

THE NICEST TOUGH FIRM AROUND

A Michigan Personal Injury Firm Scores Big in Court With a Mixture of Strong Advocacy and Concern for Clients' Lives. The Healing That Takes Place is Priceless.

Steven Keeva

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As a police officer in Kalamazoo, Mich., John Minehart was a sight to behold. At 6-foot-1, his powerful legs supported 250 pounds of solid muscle and snarl. The toughest cop in town, he delighted in the respect and fear he inspired in those who beheld him. It was all there in the only name anyone ever called him: "Spike."

One night in April 1991, after 24 years on the force, Spike suddenly became John again. He was struck by a drunk driver while attending to a traffic accident. In that moment, the body that had been the centerpiece of his identity became a different body. He lost his right leg and, in the days that followed, became paralyzed in the left one. He wanted to die.

But he had two things going for him. First, his family. Although he was certain his wife would now leave him, she knew she would be in it for the long haul.

Then there was his lawyer. Minehart had known Rick Halpert casually, running into him now and then while walking the beat in the city's open-air mall. And he had read about some of the big verdicts Halpert's **firm** had won for clients. But he did not know then what mattered most about the successful personal injury lawyer and his partners: They were exactly what he needed--in ways he could never have imagined.

After the accident, Minehart's sense of self-worth was on the critical list, and Halpert (with his then-partner, Jim Koning) worked tirelessly to restore it. This involved spending untold hours with him, trying to convince him that his wife had no intention of leaving and that his daughters needed him. "We had to show him that there was more to him to love than his machismo and physical strength," says Halpert.

Minehart's story is one of dozens that could illustrate the workings of Halpert, Weston, Wuori & Sawusch, a plaintiffs law **firm** in Kalamazoo that puts healing above profits and compassion before ego. If much of what people say about the four-lawyer **firm** sounds too good to be true, that is offset by the sheer number of sources who corroborate the picture that emerges.

Holistic Approach

The lawyers aren't saints, nor do they live monastic lives, but they have built a highly successful law **firm** on a solid foundation of caring, uncommon attentiveness to clients' needs, and advocacy that serves the client in a broad and holistic way.

Even frequent opponents are hard-pressed to say anything negative about these personal injury lawyers, beyond a few cracks about what some see as a tendency toward self-promotion. On the positive side, opponents admire their professionalism and say that if Halpert Weston brings a claim, it almost certainly is legitimate.

The firm, which opened its doors in January 1996, has developed an expertise in burn, and spinal-cord and brain injury cases. It is well-known in Michigan for the size of its settlements and judgments, and won the two largest recorded settlements in the state last year. But financial success doesn't begin to account for the enthusiasm and fondness expressed for the lawyers by clients and health care professionals.

Minehart is a good example. His lawsuit for the car accident was settled in 1992 for a five-figure sum--not a great deal of money. (He got a much larger settlement in a separate medical malpractice claim--a kind of case Halpert Weston will not handle.) Still, he says he trusts Halpert with his life.

"When you've got someone who understands you as a person and takes the time to deal with you, rather than just with the case, it's all the difference in the world," Minehart says.

Doctors, nurses and social workers--many of whom were skeptical at first--say they are amazed by the firm's dedication to clients' well-being. And clients themselves say they feel as if their lawyer is theirs alone.

The point, says Halpert, is that getting money is hardly the most significant thing he and his partners do for clients. "It's working with the pain and horror of what they've been through that really matters," he says. "The most important aspect of their healing has nothing to do with the lawsuit. That simply finances our services so that we can provide the care and love to help them make it through."

If that sounds like self-promotion or New Age drivel, consider this: Seven years after Halpert settled Minehart's case, the two still get together regularly. Halpert visits him at home on Christmas, dressed as Santa and bearing gifts for his young daughters, and he is available to discuss any of the ongoing difficulties that Minehart continues to endure.

At Halpert Weston, relationships rarely end with the conclusion of a legal action, simply because the realities of living with a personal tragedy do not evaporate once the settlement or judgment is paid. The law firm's mission-- to improve clients' lives physically, psychologically, emotionally and financially--requires nothing less.

That can mean driving a badly burned client who lacks transportation to a distant medical center for treatment. Or spending dozens of hours listening to a widow describing her

grief after her husband's accidental death before even beginning to discuss the legal case. Or working to get benefits for a brain-damaged patient, even if there is no one to sue and no fee to collect. Or taking a key role in starting a local camp for burn patients.

It always means giving out office, home and cell phone numbers and returning calls promptly. And it means visiting clients at home, because that is where they are most comfortable, most able to be themselves.

Although the Halpert Weston partners share a deep commitment to a common vision of what personal injury work should be, their backgrounds are rather diverse. Only one-- Steven Weston--always wanted to represent injured people.

"I worked in a hospital emergency room in college," he recalls. "I saw people who had been literally ripped apart. My dad was a social worker, my mom a nurse, and I heard so much about injured people getting the shaft. Since sixth grade I've wanted to be a lawyer."

The two other lawyers, Thomas Wuori and Bonnie Sawusch, were former judicial clerks who joined the firm because they were surprised and intrigued by what they saw as a very different way of doing things.

Wuori never planned to do plaintiffs work, and Sawusch was determined not to. A former nurse, she wanted nothing more than to represent physicians in medical malpractice cases "and get all those plaintiffs attorneys."

All three began practicing with Halpert when he was running the personal injury department in the Kalamazoo office of Detroit's Howard & Howard. "When I interviewed with Howard & Howard, I couldn't believe how different they were," says Sawusch. "And they promised me they wouldn't do med-mal."

After interviewing Sawusch for the job, Halpert called Patricia Boyle, a Michigan Supreme Court justice for whom Sawusch had clerked. After Boyle praised Sawusch's intellect and how hard she worked, Halpert asked her a question that, she says, she had never been asked before about a job applicant: "What can you tell me about her compassion?"

"I remember that conversation and I was so heartened by it that it remains with me today," Boyle says.

Of course, lawyers are not taught to get so involved in clients' lives. Legal education often warns against it, the concern being a compromised ability to remain objective. But Halpert Weston attorneys are very clear about why they get so involved.

Without doing so, they say, it is hard to understand with any depth what clients actually go through. And really knowing what it means to face daily life in their condition and how it affects their relationships is the stuff of effective and passionate advocacy.

Sawusch recalls the example of a woman who had lost her son in a car accident. Although she had seen the client many times in the office, where the woman hadn't seemed too distraught, Sawusch decided to see what she could learn by visiting her at home.

"She had the heat turned way up, and the shades drawn so that there was no light at all coming in," she recalls. "And there was no food in the house. It was like a tomb in there. That's when I realized what was going on under the surface."

Sometimes, Halpert Weston lawyers discover that simple humanity requires an unusual level of lawyer-client bonding. In one case, that of a horrifically burned child whose parents were too dysfunctional to help him recover, Wuori became a surrogate big brother.

As the case was winding down, the child, who was 10 at the time, asked Wuori whether they would continue to be good friends. "There wasn't one reliable adult in his life until this tragedy," says Wuori, who remains close to the boy five years later.

Finally, there is the sheer pleasure of helping others. An example: When a client was having a hard time dealing with fears that her severely burned 7-year-old daughter would never live a happy and productive life, the firm took her to a conference for burn survivors in Canada--all expenses paid. There her mind was put at ease when she met with a group of women who had suffered serious burns as children and had grown up to lead happy, successful lives.

"When you're emotionally intimate with a person who's going through a terrible time and you can make a difference," Halpert says, "there's an incredible joy in that."

A Pioneering Concept

There is really only one way a law firm can fulfill the mission that Halpert, Weston, Wuori & Sawusch has set for itself--by limiting the number of cases it takes.

"The reason we can do what we do," says Weston, "is that Rick pioneered a concept that is counterintuitive to the practice of law: If you accept a very limited number of cases and you beat the living hell out of them, it gives you more time to spend with your individual clients, more knowledge and more passion to go to bat for them. And more time to delve into the legal, medical and damages sides."

Where it is not uncommon for individual personal injury lawyers to have 100, 150 or even more cases open at a given time, Halpert Weston partners limit themselves to no more than 20. That means they must turn down about eight out of 10 cases. But even their approach to doing that is unusual.

"You have to help them plan where they'll go from here," Wuori says of the people who the firm does not accept as clients.

"There is a lot of healing that goes on in helping a person realize that, one, the law does not have a remedy for them; or two, the cost of the remedy may exceed the benefit; or three, you don't need to bring a lawsuit.... You then may help them by getting them counseling, help with their pain, referrals and so on."

This goes to the heart of the firm's attitude about money: If you worry about taking care of your clients--and even people who never become clients--the money takes care of itself.

Still, you have got to get the clients in the first place. A small percentage of Halpert Weston clients come from their Yellow Pages ad. It's hard to miss. Across the top, in one-half-inch-tall letters, it shouts out a rather compelling number: "\$32,000,000"--the total projected future payment for a structured settlement in a burn case.

Taking care of people and winning record verdicts are not inconsistent, Halpert says. "You don't do clients a favor by being sensitive to their feelings and then leaving them penniless."

Money may be the carrot, but clients and the health care professionals who care for them say the healing touch is the real payoff. In fact, the overwhelming majority of cases come directly from social workers, doctors, nurses, other lawyers and clients who recommend the firm because of the nonmonetary benefits it offers.

"I was skeptical about them at first because my experience with attorneys hadn't been very good," says Susan de Groot, a social worker who works with burn patients in Grand Rapids. "But they have shown me over and over that their concern about clients' well-being is paramount. They are there, whether there is money in it or not."

Sandy Loyer worked for 16 years as a social worker for trauma and spinal-cord-injury patients, a job in which she says she had a chance to evaluate a lot of lawyers.

"Their interest is clearly in the patient and the family--how they are coping and dealing with things," she says.

"And I can always call on Rick to help a person from whom he'll get nothing. I've never been this comfortable with lawyers before."

One Kalamazoo attorney whose **firm** does insurance defense work (and who asked that his name not be used) suggests there is another reason that cases come rolling in to Halpert Weston. He acknowledges that the **firm's** lawyers are good, but adds that Halpert can be flamboyant and something of a self-promoter.

For his part Halpert pleads guilty to charges of self-promotion. He frequently takes advantage of invitations to lecture in the state's continuing legal education program, and sees that as a good opportunity to keep his firm's name in the public eye.

He points out, too, that he enjoys a good relationship with the local newspaper and lets reporters know about a significant verdict or settlement. "They like it because they think it's newsworthy, and from my point of view, it's a good way to get our name out there."

But the insurance defense lawyer says he has one more criticism of the firm. "With them, everything is the world's most important case, and they can't all be the most important."

That is a complaint all four lawyers say they can live with.

Compassion Tops List

One of the more common reactions to the firm's success is characterized this way by Steven Weston, who says that an overemphasis on narrow, practical considerations often obscures big-picture thinking: "People will say, 'I don't have the luxury you have because I don't have those big cases. If I were in your shoes maybe I could work that way, too.'"

Weston describes this attitude as a "chicken-or-the-egg thing. Which comes first, getting the big cases or taking care of your clients' needs?" He doesn't think there's much question. "Be good to clients, and you get into that situation."

It may, at least, be worth a try.

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