

CONFESSIONS OF A PRO BONO LAWYER

As I was writing this article, I was mindful that there are many volunteers, including lawyers, who have sacrificed a lot more than I have in helping others. They have served tirelessly and sometimes their efforts have not been fully appreciated. I would like to thank them for being a source of inspiration.

I have three points to share with all young lawyers hoping to engage in *pro bono* legal work, based on my own experiences in deciding to and ultimately dedicating a significant proportion of my time to such work. I will discuss these under the headings Person, Purpose and Personal Growth.

Person

"Always treat people as ends in themselves, never as means to an end."

– Immanuel Kant

I will be honest with you; one of the pull factors in this profession is the handsome monetary rewards. Certainly there is nothing wrong with that *per se*, but there is a real risk of becoming greedy. I may lose my moral compass along the way and get thrown off course by the obsession with money. I will always have to battle not to let the business aspect of the law cloud my higher calling to act in the best interest of the client. Instead of over emphasising the question of "How do I *bill* this *client*?" I remind myself to ask the more important question of "How do I best *help* this *person*?". Incidentally, the word *pro bono* literally means *for the public good*.

I chose to do *pro bono* work not because I am naturally a good person; on the contrary, the very act of helping someone *pro bono* trains me to take my mind off money and to focus on the real issue – the person him/herself (surprise, surprise).

I remember my first *pro bono* case. It was a female teen who was caught stealing. It seemed a rather straightforward case; the evidence was heavily stacked against her. I was tempted to tell her "*Just plead guilty!*" and "*You will probably get probation or a short jail sentence*". It certainly did not help that this would not be a high profile, money spinning case which would help kick start my career. However, with a little bit effort in getting to know her background, I found out that she was mildly retarded and came from a broken family. Later, I was shocked to find out that she had also in the past been through a traumatic rape incident. In hindsight, I was glad that I did not urge her to plead guilty during my first appointment. Her mother was called for an

interview to get more information. As I found out more things about her, I was better placed to help her; eventually she was discharged from the offence, after thorough representations were made. Focusing on the person helped me to see the case in a more humane way.

Purpose

"The purpose of life is a life of purpose."

– Robert Byrne

Further down the road, I felt a need to do something closer to home. It was then that I came up with the idea of starting a Free Legal Clinic in my own HDB estate. I approached the Residents Committee ("RC") chairman and came up with a proposal to start a monthly *pro bono* session for the less privileged. I also wrote to the Pro Bono Services Office of the Law Society who encouraged and advised me to adopt some guidelines, in line with r 10 of the Legal Profession (Publicity) Rules.

Within a few weeks I was given the approval to start the Free Legal Clinic; the RC sent two volunteers to help with the administration and translation for Mandarin speaking clients. The volunteers are a husband and wife team with three young children, and I am amazed that they could find the time to volunteer in spite of tight their schedule, as both of them have full-time jobs. As they do not have a maid, they bring their children along to the clinic. It is obvious that they have made sacrifices to volunteer, probably because they feel a sense of purpose in what they are doing.

A banner was displayed in the estate highlighting our provision of *pro bono* legal services. When I saw the banner, I felt a tremendous sense of satisfaction. I believe no amount of money or even the jubilation of winning a trial could replicate that feeling. More importantly, I felt a greater sense of purpose in what I was doing as a lawyer. I am sure you have heard the adage "Everything happens for a reason". I know it sounds clichéd, but there is nothing mundane about it when you experience it yourself. Let me explain.

Our very first client was a Singapore PR from the region. Let's call her Lena (not her real name). She could not speak a word of English and only speaks her native language which is not commonly spoken here. As fate would have it, an RC member's wife came from the same country, so that overcame the language barrier. Lena has two young children and her husband is a Singaporean; he is a manager and earns a comfortable salary but gives her





The banner that brought hope and help to one resident

only \$50 a week to sustain herself and her children. When she came to us, she was trembling and said in tears, "My husband wants to kick me out of the house and marry his mistress. I don't know what to do." I later found out that he was emotionally and physically abusive towards her. As I was trying to give her directions to get to the Legal Aid office, I was shocked to find out that she had never travelled out of my estate in the last six years since she moved to Singapore. In fact, she had never used the MRT or been to the next estate, which was a mere 15 minutes' walk away! She even had to sneak out of the house in order to see us for legal advice. This meant that if it were not for the Free Legal Clinic banner which had been put up in her own neighbourhood, she may never have been able to get the help that she needed. Everything happens for a reason!

Through the combined efforts of the volunteers of the Free Legal Clinic, the RC members, Pro Bono Services Office and some wonderful neighbours, Lena got the help she needed. Lena's case gave me a nobler purpose as a lawyer. There are many more like her who are seeking help – we just have to make ourselves available.

Personal Growth

"What we are never changes. Who we are never stops changing."

– Gil Grisson, CSI: CSI Las Vegas

Many young lawyers are attracted to practise corporate law. As such, they will probably not meet people like Lena in the course of their work. There is a risk of a "disconnect" with people from other walks of life. Doing *pro bono* work provides an avenue for interacting with such people.

Like it or not, in relation to our character and values, we are susceptible to change – either through relationships or circumstances. More often than not, we change without even knowing it.

I have learned many lessons from doing *pro bono* work; I have no doubt that it will help shape my character and values in life. Let me share two areas I have grown in.

Judging People

Initially I hesitated to do *pro bono* work because I felt that some people, especially certain criminals, might not deserve help because of what they had done. Over time I realised that even the worst offenders need help.

As lawyers, we owe a duty to our client – even the non-paying ones! (Think about it – would you see the person differently if he pays you a fat retainer?) Ideally, we lawyers are not supposed to judge our clients as a person or reach views on whether they are worthy of our help. When we advise our clients, while we may not necessarily agree with their actions, we have a pivotal role in their constitutional right to be legally represented. We are fortunate to have a judiciary that is competent and not corrupt. The Honourable Chief Justice Chan Sek Keong once said, "The punishment must fit the crime." Flowing from that, one of our main roles is to ensure that, if the client pleads or is found guilty, the Court is apprised of all the facts so that a fair punishment is passed. We have an indispensable role to that end.

Confidence

One of the biggest things I have gained from doing *pro bono* work is confidence. As young lawyers, confidence is something we must develop over time. Whether you are making oral submissions in the intimidating atmosphere of a courtroom or speaking to a demanding client, confidence makes a big difference; it can make or break your career.

Typically, firms will let young lawyers run *pro bono* files virtually on their own. As I took on more and more *pro bono* files, the law and procedure became more familiar. I also got acquainted with some members of the Criminal Bar; it was both enriching and fun interacting with them and asking questions on the law, whether it was outside the chambers waiting before PTC or at the "roundtable" in the Subordinate Courts Bar Room. With the encouragement of a certain member of the Criminal Bar I had come to know, I had the opportunity to assist him in a High Court murder case through LASCO (Legal Aid Scheme for Capital Offences). That was an experience I will never forget and, needless to say, it increased my knowledge and confidence by leaps and bounds.

So there you have it – my "confessions" of what *pro bono* work has taught me. I hope that this will help others see what I have learned, namely, that there is more than one way to grow and achieve fulfillment as a lawyer. You have probably figured out by now that I like using quotes; hence it will not surprise you that I end with one:

"Let a man keep the law - any law - and his way will be strewn with satisfaction."

– Ralph Waldo Emerson



Raphael Louis (Ray)
Teo Keng Siang & Partners
E-mail: rlouis22@gmail.com