

SUSAN FRANZETTI

Combining Client Service and Environmental Law

by Olivia Clarke

Being an environmental lawyer allows Susan M. Franzetti to have the best of many worlds.

“Science and engineering are both involved. It is part of what keeps it so interesting because some of the law doesn’t change for many years, but the science and the technology involved in the legal matters we work on does continue to change and evolve,” Franzetti says. “That in turn brings new issues to the floor that you have to now address potentially differently than you have five years ago or 10 years ago.”

Franzetti focuses her environmental law practice primarily on environmental compliance counseling, regulatory and litigation matters. She says her strengths are in litigation, and the Clean Water Act, which she’s done extensive work under since 1986.

In 2008, she and Jennifer Nijman formed **Nijman Franzetti LLP**, which handles environmental legal projects in the areas of water, land and air. It works on all aspects of environmental litigation defense and enforcement including administrative and civil agency enforcement matters, private party actions for property contamination, and toxic tort cases.

Franzetti says she would describe herself as determined, hard working, collaborative when appropriate, and adversarial if needed.

She attended Northwestern University and majored in history and political science and then went to Loyola University Chicago School of Law.

She started her legal career at Coffield Ungaretti Harris & Slavin, and spent the first seven years thinking she wanted to be a litigator. But in 1980 she worked on a large case involving the Amoco Cadiz oil spill off the coast of France.

“That had some environmental ramifications so that was probably the first connection I

made with eventually practicing environmental law,” says 54-year-old Franzetti.

During her time at that firm she met Michael Coffield, and he became her mentor.

“He was a great guy,” she says. “I feel very fortunate that I had him, someone as

law. The firm believed she could apply her litigation skills well to this area, she says.

“At that point, after I’d spent a few years doing all types of litigation, it was appealing to me to narrow, and devote my attention to one area of law, but yet an area that was



talented, smart and generous as he was, as a teacher. I think that sent me off on the right path in my career.”

Focusing Her Practice

In the '80s, environmental law was becoming more litigious, and she got an offer from another firm to practice environmental

interesting,” she says. “I liked the opportunity it held of not solely doing litigation, but also getting into more of the counseling and transactional work.”

In 1986, she went to Martin, Craig, Chester & Sonnenschein. After two years her entire practice group went to Gardner Carton & Douglas LLP. She was there from 1988 to

1999. In 1999 she moved to Sonnenschein Nath & Rosenthal LLP.

While working at Sonnenschein, she handled environmental litigation, including environmental enforcement defense work, Clean Water Act, hazardous waste and Superfund matters.

Jacqueline Vidmar, a partner at Seyfarth Shaw LLP, met Franzetti when they both worked at Gardner Carton & Douglas. They worked together again at Sonnenschein.

Vidmar says Franzetti (*Continued on Page 4*) has a broad base of respect among environmental lawyers and their clients.

For example, Franzetti has been selected as common counsel at a number of hazardous waste disposal site cases where there were multiple companies being sued by the EPA. That they could all agree to select Franzetti to be their common counsel says something about the quality of her skills, Vidmar says.

"She's very smart, practical and has a very common-sense approach to her practice," Vidmar says. "Other lawyers who work with her find her to be a strong advocate and at the same time an upstanding and ethical person. When you have Susan Franzetti on the other side of a case she's going to be tough to work against, but she will be fair."

The Best Decision She Made

Franzetti opened her own firm in 2004 because she needed a more flexible work life in order to address her mother's health. Her 91-year-old mother died about 18 months after she opened the office.

"I smile when I say that she was the catalyst for forming my own firm, which then ultimately led last year to forming Nijman Franzetti with Jennifer," Franzetti says. "It has just been the best decision I've ever made."

Franzetti said she and Jennifer Nijman knew each other from the environmental law community, which in Chicago is not very big. They also crossed paths in professional associations, and on legal matters.

"Jennifer and I would periodically have lunch together," Franzetti says. "I think we just started realizing how much we enjoyed what we do, and liked the idea of being able to join arms and do it together, and have total control over how we practice law.

"I think that we share the same attitudes and goals of being hands-on lawyers performing high-quality work, while trying to do so in a cost-effective manner for our

clients. And we are very compatible, both professionally and in our personalities. It's just been a seamless merger."

Jennifer Nijman says the partnership couldn't have gone better, and the year they've worked together has been not only successful, but also gratifying.

She says they both work well together because they have very similar styles, and believe in working for the best advocacy for their clients. They both are very practical, straight-forward people.

"As a lawyer she is straight-forward, efficient and thoughtful. She will raise the issues and have already thought of the solution," Nijman says. "She is always looking for the most efficient, but usually unique, way to resolve a problem. That makes her very effective in meetings. She thinks ahead to the end game. She is a strong negotiator, and has a very good reputation within the community for integrity, thinking outside the box, and responsiveness.

"I don't think either one of us could have imagined how easy it is to work together. How nice it is to have that person at a similar experience level to discuss issues, throw things off of, and collaborate on matters. That's been a tremendous piece of our success."

Accurate, Responsible, Reasonable

Franzetti is currently representing Flint Hills Resources against BP in federal court regarding alleged Clean Air Act violations at a Joliet chemical plant.

She is also representing a power generation company in Clean Water Act rulemaking proceedings before the Illinois Pollution Control Board concerning the Chicago Sanitary and Ship Canal, and the Lower Des Plaines River. It involves potential new use designations, and water quality standards for those waterways, she says.

Franzetti serves as group counsel for three Superfund groups at sites in Illinois, Michigan and Ohio.

Bill Constantelos, managing director environmental services for Midwest Generation, says he's worked with Franzetti since 2001 on Clean Water Act issues, Superfund, and rules that govern hazardous and solid waste.

He says she has so much knowledge that when he calls her with an issue, she can respond without a great deal of research. But if she needs to research something she will

often do it without charging his company because she believes it's information she should know.

"She's very accurate, very responsive, very thorough and reasonable and reasonably-priced," Constantelos says. "She's very thoughtful, and she sees the ramifications of things that happen. It's not just the specific issue, but what else it can mean."

For example, the state of Illinois is proposing new thermal water quality standards for the Lower Des Plaines River and the Chicago Sanitary and Ship Canal. During Franzetti's cross-examination before the Illinois Pollution Control Board of state witnesses and experts, at least two attorneys from the other side came up to her afterwards and complimented her on her thoroughness, Constantelos says. And at least two board members commented on the quality of her work.

When asked what she likes most about her practice, Franzetti says that she enjoys building close relationships with her clients. Over the years, those relationships have allowed her to build an in-depth knowledge of her clients' business, she says. It helps her and her clients work side-by-side in a collaborative manner.

"The area does change and evolve over time. It keeps it interesting," she says. "And then you have the enviable situation of working with the law, which originally attracted you to this, but also in an area where you have a personal interest in environmental issues separate and apart from your law career."

Franzetti grew up in the Bronx, one of four within a close-knit Italian-American family. It often seemed like the family was much larger because her family and her extended family liked spending time together.

With both of Franzetti's parents deceased, the extended family doesn't get together as much, but she recently went on a 16-person family trip to Italy.

She's been married to her husband, Guy DeBoo, for 30 years. They met at Northwestern, when he spotted her at a football game. She enjoys scuba diving, tennis and gardening.

When asked what she hopes people understand about her, she says, "I may not be the smartest environmental lawyer, but I believe that the effort and commitment I bring to my clients are as good as anyone's." ■