

Lawyers Who Lead by Example

Originally posted in New York Law Journal.

Coming from a family of modest means, Barbara King understands how the legal needs of middle America can fall between the cracks.

The wealthy can afford to hire attorneys, the indigent have various avenues of obtaining legal assistance, but the middle class are, well, in the middle.

"My parents, if they ever had to hire an attorney, would have gone broke," said King, director of the Family and Matrimonial Law Department at Tully Rinckey in Albany. "I did not come from an affluent family and even if I had to pay a lawyer, we're not cheap. There are people who don't qualify for pro bono representation, but really can't pay. There is a strata of society that can't pay \$300 or \$400 an hour."

To address that problem, King created the Modest Means Program for the Schenectady County Bar Association three years ago and enlisted Capital Region attorneys who were willing to cut their rates so New Yorkers who don't qualify for counsel at public expense could afford representation.

"We started by focusing solely in family and divorce court," King said. "We came up with a program where the client pays \$100 an hour, instead of \$300 or \$400, and pays a retainer of \$1,000, instead of \$5,000 or \$6,000, and we got about 20 experienced volunteer attorneys to join the panel, good lawyers who have been out five to 30 years."

King said she sees the effect of the economy on modest means clients, many of whom were middle class and now have fewer assets. They need assistance with custody and domestic violence issues, but when it comes to support matters, they are often fighting over debt, she said. "My clients really got hit in this economy," she said.

Identifying a problem and then taking a leadership role to address it is a hallmark of King's 24-year legal career.

As a partner at the now-defunct Albany firm of Gordon, Siegel, Mastro, Mullaney, Gordon & Galvin she convinced the firm to adopt a mandatory pro bono program, and insisted that the partners put their money where their mouths were.

"I got Gordon Siegel to adopt a mandatory pro bono program for the firm, where every attorney, and every partner, had to do pro bono," King said. "I didn't think we should make associates do something the partners weren't willing to do, so I put a financial penalty in it and if a partner failed to put in the [mandatory 24 hours] they had to pay \$200 for every hour they fell short and donate it to a not-for-profit organization that provides legal services. It was a pay-or-play program."

King is putting together a similar initiative at Tully Rinckey.

"I think it sends an important message to the associates that the partners weren't just

imposing obligations on them or giving lip service to pro bono, but are actually invested in it themselves," she said.

King, 51, is one of the Albany area's top matrimonial lawyers, handling primarily divorce and family court work. That involves being in court two to three days a week for trials and hearings, and many hours of meeting with clients.

"My approach is that divorce is hard, but I keep focused on rebuilding, on helping the clients prepare for the next phase of their lives. I focus on the positive," she said.

Matrimonial practice is very personal, said King, adding that she appreciates the level of trust that builds between attorney and client.

"I have been doing this for over 25 years, and I really like it. Most people are going through a very personal time and they bear everything to you. I genuinely like and respect most of my clients," she said. "I stay in touch."

"She is in a very difficult practice area because she deals with matrimonial and custody," said her partner, Greg Rinckey. "There is a high burnout rate and most attorneys at the end of the day are tired and go home. She actually spends her nights and weekends doing pro bono."

Rinckey said King's leadership of the Modest Means Program is indicative of her commitment and leadership.

"Unfortunately, you can't get legal aid or assigned counsel for a divorce in upstate New York, so she developed this limited means panel where clients are able to pay what they can afford," Rinckey said. "It allows them to get out of what can be dangerous domestic violence situations. A lot of time women feel trapped and that they cannot leave their spouse. Barbara goes above and beyond to help them."

King also has been on the pro bono panel of The Legal Project, an initiative of the Capital District Women's Bar providing free and low-cost legal services to victims of domestic violence and the working poor for more than a decade.

"When we have a particularly difficult domestic violence case, Barbara's name always comes up," said Lisa Frisch, executive director. "She has a depth of experience in responding to such cases, and she has also acted as a mentor for other volunteer attorneys. She really goes above and beyond, and she has done it for many, many years."

In addition to her Tully Rinckey clients, King said that at any one time she has about three to six pro bono cases active for clients from the Legal Project, Legal Aid, mandatory assignments and "those you just feel sorry for." King said she had one client who after eight years, ran out of money. "I just couldn't abandon her," said King, who worked with the client for another three years pro bono.

Frisch said King's commitment to pro bono is deep-rooted.

"She certainly lives by the philosophy that we wish all attorneys lived by—that they alone can give back their legal services to the community," Frisch said. "No one else can provide legal pro bono, only lawyers can. It is part of the responsibility of the profession. Barbara takes it to heart, not just talking about it, but living it."

Jeffrey Cohen, an attorney and mediator in the Capital Region who often handles matrimonial matters, said King is always willing to donate her time to people in need.

"It is her sense of humanity, her sense of fairness, her sense of justice, her sense of serving individuals based on the individual's needs," Cohen said. "I think she is a very spiritual person and I think she is extraordinarily compassionate. She just has a sense of what is right and what is wrong, what is fair and reasonable and doesn't compromise her standards."

King, a native of Long Island, said her public service interest was nurtured at the City University of New York School of Law, where she went after graduating valedictorian of her class at John Jay College of Criminal Justice.

"It was very public-service oriented and very focused on using the law to meet societal needs," said King, who donates about 100 hours annually in the public service arena. "It was inculcated early and many of my colleagues went into public law. With student loans you can't all go work for Legal Aid, so I ended up in private practice."

In addition to her legal pro bono work, King has served on the board of the Schenectady City Mission for seven years and previously served on the board of a pregnancy crisis center. She is also on the board of trustees at Davis College in Binghamton, where her husband, Paul Anobile, teaches theology. They both volunteer at an inner city church in a high-crime section of Schenectady.

"Coming from a middle income family and being able to have a career like this is something no one in my family has ever had," said King, who lives in suburban Schenectady. "It is really a privilege and a blessing. I really feel that if you don't give back, you don't deserve what you have."

King has received several honors for her community service efforts, including the Suffolk County Pro Bono Award in 1994, the Capital District Women's Bar Association Volunteer Attorney Award in 2001, the New York State Bar Association Pro Bono Award in 2004, the American Bar Association Difference Maker Award in 2009, the Schenectady County Bar Association's Lawyer of the Year award in 2010, and the Schenectady County Human Rights Commission's Justice Award in 2011.

The awards come with the territory, and King's proven commitment, but are never the driving force behind her dedication to service, Cohen said.

"She has a strong sense of morality and decency and justice," Cohen said. "She is not the type who looks for recognition, ever. She just does the work and doesn't look for accolades."