

LYNN GRAYSON

Becoming a Master of Environmental Law

by Lauren P. Duncan

If you had told E. Lynn Grayson early in her college career that she'd one day be an esteemed environmental law attorney, you might have gotten a surprised reaction in return.

The first person in her family to earn a college degree, Grayson had planned on pursuing a career in education after graduating from Franklin College, just a few miles from where she grew up in Whiteland, Indiana.

But prodding from a professor who recognized Grayson's potential ended up leading her down a different path.

Grayson had taken a few courses from professor Yu-long Ling, then chair of Franklin's political science department, who at one point pulled her aside and told her she should think about joining his pre-law program and pursuing law school.

"You never know what kind of push or nudge at the right time would make a difference," Grayson says. "Even now, it seems kind of freakish to think that I ended up in law school. I thought I wanted to be a first grade teacher."

That push from Ling ended up setting her down a path that would lead Grayson to being the youngest general counsel of an Illinois state agency, a department leader at one of the country's most prestigious firms, and today a partner at the women-owned boutique environmental law firm of Nijman Franzetti LLP.

NEVER LOOKING BACK

Grayson's thoughts about pursuing law school were furthered when she received a national scholarship from her sorority, Delta Zeta, that was aimed at advancing women in professions. It could only be used toward medical or law school, which was the final nudge she needed to enroll at Indiana University School of Law-Bloomington.

"That really clinched the decision on my part, and I ended up in law school and never looked back," she says.

Although IU's law school is well known today for its environmental law program, when Grayson began studying there in 1983 there was just one environmental law course. At the time, she had no idea she would go on



to lead a career in that then-burgeoning area of law. Rather, she says once she got over the sheer shock of being in law school, she began to focus on litigation.

Her interest in litigation grew further after a summer internship at the prosecutor's office in Johnson County, Indiana, where she grew up. While there, Grayson got hands-on experience managing traffic and misdemeanor cases and starting the state's first pre-trial diversion program.

While Grayson didn't have any formal experience in studying environmental law before earning her law degree, she did have an ingrained sense of awareness of the environment thanks in part to her parents. They were avid travelers who took the family to visit parks all over the country.

That personal appreciation of the environment paired with Grayson's experience in her home county prosecutor's office turned out to be the perfect combination for what would be her first job: an attorney in the environmental department of the Illinois Attorney General's Office.

The way Grayson ended up in Illinois is a case of happenstance like that which led her to law school. The office was required by court order to recruit attorneys from outside of Illinois after issues with patronage hiring arose. The recruiter who interviewed Grayson at IU happened to work in the environmental department.

In Springfield, Grayson's life was marked by another twist of fate that would end up shaping

the rest of her life. She was office mates with another young attorney, Joseph Madonia, who she'd eventually marry.

Grayson worked at the office under Illinois Attorney General Neil Hartigan for 2½ years before she received a staggering offer for an attorney who was age 26: a state agency, now called the Illinois Emergency Management Agency, wanted Grayson to be its first general counsel, helping it navigate new environmental laws.

Taking the job turned out to be the "perfect transition," Grayson says.

"I literally walked across the street and went to work for Governor Thompson's organization," she says.

She was the youngest general counsel to serve the state at the time, and she may even hold that record today.

Grayson was a logical choice for the job for a few reasons. A new state law had passed, the Illinois Chemical Safety Act. Also, a federal law, the Emergency Planning and Community Right-to-Know Act, was being delegated down to the states. During her time at the attorney general's office, Grayson helped the new agency navigate these new laws.

While at IEMA, Grayson was immersed in a wide range of legal issues thanks in part to the agency's broad range of responsibilities such as emergency preparedness and helping in natural disasters, operating a 24-hour command center for the state, and working with nuclear power plants on emergency response plans.

While there, Grayson got to work with leaders of other state agencies, traveled around the state working on different matters, and even ended up drafting some early environmental laws in Illinois.

A NEW PERSPECTIVE

After two years of leading the state's environmental agency, Grayson headed to Chicago, where Madonia had taken a job. Grayson was interested in continuing her career in the public sector, but hiring freezes meant there were no positions open.

The private sector welcomed Grayson with open arms, though, as firms were just beginning to tap into the area of environmental law.

"Almost, if you could walk and talk and chew gum and spell the word environmental, it was a pretty valuable commodity at that point," she jokes.

Thus, Grayson made her way into the private sector, starting off in the environmental group at Coffield, Ungaretti & Harris. It happened to be one of only a few environmental groups led by a woman, and that was important to Grayson.

While there, Grayson got her feet wet handling Superfund work, environmental legislation, Clean Air Act work, chemical release reporting, and a variety of other environmental matters across the state and the Midwest. And she began to appreciate what it meant to be a private practice attorney.

"There is a difference between representing the government and representing private clients, and I think I really honed my skills as a lawyer at Coffield. I got an opportunity to work on so many environmental issues even beyond what I worked on in government," she says.

Grayson went from being a mid-level associate to a partner at Coffield. Then, Jenner & Block came calling.

The timing wasn't great. Grayson had just made partner, and so she initially told Jenner thanks, but no thanks. Coffield had sold its environmental practice group to Seyfarth Shaw, though, which didn't turn out to be the best fit for Grayson.

She and a number of attorneys, including one that she'd end up joining later down the road, Jennifer T. Nijman, left to pursue other positions. Grayson selected Jenner for her next career move.

It turned out to be a solid choice, as she went on to spend more than two decades there, where she cultivated her practice and leadership skills at one of the country's most prestigious firms.

Grayson rose to lead Jenner & Block's environmental department and took on several other leadership opportunities. She was one of the first chairs of Jenner & Block's Women's Forum and chaired the

firm's diversity committee.

She helped to grow the firm's environmental law department by recruiting new attorneys and by handling all the other responsibilities that come with overseeing a department—all while managing her own practice.

"I loved being at Jenner. Jenner is a fabulous law firm. It was an honor to be a partner there," Grayson says. "Sincerely, I got so many opportunities. I just feel like that's been the overarching theme so far in my career. I've just been incredibly blessed. I've had a lot of opportunities come my way.

"I hope I have not only been in the right place at the right time, I hope I've worked to earn those opportunities," she adds.

STILL IN SHOCK AND AWE

After 24 years there, Grayson left Jenner & Block in January 2018 to take a new role at a firm that made sense to her on several levels. She joined longtime friends Jennifer T. Nijman and Susan M. Franzetti at Nijman Franzetti LLP.

Part of the allure was that she could work alongside two people who, like Grayson, formerly led environmental groups at big Chicago firms. After departing Coffield in 1994 alongside Grayson, Nijman went on to chair Winston & Strawn's environmental practice group. Franzetti's previous work includes chairing the environmental law department at the former Gardner, Carton & Douglas.

"I can't even believe I'm in a different firm right now. I'm still kind of pinching myself," Grayson says. "I think I'm still in a little bit of shock and awe. I always envisioned and wanted to make this transition to work with my friends Jennifer and Susie, but it takes a lot to make a change after 24 years."

Not only did the move make sense because she wanted to work with Nijman and Franzetti, but the transition has also allowed Grayson to delve into practicing at a boutique firm, a setting in which she sees the future of environmental law growing.

In addition to the people and the change in firm life, another important factor in Grayson's choice to join Nijman Franzetti was the chance to be a part of a women-owned firm.

"I'm more convinced than ever that this is where environmental practice is headed for the future: boutique environmental firms, firms that are focused on diversity and inclusion, firms that can offer quality legal services and big-firm trained lawyers, on a more cost-effective basis," she says.

"I think that is what is going to make for a more sustainable practice for me and my partners, and make it more appropriate and user-friendly for my clients, too."

Grayson's move to join the firm has led the trio of attorneys to be known as the "environmental law trifecta." Not surprisingly, Nijman and Franzetti are also ecstatic about Grayson's choice to join them.



From left, Grayson, son Joe Madonia, husband and Barnes & Thornburg partner Joseph F. Madonia



From left: IU Law graduates Grayson, Jeanne Heaton, Karen Wentworth, Georgianne Bolinger hiking in Ohio's Hocking Hills

Franzetti notes that many years ago, she had recommended that Coffield Ungaretti & Harris recruit Nijman and Grayson, only to find herself years later following her own advice and recruiting them both. She says the process landed her “the best two environmental lawyers in town as my partners.”

“Lynn is the ‘complete package,’” Franzetti says. “She is smart, dedicated, creative, articulate, honorable and has a great sense of humor that she typically uses at her own self-deprecating expense.

“Lynn earns the respect of her peers because she generously shares her extensive knowledge of legal issues and can always be counted on to help others,” Franzetti adds.

Nijman says that after she joined Franzetti to form Nijman Franzetti LLP in 2008, they “regularly invited” Grayson to join them until she finally relented.

“She is the person you want as your partner,” Nijman says. “She is smart, client-focused and highly experienced. She has new ideas and great follow-through. We share the same values of serving our clients in the most effective and efficient manner possible.”

Nijman adds that Grayson’s success has “been the result of hard work and the desire to always learn and improve.”

“She is open, honest, brilliant and what you see is what you get. I am thrilled to be practicing with her again after all these years,” Nijman says.

RESPECTED BY CLIENTS AND PEERS

Grayson’s clients and former colleagues also highlight several other qualities they believe helped paved the way to her success in law and to her exceptional leadership.

Andrew H. Perellis, a partner at Seyfarth Shaw LLP who has known Grayson for many years, commends Grayson’s “fantastic legal mind,” problem-solving skills, and her deep understanding of her clients’ needs as a few of the reasons why she’s seen success in her practice.

Perellis says he helped Grayson develop as a young lawyer, but he adds that Grayson also taught him a lot, too.

“With Lynn, even if you are her opposing counsel, you always get candor, sincerity, and an unparalleled effort to get to resolution. She’s always very prepared and respectful, with a great sense of humor as well,” Perellis says.

“She’s just so darn likable,” he adds. “She’s caring and a good listener. She gets things done. She’s trustworthy with impeccable integrity ... She brings out the best in everyone she deals with because you have to raise your game to meet the level of commitment that she has to her clients, co-workers and peers.”

Mercedes M. Hill, associate general counsel at Beam Suntory Inc. who worked



With friends and award winners, Grayson holds ISBA Diversity Leadership Award in Lake Geneva



Installation of 2017 officers at the Chicago Bar Association annual meeting. From left: Terry Murphy, Maurice Grant, Grayson, Judge Thomas Mulroy, Dan Kotin, Jesse Ruiz

with Grayson at Jenner & Block for more than 12 years, echoes some of Perellis’ remarks, describing Grayson as “thoughtful, knowledgeable, creative and decisive.”

“She is careful in her analysis but is able to assess risk and make decisions based on the client’s risk tolerance that achieves the client’s desired goals,” Hill says. “Lynn knows her area of law very well, she cares about others, and she cares about being the best at what she does. This all translates into a person that others want to work with and for.”

Hill adds that Grayson’s commitment to advancing women in the legal profession has made her recent transition to Nijman Franzetti a “perfect fit.”

One of Grayson’s clients, Maria Post, assistant counsel of litigation at Dover Corporation, verifies Grayson’s colleagues’ sentiments about her commitment to clients. Dover, Post says, is a global manufacturing company that conducts its business through about 30 operating companies around the world, which makes its structure complex in many ways.

“Any time an environmental question pops up, Lynn is my first call,” says Post, who has Grayson’s phone number memorized.

“Lynn is everything you want in an outside counsel adviser. She is knowledgeable and experienced in her practice area, which is constantly evolving and changing. She is

respected by her peers. She is pragmatic and approaches problems from the business’s point of view. She is efficient, prompt and regularly anticipates needs. She is a fierce advocate of our position and zealously protects our interests.

“She is also approachable, personable, and even though we sometimes have thorny issues to tackle, I always enjoy my conversations with her,” Post adds.

Outside of her commitment to her practice, Grayson is involved in many activities aimed at serving others. She is in her second year as the secretary of the Chicago Bar Association and is active in the American Bar Association, the Illinois State Bar Association and the Women’s Bar Association of Illinois.

She’s also on the board of the Environmental Law Institute, which is a non-partisan international think tank that focuses on developing environmental law and policy. She’s served as an adjunct faculty member at several colleges and law schools, including this semester at The John Marshall Law School.

Grayson and her husband Joe, who is a partner at Barnes & Thornburg LLP, have lived in Long Grove for 25 years. Their son, Joe, is a junior at the University of Alabama.

They both enjoy traveling and spending time at Lake Geneva, Wisconsin, where Grayson has somehow also found the time to serve on the Geneva Lake Association Board and the board of the local historical society. ■