

For the Good of the Order: Profiles in Pro Bono

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JENNIFER W. RUBIN

What firm/organization are you working with now?

I am a shareholder with the firm of Rogers Townsend & Thomas, PC and work in its Columbia, S.C. office.

What kind of pro bono or volunteer work have you been involved in?

I've focused my pro bono and volunteer activities over the years primarily, although not exclusively, on efforts to provide or participate in the provision of legal education to the general public. In my practice, I often encounter self-represented litigants as defendants in my cases and these folks regularly share their frustrations with me about our court rules of procedure and what they believe are inequities in our legal system. Although prior to this interview I'd never really thought about it before, I suppose that I often seek out pro bono opportunities with organizations such as the S.C. Bar and more particularly its Pro Bono and LRE Divisions as a way to perhaps more generally answer questions for the public that I could not otherwise answer for them in my practice.



Quick Facts about Jennifer

• Education

B.S. from Florida State in
Political Science and History
1996, cum laude;
J.D. from the USC School
of Law, 1999;

• *Most interesting job
before Law School*
worked for a member of the
British House of Commons
as an intern in 1994;

Since graduating from the USC School of Law in 1999, in addition to being appointed to a number of family court cases by the court over the years, I've done a variety of pro bono and volunteer work. These activities have ranged from acting as a scoring or presiding judge for both the middle school and high school (regional and state) Mock Trial Competitions sponsored by the S.C. Bar's LRE Division for approximately 10 years; participating as a volunteer for the S.C. Bar's "Ask-a-Lawyer Program" (both when it was conducted at the S.C. Bar office in Columbia and also in its new format twice a year or so on televised phone banks) for about the last 9 years. I've also worked with the S.C. Bar's Young Lawyer's Division on a number of its service projects (such as Justice Jam, Speakers in Schools during Law Week, and the Cinderella project) over the years; and I've assisted with countless food and clothing drives for various organizations. In addition, I've been appointed to several legal task forces and working groups by various courts. In 2006, I was appointed to the South Carolina Supreme Court's Task Force for Public Access to Electronic Court Records (2006-2007) and in 2007 was appointed by the Honorable John E. Waites, Chief Judge of the S.C. Bankruptcy Court for the District of S.C. to the Court's Bankruptcy and Mortgage Issues Committee (that committee concluded its business in 2008). Most recently (2010-2011), I was a member of the South Carolina

Access to Justice Commission, Master-in-Equity Working Group that developed Frequently Asked Questions for publication on the S.C. Supreme Court's website (those FAQ's were adopted by the Supreme Court in October of 2011 and are now located on its web page).

How has pro bono work contributed to your career satisfaction?

I decided to attend law school and practice law as a career to help people. Through my pro bono and volunteer work, if not generally within my legal practice, I get to do just that. Also, although it can certainly be a lot of hard work, working on pro bono projects or cases and volunteering generally can be interesting, inspiring, educational, and a whole lot of fun. It's also an excellent way to challenge oneself and meet new people.

What are the main reasons why you would recommend that law students become involved in pro bono work?

I'd encourage any law student to not only become involved in pro bono work after they graduate from law school, but to also explore pro bono service while in law school. Some reasons to become involved in pro bono projects during law school include:

- 1) It's a great resume builder;
- 2) It often provides terrific networking opportunities with practicing with other law students, professors, attorneys or judges (this could translate to references, clerkships or even future job opportunities);
- 3) It demonstrates to a potential employer that you are a multi-dimensional candidate and this sort of public service often sets a job candidate apart from the "usual" journal, moot court, club candidates;
- 4) It's fun and you'll feel good about yourself for helping someone.

Is there any advice you would give to law students concerning pro bono work?

Find a pro bono project or projects that really interest you. Don't just sign up for anything or everything or agree to participate in every project that comes along. One reality I've learned in my practice is that there truly is an endless need for legal services. This means that if you are not careful about choosing projects, and overcommit, you can quickly find yourself overwhelmed. It's O.K. to say "no" or "not this time." Although I'm not sure that anyone can ever reach true balance in their personal and professional life, it is important to remember to take care of yourself or you'll not be able to take care of others.

Have you had an interesting case involving your pro bono work?

I've had a number of interesting pro bono cases that I've handled over the years. However, perhaps the one case (or series of cases) that helped me to become a more practical and (sadly) less idealistic attorney was a family court appointment I received in an abuse and neglect case.

My client was a very young woman accused of beating her young son with a belt so badly it left deep lacerations. As a result, the boy and his sister were removed from her care and I was appointed to represent her. As the case continued, DSS eventually elected to attempt to terminate my client's parental rights to the young boy, while the case was pending, my client gave birth to a third child that was taken from her out of the hospital. As the (then) various cases went on, my client became pregnant again with her fourth child (I was appointed to represent my client in each of the various cases). I forgot to mention that although my practice was at the time physically located in Richland County, all of these appointments were in Lee County. Without going on for pages and pages, during day two of the first termination (TPR) trial I drove from Columbia to Lee County

again early in the morning to pick up my client to prep her for court, and when I got to her house, no one answered the door. By this point, I'd spent more than a year driving my client to and from Columbia from Lee County for psychological counseling and parenting skills services and had her psychologist prepped and ready to testify that morning as to my client's significant progress during treatment. My expert witness was further prepared to testify that in her expert opinion, my client's parental rights with regard to the son that she'd admitted to beating with a belt (the daughter had been placed with her father and was doing well and the State wasn't seeking TPR on that child by this point and we'd not yet gotten to the new baby or the one on the way) should not be terminated. Upon finding no one home, I assumed that perhaps a family member had taken her to the courthouse. However, when I got to the courthouse I could not find my client. I tried calling and my messages only went to voice mail. At about that time the psychologist pulled up in her car and parked beside mine. I got out of my car, knocked on the window and my expert opened her passenger door. When I got into the car and began explaining to the expert that I couldn't get in touch with my client I broke down. At this point, it was literally only minutes before day two of the TPR trial was to begin and I'd spent more than a year doing all that I could think of to secure services for my client, to ensure she was receiving appropriate treatment, medical assistance, education and parenting classes, and arranging for her transportation to and from Columbia each month for psychological treatment and my client had disappeared. I couldn't believe that she'd just gone. I suppose that it was good that I was sitting at this point in the car of a clinical psychologist. She told me that she truly believed that despite my help, advocacy, assistance, and support, that her decision not to come to today's hearing was her honest way of finally telling me that she simply couldn't do all that she needed to do to keep her child. I didn't want to hear this, but after years of thinking about those cases, I know it to be true.

As a lawyer it can be so easy to make a client's case more about you than it is about your client. Instead of really listening to your client and what they want, in appointed cases especially, an attorney can become a force of nature. In my case, I took over and decided for my client that I was not going to let the State terminate her rights to her son, even though, as it turns out, that is precisely what she ultimately needed to have happen. Always remember that zealous advocacy must be welcomed and wanted by your client as it is their life and when the case ends and you leave the court room, they will be the ones left with the consequences.

Have you been recognized for your pro bono work?

In 2006, I was awarded the South Carolina Bar's 2005-2006 "Young Lawyer of the Year Award." In 2007, I was named one of the State newspaper's "20 under 40" rising stars of the Midlands. In 2010, I was selected as a recipient of the Silver Compleat Lawyer Award given by the University of South Carolina School Of Law's Alumni Association. I am also a contributing author featured in the 2010 South Carolina Bar publication "The Paralegal Survival Guide-Facts & Forms, Second Edition (©2010)" and in February of 2011, was recognized by the South Carolina Bar's Pro Bono Program as one of its 2010 Pro Bono Program Honor Roll Attorneys.

What are your other interest or hobbies?

Other interests/hobbies: This year, I've finally started riding and jumping horses again. What makes it especially fun is that while I'm riding, my daughter is also learning to ride horses. I also love to garden, read, travel, listen to music and hang out with my husband, our two cats and our two wonderful kids (Jack age 3 and Lainie age 6). I also love to spend time with my friends when any of us can find the time!

Are you active with other organizations?

I am currently a member of the South Carolina Women Lawyer's Association Board of Directors and a member of the Palmetto Land Title Association. I am also the chair of my law firm's Law Clerk Committee.

For the Good of The Order: Profiles in Pro Bono is a publication of the Board of the USC School of Law Pro Bono Program. The purpose is to highlight the activities of inspirational attorneys performing outstanding pro bono service.

Know someone who fits the bill? Email us at Robinspd@law.sc.edu

This interview was conducted by Ashley Cole - Vice President of the Pro Bono Board

University of South Carolina School of Law
Pro Bono Program
701 S. Main Street
Columbia, SC 29208

Web: www.law.sc.edu/pro_bono
LinkedIn: [@USCLawProBono](https://www.linkedin.com/company/usclawprobono)
Twitter: [@USCLawProBono](https://twitter.com/USCLawProBono)