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Medical-Legal Partnership: A Promising Direction For Pro Bono

The Editor interviews Steven H. Schulman, Pro Bono Partner, Akin Gump Strauss Hauer & Feld LLP, and Lori Chumbler, Associate General Counsel, Walmart.

Editor: Please discuss the areas of pro bono on which your respective organizations are currently focused or have recently concentrated.

Chumbler: Walmart's signature pro bono project is our medical-legal partnership with Arkansas Children's Hospital and Legal Aid of Arkansas. We also participate in Legal Aid clinics for wills or powers of attorney and provide back-office support with legal research. We are starting to train our in-house professional staff to answer the Legal Aid help line, which we hope will enable them to double or triple their uptime. Right now, it's seriously restricted.

Schulman: Akin Gump has a wide variety of pro bono initiatives, with last year's efforts involving 67,000 hours of work by our U.S. offices. We focus largely on human rights and refugee issues – asylum cases and matters concerned with violence against women. We also have a strong practice in impact litigation, working on civil rights and housing matters around the country.

The firm also has a very strong pro bono appellate practice, and my colleague Patricia Ann Millett is particularly well-known for her Supreme Court expertise. As of this year, she holds the record for the most Supreme Court arguments by a woman attorney, and a significant number of her 32 appearances have involved pro bono cases.

We also do a lot of work around education reform – the Knowledge is Power Program (KIPP) is our largest single pro bono client. KIPP's charter schools serve more than 20,000 low-income children across the U.S. The firm also has a substantial commitment to what I describe as poverty law, such as cases involving divorce and custody, disability and landlord-tenant issues,



Steven H.
Schulman



Lori
Chumbler

to help the most vulnerable members of our communities.

Editor: Does pro bono work expand the professional experience of individual attorneys within your organizations?

Chumbler: It absolutely does expand our practice; in fact, the areas of law in which we focus our pro bono efforts are completely outside of our day-to-day wheelhouses.

Schulman: The answer for us cuts both ways. Some of the firm's best pro bono work involves leveraging an attorney's specific expertise, such as when my partner Kim Ramsey helped secure public financing by closing a bond transaction for KIPP's schools in Newark, New Jersey. That's right in her wheelhouse. Another example might involve our employment attorneys providing ongoing counsel to nonprofits. This work is very rewarding for us, and it is a true asset for our pro bono clients.

On the other hand, areas such as poverty law and human rights or refugee matters may be outside an attorney's specific practice knowledge, but still require transferable legal skills. Over the years, the firm has built in-house expertise in those areas, and it actually becomes integrated with the attorney's practice over time. Lori is endeavoring to provide similar opportunities for Walmart's legal department.

Editor: Please tell us about the history of

Akin Gump and Walmart's work together on pro bono matters.

Chumbler: Given that we already had a substantial relationship with Akin Gump as outside counsel, it was a natural partnership to explore when we started Walmart's pro bono program. The firm participated in the initial planning stages, helping us think through framing the project, and once we chose the medical-legal partnership (MLP) model, they helped us establish internal policies and train our attorneys on the relevant areas of substantive law. The project has been in existence for about one year.

Schulman: This relationship has evolved over the years, bringing a fresh perspective to the firm by allowing us to become better acquainted with some of the pro bono issues that present themselves to our in-house colleagues, which may differ from those we encounter at the firm. The partnership started with brainstorming about our firm's current pro bono practice and Walmart's assessment of how best to leverage its culture and existing legal expertise. It became clear to Walmart that the MLP was the way to go, so we all forged ahead and learned as we went.

From a personal professional standpoint, the MLP has offered a very rewarding opportunity to work with Lori and the Walmart team and to expand my own 12-year pro bono practice into a collaborative effort with another profession in a way that brings critical legal services to a vulnerable community.

One key benefit of the MLP model is the ability to identify the legal issues of medical patients early on, which, in turn, makes cases easier to resolve. The doctors and nurses really appreciate our involvement because it both eases their procedural workload and, importantly, reduces their frustration with knowing their patients need legal assistance that they can't provide. Doctors and staff at the Children's Hospital of Arkansas take a real shine to these kids and

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Please email the interviewees at sschulman@akingump.com or lori.chumbler@walmartlegal.com with questions about this interview.

want them to have happy and successful lives.

Editor: We understand the MLP was the first such initiative led by a corporate legal department. Please describe the project and why Walmart chose to make such a commitment.

Chumbler: I'll describe how our MLP works. Legal Aid currently has two attorneys on-site at Arkansas Children's Hospital, so when a doctor, nurse or social worker refers an issue for legal assistance, someone is there to meet with patients immediately and arrange for further assistance. While our corporate offices are three hours away, we do much more than wait to be called. A number of our attorneys have had the opportunity to work at the hospital, shadowing doctors and participating with the on-site attorneys in the initial client intake screening. Once a case is accepted for handling, it will be referred to an attorney from Legal Aid, Walmart or one of our pro bono partners.

We chose the MLP model, certainly for its professional collaborative opportunities, but primarily for its ability to offer proactive, holistic assistance to families in need. Most families we serve don't even know that they have a legal problem, much less that it is making their health problem worse, and through the MLP, we are able to resolve issues before they reach the crisis stage. This model really appeals to us from an impact perspective.

We also like the fact that we can do a variety of work through the MLP, including individual representations with patients plus more systemic work. I was not aware, for instance, that Arkansas still has criminal eviction statutes and does not have a warranty of habitability law, so when a rental apartment presents health issues, such as mold or rat infestation, tenants have no viable legal remedy and must relocate in order to eliminate the health risks.

Through the MLP, we have an opportunity to help tackle systemic issues by working with our MLP partners to advocate for the creation of new law. We know from past experience that it is difficult to address legislative issues from a purely legal perspective; thus, drawing on the expertise and credibility of a nationally respected organization like Arkansas Children's Hospital – making the issue about public health – can take the process to a higher level and garner more productive attention from lawmakers.

Editor: Please talk about the firm's level of participation in and commitment to the project.

Schulman: The largest part of Akin Gump's work with Walmart focused on structuring the program and on training. Last summer, one of our Pro Bono Scholars, Daniel Graver (UT Law '13), worked with Walmart through the National Center for Medical-Legal Partnership to help set up a training program and other aspects of the Walmart MLP. (The Pro Bono Scholars Program is a two-year program in which law students work in the public interest the first summer, work at the firm as summer associates the second summer and hopefully return as associates once they graduate from law school.) In addition, one of our healthcare partners has been working with the Center as a pro bono client of the firm, helping establish it as a separate operating entity. So, our involvement has been multifaceted.

Given the excellent capabilities of Walmart's and Legal Aid's attorneys, it is neither feasible nor necessary for the firm to handle cases in Arkansas. We have been, however, inspired by what Walmart has done and have started to work with MLPs in New York (through an organization called LegalHelp, which is part of the New York Legal Assistance group) and at Dallas Children's Hospital (through Legal Aid of Northwest Texas).

We are also working with Walmart to set up an MLP at Texas Children's Hospital in Houston. Thus, we've taken what we've learned with Walmart and tried to set up our own MLP practice.

Editor: We understand that MLPs generally can involve a wide spectrum of activities. Can you give some examples of matters that Walmart has handled?

Chumbler: MLPs do handle a variety of issues, ranging from issues involving employment, education and wills to landlord-tenant matters. We have helped with navigating Medicaid benefits and with securing special education services for children who have diagnosed issues and are entitled to an independent education plan under federal law.

One of our first cases involved Medicaid benefits for a two-and-a-half-year-old child who had underdeveloped limbs and was born with what would appear to be flippers instead of arms. He was completely immobile, and the doctor determined that the child needed a motorized wheelchair, which Medicaid doubted the child could operate. So we worked with the child's doctor and physical therapist to come up with a plan, which resulted in the physical therapist actually videotaping the child operating a motorized wheelchair. The tape was sent

to Medicaid, resulting in immediate approval. We were delighted to be a part of this case.

Since last year, 157 cases have come through the MLP, though most were not handled by Walmart. As a result, we recognize the need to broaden our scope and participation, and, specifically, we are targeting adoption and guardianship cases, as these issues arise frequently with hospital patients and their families.

Editor: How can projects like the MLP fit into global citizenship efforts by corporations and law firms?

Chumbler: Our company, along with the Walmart Foundation, has always been supportive of children's health and well-being. For example, for the past 25 years, Walmart and the Foundation have been huge supporters of, and fundraisers for, Children's Miracle Network Hospitals, and we've always maintained a close relationship with Arkansas Children's Hospital. The MLP fits well within the company's overall citizenship philosophy, which is to do business globally, but give back locally. Therefore, it was important to create a project right here in Arkansas that complemented other company and foundation initiatives.

Schulman: The MLP fits within Akin Gump's broader ideas about pro bono work, which focus on impact as well as on the simple act of giving. The MLP has opened our eyes as to how we can collaborate with medical professionals and leverage what, in spite of the firm's substantial commitment to pro bono practice, remains a limited resource. The real challenge is to use that resource effectively, and working with MLPs achieves this goal.

Editor: Do you have any final thoughts for our readers?

Chumbler: I want to expand on Steve's discussion of his work with other children's hospitals and medical facilities, such as our joint efforts with Texas Children's Hospital. Walmart's primary pro bono effort will remain focused on our Arkansas partners, but beyond that, we recognize that Walmart's large footprint can enable us to create a national network of MLPs at children's hospitals in every state. So we've taken that first step with our efforts in Texas, and our endgame is to have a nationwide and, eventually, a global impact.

Schulman: The MLP has been inspirational for us, and I agree with Lori that we're just getting started.