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Firms Get Revenue Boost Through Lobbying Businesses

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Connecticut law firms with lobbying practices are enjoying solid growth, as more corporations that do business in the state are learning how important public policy is to their bottom line.

Four prominent firms — Robinson & Cole, Halloran & Sage, Murtha Cullina and Brown Rudnick — have added lobbying professionals in recent years and also reaped increased revenue.

"People are realizing there is a lot they can lose on the state government level" if they don't have a voice in Hartford, said Thomas D. Ritter, a partner at Brown Rudnick' Government Relations Strategies. "A hotel company based in Washington, D.C., just hired us for when something comes up here, because they know we've done work in the hospital industry."

Now the Newtown school shooting is stirring up more work in this growing practice area, as insurance companies and video game makers, among others, want to weigh in on proposed changes to state law. And while many lobbying firms aren't affiliated with law firms, and many lobbyists aren't lawyers, the increased demand is nevertheless a boon to law firms looking for revenue streams and attorneys looking for work in a tough job market.

One beneficiary is Franklin Perry II, a University of Connecticut School of Law student. He has been working part-time as a lobbyist for Brown Rudnick for two years. When he graduates in June, the lobbying firm run by former Democratic state House Speaker Ritter has offered him a full-time position.

"From Day One in law school, you're hearing how important it is to network," Perry said. "And there isn't a better place to network than at the state Capitol. Everything that happens in the state has to go through that building. This most recent session, in the wake of Sandy Hook, has been very interesting."

In recent weeks, Perry has been working as a lobbyist on behalf of the Entertainment Software Association. The association that represents makers of computer and video games has taken a stand by denying there is "any link between computer and video games and violence." Since Newtown shooter Adam Lanza enjoyed playing violent shooting games, lawmakers have proposed limiting young people's access to certain games. Some want games banned.

Perry's job is to catch a few moments with legislators to share his clients' views. He uses a thing or two he learned about reading Supreme Court decisions and case law as a student.

"We're working with legislators to find where there can be a meeting of the minds," said Perry. "To ban video games, to completely ban an expression of a type of speech has been found to be unconstitutional. You have to question any statute that bans the sale of video games."

According to filings with the state, the Entertainment Software Association has offered to pay the Brown Rudnick lobbying firm \$36,000 between now and the end of the 2013 General Assembly session. Last year, the firm collected \$1.6 million from its clients, according to the Office of State Ethics, an increase of more than \$500,000 from 2010.

"We're busy," said Ritter, who has run the office since 2001. He said the firm needed someone to help this legislative session. Perry, he said, is extremely hard working and smart. The fact that he will soon have a law degree is a plus.

While some other law firms that do government relations work, such as Robinson & Cole, provide lobbying services within the corporate structure of the law firm, Brown Rudnick's operation is a separate entity, said Ritter, a former solo attorney who still has a real estate practice.

Aside from the Newtown-related work on behalf of video game makers, Brown Rudnick's lobbying clients include United Illuminating and Cablevision, companies that are concerned about proposals to compensate customers for service losses following Hurricane Sandy.

Ritter said Brown Rudnick's lobbying group can help create new clients for the law firm's practice areas. For example, when a company that wanted to build a movie theater heard about the lobbying work for UI, Ritter said the company hired the law firm to handle a real estate transaction.

"I think our government relations practice brings in as much legal work as it does other lobbying," he said. "We've developed a nice practice where there is a lot of interaction with the law firm."

Workers' Comp Issues

Halloran & Sage has a four-member lobbying staff, including one lawyer. Head lobbyist William Malitsky has carved out a niche representing doctors, dentists and insurance providers. His office ranks fourth among Connecticut law firms with lobbying practices, taking in about \$700,000 a year.

On behalf of two clients with interests in post-Newton legislation, Ace Insurance Group and American International Group, Malitsky has been working to counter efforts by some lawmakers to expand workers' compensation laws in the wake of the shooting.

Currently, benefits are available only to workers who sustain physical injuries. If those physical injuries are accompanied by emotional injuries, additional benefits are available. But with very few exceptions, there are no workers' comp benefits available to those who sustain emotional trauma only.

State Rep. Melissa Olson, D-Norwich, has proposed the law be changed to allow workers' comp benefits for first responders who have emotional injuries only, such as post-traumatic stress disorder.

Because a law that is too broad could impact the insurance companies he represents, Malitsky has been working hard to get Olson's ear. "To her credit, Sen. Olson is very pragmatic," Malitsky said. "She's listening to both sides. I think we all understand something is most likely going to pass, because of the political situation. We just want to make sure the scope of it would only be for what it is intended for, for something like Newtown."

Although he is not a lawyer, Malitsky and his fellow lobbyists work closely with the Halloran & Sage law firm. But to avoid potential attorney-client conflicts, among other reasons, the Halloran government relations office is a separate entity. "We have two separate accounting systems and we run in a fully autonomous manner from the law firm," he said.

Unlike the law firm, which uses the traditional billable hour, Malitsky and the other three full-time lobbyists charge their clients a flat fee. In the 11 years the office has been running, they have grown their client list from four or five to more than 20. While many lobbyists operate outside the confines of a law firm, Malitsky said the Halloran & Sage name has helped the lobbying practice grow.

"It's a well-respected firm, and our clients can be sure that everything we do is legally sound," Malitsky said. "It's a good selling tool to have the law firm name."

More Bills

At Murtha Cullina, David McQuade said his government affairs office, which brings in more than \$1.3 million a year, has also been expanding. He thinks the reason for the growth is that the legislative process has become "more labor intensive."

A former chief of staff for Gov. William A. O'Neill and to the state Senate Majority Leader, he said the demand is so great, he's surprised more law firms have not started lobbying groups.

"One sign of the times is that government is much more involved in social and business issues than it used to be," McQuade said. "When I got started in this work, the legislative committee chairs were much more powerful, as traffic cops, so there were fewer bills. Now legislators file as many bills as they want to, and there are a lot more people looking over them."

Robinson & Cole's Government Relations Group has also been experiencing growth. It took in \$2.2 million last year, up from \$1.9 million the year before. John Lynch, the law firm's managing partner, said creating the lobbying practice group about 10 years ago was "one of the best decisions we ever made. They're fantastic."

Last year, the firm hired two new associate lobbyists. Sean C. Bradbury, who previously worked for the prominent Hartford lobbying firm of Betty Gallo & Company, is working in the group's Hartford office. Jason C. Martiesian was hired to launch the firm's lobbying practice in Providence.

Keith Stover, head of Robinson & Cole's Government Relations Group, said he's benefited from "a certain type of corporate client" who is more comfortable with a lobbying group that's affiliated with an established law firm. "It helps to have that brand," he said. "For clients like Ford Motor Company, it gives their general counsel some comfort to know the lobbyists have the legal resources of a law firm at their disposal."

Kevin Barry, an associate professor at Quinnipiac University School of Law, runs a civil justice clinic that teaches law students about public advocacy work. He said he's starting to hear more talk about government relations as an area of study.

"This is hot in clinical legal education right now," he said. "But are clinics at law schools incorporating [lobbying] into their study because they're hearing from the bar that there is a call for those jobs, I don't know."

At the same time, a 2L student recently told him she had accepted an internship as a lobbyist. "She was really excited," he said. "She told me I don't even have my law degree and I'm going to be lobbying. I never imagined that."

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