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A BETTER PLACE

Steven Lieberman
fights for the
powerless

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FROM THE PUBLISHER

Be inspired.

In these pages, devoted to the stories of the 2012 Super Lawyers Pro Bono Awards recipients, you will read about lawyers giving back and making a difference with their exceptional pro bono efforts. This is the second year that we at Super Lawyers have had the privilege to honor and recognize attorneys, firms and organizations for their pro bono work. The number of nominations we received was staggering, and the caliber of the submissions made it difficult to choose and award so few.

But we did choose. Here you will meet Steven Lieberman, who inherited a crusading spirit from his father, and whose pro bono work accounts for 10 percent of his caseload. Lieberman takes great pride in his work representing the powerless and as he says, "You have to feel like what you're doing day in and day out is making the world a better place." You'll get a glimpse into the practices of the nine immigration attorneys at Pearl Law Group who handle 50 to 60 pro bono matters each year for some of the poorest populations facing complex federal immigration laws.

Rob Linneman had a triumphant pro bono accomplishment, as he defended the Occupy Cincinnati protesters and reached a settlement agreement with the city of Cincinnati on their behalf. And you will learn how law student Jennifer Cunha helped save the Legal Assistance for Disaster Relief organization at the University of Wisconsin Law School.



Cunha launches her legal career with the conviction that "Justice should be for everyone, not just those who can afford it."

Part of the story here is in the sheer number of hours devoted to pro bono work. The lawyers at Akin Gump Strauss Hauer & Feld averaged 89 hours of pro bono work per U.S. attorney in 2012, and 40 students in West Virginia University College of Law's Clinical Law Program contributed more than 22,000 hours of pro bono work last school year.

Congratulations to the 2012 Super Lawyers Pro Bono Awards recipients, and bravo to all of the lawyers who were nominated and those of you who provide excellent and much-needed pro bono work each day.

So, be inspired, and perhaps one day we'll be writing about you.

Kindly,

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ABOUT THE AWARDS

- The Super Lawyers Pro Bono Awards recognize individual lawyers, law firms, law students, law schools and other institutions in the legal profession across the country that exhibit excellence in practice through the delivery of free legal services to the poor, underrepresented or exploited.
- Any legal professional, organization, group or law student involved in significant pro bono efforts in 2013 is eligible. Law students must study at an ABA-accredited law school in the United States. Only legal residents of the United States who are 18 years of age or older at the time of nomination are eligible for an award.
- The 2013 award recipients will be selected by a panel of judges composed of internal Super Lawyers employees and external industry representatives. Recipients will be notified by email, phone or mail in January 2014. Decisions of the panel are final.
- For official rules and eligibility, and additional information about the panel's selection process, please click [HERE](#).

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A Better Place

Steven Lieberman fights for the powerless

BY NANCY HENDERSON
PHOTOGRAPHY BY STEPHEN VOSS

STEVEN LIEBERMAN WAS A YOUNG teenager when his father embarked on a two-year crusade to allow group homes for people with developmental disabilities to open in the family's Bronx community. Such inclusion was almost unheard of in the 1970s.

"There was huge community opposition. People were afraid that the residents with special needs would bring down property values, that they'd pose a danger to others in the community," recalls Lieberman, 54, of Rothwell, Figg, Ernst & Manbeck in Washington, D.C. "He saw a group of unprotected and powerless people who needed help," he says of his dad, who made women's belts for a living and spent his evenings advocating for others. "He always believed in standing up to power when it was right to do so, and these were folks who really had no other champions."

That crusading spirit was passed down to Lieberman. A successful intellectual property and patent litigator who describes himself as "aggressive but fair," he devotes many hours to pro bono work, which accounts for 10 percent of his caseload and which, he says, makes him a better lawyer.

"There's a wonderful quote from Winston Churchill that I think about from time to time: 'What is the use of living, if it not be to strive for noble causes and to make this muddled world a better place for those who will live in it after we are gone?'" Lieberman says. "I think the test is when your children ask you what you do for a living. If you can't explain what you do in a way that makes them at least a little bit proud, that's very sad."

As a politics major at Princeton University, Lieberman toyed with the idea

of becoming a neurological psychiatrist or a history professor. But he was enamored with constitutional law, and after earning his J.D. from Columbia University Law School and completing a clerkship in the Southern District of New York, in 1985 he joined Cahill Gordon & Reindel, where he spent half his time handling First Amendment matters.

His first pro bono case came on his first day at the firm, when a high-profile activist named Rabbi Avi Weiss called and asked him to secure permission to put up a Hanukkah menorah in a New York City park where the Jewish symbols had been banned. The young lawyer called his new boss, Floyd Abrams. "After I told him all of this, he said to me, 'Did you ask the client if he could pay?'" Lieberman recalls. "And I said, 'No. Is that important?'"

Fortunately, Abrams was a staunch advocate of First Amendment rights and gave Lieberman permission to proceed. After Lieberman threatened to sue the city, New York officials backed down, allowing the religious symbol to be erected in the park, paving the way for similar Jewish displays, and fueling Lieberman's desire to continue protecting religious liberties.

It wasn't long before he carved a name for himself in a series of nationally publicized cases, including defending *The New York Times* in a 1986 defamation suit brought by the city's chief medical examiner, Dr. Elliot Gross, whom the newspaper had accused of altering the autopsy results of suspects who died in police custody. The court dismissed the action on summary judgment; nearly three decades later, Lieberman still advises *The Times*, as well as Fox News, *The Wall Street Journal* and many other media outlets in intellectual property matters. He has also appeared as an expert IP commentator on TV and radio.

Admittedly "not very knowledgeable technologically," he's found ways to distill complex concepts into simple ones. "For years I would sit down with my kids when they were 7, 8, 9, 10, 11, 12

years old," Lieberman says, "and if they didn't understand the argument, or if they thought the other side should win, then I knew my argument was no good."

In 1990, Lieberman worked his first patent lawsuit on behalf of a pharmaceutical company with a new AIDS drug called AZT. Lieberman teamed up with lawyers from Rothwell Figg, who, shortly before trial, lured him to their firm. Ten years later, he served as lead counsel in an antitrust claim by Mylan Pharmaceuticals against Bristol-Myers Squibb, which involved an effort by Bristol-Myers to try to block the generic manufacture of a popular antidepressant by improperly listing it in the Orange Book of FDA approvals. The result: a \$535 million payment by Bristol-Myers to settle antitrust counterclaims brought by Mylan and class action groups, plus amendments to the Hatch-Waxman Act governing the generic drug system.

Lieberman's pro bono work is just as valuable. Rabbi Shmuel Herzfeld, senior rabbi at The National Synagogue and an active member of Amcha—The Coalition for Jewish Concerns, has kept Lieberman on "speed dial" for so long that he's lost track of the number of cases. "Even though I am a pro bono client, Steve ... gives incredible attention to every case I bring before him. He treats me like I am his most important client," Herzfeld says. "I tell people, 'You should become a rabbi, but if you are going to be a lawyer, then be a lawyer like Steve Lieberman.'"

Rabbi Herzfeld gives the example of an intensely publicized case in which two top-level officials from the American Israel Public Affairs Committee were indicted for allegedly gathering and disclosing classified national security documents to Israel. In 2007, Lieberman, who did not legally represent the men, filed a stirring amicus brief for Amcha, challenging the government's efforts to hold a trial largely in secret with witnesses and documents that would not be fully disclosed to the public view and likening the case to the infamous Dreyfus affair. Convicted of treason in

1894, Captain Alfred Dreyfus, a young French and Jewish artillery officer, was eventually exonerated and his anti-Semitic accusers exposed for wrongfully singling him out as a traitor.

"The American Jewish community has a particular interest in ensuring that the trial of Messrs. [Steven] Rosen and [Keith] Weissman does not lead to the same result," Lieberman wrote in the brief. "Any use of 'secret evidence' runs the risk of deepening anti-Jewish sentiment in the United States."

The case was later dismissed.

In one of his gutsier moves, in 2009 Lieberman sued Venezuelan President Hugo Chavez before the Inter-American Commission on Human Rights for threats against Jews ranging from supporting violent and government-instigated attacks on synagogues to public anti-Semitic statements and the depiction of Nazi symbols in the government-owned newspaper.

"We spent a lot of time trying to figure out how you sue the president of Venezuela. It was very hard," says Lieberman, who explains that it was too dangerous for the witnesses to file suit in Chavez's own country. The commission responded by warning Chavez and issuing a report citing much of Lieberman's evidence. "We've been told by people in the Jewish community there that the fact that the world is looking at what happens in Venezuela has made it safer for them," Lieberman says. "The Jews are immigrating out of fear of what will happen, but the physical attacks seem to have decreased."

Nevertheless, the pro bono case that brought Lieberman the greatest sense of pride involved "the most powerless clients you could possibly have: several hundred thousand people who were dead," he says. Representing some of the families of the estimated half-million Jews murdered in 1942 at the Belzec death camp in then-German-occupied Poland, Lieberman sued to halt construction of a 30-foot-deep path at a proposed memorial.

"The problem was that the entire

camp was essentially one mass grave. Their bodies had been burned on these giant roasting racks and then the bones had been pulverized and the ashes scattered throughout the camp," Lieberman explains. "The trench was going through the graves of tens of thousands of murdered Jews, which is a terrible desecration and a violation of Jewish law."

Although the U.S. District Court dismissed the lawsuit, Lieberman considers the cause one of the most important of his career. "Under Jewish law, the greatest good deed you could do is to help somebody who's completely powerless," he says.

"Somebody needed to defend the people who had been murdered 65 years before."

Lieberman is currently representing a Foreign Service officer in a workplace discrimination suit against the U.S. Department of State. The man, after rapidly rising through the ranks early on, contracted a degenerative muscle disease that left him in a wheelchair and affected his mobility and speech. Lieberman says the man was repeatedly passed over for promotions and eventually fired despite stellar performance reviews.

The case, if successful, will set a precedent for equal treatment for foreign service employees with physical disabilities.

"People with disabilities can do just about everything else in the United States now, but the senior ranks of the foreign service are off-limits to them," Lieberman says. "That's fundamentally unfair, and we'd like to change that."

Of his dedication to pro bono work, Lieberman adds, "You have to feel like what you're doing day in and day out is making the world a better place. If you spend all your time on cases that just involve the transfer of money back and forth between corporations, then you're not going to have that feeling." 



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EXTRAORDINARY Abilities

**Julie Pearl leads Pearl Law Group's
pro bono charge on immigration cases**

BY JOE MULLICH
PHOTOGRAPHY BY GREGORY COWLEY

THE DAY AFTER CHRISTMAS, KATHERINE Rivera opened her front door and saw what looked like a SWAT team on her stoop—a group of officers from U.S. Immigration and Customs Enforcement. The officers handcuffed her husband, Miguel, saying he would be deported to El Salvador. The problem? She was a U.S. citizen; they had been married for 14 years, owned a home and paid taxes; and two years before their marriage, an attorney had filed papers securing his political asylum. The Riveras had done everything on the up and up.

The attorney who had handled his asylum was deceased, though, and it turned out he had failed to properly handle the case almost two decades before. The only thing keeping Miguel in America was his lack of a valid passport. U.S. officials “asked Miguel to sign papers to allow him to be deported,” Rivera says. “An attorney I had contacted through my church told me we couldn't win, and it wasn't worth spending the money to fight it.”

Shaken, Rivera reached out to Julie Pearl, a former deputy attorney general in California and managing partner of the Pearl Law Group, who took the case pro

bono. “I told him not to sign,” Pearl recalls. “If he signs, they could turn him around in a day. And once he was out of the country, it could take years to get him back.”

She argued that deporting Miguel would cause harm to U.S. citizens—his wife and two children, both of whom suffered from immune system disorders. “They only found him when he was laid off and filed for unemployment,” she recalls. “And because he had been laid off, he was spending even more time at home with the kids and bonding with them.”

The federal government stayed the deportation, allowing Miguel to file for adjustment of status in hopes of attaining permanent residency, based on his marriage to a U.S. citizen.

Pearl's interest in immigration law started when she attended Stanford University and received the second worst draw for student housing. The international student house was exempt, and she qualified for entrance because of her dual Canadian-American citizenship.

“The international students were working with the best and brightest despite not using their native languages,” she

remembers. “I never realized how nervous they were about being able to stay on in the United States after graduation. I wished I knew what they needed to know.”

In 1995, she founded the Pearl Law Group with Alan Nelson, former commissioner of the U.S. Immigration and Naturalization Service (now USCIS). The firm is devoted exclusively to the field of employment-based immigration law—including I-9 visas and e-Verify work—and related global mobility guidance. It has nine full-time attorneys and 42 total staff members. One-third of the employees has had direct personal experience immigrating to the U.S. or other countries.

On average, the firm's attorneys handle 50 to 60 pro bono cases a year—about eight matters apiece. The only cases the firm won't accept are ones in which the potential client has committed a violent criminal act.

“We're well paid by the corporate market, and we feel we owe something back to the people who can't afford to pay us,” Pearl says. “In our line of work, if you're an outgoing person and go anywhere, you'll find someone who needs your help.”

The pro bono cases sometimes find their way to the firm in offbeat ways. Pearl once obtained a visitor visa for an elderly Chinese woman who had twice been denied, preventing her from seeing her grandchild in the United States. "I found out about the case through my acupuncturist," Pearl says. "If someone has needles in your back, you listen."

Pearl proved that although the woman had lawful ways of seeking permanent status in the U.S., if that were her intention, she had enough ties and resources to stay long term in China.

One of the firm's partners is now helping a woman with the HIV virus lawfully remain in the United States to care for her two minor children. The virus was not a factor in permitting her to stay. "We didn't even legally bring it up," Pearl says. "We didn't invoke humanitarian reasons."

Finding justification to allow someone to enter or stay in the country under the complex immigration laws requires a lot of probing. "We don't bill by the hour," she says. "The clients are not holding back on telling me anything I need to know. You start from the beginning and say, 'tell me your whole life story and don't keep the good parts.'"

In the case of the woman with HIV, Pearl discovered she had, in the terminology of immigration law, "extraordinary ability," which means that a person is shown to have an unusual ability, affirmed through such things as awards in their field, press reports or scholarly papers. "There are 10 possible criteria, and in my experience you usually need five of them," she says. In this case, the woman had renown as part of a family that was known internationally in sports.

The firm is also helping an Indian spiritual guide and healer to secure a visa to enter the U.S. to conduct healing workshops and spiritual lectures around the country. "There were two ways we went about this for him," says firm partner Sameer Khedekar. "We certainly went down the O-1 extraordinary ability route. He's a spiritual healer, so he only can be an art or a science, depending on how

you look at it. It's not really accepted as mainstream science, at least by today's Western society. Petitioning for him under the sciences was not feasible, but we characterized him as an extraordinary ability in the arts, the healing arts, just like in the martial arts for example."

Last August, in the wake of a presidential memo establishing the Deferred Action for Childhood Arrivals, the Pearl Law Group created a program to help certain undocumented immigrants under age 31 who entered the United States before age 16 to defer removal from the country and obtain temporary employment authorization. The cry for pro bono work could swell even more if Congress passes proposed comprehensive immigration reform, which would benefit the estimated 11 million undocumented aliens currently living in the United States.

"When DACA was passed, we knew too many people either couldn't afford legal advice, or would be afraid to come forward," says firm attorney Addie Hogan. "Our goal was to set up an informal program where individuals would feel safe in asking any questions and have a reliable legal team. We recently obtained an Employment Authorization Document for an individual who has opened her own clothing store in Menlo Park."

The firm is a founding member of the by-invitation-only Alliance of Business Immigration Lawyers, which is composed of more than 40 top immigration law firms around the globe. "Julie is one of the best lawyers in the U.S. in immigration law," says Charles H. Kuck, an Atlanta attorney and president of ABIL. "A lot of people have the misconception immigration law is just paperwork. Julie has a brilliant mind for forward thinking on where the practice is going in the future."

For example, within three years of its founding, the Pearl Law Group developed ImmigrationTracker, an immigration management system that's used by over 70 percent of top immigration law firms that purchase case management software.

When Pearl and her team work on cases, they often seek out guidance from

lawyers at other immigration firms. "The immigration field has a lot less competition for clients, and more congeniality than other areas of law because we share a common opponent," Kuck says. "And the field doesn't lack for pro bono cases because of a dichotomy: It is one of the poorest populations facing the most complicated federal law."

In fact, Kuck provided Pearl with encouragement to pursue the Rivera case after other attorneys told her it was hopeless. "I sent out a Hail Mary pass and even the people who are normally optimistic told me I didn't have a prayer," Pearl says.

"Very few things in immigration are hopeless," Kuck says. "You just need someone who is willing to put their reputation on the line and go outside their comfort zone. Julie does business immigration, and it takes a lot of guts to step outside your practice area."

Katherine Rivera is glad she did. Rivera will never forget visiting her husband while he was locked up by U.S. Immigration Services while facing deportation. She was separated from him by a thick pane of glass, while other families, who did not have legal representation, were saying quick goodbyes "and talking about things like selling the car and packing up their lives in 20 minutes before one of them was deported." She says the many people without attorneys were "blind in the dark."

Which is apt, because the lawyers at Pearl Law Group like to help people clearly see what they're facing. "I love seeing the relief in someone's eyes when I tell them this is the best way for you to get into the country legally," Pearl says. "When they know you know what you're talking about, even if it's not the answer they wanted, you see people breathing that sigh." [SL](#)



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J. ROBERT LINNEMAN AND THE OCCUPY MOVEMENT

HOW THE CINCINNATI ATTORNEY GOT INVOLVED BY JESSICA TAM

On a sunny Saturday afternoon in early October 2011, hundreds of protesters marched through the heart of downtown Cincinnati, in a stream stretching for blocks. Carrying posters with statements like “My voice should be louder than your dollar,” they walked amid chants of “This is what democracy looks like.”

It was the first march of Occupy Cincinnati.

“I was originally just included on a Facebook invite,” says business attorney J. Robert Linneman, who had looked into getting a park permit for the event. “It was a group of people who were getting together and trying to make something happen. I felt what they were doing was worthwhile and thought I had some ability to help them.”

That first occupation started in Lytle Park near Cincinnati’s central business district, less than a mile from Linneman’s office at Santen & Hughes. “It was electric,” says Linneman of joining the march. “[There were] people who had strong feelings and strong beliefs but who were completely open to the prospect of new ideas and synergies between all of themselves.

“So often, these days, that kind of dialogue takes place only in cyberspace,” he says. “When people were sitting all together in the same park next to one another, having to engage one another, it felt much more human.”

After staying at their final destination, Fountain Square, for 24 hours, Linneman says protest organizers found out another event had been planned there. “So they very considerately, I thought, packed up and moved it on down the street” to Piatt Park, he says. “They stayed the night under the watchful eye of dozens of Cincinnati police officers.”

As the protesters’ numbers grew and they occupied the park a second night, citations came—Piatt Park officially closes to the public at 10 p.m. Linneman filed a lawsuit against the city of Cincinnati in the U.S. District Court in the Southern District of Ohio, and nearly two weeks after the occupation began, officers started arresting protesters. Linneman, who witnessed some of the late-night arrests, served as counsel in morning arraignments.

He was the first attorney to file a lawsuit on behalf of an Occupy group, says co-counsel Jennifer Kinsley. “Rob single-handedly established and maintained contact with other volunteer lawyers around the country and supplied his research and pleadings,” says Kinsley. “[His] case served as the prototype for similar successful lawsuits in Cleveland, Nashville and several smaller cities on the West Coast.”

Linneman says the city, in previous years, had granted permission for a private sponsor to build structures and create an elaborate Christmas display at a park, at all hours of the day, among other examples. “Our argument was that the rules which provide for that issuance of a permit granted so much discretion to the parks department, that the lack of discretion rendered it unconstitutional,” says Linneman. “It meant essentially that the parks department could favor one group that had a certain message, while disfavoring another group.

“If you give a government officer unbridled discretion to give permission or not give permission, you create constitutional risks because you put too much judgment in the officer; in this case the park director,” he says.



JEROMEY PHOTOGRAPHY

A day after the filing, U.S. District Chief Judge Susan Dlott actually attended an Occupy Cincinnati general assembly meeting in order to hold a settlement conference with all parties present. “I thought it was fascinating just because in all the mediations and settlement conferences and all of the court proceedings that have taken place in my career, I’ve never had a judge literally leave the courthouse in order to ensure that the parties connected and communicated openly,” says Linneman.

“We didn’t settle the case then, of course,” he adds, with a laugh. “It ended up taking much longer.”

Nearly six months later, in March 2012, the city and the protesters reached an agreement: If the city dropped all charges and fines (in excess of \$30,000) against protesters, Linneman’s clients would drop the federal suit against Cincinnati. Protestors agreed to no longer erect encampments, and a public space, available 24 hours a day, was set aside for public protest.

“We felt it was a triumphant moment,” says Linneman. [SI](#)

LEAP OF FAITH

ATTORNEYS FROM AKIN GUMP STRAUSS HAUER & FELD SEEK JUSTICE FOR SOMALI TORTURE VICTIMS AND OTHER PRO BONO CLIENTS BY EMILY WHITE

On Feb. 23, 2012, *Yousuf v. Samantar* came before the U.S. District Court for the Eastern District of Virginia. The plaintiffs, represented pro bono by lawyers from Akin Gump Strauss Hauer & Feld in Washington, D.C., were four men who survived torture in Somalia some 25 years ago, or relatives of others who did not survive. The defendant was Mohamed Ali Samantar, once the second most powerful person in the Siad Barre regime, who now resides in suburban Virginia. He had been fighting for years to maintain his “common law immunity,” but lost it the previous year.

Firm partner Steven Schulman was in the courtroom that day. One of the plaintiffs, Ahmed Gulaid, had been left for dead after being shot by Samantar’s soldiers, other bodies of the dead all around him. Finally, Schulman says, he was having “his day in court.” By the end of that day, Samantar had voluntarily conceded liability in the case.

Later in 2012, the case went before the U.S. Court of Appeals for the Fourth Circuit, which affirmed that Samantar was not entitled to immunity.

Akin Gump, with its 800-plus lawyers worldwide, has committed to taking on such huge pro bono efforts. “We averaged 89 hours per U.S. attorney in 2012,” says Schulman, who, since 2006, has worked full time to uncover, manage and lead opportunities for the firm’s pro bono practice. Because the firm has so many resources at its disposal, he says, there are attorneys able to work pro bono cases “who barely ever heard the words pro bono” before. “I had a corporate attorney handling an asylum case,” recalls Schulman. “He felt comfortable taking on that case because there were so many



The Somali plaintiffs in the Samantar case were represented pro bono by attorneys from Akin Gump Strauss Hauer & Feld.

resources within the firm, examples I could send him. He realized he was not going to commit malpractice.”

The firm’s pro bono projects range from an undocumented Salvadoran woman trying to flee an abusive marriage to a group of Holocaust survivors suing the French National Railroad for transporting more than 75,000 people to Nazi concentration and death camps.

One of its largest clients is KIPP, the Knowledge is Power Program. KIPP is a national charter school organization working to steer poor and disenfranchised kids toward college. Akin Gump has worked with KIPP to negotiate loans, secure land rights and more—issues ideal for attorneys skilled in transactional law.

Schulman encourages attorneys at every level of the firm to get involved. “As lawyers get more senior, they feel less competent to do this work because their level of expertise has risen to such a level and the drop-off can be quite great,” he says. But once they make that leap of faith, they inevitably feel rewarded, revitalized.

There is a “communication breakdown between the legal system and the poor and disenfranchised of this country,” Schulman says. “What we want to see is systemic change.” 

AN EDUCATION IN HELPING THOSE IN NEED

THE STUDENTS IN THE CLINICAL LAW PROGRAM AT WVU COLLEGE OF LAW LEARN WHILE MAKING A DIFFERENCE

BY JESSICA TAM



The students of the Clinical Law Program contribute more than 22,000 hours per school year.

In 2011, a Syrian woman came to the United States to visit her son, a student, as violent civil unrest intensified in her home country. Not wanting to return to Syria, where civilian death tolls were growing amidst reports of escalating violence, she overstayed her visa.

To remain safely in the U.S., she needed help. And to get that help, she turned to the Immigration Law Clinic of West Virginia University College of Law's Clinical Law Program.

Third-year students in the program obtained protected status for both the son and mother, "so that they would not have to return to Syria," says program director and Steptoe & Johnson Professor of Law Marjorie McDiarmid.

Without the ILC, things could have ended differently, as other legal services cannot legally make their services available to those who are in the country illegally. "There's a whole lot of concern right now about people who are of Syrian nationality and the civil war that's essentially going on over there," says McDiarmid. "Just the other day we got another case in, so my guess is that we're going to be doing a fair number of those in the current climate."

The program's newest addition is the Land Use and Sustainable Development Law Clinic. It has worked with seven local governments on land use planning projects when the cities could not afford outside resources to create sustainable development plans. In 2012, it also completed an easement for public access near the New River Gorge National River to reach Bubba City, a rock-climbing destination.

The program has had many successes over the past 35-plus years—such as its Entrepreneurship Law Clinic, which currently handles transactions and trademark certification for more than 40 clients—and more improvements are planned. "I'm hoping that we can build up some of the areas that we're now doing some work in," says McDiarmid. For example, the program's Child & Family Advocacy Clinic teamed up with West Virginia University Children's Hospital two years ago. Students in this clinic ease legal worries over housing and resolve custody disputes for divorced parents, so that they can focus on caring for their children.

Through the program, 40 third-year students contribute more than 22,000 hours per school year. Those numbers have grown considerably, says McDiarmid, since she joined the faculty in 1986.

"To the extent that work can be done by students, it ought to be done by a student, because that's how they learn," says McDiarmid. "They're not law clerks. They're not doing research so that somebody else can argue a case. They're the ones who are arguing the cases. They're the ones writing the briefs. They're the ones in the immigration clinic who are putting together the files for submission to the various governmental agencies. And yeah, the faculty is going to look them over to make sure that we're not jeopardizing a client, but it's going to be the students who are going to be functioning as counsel.

"I believe strongly in clinical education ... both as a vehicle for teaching new lawyers and as a way to provide service to the community," she says. "It's a fantastic way for students to get a legal education, and so I'm pleased when as many students as possible are able to participate."

Having students put in the time, with faculty to advise them, is especially important with cases like the Syrian mother hoping to escape civil strife. "That's literally potentially the difference," says McDiarmid, "between life and death for people." 

AFTER THE STORMS

LAW STUDENT JENNIFER CUNHA PROVIDES RELIEF TO LEGAL SERVICES ORGANIZATIONS POST-DISASTER

BY LAUREN PECK



After her first semester at the University of Wisconsin Law School, Jennifer Cunha felt disillusioned by her classes, which focused on contracts and torts. “I was always into the social justice thing, and I couldn’t find any relevance for what I wanted to do,” she says.

A trip to New Orleans changed all that.

Cunha joined Legal Assistance for Disaster Relief (then the Student Hurricane Network) in 2009, a group of UW student volunteers who travel to areas affected by natural disasters to provide legal aid during school breaks. Spending her winter break at Southeast Louisiana Legal Services, Cunha worked to try to discharge a client’s unpaid student loans after Hurricane Katrina destroyed his culinary school. “I actually got to work with a client. ... That [experience] completely saved law school,” she says. “It reminded me why I was here.”

As a dual-degree student in law and public affairs, she later served as the organization’s president. In the wake of a disaster, Legal Services attorneys are frequently overwhelmed, and LADR helps handle daunting workloads. “Not only do people who would typically use their services all of a sudden have problems,

but ... people who lose homes or jobs because of the storm then become part of the clientele,” Cunha says.

The students’ help is welcome. “They don’t care if you’re a 1L or 3L,” she says. “It’s not infrequent for you to walk in the door and be handed a case and be expected to deal with it.”

AIDSLaw of Louisiana Inc. hosted LADR volunteers during the winters of 2011, 2012 and 2013. Cunha joined the 2011 and 2012 efforts. “When you have a traumatic event like Katrina, one behavioral response is ... more high-risk behavior, so in Louisiana you saw this proliferation of HIV in populations that were displaced by the storm,” she says. “The cases were mostly people still trying to get home, but facing things like housing discrimination because they had acquired HIV.”

This year, however, during winter and spring break, Cunha traveled to a different state: New Jersey, to take on Hurricane Sandy’s immediate legal ramifications. “That really put the Gulf Coast stuff in perspective,” she says, “because I think what goes on in the Gulf [in terms of the legal claims] is what Jersey will be looking at in six years.” Working at Legal Services of New Jersey this winter, volunteers created resource guides to address concerns like FEMA claims and small business administration disaster loans.

Cunha’s dedication has also helped save LADR itself from disaster. In 2009, outside funding had disappeared after the national Student Hurricane Network dissolved. The next school year, the organization only had four members at UW. “The executive board was having

conversations about just shutting it down,” she says. Now the group boasts 76 members, and 28 students traveled to New Orleans and New Jersey over winter and spring breaks this year, contributing nearly a thousand pro bono hours to free legal services.

Cunha says LADR’s strength is in providing students with real-life law experiences. “They’re saying, ‘Oh I didn’t pay any attention in contracts [class], but all of sudden I’m looking at a lease and I’m seeing why that was important,’” she says.

Outside of LADR, she has stayed involved in public service through academic clinics like the Domestic Violence & Immigration Clinic as well as internships, including one at the Wisconsin state public defender’s office. While she originally planned to go into public policy in Washington, now Cunha envisions a legal services career post-graduation. “I’m just so in love with the work that I could never see myself doing anything else,” she says.

She also encourages others to do pro bono work. “I think lawyers were lucky enough to have the opportunity to have a team of highly qualified educators sit them down and spell out the legal system for three-plus years straight. Given this and the history of our profession, I think we have an obligation to use that opportunity for good,” Cunha says. “Justice should be for everyone, not just those who can afford it.” 

MEETING A GROWING NEED

PITTSBURGH PRO BONO PARTNERSHIP MEMBERS WORK TOGETHER TO ALLEVIATE LEGAL NEED IN THEIR HOMETOWN

BY LAUREN PECK



Katie Kenyon

Last year, Pittsburgh's Neighborhood Legal Services Association was forced to lay off its two attorneys who handled expungement cases. Considering that more than 1 out of every 4 Pittsburgh residents lives beneath the poverty line—that's roughly enough people to fill every seat in Heinz Field—the funding cuts were especially painful. "We have a growing need and shrinking resources," says Barbara Griffin, pro bono coordinator at the Allegheny County Bar Foundation.

Since 2001, though, Pittsburgh has had the Pittsburgh Pro Bono Partnership to help fill the gaps. Made up of 34 local law firms and corporate legal departments, the organization works with NLSA and the bar foundation to provide additional pro bono legal services to low-income clients in the region.

When NLSA needed volunteers to take over expungements after the layoffs, the Partnership stepped in. In less than six weeks, two member firms agreed to manage the project, CLE training was set up, and the new program was operating by August. "We had a list of 100 people waiting to be a part of the project," says Katie Kenyon, chair of the Partnership's administrative board and a partner at Pietragallo Gordon Alfano Bosick & Raspanti.

The organization operates five community clinics, allowing volunteer attorneys to serve the needs of the homeless, families and veterans. The Partnership also handles issues like

custody conciliation, protection from abuse and the preparation of wills. Kenyon says participation has been overwhelming. "I can't think of one project where we say to ourselves, 'We wish we had more volunteers.' When we say, 'There's a need; we need help,' people are there."

This enthusiasm within Pittsburgh's legal community makes the Partnership unique. "I think it's always existed, but I don't think at this level of collaboration," Kenyon says. "Before the Partnership, there were those top-tier firms ... who really were more visible in helping. ... Through exposure of the Partnership and this collaboration, I think [it] enables firms of all sizes and corporations of all sizes to be involved."

Kenyon says the volunteers receive wonderful responses from their clients. "People are extremely grateful that someone is helping them maneuver the legal system," she says. "They feel like they have a voice."

One of Griffin's stories comes from the Partnership's Wills Project. A case came in for an elderly woman after a lawyer who knew about the project referred her. The project's lawyer went to the coffee shop where the woman worked to help prepare her will because she was unable to travel. "She had no family, she had very few friends who were still alive," Griffin says. "[She] thanked the attorney profusely, offered her free iced tea anytime she came into the shop. A month later, we found out that this woman had passed away, and she had mentioned to her manager at the coffee shop what a positive experience she'd had with the volunteer attorney. It just made a big difference in this woman's life."

In 2011, the Partnership was able to serve 535 clients, and, Kenyon says, in the future, the organization plans to address landlord-tenant issues, launch two new community clinics and continue to recruit new members.

"I derive the most satisfaction from knowing that I've helped others, and I know most everyone I work with in the

Partnership feels that same way," she says. "Knowing that someone can sleep safe at night or can see their kid a little more often is all the reward I need." 

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