



NEW YORK CITY LAW DEPARTMENT  
OFFICE OF THE CORPORATION COUNSEL

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Speeches

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## LEGAL HEROES OF SEPTEMBER 11TH

***SPEECH GIVEN BY MICHAEL A. CARDOZO TO THE AMERICAN CORPORATE COUNSEL ASSOCIATION AT THE FEDERAL RESERVE BANK ON JUNE 13, 2002***

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Where were you on September 11? Everyone in this room, and everyone in this City and I suspect the entire country, will never forget where they were on that fateful day. We each remember 9/11 just like everyone in my generation remembers where he or she was on November 22, 1963 when JFK was shot, and everyone in my parents' generation remembers where they were on December 7, 1941.

September 11 changed each of our lives: forever. Some of us lost loved ones; virtually all of us lost friends. We lost the illusion that we were free from attack on American soil. And every single one of us faced the question of how we would respond to this terrible tragedy.

The jury has now answered that question, at least in its first phase. We stood tall after 9/11. We responded to the catastrophe as decent people, as Americans, and as lawyers. The result, as we rebound from September 11 is that as a people and as a city we are stronger and more compassionate than ever before.

Tonight we salute the bar, particularly the corporate bar, which responded so magnificently to the challenge of 9/11. We honor those whose post 9/11 efforts helped those in need, and whose work represented the very best of what lawyers do. Tonight we also celebrate the future, particularly for this City and its downtown. Because that future, as I will explain in a few minutes, is very bright and exciting; made even more so by the tremendous energy and dedication reflected by the people we honor tonight, and lawyers in this City more generally.

### The Bar's Response

The extraordinary heroism of the firefighters, police, and the rescue and clean-up workers has been told over and over again. They have received well-deserved accolades and nothing I am about to say is intended to detract from their efforts in any way. But the Bar's unselfish, heroic and compassionate response to the events of 9/11 is one of the great untold stories of September 11. I am very proud to be able to be one of its chroniclers.

As lawyers, each of us know that the Code of Professional Responsibility tells us that we are obligated to "render public interest and pro bono legal service." But despite that admonition, and the incredible number of good works lawyers carry out day in and day out, the image of our profession is too often one composed of aggressive, hostile, money-grubbing people who frequently engage in questionable ethical dealings. Anyone who takes but a moment to consider what the Bar did in response to 9/11 should recognize how incredibly unfair and inaccurate that picture is.

My own NYC Law Dept is a prime example. On September 11 our over 600 lawyers whose offices were across the street from the World Trade Center narrowly escaped death as the twin towers literally collapsed onto their building. Within days the entire Law Department was working again, from temporary offices – many generously donated by law firms and corporations – and from their homes. Only hours after the planes hit those lawyers, who had no access to their

files and whose files in any event would not have contained any precedents for the legal issues they were asked to confront, were drafting emergency executive orders, and the state and federal legislation needed to allow this City to continue to function. I must admit to still becoming emotional when I think of some of the lawyers sitting outside of Pier 94 on the Hudson, with their lap tops literally on their laps, drafting the emergency orders Mayor Giuliani issued during that fateful week.

A large part of the Law Department set up shop on Pier 94 to work on the death certificate project. This project, coordinated with the assistance of other City agencies and court officials, allowed the families of victims promptly to obtain death certificates, rather than having to wait the three years normally required when a body cannot be located. In the first three days of the project more than 1,000 families applied for death certificates and when the project was complete over 2,000 applications had been filed with the court.

But this effort could not have succeeded without the assistance of volunteer lawyers. And the volunteers came in droves. The Association of the Bar put out a call for volunteers, and offered a training session on a particular night. Over 1,000 lawyers, on virtually no notice, showed up, and the line to get into the Bar Association that night stretched down 44<sup>th</sup> Street to 6<sup>th</sup> Avenue and all down that street as well. During the three months that we ran this program at Pier 94, over 400 volunteer lawyers worked with the Law Department, and particularly the families of the victims, helping them deal with the procedures for obtaining a death certificate for their loved ones. Families members who needed assistance in other areas -- such as landlord/tenant, employment, custody issues, and benefits problems -- were given information on how to obtain free or low-cost assistance through the Legal Referral Service staffed by the City Bar and the New York County Lawyers' Association.

This help was given not only to those in New York City, but to families from around the world. And the emotional atmosphere in which this advice had to be given was not to be believed. As Chief Judge Kaye recently observed, the lawyers -- like the families of the victims -- needed their own time and space to shed a tear while at the same time giving these families the legal advice they so desperately needed.

The efforts of the volunteer lawyers did not stop there. Here are just a few of the many other examples:

- An organization calling itself Trial Lawyers Care, composed of trial lawyers, agreed to represent the families of the victims, without charge, in making claims to the Victims Compensation Fund established by Congress.
- Legal Services for New York City has provided assistance to low-income households, taking referrals from bar associations, social services organizations, unions and advocacy groups.
- The New York Lawyers for the Public Interest worked with large law firm and individual lawyers to provide free legal assistance to community organizations and non-profit groups, helping with business, employment and real estate problems caused by the disaster.
- The City Bar Association set up a Family Facilitator Project, and trained over 800 volunteer lawyers: individuals and families directly affected by 9/11 have been matched with attorneys trained as "facilitators," who work with them to identify and resolve legal issues.

And it is here that the efforts of in house corporate counsel deserve to be especially singled out. Attorneys from over 75 companies volunteered their services to the City Bar Association, and other in-house attorneys volunteered with the lawyers' groups I've mentioned above.. One of the key ways they've participated was through the Small Business Initiative: a hotline was set up to receive calls and disaster centers were set up for those small businesses that were directly and indirectly affected by the 9/11 disaster. They were paired with volunteer lawyers who provided comprehensive legal services. As of the end of December, 2001, 500 lawyers from law firms and corporations were trained, and over 350 small businesses were assisted.

And of course last, but by no means least, were the efforts of our honorees tonight, [about whom we will hear more in a few moments.] [Lawyers Alliance, which reached out to non-profit groups in lower Manhattan to provide them with vital legal services at the time of their greatest need; Jeffrey Green, who led a group of lawyers in offering legal advice to surviving families of Port Authority employees; Jeff Kindler, who organized volunteers from Pfizer's legal department to provide assistance to various peoples and groups, including the United Way of New York City; and Louise Parent, who organized American Express volunteers to supply assistance to the Company's employees and customers.

The story of lawyers, performing this pro bono publico service, is truly an extraordinary tale.

## The Future

These stories about the Bar's response are more than a story of the past. They tell us that building on this commitment, this energy, the City's future, especially downtown, is bright.

On September 11 almost 3,000 people died in the World Trade Center tragedy. New York City lost 15 million square feet of commercial space. The effect on New York, and its economy, is obvious.

But 9/11 was not the first time an American city suffered a terrible tragedy. In 1776, a fire in lower Manhattan wiped out ¼ of all the homes in Manhattan. The City rebuilt stronger than ever. In 1871, four square miles of Chicago burned, destroying 17,450 buildings, and leaving 100,000 people homeless. In a testament to Chicago's rebuilding success, 22 years later ¼ of all Americans visited the Chicago World's Fair. More recently, the 1989 San Francisco earthquake destroyed much of that City's famed waterfront and the Embarcadero freeway collapsed. Today property values in that area have increased 300% and the entire area has been reborn. There is every reason to believe that New York's rebuilding will be equally successful.

Consider what NYC has accomplished since 9/11. Anyone who was at the World Trade Center site in the weeks following September 11 can hardly believe what it looks like today. The cloud of destruction is gone, as is the hundreds of tons of the remains of three giant skyscrapers. The rebuilding effort was completed months ahead of schedule and millions of dollars under budget. When I look out the window in my office, which looks directly down on the adjacent Ground Zero, I am continually amazed at the pace of progress. In the last few weeks, the steel for the 1 and 9 subways have been put in place, and those subways are slated to resume operation before Thanksgiving. Excavation has begun for the new Con Ed sub-station. The pace of that excavation is breathtaking, with the hole in the ground getting bigger and bigger by the minute. Virtually all the streets surrounding ground zero will have been repaved by the end of this month. Planning and building for other vital infra structures needs are underway.

At the same time, the Lower Manhattan Development Corporation is planning the longer term use of the World Trade Center site, including in particular an appropriate memorial that one day may become the most visited place in the world. The preliminary planning of both commercial and residential uses around ground zero have also begun.

People and companies, including many represented in this room, have moved back downtown, thanks in part to some financial incentives offered by the government. And as a member of the Bloomberg Administration I am proud to tell you that despite the very substantial economic challenges it faces, the City is in very good hands. It is being run by an experienced businessperson who only wants to do what is right. As the Administration debates how best to rebuild the Mayor constantly reminds us that we must keep our priorities straight: rebuild the infrastructure right away so commercial and residential life can return to normal as quickly as possible, and then plan for the long term so that the result will be an economically thriving downtown that will ensure that New York continues to be the financial capital of the world.

## The Future Role of the Lawyers

I know personally that the incredible public spirit that moved lawyers after 9/11 continues. Because of the City's fiscal crisis the Law Department does not have enough lawyers to represent the City in all the suits brought against it. So I put out a call for volunteers. I asked the major law firms in the City to either loan us an associate for six months, or agree to represent the City, without charge, in various matters. The response has been extraordinary. More than 30 firms have agreed to take on City cases, and to donate lawyers to the City, all at no charge. And those of you in this room know that at the billable hours these firms charge this is a very significant act of generosity.

The firms wanted to respond; they wanted to help their City. And individual lawyers want to help the city as well. Lawyers in private practice ask how can they help; lawyers in my office ask the same.

## Conclusion

Our challenge, as we go forward, is to harness that energy and that spirit, and to use it to make NYC, and downtown, an even better place.

New York City has periodically experienced bursts of cooperation and energy, propelling the City forward in new directions. This is one of those times. The spirit of energy and cooperation can be seen every day in this City; in the bullpen at City Hall, among the major New York companies, and within the legal community.

The challenge ahead of us is to keep our focus, keep our determination. With the efforts and leadership of the people like those we honor tonight, I am confident that our future is indeed very bright.

Thank you.

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