

# yourAba

## SOURCE OF SOLACE

OFF THE BENCH, FEDERAL JUDGE DEDICATES TIME TO HELPING OTHERS *By Lyle Moran*

When a Louisiana prosecutor's family visited South Africa for the 2010 World Cup, tragedy struck. A drunken driver hit and killed one of the lawyer's sisters and left her brother with a critical head injury.

U.S. District Judge Jay C. Zainey in Louisiana's Eastern District heard the devastating news and was told the family needed help paying for a medical jet to bring the family home, with the cost expected to exceed \$300,000.

Zainey did what he is well-known for: He jumped into action. As a judge, Zainey is not allowed to raise money, but he did the next best thing. Zainey emailed members of the SOLACE program in his state to see whether any of them had contacts in the medical evacuation industry who could help the prosecutor's family.

### HELPING HANDS

SOLACE, which Zainey co-founded more than 15 years ago, stands for Support of Lawyers/Legal Personnel—All Concern Encouraged, and it features a broad network of legal professionals who try to help fellow members of the legal community and their families in times of significant need.

Less than 20 minutes after Zainey sent the email about the tragic events in South Africa, a local law professor wrote back

indicating her brother was an intensive care doctor in New Orleans who regularly uses medical transport and would do his best to help. By the next day, Ochsner Medical Center in Jefferson, Louisiana, agreed to send a critical care team to South Africa to pick up the injured man. In addition to donating the doctors, the hospital said it would help fund the flight.

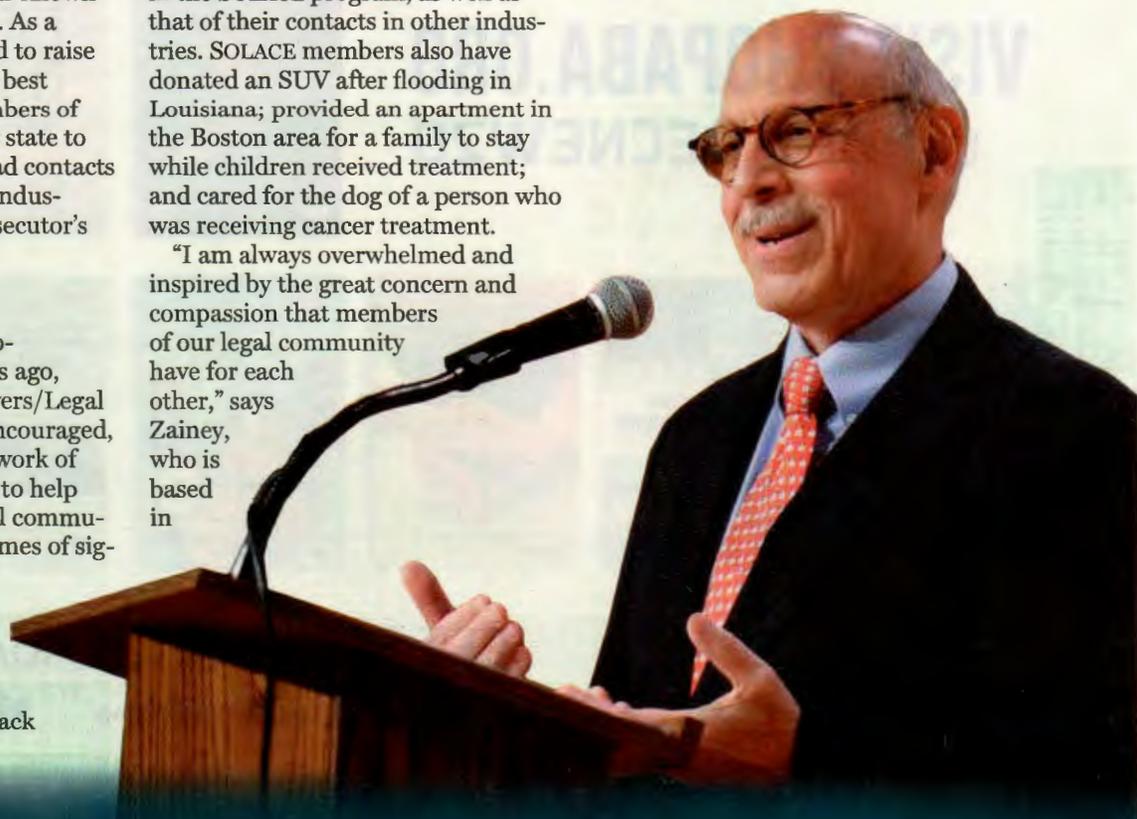
Zainey says the story is just one of many showcasing the profound generosity of legal professionals involved in the SOLACE program, as well as that of their contacts in other industries. SOLACE members also have donated an SUV after flooding in Louisiana; provided an apartment in the Boston area for a family to stay while children received treatment; and cared for the dog of a person who was receiving cancer treatment.

"I am always overwhelmed and inspired by the great concern and compassion that members of our legal community have for each other," says Zainey, who is based in

New Orleans. "It makes me proud to be a member of our honorable profession."

Zainey, a 1975 graduate of the Louisiana State University Paul M. Hebert Law Center, says he sees working in the law as a great way to give back to others. He started his legal career teamed up with a respected criminal defense attorney before going into solo practice in 1984. In that role, Zainey handled a variety of cases, including personal injury, family law and criminal defense matters.

In the mid-1990s, Zainey became the first solo practitioner elected president of the Louisiana State Bar Association. During his presidency in 1995-1996, he started developing a reputation as a leader in the legal



community who created ways for lawyers to help others needing assistance.

Zainey created a bar Community Action Committee that undertook different projects—such as putting on Easter egg hunts and visiting nursing homes—to serve those in the inner city.

He also established the Committee to Provide Legal Services for the

Zainey's friend Mark Surprenant, suffered a ruptured brain aneurysm and was in the hospital for weeks.

Mark Surprenant, a partner at Adams and Reese in New Orleans, says many members of the local legal community stepped up to help, such as bringing flowers to the hospital and delivering meals to the family's home.

As Surprenant was walking back to his office from church one day around this time, he started thinking there could be a better-organized way to coordinate the assistance his family received.

Surprenant says it was divine intervention that caused him to bump into Zainey during his walk and share his thoughts on how others who faced their own tragedies could best be supported.

Zainey was immediately enthusiastic about the idea of better coordinating aid and started working his contacts to turn the idea into reality.

"Of all the people to run into, Jay was the best person I could have ever come in contact with at that point in time," Surprenant says. "He really took the ball and ran with it."

Surprenant now is president of SOLACE Inc., a 501(c)(3). Zainey gives him plenty of credit for the program. "It was really his idea to help people in a time of need when he was experiencing his own ordeal," he says.

#### 'EXTRAORDINARY EFFORTS'

The SOLACE program officially launched in the early 2000s, and it was adopted early on by the Louisiana State Bar Association. The program has since spread nationally, in large part because of talks Zainey has given at different conferences and events.

The judge says about 25 states have formal programs, and in many other states Zainey has people he can contact to share requests for assistance. In addition, the Federal Bar Association has implemented

a SOLACE initiative as a member benefit.

In the speeches he gives to try to grow SOLACE's reach, Zainey says he emphasizes the common bond lawyers share.

"We were in law school together, we sweat out the law school exams together, we sweat out the bar exam together and then we made it; so we should try to help each other in our time of need," he says.

A talk Zainey gave at a national meeting of bar leaders prompted then-Nebraska State Bar Association President Michael Kinney to start a SOLACE program in his state.

"What piqued my interest was how simple it is," Kinney says. "It doesn't cost any money."

Zainey praised Nebraska for being the first state to require members of the bar to opt-out if they did not want to receive email notifications from SOLACE, as opposed to an opt-in approach. Louisiana soon followed suit, and the judge now recommends the opt-out method for building a strong SOLACE network.

"I ask people not to opt out because when they receive these notices, even if they delete them right away, it will at least be a constant reminder to them that the SOLACE program exists and it exists for them," Zainey says.

The judge constantly highlights that the program would not be a success without those who help. And he notes that the program aims not only to assist lawyers and their families but other members of the legal community, including paralegals, court personnel and legal secretaries.

Zainey and Surprenant say Judy Perry Martinez, president-elect of the ABA, has been a longtime supporter of their efforts. Martinez, of counsel at Simon, Peragine, Smith & Redfearn in New Orleans, says she appreciates how SOLACE allows members of the legal community to help colleagues or their family members in ways big and small.

"Some of the most extraordinary efforts I have seen are those following natural disasters where individuals simply say no to the notion that



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- Mark Surprenant

Disabled, which was designed to provide training and offer opportunities for lawyers to work in that domain.

Zainey says his family has extra compassion for those with disabilities because his son, Andrew, has special needs.

"Andrew is our inspiration to be better people and do more for people," says Zainey, who has three children with his wife, Joy.

He also credits his parents and his Jesuit education for instilling in him a drive to serve others. That desire played a key role in him wanting to transition to the bench.

"As a lawyer, I certainly hoped to have a positive impact on people's lives," Zainey says. "I thought as a judge I would have a greater opportunity to have an impact on more people's lives."

Zainey was nominated to a federal judgeship by President George W. Bush and took the bench in February 2002.

#### TIME OF NEED

A tragedy in Louisiana several months later sparked the creation of SOLACE. New Orleans attorney Monica Surprenant, the wife of

they will leave it to someone else to step up and pitch in," Martinez says. "Within minutes of a request going out from SOLACE via email, the offers of help start rolling in, and the feeling that you are part of 'a community of caring individuals overwhelms.'"

Zainey says he is hopeful for stronger ties between SOLACE and the ABA moving forward. He credits the ABA with being instrumental in aiding the expansion of another program he started, Project H.E.L.P.—Homeless Experience Legal Protection, which launched in New Orleans in 2004.

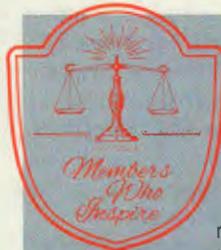
Through Project H.E.L.P., which is now in dozens of cities across the country, attorneys volunteer to provide regularly scheduled pro bono legal clinics for the homeless.

Surprenant says Zainey's work with Project H.E.L.P. and SOLACE highlight the judge's consistent willingness to give his time and energy to help others in need.

Zainey's charitable efforts have earned him numerous honors, including the St. John Paul II Award from the Catholic Foundation of the Archdiocese of New Orleans.

"I think it's just in his DNA to be a loving, caring person," Surprenant says. ■

*If you are interested in starting a SOLACE program in your area, contact U.S. District Judge Jay C. Zainey at [jayzainey@lasolace.org](mailto:jayzainey@lasolace.org) or contact Mark Surprenant at [mark.surprenant@arlaw.com](mailto:mark.surprenant@arlaw.com). For more information about Project H.E.L.P., visit [homelesslegalprotection.org](http://homelesslegalprotection.org).*



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# Wheels of Justice

## Kentucky pro bono organization meets clients on the road **By Stephanie Francis Ward**

A fancy outfitted rig can get you a lot of attention, even in legal services.

Kentucky's Legal Aid of the Bluegrass recently learned this first-hand after equipping a 2017 Mercedes-Benz Sprinter van with a mobile law office, including bench seating for six, as well as a desk, multiple computers, video-conferencing equipment, a printer and Wi-Fi. A sky-blue autowrap with the words *Justice Bus* in white runs along its sides. You don't have to have a special license to operate the vehicle, so staff and volunteer lawyers do the driving.

The van was purchased with a \$50,000 opportunity grant from the American Bar Endowment awarded in 2017. The Justice Bus hit the road over the summer, and its trips include 10 rural northern Kentucky counties, says Joshua Crabtree, the Legal Aid of the Bluegrass' executive director.

According to Crabtree, those 10 counties together have 102,541 residents, and 24 percent of them are eligible for legal aid services. He says the area only has 88 active attorneys.

The service area includes Campbell County, which is near the agency's Covington office. During one test run at the Campbell County courthouse, they met a woman in the parking lot headed to a domestic violence hearing without an attorney. "She said: 'What is this, what do you do?'" Crabtree says. A summer intern explained that they represent people who can't afford lawyers.

"You could kind of see a light bulb go off in her head, like 'That's my situation,'" Crabtree says.

They then did an intake screening aboard the bus and took her on as a client. During the screening, they determined she had custody issues that had to be addressed.

"She was able to go directly into court that day and get a continuance on her hearing," he says. "Even with all the connections we have with domestic violence shelters and centers, she wouldn't have found us had we not been there."

### FINDING OPPORTUNITIES

The Justice Bus was one of the first 15 groups to get an ABE opportunity grant. The Opportunity Grant Program, established in 2017, provides seed money for new projects that address the needs of unrepresented or underrepresented communities.

"Usually you have to have an established program, then you go into the funding world to find money. We're trying to provide seed money for innovative ideas," says Joanne Martin, the ABE's executive director. "It's a way of giving synergy to new ideas that combine the needs of the community with the supply of pro bono lawyers and the knowledge of legal services needed."

The ABE, a nonprofit corporate public charity, sponsors insurance plans for ABA members. Approximately 83 percent of lawyers with those plans agree to donate available generated dividends to the ABE, and those are used to fund the organization's annual grants.

The two major recipients of those grants are the American Bar Foundation, a research institute for the empirical and interdisciplinary study of law, and the ABA Fund for Justice and Education, which supports the organization's public service and educational programs.

According to Martin, of those groups, each will receive more than \$3.5 million this fiscal year. But the Opportunity Grant Program is a newer, separate set of grants. This year, another 12 programs