



www.jsonline.com | [Return to regular view](#)

Original Story URL:

<http://www.jsonline.com/story/index.aspx?id=674040>

Feisty lawyer takes on sewerage district over accountability

By BRIAN BECK

Posted: Oct. 12, 2007

So you want to be the Johnnie Cochran of environmental lawyers? Be set upon by media scrums on the courthouse steps? Do guest appearances with Charlie Sykes? Live in a Lake Drive mansion?

Karen Schapiro knows about legal glamour. She leads the dumping suit against the Milwaukee Metropolitan Sewerage District. Her clients, Friends of Milwaukee's Rivers and Alliance for the Great Lakes, are citizens groups. (Full disclosure: I am a former board member of Friends of Milwaukee's Rivers.)

Any lawyer can read between the lines here. No fees.

You will face a well-funded opposition, and in court, those with the money have the killer advantage. Good intentions get fitted for a wooden coffin.

Schapiro has no team of lawyers eating sushi at the client's expense. She works for Midwest Environmental Advocates but took on the case out of her own pocket.

She cuts meetings short to get the kids to hockey practice and spends weekends alone sitting in the bleachers at games in Beaver Dam and Manitowoc, wrapped in three layers of fleece, drinking cold coffee, preparing briefs on her notebook. There are no law students lined up to help.

Schapiro did on-the-job training at the Environmental Protection Agency school of environmental law as an enforcer in Washington, D.C. When she moved back to Milwaukee, she found herself doing a lot of work defending small firms picked on for environmental liabilities they unknowingly inherited from previous property owners.

She watched with frustration the failure of the state Department of Natural Resources and the EPA to prosecute the repeated sewage releases. "They were going after small violators for vague violations and ignoring the big one, MMSD, whose dumpings were a clear violation of the law," she told me.

The Clean Water Act opens a door for private citizens to sue if government agencies fail to, and Schapiro proposed the idea to Bob Boucher, founder of Friends of Milwaukee's Rivers.

The sewerage district, knowing she is working with few resources, has tried to drown her with paperwork by filing brief after brief and motion after motion to dismiss. This is where your tax dollars go. Instead of fixing the problem, the sewerage district tries to crush opponents who demand one simple democratic principle: accountability. It blows your money on lawyers' shenanigans instead of engineers' solutions.

It must be frustrating for the poor sewerage district because Schapiro is winning, having trounced it at the 7th Circuit U.S. Court of Appeals. We are lucky to have her representing us. Slender, 5-foot-2 and quiet-spoken, she leaves the impression of vulnerability. Her opponents are deceived, too. Just try a front-on tackle. She is like a cat picked on by a dumb dog.

Schapiro works as if she's being paid for every penny, even though she's not. Maybe it is the canoeist in her that steels her for the fight. Or maybe it is because she drinks the same water and pays the same taxes as the rest of us.

The sewerage district hired Foley and Lardner, one of Wisconsin's largest and most expensive law firms. Our tax dollars are fish bait, and the district, its own taxing authority, serves up premium lake trout.

The suit has changed the dynamics of the debate, compelling the state attorney general's office and the DNR, tail between their legs, to launch their own lawsuit.

Yet the sewerage district continues to thrash back like a teenager in a temper tantrum. This is our taxpayer dollars at work for a better environmental future.

During Rosh Hashanah, the Jewish new year, Schapiro performs the tradition of *tashlich*, tossing some bread crumbs into Lake Michigan to carry off the sins of the past year.

Sewerage district executives should join in. But they'll need a bakery.

Brian Back of Mequon is an author. His e-mail address is igloo@ottertooth.com

[Buy a link here](#)

From the Oct. 14, 2007 editions of the Milwaukee Journal Sentinel
Have an opinion on this story? [Write a letter to the editor](#) or start an [online forum](#).

Subscribe today and receive 4 weeks free! [Sign up now](#).

© 2006, Journal Sentinel Inc. All rights reserved. | Produced by [Journal Interactive](#) | [Privacy Policy](#)
Journal Sentinel Inc. is a subsidiary of [Journal Communications](#).