

PETE SILVERMAN

Championing Business Clients' Causes in the Courtroom

by Dan Rafter

Peter A. Silverman views the courtroom as the ultimate challenge for any attorney.

It's in the courtroom where attorneys are opposed by equally skilled legal minds. It is here where the stakes are highest, where futures can be determined, and millions of dollars won and lost. And it's here where attorneys often do the most important work for their clients.

The courtroom is also the place in which Silverman, a partner in the Chicago firm of **Figliulo & Silverman PC**, shines. During his more than 20-year career, Silverman has represented businesses and individuals in employment law, professional liability, partnership and corporate law, and general business litigation. He's notched a string of successful verdicts and settlements for his loyal clients.

The secret to this success? Hard work and research are key. So are the winning strategies that Silverman so often crafts. But there's also the passion that Silverman brings to the courtroom.

Fellow attorneys, those he's worked with and against, say that no one fights harder for his clients than does Silverman. No one has more empathy for what clients are feeling, either, they say. This shows in Silverman's record.

"The stakes can be and often are very high in the courtroom. It's an enormous challenge," Silverman says. "At the end of the day, if you try to put yourself in the position of your client, and if you are passionate about what you are arguing, you'll give yourself the best chance to prevail for your client. I think you really need to believe in what you are arguing if you want to persuade someone else to take your side of a case. I view it as the ultimate challenge."

Fighting for the Little Guy

This attitude can best be summed up by some of the smaller cases that Silverman has tackled.

Silverman has argued many major business cases. But sometimes, he says, it's the quieter cases, the ones that don't receive attention from the media, that provide the lasting memories.

As an example, he points to a case in which he represented a man who thought was fired from his job illegally because he was disabled.

The man did not have the money to mount a legal defense. He faced a host of financial problems: Children to care for, a wife with medical problems, a home on the verge of being foreclosed.

received a dose of much-needed financial relief.

"That's really the reason that I like being a lawyer," Silverman says. "It doesn't happen like that every day, of course. But you do have instances where in a very small way you are



"I thought that this man was treated harshly, unreasonably so, by his former employer," Silverman says. "I also quickly realized that if I took on this case, it was not something I'd end up getting paid for. So I told him I'd do it without charging him."

Silverman filed a charge of discrimination, and the case eventually went to mediation. The man's former employer paid a substantial amount of money to settle. Silverman's client

helping to correct an injustice. You are helping to level the playing field.

"You have people who are not treated well. They don't have the power. They don't have the resources. In a lot of ways, they are disregarded, disrespected. But as an attorney, you are in a position where you can stand up for them. A little guy like me can go up against a big company. I'm hoping, and I believe, that the money this man received helped these people

get back on their feet. Hopefully, this termination will not destroy this family.”

Patrick Livney knows this attitude and this dedication well. The chief executive officer of Chicago’s Charcot-Marie-Tooth Association—an association committed to raising funding and awareness to fight a disease that weakens nerves and muscles—Livney is a longtime client of Silverman’s.

Like most of Silverman’s clients, he’d rather have no other attorney represent him. Livney especially appreciates that Silverman has so often donated his time to perform pro bono work for the Charcot-Marie-Tooth Association.

“Pete is such a good person. You always have the sense that he has your best interests at heart,” Livney says. “He is capable of cutting through the clutter in legalese terms. He is very effective when he is representing you.”

Silverman has long devoted his time to a variety of pro bono work; he has a real passion for helping the disenfranchised and he gives his best to pro bono clients, Livney says. They receive the same level of service as does any high-paying client.

“Pete listens to his clients,” Livney says. “He wants to truly understand the nature of why you are engaging him. Then he and his team do the necessary and requisite homework. That combination gives his clients the pathway to a successful conclusion. At the end of the day, Pete is devoted to your best interests. I have worked with big law firms. Too often, their interest is in going to trial because that runs up the meter faster. But Pete is only interested in what is best for his clients, even if it means he’ll receive a smaller payment.”

Finding His Dream Career

Silverman’s clients can thank, in part, Silverman’s parents, or rather their friends, for leading him to his career.

Silverman’s parents had friends who were lawyers. Silverman admired them and learned a bit about the life of an attorney from them.

When he graduated from Northwestern University with his bachelor’s degree in 1984, Silverman wasn’t sure what career he wanted to pursue. But he had taken a handful of pre-law classes that he enjoyed.

“So I decided that I was interested in going to law school. I wasn’t sure if I wanted to be a lawyer, but I thought that the education would be valuable no matter what I ended up doing,” Silverman says. “Once I was in law school, I realized that it was something I enjoyed. I knew that I wanted to pursue this as a career.”

That’s what Silverman has done since graduating from Boston University School of Law in 1987.

Silverman also found while in law school that

the world of business fascinated him, too, thanks to the business classes he took at Boston University.

Once he graduated, Silverman quickly discovered his passion for helping the little guys, the people who are so often taken for granted both inside and outside the courtroom.

“When I first started out, I did a lot of plaintiff’s work. I found that it was particularly satisfying,” Silverman says. “You are representing an individual often against a larger organization. But for the judicial process, this would not be a fair fight. Thanks to the process, though, the playing field is leveled.”

Today, Silverman doesn’t do as much plaintiff’s work. He focuses on commercial litigation, handling many employment cases. For him, litigation is the most fascinating part of being an attorney.

“Litigation is always what I want to do,” Silverman says. “I enjoy being in court. I enjoy analyzing legal issues. By my nature, my personality, that is who I am. I always wanted to be a trial attorney and argue before a jury. That’s what to me is the ultimate part of this career. It was always my design to be a trial attorney.”

The Courtroom Personality

Gary Tischler, managing partner for New York City-based The Emmes Group of Companies, is a longtime friend of Silverman’s and attended law school in Boston with him. He says Silverman’s personality is perfectly suited for the courtroom.

“Pete is in no way a shrinking violet,” Tischler says. “Right and wrong are very important to him. And he’s not afraid to argue for that. It is what has made him so successful at his craft.”

Silverman can also surprise people, even close friends. Tischler says that during law school, Silverman was a brilliant student when it came to tax, real estate, corporate, and contract law. At the time, he never showed any interest in litigating.

Then, upon graduating, he immediately took a job in a law firm’s litigation group.

“There was always something that struck me about that,” Tischler says. “He was always in the top of his class in other categories. But he chose an area where was actually the least comfortable. He simply wanted to be great at litigating. I think Pete is in a great spot to make a difference for the people he represents. I can only imagine how passionate he is when he takes on a case that he believes in.”

Silverman remains “on the lookout” for the smaller cases that can make significant differences in people’s lives.

“In the bigger cases, you often have one large company fighting another large company with enormous resources. No one is going to lose a house over it,” Silverman says.

“The ones where you understand the true seriousness of it are when you are dealing with matters that are hugely important to the people involved. I always try to put myself in the position of the people I am representing. I fully understand that they are putting their trust in me. They are trusting me to serve as their advocate, to speak on their behalf. I take that very seriously.”

Silverman admits to living his cases. He thinks about his clients, and his representation of them, all the time. He spends countless hours wondering how to best present their cases.

There is no black-and-white in the courtroom, Silverman says. Success is often about being open-minded, flexible and creative.

“I definitely recognize that I am doing something that is very important,” Silverman says. “I have to treat it that way. And I do. I always do.”

Silverman has advice for younger lawyers hoping to enjoy a career that stretches multiple decades: It’s not just about how smart you are or how skilled your legal mind is. It’s also about how well you treat others, everyone from clients to fellow attorneys to judges.

Being civil, courteous, and respectful of the law and those who practice it is key.

“If you are going to have a long career, your path may cross several times with the same people,” Silverman says. “As a young lawyer, your natural inclination is to show that you are worthy. Often, young lawyers will be overly aggressive because of this. They tend to make issues where there aren’t any with opposing lawyers. One thing that is important, and it comes with experience, is the need to be professional. You have to be civil. You need to cooperate with the other side when it is appropriate. Your client will benefit from a cooperative professional working relationship with opposing lawyers. When lawyers fight, it becomes a sideshow. It becomes more expensive and time-consuming. You don’t want this to happen.”

This advice comes from personal experience. As a young attorney, Silverman occasionally fell into this same trap.

Today, though, he prefers to be aggressive but not, as he says, “stupid aggressive.”

“When I first started out, I wanted to take on the world,” Silverman says. “I didn’t appreciate that you don’t need to fight over everything even when you can. I have a reputation for being aggressive. But you can be aggressive, and you can be stupid aggressive. You can challenge everything just for the sake of challenging it. That’s not the approach to take. You have to always use your good judgment, and you have to always do what is in the best interests of your client.” ■