

Case in Point

Gary Fialky Believes in Giving Back

By GEORGE O'BRIEN

BusinessWest Attorney Profile Series

Editor's Note: BusinessWest begins a series of profiles of leading members of the region's legal community with a wide-ranging interview with Gary Fialky, a noted business and banking lawyer who has devoted considerable time and energy to the Greater Springfield area.

Gary Fialky likens Greater Springfield to a bowl of candy.

"When you take from the bowl," said the partner with the firm Bacon & Wilson, "you have to be sure to replenish it."

That was his way of conveying the importance of community involvement, something that has certainly helped to define his 36-year career in law. Indeed, Fialky has lent considerable time, energy, and, in some cases, legal services to a wide range of organizations, from the American Cancer Society to the Basketball Hall of Fame; from Baystate Medical Center to the town of Longmeadow, which he served as a zoning board member.

He told *BusinessWest* that the Pioneer Valley has been good to him — personally and professionally — and devoting time to civic groups is his way of refilling the candy dish.

While giving back to the local community, Fialky has also established himself as one of the region's leading business and banking attorneys. And through his long career here he has seen many changes to both the business community and the legal community.

In general, he said, there are more lawyers and fewer locally based companies, which means a



Gary Fialky says his involvement with the American Cancer Society and other groups is part of his work to give back to the community.

higher level of competition.

In a wide-ranging interview, Fialky discussed this phenomenon, as well as a host of matters, from lawyer advertising to the prospects for his native Springfield. Like others, he sees enormous growth potential in the Valley, and believes that better, more prosperous days are coming.

"We have a lot of assets here — we have highways and airports, our many colleges, and our cultural and tourist attractions," he said. "In many ways, we're like a mini-Boston; we just have to find ways to more effectively leverage those assets."

Court of Opinion

As he was he wrapping up work toward his master's degree at Boston University Law School in 1968, Fialky was also deciding where to launch his career in law.

He liked the Boston area, and knew that there were more, and in some ways better, opportunities there than in Greater Springfield. But he was eventually drawn back to Western Mass.

"I toyed with Boston," said Fialky, who went to college locally, at AIC, and opted for law school after mulling careers in finance and insurance. "But I knew there would be more chances to practice — and to participate in the community — back here. My wife and I thought we would try it for two years and see how it went."

It obviously went quite well, because Fialky has never left.

After sharing an office with another lawyer for a few years, he joined Justin Cohen and Paul Salvage in the firm started by George Bacon in 1895. The partners, operating out of offices at 95 State St., eventually merged in 1979 with the remaining attorneys in a firm started by Peter Wilson in 1945. This larger entity became what Fialky called the "firm with a thousand names."

Officially, it was called Bacon, Wilson, Ratner, Cohen, Salvage, Fialky, and Fitzgerald, PC. "It would take people half the morning the answer one phone call," he joked, adding that this logistical problem prompted a shorten-

ing of the name.

With Bacon & Wilson, Fialky has concentrated his practice in business and banking law — he is currently chairman of the firm's Corporate Department — with an emphasis on business formation, mergers, and acquisitions. He has worked on a number of high-profile initiatives, including the creation of the Technology Park at Springfield Technical Community College, which he considers one of the most significant economic development success stories of the past decade.

Reflecting on his more than 30 years of work in the Greater Springfield area, Fialky said there have been profound changes in both the city's business community and the legal community that serves it.

With the former, he has witnessed the decline of a once-thriving manufacturing center, the consolidation of the financial services sector, and the demise of retail in Springfield's downtown. All this has led to new challenges for area law firms, he said, which have evolved to meet demands for new and different kinds of services.

Looking forward, he said that, while Springfield is certainly enduring a painful period in its history, he remains optimistic about the future. He said the economy will continue to evolve, and became increasingly focused on tourism and entertainment.

"The new convention center is a good start for what I think will be the next wave of development downtown," he said, adding that it should help spawn many businesses while providing a boost to existing ventures. "I'm a big believer in the importance of downtown to the entire city, and I think the Business Improvement District (BID) has done an exemplary job of helping to create an

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aesthetically pleasing downtown.”

As for the legal community, he said it is certainly much bigger than it was years ago. “In the late 60s, when I entered the profession, there were not even a handful of lawyers coming in each year,” he said. “That has changed dramatically.” This fact, coupled with a reduction in the number of locally owned businesses, has created an increasingly competitive landscape.

Which brings him to subject of advertising, which he sees as a somewhat regrettable fact of life in this new age for the legal profession.

“I think advertising has changed things,” he said. “When I first started in this business, you got clients by your reputation and by doing a good job. Now, advertising has made this more of a business.”

And now that the playing field has changed, individual lawyers and firms must decide *how* to advertise, not necessarily whether they should, he continued, adding that Bacon & Wilson takes what he called the “high

road” — merely stating its qualifications and services, rather than using actors, jingles, or clever slogans to draw business.

While making his mark in the legal arena, Fialky has also made it within the community as well. The list of groups and organizations with which he is become affiliated is long and diverse. It includes STCC, which he served as a member of its Foundation Board, AIC, where he sat on the Board of Trustees, the Affiliated Chambers of Commerce of Greater Springfield and the Springfield Chamber, the BID, the Springfield Business Development Corp., and many others.

But he is perhaps known for his work with the local chapter of the American Cancer Society, which he has led to new heights in fundraising and programming.

His involvement began in 1990, soon after his mother was diagnosed with incurable brain cancer. She soon began radiation treatments — five days a week for seven weeks. Fialky was challenged by that schedule, and eventually found help in the

ACS’s volunteer driver program, which helped take his mother to and from treatments.

“I asked them how much it cost,” he recalled. “They said it was free. I was very grateful, and wrote them a check. Soon, my mother needed a wig. The cancer society had a program that provided her one. I said, ‘how much does it cost?’ They said, ‘nothing, there’s a special fund that pays for it.’ So I wrote another check.”

After taking part in an ACS ‘Jail and Bail’ at the former Baystate West — and raising more money in 20 minutes than anyone else did in a few hours — Fialky was asked to get involved in fund-raising for the local chapter, and he has approached that assignment with both enthusiasm and imagination.

After hearing about an event in Seattle called a Relay for Life, in which participants walked or jogged over a 24-hour period to raise money for cancer programs, he thought about trying the concept here. The relay has become an annual event in the region — one that involves a number of businesses, which

assemble teams of walkers — and it has spawned more than 125 ACS relays across New England.

Meanwhile, Fialky helped create one of the local chapter’s biggest fundraisers, a recognition dinner named after the event’s first honoree, Dr. Omar T. Pace, the long-time cancer specialist at Baystate Medical Center, who died in 2003. The 13th annual dinner is slated for May 7 at the Basketball Hall of Fame.

“What we wanted to do was get the cancer society away from backyard carnivals and get the business community involved,” said Fialky. “We’ve succeeded in doing that because no one hasn’t been touched in some way by this insidious disease.”

Closing Statements

When asked about the subject of retirement, Fialky said he isn’t even thinking about it yet.

“I wouldn’t know how,” he said, adding that for the moment he’s committed to his clients — and to finding new ways to make sure the candy dish is replenished. ❖