

Profile: Todd Schneider

President-elect of the SFTLA was fired from his first job – and plaintiffs couldn't be happier

By Stephen Ellison

Just a little more than a year out of law school, Todd Schneider lost his first job. It wasn't the ideal way to start life in the so-called real world. But where other twenty-somethings would have been downcast – or perhaps even downright shattered – by the prospect of unemployment with little or no prospects, Schneider pressed on and turned it into quite the shrewd career move.

"I worked at an insurance defense firm in San Francisco," Schneider said, recalling that first job. "They fired me … because I kept telling insurance adjusters they needed to pay plaintiffs money."

Schneider's bosses eventually came to him with the painfully obvious news – that he wasn't cut out for the defense side of the bar. They sent him on his way, but not before giving him the name of a top plaintiffs' lawyer in town, Bill Veen. "I interviewed with Bill, and he didn't have a job for me. But he suggested I become a plaintiffs' lawyer," Schneider said. "So I hung my own shingle at the ripe-old age of 27."

With little experience and a nonexistent client base, Schneider was faced with the daunting task of starting his own practice from scratch. And again, he persevered. It was 1993, just months after the effective date of the Americans with Disabilities Act. So Schneider started boning up on the legislation. He read the statute. He read the regulations. Then, he boldly pronounced himself an expert in ADA law.

"I found that there were very few firms doing ADA work," he said. "It took off fairly quickly, so that was my entrée into plaintiffs' law – and civil rights work in general."


Schneider

Schneider went on to become one of the region's top employment law and civil rights litigators, having won numerous court victories in discrimination cases involving race, gender, disability and national origin. In 2005, he was named Trial Lawyer of the Year by the San Francisco Trial Lawyers Association, and twice (2006 and 2009) he has been a finalist for the Consumer Attorneys of California's Consumer Attorney of the Year award.

Today, Schneider's role at his San Francisco-based firm, Schneider Wallace, has progressed into complex litigation. He has been working on class actions in disability rights and big wage-and-hour cases, as well as traditional civil rights class actions. "We also have many cases out of the financial meltdown, where we represent investors – political subdivisions against big banks, smaller banks against big banks," Schneider said.

The work poses a number of challenges, he said, not the least of which is keeping up with legislative changes and changes in the law stemming from what he called "the growing conservative nature of our Supreme Court."

Also challenging, Schneider said, is managing what has grown into a national firm, with other offices in Houston and Scottsdale, Ariz.

But, of course, there are rewards.

"We're making a real difference in the lives of real people," he said. "It's sort of our firm motto – that 'no matter what we do, we try to do a little good with it.' And we take that really seriously. I just find it wonderful that we can make changes and make a living doing it at the same time."

Great finds

Born and raised in Dallas, Schneider had designs on becoming an engineer when he enrolled at the University of Denver. After he soon realized he wasn't suited for that field, he changed his major to political science, "which is a degree one gets when he doesn't know what he wants to do," he quipped. During his junior year, a business law class and its professor got him excited about a new field, and he decided then and there he wanted to be a lawyer.

"I thought I wanted to be an international lawyer at that point," Schneider said, "and then I took a trial law class at law school and realized I was a trial lawyer at heart."

Schneider stayed at the Denver campus for law school and actually finished early – in two-and-a-half years instead of the usual three years. With a few months to kill between his last exam and graduation, he decided to take a road trip to California. When he arrived, he had found a new home. "I remember standing out on Stinson Beach and looking back at Mount Tam," he recalled, "and I said to myself, 'I'm moving.' That was about as much thought as I gave it."

When it comes time to take a case to trial, Schneider is much more diligent. In preparing for trial, he said, it's critical to find a theme that connects with a jury. As an example, he cited a case in which he

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represented a group of low-wage workers at a meat plant who were being underpaid. His theme: If we let corporations underpay workers, then we are allowing them to take good American jobs and pay offshore wages – what he calls onshore-offshoring. "The message was that if they didn't stop the practice, America could slip into a third world economy," he said. "The message resonated well with the conservative jury pool."

Schneider said he thrives at cross examination, but he is on a continuous mission to try to keep cases more concise. "Jurors seem to have a shorter and shorter attention span," he said, "and we as trial lawyers need to remember that fact."

For the people

Schneider was the first to bring to trial a nationwide discrimination case on behalf of deaf workers when he took on United Parcel Service. Although federal law stipulates that deaf people can drive vehicles under 10,000 pounds, the company had a blanket rule that precluded all deaf people from driving any vehicle, he said. Essentially the workers in question were being passed over for possible promotions.

"It meant that deaf people were being treated not as favorably as hearing people," he said. "It was a real insight for me into the deaf community and what we as lawyers can do to make the lives of people of differing abilities better. That was a ten-year battle, and it finally resulted in big changes at UPS, as well as a favorable settlement on behalf of the deaf workers."

In another memorable case, Schneider took on FedEx in a race and gender discrimination case that resulted in wholesale changes in that company's practices. His firm also has won class-action decisions against large corporations such as Hewlett-Packard, Bank of America and McDonald's.

For all his efforts and successes on behalf of clients, Schneider is just as conscientious about the plight of his brethren in the legal community. He has long served on the boards of the CAOC and SFTLA, and is currently president-elect of the latter organization. He lauds the SFTLA's educational work, community outreach efforts and service to trial lawyers.

"I really want to continue that tradition," he said. "A major goal for my time is to reinvigorate our educational system and to work with the bench in solving the court funding crisis – because as money leaves the courts, so does access to justice. My number one goal as president of SFTLA will be to do whatever we can to ensure that courts are adequately funded going forward."

Doing the right thing

Indeed, more challenges lie ahead – for Schneider and for all plaintiffs' lawyers. He believes, as time passes, they are going to have to be increasingly creative in responding to the damage inflicted on consumers by tort reformers. But, he said, that's what plaintiffs' lawyers do. "So it's just a matter of putting our heads together and figuring out the rights from the wrongs."

Always willing to do what it takes to uphold those rights and strike down those wrongs, Schneider, like any professional, needs his outlets. He prefers bike riding, hiking, traveling and spending time with his family. And sometimes he takes to the stage, playing guitar and keyboards for the rock band Bubba's Taxi. "It's just fun," he said of the band that plays at local spots around Marin. "We'll play for whoever will listen, and we have a great time."

For those anxious to listen to Schneider's musings about the law profession, he offered this: "Do what's right in all situations. In this business, as in all businesses, there are temptations to not produce a document, to take a case that you don't believe in. But at the end of the day, if you just do what's right, you'll find that your career is not just successful, but it's also incredibly rewarding."


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