.

Fero recently represented Pam (VLSP client's actual names will not be used) through VLSP. The father of Pam's eight-year-old special needs child sought modification of the parties' existing custody order on the grounds that Pam was dying of cancer. The father was not exercising visitation pursuant to the custody order, however. And while Pam was receiving chemotherapy and radiation, she was not terminally ill.

"The petition was completely economically motivated," Fero said.

Initially, Fero declined to represent Pam because he was handling another VLSP case that was headed for trial. Then he woke up in the middle of the night, concerned about Pam's plight.

"This special child is Pam's whole world. Her ex had no grounds. Who knows how many sleepless nights she'd have if the case proceeded?" Fero said.

He took Pam's case, putting in eight hours on the matter and winning a motion to dismiss the petition — not an easy victory in Family Court. With the safety of children at stake, judges typically deny such motions if there's any possibility a petition's allegations have merit.

"Winning that motion was the crowning moment of my professional life," Fero said. "Pam was so appreciative. She just sobbed with joy. It felt so great to help her. We don't get enough moments like that in our profession."

An avid golfer and hunter, newlywed Fero doesn't find it difficult to work *pro bono* into his practice, he said. The majority of his *pro bono* cases have taken about three months to resolve.

"*Pro bono* clients are not litigation-minded. They want to work out a settlement and move on with their lives," he said.

Fero also said he hopes his experience will serve as a wakeup call for others to volunteer: "If every attorney had one case going at all times, it would be a great thing for low-income people as well as attorneys. These cases help you grow as a person. Most lawyers have 50 or 60 cases going. What's one more?"

An added benefit of Fero & Ingersoll's *pro bono* commitment has been the experience associate attorney Erin Goeltz gained by handling family law matters for VLSP.

"As we all know, law school teaches you about the law, not how to be a lawyer. Erin got plenty of practical, hands-on experience interviewing clients, drafting responsive pleadings, taking testimony and the like," Fero said.

When it comes to *pro bono*, Fero & Ingersoll's senior partners lead by example.

Dean Fero (Matthew's father) is a past recipient of *The Daily Record's* Nathaniel Award and Tim Ingersoll has received VLSP's McKnight Award. Fero credits his father and Ingersoll with instilling in him a sense of duty back when he was a teenaged office assistant.

"They taught me that being a lawyer, being able to help people, is a wonderful thing. We have to give back to those in need," Fero said.

VLSP offers a wide variety of opportunities for attorneys to provide full representation to low-income clients or provide advice at monthly clinics. Practice areas include divorce, wills, unemployment insurance, guardianship, consumer, bankruptcy, collections, child support, orders of protection and custody and visitation. Attorneys in the Micro Enterprise Program render advice to low-income entrepreneurs.

VLSP wishes to thank the members of the legal community who stepped up over the summer to help close the justice gap in our community. We salute you with the first VLSP Honor Roll: **June** Solo practitioners, independent paralegal and legal secretary: Mary Aramini; Charles Genese; Susan Hauser; Charles Inclima; Laura Taylor; paralegal Nicole Heard; legal secretary Louise Novros.

Attorneys and paralegals with firms: Diane Katz (Allen & O'Brien); Christopher Werner (Boylan Brown); Herbert Le Page (Connors & Corcoran); Matthew Fero (Fero & Ingersoll); David Boyesen (Harris Beach); Steven Carling, Patrick Quigley (Harter Secrest); Terrance Emmens (Lacy Katzen); Lucien Morin (McConville Considine); Katherine Baynes, John Fitzgerald, John Garrett, John McQueen, Michael Canfield, Jason Torres, paralegal Angelica Grouse, paralegal Deborah Mabry (Nixon Peabody); Lisa

Continued ...



THE DAILY RECORD

WESTERN NEW YORK'S SOURCE FOR LAW, REAL ESTATE, FINANCE AND GENERAL INTELLIGENCE SINCE 1908

Continued ...

Powers (Powers Law Firm); Elizabeth Randisi (Weinstein & Murphy); Robert Hooks, Jayme Hurwitz, Harry Messina, Rene Reixach (Woods Oviatt Gilman).

Corporate attorneys and paralegals: Stephen Kelley (Bank of America); Peter Woods (ESL Federal Credit Union); paralegal Karen Drysdale (Thomson West).

July Solo practitioners and independent paralegal: Maroun Ajaka; Thomas DiSalvo; Charles Genese; Christine Gordon; Deborah Indivino; Alexander Korotkin; William McGinn; Lisa Morris; Paul Watkins; paralegal Gina Lynch.

Attorneys and paralegals with firms: Bruce Lawrence, Sherman Levey, Robert Nassau (Boylan Brown); Brian Zorn (Faraci Lange); David Boysen, Mary Connors (Harris Beach); Steven Carling, Meredith Clancy, Joseph Gawlowicz, Jon Lazenby (Harter Secrest); David MacKnight, Michael Schnittman (Lacy Katzen); Margaret Clemens, Jeannie Figer, John Witmeyer (Nixon Peabody); Robert O'Connell (Petralia Webb & O'Connell); R. Thompson Gilman (Woods Oviatt Gilman).

Corporate attorney and paralegal: Ellie Grinols, paralegal Karen Drysdale (Thomson West).

Legal services attorneys: Alan Harris (Legal Aid Society);

Louis Prieto (MCLAC).

August Solo practitioners: Phillip Hurwitz; John Suda; John Wieser.

Attorneys and paralegals at firms: Diane Katz (Allen & O'Brien); Gregory Franklin (Ashcraft, Franklin & Young); Paul Meyer (Biernbaum & Meyer); Christopher Werner (Boylan Brown); Michelle Fagan (ChamberlainD'Amanda); George Forsyth (Forsyth & Forsyth); Deborah Schaal (Gordon & Schaal); Kevin Bambury (Jeffrey Freedman); Barbara James (Harris Beach); Nicole Rossow (Harris Chesworth); Steven Carling, Meredith Clancy, Joseph Gawlowicz, Carmen Lewis, Sara Marangola (Harter Secrest); Steven Tranelli (Hiscock & Barclay); John Refermat, Jacqueline Thomas (Lacy Katzen); Patrick Lane (McConville Considine); Penny Dentinger, Patrice Morrison, Jennifer Wright (Nixon Peabody); George Schell (Schell & Schell); Elizabeth Randisi (Weinstein & Murphy).

Corporate attorneys and paralegals: Brian O'Connor (Eastman Kodak); Karen Ellmore, paralegal Karen Drysdale (Thomson West).

Linda J. Kostin is the Pro Bono Coordinator for the Seventh Judicial District's Pro Bono Action Now Program. Her office is located at Volunteer Legal Services Project of Monroe County Inc. She can be reached at lkostin@wnylc.com or (585) 295-5703.