

The Pro Bono Spotlight features attorneys chosen by the Texas Access to Justice Commission or the State Bar of Texas for their exceptional commitment to pro bono work. Find pro bono opportunities, support, and inspiration at probonotexas.org.

Niles ILLICH

NILES ILLICH RECOGNIZED THE IMPORTANCE OF HELPING OTHERS DURING HIS EARLY JESUIT EDUCATION THAT EMPHASIZED SERVICE. As a young law clerk, he realized that many of the strongest, well-crafted appellate briefs were written by attorneys providing pro bono assistance. He realized he could do the same. Now as his career has progressed, Illich makes no distinction between what some might call “normal case work” and pro bono work. The Addison-based attorney spoke to the *Texas Bar Journal* about his practical approach to taking on pro bono.

INTERVIEW BY **WILL KORN**
PHOTO COURTESY OF **SCOTT H. PALMER, P.C. - ATTORNEYS AT LAW**



WHAT KIND OF PRO BONO WORK DO YOU DO AND HOW LONG HAVE YOU BEEN DOING IT?

I am a [Texas Board of Legal Specialization] certified criminal appellate attorney. The only pro bono work I do is appellate work. I have represented defendants on writs and appeals, but I have also represented families in family law issues.

I think one of the areas of pro bono practice that does not get enough recognition is the pro bono program through the State Bar of Texas Appellate Law Section. I am a member of that section, and we get perhaps one request per month. The attorneys in that section are some of the most accomplished appellate attorneys in Texas. When a case is presented to the section, there are usually multiple volunteers, and the chair must choose who is going to represent the client. This must be one of the few places where there are more attorneys willing to do pro bono work than there are people asking for help.

I have also performed pro bono work on behalf of organizations as an amicus. I served as the chair of the Texas Criminal Defense Lawyers Association Amicus Curiae Brief Committee. All the work we did was pro bono, but most of it was fundamental to protecting and maintaining our constitutional rights and protections.

WHY IS PRO BONO WORK IMPORTANT TO YOU?

First, pro bono work is an opportunity for attorneys to learn

something new. Many attorneys use pro bono work to gain experience in a new area. But I also think there is an important role for amicus in appellate cases and many of these are done pro bono. Second, I received a Jesuit education, and the idea of service was a strong component of that education. I have carried that component of my Jesuit education with me, and I try to honor that obligation. Finally, there are simply people with needs who cannot afford representation. I cannot cure that problem, but I can contribute to the solution.

WAS THERE A PARTICULAR EXPERIENCE YOU HAD THAT INSPIRED YOU TO TAKE ON MORE PRO BONO WORK?

I clerked at the 1st Court of Appeals in Houston for one of the most accomplished and most intelligent justices in the Texas judiciary. When I was there, she and I talked about the briefs that were presented. Some of the strongest briefs were pro bono briefs. I was a very junior lawyer and I found this surprising, but I decided I could do the same.

HOW WOULD YOU SAY HANDLING PRO BONO WORK HAS BENEFITED YOUR LAW CAREER?

Naturally. I have branched out into areas that I would not have otherwise been in. Some of these areas have become regular practice areas for me and have produced new clients.

WHAT WOULD YOU SAY TO AN ATTORNEY WHO IS CONSIDERING DOING PRO BONO FOR THE FIRST TIME?

I have a young associate. My advice to her is to forget that the client is pro bono and just treat the client like any other client. This is surprisingly easy to do. But also use this as an opportunity to build your career. I think many appellate panels would consider giving oral argument to an attorney who is representing a client pro bono.

IN YOUR OPINION, WHAT IS ONE OF THE BIGGEST MISCONCEPTIONS ABOUT PRO BONO WORK?

The biggest misconception is that pro bono work is for attorneys who can't get enough paid work. I know from my involvement in the State Bar of Texas Appellate Section that this is not true. Many of the attorneys who are in that section turn away work but volunteer to do pro bono work.

HOW DO YOU MANAGE YOUR TIME BETWEEN YOUR NORMAL CASE WORK AND PRO BONO WORK?

Pro bono cases are just “normal case work” for me. I am not in a position where I can abandon paying cases and only represent pro bono clients, but I do represent clients pro bono and they are simply “normal case work” for me.

DESCRIBE A MEMORABLE EXPERIENCE YOU'VE HAD IN A PRO BONO CASE.

I need to be careful here with the duty of confidentiality. I had a paying client. The money was not coming from the client but someone close to them. The person close to the client was a vulnerable person with few resources. Before I was paid, I realized that the client had manipulated the vulnerable person into paying my fee. I could have withdrawn, but I worried the client would manipulate someone else into paying the fee. So, I represented the client pro bono. I did this predominately to protect the vulnerable person. This did not lift any burden from me to the client and I did everything I could for that client. But my motivation in changing the case from a paid case to a pro bono case was to protect the vulnerable family member. **TBJ**

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