

changing lives

TRANSFORMING COMMUNITIES

“How wonderful it is that nobody need wait a single moment before starting to improve the world.”

-Anne Frank

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Messages from our PRO BONO COUNSEL + MANAGING PARTNER

A Message From Our Pro Bono Counsel



It is with great pride that I share our 2011 Pro Bono Annual Report. The stories included in these pages are illustrative of our dedication to pro bono legal service and the depth and breadth of our program.

For the past four years in a row, Perkins Coie has exceeded its goals as a signatory to the Pro Bono Institute's Law Firm Pro Bono Challenge. In 2011, our attorneys alone provided nearly 42,000 pro bono hours representing 3.3 percent of our total hours for the year and a value of almost \$16 million. Factoring in the incredible contributions of our staff, those numbers are much higher. These statistics are just one measure of the vibrancy of our pro bono program. More important is the impact these hours have on our clients and the legal system.

Last year, we helped low-income individuals acquire some of their most basic needs including stable housing, safe homes free of violence and mental health services. We represented veterans seeking disability compensation, Holocaust survivors seeking pension payments from Germany and immigrant youth and adults fleeing persecution and trying to obtain legal status in the United States. As indicated by some recipients of our firm pro bono leadership awards, we worked tirelessly to help victims of domestic violence. Our litigators fought for civil and constitutional rights and the rule of law from the state court level up to the U.S. Supreme Court. Moreover, our transactional attorneys provided much needed services to nonprofits seeking to protect their intellectual property rights or needing guidance on labor, real estate and corporate governance issues.

Through our pro bono legal work, as well as our civic, charitable and broader public service efforts, Perkins Coie continues to change lives and transform our communities. I hope you enjoy reading about some of our many efforts and successes.


Leah Medway

A Message From Our Managing Partner



This year Perkins Coie celebrates its 100th anniversary. As we reflect not only on the past year, but our entire history as a firm, we are reminded of the importance of being part of and giving back to our local communities. In May 1912, we opened our doors with a small office in Seattle. We now have offices in 16 cities across the United States, as well as three in Asia. Our spirit of giving has grown as well, and our pro bono program has become an integral part of our firm.

We provide our attorneys and legal staff with a wide array of opportunities so they can follow their passions and use their high-quality legal skills, backed by full firm resources, to provide critical legal representation to those individuals and nonprofit community organizations that are in such dire need of help.

This year, in honor of our 100th anniversary, all firm leaders, including the members of our Management Committee, Executive Committee, office managing partners and practice group chairs have personally committed to join in our pro bono efforts. Looking back at the incredible pro bono work of our lawyers and legal staff in 2011, and looking ahead to the exciting projects already in progress in 2012, I am confident that you will be inspired by these stories.


Bob Giles

From lending a hand with everyday legal needs to ensuring adequate long-term care, we are honored to assist the men and women who serve our country. Our projects benefit low-income veterans and their families, active-duty service members and the nonprofit organizations that assist them.



Serving Those Who SERVE OUR COUNTRY

Compensation for Veterans

Based on the belief that those retired from the military because of combat-related injury deserve a higher level of disability compensation, in 2008 Congress created a new veterans' disability program called Combat-Related Special Compensation (CRSC). CRSC can provide hundreds of dollars per month in additional tax-free compensation to veterans with combat-related disabilities including post-traumatic stress disorder (PTSD).

Since 2008, the National Veterans Legal Services Program (NVLSP) has represented more than 2,100 Iraq and Afghanistan veterans with PTSD in a class action against the United States in the U.S. Court of Federal Claims. The parties recently agreed to a settlement that, among other things, provides military disability retirement benefits to approximately 1,000 class members and corrects the military records of these class members so they are eligible to apply for CRSC. Applicants can

potentially receive CRSC payments prospectively and retroactive to January 2008.

Given the complexity of the CRSC application process, including the need to prove that the circumstances surrounding the incurrence of a disability satisfy the statutory definition of "combat-related," those suffering from PTSD and other serious disabilities often need help filing a persuasive application. The CRSC adjudicators base their decisions solely on the strength of the application; there is no hearing. Through its Lawyers Serving Warriors program, NVLSP is working with law firms and corporations to help eligible veterans apply for CRSC. In 2011, Perkins Coie began working with NVLSP on this program. To date, lawyers in our Denver and Washington, D.C., offices have taken on 16 cases.



A Perkins Coie team led by Portland attorneys Erick Haynie and Polly Hampton achieved a victory in the United States Court of Appeals for Veteran's Claims in a veteran disability appeal on behalf of retired veteran "D.C.," a Florida resident.

The matter had been, essentially, lost in a sea of internal administrative review for nearly a decade.

D.C., who served in the army honorably in the 1980s, applied to the U.S. Department of Veterans Affairs (VA) for service-connected disability coverage nearly 10 years ago. His service placed him in close proximity to loud noises. He has suffered various hearing- and vertigo-related ailments and an impaired earning capacity. The government denied many of D.C.'s disability claims and the matter had been, essentially, lost in a sea of internal administrative review for nearly a decade.

The Veterans Consortium Pro Bono Program asked us to help them appeal on D.C.'s behalf. The issue on appeal concerned which test for causation should be applied by the medical examiner—direct causation versus aggravation. On October 12, 2011, Chief Judge Bruce E. Kasold issued an opinion agreeing with Perkins Coie that the denial of benefits failed to account for the distinction between causation and aggravation and remanded the case for further consideration by the government. Portland attorneys Gina Eiben and Stephen Higgs, and former Perkins Coie attorney Scott Rickard, assisted in the case, with support from Jane Scott.



Suffering from anxiety, a veteran of World War II was declared 50 percent disabled by the VA. Later, after being diagnosed with bipolar disorder, Alzheimer’s and post-traumatic stress disorder, the veteran filed a claim to increase the disability to 100 percent. The veteran died in 2000, prior to any ruling by the VA on his new claim. Denver attorney Norton Cutler represented the veteran’s widow as she pursued her husband’s claim.

The VA refused to review a report that was written by a VA psychiatrist after an in-person visit with the veteran because the report was not in the man’s file at the time of his death. The VA also refused to review various nursing home records. Both sets of documents supported the claim of 100 percent disability. As a result, the veteran’s claim was denied.

The matter was brought before the U.S. Court of Appeals for Veterans Claims. The court ruled that the VA could not retroactively overrule its own manual, as it had tried to do, and that the VA had to review its own psychiatrist’s report, which also obligated the VA to review the nursing home records. The matter has been remanded to the VA for an expedited review.

Mike Sink, Stephanie Dunn, Valerie Winter and Chin Sue Virnich assisted on the matter, which was referred to us by the Veterans Consortium Pro Bono Program. Lawyers from the National Veterans Legal Services Program assisted as well.

Help for Active-Duty Service Members

Anchorage attorney Tom Jantunen represented a service member stationed at Elmendorf Air Force Base who bought a truck from a used-car business. After the sale, the dealership went out of business without ever paying the original owner of the service member’s new truck or taking steps to have the vehicle registered with the Department of Motor Vehicles (DMV).

The case initially involved a simple request to clear up ownership issues so that our client could get a title from the DMV, but it became more complicated when the prior owner hired a repo man to take the vehicle back under cover of darkness. With the help of Anchorage attorneys Jim Leik and Eric Fjelstad and legal secretary Sherry Cornacchia, we secured a successful settlement for our client who got her truck back along with the title.

The case was referred to us by the ABA Military Pro Bono Project, a program through which volunteer attorneys assist active-duty service members with their legal needs.

Supporting Our Troops + Their Families

Our support of military families extends to our charitable giving programs as well. After Halloween, the Boise office collected everyone’s leftover candy and sent it to Perkins Coie staff member MSgt. Marshall Stokoe, who was on active duty in Iraq. He shared it with others in the 321st Expeditionary Logistics Readiness Squadron and their Army ADACG partners. In Seattle, we “adopted” a soldier, his wife and their family of seven children for the holidays. We bought the family a car seat and a baby stroller, plus clothing (including winter coats, party dresses and shoes) for each child in the family. We also gave the family several hundred dollars’ worth of grocery store, gasoline and entertainment gift cards. The parents received a restaurant gift card to enjoy a night out on their own.



Requests for family law assistance top the demand for free legal services in this country. Throughout the firm, attorneys have stepped up to protect the rights of vulnerable children and adults as they navigate the often complex legal system. We represented children in the abuse and neglect system and their court-appointed special advocates, foster youth, victims of domestic violence and the nonprofit organizations dedicated to helping these individuals.



HELPING CHILDREN + FAMILIES

Victory in Spousal Support Matter

Attorneys in our Portland office delivered a complete victory for our client "K.P." in a spousal support contempt proceeding that was the subject of a one-day bench trial in Deschutes County, Oregon. The case originally came in to our Phoenix office through Phil Higdon, but after the client's ex-husband relocated to Oregon, our Portland office took over.

K.P.'s ex-husband — a man of some means — ignored his significant, court-ordered payment obligations for several years and, as a result, impoverished K.P. and their now college-age children. Portland attorney Josh Lute, in his first

trial, persuaded the court to issue all the relief we had requested for K.P. On the day of the trial, K.P.'s former husband, "D.P.," represented himself by telephone from China and even admitted dereliction of compliance with the court's order. The judge delivered a total moral condemnation of the ex-husband, finding in our client's favor.

The judge admonished D.P. on numerous points: failure to produce relevant materials, unsubstantiated reasons for payment lapses and very poor choices regarding financial priorities, and then found him in contempt.

Bringing Foster Kids + Loving Parents Together

Helping families adopt foster children who need loving permanent homes continues to be an important project for attorneys in our Los Angeles office. For a second year, we participated in the Adoption Project in conjunction with Public Counsel, a local legal services organization. Through the Adoption Project, our attorneys advocate for adoptive families to ensure that adoptions go smoothly and quickly and have helped obtain thousands of dollars in benefits for the families they represent. "The adoption clients are so grateful and the kids are adorable," said Los Angeles attorney Lauren Sliger, who participated in the event. "It's a gratifying experience."



A new happy family: Los Angeles attorney Lauren Sliger (center) helped her client adopt her grandson during the September 2011 Adoption Day. They are pictured with a family friend.

Working for Abused + Neglected Children



Paul Graves

A Court Appointed Special Advocate (CASA) volunteer is appointed by the court as a party to a case to investigate and report on the best interests of children in abuse and neglect cases. In a case that was referred by the King County Dependency CASA Program, Seattle attorney Paul Graves, supervised by Joe Silvernale, successfully represented the CASA in a termination of parental rights case.

“I could not have asked for a better attorney to assist me in a case I will never forget.”

The case began when a Child Protective Services investigation had raised serious concerns about the care given to the children by their parents. The children were removed from the home and placed in foster care. The parents pleaded guilty to third-degree criminal mistreatment of the children and were sentenced to two years’ probation.

The children had supervised visits with their parents over the course of the two years. The parents, after being offered and provided with a variety of services, did not improve their parenting and failed to admit that they had done anything wrong. Seeking to give the children permanence, the state moved to terminate the parents’ relationship with their children and the CASA agreed that it was in their best interest. After a nine-day trial, the court found for the state, terminating the couple’s parental rights and freeing the children to be adopted into safe and loving foster homes.

The assistant attorney general said, “Paul’s work on the case made all the difference in the outcome of the trial. I could not have asked for a better attorney to assist me in a case I will never forget.”

The parents have appealed the decision, and Paul Graves will again represent the CASA in the appeal.

CASA of Cook County’s 2011 Spirit Award

Chicago partner Vince Maloney received the CASA of Cook County’s 2011 Spirit Award for his work as a CASA Volunteer Advocate for the last 15 years.

According to CASA of Cook County, Vince “exemplifies the value of being someone who the youth and adults on the case can trust and count on no matter what the circumstances. The children on his cases have recognized him as a trusted friend and not just another person in the system.” Vince has been an active supporter of the CASA mission and has recruited numerous others to volunteer. One of his cases involved two young boys who were placed in their grandparents’ home, which happened to be a short distance from Vince’s home. The close proximity of the boys to Vince and the healthy change in environment to a small, rural community provided the boys with continuity and stabilization as they were coming out of chaos. Ultimately, after perseverance and experimentation, a supportive permanent placement in another rural setting was attempted. After numerous ups and downs and hurdles, that family has adopted the boys and made them feel like they are part of a true family. Vince was instrumental in balancing the competing interests of those involved and guiding the difficult placement process to ensure a successful conclusion.



Vince Maloney receiving the 2011 Spirit Award

A Mother Recovers

Boise attorney Tonn K. Petersen and former Perkins Coie attorney Cynthia Yee-Wallace brought a mother one step closer to regaining custody of her child after a horrific series of events. The woman, “H.A.,” witnessed her estranged husband murder her mother in 2001. The man also sexually assaulted H.A. that day. She traveled a very rocky road afterward and fought her way back to overcome her resultant post-traumatic stress disorder, drug abuse and poverty.

H.A. had been able to retain custody of one of her children and felt that she had recovered well enough to resume caring for the other, who had been placed in a guardianship with his grandparents, the parents of her estranged husband (who pleaded guilty to murder). Thanks

to Tonn and Cynthia’s work, the judge agreed that H.A. could now provide a stable home for her son. He gave her six months to demonstrate to her son’s counselor that it would be in the boy’s best interest to be reunited with his mother. H.A. is currently progressing with her six-month plan and expects to be reunited with her son in the near future.



Defining Parentage

In December 2011, the Washington Court of Appeals affirmed that a stepfather had standing to establish that he was the de facto parent of his former 12-year-old stepson, “B.H.” B.H.’s biological father had died before he was born. The stepfather was present at B.H.’s birth and raised him as his son, even after he and B.H.’s mother had divorced.

The decision was a win for our client, Legal Voice, which had submitted an amicus brief supporting the stepfather’s position. Seattle attorneys Sarah Lysons and Katie Bennett wrote the amicus brief

and were supervised by Eric Merrifield. They argued that children have a fundamental right to maintain family relationships and can suffer actual detriment when they lose adults who have acted as their parents.

The court of appeals agreed and held that a stepparent can assert a de facto parentage action when the stepparent enters the life of a child who has only one existing legal parent.

Idaho State Bar Again Honors Boise Office



Christine Salmi and Tonn Petersen

In 2011, our Boise office again received the Pro Bono 6.1 Challenge Award from the Fourth Judicial District of the Idaho State Bar.

This is the fourth time in the last five years that the Boise office has won this award, which recognizes outstanding service in the area of providing legal services to the poor, performing charitable work and making efforts to improve the legal profession. Among the many pro bono projects our Boise attorneys handled last year were approximately 21 matters referred through the Idaho Volunteer Lawyers Program, primarily in the areas of family law and domestic violence.



One important part of our work to help children and families is our advocacy on behalf of victims of domestic violence. Lawyers across our firm represent victims in hearings to obtain protective orders against their abusers. In some cases, they provide these clients with continued representation for related family law matters. We also help immigrants secure temporary legal status and work eligibility in the United States through the U Visa program and the Violence Against Women Act.

Help for Victims of DOMESTIC VIOLENCE

Portland attorneys Sarah Crooks, Kara Tatman, Dustin Swanson and Polly Hampton helped 16-year-old “K.C.” and his mother, “P.C.,” file and enforce civil stalking protective orders against five young men who claimed to be members of an El Salvadoran gang.

During his freshman year of high school, K.C. was repeatedly bullied, threatened and physically harmed by the five young men. Having recently emigrated from Mexico, K.C. and his family spoke little English and could not afford a lawyer. Fearing for her family’s safety, P.C. sought assistance from Legal Aid Services of Oregon, and Legal Aid referred her to Sarah Crooks.

The attorney team, with significant staff help, worked quickly to interview witnesses, collect background information on each of the young men and file separate petitions for civil stalking orders against them.

The team later worked with interpreters to prepare our clients for trial. Sarah and Polly chaired the full-day trial in Multnomah County Circuit Court at which the judge upheld the orders and entered permanent stalking protective orders against the five young men.

In a case through the Legal Services of Northern Virginia’s Attorney-of-the-Day Domestic Violence Pro Bono Project, Washington, D.C. attorney John Roche obtained a protective order for a woman and her three daughters. The woman’s husband and father of her children had set fire to the family home while his family slept. Luckily, they all escaped, but the abuser, who suffered from mental health issues, came back to threaten them if they went to the authorities. Remarkably, he then tried to file an insurance claim for the damage he had caused, but the insurance investigator grew suspicious when he came to the house and contacted the Fairfax County Police, who arrested the man. John initially helped his client to get a protective order in Fairfax County Juvenile and Domestic Relations District Court in late 2010. After the abuser exercised his right to an automatic appeal in circuit court, John retried the case in circuit court, where the abuser was represented by the Fairfax County Public Defender, and was able to obtain a new protective order.



Last year attorneys in our Chicago office began working with the Domestic Violence Legal Clinic to represent people who come to the Cook County Domestic Violence Courthouse help desk seeking emergency orders of protection against their abusers. Such orders can be granted based solely on victim testimony and are effective until a full hearing can be held. Attorneys also help the petitioners in follow-up hearings to obtain plenary orders of protection lasting for two years. The attorney volunteers help increase the efficiency of these hearings and help judges obtain the critical information they need to determine whether an emergency order should be granted.

One particular case involved circumstances different from typical domestic violence cases. Attorneys Lisa Diaz and Suleen Lee helped a client

obtain an order of protection against her sister-in-law, who was harassing the client with text messages and phone calls. Their relationship had soured due to a family disagreement, and the sister-in-law had been threatening the client multiple times a day. Although our initial emergency order of protection was denied, the team was able to obtain the broader plenary order based on the judge’s finding that harassment and abuse under the Illinois Domestic Violence Act did exist.

Firm Recognized for Victim Assistance

In 2011, the Eastside Legal Assistance Program (ELAP) honored Perkins Coie with its first-ever Volunteer Law Firm of the Year award. The award recognized the firm for establishing a pro bono program through which our attorneys can represent domestic violence victims. Seattle attorneys Ashley Locke and Nicole Sporer accepted the award on the firm's behalf.

Ashley and Nicole partnered on two ELAP cases last year in which they helped secure a safer life for local women and their children. In the first case, our client had fled her abusive husband and was living in a shelter with her five children. Ashley and Nicole, supervised by Joe Silvernale, obtained a protection order preventing the woman's husband from contacting her or the children. They then successfully represented the client at trial. The court granted our client full and sole custody of the children, required the ex-husband to pay substantial child support and limited the abusive ex-husband's contact with the children to short supervised visits.



Nicole Sporer and Ashley Locke

In the second matter, they worked with then-summer associate Carrie Hobbs and were supervised by Mary Gaston. They obtained a temporary protection order giving our client custody of her 8-year-old daughter for approximately two months. Ashley and Nicole investigated the allegations of child abuse by the father, collaborating with local law enforcement, the daughter's pediatrician and the father's attorney. After weeks of negotiations, they helped the parties come to an agreed parenting plan with appropriate parental restraints.

Helping Immigrant Victims of Domestic Violence

Among the millions of undocumented immigrants living in the United States, many are seeking refuge from the violence and abuse they have suffered here. We work with several organizations to obtain Violence Against Women Act (VAWA) petitions and U visas for these individuals, helping them secure temporary legal status and the ability to work legally. In related work for organizations such as Volunteer Advocates for Immigrant Justice, International Rescue Commission and The Coalition to Abolish Slavery and Trafficking, we help victims of cross-border trafficking obtain T visas.

Among the millions of undocumented immigrants living in the United States, many are seeking refuge from the violence and abuse they have suffered here.

Washington, D.C., attorney Nidhi Thakar won an appeal for a VAWA petition for a native Nicaraguan woman who suffered abuse at the hands of her ex-husband, a naturalized U.S. citizen. During their two-year marriage the husband inflicted verbal, physical and sexual abuse on our client, who has a 3-year-old daughter with him. Following the successful petition, the client received a green card. She and her daughter are now protected against

deportation and can qualify for public benefits, and our client can legally seek employment. The case was referred through Catholic Charities.

In one of several U visa cases referred to us through Community Legal Services in East Palo Alto, attorneys in our Palo Alto office helped "M.J.," a young woman who first came to us in May 2009. She was 18 years old and living in Guatemala when her family decided that she should join them in the United States. They paid a handler to take M.J. to the U.S.-Mexico border, at which point her father would make arrangements for her to travel to her family. The handler beat and raped M.J. during the trip and forced her to live with him in the United States, making her work long days while he kept her earnings. Eventually, she escaped and traveled to her family's home, contacted a local social worker and found her way to Perkins Coie. After a long delay, our team, led by former Perkins attorney Kirupa Pushparaj, helped M.J. secure her U visa.

For his work on this case and others in conjunction with Community Legal Services, Kirupa Pushparaj received, for the second time, the State Bar of California Wiley W. Manuel Award.



In the last few years, we have taken on an increasing number of projects to help further the rights of low-income individuals who are physically disabled and suffer from mental health issues. As highlighted below, we have partnered with Disability Rights Washington on several matters. And our attorneys continue to represent a number of smaller nonprofits that focus on helping these populations.

DISABILITY RIGHTS + MENTAL HEALTH

Children's Mental Health Litigation

In 2009 Perkins Coie teamed with Disability Rights Washington (DRW) to challenge Washington state's failure to ensure that Medicaid eligible children with mental health issues received the intensive in-home and community based therapies they needed. The provision of such treatments is a requirement of the federal Medicaid program in which Washington state voluntarily participates. In a landmark agreement entered in March 2012, two Washington state agencies—the Department of Social and Health Services and the Health Care Authority—have agreed to work with several advocacy groups on a “framework for reforms” designed to improve services for these children. The breakthrough agreement temporarily suspends litigation in the class action law suit filed against the agencies in November 2009. “We have a tremendous opportunity with kids with mental health needs because, by getting in early and providing intensive community-based services, we can really help

them to turn their lives around,” said Regan Bailey, Legal Director for DRW. In addition to Perkins Coie and DRW, the plaintiffs are represented by the National Center for Youth Law and the National Health Law Program. The Perkins Coie team includes Seattle attorneys Susan Foster, Fred Rivera, Travis Exstrom, Austin Rainwater, Laura Ewbank and paralegal Lois Thomas.

Integrated Employment for Adults With Disabilities

Although Oregon was once a leader in providing appropriate and enriching employment opportunities for individuals with developmental disabilities, its programs and policies are now out of date and out of compliance with federal law. In particular, Oregon does not provide adequate opportunities for these individuals to participate in integrated employment settings. Instead they are often limited to working in sheltered workshops, which are segregated and pay below minimum wage.

A team of Portland attorneys led by Lawrence Reichman and Steven English has assisted a plaintiff group in attempting to negotiate with the state to secure funding for integrated employment for persons with disabilities in Oregon. In January 2012 they filed a federal class-action complaint against Oregon Governor John Kitzhaber and the heads of several state agencies. The plaintiffs in the class action were confined to working in sheltered workshops and were paid as little as 66 cents per hour, while Oregon's minimum wage, which would apply in integrated work settings, was \$8.80 per hour. Our team is representing the plaintiffs along with the Center for Public Representation, Disability Rights Oregon and law firm Miller Nash.

in assisting DRW and Columbia Legal Services in advocating for important changes to remediate such problems.

“We believe that such concessions will significantly improve and protect the lives of individuals with disabilities who are attempting to live independently in noninstitutional settings,” says Seattle attorney Jeff Minzel, who led the team effort.

Protecting Individuals With Disabilities

Ensuring the safety and well-being of individuals with disabilities who are living independently is the focus of a recent collaboration between Perkins Coie and Disability Rights Washington (DRW).

The Washington State Department of Social and Health Services (DSHS) uses federal funds to contract with supported-living providers, who provide assistance to noninstitutionalized individuals with disabilities so that they live independently in noninstitutional settings. Washington does not subject supported-living providers to the same level of oversight as caregivers in adult family homes and institutions. A number of significant instances of abuse have been documented in recent years, one that resulted in death and a second in a near death.

DRW successfully sued DSHS and obtained a court order directing DSHS to correct a number of its practices that were related to several different kinds of community-based services. DRW asked Perkins Coie to help determine whether DSHS was complying with the court order, focusing on individual situations of abuse where no corrective action was taken.

A team of 12 attorneys reviewed thousands of pages of case files. The review uncovered significant instances where DSHS failed to conduct a proper investigation of abuse or neglect. These findings have been instrumental

Fighting to preserve and protect civil and constitutional rights has long been a focus of our pro bono program and part of what Perkins Coie is known for. Whether it involves the rights of individual clients or the organizations that serve them, whether in state courts or before the U.S. Supreme Court, our work seeks to uphold the foundation of civil rights and civil liberties.



Civil + Constitutional RIGHTS

Preserving Public Education

Nationally, Colorado is at or near the bottom in terms of per-pupil education spending. The state has never attempted to figure out what it costs for school districts to provide the quality of education mandated by state requirements and standards.

The Denver District Court held that Colorado's current public school funding system is "unconscionable" and "significantly underfunded" in violation of the Colorado Constitution.

In 2011, Denver attorneys Jess Dance and Zane Gilmer, with assistance from Norton Cutler, helped Colorado school districts and students win what could be the most important education case in Colorado history. In the five-week bench trial of *Lobato v. Colorado*, Jess and Zane represented four school districts located in Colorado's San Luis

Valley, one of the poorest parts of the state. In total, the plaintiffs included 21 school districts and seven families. At issue was whether Colorado's current public school finance system satisfies the education clause of the Colorado constitution, which requires the state to provide and maintain a "thorough and uniform system of free public schools throughout the state." The plaintiffs argued that the current finance system in the Colorado public school system is underfunded and allocates money in an irrational and arbitrary way. The plaintiffs also argued that the current finance system violates the "local control of instruction" clause of the Colorado Constitution.

The Denver District Court held that Colorado's current public school funding system is "unconscionable" and "significantly underfunded" in violation of the Colorado Constitution. The court ordered the state to develop and implement a new system of public school funding that ensures adequate, necessary and sufficient funds for schools. This is one of the rare cases where a court has invalidated a statute using the rational basis test.



LGBT Rights

Seattle attorney Stephanie Boehl successfully partnered with the American Civil Liberties Union (ACLU) and the ACLU of Alaska in a case seeking to allow transgender individuals to correct the sex marker on their Alaska driver's license. Refusing to change the sex marker on a driver's license or requiring surgery prior to a change places an undue burden on transgender individuals and presents a gross violation of an individual's right to privacy and equality.

The ACLU is representing a transgender woman, "K.L.," whose passport and work documents all identify her as a female. K.L., who is openly transgender but wishes to remain anonymous for the purposes of this case, changed the sex designation on her driver's license but was told that her license would be revoked unless she submitted proof of having had surgery.

"This case is about protecting the privacy of all Alaskans," said Jeffrey Mittman, executive director of the ACLU of Alaska. "The Department of Motor Vehicles has a responsibility to keep our roads safe. It is not their place to dictate medical requirements to any Alaskan or to treat one group of Alaskans differently from any others."

"We hope that this court will recognize how humiliating and harmful it is for transgender people who are forced to carry a license that

wrongly identifies their sex," said John Knight, senior staff attorney with the ACLU Lesbian Gay Bisexual and Transgender Project. "The DMV's policy of refusing to change the sex designation on a driver's license violates our client's interests in keeping her transgender status private, in living her life as a woman and in being treated fairly compared to other people who are free to make corrections to their driver's licenses."

Stephanie assisted the ACLU in writing the appeal briefs and argued the case before the Alaska Superior Court. In March 2012, the court granted our client partial relief, declaring that the lack of any policy to change a person's sex marker violates the state's constitution and ordered the DMV to produce a constitutional regulation in six months. Moreover, K.L.'s license cancellation has been stayed pending the passage of a regulation and a reasonable time for her reapplication.



*Pictured from top:
Joren Bass
David Tsai
Allison Zamani*

Attorneys in our San Francisco office helped successfully file an amicus brief in opposition to the Proponents of Proposition 8's motion to vacate Judge Walker's judgment in the Proposition 8 case.

The brief was filed on behalf of the Bay Area Lawyers for Individual Freedom (San Francisco's LGBT Bar Association), the Santa Clara County Bar Association, the Marin County Bar Association and 39 other minority bar and civil rights organizations. The Motion to Vacate was brought when it was made public that Judge Walker is a gay man in a long-term relationship. Proponents of the motion argued that as such Judge Walker could not be impartial in his rulings.

In the brief, Perkins attorneys pointed out that when similar demands have been made of judges based on race, religion or gender, courts have uniformly rejected such arguments. They further argued that intimate details regarding a judge's

personal life, such as relationship status, should also not be required to be disclosed or grounds for recusal. The brief emphasized that a judge is presumed to be impartial and is not required to disavow his or her background in order to rule on a case.

A judge is presumed to be impartial and is not required to disavow his or her background in order to rule on a case.

Perkins Coie attorneys asserted that the proponents of the motion failed to meet the substantial burden required to show that the judge is biased.

The team involved in this effort included San Francisco attorneys Joren Bass, David Tsai and Allison Zamani, with assistance from Sheila Merrill.

Defending Constitutional Rights

Perkins Coie is helping the State of Washington defend the constitutionality of two state Board of Pharmacy regulations. One requires pharmacists to act professionally, and the other, that pharmacies deliver time-sensitive medicine to patients without delay or discrimination. The case was filed in federal court in Tacoma.

A Perkins Coie team, led by Seattle attorneys Tom Boeder, Andrew Greene and Katherine Bennett, represented a group of intervenor defendants in *Stormans, Inc., et al. v. Selecky, et al.* The plaintiffs, two pharmacists and a pharmacy owner, assert religious objections to filling prescriptions for emergency contraception. We became involved as lead trial counsel for the intervenor defendants in January 2009, shortly before the case was scheduled for trial and while the district court's

preliminary injunction barring enforcement of the rules was on appeal to the Ninth Circuit. In October 2009, relying on several arguments advanced by the trial team, the Ninth Circuit reversed the district court's preliminary injunction barring enforcement of the regulations. We then represented the intervenor defendants in district court, culminating in an 11-day bench trial in the fall of 2011. Despite the Ninth Circuit's rulings limiting the scope of issues for trial, the district court once more has held against defendants, and the case is once again on appeal to the Ninth Circuit.

Preserving the Rule of Law

Seattle partners Joe McMillan, Harry Schneider and Charles Sipos received the Washington State Bar Association's (WSBA) 2011 Award of Merit for their work on behalf of Salim Ahmed Hamdan, a former Guantanamo detainee who had served as Osama bin Laden's driver and who was the first detainee to face trial before a military commission at Guantanamo Bay Naval Base.

They contributed to a federal habeas petition filed in April 2004 on Mr. Hamdan's behalf. This federal lawsuit culminated in the U.S. Supreme Court's 2006 opinion in *Hamdan v. Rumsfeld*, which declared as unlawful the military commission system established by the Bush administration to try Guantanamo detainees for alleged war crimes. WSBA past president Mark A. Johnson said of the award recipients, "As they pursued justice for Mr. Hamdan, they also recognized the risks to America—to our core constitutional principles and to our democratic values—and in the great tradition of hero lawyers, they embraced the challenge for Mr. Hamdan and for us all."



Pictured from left: Joe McMillan, Harry Schneider, Charles Sipos



Joel Normkin, Howard Cabot and Prof. Betsy Grey

The Sandra Day O'Connor College of Law at Arizona State University awarded Phoenix partner Howard Cabot its 2011 Justice for All Award for Outstanding Commitment to Pro Bono Service.

Most recently, Howard and a team of Perkins Coie and military attorneys represented a Sudanese detainee who has been incarcerated for 10 years at Guantanamo Bay and was charged with being a member of al-Qaida and assisting in the planning or commission of terrorist acts. The team's representation resulted in a plea agreement on the eve of trial limiting his sentence to an additional 34 months on charges that ordinarily carried a life sentence (see page 35).

Prisoner Civil Rights

Our attorneys have devoted considerable effort toward ensuring prisoners' civil rights. They have taken on numerous court appointments to help individual prisoner litigants secure favorable settlements and verdicts, often ensuring improved conditions for all prisoners. They have also worked at the systemic level to create change. A team of lawyers in our Phoenix office are among the attorneys representing approximately 36,100 prison inmates in a class-action lawsuit filed in March 2012 against the Arizona Department of Corrections. The complaint alleges, among other charges, that Arizona inmates receive grossly inadequate medical, mental health and dental care in violation of the Eighth Amendment.

One recent case involved work our Madison attorneys did on behalf of "L.B.," an inmate at Green Bay Correctional Institution. L.B. suffers from mental illness and has attempted suicide several times while incarcerated. In 2010, L.B. filed suit against numerous prison officials and doctors, citing their failure to prevent his self-harm and provide adequate mental health care, as well as the conditions of his confinement and its impact on his mental illness.

"Sarah and Emily won an important victory for a disadvantaged client who stood almost no chance of success without their help."

The court concluded that L.B.'s allegations involved several different lawsuits and appointed Perkins Coie to advise him. Madison attorneys Sarah

Walkenhorst and Emily Lee prepared an amended complaint focusing on the conditions of L.B.'s confinement and their exacerbation of his mental illness.

The team retained a University of Wisconsin psychiatrist to serve as an expert witness, drafted and served written discovery, took numerous depositions and submitted a supporting expert report. The state agreed to mediation in which it agreed to pay a significant monetary settlement and committed to making specific improvements to the mental health care provided to L.B.

"Sarah and Emily won an important victory for a disadvantaged client who stood almost no chance of success without their help," said partner David Jones, who supervised the case.

Madison Pro Bono Recognition



David Harth

The Madison office was recognized for its work on behalf of incarcerated individuals in 2011. The Seventh Circuit Bar Association presented its 2nd Annual Pro Bono and Public Service Award to our Madison team for outstanding pro bono work in the U.S. District Courts for the Western and Eastern Districts of Wisconsin.

The district court judges noted that the Madison office of Perkins Coie "stands out for its exemplary service to pro se litigants in Wisconsin's federal courts." The Madison office has taken on a number of court-appointed prisoner civil rights cases, a death penalty case in Georgia, several immigration cases and a systemic advocacy project to improve the public defense system and access to justice in Wisconsin.



In March 2011, Madison Partner David Harth also received the 2010 State Bar of Wisconsin Pro Bono Award for a Private Practitioner. David was recognized, in part, for the fact that he has spent hundreds of hours each year representing prisoners in section 1983 civil litigation.

For the past 10 years he has represented a Georgia inmate on death row seeking to overturn his conviction on the grounds of inadequate legal representation. David also chaired the Western District Bar Association's Pro Bono Committee for 15 years from which position he promoted social justice and mentored associates interested in taking on cases.

Many indigent individuals are forced to navigate their legal problems, including litigation, without the assistance of an attorney. This frequently results in unfair outcomes. We have worked to try to correct this imbalance, on both a national and state level, advocating for the right to counsel in a variety of settings and for a variety of people.



Civil Right to COUNSEL

The “Civil Gideon” movement is a national one that aims to correct the imbalance of justice facing indigent litigants in certain civil proceedings. Its name is derived from the 1963 U.S. Supreme Court case *Gideon v. Wainwright*, which declared that indigent criminal defendants have a constitutional right to state-funded counsel. Several states are currently considering “Civil Gideon” petitions.

The “Civil Gideon” movement is a national one that aims to correct the imbalance of justice facing indigent litigants in certain civil proceedings.

In October 2011, the Wisconsin Supreme Court held a public hearing pertaining to the “Civil Gideon” petition. The petition’s goal is to establish the right to an attorney for Wisconsin’s indigent in

judicial proceedings that affect basic human needs. Madison attorneys John Skilton and Christopher Hanewicz presented oral arguments in support of the petition.

John Skilton appeared before the court as a concerned citizen. He argued that the judiciary’s duty to ensure equality is present among parties in the courtroom, and that when it fails, the consequences fall on the unrepresented poor.

Christopher Hanewicz appeared before the court as president of the Wisconsin Equal Justice Fund, a nonprofit organization that helps to fund legal services programs for the poor. He made the case that members of the state bar are aware of the problem and doing their best to alleviate it, but that the problem can be solved only through systemic change.

The Wisconsin Supreme Court denied the petition, in great part based on its view that courts already have the inherent authority to appoint counsel in such cases. In doing so, however, the court promised to work with the state bar and other organizations to institute one or more pilot programs around the state to evaluate potential improved procedures (and funding) to ensure access to counsel for Wisconsin’s indigent citizens.



Pro Bono Certificate of Appreciation:

Equal Access to Justice

Perkins Coie received a Certificate of Appreciation from the Legal Services Corporation (LSC) for the firm's work with the Northwest Justice Project (NJP). Seattle attorneys Nicholas Gellert, Rebecca Engrav, Katie O'Sullivan, Katie Galipeau and Travis Exstrom were specially recognized for their efforts to ensure the right to counsel and true access to courts for low-income women and domestic violence victims in Washington.

Washington Supreme Court Chief Justice Barbara Madsen commended Perkins Coie for having set "a stellar example of what it means to be lawyers."

The team worked closely with NJP to overcome barriers posed by filing and other court fees, and are currently focused on tackling obstacles to the implementation of Washington's recently adopted GR 34 (statewide in forma pauperis rule). We also sought reconsideration and appealed to the

Washington Supreme Court a case regarding an indigent litigant who is asserting the right to counsel under the Washington Constitution in a family law case where an unrepresented litigant faced the loss of custody of her children against a represented adversary. Although unsuccessful, the litigation has helped inform the discussion of the right to counsel nationally and also concluded with a more positive result for the client and her children. César Torres, executive director of NJP, said, "Perkins Coie has been unwavering in its efforts to improve access to justice for low-income women and victims of domestic violence." Washington Supreme Court Chief Justice Barbara Madsen commended Perkins Coie for having set "a stellar example of what it means to be lawyers."

Perkins Coie Recognized for its Appellate Practice

This report highlights a number of our recent appellate matters, including a victory in the Ninth Circuit for an immigration-related matter. In addition, we were involved in several cases before the United States Supreme Court. For example, in *Turner v. Rogers*, Seattle attorney Nick Gellert and Madison attorney Autumn Nero worked with the American Bar Association to submit an amicus brief arguing the need for court-appointed counsel in civil contempt cases. By a 5-4 vote the Supreme Court held that while counsel is not required for all civil contempt cases, particularly where the state is not the party advocating for contempt, Mr. Turner's due process rights had been violated under the circumstances. The court proceeded to outline certain procedural steps that should be taken to protect a pro se litigant's due process rights in a contempt proceeding.

The National Legal Aid & Defender Association (NLADA) recognized Perkins Coie's work in this area by honoring the firm with one of its 2011 Beacon of Justice Awards, given to law firms that have "innovative public-private partnerships that protect equal justice for all through appellate litigation."

Jo-Ann Wallace, president and CEO of NLADA, wrote, "These 14 firms have shown a true commitment to justice by stepping up to represent issues and people that would otherwise be forced to navigate the appellate process without any guidance. The outcomes in these cases have been true victories not only for the parties to the case, but for the greater Justice system."

Perkins Coie has a long history of indigent defense, with our attorneys helping incarcerated individuals in clemency, civil rights, habeas and death penalty cases. We also focus on systemic changes to the criminal justice system and have been involved in several recent efforts in Arizona, Illinois and Washington to help improve public defense systems. Last year, we also began working with a number of innocence projects across the country. In San Diego, our lawyers are doing research to assess cases for the California Innocence Project; in Seattle, we are partnering with the Innocence Project at the University of Washington School of Law on a personal restraint petition for a woman believed to have been wrongfully convicted of assaulting a child; and in Phoenix, a team is working with the Arizona Justice Project to try and free a man believed to have been wrongfully convicted of murder.



CRIMINAL JUSTICE

Death Penalty Work

In 2011 we made significant progress after eight years of work on behalf of Melvin Hodges, who sits on death row at the Holman Correctional Facility in Atmore, Alabama, a state with no public defender system and deep constitutional problems. In 1999, he was convicted after a two-day trial of murder in the course of a robbery. He was represented at trial by an attorney who admitted that he was not competent to handle a murder trial and who asked to be removed as counsel. He was sentenced by a judge who rejected the jury's recommendation of a life sentence and instead sentenced Mr. Hodges to death.

Our team, led by Portland attorney Rob Aldisert, has sought post-conviction relief for numerous deficiencies in Mr. Hodges' trial and sentencing.

Melvin Hodges was represented at trial by an attorney who admitted that he was not competent to handle a murder trial and asked to be removed as counsel.

In February 2011, the Alabama Supreme Court granted certiorari to consider whether Mr. Hodges should have been entitled, eight years ago, to an evidentiary hearing to prove that several of the jurors who convicted him failed to disclose important information during voir dire and failed to follow the court's instructions during the trial. The court ruled in Mr. Hodges' favor, reversing the lower courts and remanding the case to the trial court for an evidentiary hearing. At this hearing, which is expected to occur in the spring of 2012, our team will attempt to prove that Mr. Hodges' trial lawyer was deprived of material information regarding the jurors' backgrounds and conduct.



Systemic Reform

Last year, in an effort to assist Cook County President Toni Preckwinkle close an estimated \$315-million budget deficit, the Civic Consulting Alliance, a Chicago-based nonprofit organization that builds pro bono teams of professional services providers to address civic and governance matters, recruited the help of Perkins Coie.

“We would not have been able to make the significant progress we’ve made to date on closing Cook County’s budget deficit or addressing a wide range of criminal justice reform issues without the generous assistance of our pro bono partners.”

Addressing the goals of closing the budget deficit and reducing crime impacting the lives of Cook County residents, our lawyers have joined and helped coordinate a multi-agency working group mandated to reduce the daily population in the Cook County Jail by over 1,000 inmates by the end of 2012. With a cost of approximately \$143 per



In February 2012, Chief Judge Robert Lasnik of the U.S. District Court for the Western District of Washington authorized a lawsuit challenging the adequacy of the public defense systems in the cities of Mount Vernon and Burlington, Washington to proceed toward trial. It is the first federal court decision to allow a civil rights case involving pretrial right to counsel deficiencies to move forward.

In June 2011, the American Civil Liberties Union, Perkins Coie, the law firm of Terrell Marshall Daudt & Willie, and The Scott Law Group filed a complaint alleging that the cities knowingly implemented a system of public defense that is inadequately funded, imposes unreasonable case loads on individual attorneys, fails to provide representation at critical stages of the prosecution and is not being properly monitored.

inmate per day, the population of the Cook County Jail (with a high percentage of nonviolent inmates) was identified as a high-priority target to derive cost savings.

We have also reviewed and analyzed various Department of Justice Consent Decrees affecting the Cook County Jail, the inmate population and the hiring of corrections officers, as well as reviewed and analyzed laws, rules and regulations regarding the sharing of information among various agencies in order to facilitate the creation of a Cook County/Chicago Youth Homicide Review Commission.

In addition to our pro bono legal assistance, Perkins Coie has helped on the civic side by hosting a two-day multi-agency working group session to assess and discuss a variety of criminal justice issues affecting Cook County and a panel discussion on reducing urban crime and violence featuring the Superintendent of Chicago Police, the CEO of Chicago Public Schools, the Honorable Paul Biebel, the U.S. Attorney for the Northern District of Illinois, and Frank Zimring, Professor of Law at the University of California at Berkeley.

“We would not have been able to make the significant progress we’ve made to date on closing Cook County’s budget deficit or addressing a wide range of criminal justice reform issues without the generous assistance of our pro bono partners,” said Preckwinkle.

In his order authorizing the suit, Judge Lasnik stated that “the evidence, including plaintiffs’ declarations regarding their own experiences within the system, could support a finding that indigent defendants in Mount Vernon and Burlington are deprived of counsel at critical stages of the prosecution and that the assignment of public defenders is little more than a sham.” Judge Lasnik also granted plaintiffs’ motion for class certification. The Perkins Coie team consists of Seattle attorneys Camille Fisher, Breena Roos and James Williams, as well as legal staff Carol Kness, Chris Knowlden and Joel Higa.

Learning + Serving Through Fellowships

Created in 1987, the Perkins Coie Community Service Fellowship program gives associates the opportunity to take up to six months off from their regular practice to work pro bono for a community service organization on a significant public service project. In recent years the focus of our fellowships has been to assist cash-strapped governmental entities. In 2011 two of our associates served on both sides of the criminal defense system.



Arizona's Federal Public Defender *Elizabeth Kruschek*

Phoenix litigation associate Elizabeth Kruschek worked for the Phoenix office of Arizona's Federal Public Defender for six months, representing indigent defendants charged with crimes in federal court. During her tenure, she represented clients charged with a wide variety of federal crimes, including aggravated assault, murder, drug trafficking, theft and immigration offenses. Elizabeth handled cases at all stages of the trial process, from initial appearance through sentencing. She tried an aggravated assault case, handled an evidentiary hearing and negotiated plea agreements with federal prosecutors. She also drafted and argued pretrial motions and handled sentencings. "The fellowship gave me a unique opportunity to immerse myself in the federal criminal justice system and to assist the indigent in navigating that system," says Elizabeth.



King County Prosecuting Attorney's Office *Angie Martinez*

For six weeks in the summer of 2011, Seattle litigation associate Angie Martinez participated in a trial fellowship program at the King County Prosecuting Attorney's Office (KCPAO). As a Special Deputy Prosecutor in the KCPAO's Economic Crimes Unit, Angie spent nearly every day in the courtroom, trying numerous felony drug cases. She had the opportunity to conduct direct- and cross-examinations of witnesses, including expert witnesses, make opening statements and closing arguments and conduct voir dire of the jury panel. "I received incredible support, mentoring and assistance from deputy prosecuting attorneys throughout the fellowship," says Angie.



We provide legal advice to a number of nonprofits whose missions focus on aiding the homeless with their myriad needs and preventing homelessness on a broader level. We also provide direct representation to homeless individuals and other low-income individuals through a variety of legal clinics. Last year, our lawyers and legal staff worked to keep families in their homes and in some cases to help them get off the streets and into stable housing.

Homelessness Prevention + HOUSING ADVOCACY

Class Action for Section 8 Vouchers

Almost three years ago, “M.W.” and “M.T.,” former tenants who claimed their federal Section 8 housing vouchers had been wrongfully terminated, filed a putative class-action lawsuit against the Seattle Housing Authority (SHA). M.W., M.T. and the class were represented by Columbia Legal Services, a nonprofit law firm that protects and defends the legal and human rights of low-income people. After several years of hard-fought litigation, Columbia Legal Services asked Perkins Coie to assist. With only a few months left before trial, Perkins Coie helped negotiate and draft a settlement and the related court filings. On January 9, 2012, the court approved the settlement.

“Nearly every term of the settlement was hard-fought by SHA,” says Seattle attorney Rebecca Engrav, who led Perkins’ effort along with Holly Simpkins and Ryan Spear. The settlement provides

for new termination hearings that comply with applicable constitutional and statutory requirements for all SHA Section 8 voucher holders who had a termination hearing and lost their Section 8 voucher as a result of that hearing during the class period. SHA must also revamp several of its Section 8 policies—which affect more than 9,000 current Section 8 participants—concerning pre-termination hearings, requests for disability accommodation, counseling of Section 8 participants before termination, proof of residency for minors living in Section 8 households and guests in Section 8 households.

Perkins Coie will now lead the effort, along with Columbia Legal Services, to represent class members who requested new termination hearings under the settlement agreement.

Helping Families Avoid Eviction

Attorneys represent low-income individuals on a limited basis to assist with unlawful detainers and other landlord/tenant issues.

Many who are facing eviction and possible homelessness do not know their rights and cannot afford legal representation. Numerous community nonprofits nationwide offer free legal clinics at which low-income individuals or families can get the help they need with services such as negotiating with landlords and representation at eviction proceedings. As an example of a program we work with, in Palo Alto, we recently began to volunteer with the Legal Aid Society’s San Mateo Housing Clinic. Through this clinic, attorneys represent low-income individuals on a limited basis to assist with unlawful detainers and other landlord/tenant issues. Attorney LiLing Poh is among those who volunteer at the clinic to provide free legal assistance.

The Family Home

Dallas attorneys Rocío Cristina García and David Herbert serve as volunteers with the Dallas Volunteer Attorney Program (DVAP). As one of its services, DVAP facilitates the uncontested divorce process of low-income clients by matching them up with a family lawyer and a real estate lawyer. The real estate lawyer drafts the deeds to convey real property, the family home, from one spouse to the other so the family lawyer doesn’t have to distribute the couple’s assets via the trial process. “The home is usually the most expensive asset the clients of DVAP have,” notes Rocío, “and many volunteer attorneys are unwilling to take cases where you have to dispose of assets because of the trial that’s involved. It’s a win for everyone involved.”

With every year that passes, there are fewer people living who survived the Holocaust. While these remaining survivors are still with us, we and other law firms around the world are committed to helping those who are eligible to obtain reparations from the German government.

For several years we have worked with the Holocaust Survivors Justice Network, a coalition of law firms, corporations and Jewish social-service agencies organized by Los Angeles-based Bet Tzedek Legal Services. First, we helped survivors apply for reparations through the German Ghetto Work Payment Program (GGWP). In 2011, we continued this work and focused on another program to help survivors apply for ZRBG “ghetto pensions.” Both programs are designed to provide some remuneration for “voluntary work” these individuals performed while living in ghettos under German control or occupation.

In 2011 alone we assisted 36 individual survivors and were able to secure both ZRBG pensions and GGWP payments for many of these. Following are just two of the many stories.



Assisting Holocaust SURVIVORS



Our client, “J.H.” (third from left), in a displaced person’s camp after the end of World War II.

“J.H.” was only a child of five when he worked in the Zamosc ghetto in Poland. He and his family managed to escape the ghetto and lived in hiding as non-Jews in Poland and Russia until they were liberated by the Red Army in 1944. Sometimes the family was together, but at other times J.H. was with his brother or by himself. They reunited and returned to Poland after the war and from there went to Germany. J.H. spent his later childhood and teen years living and working in displaced persons camps in Germany before emigrating to the United States in 1951.

J.H., his brother, and both parents were among the lucky ones who managed to escape the Nazis and make it to the United States. They were brought to the United States by members of the Jewish community in Phoenix, Arizona and lived in Phoenix. While firmwide Pro Bono Counsel

Leah Medway worked with J.H. on his pension application, his older brother, M.H., decided to apply as well. Because M.H. lives in Phoenix, Phoenix attorney Paul Eckstein helped him with his application. Both brothers successfully obtained ZRBG pensions.

In an odd twist of fate, they realized that Eckstein’s father had been the physician who had attended to the brothers’ mother when they moved to Phoenix so many years ago. Dr. Eckstein was born in Hungary and went to medical school in Frankfurt am Main, Germany, where he met his wife, a native of Frankfurt. Dr. Eckstein lost numerous family members in the Holocaust, and he and his wife used their facility with the German language to assist Holocaust survivors and victims. In 1988 the Federal Republic of Germany honored Dr. Eckstein at a ceremony in Los Angeles for his work in assisting Holocaust survivors and victims secure reparations of one kind or another from the German government. Paul Eckstein says, “If I could only do one tenth of what he did to assist Holocaust survivors and victims and their families I would feel I’ve done something important.”



Paul Eckstein

Portland attorney Lawrence Reichman and paralegal Karen Huang helped a married couple to obtain ZRBG pensions based on time they spent working in Hungarian ghettos. "L.A." was born in Czechoslovakia and lived there with his family until 1939, when his hometown was annexed by Hungary. Due to Nazi persecution, the family fled to Csepel, on the outskirts of Budapest. L.A. was moved to the Csepel ghetto with his mother and two sisters; his father was inducted into a forced labor camp established for Jewish men by the Arrow Cross, the Hungarian socialist party. While in the ghetto, L.A. worked cleaning the common areas, delivering food and other provisions to the elderly and sick, and helping them into bomb shelters located outside the ghetto. When the ghetto was liquidated, L.A., his mother and one of his sisters were sent to Auschwitz. L.A. was separated from his mother and that sister, never to see them again. He managed to escape from Auschwitz when the SS asked for volunteers to work in an underground factory in Landsberg, Germany. Although he ended up in another concentration camp, he was liberated from Dachau in 1945 and later reunited with his father and his other sister.

L.A.'s wife, "E.A.," was only two years old when her family fled their home in Czechoslovakia and moved to Budapest, Hungary, hoping to evade Nazi persecution. When she was six years old her father was taken by the Arrow Cross to work on the front lines in a forced labor camp where he was later killed. When E.A. was seven years old, the Arrow Cross took her, her mother and her sister to a ghetto where E.A. worked cleaning floors and carrying food to the sick and elderly. E.A.'s mother was later put on a train to a concentration camp and managed to escape, only to return and find her daughters held at gunpoint as part of a mass execution. She used her wedding ring to bribe a guard to release her daughters and they were able to hide in the ghetto until it was liberated in 1945.

L.A. and E.A. met in Hungary in 1956 and got married that same year. They later emigrated to the United States.



L.A. with his mother and sisters



E.A., age seven with her family

Perkins Coie lawyers and staff consistently devote significant pro bono time to advocate on behalf of low-income immigrants and against unjust treatment of all persons within our borders, regardless of their immigration status. In 2011, we were involved in over 100 immigration-related matters. We represented unaccompanied immigrant youth, immigrants seeking asylum or withholding of removal, and women seeking protection and legal status after facing violence here in the United States.



Advocacy for IMMIGRANT RIGHTS

Helping Individuals Seeking Asylum

Attorneys in our San Francisco office recently helped two men from Africa and Central America who were seeking asylum from persecution in their homelands.

One of them, a Rwandan man whose family was persecuted because of their opposition to the Rwandan government, came to the United States on a student visa in 2009. Back home, his father, a high-ranking military official, was arrested for voicing opposition to the government, and other family members suffered persecution. The client received threatening phone calls warning him not to return to Rwanda. A family friend even warned him to flee the university because Rwandan government operatives knew his location. He eventually came to San Francisco and found his way to Perkins Coie. With assistance from Joe Cutler and Jay Rossiter, San Francisco attorney Phemie Thomopoulos and former Perkins attorney Farschad Farzan led our successful effort in obtaining a grant of asylum.

The other client, a Guatemalan national, had suffered lifelong abuse as a result of his sexual orientation and fled his home country fearing for his life. Upon arrival in the United States, our client suffered severe post-traumatic stress symptoms as a result of the brutal treatment he endured in

Guatemala. As a consequence, he was unable to file his asylum application until seven years after entering the U.S., which proved a significant hurdle in the case.

Attorney David Tsai, with assistance from summer associate Michael S. Young, persuaded the immigration judge that the debilitating nature of their client's mental health had prevented him from seeking asylum. The judge found that the client's condition, having resulted from his traumatic experiences in Guatemala, was an "extraordinary circumstance" for purpose of overcoming the missed deadline for filing his asylum application. The judge granted their client's request for asylum.

The case was referred to us by a former law professor, who is now a U.S. Magistrate Judge, and the National Center for Lesbian Rights, whose immigration project director, Noemi Calonje, also assisted.

Perkins Coie attorneys have handled a number of immigration cases on behalf of women who are trying to escape the ritual practice of female genital mutilation (FGM). One of those women carried an additional burden: she was expected to become an FGM practitioner herself.

In Sierra Leone, FGM is practiced through a secret society of women known as the “bondo” society, in which FGM practitioners, called “soweis,” perform the ritual on young girls and women to prepare them for marriage. The role of soweis is passed from mother to daughter. In becoming a soweis a woman may be subjected to FGM a second time.

In Sierra Leone’s bondo society, the role of FGM practitioner is passed from mother to daughter.

Our client, “B.L.,” was in the United States when her mother, a head soweis, passed away in Sierra Leone. Three of B.L.’s sisters fled the funeral for fear they would be asked to take her place as soweis and be subjected once again to FGM. The youngest sister

stayed and died a few days after their mother’s funeral. B.L. was told that her death was the result of complications from having been forced to re-undergo FGM by the bondo society. B.L. learned that the bondo society wanted her to take over her mother’s role and would force her to do so if she ever returned to Sierra Leone. On that basis she sought asylum in the United States. Washington, D.C. attorney Sabahat Chaudhary represented her with supervision from Rob Jacobs and in partnership with the Tahirih Justice Center.

Despite the fact that B.L. had filed her asylum request more than three years after her mother’s death, the judge granted her asylum, and the government waived its right to appeal.



**Florence Project
Asylum Advocate
Award**

In January 2011, the Florence Immigrant and Refugee Rights Project (the Florence Project) gave its first-ever Asylum Advocate Award to Perkins Coie for work the prior year. Attorneys Abiman Rajadurai, Amy Chang, Jerica Peters, Fernanda Sayavedra and Phil Higdon accepted the award on the firm’s behalf.

We continue to work closely with the Florence Project on a variety of immigration cases, such as the huge asylum victory won early this year by Phoenix attorney Fernanda Sayavedra. The main issue was whether Guatemalan women who are subject to severe physical and sexual abuse by their husbands can qualify for asylum as members of a protected group. The immigration judge originally ruled that they could not, but, on the case’s second trip to the Board of Immigration Appeals, and after the Department of Homeland Security had, following our initial appeal, reversed its position and agreed that our client was eligible for asylum, the Board reversed and granted asylum based on the “totality of the circumstances.”

This outcome is significant because victims of domestic violence have had only very limited, if any, success in obtaining asylum. “As far as I know,” said Tally Kingsnorth of the Florence Project, “this is the first [victory] that has ever been granted out of the 600 women detained at that facility. We are so lucky to have such great friends and supporters at Perkins Coie, and their hard work is paying off in spades.”

Fernanda was supervised by Phoenix attorney Karin Aldama.

Wrongful Deportation + Mistaken Identity

In 2011 we came to the aid of two legal residents who were wrongfully deported. One of them, “F.R.,” had been taken from his two young children and their mother and deported to Mexico. Neither F.R. nor Immigration and Customs Enforcement realized that he had been granted lawful permanent resident status in 2005.

The Florence Project got F.R.’s case reopened and asked Perkins Coie to represent him in immigration court. Despite several obstacles, including a key witness withdrawing her testimony at the last minute, our team, led by Phoenix attorney Kirstin Eidenbach, won the case. The government waived appeal, and our client was released back to his family.

In another case of mistaken identity, our client, “L.W.G.,” had been deported to Jamaica in 2006 after the immigration courts determined he was

a Jamaican citizen and lawful permanent resident of the United States because they confused him with someone with a similar name. Because our client had committed several felonies, he was deportable if he was a Jamaican citizen but not if, as he claims, he is a U.S. citizen by virtue of birth in the U.S. Virgin Islands.

Phoenix attorney Jessica Berch, with assistance from Dan Bagatell, successfully represented L.W.G. before the Ninth Circuit Court of Appeals. The Ninth Circuit held that our client had raised a genuine issue of material fact regarding his citizenship and transferred the case to district court for trial. Jessica, with assistance from Joe Mais, will continue to represent L.W.G.

We took the case through the Ninth Circuit’s Pro Bono Program.

Helping Immigrant Youth

Each year, about 8,000 unaccompanied minors are taken into immigration custody and face the prospect of going through deportation proceedings alone. We help some of these vulnerable children through partnerships with organizations such as Kids in Need of Defense in Washington, D.C. and Los Angeles, Catholic Charities in Dallas and Volunteer Advocates for Immigrant Justice (VAIJ) in Seattle.

A teenager who fled his native Honduras at age 12 to escape violence at the hands of his father is safely rebuilding his life in the United States



thanks to the efforts of Seattle attorneys Sher Kung and Nick Hesterberg and VAIJ. Sher and Nick partnered to represent “C.C.” Before he fled Honduras, C.C. had run away from home and was living on the streets where he experienced horrific violence. He eventually decided to seek a better life in the United States, but was arrested in Alabama and sent to a juvenile facility in Virginia to await removal proceedings. When he was transferred to a youth care facility in Renton, Washington, we took his case through our partnership with VAIJ.

As an unaccompanied minor in the United States who suffered domestic physical abuse in Honduras, C.C. was eligible to petition for special immigrant juvenile (SIJ) status. An SIJ visa is a path to lawful permanent residency.

“You are part of the story of my life, and I will always remember what you did for me.”

Sher and Nick first helped their client to receive an order of dependency and then accompanied him to his interview for a visa and adjustment of status. “You are my heroes,” C.C. told Sher and Nick. “You are part of the story of my life, and I will always remember what you did for me.” C.C. recently left Washington to join a foster family in another state. He now has his green card and is attending public school.



With continued funding cuts across the board, nonprofit legal service providers and other organizations need pro bono help now more than ever. Perkins Coie attorneys provide legal advice to help our community partners get started, operate successfully and fulfill their missions.

Helping our nonprofit COMMUNITY PARTNERS

Last year, our business and tax lawyers helped with the formation of nonprofit entities, with related efforts to achieve tax-exempt status and with other corporate governance matters. In our newest office, we have started working with the New York City Bar where the Chief Bankruptcy Judge for the Southern District of New York referred a case to Jeffrey Vanacore. Our labor and employment lawyers have assisted nonprofits with a variety of employment matters, our real estate lawyers have provided advice on leases and commercial transactions, and our intellectual property lawyers have provided much-needed guidance in the areas of trademark, copyright and patent law. Moreover, our litigators have stepped in to assist our nonprofit clients when the need arises.

Helping Refugee Farmers Create a New Life

The Gila Farm Cooperative is a 27-acre co-op organic farm in central Arizona whose members are refugees from Somalia, Western Africa, Iraq, Uzbekistan and other countries. Their entry into the United States was sponsored by the International Rescue Committee (IRC), an organization founded in 1933—at the request of Albert Einstein—to assist refugees worldwide.

The refugees, who are members of the Cooperative, lease their farmland and sell their produce at local farmer's markets and to restaurants and groceries. Phoenix attorneys, led by Raj Gangadean, helped form the Cooperative in October 2011, and they continue to attend board meetings and advise on general corporate and contracting matters. It has been particularly interesting working with refugee farmers with such different languages and cultural backgrounds and helping introduce them to U.S. corporate governance and business operations.

Our transactional assistance expanded to litigation assistance when, at one board meeting, Raj learned



that crops planted by Somali and Iraqi farmers had been destroyed because pesticides being sprayed by airplane on adjacent cotton fields “drifted” onto the Cooperative’s land. The pesticides killed the recently planted seeds and destroyed the crops ready for harvest. The farmers needed help to recover their losses from the party responsible for dropping the pesticide on their fields. Phoenix attorneys Andrew Gaona and Reed Willis stepped in to represent the farmers, whom they continue to represent.

Assisting Remote Alaska Tribal Council



Christine Williams

Anchorage attorney Christine Williams successfully represented a rural Alaska Native Traditional Council in a matter involving a predatory contractor who threatened their community with unscrupulous business practices.

Although very remote—accessible only by air, snow machine, dog sled, ATV or river boat—Aniak is a village hub and as such was able to secure a grant to erect a community building. This building, the Aniak Traditional Council's only community building was damaged by a fire. The insurance company assigned a contractor to remediate the damage, and the Traditional Council retained the contractor for rebuilding. The contractor performed shoddy work for which it overcharged. When

the Traditional Council questioned the contractor and quit paying, the contractor filed a lien on the building and demanded other fees, costs and interest totaling over \$200,000.

Christine stepped in to help the group protect itself against the contractor, who by then was literally taking Traditional Council members to the bank to facilitate “loans” to pay the contractor. Christine, with substantial assistance from paralegal Rachael Pope, worked to establish the facts and law needed to dismiss the contractor. She mounted a vigorous defense with substantial, line-by-line disputes on the contractor's claims.

The building was not foreclosed upon and the Council did not have to pay any extra fees. Despite wrongfully demanding over \$200,000 in damages, the contractor ultimately walked away with nothing.



Alaska Native Village CEO Association Member of the Year award

Christine Williams received the 2011 Alaska Native Village CEO Association (ANVCA) Member of the Year award “in recognition of distinguished pro-bono legal service to the ANVCA.” ANVCA's mission is to provide services to its member corporations through the advocacy of policies that will improve the efficiency, profitability and stability of the Alaska Native Village Corporations.

In turn, these village corporations, by being successful in business, aid the Alaska Native shareholders throughout Alaska, including those living in rural and impoverished villages, by

establishing valuable social programs and benefits. While often providing rich cultural benefits, life in rural Alaska may also co-exist with poverty, hardship and violence. Through education, business and providing networking opportunities with other village corporations, ANVCA seeks to benefit all Alaska Natives through self-sufficiency and success. Christine has served ANVCA since its inception and continues to volunteer her time.

Representing Low-Income Entrepreneurs

Several of our Portland attorneys were recently recognized as Pro Bono Champions by the Lewis & Clark Law School's Small Business Legal Clinic (SBLC) for their work helping low-income entrepreneurs.

Our attorneys volunteer at the clinic, which provides free legal assistance to entrepreneurs who are women, minorities and recent immigrants. Congratulations to Brent Bullock, Steve Higgs, Kara Tatman and Meredith Weisshaar. This is one of a number of groups we work with across the firm to help micro entrepreneurs.



Kara Tatman, Meredith Weisshaar, Rebecca Martinez Griffin (SBLC), Brent Bullock and Steve Higgs

Arts Nonprofit Patents its Creations

NextArts is a nonprofit in San Francisco that began organizing concerts and other public events in an effort to collect donations for homeless and after-school programs. The organization has expanded over the years and now is a full service



One of NextArts' inventions

event production company. As a self-sustaining initiative, NextArts designs and builds the bulk of its concert equipment, including unique lighting and sound equipment. Palo Alto attorney Brian Coleman and former Perkins Coie attorney Kirupa Pushparaj helped NextArts identify patentable ideas from such concert equipment and have now secured patent rights for these ideas. Perkins Coie is securing licensing rights with various media companies for use of the patented equipment, helping NextArts generate an independent income stream.

Commercial Transactions Aid Education Institute

Chicago attorneys Bruce Bonjour, Phillip Gordon and Daniel Marre have worked on a variety of complex commercial projects for the Spertus Institute of Jewish Studies, a nonprofit founded in 1924 that offers education, events and other learning resources related to Jewish history and culture. Several years ago, just after dedicating a new building, Spertus experienced the double-hit of owing money for its construction and a steep

decline in donations. The Perkins Coie team helped Spertus negotiate an extension on a letter of credit and helped Spertus maximize the use of its new building. "These actions enhance the ability of Spertus to become financially sustainable," the Spertus Board of Trustees wrote. "Perkins Coie's work helps transform and strengthen our community and our shared future."

Research Challenges a Proposed Dam in Laos

Our interests in environmental issues and human rights drew us to help challenge the construction of a major dam in Southeast Asia.

If constructed, the proposed Xayaburi Dam would be the first of 11 built on the mainstream of the Lower Mekong River, which runs through Cambodia, Laos, Thailand and Vietnam. The Mekong is a global hotspot for freshwater fish and is the world's largest and most productive inland freshwater fishery.

Representing two nonprofits, International Rivers and the Environmental Defender Law Center, Portland attorneys Steve Higgs and David Bledsoe provided legal analyses of Laos' earlier decision to approve the construction of the dam. Their analyses concluded that Laos has not critically analyzed its development decision, fully evaluated adverse environmental and social impacts, or



proposed sufficient mitigation of known and foreseeable impacts. Such considerations are required by the treaty between the governments that share the river or other treaties and decisions by the International Court of Justice on the law of transboundary rivers.

The analyses helped our clients secure a victory when leaders from Cambodia, Thailand and Vietnam agreed to indefinitely delay the decision on whether to construct the dam, pending additional studies.

A number of our pro bono volunteers also enjoy sharing their experiences and knowledge with lawyers in other countries. Here are the stories of a few of our attorneys who took the time to connect with colleagues internationally last year.



Sharing our knowledge INTERNATIONALLY

T. Markus Funk: *Helping Train Haitian Attorneys*



*Pictured from top:
T. Markus Funk
Douglas Sawyer
Zane Gilmer*

Facing the combined challenges of extreme poverty, high levels of crime and public corruption, and an outdated system of laws, Haitian lawyers grapple daily with problems unfamiliar to most of the world's attorneys.

To aid them, Denver attorneys T. Markus Funk, Douglas Sawyer and Zane Gilmer, in collaboration with the American Bar Association (ABA) Section of Litigation's Haiti Task Force and the International Senior Lawyers Project, produced the first-of-its-kind *Haiti Trial Skills Handbook*.



Attendees of an ABA Haiti Task Force training session reviewing the handbook

"I was asked for my help on this project because of my time with the U.S. Department of Justice and the State Department, and my background training local lawyers in places such as Kosovo, Serbia, Albania, Darfur, Indonesia and Montenegro" says Markus. Markus also taught law at Oxford University and the University of Pristina (Kosovo). "Doug and Zane were gracious enough to lend their time and considerable expertise to this worthwhile project."

The handbook, published in both French and English, provides Haitian attorneys of all backgrounds and areas of specialization with a broad, convenient summary of practical approaches and litigation "best practices." It is geared toward providing them with the basic skills most useful for effective representation of a client's interests. The ABA Haiti Task Force will continue these training sessions with the long-term goal of helping restore the rule of law in Haiti in the wake of the massive earthquake that hit in early 2010.

Howard Cabot: *Detainees + the Rule of Law*

Phoenix partner Howard Cabot is a big fan of sabbaticals. He recently returned from his third respite from the practice of law.

“Taking time out allows time to rest, renew and reflect,” Cabot says. “I return to the practice eager to take on the challenges and with a deepened appreciation both of the opportunities we have as lawyers as well as our responsibilities.”

Last summer, Howard traveled extensively with his wife, Vicki, propelled as much by his passion for exploring the world as by his passion to help make it a better place. He embarked on a multi-country speaking tour to places of political, social or religious conflict and sought opportunities for interchange about critical issues of concern. He drew on his recent experiences representing a Guantanamo Bay detainee who was denied justice for almost 10 years and used them as context for discussing the rule of law in the face of internal and external strife. He describes the trip as “life transforming.”

Howard spoke at the University of Sarajevo in Bosnia, the same week alleged Bosnian war criminal Almaz Nezirovic was arrested; he spoke to a group of public defenders in Capetown, South Africa about the treatment of detainees and South Africa’s post-apartheid truth commissions; and he

spoke in Buenos Aires about the rule of law within the context of the country’s Dirty War and history of political and military oppression. In Israel, he addressed a group of some 30 judges in the Israeli Defense Forces who oversee



Howard Cabot

the military justice system in the West Bank. He was struck by the similarity of issues facing the tribunals and Israel’s insistence on swift execution of justice. “Detainees in Israel must be charged within eight days,” Cabot says he learned, “and then tried within 12 to 18 months or be released, absent extenuating circumstances.” In contrast, his Sudanese client, Noor Uthman Muhammed, languished at Guantanamo Bay for seven years before he was even charged and almost a decade total before he was tried in early 2011.

Howard has been invited to return to Israel this summer to participate in an academic conference on balancing terrorist threats with national security interests.

Harry Schneider: *Advancing the Cause of Justice*



Harry Schneider with Kenyan attorneys and program participants John Chigiti, Jude Ragot, and Justus Munyithya

and Marsha Pechman, to teach trial advocacy skills through a program run by Justice Advocacy Africa (JAA). JAA, also a firm pro bono client, is a nonprofit organization founded by Fury Bailey attorney Steve Fury. Its mission is to promote the rule of law by providing education and training in ethical and professional advocacy to lawyers in various African countries, including Kenya, Uganda and Botswana. Volunteer U.S. attorneys and judges travel to African countries to teach and mentor lawyers, specifically with respect to trial advocacy skills, and to help those lawyers respect and promote the rule of law.

In the summer of 2011, Seattle partner Harry Schneider traveled to Africa to join faculty members, including U.S. District Judges Barbara Rothstein

Harry spent 10 days teaching lawyers and judges from Kenya and Tanzania at the University of Kenya School of Law in Nairobi. “I agreed to do this because it sounded like a great adventure, but I got so much more out of the experience than I expected,” said Harry. “The commitment of these students—all practicing lawyers and sitting judges—was enormous, and their gratitude was really quite moving. It made me feel as if I had truly contributed something to advance the cause of justice in a place very, very far from home.”

In addition, Harry and his colleagues Joe McMillan and Charles Sipos have given over 80 presentations across the United States and in four foreign countries about their experience representing Guantanamo Bay detainee Salim Ahmed Hamdan, the first detainee to face trial before a military commission at the Guantanamo Bay Naval Base (see page 14).

A big way that we thank our communities is through our civic and charitable work. There are many synergies and overlapping efforts between our pro bono legal service and our community service.



Giving back to our COMMUNITIES

A variety of our community service projects with individuals and nonprofits help people satisfy their basic needs for food, shelter and clothing. Some of these projects take place during our firmwide Community Service Month in June. In Phoenix, we helped prepare and serve meals to the homeless at St. Vincent de Paul, an international nonprofit. Our Boise office collected 303 pounds of food for the annual food drive of the Association of Legal Administrators, Idaho Chapter. Our

Anchorage office raised \$600 for the Safe Harbor Inn, a transitional housing facility for homeless individuals and families. Ten Seattle volunteers spent a Saturday morning repainting the common areas of a women's transitional home in North Seattle in partnership with the Compass Housing Alliance. Our Seattle office donated gloves, scarves and hats for the homeless people who use the services of the Union Gospel Mission.



In Chicago, volunteers helped with games and landscaping projects at a youth center in the Bronzeville community.



In Phoenix, volunteers helped feed the homeless at St. Vincent de Paul.



In Bellevue, volunteers worked with EarthCorps and the City of Mercer Island Parks and Recreation Department to help restore Pioneer Park, the largest park on Mercer Island.

Some of our work goes beyond the basics with programs that help people live fuller, richer lives through education, healthy environments and recreation. Volunteers from our Chicago office worked with the nonprofit Griffith Tutoring to help tutor at-risk high school students for the ACT college entrance test. Others from Chicago spent an afternoon helping with games and recreation, landscaping, and cleanup at the Elliott Donnelly Youth Center, which offers enrichment programs to underserved kids. The Denver office participated in a school-supply drive to benefit the Denver Public Schools and Children's Outreach Project, a therapeutic preschool and child care center. Volunteers and family members from our Bellevue and Seattle offices worked with EarthCorps to help clean up public parkland, purge non-native plants and maintain trails. And in our Washington, D.C. office, participants of Go Casual for Justice wore jeans to work to raise funds to assist public interest lawyers who serve the neediest of District residents.

Congratulations to Portland Commercial Litigation Partner Sarah Crooks; Washington, D.C., Commercial Litigation Associate John Roche; Denver Commercial Litigation Associate Jess Dance; the Noor Uthman Muhammed Trial Team; and Washington, D.C., Environment, Energy and Resources Legal Secretary Bethany Ming, all recipients of the 2011 Pro Bono Leadership Awards.

Pro Bono Leaders IN THE FIRM

The firm established the Perkins Coie Pro Bono Leadership Award in 2001 to annually recognize a lawyer or lawyers who have demonstrated outstanding leadership and commitment in the provision of pro bono services to our clients. This year, the Pro Bono Leadership Award is, for the first time, being given to lawyers in each of three categories: partner/of counsel, associate and team/project. Given the increase in firm size and pro bono hours, the continued depth and breadth of our pro bono efforts, and the variety of ways in which our attorneys and staff contribute to the program, the firmwide Pro Bono Committee decided it was important to expand our internal recognition program.

The Pro Bono Committee also decided to recognize staff members who have made significant contributions to our pro bono program. As in the past, staff members will receive certificates of appreciation. However, this year the committee will also recognize one staff member with the Perkins Coie Pro Bono Staff Leadership Award.

Award winners will be given the opportunity to direct a \$750 charitable contribution to a legal services organization of their choice.

Partner Award *Sarah Crooks*



Sarah Crooks was selected as the recipient of the Pro Bono Leadership Award because of her longstanding dedication to pro bono work.

During her tenure at the firm, Sarah has shown a consistent commitment to pro bono service both through her direct legal representation and her mentoring of associates in pro bono work. She has also worked with a firm client to help its in-house legal staff become more involved in pro bono work. At the heart of Sarah's work has been her involvement with Legal Aid Services of Oregon's Domestic Violence Project. Over the years, Sarah has helped a multitude of abuse victims to obtain emergency protective orders from Oregon State courts (see page 9).

Sarah's pro bono leadership extends beyond her efforts at Perkins Coie. She recently served as president of the Multnomah Bar Association, the state's largest county bar association, where she advocated for greater pro bono involvement by the local bar. One of the hallmarks of her tenure was her promotion of pro bono advocacy against domestic violence. Sarah has been recognized within her community for her unrelenting

commitment to the promotion of women in the legal profession and is the recipient of a number of awards, including most recently the Oregon Women Lawyers' Justice Betty Roberts Award in 2010. In addition to Sarah's work on behalf of women and children, she has also worked on pretrial matters in an Oregon death penalty case. Her regular practice focuses on complex business litigation.

"Because I have been given extraordinary opportunities, I strongly believe in helping one of society's most vulnerable and underrepresented groups—women and children fleeing violence and seeking safety and protection through our courts," says Sarah. "By helping them get protective orders, I am able to give domestic violence victims an opportunity to start a better and fuller life. It is incredibly satisfying work."

Associate Award

John Roche +
Jess Dance

This year we are proud to recognize two of our associates for their dedication to pro bono service.



John Roche has demonstrated a dedication to pro bono work throughout his time with the firm. He is a member of the Washington, D.C. office pro bono committee and actively helps find projects and recruit pro bono volunteers. He has worked on a number of pro bono matters, including those in the area of landlord-tenant disputes and immigration. Most notable, though, is his work with victims of domestic violence. Working with the Legal Services of Northern Virginia's Attorney-of-the-Day Domestic Violence Pro Bono Project, John represented 22 clients in their efforts to obtain protective orders. Through this program, volunteer attorneys provide legal counsel to victims of domestic violence and their families when seeking a protective order

against an abusive spouse, partner or parent. In one recent case, John obtained a protective order for a woman and her three daughters (see page 9). "This is why I became a lawyer to begin with," says John. "The stories are always sad, but at least I can help people feel safe, which is something many haven't felt for months or years." John has also appreciated the guaranteed opportunities to go to court, which have helped his regular practice as well. In his business practice, John focuses on commercial litigation and counseling, particularly in the areas of privacy, security, Internet, communications, intellectual property and employment law.

"This is why I became a lawyer to begin with."



Jess Dance was chosen as a recipient of the Associate Pro Bono Leadership Award primarily because of his incredible efforts in 2011 to help impoverished public schools in Colorado. Jess led a team representing four of 21 school districts that were among the plaintiffs in *Lobato v. State of Colorado*, a historic case involving the constitutionality of Colorado's current public school finance system. A five-week bench trial ended in victory for our clients when the Denver District Court found the school funding system to be unconscionable and significantly underfunded in violation of

"It was an honor to try a case that could have a positive impact on public education in Colorado. As the son and husband of public school teachers, this issue is near to my heart," says Jess.

the Colorado constitution (see page 12). "It was an honor to try a case that could have a positive impact on public education in Colorado. As the son and husband of public school teachers, this issue is near to my heart," says Jess.

In addition to his efforts on the *Lobato* case, Jess has a history of pro bono leadership in the Denver office. He has been involved in other pro bono matters over the years, including, for example, the Stop It Task Force, where Jess worked with a team of lawyers and nonprofits to protect the civil rights and dignity of individuals who receive public assistance benefits, such as food stamps or welfare, and who had been harassed and coerced by county investigators. Jess' business practice focuses on complex commercial litigation.

Team Award *Team Noor*

“Failure is not an option.”

That was the motto of Team Noor, a group of Perkins Coie lawyers and staff who worked assiduously for three years in the defense of Noor Uthman Muhammed, a Sudanese detainee who has been imprisoned at Guantanamo Bay since 2002. Defending Noor against charges of conspiracy to commit terrorism and a possible life sentence, the team wended its way through years of procedural delays and extensive negotiations. Its efforts culminated with a plea agreement with the government last year followed by a sentencing trial before a panel of nine military officers, all of whom had seen action in Iraq and Afghanistan. Team Noor, working with Noor’s military defense counsel, crafted a masterful defense, diminishing claims that our client had been a member of al-Qaida and that implicated him in the planning or commission of terrorist acts. The military panel sentenced Noor to 14 years, imprisonment, with the plea agreement limiting that to 34 months. Noor hopes to return to his family in Sudan, whom he hasn’t seen for 17 years, in 2014.

“The successful result achieved for Noor was truly a team effort in every respect,” partner Howard Cabot says. “These are hard cases, but our country should never tolerate a second-class standard of justice just because the cases are hard.”

Members of the core Perkins Coie team included Phoenix attorneys Howard Cabot, Phil Higdon, Rusty Crandell, Joshua Crum, John Gray and John Rogers, as well as Bea Stam, Rene Kuhlman, Tim Robertson and Sherrye Andrews.

Staff Award *Bethany Ming*

Bethany Ming was selected as the first recipient of the Staff Pro Bono Leadership Award for her incredible efforts in the Washington, D.C., office on behalf of the firm’s pro bono program.

Bethany has worked to help raise the profile of pro bono in the D.C. office, including supporting the local office pro bono subcommittee, seeking out projects, coordinating training sessions, recruiting and staffing matters, handling intake and conflicts issues, and more. For the past year, Bethany has coordinated our efforts with the Consumer Law Resource Center, a program run by the D.C. Bar Pro Bono Program and housed in D.C. Superior Court, through which lawyers deal with small claims matters or any consumer-related matters. Bethany arranges the trainings, finds lawyer volunteers to staff the center and personally attends every monthly clinic we staff. She has also been coordinating the Combat Related Special Compensation program through the National Veterans Legal Services Program (see page 4). Bethany serves as our liaison with the program, arranged a dual training with our Denver office,



Professor Bethany Ming

and helps recruit attorneys. Since the program was launched in November 2011, our D.C. office alone has taken on 11 new matters. Bethany is a legal secretary at the firm, but she is also a licensed attorney with a background in public criminal defense. In addition to her work at Perkins Coie, Bethany focuses her charitable efforts outside of the firm on the Mid-Atlantic Innocence Project and Virginians for Alternatives to the Death Penalty. She is passionate about combating the death penalty in Virginia and helping in efforts to potentially free those wrongfully convicted. More broadly though, Bethany states that “pro bono is my passion.” “It is fulfilling to help people out there who are needy and I appreciate the opportunity to support these efforts at Perkins Coie,” she says.

Staff Certificates of Appreciation

The Pro Bono Committee also recognized staff members for their extraordinary work in support of the firm's pro bono efforts in 2011. These individuals were selected for recognition based on nominations submitted by lawyers and staff at the firm. The Pro Bono Committee thanks the following individuals for their extra efforts on behalf of our pro bono clients:

Susan Baka	Carol Janam
Judy Brandon	Chris Knowlden
Karen Campbell	Melinda Manchester
Brenda Canada	Corin Medrano
Jill Connolly	Dawn Nix
Taylor Correll	Amber Norris
Patricia Dean	Julie Pambianco
Barbara Ditchey	Pablo Portillo
Jane Frissell	Rick Rasmussen
Michelle Fu	Jeanenne Rutherford
Elva Gonzalez	Deana Scott
Sharon Grisham	Bea Stam
Georgia Hancock	Jaime Straight
Angela Hodge	Lisa Twombly
Brenda Horn	Jason Walter
Karen Huang	

We know that many other members of our staff also provided valuable support on behalf of our pro bono clients. We thank all of you for your dedication and support.



Certificate of Appreciation Recipients Barbara Ditchey, Melinda Manchester and Bea Stam, pictured with Pro Bono Counsel Leah Medway and attorneys Christie Hammerle and Phil Higdon.

King County Bar Association Volunteer of the Year Award

Seattle legal secretary Brenda Canada was one of seven recipients recognized as a "Volunteer of the Year" by the King County Bar Association (KCBA).

Brenda was honored for her service as the clinic assistant in the Neighborhood Legal Clinics operated by the KCBA. Her commendation noted, "Brenda Canada . . . truly 'gets it done.' She makes everyone's job easier by taking on extra projects, coming up with ideas and taking initiative to put those ideas into action."



Brenda Canada

Contributors with 50 or more PRO BONO HOURS

The Pro Bono Committee would like to thank the following Perkins Coie lawyers and paralegals who provided 50 or more hours of pro bono services to our clients in 2011:

Ahler, Colin P.	Dunn, Stephanie E.	Kung, Sher S.	Reyes, Carla L.
Ahlers, James A.	Dunsmore, Lorri Anne	Lasaracina, Jaclyn N.	Rice-Stitt, Austin J.
Aldama, Karin Scherner	Eckstein, Paul F.	LaSpaluto, David M.	Ripke, Jill L.
Alvarez, Alvaro M.	Eidenbach, Kirstin T.	Lee, Emily J.	Robertson, Jacob C.
Baird, James C.	Engrav, Rebecca S.	Lee, Suleen	Robinson, Kiyomi R.
Baker, Audrey A.	Esteves, Priscilla O.L.	Leik, James N.	Roche, John K.
Bali, Sunita	Exstrom, Travis A.	Levin, Joel R.	Roos, Breena M.
Barber, Eric G.	Fahrer, Nathan F.	Lin, Edward C.	Rossiter, John S.
Barber, Sarah C.	Farhi, Miriam D.	Locke, Ashley A.	Rubocki, Melanie G.
Barnett, Donna L.	Fisher, Jaina C.	Lute, Joshua L.	Runnfeldt, Gail P.
Barr, Daniel C.	Fornasero, Kevan	Lysons, Sarah E.	Rutherford, Jeanenne R.
Bass, Joren	Foster, Susan E.	MacLean, Jennifer A.	Ryan, Sue S.
Baur, Donald C.	Frissell, Jane	Malmen, Erika E.	Ryerson, Thomas D.
Baynard-Cooke, Sara E.	Frost, Elisabeth C.	Maloney, Charles V.	Ryman, Danielle M.
Beane, Amanda J.	Funk, T. Markus	Manheim, Elisabeth	Salmi, Christine M.
Beel, Bryan D.	Gangadean, Rajendra N.	Marre, Daniel G. M.	Samelman, Todd R.
Bennett, Katherine D.	Gaona, David A.	Martin, Guy R.	Sander, Andrea M.
Berch, Jessica J.	Garcia, Rocio C.	Martinez, Angela R.	Sayavedra, Fernanda M.
Bergmann, Emily A.	Garrett, Clinton N.	Masion, Pip J.	Sheedy, Ellen S.
Bernstein, Stacey S.	Garrison, Melora M.	McCormick, Anthony J.	Sheffield, Naomi A.
Bina, Gabrielle E.	Gaston, Mary P.	McMillan, Joseph M.	Silvernale, Grant J.
Bledsoe, David A.	Gellert, Nicholas P.	McMillion, Brandy R.	Simmons, Harmony A.
Bock, Jeffrey W.	Gilleran, Colleen K.	Medway, Leah E.	Simpkins, Holly M.
Boeder, Thomas L.	Gilmer, Zane A.	Merolli, Emily K.	Simpson, Patrick J.
Boehl, Stephanie J.	Gonzalez, Elva M.	Miller, Kenneth A.	Sink, Michael A.
Boman, Marc A.	Graves, Paul S.	Minzel, Jeffrey C.	Sipos, Charles C.
Bonjour, Bruce A.	Gray, John H.	Mohr, Michael J.	Soffer, Benjamin
Bowen, Freya K.	Green, Jordan	Moore, Cori G.	Spear, Ryan M.
Brooks, Truscenialyn	Greene, Andrew L.	Morean, Whitney	Sporer, Nicole C.
Brunton, Karen R.	Grisham, Sharon K.	Moser, Kelly F.	Stafford, William B.
Buckley, Kathleen J.	Habib, Kamyar C.	Mrazik, Ryan T.	Stam, Beatrice E.
Bullock, Brentley M.	Hager, Jared D.	Mueri, Hillary O.	Stein, Lee
Burman, David J.	Hall, Michael L.	Mulaney, Charles W.	Stetsko, Kathleen A.
Bushaw, Emily A.	Hamilton, Kevin J.	Mullins, Kimball	Swanson, Dustin
Cabot, Howard Ross	Hammerle, Christine A.	Nagele, Ann M.	Tatman, Kara E.
Caliendo, Ralph A.	Hampton, Priscilla E.	Naholowaa, Makalika D.	Taylor, Sarah J.
Castillo, Elvira	Han, Grace J.	Nelson, Jeffrey A.	Thakar, Nidhi J.
Chander, Kanika	Hanewicz, Christopher G.	Nero, Autumn N.	Thomas, Lois S.
Chang, Amy	Hanson, Jeffrey M.	Norseth, Peter L.	Thomopoulos, Euphemia N.
Chaudhary, Sabahat	Harth, David J.	Ondo, Crystal M.	Torvik, M. Ellen
Chen, Hweilan V.	Hasan, Faisal	Oratz, Lisa T.	Tsai, David J.
Cherry, Elaine J.	Hawkins, Ryan B	Osberg, Joanne F.	Veranth, Nate R.
Chieffo, Ryan T.	Haynie, Erick J.	Page, Katherine E.	Vincent, Jack A.
Christensen, Nathan R.	Henley, Julianne A.	Paine, Gretchen M.	Walsh, Kathrin H. Weston
Clark, Assad H.	Hesterberg, Nicholas H.	Palma-Solana, Vilma R.	Wax, Katherine C.
Coleman, Brian R.	Higdon, Philip R.	Pambianco, Julie R.	Weisshaar, Meredith F.
Connelly, Ulrike B.	Higgs, Stephen J.	Peters, Brendan J.	Welling, Aaron S.
Cooke, John T.	Holland, Lorna J.	Peters, Jerica L.	White, Willie J.
Coursin, Andrew B.	Holm, Kristina J.	Petersen, Phil D.	Williams, Christine V.
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