

The State Bar of California

A Tribute to Pro Bono 2011

President's Pro Bono Service Awards



William N. Hebert

President
The State Bar of California
2010–2011

Now more than ever, public service-minded California lawyers and law students are needed to bridge the “Justice Gap.” The recipients of the State Bar’s 2011 President’s Pro Bono Service Awards represent the very best of our legal profession. When we look in our professional mirror, these are the men and women we want to see in our reflection. This year the State Bar honors extraordinary attorneys and a law student who have given their time, talent and passion to those who otherwise would not have access to legal services. We recognize not only the recipients of the 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 families, friends and colleagues who supported them in this crucial work.

One of the ongoing challenges in our justice system 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 award recipients come from a variety of practice settings and geographic areas—what unites them is their commitment to championing a fair and accessible justice system.

On behalf of the entire State Bar of California, we are grateful to you for setting an example in the profession by reminding us injustice anywhere is a threat to justice everywhere. You have our respect and admiration. Thank you and congratulations.



**Honorable
Tani Cantil-Sakauye**
Chief Justice of California

In my first months as Chief Justice I have had many opportunities to travel around the state to visit with judges at their courts and with attorneys in their communities. I have seen the extraordinary potential of the bench and the bar. I have seen the power of pro bono service. And I have seen a growing need for legal help not only among the poor and underserved, but among Californians struggling in an uncertain economy.

The work of the men and women we honor with these Pro Bono Service Awards has never seemed more critical, or more appreciated. Economic stresses have social consequences, many of which present challenges to the legal profession and to the courts. We see court filings rising rapidly in several areas and self-help centers reporting greater volumes of visitors from across the socio-economic spectrum. It is not uncommon for judges to see vulnerable families and seniors in their courtrooms attempting to handle their own legal matters.

But while the need for pro bono representation seems greater than ever, so too is the potential. Especially in times of crisis, when services are cut, homes are taken and jobs are lost, the courts serve as the safety net for a civil society. Making good on the promise of equal access to justice in our state is not a challenge only for the courts, nor is it a challenge only for the bar. It is a challenge for all Californians. I am honored to be part of this celebration of those who are stepping up to do their part.

SOLO PRACTITIONER

JUDITH A. LITZENBERGER

San Diego



A solo practitioner and a veteran focusing on military, criminal and civil law, Ms. Litzenberger dedicated herself to the development of the San Diego Superior Court Veterans Treatment Review Calendar (VTRC). VTRC is a calendar devoted to criminal cases of veterans suffering from service-related, treatable mental disorders. Through VTRC, veterans in such circumstances have greater access to court-supervised treatment as an alternative to incarceration. Ms. Litzenberger also helped train citizen volunteers to serve as individual mentors for VTRC participants, guided the experts from various agencies—including prosecutors, defense lawyers, probation and court staff—into a team to operate a collaborative court, and forged a bond of trust with San Diego's military community. In 2010, Ms. Litzenberger devoted some 1,200 pro bono hours to developing VTRC and assisted at least 100 veterans to seek alternative sentencing in local criminal cases. Ms. Litzenberger's dedication to serving the veterans also led her to the drafting of legislation to support treatment courts for veterans throughout the state, co-founding of the San Diego Returning Veterans Legal Task Force, and serving on the San Diego Citizens' Review Board for Police Practices. She also found time to train 20 JAG lawyers to represent clients at homeless court, and provided 30 MCLE presentations to hundreds of attorneys.

SOLO PRACTITIONER

JACQUELINE BROWN SCOTT

San Francisco



Becoming a lawyer in 2005, and expanding on a history of teaching and tutoring elementary and high school children as a volunteer both locally and in Costa Rica, Ms. Brown Scott devotes at least twenty percent of her solo practice to assisting immigrants in removal proceedings on a pro bono basis, with an emphasis on helping children. Last year, she contributed more than 350 pro bono hours through organizations such as the Catholic Legal Immigration Network (CLINIC), the National Center for Immigrant and Refugee Children, and the Community Legal Services of East Palo Alto. Ms. Brown Scott represents clients both at the trial and appellate level as well as in impact litigation. She co-chairs the Immigration Section of the Barristers Club, the new attorney division of the Bar Association of San Francisco, where she uses the position to bring attention to immigration issues and the need for pro bono work, especially for unaccompanied immigrant children. In 2010, she was named one of the Barrister Club's four Outstanding Barristers, and was named a "Pro Bono Champion" by the American Immigration Lawyers Association. Ms. Brown Scott's devotion to her work is evident; she often travels far distances in order to meet her young clients in their homes.

RECENTLY ADMITTED

FERMIN VALENCIA

Santa Ana



Fermin Valencia is a relatively new attorney who established his law firm in 2008. He committed to taking pro bono cases at Public Law Center (PLC) from the day he opened his practice and continues to be one of the most dedicated volunteer attorneys. Last year he handled 26 immigration matters including UVisas for victims of domestic violence, sexual assault, kidnapping, human

trafficking and other grave offenses; T Visas for trafficking victims; and VAWA applications and I-751 Waiver petitions for victims of domestic violence to gain residency. He also handled ten Chapter 7 bankruptcy matters primarily assisting low income debtors who were often unemployed or underemployed, lost homes to foreclosure, and/or have health issues which have created medical debt. In addition, Mr. Valencia volunteered at PLC's Homeless Clinic providing intake and brief advice. Many PLC clients are monolingual Spanish speakers so Mr. Valencia's ability to speak fluent Spanish helps PLC fill this language gap. In addition to PLC, he volunteers at naturalization workshops and citizenship fairs. Mr. Valencia treats his clients with compassion and understanding and constantly pushes himself to do and learn more so that he can better serve his clients.

LIMITED ACTIVE PRACTICE

RONALD E. BLUBAUGH

Sacramento



Ronald Blubaugh retired in 2003 after serving over 25 years as a hearing officer and then as the Chief Administrative Law Judge for the Public Employment Relations Board (PERB). For over four years, Mr. Blubaugh has been a loyal volunteer at the Tommy Clinkenbeard Legal Clinic

sponsored by Legal Services of Northern California where he volunteers about 25 hours per month assisting the legal needs of the homeless. He also volunteers at the monthly Public Defender clinic to prepare clients for their court appearances. He screens clients, runs warrant checks, answers the phone, and provides general legal advice to those with nowhere else to turn. When not at the clinic, he volunteers weekly serving meals at Loaves & Fishes where his clients often recognize him. Mr. Blubaugh is so trusted by the homeless that he has become the liaison between the attorneys representing the interests of the homeless and the possible witnesses in the case **Lehr et al. v. City of Sacramento and County of Sacramento**. This case challenges the constitutionality of the seizure and confiscation of the property of the homeless. Mr. Blubaugh has been a member of the State Bar's Pro Bono Practice Program (formerly known as the Emeritus Attorney Pro Bono Program) since 2006.

LAW STUDENT

SUESAN GERARD

Los Angeles



During academic year 2009-2010, then second year law student Suesan Gerard created with almost no financial or administrative support the Loyola Law School Project for the Innocent, a thriving, student-run program that represents scores of defendants who have been wrongfully convicted. She has handled intake for over 100 cases and spent at least 500 hours working on the project. She has personally drafted court pleadings, collaborated with experts, interviewed witnesses, garnered support from the community, and coordinated the work of 14 colleagues participating in the project. When the Project was first created, students did not receive class credit and their time did not count toward fulfilling the graduation pro bono requirement. During 2009-2010, Ms. Gerard also was active in other Loyola Law School organizations, including the Public Interest Law Foundation, Women's Law Association, Black Law Students Association, and the Academic Support Program. Impressively, in the midst of all her work with the Project, she maintained a 3.95 grade point average and volunteered in the Juvenile Justice Clinic and the Office of the Federal Public Defender Capital Habeas Unit. Professor Laurie L. Levenson refers to Ms. Gerard as "the most selfless student I have met in 25 years of teaching."

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.

LAW FIRM

DLA PIPER LLP (US)

East Palo Alto



Back row left to right: Paul (Dash) McLean, Andrew Valentine, Eric Ryan; Front row left to right: Renee Chantler, Henry Lesser, Yiman Zhang

DLA Piper LLP (US) is a global law firm with 76 offices or affiliates in 20 countries. In 2010 its seven California offices contributed over 29,000 hours of pro bono legal services in approximately 1,000 active matters, averaging over 85 hours of pro bono

service per lawyer. Particular commendation is extended to the East Palo Alto and San Diego offices—each office contributed an average of over 100 hours per lawyer by undertaking a wide array of pro bono matters: staffing legal clinics; representing clients in domestic violence, asylum, immigration, housing, social security disability benefits, tax and consumer law matters; and helping hundreds of homeless veterans resolve outstanding criminal matters. The firm also has a “Signature Project” program that emphasizes focused pro bono support within a specific office’s community. The depth and breadth of DLA Piper’s pro bono commitment in California is reflected in the list of co-nominators and supporters who also are pro bono partners and/or non-profit pro bono clients of the firm: Community Legal Services in East Palo Alto, Pro Bono Project Silicon Valley, San Diego Volunteer Lawyer Program, Casa Cornelia Law Center, Cooperative Restraining Order Clinic, San Diego County Office of the Primary Public Defender, All For Good, Northern California Urban Development Corporation, Making It Happen For Our Children in East Palo Alto Coalition, and Craigslist Foundation.

LAW FIRM BRANCH OFFICE

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

Los Angeles Office



Left to right: Gila Jones, David Eisman, Stacy Horth-Neubert, Joshua Schneiderman

In 2010, Skadden’s Los Angeles office provided more than 16,300 hours of pro bono services, an average of over 100 hours per attorney and 6.4% of the office’s total billable hours. Skadden attorneys represented

pro bono clients in a wide variety of matters resulting in, among other things, vindication of an inmate’s Fourth Amendment rights in a first-of-its-kind case; a favorable settlement for 25 tenants subjected to sub-human housing conditions; a successful challenge to Fresno County’s medical care eligibility guidelines benefiting thousands of Fresno residents; and a grant of lawful permanent resident status for a transgender individual fleeing her home country due to violence and death threats from law enforcement officers. Skadden attorneys also represented Holocaust survivors seeking reparations from Germany, advocated for special education rights, finalized uncontested adoptions, and provided corporate, tax, intellectual property, real estate and employment law advice to non-profits, including in complex transactions such as contracts, loan modifications for historic preservation, and mortgage financing. Pro bono matters were handled through multiple legal services agencies, including Bet Tzedek Legal Services, Legal Aid Foundation of Los Angeles, Public Counsel, Western Center on Law and Poverty, Alliance for Children’s Rights, the Anti-Defamation League, ACLU of Southern California, and Inner City Law Center.

LAW FIRM TEAM

COTCHETT, PITRE & MCCARTHY, LLP TEAM

Burlingame



Back row left to right: Tracy Lim, Jennifer Wang
Front row left to right: Niki B. Okcu, Jessica L. Curiale

The Cotchett, Pitre & McCarthy, LLP Team provided pro bono representation to an 89-year old, visually impaired widow, Pauline Reade, who had been tricked into signing loan documents with various banks and

mortgage entities. When the client approached the Legal Aid Society of San Mateo County (LASSMC), she risked losing her home to foreclosure. LASSMC lacked the resources to take on the case due to the complex nature of the litigation. Almost every large firm would have been conflicted out because so many banks and mortgage lenders were involved. The team jumped in and filed a lawsuit staying the foreclosure and sued for elder abuse. In 2010, the case ended in a settlement that was the first of its kind in the community. As a result, the lien on Ms. Reade’s property was completely removed and she has no obligation under the loan, which exceeded \$420,000. Ms. Reade also received additional compensation in the settlement from various defendants. The two attorney team members, Niki Okcu and Jessica Curiale, contributed more than 800 hours out of a total of over 1,700 hours on the case. Cotchett, Pitre & McCarthy, LLP’s California office has 23 attorneys, and a 40-year history of pro bono work.

LAW FIRM TEAM

LOEB & LOEB LLP IMMIGRATION/ASYLUM PRO BONO TEAM

Los Angeles



Back row left to right: Eric B. Schwartz, Elizabeth A. Gonzalez, William M. Brody; Front row left to right: Laura A. Wytsma, Marissa B. Hurwitz, Kristen A. Minger

In 2010, a team of attorneys from Loeb & Loeb LLP, in partnership with Public Counsel’s Immigration Rights Project, contributed more than 400 hours of pro bono representation to individuals seeking asylum in the United States

based on political or ethnic persecution, or domestic abuse. The team worked to protect the rights of asylum seekers from Africa, South America and other nations, who were threatened with violence and death in their native countries. Loeb’s team overcame many obstacles presented by the physical and emotional challenges that asylees often face at the time of representation, and successfully obtained asylum for a number of clients, including: a tortured and persecuted Cameroonian mother who was reunited with her children after eight years of separation; a 20-year-old Ethiopian who had escaped on foot after the ruling political party murdered his brother and father and had illegally imprisoned and tortured him; and a victim of domestic violence who fled to the United States from Mexico to escape her abusive former spouse. The team members’ practice areas include intellectual property, employment and labor law, and business litigation. Individual members also are involved in other pro bono efforts in the areas of disability rights, domestic violence and disaster legal assistance.

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.



PRO BONO CALIFORNIA 2011

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. On July 24, 2010, Rule 6.1 (Voluntary Pro Bono Publico Service) was adopted by the Board of Governors for inclusion in the proposed new and amended Rules of Professional Conduct that will be submitted to the California Supreme Court for approval. 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.

Pro Bono Attorneys 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 more than 8,000 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 for more information. 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 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 and keep your legal skills honed 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 Provider 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, and malpractice coverage is generally available. 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 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 Manuel Certificates is available on the State Bar's website.

The Justice Gap Fund Needs Your Support

Justice Gap Fund implements AB 2301 (2006) which recognizes that a high percentage of the legal needs of poor 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 \$3.4 million have been raised since the Fund was launched in 2008. Contributions are tax-exempt to the full extent of the law and will be distributed to 501(c)(3) non-profit legal services organizations that receive funding from the Legal Services Trust Fund Program. Please join your colleagues and help those with limited means get legal services by making a contribution to the Justice Gap Fund.

National Pro Bono Celebration October 23-29, 2011

The National Pro Bono Celebration 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 about the pro bono efforts described above, please refer to the electronic version of *A Tribute to Pro Bono 2011*, posted on the State Bar's website at: www.calbar.org/awards.

Office of Legal Services Center on Access to Justice Staff

Mary Lavery Flynn, Director
Office of Legal Services
mary.flynn@calbar.ca.gov

Rodney Low, Program Developer
rodney.low@calbar.ca.gov

Theresa Mesa, Program Developer
theresa.mesa@calbar.ca.gov

Sharon Ngim, Program Developer
sharon.ngim@calbar.ca.gov

Frank Monti, Senior Administrative Assistant
frank.monti@calbar.ca.gov

Chris Zupanovich, Program Coordinator
chris.zupanovich@calbar.ca.gov

Michael Dayao, Administrative Assistant II
michael.dayao@calbar.ca.gov

Kimberly Warmsley, Administrative Assistant II
kimberly.warmsley@calbar.ca.gov

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.

The State Bar of California
Office of Legal Services
Center on Access to Justice
180 Howard Street
San Francisco, CA 94105-1639
(415)538-2176
(415)538-2552 fax
programdevelopment@calbar.ca.gov
www.calbar.ca.gov