

BILL ANAYA

Well-rounded Environmental Lawyer Never Cuts Corners

by Dan Rafter



Jerry Gorman describes William J. Anaya as a true Renaissance man. And that portrayal isn't Gorman's alone.

Anaya's peers say this veteran environmental attorney certainly knows the law. But he also knows literature. And art. He plays blues guitar with his friends—sometimes donning Ray-Bans, placing a porkpie hat atop his head, and forgoing his morning shaves while doing so. He also travels the globe with his wife and family.

He's a fierce defender of attorneys and the good they do. He mentors younger lawyers and frequently speaks, teaches and writes on all things environmental law.

As Gorman says, you always learn something when you speak about the intricacies of law with Anaya, an officer in Greensfelder's Chicago office. But talking with him about entertainment, literature and music? That's usually plenty of fun, and it's informative, too.

"I think some people would call our office just to chat with Bill for a few minutes," says Gorman, senior vice president with Attorneys' Title Guaranty Fund in Champaign, the same office in which Anaya once worked. "We had a joyous time working together. He is knowledgeable in such a wide variety of things. He was always very eloquent."

Anaya, for example, persuaded Gorman to read one of his favorite novels, the western classic *Lonesome Dove*. He then started a *Lonesome Dove* book club at the office. The book soon

became one of Gorman's favorites.

"He is not just an insightful lawyer, he is an insightful person," Gorman says. "He has always been such an intriguing personality."

That natural curiosity, that drive to learn, has served Anaya well during his long and successful legal career. Today, driven in part by his hunger for ever more knowledge, Anaya ranks as one of the busiest environmental attorneys in the Chicago area.

He has a thriving career representing manufacturing, commercial, industrial and developer clients in a wide variety of environmental and governmental matters. When doing so, he draws on three decades of experience in regulatory litigation.

Anaya's career has been as wide-ranging as his interests. He has represented clients in enforcement actions brought by federal and state regulatory agencies and by state and federal attorneys general. He has represented individuals and entities in enforcement and transactional matters involving the EPA, FDA, and federal and state public health departments. He also has experience in civil and criminal administrative disputes and transactions involving regulatory approval, compliance and permits.

Not bad for what Anaya describes as a "working class kid" who didn't have much direction when he first attended college.

Like many of the area's most successful attorneys, Anaya never thought he'd work in

law. Instead, he thought he'd follow his father's example and work with him or in the trades or in some other blue-collar career.

"Not working for my father or in the trades was unfathomable to me," Anaya says.

THE KERNEL OF A CAREER

Then, in 1971 during the height of the United States' involvement in the Vietnam War, Anaya was drafted into the U.S. Army. There, he witnessed the work of a highly skilled military lawyer, a smart, poised and eloquent Judge Advocate General, better known in military terms as a JAG.

Anaya was only 19 at the time. His friend, also 19, had gotten into a bit of trouble. Anaya observed how the JAG officer seemingly performed magic while practicing law.

"What I remember to this day is the remarkable respect he gave to all of the parties involved," Anaya says. "That is something I hope I continue to exhibit, too. He was very respectful in a situation with a 19-year-old, his client, who didn't use the best judgment. He could have been far less respectful. But he wasn't. And that stuck with me."

As he watched the JAG work, Anaya says, a kernel of an idea began to sprout: This seemed like a career he would like to pursue.

"As I finished my undergraduate degree, I thought about the possibility of doing that myself," Anaya says. "He was a very good lawyer doing a very good job for his client. All of us were grateful for that. I saw that people could make a difference for a positive result. I was very pleased with what he did, and I thought this could be something I might do."

Anaya eventually did, of course. But it took a while. After leaving the Army, Anaya worked in Michigan City, Indiana, at an all-night grocery store for about two years. During this time, as he says, he "collected himself."

Once he was ready to move on, Anaya enrolled at Purdue University to complete his undergraduate studies and then Indiana University to earn his law degree.

Something happened during those years in Michigan City that set Anaya on the path to law school.

"Confidence," Anaya says. "I learned that the world could be manageable. Even though I was drafted, I didn't get killed in Vietnam. I suddenly had more clarity. But mainly, I would say my confidence increased. I learned I

could have a positive impact on my own life. I recognized that study and following a plan was a really advantageous way to live your life.”

Anaya’s time as an undergraduate made a difference, too, he says. He learned at Purdue that he could be a successful student, that he could study, work hard and succeed. He discovered he could learn.

Today, when Anaya looks back at his younger years, he points to two critical mentors who, in addition to that JAG lawyer, helped set him on the path toward law school. There was a tough, but inspiring, priest at the Catholic high school Anaya attended in Danville, Illinois, Father C.B. Motsett. And there was his father, who worked harder than any person Anaya ever met.

HONESTY IS THE BEST POLICY

Anaya remembers when the priest ran into him one day during the future lawyer’s return trip to Danville. Upon learning that Anaya planned to practice law, the priest thumped him in the chest with his index finger and told him, “You be an honest lawyer.”

“That demand is something I’ve kept with me,” Anaya says.

And his father? He taught Anaya the importance of respect, hard work and honesty, three key traits Anaya holds onto today.

“This business is hard,” Anaya says. “Being in the business of law is very difficult. Just being a lawyer requires so much work and study. And there is the business side, too. It has become a really difficult arena. You have to constantly have that respect and honesty. If you don’t have the respect, the honesty, or the hard work, you will struggle in this business.”

The examples set by those three people—his father, his high school priest and that military lawyer—have guided Anaya throughout his career. Whenever he faces a challenge, Anaya looks back to their standards.

“You always want to be able to look back at what you did and say you did it honestly,” Anaya says. “There are a thousand ways a day where we can cut corners and maybe get away with it. But doing that is a prescription for failure. For me, honest lawyering is so important—and I still feel that thump on the chest.”

This refusal to take shortcuts has helped Anaya build a law career that continues to grow today. It’s also helped him earn the best results for his clients.

As Anaya says, the other side in a case is not smarter, better or more qualified. They are on equal footing. What often makes the difference is how hard an attorney is willing to work—how prepared are counsel?

“If you outwork the other side, you have an advantage,” Anaya says. “My father never considered himself to be the smartest person in the room. But he knew he could outwork the other side and let the chips fall where they

may. That is a very good lesson to apply to any career.”

This lesson is especially important considering who Anaya’s opponents frequently are. As an environmental lawyer, Anaya is often arguing against the federal or state government.

These are large opponents with plenty of resources. To win his cases, then, Anaya has to work harder. He has to be the best-prepared attorney in the room. And he has to make his case as eloquently as possible.

During his career, Anaya has argued several intriguing cases. He points to one case 25 years ago, when he handled an environmental matter in the 7th U.S. Circuit Court of Appeals. In this case, the counsel opposing Anaya was technically working on behalf of President Bill Clinton.

Overseeing this case was Richard Posner, the legendary judge. He eventually wrote an 18-page opinion on the matter, giving Anaya the ruling he wanted. The only problem? Anaya’s client wasn’t able to take advantage of the ruling.

“I enjoyed that experience a whole lot,” Anaya said. “I didn’t technically win. We did get the ruling we wanted, but couldn’t apply it in my particular case. Still, it was a pleasure to work in front of a judge who clearly understood environmental law.”

THE BUSINESS OF PRACTICING LAW

Arguing cases and studying the law, of course, are only two parts of building a legal career. Attorneys must also focus on the work necessary to build a business. This is one task for which many attorneys coming out of law school are not prepared, Anaya says.

Anaya says keeping the business coming is all about continuing to touch people. It’s about sending notes to current and past clients, teaching classes and writing articles. It’s about attending seminars and giving talks at them. The key is to remind people that you are out there, he says.

And then there are business cards. Anaya passes out as many business cards as he can. In fact, he calls them the best marketing tool available.

Anaya wears a bow tie. When he passes out business cards, he often draws a tie on them so that clients remember him as the bow-tie-wearing lawyer.

“You have to stay active,” he says. “You have to stay in front of people. You have to touch them constantly. The best way they will remember you is for you to always remind them you are out there. Then, when they have a situation that arises, or their next-door neighbor does, they remember to call you. It’s not much more glamorous than that. A business card is the single greatest marketing tool I have. I carry them with me wherever I go.”

Anaya admits he would rather be what he

calls a “lawyer’s lawyer,” one who spends his days thinking about the intricacies of law, the vicissitudes of good policy. But at the end of day, Anaya needs someone to pay him a fee so he can do all that.

This requires Anaya to join legal associations, schmooze with other lawyers and, of course, keep those business cards handy. Much of his business, he says, comes from referrals from other lawyers.

“They can trust me,” Anaya says. “I’ll be honest with their clients. And I will make sure the client comes back to them when our issue is done. I don’t take other people’s clients. The long and short of it is that law is not just a learned profession. It is a business. That’s what lawyers learn as they work. There is a marketing that goes with the practice of law.”

When talking with young attorneys—and Anaya does a significant amount of mentoring—he focuses on the benefits of hard work and on tackling an area of law in which they feel confident.

As Anaya says, when young attorneys start their careers, they often expect someone will continually hand them their next files. That might happen early in a young lawyer’s career. But it’s a situation that doesn’t last.

“Eventually, you have to go out and fly on your own,” Anaya says. “You have to develop your own business and niche. What do you like to do? Start thinking about it early. What needs to change in that area of law? Get excited about it. Write an article about it. Do something that makes you excited and that lets you make a difference.”

That last part is important. Anaya says attorneys have the power to make a positive impact in the world, and that they often do. But too often, attorneys are the butt of jokes, Anaya says. He is proud to serve as a lawyer. And he thinks all lawyers should feel the same.

“It’s not an accident that the country with the most rights and liberties is the country with the most lawyers,” he says.

Joseph Fortunato Jr., an attorney with Chicago’s Kaufman Dolowich Voluck, says he’s not surprised at Anaya’s success.

“In my opinion, Bill is the whole package,” Fortunato says. “He is one of the smartest people I know, one of the most well-rounded.”

Fortunato says Anaya always seeks the best result for his clients, even if that result won’t make him the most money.

“He’s not afraid to take a settlement if that is the best choice for his client,” Fortunato says. “An out-of-court settlement might not sound sexy, but it can be a great resolution. Bill can identify the problem and present it so the other side doesn’t have a choice but to settle. When you have the other side pinned down, where they have to resolve the matter, you’ve done a great service to your client.” ■