

# A Tribute to Pro Bono 2010

## President's Pro Bono Service Awards



### Howard B. Miller

President, State Bar of California, 2009-2010

The recipients of the State Bar's 2010 President's Pro Bono Service Awards represent the very best of our legal profession. Public service-minded California lawyers and law students, now more than ever, are needed to bridge the "Justice Gap." This year the State Bar honors extraordinary attorneys who have given their time, talent and passion to those who otherwise could not afford legal services. In addition, the State Bar honors a law school for the first time. We congratulate not only the recipients of the 2010 President's Pro Bono Service Awards, the Loren Miller Legal Services Award, and the Jack Berman Award for Achievement for Distinguished Services to the Profession and Public, but also their friends and families who supported them in this crucial work.

One of the great challenges in our justice system today is that it offers too little justice to too many people. Two-thirds of Californians who need and are entitled to legal services are unable to afford it. Their only hope is that all California lawyers will follow the lead of these honorees, and dedicate themselves to ensuring that our system serves not just paying clients, but every Californian whose rights depend on the Courts. The lawyers here come from different practice settings-what unites them is their commitment to championing a fair and accessible justice system.

On behalf of the entire State Bar, thank you for setting an example in the profession for us all by reminding us injustice anywhere is a threat to justice everywhere. Thank you and congratulations.

## President's Pro Bono Service Awards

The State Bar Board of Governors created the President's Pro Bono Service Awards in 1983. The awards recognize California attorneys, law firms and associations of California lawyers who have provided or enabled the direct provision of legal services to poor persons, or to organizations whose primary purpose is to provide legal services to the poor, free of charge, without expectation of compensation from the client, in the preceding calendar year. In November 2009, the Board of Governors expanded the list of award recipients to include California law schools accredited by the American Bar Association or the State Bar of California and law students currently enrolled in those law schools. A combined total of up to nine awards shall be given annually in all award categories. Recommendations for the President's Pro Bono Service Awards are made by the Standing Committee on the Delivery of Legal Services (SCDLS) to the Board of Governors and the Board reviews and approves the recommendations.



### Honorable Ronald M. George

Chief Justice of California

It is once again a privilege to join in celebrating the recipients of the President's Pro Bono Service Awards, the Loren Miller Legal Services Award, and the Jack Berman Award of Achievement. The attorneys and law school being honored exemplify the best of the legal profession: they have used their knowledge, skills, and

expertise to assist those who otherwise might be shut out of our justice system.

Legal aid providers perform exceptional services for those who cannot afford counsel. The Judicial Branch and others have worked to increase funding through the Equal Access Fund, allow attorneys to contribute to legal services when they pay their bar dues, and expand opportunities to increase the sums generated by IOLTA accounts. But the need for legal services continues to far surpass available resources. The pro bono contributions made by countless attorneys across California are essential.

Our system of justice must be accessible to all, or justice for each of us is at risk. These awards recognize some of those who have gone the extra mile to make a difference such as restoring government assistance to persons with disabilities, fighting evictions to prevent homelessness, or helping individuals and their children escape the cycle of domestic violence.

The combined legal aid and pro bono services provided by California's lawyers make our state a better place. We are indeed fortunate that so many lawyers freely give of their time and talent. Honoring them helps remind us that as members of the legal profession, each of us is obligated to work not simply for the bottom line, but for the improvement of the administration of justice for all.

On behalf of the entire California judicial branch, I congratulate each of these award recipients. Thank you for inspiring us to do more.





Deborah E. Jurgensen



Christina J. Brown



Thomas D. Theisen



Henry C. Su



Coblentz, Patch, Duffy & Bass LLP  
Top left to right: Jon Eldan, Mee Mee Wong, Jeffrey Maso, Karen Nelson  
Bottom left to right: Pamela Duffy, Frederick Fields  
Not pictured: Eleanor Hicks, Courtney Nash, Edward Rymsha, Julie Treppa, Howard Slavitt

## Solo Practitioner

Deborah E. Jurgensen  
Ventura

Deborah Jurgensen is a solo practitioner who devotes half of her practice to pro bono and significantly reduced fee cases in the areas of juvenile, family and education law. She also assists at-risk youths and their families with other matters as needed. She often accepts pro bono cases that are hard to place: representing those overcoming substance abuse, those with mental illness, and difficult family law matters. She also helps individuals with the least access to justice, including limited English proficient and undocumented immigrants who cannot avail themselves of services from federally-funded legal services programs. Ms. Jurgensen is a second career attorney who performed over 200 hours of pro bono service in 2009 handling family law cases through the Ventura County Bar Association's Volunteer Lawyer Services Program (VLSP) and providing legal information to youth through the Ventura Teen Legal Clinic, a non-profit organization she founded in 2007. She also donated a considerable number of hours to Teen Challenge by providing pro bono legal services in child custody matters and expungements for prior criminal convictions to persons who have overcome substance abuse and addiction and are in need of a fresh start. Ms. Jurgensen's corporate motto, Caring and Committed, reflects her office's handling of every case, whether pro bono, reduced fee, or even the occasional "full fee" client.

## Newly Admitted

Christina J. Brown  
San Francisco

Christina Brown, admitted in 2006, is an associate who works in the White Collar Defense and Antitrust and Competition Departments in the San Francisco office of O'Melveny & Myers LLP. She also serves on the office's Pro Bono Committee, encouraging others to engage in pro bono activities and taking on other pro bono work when needed. In 2009, Ms. Brown contributed hundreds of hours of pro bono legal work through two different programs of the Lawyers' Committee for Civil Rights of the San Francisco Bay Area (Lawyers' Committee). She worked primarily with the Homeless Rights Project (HRP), representing San Francisco's homeless residents who were charged with "quality of life" violations such as sleeping or sitting in public. She handled nearly 200 cases and made 30 court appearances, and vigorously defended her clients by arguing for dismissals and fine suspensions, taking cases to trial, negotiating alternative sentences for clients to perform community service rather than paying monetary fines, and filing appeals. In all of these cases, she represented homeless individuals who were living on the street, in shelters, or in other temporary housing. She also closed an asylum case in July 2009 that began in early 2007, by successfully obtaining asylum for a client who fled ethnic and political persecution in Guatemala after witnessing the massacre of his parents and two brothers by Guatemalan soldiers.

## Limited Active Practice

Thomas D. Theisen  
San Diego

Thomas Theisen is a retired patent attorney and a participant in the State Bar's Pro Bono Practice Program (formerly the Emeritus Attorney Pro Bono Program). In 2006 he assumed leadership of the Legal Aid Society of San Diego's Homeless Advocacy Program (HAP) located at St. Vincent de Paul Village in downtown San Diego. He and the other HAP volunteers provide free legal services to people living on the streets, as well as residents of St. Vincent de Paul and other shelters. Mr. Theisen's work emphasizes the importance of listening to difficult people, many of whom have mental disabilities, realistically analyzing what can be done, and helping persons not necessarily sophisticated in legal procedures navigate the legal system. Mr. Theisen has personally been instrumental in restoring Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) to numerous clients who had improperly lost their benefits due to an outstanding warrant. During his four years at HAP, Mr. Theisen greatly expanded HAP's services from two volunteers to over twenty-five volunteers, opened two additional clinics in north San Diego County and an SSI clinic, and provided administrative oversight for all clinics. He brainstorms with the HAP volunteers and other community organizations as to the best way to serve the homeless. He has been instrumental in recruiting volunteer attorneys, procuring the resources necessary to run the HAP clinics without any budget, and continually advertising HAP's services to other agencies. As a result of Mr. Theisen's efforts, thousands of homeless individuals receive free legal assistance every year.

## Law Firm Individual

Henry C. Su  
East Palo Alto

Henry Su is a partner at Howrey LLP whose trial and appellate practice focuses on disputes involving intellectual property and antitrust claims, as well as pro bono and court-appointed cases involving civil rights, constitutional law, criminal defense and veterans law. In 2009 alone, Mr. Su worked on 15 pro bono cases accounting for more than 800 billable hours, several of them in partnership with various legal services organizations and non-profit agencies. One of his most significant victories was a class action lawsuit filed on behalf of the American Council of the Blind and two classes of three million individuals with blindness or other visual impairments against the Social Security Administration (SSA). The lawsuit challenged SSA's failure to provide effective communication in alternative formats that would enable the visually impaired to have equal access to and participation in SSA programs. Class members risked losing their benefits because they could not read print notices and consequently failed to respond in time. The judge ruled in 2009 that alternative formats, at a minimum, must include Braille and an electronic version on a CD. This ruling signaled a major victory for

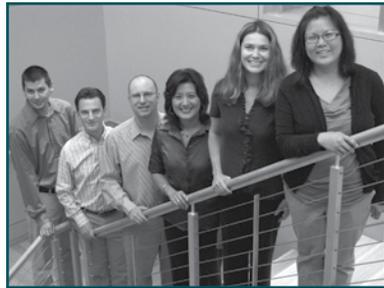
the disability rights movement and set a precedent for the obligations of other federal and state agencies to accommodate people who are blind or visually impaired. Mr. Su chairs the Federal Circuit Bar Association's Pro Bono Committee; volunteers in the Veterans Consortium Pro Bono Program; participates on the Eastern District of California's Pro Bono Panel for civil rights cases; and serves on the boards of Asian Law Alliance, an IOLTA-funded program in San Jose, and Legal Community Against Violence, a national law center based in San Francisco.

## Law Firm

Coblentz, Patch, Duffy & Bass LLP  
San Francisco

Coblentz, Patch, Duffy & Bass LLP has been providing pro bono services since its founding over 100 years ago and has a history of representing clients in unpopular situations, including prisoners' rights cases alleging abuse and excessive force. This mid-size firm has 70 attorneys and its practice areas are litigation, real estate, corporate, estate planning and tax. In 2009, more than 4,700 pro bono hours were logged that included 62 matters for the Lawyers' Committee for Civil Rights of the San Francisco Bay Area (Lawyers' Committee) assisting economically challenged individuals on matters ranging from unlawful detainer, debt collection, administrative agency disputes, evictions, corporate formation and business transactions, as well as community organizations serving low-income families. The firm also represented an inmate in a federal civil rights action; handled an appeal before the Board of Immigration Appeals for a Tongolese man who was denied asylum; handled eight expungements of criminal records through the San Francisco Public Defender's Clean Slate Program; and staffed seasonal clinics from early February to April 15 assisting low-income taxpayers with the preparation of their income tax returns. Coblentz is a signatory to both the national Law Firm Pro Bono Challenge, the Bar Association of San Francisco's Pro Bono Pledge and has consistently exceeded goals for each. The firm also has pledged to both the U.S. District Court for the Northern District of California and the San Francisco Superior Court to devote a minimum of 3% of billable hours to pro bono matters and has exceeded the pledge annually. Two Coblentz partners, Frederick Fields, Chair of Pro Bono Committee, and Sara Finigan were individually recognized by the Lawyers' Committee for Civil Rights for extraordinary pro bono contributions made in 2009.





**South Asian Bar Association of Northern California Pro Bono Committee**

*From left to right: Suchitra Narayan, Hozefa Botee, Mythily Sivarajah, 2009-2010 Pro Bono Committee Co-Chairs*

**Jones Day Advocate Team**

*Top left to right: Rachel Tessa Gezerseh, Jason C. Wright, Christopher L. Dengler  
Middle left to right: Stephen G. Ng, Catherine T. Broderick, Shirin Nassi, John K. Ly  
Bottom left to right: Anna E. Raimer, Brian Hershman, Courtney Chavez, Jason Liang*

**Morrison & Foerster Foster Parents Team**

*From left to right: Mark Smoot, Rick Ballinger, Marc Peters, Loraine Lontayao, Kim Van Voorhis, and Nancy Hoang.  
Not pictured: Steve Keane*

**California Western School of Law**

*From left to right: Professor Linda H. Morton, Anaheeta Z. Kolah, Jill T. Blatchley, Dean Steven R. Smith, Justin P. Brooks, and Courtney R. Miklusak*

**Law Firm Team**

**Jones Day Advocate Team  
Los Angeles**

In 2009, 18 attorneys from the Jones Day Los Angeles office contributed more than 1,000 hours of pro bono representation to 22 victims of domestic violence in permanent restraining order (PRO) hearings through the Los Angeles Center for Law and Justice's (LACLJ) new project entitled Advocate (Advocacy in Domestic Violence and Custody Trials). Although there are many resources to assist victims in filing a Temporary Restraining Order after an incident of violence, this protection is short lived, and there was nowhere for victims to turn in order to obtain permanent relief. Jones Day and the LACLJ developed the Advocate program in November 2008 to fill the gap, and to provide victims the means to obtain permanent restraining orders providing up to five years of protection and relief. With often only a few days notice, Jones Day attorneys respond immediately to prepare clients and represent them at PRO hearings and trials. The vast majority of these clients are immigrants and monolingual non-English speakers who would not be able to navigate the judicial system without Jones Day's assistance. In addition to representing clients at trial, the Team has gone beyond the call of duty to provide assistance to these families in child custody hearings, paternity cases and child support hearings. The Jones Day Advocate Team conducted more than 13 PRO hearings and six contested trials, prevailing in every case and obtaining a collective 45 years of protection. The Jones Day Team's practice areas are trial practice, corporate criminal investigations, intellectual property and products liability. Team members also handled pro bono matters in the areas of special immigrant juvenile status, prisoners' rights, and landlord tenant with other organizations.

**Law Firm Team**

**Morrison & Foerster  
Foster Parents Team  
Palo Alto**

The Foster Parents Team of Morrison & Foerster's Palo Alto Office co-counseled with the Children's Advocacy Institute which is part of the Center for Public Interest Law at the University of San Diego School of Law, to represent the California State Foster Parent Association, California State Care Providers Association, and Legal Advocates for Permanent Parenting, all of whom represent the interests of California's foster parents, in an action against the State of California. The case was filed in the U.S. District Court for the Northern District of California to increase the state's reimbursement rates under the Child Welfare Act for providing basic necessities to federally-qualified foster children. The court found that California's rates were not based on mandatory criteria and were insufficient by as much as 30-40%. Judgment was entered in favor of the foster parents in October 2008 and declared the state to be in violation of federal law.

This precedent-setting case has been cited by the Ninth Circuit and the Southern District of Illinois in support of orders increasing foster parent reimbursement rates. The state did not appeal the trial court's findings but instead appealed the question of whether the reimbursement provisions of the Child Welfare Act may be enforced by foster parents in civil court. The Team represented the California State Foster Parent Association in the state's appeal. The appeal was argued in December 2009, and appellants are awaiting the decision. More than 600 pro bono hours were committed by the attorney Team members in 2009, and more than 1,200 pro bono hours were contributed by the same attorneys in 2008. The Team's practice areas include trademark, patent litigation and patent reexaminations.

**Law School**

**California Western School of Law  
San Diego**

At California Western School of Law, a deep commitment to pro bono work reflects the school's broad view of the law as a helping profession. That commitment is carried out through its Pro Bono Program as well as the Community Law Project and the California Innocence Project. Established jointly with the San Diego Volunteer Lawyer Program, California Western's Pro Bono Program places students with one of more than 25 nonprofit organizations and projects working on a broad range of issues. Service opportunities include the Community Law Project, a joint California Western-UC San Diego pro bono clinic in which law students work side by side with medical students, dental students, and social work interns to help the homeless.

During the 12 months preceding the nomination, California Western students volunteered over 11,700 hours with organizations focused on immigration, affordable housing, domestic violence, civil rights, and other legal issues. California Western recognizes students who complete a minimum 50 hours of service with induction into the Pro Bono Honors Society, official notation on their transcripts and certificates of completion and appreciation signed by the dean of the law school. The school also submits their names to the State Bar to receive the Wiley W. Manuel Certificate for Pro Bono Legal Services.

The California Innocence Project (CIP), part of the law school's Institute for Criminal Defense Advocacy, provides legal services to inmates who are wrongfully incarcerated and cannot otherwise afford legal assistance to pursue post-conviction remedies. In cases for which proof of wrongful conviction appears to exist, the project represents inmates before state and federal trial and appellate courts and administrative agencies. In addition to six staff attorneys and twelve clinical law students, CIP has more than 60 pro bono attorneys with both civil and criminal backgrounds, and 40 volunteer law students involved in all aspects of client casework as well as public policy issues and legislative reform.

In recognition of the school's commitment to community engagement, California Western was recently named to the President's Community Service Honor Roll with Distinction for 2009, the only independent law school named to the list.

**Distinguished  
Pro Bono Service**

**South Asian Bar Association  
of Northern California  
Pro Bono Committee  
San Francisco**

The South Asian Bar Association of Northern California's Pro Bono Committee (PBC) was formed to address the gaps that exist between the South Asian community and the legal system. Since that time, although services are offered at South Asian community centers, the client base has become more diverse, consisting of numerous communities. By providing guidance to monolingual, low-income and marginalized individuals who generally are not consumers of traditional legal services and often perceive the legal system as inaccessible, the PBC has made significant efforts to provide legal services that are more accessible through various means:

- Free legal clinics at two South Bay locations three times a month in a variety of areas of law
- Free "Know Your Rights" legal seminars for the public presented in conjunction with the legal clinics
- A column on various legal matters in India West, a South Asian weekly newspaper with regional distribution
- MCLE trainings in the areas of civil rights, employment law, and other topics developed in partnership with other legal services organizations for lawyers seeking pro bono opportunities.

The PBC recognizes the importance of forming partnerships and collaborating with other bar associations (American Immigration Lawyers Association, National Asian Pacific American Bar Association, Santa Clara County Bar Association, Bar Association of San Francisco), legal services programs (AIDS Legal Referral Panel, Asian Law Caucus, Asian Pacific Islander Legal Outreach, Pro Bono Project of Silicon Valley), and community-based organizations (India Community Center, Maitri, Narika, Pakistani American Culture Center) to improve the delivery of pro bono legal services.

In 2009, a core group of members contributed in excess of 100 hours to reach hundreds of individuals and non-profit organizations. The PBC has focused on enabling every volunteer in a meaningful way, no matter how busy or resource constrained, to make a small individual difference so that, collectively, significant pro bono legal services can be delivered to make a big difference not only to the South Asian community but to all of California.

# Pro Bono California 2010

## State Bar's Commitment to Pro Bono

Originally adopted by the Board of Governors in December 1989, the [State Bar's Pro Bono Resolution](#) encourages all attorneys to contribute at least 50 hours per year of pro bono service, "...to provide or enable the direct delivery of legal services, without expectation of compensation other than reimbursement of expenses, to indigent individuals, or to not-for-profit organizations with a primary purpose of providing services to the poor or on behalf of the poor or disadvantaged, not-for-profit organizations with a purpose of improving the law and the legal system, or increasing access to justice." In June 2002, the Resolution was amended to reflect an updated and renewed commitment to serving the legal needs of low- and moderate income Californians, and added an option to support pro bono through financial contributions. More recently on July 24, 2010, the Board of Governors approved the inclusion of [Rule 6.1 \(Voluntary Pro Bono Publico Service\)](#) in the [proposed and amended Rules of Professional Conduct](#) that will be recommended to the California Supreme Court this year. Rule 6.1 encourages all lawyers to aspire to provide or enable the direct delivery of at least 50 hours of pro bono publico legal services per year.

## California Attorneys Can Make a Difference!

Whether you are newly admitted, a law firm associate, practicing in a government, corporate, academic setting or as a solo, you can make a difference in the lives of those who would not otherwise have access to the legal system. With more than 7 million Californians living below 125% of poverty and an estimated 8,995 vulnerable Californians who qualify for legal aid for every one legal aid staff attorney, your help is needed now more than ever. If you are interested in doing pro bono work, please go to [www.calbar.org/probonoresources](http://www.calbar.org/probonoresources) for more information, including where you can go to provide assistance to low-income tenants and homeowners in foreclosure-related matters. You also can contact the State Bar of California Office of Legal Services staff at 415.538.2219, 415.538.2267 or [programdevelopment@calbar.ca.gov](mailto:programdevelopment@calbar.ca.gov) for more information about pro bono opportunities.

## Pro Bono Practice Program (formerly known as the Emeritus Attorney Pro Bono Program)

If you are an attorney who is otherwise "retired" from the active practice of law, in a transition period, or taking a temporary break from the practice of law, please consider doing pro bono work by enrolling in the State Bar's Pro Bono Practice Program. The Pro Bono Practice Program is an updated version of the former Emeritus Attorney Program that waives the active status membership fee for eligible attorneys who do pro bono work exclusively

with a Qualified Legal Services Program or a State Bar certified lawyer referral service (no fee panel). The nature and scope of the pro bono work varies with each legal services program or LRS. [An overview of the Pro Bono Practice Program, FAQs and application materials](#) are available on the State Bar's website. For more information about the Pro Bono Practice Program, contact Mike Dayao at [michael.dayao@calbar.ca.gov](mailto:michael.dayao@calbar.ca.gov) or 415-538-2328.

## Wiley W. Manuel Certificates for Pro Bono Legal Services

This certificate program was created in 1989 to recognize lawyers, law students, paralegals, legal secretaries and other volunteers in California who contribute at least 50 hours of pro bono service in a 12 month period. Pro bono coordinators at legal services programs, law schools and law firms can submit an application on behalf of their volunteers. Information about the [Wiley W. Manuel Certificates](#) is available on the State Bar's website.

## Please Contribute to the Justice Gap Fund

The [Justice Gap Fund](#) implements AB 2301 (2006) which recognizes that a high percentage of the legal needs of low-income Californians are not being met, and authorizes the State Bar to collect contributions from its members to support legal services for low-income Californians. Contributions are voluntary and encouraged from all California lawyers. The suggested contribution of \$100 can be made annually through the State Bar member fee statement or at any time through the State Bar's website. More than \$2.5 million has been raised since the Fund was launched in 2008. Contributions are tax-exempt to the full extent of the law and recipients are 501(c)(3) non-profit legal services organizations that receive funding from the Legal Services Trust Fund Program. Please join your colleagues by making a contribution to the Justice Gap Fund.

## National Pro Bono Celebration, October 24 - 30, 2010

[The National Pro Bono Celebration](#) ([www.celebrateprobono.org](http://www.celebrateprobono.org)) was launched in 2009 and is sponsored by the American Bar Association's Standing Committee on Pro Bono and Public Service. The Celebration is a coordinated national effort to meet the ever-growing needs of this country's most vulnerable citizens by encouraging and supporting local efforts to expand the delivery of pro bono legal services, and by showcasing the great difference that pro bono lawyers make to the nation, its system of justice, its communities and, most of all, to the clients they serve. On May 15, 2010, the Board of Governors of the State Bar of California passed a [standing resolution](#) that supports the National Pro Bono Week Celebration, commends California attorneys for their ongoing pro bono contributions, and

reminds all State Bar members that by engaging in pro bono work and providing financial support they can make a difference.

*For more information posted on the State Bar's website about the pro bono efforts described above, please refer to the electronic version of [A Tribute to Pro Bono 2010](#) at: [www.calbar.ca.gov](http://www.calbar.ca.gov) > [About Us](#) > [Awards](#) > [President's Pro Bono Service Awards](#).*

## Office of Legal Services Center on Access to Justice Staff

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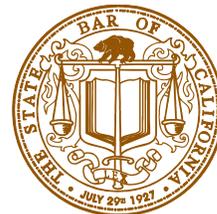
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*The goal of the Office of Legal Services (OLS) is to expand, support and improve the delivery of legal services to low and moderate income Californians*



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