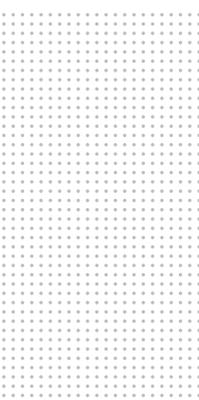


CHANGING LIVES+  
TRANSFORMING COMMUNITIES

## CONTENTS



IMMIGRATION	7
CONSTITUTIONAL+CIVIL RIGHTS	15
DEATH PENALTY	27
NONPROFITS+COMMUNITY INVESTMENT	39
FAMILIES+UNDERSERVED COMMUNITIES	45
DISASTER RELIEF+COMMUNITY SERVICE	55
PRO BONO AWARDS+RECOGNITION	59
IN MEMORIAM	66



60,600  
PRO  
BONO  
HOURS



*“Equal justice under law is not merely a caption on the facade of the Supreme Court building; ... it is fundamental that justice should be the same, in substance and availability, without regard to economic status.”*

*– Justice Lewis F. Powell, Jr.,  
U.S. Supreme Court Justice (Ret.)*



## MESSAGE FROM THE PRO BONO COUNSEL

**PERKINS COIE'S PRO BONO PROGRAM REACHED A HIGH POINT IN 2014.** Our attorneys and staff contributed their most pro bono hours in a single year to date—over 60,600 hours, which represents close to 4 percent of our total billable hours for the year. Behind those numbers are stories of our effort to bring to life the notion of equal justice described by Justice Powell.

The year was filled with significant wins in large impact cases and equally important and life-changing results for clients in smaller matters. Successful collaborations are the heart of the pro bono program, and our partnerships with nonprofit legal services organizations continue to expand and strengthen. We look to our communities to identify areas of immediate and long-term need as well as look within our own work family for causes to which we can contribute. The freedom our attorneys have to pursue their passions within our pro bono program has become a signature of Perkins Coie.

As a law firm with over 1,000 attorneys and 19 offices, we recognize the importance of being a good corporate citizen. This was evident in 2014 when we offered our services to flood victims in Snohomish, Washington and Glen Haven, Colorado and when we created and hosted various legal clinics for immigrant youth and victims of domestic violence. Whether spearheading litigation to achieve systemic change or counseling nonprofits and small businesses to bring about local economic improvement, Perkins Coie strives to be part of the push for equal justice.

In this Pro Bono Annual Report, we share with you the effect made by the firm's contribution of significant resources and its support of our attorneys' pro bono commitments. For example, we look at the long-term effects of numerous firm attorneys representing individuals on death row. We look at many of our stories this year through the lens of both cause and effect, and we emphasize the impact our work has had on thousands of lives. Across a range of causes—marriage equality, domestic violence, veterans' rights, support for foster families, basic healthcare for prisoners and more—we repeatedly witnessed the positive effect that a single attorney, let alone a team, can have on a client's experience in our complicated legal system.

I hope you will enjoy reading these highlights from 2014 as well as our ongoing efforts to make a difference through pro bono legal service.

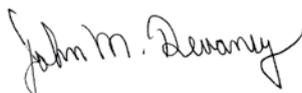
*Leah Medway*  
LEAH E. MEDWAY

**PERKINS COIE'S PRO BONO COMMITMENT IS A CRITICAL COMPONENT OF WHO WE ARE AS A FIRM.**

The importance of giving back to our communities is a firm value that began with our founding more than a century ago. I am proud to report that the tradition is thriving today. Last year marked the seventh consecutive year Perkins Coie has met and exceeded our goals under the Pro Bono Challenge, which was established by the Pro Bono Institute and represents our institutional commitment to provide pro bono legal services to low-income and disadvantaged persons and nonprofit organizations.

While I know the life-altering impact pro bono work can have on an individual, I also believe that pro bono work takes on additional importance when viewed in a wider perspective. The pro bono counsel we provide often brings together staff and attorneys in powerful and meaningful ways. It is a source of pride for all of us and serves as one of the reasons for our recognition as one of FORTUNE magazine's "100 Best Companies to Work For" in each of the past 13 years.

I invite you to read this Pro Bono Annual Report and to join us in celebrating our recent accomplishments. I am particularly proud of the work we have done in the area of civil and constitutional rights. In 2014, a team of attorneys successfully challenged as unconstitutional the election system in Yakima, Washington in a federal Voting Rights Act case. Our efforts, done in partnership with the ACLU of Washington, have helped to ensure that Latino voters will no longer have their voting preferences suffocated. This is one of many impactful and inspiring results we were able to help achieve. Given the diversity and depth of our pro bono work, I am confident you will find similar inspiration in the stories we share in this report.



JOHN M. DEVANEY



MESSAGE FROM THE  
MANAGING PARTNER



# IMMIGRATION

- In 2014 Perkins Coie attorneys across the firm advocated on behalf of almost 400 low-income immigrants through direct representation and in legal clinics. ■ We secured for our clients grants of asylum, special immigrant juvenile status, deferred action for childhood arrivals and visas for survivors of domestic violence and human trafficking.
- Our work in this area has become a major focus of our pro bono program and has earned us recognition at the local and national level, such as the Allegiance Award from Kids in Need of Defense. ■

# AMERICAN+DREAM



## CAUSE: IMMIGRATION RIGHTS

# +EFFECT: PROVIDING REFUGE TO UNACCOMPANIED IMMIGRANT MINORS

**AMERICANS SAW THE INCREASINGLY GRIM PLIGHT** of unaccompanied immigrant children entering their country in 2014. A large number of illegal immigrants have long been drawn to the U.S.-Mexico border, but a surge of violence in Central America led to 51,000 unaccompanied children from this region crossing the border last year. As more and more children were detained in cramped quarters and lawmakers struggled with what to do next—at a time of great controversy and sharply divided public opinion—Perkins Coie stepped in to help a system in shock.

*News reports on unaccompanied minors arriving at the Texas border depicted many children being held in warehouse-like detention centers without food, water or blankets.*

We responded throughout the year to the massive humanitarian and due process crisis as part of a long-term commitment to this population. Our Dallas pro bono team pulled together a group of volunteer attorneys in an effort to provide children detained in San Antonio with basic civil legal services. Our team learned how to screen children to determine whether they qualify for any relief under immigration law, and they helped organize CLE programs to prepare attorneys to represent unaccompanied minors in court. The Perkins Coie Dallas office even hosted a training session led by the Human Rights Initiative focused on the Special Immigrant Juvenile Status (SIJS) program, which provides legal relief to eligible immigrant children who have been the victims of neglect, abuse or abandonment.

### Commitment to Immigrants' Rights

Dallas attorneys who represented children in SIJS matters last year include Rocío García, Ann Marie Painter, Wyatt Maxwell and Erin Leu, with assistance from Catherine Johnson. Rocío, a co-chair of the Dallas Hispanic Bar Association's Unaccompanied Minors Action Committee, has been a leader in this cause.

In addition to spending many of her Saturday afternoons voluntarily screening children at the Immigration and Legal Services Division of the Catholic Charities of Dallas, Inc., Rocío has been active in the Dallas Bar Association committee. One of her key efforts has been seeking volunteers to represent immigrant children in removal proceedings. She has helped ensure that refugee children fleeing violence in their home countries are treated

*More than 50,000 unaccompanied minors crossed the United States' Southwest border in 2014, twice as many as the previous year, triggering a systemic shock that law firms and legal service providers across the country have tried to alleviate.*



fairly throughout the legal process. “As attorneys, we have to stand up for those who can’t speak up for themselves in court,” Rocío said.

Perkins Coie’s nationwide pro bono program in this arena includes extended partnerships with immigration legal service providers, which allow us to help children obtain SIJS, asylum and visas designated for victims of crime. In addition to our work in Dallas, we have continued to partner with Kids in Need of Defense, taking on direct representation of minors in Los Angeles, Seattle and Washington, D.C. ■



**ROCÍO GARCÍA**  
**ASSOCIATE**  
DALLAS

## NOT YOUR USUAL LEGAL TASK

While Dallas attorney Rocío García has maintained an active human rights pro bono practice, seeing the plight of unaccompanied minors in her home state during 2014 increased her commitment to help. She describes her experience interviewing youth detained in a Fort Worth, Texas facility as “not your usual legal task,” and was deeply moved by being the children’s first contact with authorities. Easily communicating with the unaccompanied minors in her native Spanish, she heard heartbreaking stories of why the children were fleeing and the difficult treks they had made to arrive in the United States. Reports of arriving young immigrants being packed in warehouse-like detention centers and held without food, water or blankets deeply disturbed Rocío and compelled her to mobilize attorneys to help. “These kids just made a long, treacherous journey from their homes and upon arrival in Texas found themselves in deplorable, traumatizing conditions. This is a nationwide issue, but we can respond to the issue in north Texas.”

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## EASING THE ASYLUM PATH FOR IMMIGRANT YOUTH

**THE STORIES OF UNACCOMPANIED IMMIGRANT MINORS** are usually a heartbreaking mix of inspiration and complexity. Last year, one Seattle attorney, Dannon Allbee, guided an asylum-seeking young lady through myriad legal entanglements. In the process, Dannon helped to establish a new rule for immigrant children in the United States Citizen and Immigration Services (USCIS) system: Once the child is designated as an Unaccompanied Alien Child (UAC), giving them special protected status, that status cannot be revoked.

The case came to Perkins Coie through a long partnership with Kids in Need of Defense (KIND), an organization founded by firm client Microsoft Corporation and actress Angelina Jolie. Our client, now 20 years old, fled to the U.S. as a teenage victim of rape and harassment committed by gang members in her native Peru. Detained at the U.S.-Mexico border and placed in deportation proceedings, she was deemed a UAC and eventually released to her mother, who had immigrated previously to the Seattle area. In 2011, our client applied for asylum with the San Francisco Asylum Office as a UAC, but was instead referred to immigration court on the premise that she no longer qualified for UAC status.

A complicated jurisdictional challenge ensued that Dannon saw through to the end. His work included an appeal to USCIS and several motions to the immigration court. Ultimately, USCIS did reassume jurisdiction and favorably adjudicated the claim. Not only was our client granted asylum in the U.S., but the case also helped prompt USCIS to issue new jurisdictional guidelines in asylum claims for unaccompanied immigrant children. ■

*Dannon helped to establish a new rule for immigrant children in the United States Citizen and Immigration Services system.*



**DANNON ALLBEE**  
**ASSOCIATE**  
SEATTLE



JESSICA FLESNER  
LEGAL SECRETARY  
SEATTLE

*Jessica Flesner organized more than 50 DACA clinics and received our 2014 Pro Bono Leadership Staff Award.*

WE ARE NOT ONLY HELPING THE UNDOCUMENTED YOUTH FIND JOBS AND HAVE A BETTER AND MORE STABLE LIFE BUT ALSO HELPING THEIR FAMILIES HAVE A BETTER LIFE.

## PERKINS COIE'S DACA CLINICS FOR IMMIGRANT YOUTH

**SERVING MORE THAN 700 CLIENTS** since opening in the fall of 2012, Perkins Coie's bimonthly legal clinics in its Seattle headquarters assist immigrant youth applying for status under the Deferred Action for Childhood Arrivals (DACA) program. President Obama introduced the program in 2012, and his administration's attempt to expand DACA in 2014 is currently under review in federal court.

With DACA status, immigrant youth can live out of the shadows and may lawfully work to help support their families. We estimate that more than 95% of the applicants we have helped were granted legal status through DACA.

Our DACA clinics were recognized by the *Financial Times* Innovative Lawyers 2014 report in the area of social responsibility. The report highlighted proprietary technology developed by our own attorney volunteer, Dannon Allbee. He created and implemented a program to streamline the application process and to double the number of clients served. In 2014, we served more than 260 clients and even expanded participation in the clinics to firm clients. We hosted a special clinic where Amazon.com volunteers assisted a group of DACA clients, with help from Perkins Coie volunteers.

One person instrumental to the clinics' success is Seattle legal secretary Jessica Flesner. During two and half years of coordinating clinic logistics internally as well as externally with our clinic partner, the Northwest Immigrant Rights Project (NWIRP), Jessica attended every one of the over 50 clinics. She creates an environment where clients are at ease and attorneys can serve their clients efficiently and effectively. Jessica's coordination of volunteers from the firm, Amazon and NWIRP, and the clients and their families demonstrates her commitment to excellence. Jessica is the recipient of the firm's 2014 Pro Bono Leadership Staff Award for her contributions to our DACA clinics. Jessica says the clinics are meaningful to her because of their lasting impact: "We are not only helping the undocumented youth find jobs and have a better and more stable life but also helping their families have a better life." ■

*An applicant for DACA status, far right, receives assistance from Amazon Senior Corporate Counsel Susan Jong (center) and Perkins Coie attorney Faith Wilson during a clinic in Seattle.*



## Asylum Won for Mother Fleeing Genital Mutilation

More than 125 million girls and women living in Africa and the Middle East have been subjected to female genital mutilation (FGM), according to the World Health Organization. One young girl is safe from this practice after Perkins Coie attorneys in Bellevue and Seattle secured asylum for her Gambian mother. In The Gambia, a West African nation, FGM is such a common practice that women are ostracized and abused if they do not conform. Our client, D.L., failed in her attempts to prevent her three daughters from suffering FGM and was herself physically and emotionally abused because of her efforts. In 2012, D.L. found herself pregnant with another girl. She fled to Seattle on a temporary visa and connected with the Northwest Immigrant Rights Project, which referred her to the firm.

Perkins Coie helped D.L. to apply for asylum. After years of inexplicable U.S. governmental delay, we had to work outside the pure asylum process to get our client's application some attention. With assistance from political strategist Ron Dotzauer, a Perkins Coie client, and U.S. Senator Maria Cantwell, we helped D.L. win asylum in December 2014. We are now seeking visas for D.L.'s three daughters who remain in The Gambia. "We're incredibly grateful for the opportunity to help such a deserving client in her brave journey to a better life for her family," said Bellevue attorney Stacey Bernstein, who handled the case along with attorney Mark Quehrn. ■

## Afghan Translator Gains Safety in the Country He Served

Immigration relief came not a moment too soon for one pro bono client, K.D., a 23-year-old Afghan who spent five years as an interpreter for the U.S. Army. K.D. was known for his loyalty to U.S. soldiers and for not abandoning his post as others had. However, this caused the Taliban to repeatedly threaten, harass and even attempt to kidnap K.D. While he continued to

serve, K.D. also applied for relief under the Special Immigrant program, but was initially denied. The case eventually came to the Iraqi Refugee Assistance Project, which brought in San Francisco attorney Michael Young, while he was still a law student, to try to reverse the wrongful denial. Michael assisted K.D. through his immigration process and continued helping him after joining Perkins Coie. Facing complexities triggered by the closure of Afghan bases, the government's 2013 shutdown and K.D.'s discovery of his wife's pregnancy, Michael enlisted the help of Congresswoman Barbara Lee's office and the media in his client advocacy. Michael helped K.D. and his wife gain visa approval and obtained a place for them with a resettlement agency in Baton Rouge, Louisiana, just in time for K.D.'s wife to deliver a healthy child in the family's new country. ■

## HIV-Positive, Gay Immigrant Granted Asylum

Upon receiving a matter referred by the AIDS Legal Referral Panel and finding a compelling exception in overcoming a missed filing deadline, San Francisco attorneys David Tsai and Mara Boundy achieved asylum for a pro bono client, a gay, HIV-positive immigrant. The client had entered the United States legally but overstayed his visitor's visa because he feared for his life if he returned to Mexico. His life in Mexico was filled with abuse for being gay, including suffering hate crimes, police brutality and discrimination by medical providers. Mara and David filed the asylum application and amassed a nearly foot-high stack of documentation corroborating the client's declaration and showing his fear of returning was well-founded. The asylum officer found our client's story so compelling that our client was recommended for asylum just 13 days after the interview. San Francisco paralegal Jim Otake and legal secretaries Anna Lee and Lisa DeCosta provided invaluable support. This victory means our client can legally live and work in the United States and receive the medical care he requires. ■



THEY CONFISCATED  
OUR CLIENT'S  
PASSPORT AND  
KEPT HER AS  
AN INDENTURED  
SERVANT.

## Shutting Down Human Traffickers

The crime of human trafficking requires secrecy, and survivors must be supported in breaking the silence of slavery. Last year, Perkins Coie attorneys helped one victim do just that. Our client, S.A., left her business in the Philippines in 2005 to improve opportunities for her children. She accepted a job offer as a nanny in the U.S. made by people whom she soon discovered were traffickers. They confiscated S.A.'s passport and kept her as an indentured servant in California and Washington, forcing her to work 14-hour days, seven days a week, and isolating her from visitors, the community and her own family.

The physical and mental impact of her abusive treatment was devastating. After five years, S.A. escaped with just the clothes on her back. She eventually refocused on her dream of a better life and on preventing others from falling prey to the traffickers who abused her. Working with Kids in Need of Defense, Seattle attorney Kaustuv M. (K.M.) Das obtained a T Nonimmigrant Status (T visa) for S.A., which allowed her to remain and work in the U.S. He also helped S.A. cooperate with law enforcement in criminal proceedings against her traffickers and negotiated over \$90,000 in restitution. "More than the restitution or the T visa, the greatest joy in representing S.A. was watching her regain her self-confidence and her faith in herself and others," K.M. said. ■

# CONSTITUTIONAL + CIVIL RIGHTS

■ Throughout our history, Perkins Coie has fought to preserve and protect civil and constitutional rights. ■ Our attorneys advocate on behalf of individuals deprived of civil rights and civil liberties and the nonprofit organizations that serve them. ■ We represent these clients on a wide range of issues, appearing before state courts up to the country's highest court, and have been recognized for bringing about systemic change. ■ Last year, our work in this area, particularly through impact litigation, represented a large percentage of our overall pro bono work. ■

**CAUSE: THE RIGHT TO VOTE**  
**+EFFECT: MINORITY VOTERS GET AN ELECTORAL VOICE**

**AS WASHINGTON'S WINE INDUSTRY GREW TENFOLD** in the last 30 years, the population of one agricultural city, Yakima, surged with the arrival of migrant workers. By 2012, Yakima's sizable Latino minority was more than 40 percent of its residents, yet not a single Latino had ever been elected to the city council.

The ACLU of Washington (ACLU-WA) viewed Yakima's at-large election system as a violation of Section 2 of the federal Voting Rights Act and asked Perkins Coie to help knock down this barrier to voter participation. In a first-of-its-kind case in Washington, on an issue of concern nationwide, Seattle litigators Kevin Hamilton, Abha Khanna and Ben Stafford successfully challenged Yakima's at-large election system as unlawfully diluting the Latino vote. Winning on summary judgment in August 2014, they helped to obtain a federal court order to reform Yakima's city council elections.

*Attempts by Latino candidates to gain a council seat were consistently defeated due to the combination of Yakima's at-large voting system and racially polarized voting.*

**Latino Voting Preferences Suffocated**

Working with ACLU-WA staff attorneys Sarah Dunne and La Rond Baker, Perkins Coie filed the complaint in *Montes v. City of Yakima* in 2012. "Perkins Coie was uniquely qualified to make a difference," said Kevin. "We've litigated Voting Rights Act cases around the country, so it was great to be able to use that experience in our own back yard."

The *Montes* case entailed nearly two years of intensive discovery, including expert analysis, over 50 depositions and the review of hundreds of thousands of pages of documents. Other team members included Laughlin McDonald of the ACLU Voting Rights Project and civil rights attorney Joaquin Avila. Perkins Coie associates Ulrike Connelly and Mica Simpson, paralegal Kimball Mullins and former associate Noah Purcell also assisted.

In his summary judgment order, U.S. District Judge Thomas O. Rice of the U.S. District Court for the Eastern District of Washington agreed with the plaintiffs that, under the existing at-large election system, "the non-Latino majority in Yakima routinely suffocates the voting preferences of the Latino minority." In February 2015, the court ordered Yakima to implement the plan our pro bono team proposed, which created seven single-member districts, including two Latino-majority districts, for Yakima city council elections.

Abha argued the decisive summary judgment motion, a point of early-career pride balanced by her gratitude for the opportunity to help those who have been "disempowered by an electoral system stacked against them." Her colleague Ben was moved by the case's unifying impact on the community and how ACLU-WA collaborations help to "remind us of the issues of injustice so many in our community face." ■



# VOTING+RIGHTS

KEVIN J. HAMILTON  
**PARTNER**  
SEATTLE

*“There are few other law firms anywhere with the depth of Voting Rights Act experience that we had to bring to bear in Yakima, and none in Washington State.”*



ABHA KHANNA  
**COUNSEL**  
SEATTLE

*“It was gratifying to be able to draw upon our expertise in voting rights litigation nationwide to make a real impact on the community in Washington.”*

BEN STAFFORD  
**COUNSEL**  
SEATTLE

*“This case went to the heart of the basic democratic right to have your voice heard by your government, and it was humbling to have the opportunity to help vindicate that right.”*



**PERKINS COIE'S WORK ON MONTES RECEIVED THE CIVIL LIBERTARIAN AWARD** from the ACLU of Washington, which noted in its recognition: “With voting rights under attack around the country, this is a tremendous victory for fairness in elections. We expect this ruling to be influential in changing unfair voting systems in other cities around the state.”

YAKIMA, WASHINGTON

# MARRIAGE+EQUALITY



## ESTABLISHING THE FREEDOM TO MARRY IN OREGON

*The avowed purpose and practical effect of the law are to impose a disadvantage, a separate status, and so a stigma upon same-sex couples.*

**IN A LANDMARK CASE THAT HELPED TO PUSH MARRIAGE EQUALITY** onto the U.S. Supreme Court's calendar, Perkins Coie led a successful constitutional challenge to Oregon's ban on marriage for same-sex couples.

The case, *Rummell v. Kitzhaber*, was consolidated with another case, *Geiger v. Kitzhaber*. The plaintiffs were four same-sex couples and the Basic Rights Education Fund, an Oregon civil rights organization.

Perkins Coie's core pro bono legal team, Portland attorney Tom Johnson and former associate Misha Isaak, working as American Civil Liberties Union (ACLU) cooperating attorneys and in collaboration with the ACLU's Oregon Chapter and others, prevailed on summary judgment in challenging the constitutionality of Oregon's ban on marriage for same-sex couples and then opposed efforts at the U.S. Court of Appeals for the Ninth Circuit and U.S. Supreme Court to halt same-sex marriages. The case made Oregon the first state in which the Supreme Court allowed same-sex marriages after a judge invalidated a state ban.

### **“A Stigma Upon Same-Sex Couples”**

In the April 2014 summary judgment oral argument before Judge Michael McShane of the U.S. District Court for the District of Oregon, Misha crafted an argument paralleling the Supreme Court’s June 2013 decision striking down the federal Defense of Marriage Act. “This is a state-imposed badge of inferiority that the Equal Protection guarantee of the

## **THE CASE MADE OREGON THE FIRST STATE IN WHICH THE SUPREME COURT ALLOWED SAME-SEX MARRIAGES AFTER A JUDGE INVALIDATED A STATE BAN.**

Fourteenth Amendment will not abide,” Misha told the court. “The avowed purpose and practical effect of the law are to impose a disadvantage, a separate status, and so a stigma upon same-sex couples.”

Two days before the summary judgment hearing, the National Organization for Marriage, Inc. (NOM) moved to intervene in the case because the state’s attorney general had previously announced that the state would not defend Oregon’s marriage ban. Tom argued for both sets of plaintiffs in opposition to NOM’s motion, which the court denied. Within minutes of the summary judgment decision, Oregon began issuing marriage licenses to same-sex couples.

NOM appealed from the denial of its motion to intervene in the case and sought a stay of the district court’s order pending appeal. After receiving our responsive briefing, the Ninth Circuit denied a stay. NOM then filed an application at the U.S. Supreme Court for a stay of the district court’s order. The pro bono team submitted a responsive brief, and Justice Anthony Kennedy referred NOM’s application to the whole Court, which denied the application without dissent in June 2014.

“This is a significant step forward for the causes of equality and justice in our state,” Tom said. “We are honored to have been a part of it.”

### **The Challenges of Systemic Changes**

Achieving the Oregon victory came with numerous challenges. There were concerns about the ability of a favorable decision to withstand appeal. The district court judge was openly gay, which had the potential to raise impartiality issues. In addition, the state attorney



general's cooperation could invite intervenors, which it did. At the time, the Supreme Court had stayed every decision in which judges had overturned state same-sex marriage bans. The Oregon decision was the first case in which the Court denied a stay.

"I like to think that this case showed the U.S. Supreme Court that its denial of stay and allowing same-sex marriages to proceed did not unleash the pandemonium and backlash the Court feared," said Misha on the impact the case had in moving the cause forward.

Joining Tom and Misha in the hard-fought change to Oregon's law were Perkins Coie Portland attorneys Kristina Holm and Julia Markley, Los Angeles attorney Courtney Prochnow and former firm attorney Nathan Christensen. Staff members included Angela Hodge, Susan Roberts, Azeena Dargis, Aja Clark and Diane Anderson. Also contributing to the effort were staff attorneys for the ACLU and ACLU of Oregon as well as volunteer counsel Jennifer Middleton of Johnson Johnson & Schaller, PC and Portland attorneys Lake Perriguet and Lea Ann Easton.

Since Oregon became the 18th state where gay marriage is legal, the number of states with similar laws continues to increase. "I am hopeful that the Supreme Court will establish marriage equality nation-wide and we will all look back years from now and wonder, 'What was the big deal?'" said Misha. The U.S. Supreme Court is expected to issue a decision on whether individual states can constitutionally ban same-sex marriages in the summer of 2015. ■



**MISHA ISAAK**  
**FORMER ASSOCIATE**  
PORTLAND

When the judicial decision approving same-sex marriage in Oregon was delivered, Misha Isaak appreciated the win both professionally and personally. He has been active in marriage equality for many years. In 2008, Misha married his partner in a religious wedding ceremony performed by his rabbi father, which their home state of Pennsylvania did not legally recognize. When Misha joined the firm in 2011, Perkins Coie supported his dedication to changing marriage laws, a cause in which the firm was already active.

For his contribution to this case, Misha was recognized by the National LGBT Bar Association in its 2014 class of "Best LGBT Lawyers Under 40." Misha also received Perkins Coie's Pro Bono Leadership Associate Award in 2014 for this and broader pro bono efforts in the firm. Before leaving the firm to join Oregon Governor Kate Brown's legal team, Misha urged young lawyers to take advantage of the firm's opportunities to follow their passion, saying "Good lawyering can change lives, I see it on a daily basis."

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## OUR CLIENTS BECAME THE FIRST SAME-SEX COUPLES TO BE ISSUED A MARRIAGE LICENSE AND TO WED IN ARIZONA.

### STRIKING DOWN ARIZONA'S SAME-SEX MARRIAGE BAN

**PERKINS COIE EXTENDED ITS DEEP COMMITMENT** to marriage equality in Arizona. Working in collaboration with Lambda Legal, we succeeded in getting Arizona's same-sex marriage ban struck down when, on October 16, 2014, U.S. District Judge John W. Sedwick ruled the ban unconstitutional under the equal protection clause of the 14th Amendment in *Majors v. Horne*.

The ruling brought Arizona in line with more than 30 other states where same-sex couples can marry or have their legal marriages recognized. After the ruling, Tom Horne, Arizona's attorney general at the time, announced he would not appeal the federal ruling.

The judicial decision in *Majors* marked the culmination of a multiyear effort on behalf of same-sex couples in Arizona that included winning a preliminary injunction in 2010 from Judge Sedwick in another case, *Diaz v. Brewer*, to prevent Arizona from enforcing a 2009 law eliminating family insurance benefits for the domestic partners of lesbian and gay state employees and for the domestic partners' children. Judge Sedwick's order was affirmed by the U.S. Court of Appeals for the Ninth Circuit in 2011. The state also filed a petition for certiorari seeking Supreme Court review in *Diaz*, which was denied in June 2013.

"We are delighted to have had a role in ensuring this historical and important legal victory," said Phoenix attorney Dan Barr, who led the Perkins Coie team. "Seeking to overturn a ban on same-sex marriage was the right thing to do in Arizona and wherever such bans are still in effect." The successful pro bono legal team also included Phoenix attorneys Paul Eckstein, Barry G. Stratford and Alexis Danneman, and former firm attorney Kirstin Eidenbach, paralegal Gina Nyberg and Lambda Legal's Jenny Pizer and Carmina Ocampo. ■



*Nelda Majors (l) and Karen Bailey, both seated, were plaintiffs in the Arizona same-sex marriage challenge. Their legal team included (l to r, 2nd row) Lambda Legal attorneys Carmina Ocampo and Jenny Pizer and Perkins Coie attorneys Kirstin Eidenbach, Dan Barr, (3rd row) Barry Stratford, Alexis Danneman and Paul Eckstein*



## TEAMWORK LEADS TO LANDMARK ARIZONA PRISONERS' CIVIL RIGHTS SETTLEMENT

*The outcome shows a commitment to protecting prisoners' physical and mental health.*

**PERKINS COIE—TOGETHER WITH CO-COUNSEL** from the Prison Law Office, the ACLU's National Prison Project, Jones Day, the ACLU of Arizona and the Arizona Center for Disability Law—was part of a major pro bono settlement in a class-action lawsuit against the Arizona Department of Corrections (ADC), achieving far-reaching relief for more than 33,000 inmates of Arizona's state prisons.

The settlement agreement in *Parsons v. Ryan* came just one week before a scheduled federal trial alleging that Arizona's prison system provided grossly inadequate medical and mental healthcare and dental care to the inmates in its custody and that the conditions of confinement faced by Arizona prisoners violated their constitutional rights. The settlement requires the ADC to meet more than 100 specific outcome measures to improve healthcare and conditions of confinement in isolation units and to submit to outside monitoring of ADC's compliance. The settlement also requires ADC to pay the plaintiffs \$4.9 million for attorneys' fees and costs.

Phoenix attorney Dan Barr stewarded the firm's effort on this case. He saw our commitment quickly expand from a handful of prison depositions to one of the largest pro bono cases undertaken by the firm, eventually involving more than 30 attorneys and staff across the

firm's offices. "Whether appearing in court, taking depositions all around the state, visiting prisoners, researching and drafting briefs, or preparing for mediation, our team played a significant role in the final result," said Dan.

### United by the Challenge

Throughout the three-year case, the team triumphed over such challenges as gaining class certification for inmate plaintiffs, working with terminally ill witnesses and opposing a state bureaucracy that fervently sought to maintain the status quo. It was an eye-opening experience for most associates on the case. Several members of the team defended their first depositions while sitting in a prison wearing stab vests and spit shields.

"We did not realize how bad the conditions were before we started investigating and became aware of the life and death issues at stake," said attorney Kirstin Eidenbach, a core team member from the start of *Parsons*. Cadres of experts in the case documented

## THE SETTLEMENT REQUIRES THE ARIZONA DEPARTMENT OF CORRECTIONS TO MEET MORE THAN 100 SPECIFIC OUTCOME MEASURES TO IMPROVE HEALTHCARE AND CONDITIONS.

mentally ill prisoners stuck in solitary confinement, inappropriate use of chemical agents on prisoners and horrible prison hygiene, all far below the minimum standard of care. Team attorney John Gray noted that a powerful motivating and unifying factor throughout *Parsons* was the team's desire to get a good result for suffering clients.

The ACLU National Prison Project's David Fathi praised Perkins Coie's role in helping achieve that result by reaching a settlement with the ADC, an outcome that shows "a commitment to protecting prisoners' physical and mental health" and leads other states to find ways to provide adequate care to their prisoners.

In recognition of its outstanding effort, the *Parsons* team received the firm's 2014 Pro Bono Leadership Team Award and was selected as an honoree by the Arizona Center for Disability Law in conjunction with its 20th anniversary celebration.

The case received national media coverage, a reflection of the growing issue of correctional healthcare and its comportment with the Eighth Amendment. On a more personal level, *Parsons* team member Amelia Gerlicher credits the case with expanding her practice skills: "There were 17 different kinds of briefings, 65 types of discovery, many flavors of depositions and opposing counsel had their own lessons to impart. I feel lucky to work for a firm with this unique level of support for pro bono." ■



## THE *PARSONS* CASE REQUIRED RESOURCES FROM ACROSS THE COUNTRY



*Perkins Coie team members included Seattle attorney Amelia Gerlicher; Phoenix attorneys Dan Barr, John Gray, Stephen Brookman, Jerica Peters, Bo Dul, Thomas Ryerson, Barry Stratford, Alexis Danneman, Roque Thuo, Heather Hamel and Kendra Kisling; former Perkins Coie attorneys Kirstin Eidenbach, Matthew du Mee and Stephen Raher; Dallas attorneys Jason Elliott and Erin Leu; and Washington, D.C. attorneys James Bickford, Bhaskar Kakarla and Bill Bainbridge. Phoenix paralegals Bea Stam, Eric Sisson, Phyllis Miller-Coleman, Nickie Miller, Gretchen Smidt and Melinda Manchester and legal secretaries Delana Freouf, Sharon Neilson, Clair Wendt, Stephanie Lawson and Kaye Leach also provided support, as did Mark Kako, Tracy McCarthy and Maxim Yeryomenko.*



**JOHN GRAY**  
**ASSOCIATE**  
PHOENIX

*“The case was so big and so contentious, it helped us come together. We wanted to win for our clients, which helped to unite us through the long case.”*



**AMELIA GERLICHER**  
**COUNSEL**  
SEATTLE

*“Leaving the office after one midnight filing, we all thought we wouldn’t want to be in this trench with anybody else.”*



**DAN BARR**  
**PARTNER**  
PHOENIX

*“I am so proud of the passion, creativity and intelligence of this team, they were so motivated and fought so hard.”*

## BRIEFS

### “Walking While Trans” Conviction Vacated in Phoenix

Transgender issues moved even further to the mainstream in 2014, and a “Walking While Trans” case in Phoenix catapulted to the front pages. Transgender activist and Arizona State University student Monica Jones was convicted for violating a local prostitution ordinance after accepting a ride with an undercover officer. Phoenix law prohibits people from “manifesting” an intent to solicit prostitution in public places by waving at cars, talking to passersby and asking whether someone is a police officer, among other actions. The case garnered national attention concerning LGBT rights and freedom of speech.

Perkins Coie first assisted the American Civil Liberties Union as amicus curiae at the trial court. After Monica was convicted, Phoenix attorneys J Cabou and Alexis Danneman represented Monica on appeal, arguing both that the statute under which she was convicted was unconstitutional and that her trial was constitutionally flawed. The effort gained wide support, including from transgender television celebrity Laverne Cox of “Orange Is the New Black” and from the ACLU National LGBT Project, ACLU-AZ, Transgender Law Center, Lambda Legal Defense and Education Fund, and Urban Justice Center, all of which filed an amicus brief in the appellate court in support of Monica.

The appeal was successful, and the court vacated our client’s conviction in January 2015. The case was subsequently dismissed, meaning that Monica cannot be retried. “Monica was convicted in an unconstitutional trial, under an unconstitutional law, of a crime she didn’t commit,” said Cabou. “We are incredibly pleased that the court vacated her conviction.” ■

## EQUAL+RIGHTS



*Transgender activist Monica Jones’ successful challenge of a Phoenix law sparked media attention on LGBT rights and freedom of speech.*

## BRIEFS

### Advocating for Prisoners' Human Rights

The systemic impact of prisoners' rights lawsuits includes greater access to the courts and adoption of fairer administrative practices. Perkins Coie has an ongoing commitment to upholding the civil rights of inmates, as demonstrated in some of the cases concluded in 2014.

We prevailed at trial and secured a unanimous jury verdict for one prisoner claiming excessive force by prison officers, and we helped uphold the rights of Native American inmates to follow their religious practices. We also pursued an Eighth Amendment claim for one client, D.K., a transgender inmate incarcerated by the Wisconsin Department of Corrections. D.K. repeatedly reported the threatening behavior of a fellow inmate to guards, who failed to act on her complaints. Subsequently, our client was severely beaten by that inmate. We were brought into the case by the U.S. District Court for the Western District of Wisconsin, and our Madison team of attorneys—Tim Burns, David Jones, Jeff Bowen and Jesse Bair—represented D.K. in her lawsuit pro bono. The suit charged correctional and prison officials with negligence and with acting with deliberate indifference towards our client's safety, in violation of the Eighth Amendment and state law. In a confidential mediation, the state agreed to a significant monetary settlement, underscoring the message sent to correctional institutions. ■

### Assault Weapons Ban Upheld in Chicago Suburb

In the tragic aftermath of gun violence in Newtown, Connecticut and Aurora, Colorado, the city of Highland Park, Illinois passed a ban on assault weapons and large-capacity ammunition clips. A local pediatrician and the Illinois State Rifle Association challenged the 2013 ordinance, arguing that it violated the Second Amendment and interfered with the residents' ability to defend themselves. Chicago attorney Chris Wilson, in collaboration with the Brady Center to Prevent Gun Violence, successfully represented the Chicago suburb in defending

the ban. Chris persuasively argued that assault weapons are not appropriate for self-defense and that the plaintiffs did not provide any examples demonstrating the weapons' use for that purpose. "Highland Park has established a close fit between the ordinance and its stated objective of providing for the protection and safety of its inhabitants," Judge John Darrah of the U.S. District Court for the Northern District of Illinois wrote in his ruling. The U.S. Court of Appeals for the Seventh Circuit affirmed the district court's ruling. *The Chicago Daily Law Bulletin* described this case as "the latest in a burgeoning Second Amendment battle after recent U.S. Supreme Court precedents that have expanded the rights of gun owners." ■

### Wilbur: A Lasting Impact on the Public Defense System

Following Perkins Coie's contribution to the successful groundbreaking challenge to the public defense system in *Wilbur v. City of Mount Vernon*, cities and counties across Washington have been using the decision as a "guide for making improvements to public defense," according to a 2014 report issued by the Washington State Office of Public Defense. Jurisdictions throughout Washington are implementing improvements, including better prosecutorial screening of cases and significant increases in spending on public defense budgets to stay within the bounds of the Sixth Amendment. *Wilbur* also had a national impact. The case was cited as influential in the more than \$3 million settlement in *Hurrell-Harring v. New York*, in which the state committed to improving the public defense system in five New York counties.

Perkins Coie attorneys partnered with the ACLU of Washington in *Wilbur*. In 2014, the civil rights group recognized the litigation team with its Civil Libertarian Award. Seattle attorneys James Williams, Camille Fisher, Breena Roos and David Steele and Pro Bono Counsel Leah Medway accepted the award. ■



*Wilbur team leader James Williams accepts ACLU-WA's Civil Libertarian Award.*

# DEATH PENALTY

■ Our attorneys have long devoted time in the area of indigent defense by assisting incarcerated persons, many of whom have exhausted all other options. ■ Perkins Coie is currently handling four post-conviction death penalty cases representing clients on death row in Texas, Georgia and Alabama, the last of which is a state that has no public defender system and in which the system of capital punishment is riddled with fundamental constitutional problems. ■ These cases require vast resources and the time and dedication of the attorneys that work on them. ■ Most of the representations last years. ■ According to the American Bar Association's Death Penalty Representation Project, the single most important factor affecting the fairness of the death penalty is the competence and expertise of defense counsel. ■

# LIFE+DEATH

WE INVITED  
LEAD ATTORNEYS  
TO A ROUNDTABLE  
TO DISCUSS  
PERKINS COIE'S  
DEATH PENALTY  
DEFENSE  
COMMITMENT.



**ROB ALDISERT**  
**PARTNER**  
PORTLAND



**DAVID BURMAN**  
**PARTNER**  
SEATTLE



**NICHOLAS GELLERT**  
**SENIOR COUNSEL**  
SEATTLE



**DAVID E. JONES**  
**PARTNER**  
MADISON



**RONALD McINTIRE**  
**PARTNER**  
LOS ANGELES

**CAUSE:** CAPITAL PUNISHMENT  
**+ EFFECT:** CHALLENGING THE FAIRNESS OF  
THE U.S. JUSTICE SYSTEM

**CONTROVERSY SURROUNDS DEATH PENALTY CASES**, and the debate reignited this year following several faulty lethal injections that occurred in capital executions. The single most important factor affecting the fairness of the imposition of the death penalty is the competence and expertise of defense counsel, according to the American Bar Association Death Penalty Representation Project.

Perkins Coie attorneys' association with the ABA project is part of the firm's history of commitment to the post-conviction defense of death row inmates. We have experience at every stage of post-trial proceedings, from state habeas corpus petitions to vacated sentences and execution. Our attorneys have both suffered the hardship of seeing a client's capital punishment meted out and felt the high of helping save a life from being unjustly taken.

More than 3,000 prisoners are currently on death row in the United States, and over 40 Perkins Coie attorneys are now working on death penalty cases across the nation. We currently have four active death penalty cases within the firm. We brought together some of the lead attorneys on the four death penalty teams: Rob Aldisert from Portland, David Burman and Nicholas Gellert from Seattle, David E. Jones from Madison, and Ronald McIntire from Los Angeles. They share their thoughts on the rewards, challenges and importance of Perkins Coie's death penalty pro bono commitment.

**Q: How did you become involved with death penalty work?**

**JONES:** Outside of endless law school debates, I first became exposed to death penalty work when my best colleague in the Army went on to the Department of Justice and did the death argument in the Timothy McVeigh case. McVeigh had the very best defense counsel. There was no problem with funding. He got a fair liability trial. So if you're going to do it, maybe that's the way to do it. Yet most often defendants don't have good counsel and a fair trial, and by the time we get involved, it is too late. The whole process is particularly troublesome throughout the South, where I have been involved in death penalty litigation.

**GELLERT:** My colleague in law school, Spencer McIntyre, who also started his legal career with me at Perkins Coie, asked me and Dave Burman to assist him in getting a brief out to the Ninth Circuit for a death row inmate, Donald Fetterly in Idaho. After several years of litigation, the court ultimately remanded for a resentencing hearing, which ended in another

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3,000+  
PRISONERS  
CURRENTLY ON  
DEATH ROW IN THE  
UNITED STATES

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40  
PERKINS COIE  
ATTORNEYS NOW  
WORKING ON DEATH  
PENALTY CASES ACROSS  
THE NATION

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# DEATH PENALTY Q+A



*Los Angeles partner Ron McIntire (l) took on his first post-conviction death penalty case in 2014, explaining that “the case piqued my interest, but it really is more about the system letting people down.”*

death sentence. This resentence was later overturned too. The state decided not to seek the death penalty a third time, so Mr. Fetterly is serving a life sentence in Idaho.

**BURMAN:** When I came to the firm in 1979, I had clerked for a year for Justice Byron White—it was the year that the first execution took place after capital punishment had been suspended for a number of years under the U.S. Supreme Court case *Furman v. Georgia* and then was reinstated under *Gregg*. A guy named Spenklink in Florida was executed in early '79 before I came to the firm.

Although my judge had voted in favor of reinstating executions under standards that supposedly channel discretion and avoid racial abuse, he was not happy that executions were starting again. He said if I was concerned about the death penalty, I should talk to the Legal Defense Fund. It turned out a friend of mine worked for them, and he introduced me to a

superb lawyer in Seattle, Tim Ford, doing a lot of their work on a volunteer basis. Tim got me involved in my first case, *Deutscher* in Nevada, and eventually we got the death penalty vacated. Within a year, Mr. Deutscher died of natural causes. I continued to do death penalty cases after that, frequently working with Nick on these cases. I did take a long break though after one client in Arizona was executed and didn't start again until the *Lee* case came along.

**ALDISERT:** I got involved when the ABA asked our firm in 2003 if we could help, and the *Hodges* case just struck a chord with me. All the work we do is important to somebody, but if we prevail on this case, our client lives, and if we don't, he dies. That's huge and a motivator in itself. I have very few strong political beliefs, but early on in my life I knew I was against the death penalty. When this opportunity came along, I thought maybe I could help one person through this.

**MCINTIRE:** I have been practicing almost 30 years, but I am definitely the newcomer to the death penalty group. A little over a year ago, the *Ramey* case was presented to us by the ABA Death Penalty Representation Project. We had just finished a successful pro bono case for a woman who got life without possibility of parole under very unjust circumstances. I felt the system let her down in so many ways even before the crime occurred, and here again, with *Ramey*, I think it's the system. I've always believed the death penalty was wrong, and in law school I learned even more reasons why we shouldn't be doing it. As time goes by, it seems like that is reinforced. The case piqued my interest, but it really is more about the system letting people down.

**Q:** The issue of innocence is not the crux of your cases, it's about the judicial system's failure and competency of counsel. To be effective in these cases, is it important to be against the death penalty?

**BURMAN:** I don't have an abstract belief that it's immoral in all circumstances. My experience over the years is that society is not going to spend the money to do it right and therefore we shouldn't be doing it at all. Every case that I've come close to has just more and more reaffirmed that belief.

**JONES:** Bingo, that's it. I don't believe you need to have a feeling one way or the other about the death penalty. What you need to have is a belief in the system working right. Then these cases shouldn't cause any problem from a philosophical standpoint. I was a former prosecutor and believe the system needs to work right or people can get hurt. We need to give these guys, for the first times in their lives, really quality representation, making the system do its job and giving them every opportunity to have their story told because it never gets told otherwise.

**MCINTIRE:** I think it helps to be against the death penalty. You can say, "I don't care whether he's guilty or not, the system didn't work, he didn't get a fair trial." That may be true, but there is also the human aspect. When I met my client on death row for the first time, I looked him in the eyes and thought that he is a human being and he is worth saving.

YOU DON'T NEED  
TO HAVE A FEELING  
ONE WAY OR THE  
OTHER ABOUT THE  
DEATH PENALTY.  
YOU NEED TO  
HAVE A BELIEF  
IN THE SYSTEM  
WORKING RIGHT.



*Dave Burman, left, began death penalty work in 1979. Rob Aldisert and Nick Gellert, right, have been representing their death row inmates for more than a decade.*

**Q: Your descriptions of visiting clients on death row sound like indelible experiences and form part of the unique client relationships in death penalty cases. It's quite different from working with corporate clients. What is the relationship like?**



**JONES:** These relationships with the client and his family can be actually very complicated. In the mitigation case, you get back into their prior life history; it's almost always a case of "well of course he went wrong." You're often dealing with folks who are having a hard enough time getting themselves through life.

**Q: Commitments to death penalty cases require considerable firm resources—cases can span decades, often outlast teams of associates and take an emotional toll on the people involved. Many of these cases occur outside of the firm's usual jurisdictions, like Georgia and Alabama. How does this work reward Perkins Coie and why should we do it?**

**MCINTIRE:** Shortly after we got involved with the *Ramey* case in Texas, I got a call out of the blue from the Houston federal

## THE LAW HERE IS AS COMPLEX AS ANY OF THE CIVIL LAW WE PRACTICE, AND IT'S UTTERLY AND COMPLETELY STACKED AGAINST THE DEFENDANT BY DESIGN AT ALL LEVELS.

**ALDISERT:** When we were meeting for the first time, my client came into the yard in Atmore prison in Alabama, raised his arms and said, "praise the Lord." I turned around and said, "You mean me?" I guarantee you no other client has ever said that. I told him, "my job's to get you off death row or keep you on it." Whatever I can do, if we do not prevail, at least he has an extra 10 or 15 years of life. I've gotten to know his family through the more than 10 years of handling his case. His mom sends us pecans every year at Christmas.

**GELLERT:** I have avoided being too personally connected to the clients. I was involved with our firm's attempt to save Mr. Woratzeck from execution, which ultimately we were unable to do. I never met him, but it was still an incredibly low point for me. My current death row client, Mr. Lee, is a kind person. When meeting him for the first time, I was having a hard time appreciating that he had committed the crime for which he was convicted.

court. It was our judge calling me directly, which had never happened in my career—a direct call, ex parte communication from a federal judge—and he said, "I just want to thank you and your firm for taking this on." That was rewarding, to have a federal judge recognize what a commitment this was on our part. I told the team about that and everyone was beaming. It was a great moment early on in the case.

**BURMAN:** We have a similar letter from the Ninth Circuit judge that was involved in the *Woratzeck* execution. He thanked us and our co-counsel for the professionalism and for the willingness to throw ourselves into the effort regardless of what the outcome was, to try to do our best to make the process work correctly. These cases help our reputation. The federal judges talk among themselves and have said they really appreciate our efforts. I think that has rewards for us and our clients down the road. Putting aside the personal benefits of feeling that you have done something that you

ought to be doing, there are some practical benefits. I do think we attract some high-quality associates. They know the opportunities to do things like this are going to be here; they have firm support and can count on leadership from people like those participating in this roundtable.

**GELLERT:** A good example of “why?” is what a general counsel of a major firm client recently said about wanting to hire firms like ours, firms that make major commitments to tough cases for the tough client who maybe has had a tough life and not a lot of fair shakes. The firm, for me personally, has been incredibly supportive, and I am grateful. I think that really has made a difference in us being able to recruit and attract great lawyers.

**JONES:** We have never had any pushback on it. It makes you very grateful to be part of a firm that’s committed to do death penalty work. And we opt to provide uplift to folks who are on the front lines all the time, like the folks at the Georgia Resource Center, which we’ve been partnering with in *Wilson*.

**Q: Associates play a big role in death penalty cases. What are some of the challenges of assembling and maintaining a team of young lawyers?**

**MCINTIRE:** A couple of associates took a very strong interest in the *Ramey* case and asked for a partner to supervise, and I was happy to do that. There is an extreme esprit de corps with the nine of us now, and it continues to develop. I don’t feel like I’m running the case so much, it’s really the team running the case, and Nick has been a great advisor as none of us have ever done a death penalty case before.

**GELLERT:** In the *Lee* case, I think we’re on our fifth group of associates on the team, and that’s difficult in a lot of respects. The biggest difficulty is the inefficiencies it creates—new people having to get up to speed on very complex and long factual histories. The flip side is that this is exciting work, and it gives associates opportunities that they often don’t get in other work, the chance to really play an integral part or to be running a complex piece of litigation. My second appellate

argument in my career was in an Idaho death penalty case in the Ninth Circuit. These cases are opportunities for associates to get unique experience.

**JONES:** In the *Wilson* case, we were fortunate that we brought the whole team and case with us when we joined Perkins Coie. These are frustrating cases that can take their toll. I am a Southerner—lost causes are what we Southerners do, so that is not a problem for me. We like to bring in new people every now and then to get that crusader’s excitement and energy. Visiting our client can also be very invigorating for team members. Otherwise, it’s very easy to get too negative about things. As long as we have a corps of folks—we’ve had David Harth, myself and Gabby Bina with this since 2000—we’re able to have a nice rotation of folks who have brought terrific contributions.

**Q: Your participation in death penalty cases challenges the status quo. What does that mean to you? Are you hopeful the system will change?**

**ALDISERT:** The law here is incredibly complex. It’s as complex as any of the civil law we practice, and it’s utterly and completely stacked against the defendant by design at all levels. So if we can thread that needle somehow, that’s our job.

**BURMAN:** It’s particularly stacked in terms of systematic change because the legal standards are such that you basically cannot create new law.

**GELLERT:** In one view, we are somewhat perpetuating the system. I think there’s a tension between firms like ours that give people a chance and the state then can say that all these expensive lawyers came in and the appeals lasted 12 years; he had his day so we executed him. The story that the public hears is there were 12 years of appeals, but they don’t hear that those 12 years of appeals were up against the odds of trying to overturn earlier defense counsel’s incompetence. For me, the key point is that these cases are very intellectually challenging. Also, once you do some of this work, there is a sense of commitment to the client and to help others doing this work. ■

# CURRENT DEATH PENALTY CASES

## ALABAMA DEATH ROW INMATE

### MELVIN HODGES

Perkins Coie has represented Melvin Hodges since 2004 in his appeal from a death sentence imposed by an Alabama trial judge in 1999. Melvin was represented in his trial by a court-appointed attorney whose primary practice was family law. He had never tried a capital case and begged to be let off the case. Alabama has no public defender system; his lawyer was paid \$1,000 for his representation. The trial lasted three days from jury selection to final penalty verdict. The prosecution put on 54 witnesses; the defense put on one. The jury voted 8 to 4 to sentence him to life in prison. The judge disregarded the jury's sentencing verdict and condemned Melvin to death, as allowed by Alabama law. Our representation began with the filing of a post-conviction state habeas corpus petition, and we have subsequently put on two evidentiary hearings, including the mitigation case trial counsel failed to do. We are now in the early stages of a federal habeas corpus petition in the Middle District of Alabama and are raising numerous constitutional grounds for the overturning of Melvin's conviction and death sentence.

Portland partner Rob Aldisert has led *Hodges* since the ABA referred it to the firm. Other team members currently include Portland attorneys Kristina Holm, Jo Perini-Abbott, Bryan Beel, Gabby Richards and Ed Choi; paralegals Karen Huang and Ann Sandvig; and legal secretary Azeena Dargis. ■

## GEORGIA DEATH ROW INMATE

### MARION WILSON, JR.

We represent Marion Wilson, Jr. who, along with Robert Earl Butts, was convicted of murdering a man in 1996 in Milledgeville, Georgia. At trial, Marion was represented by

two appointed attorneys who argued that he was "mere[ly] present[t]" during Butts' crimes. Limited evidence was presented of Marion's childhood, which was filled with squalor, abuse and violence, including watching his mother's boyfriend hold a gun to her head. Marion's jury deliberated for less than two hours before sentencing him to death, a verdict that was affirmed by the Supreme Court of Georgia. Our representation of Marion began in 2001 and has included an appeal to the U.S. Court of Appeals for the Eleventh Circuit, which asked for further briefing. We currently have filed a petition for a rehearing as well as a successive habeas petition in state court on new grounds.

*Wilson* team members currently include Madison attorneys David E. Jones and David Harth (who brought this case with them when joining the firm in 2008), Gabrielle Bina and Autumn Nero, and legal secretary Brenda Horn. ■

## TEXAS DEATH ROW INMATE

### KER'SEAN RAMEY

Ker'Sean Ramey is a 29-year-old African-American man sentenced to death in 2007 by 12 white jurors after less than 15 minutes of deliberation. The prosecutor in the case was an experienced and aggressive district attorney who is infamous for his harsh and disparate treatment of African Americans in his small Texas county. In contrast, Ker'Sean's trial counsel was an inexperienced attorney who also worked part-time as a dentist. He failed to put on any mitigation case to speak of. We took on Ker'Sean's case in 2014 and are preparing a petition for writ of habeas corpus to Texas district court. Ker'Sean's previous habeas counsel arguably missed the deadline. Our federal habeas petition will seek a declaration that either or both the state trial and appellate proceedings violated Ker'Sean's constitutional rights. Prior to Perkins Coie

accepting the case, no meaningful investigation had ever been done—at trial or in post-conviction proceedings—into Ker’Sean’s life circumstances, his potential defenses or the constitutionality of the prosecution and trial.

*Ramey* team members include a Los Angeles-based attorney team featured on page 37 and paralegals Mary McDermott and Sharon Grisham and legal secretaries Sharon Jones and Pamela Villeral. ■

#### ALABAMA DEATH ROW INMATE

### JEFFREY LEE

Sentenced to death in 2000 for the robbery and murder of two people, Jeffrey Lee also shot another woman during the robbery, which was captured on video surveillance. In addition, he signed a confession to the murder. His trial jury recommended a sentence of life without parole by a 7 to 5 vote but the court sentenced Lee to death, which is allowed in Alabama. In 2004, Perkins Coie stepped into the case and filed a petition claiming that his trial counsel provided ineffective assistance by failing to investigate and present mitigation in the penalty phase regarding Lee’s heavy use of drugs and alcohol before the crime, various mental health issues and other factors. In 2010, we filed a federal habeas petition, which the court denied, and subsequently made other claims, which were unsuccessful. We have also alleged a history of racial discrimination in jury selections by the district attorney’s office.

*Lee* team members currently include Seattle attorneys David Burman, Nicholas Gellert (both of whom have been on the case since the ABA referred it to the firm), Elvira Castillo, David Perez, Ian Rogers and Aurora Janke. ■



## DAVID E. JONES

2014 PRO BONO  
LEADERSHIP  
PARTNER  
AWARD RECIPIENT

Widely viewed as a tireless contributor to the firm’s pro bono success, Madison partner David E. Jones achieved several notable civil rights victories in 2014 for clients, including for a transgendered inmate unconstitutionally subjected to violence and for a victim of an illegal seizure of property. In addition, David has been defending a Georgia death row inmate since 2001 (see page 34).

With a pro bono practice as sophisticated and demanding as his patent litigation practice, David values the mentoring opportunities his cases present. His lifetime of service includes active duty as a captain in the U.S. Army and service as a former prosecutor, and he continues to offer legal support to veterans. David is known for showing personal concern for his clients, such as buying books for prisoners or staying in touch with their families. What motivates David? His belief that the justice system must work right. “The best thing we do is provide people, for the first time in their lives, with first-rate representation and a sense that they have a shot. The feel like, at last, their stories are getting told,” says David. In recognition of David’s accomplishments, Perkins Coie presented him with its 2014 Pro Bono Leadership Partner Award. ■

## TEAM SPOTLIGHT: L.A. ATTORNEYS COMMIT TO DEATH PENALTY DEFENSE

**TAKING ON POST-CONVICTION DEATH PENALTY WORK** requires the commitment of a flexible team of attorneys. In Los Angeles, the team coalesced following a familiar path—friends and colleagues brought them into the cause.

For associate Catherine Grech, an ardent opponent to capital punishment, a law school friend's invitation to an ABA death penalty program in 2014 intrigued her. When she bumped into fellow Perkins Coie litigator Vilma Palma-Solana at the meeting, it felt more like fate than coincidence. They quickly combined forces and parlayed their shared interest in Ker'Sean Ramey's post-conviction defense (see page 34) into a persuasive argument that convinced partner Ronald McIntire and the firm to take on the case. In turn, they assembled a nine-member team with diverse attorneys and experience spanning litigation, business and criminal law.

Still in the early stage of mounting a defense, the *Ramey* team has worked to gain the trust of its client. "The first time we visited, Ker'Sean was withdrawn and aloof. However, on our second visit, he was welcoming and talkative, a changed person. When I asked what caused the transformation, he explained that we were the first lawyers who had ever showed up again for him," said Catherine.

Visiting their 29-year-old client on death row has been a moving and memorable experience for team members. "Many of us are close in age to him, and it was surprisingly easy to connect with him," said Alisha Burgin, whose previous experience clerking for a federal judge and personal commitment to turning around institutional injustice compelled her to get involved with the *Ramey* case.

The team views this death penalty litigation as a unique opportunity on many fronts. For first-year associate Marlena Moore, the case gives her the chance to gain complex litigation skills and continue her pro bono commitment, which was one of the reasons she selected Perkins Coie to start her career. For more experienced counsel Jeffrey Goodfried, the *Ramey* case presents an attractive legal challenge on the fairness of the justice system. Litigation associate Oliver Gold echoes the team members' enthusiasm and the case's personal impact on them: "I will never forget the first moment I looked into our client's eyes. I knew right there I did not believe in the death penalty. It's rare to work on something with such high stakes." ■

*Our death row client was withdrawn and aloof the first time we met, but he was welcoming on our second visit. What caused the change? He said we were the first lawyers to ever return.*



# EQUAL+JUSTICE



While many of the Los Angeles death penalty case team members are young lawyers, they readily recognize the “once-in-a-lifetime opportunity,” as associate Kasra Kokabi noted, that a post-conviction defense case presents. The entire team was attracted to the chance to help turn around a sentence they perceive resulted from a miscarriage of justice. According to associate Christin Kim, “the chance to help is part of the reason we went to law school.”

*Los Angeles death penalty team attorneys include (l to r) Jeffrey Goodfried, Vilma Palma-Solana, Christin Kim, Oliver Gold, Catherine Grech, Marlena Moore, Alisha Burgin and Kasra Kokabi*

IT'S RARE TO WORK ON SOMETHING **WITH SUCH HIGH STAKES.**



# NONPROFITS+ COMMUNITY INVESTMENT

■ Nonprofit entities abound in our communities. ■ They offer services that many members of society cannot afford yet still need. ■ At Perkins Coie, our attorneys advise these nonprofit community partners in their business-related legal needs so that they may operate successfully, fulfill their missions and focus on the needs of their clients with peace of mind. ■ Our transactional attorneys also provide advice and counsel to low-income individuals as they start their own businesses and improve their own lives. ■ When we are able to assist pro bono clients as they invest to strengthen their communities with their ideas, their business knowledge and their desire to contribute, we are encouraging the use of local resources to enhance the economy of our communities. ■

# HEALTH+WELLNESS

IT JUST PUTS A SMILE ON YOUR FACE WHEN YOU SEE HOW MUCH FUN THE KIDS HAVE. I AM INVESTED IN THEM.



LORRI ANNE  
DUNSMORE

**PARTNER**  
SEATTLE



**CAUSE:** YOUTH FITNESS

## **+EFFECT:** POWERING UP TEENS FOR HEALTHY LIVING

**CONCERNED ABOUT THE STARK HEALTH INEQUALITIES** that exist in Seattle between young people with access to quality after-school sports and fitness programs and those without access, fitness enthusiasts Martha Moseley and Jill Beck sought to make fitness opportunities more widely available to the underserved. In 2013, they founded Upower in South Seattle with the goal of inspiring a lifelong passion for health and wellness.

Upower is a Seattle-based charitable organization that provides no-cost fitness, health and wellness classes to underserved teens in King County. Upower has helped more than 500 teenagers get moving across Seattle through cardiovascular conditioning and strength training in group and individual workouts.

While many Upower participants proudly point to increased fitness and energy levels, Martha emphasizes that good mentoring and positive health habits translate into success in the classroom and beyond. “It has been tremendous to see young people’s self-confidence blossom,” she said.

Keeping Upower absolutely free of charge to participants was a founding goal. To achieve this, the nonprofit needed a solid business foundation, which led it to Wayfind, a nonprofit working with Washington microenterprises and nonprofits. Perkins Coie has a close partnership with Wayfind and Seattle attorney Lorri Dunsmore answered Upower’s call.

### **A Full Circuit of Legal Heavy Lifting**

Upower’s initial legal needs—entity formation and establishment as a public charity—expanded quickly. A

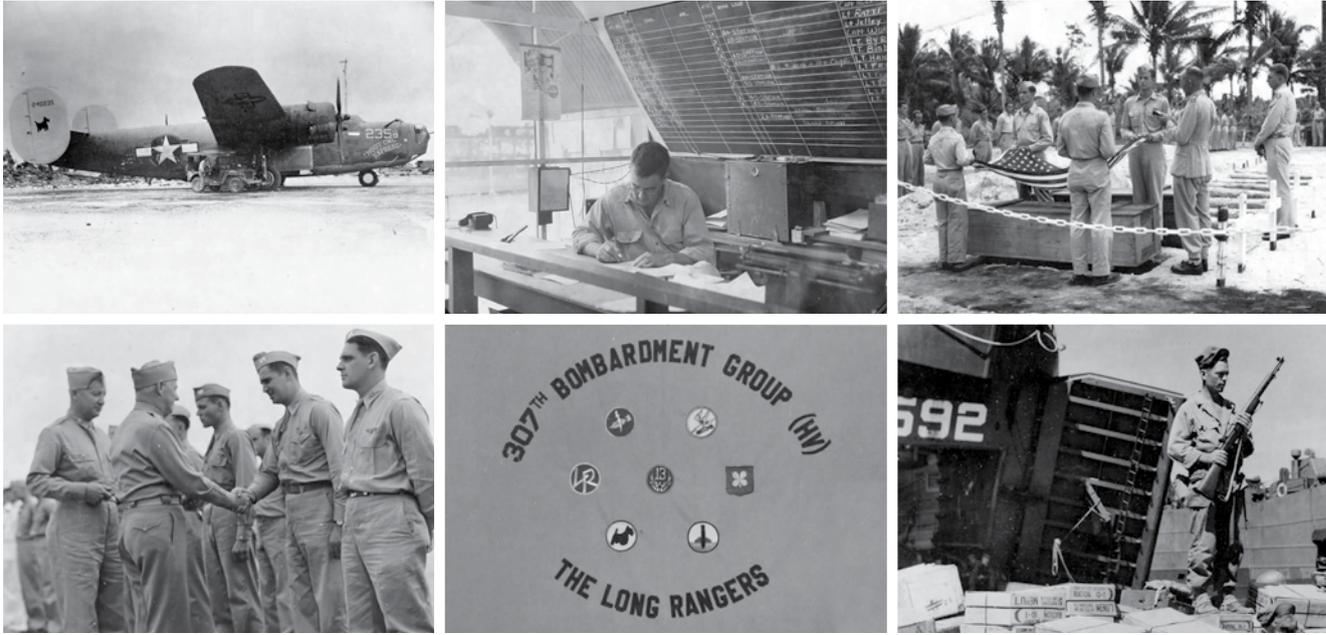
complement of Perkins Coie attorneys advised the fledgling group in such areas as insurance coverage, HIPAA issues, trademark and branding protection, employment and volunteer agreements, parental waivers and co-venture agreements with community partners.

“It’s been fun to take a holistic approach, to look at an organization from soup to nuts and help them with their growing pains,” said Lorri. Highlights of Perkins Coie’s comprehensive counsel include securing tax-exempt status for the group in record time and helping it smoothly scale back operations when its rapid growth resulted in an overextension of resources.

In addition to Lorri, Perkins Coie’s Upower team included Seattle attorneys Elizabeth Breakstone, Emily Bushaw, Julie Lucht, Tony McCormick, Jeff Minzel, Kate Reddy, Reagan Roth and Jim Vana; Washington, D.C. attorneys Nishant Kumar and Selena Linde; and Seattle paralegal Jane Frissell.

The quick success of Upower—the organization won a 2014 *Seattle Met* Light a Fire Award and its client base keeps growing—speaks to the strength of its mission and its institutional stability, both of which are critical to meeting its ongoing fundraising challenges. According to co-founder and president Martha, “I can’t see a difference between this being a paid engagement versus a pro bono one because the enthusiasm and professionalism exhibited by everyone at Perkins Coie has been top notch.” ■

## BRIEFS



*Perkins Coie helped safeguard the legacy of World War II veterans by protecting a war memorabilia archive on Ancestry.com.*

### WWII's Long Rangers Fly Again Online

The story of America's hard-fought victory in the Pacific theater during World War II is part of our national lore. For America's remaining World War II veterans and their loved ones, preserving this rich history and rarely heard wartime tales in an accessible digitized format for future generations is a priority. Recently, a Perkins Coie pro bono team completed a project that will keep alive the memory of the 13th Air Force's famous 307th Bombardment Group. The group's members were known as the "Long Rangers" for their hundreds of lengthy wartime missions over the Pacific Ocean. One Long Ranger, Louis Zamperini, is the subject of the best-selling book *Unbroken* and film of the same name.

Putting our intellectual property licensing skills in action, Perkins Coie negotiated a digitization and license agreement

between the 307th Bombardment Group Association and Ancestry.com so that the group's valuable photographs, military orders and other memorabilia will have long-term protection and be made broadly available to the public. The Long Rangers' materials are now part of a searchable database and index on Ancestry.com's military records site, Fold3.

"This expands the audience of people able to access these materials," said Seattle attorney Elizabeth Breakstone, who led the matter. "Working with a company such as Ancestry also helps ensure the long-term preservation of the materials." For Elizabeth, the project's cause was close to her heart—she majored in history in college and formerly worked as a librarian. Elizabeth worked with Seattle colleague Dax Hansen and Ron Koo of Los Angeles to preserve this slice of American history. ■

WHEN EDUCARE  
SOUGHT TO EXPAND  
ITS NETWORK  
INTO CALIFORNIA  
BY OPENING ITS  
TWENTY-FIRST  
SCHOOL,  
**PERKINS COIE WAS  
WELL POSITIONED  
TO HELP.**

### Finding a New Educational Way in San Jose

Educare Learning Network is a coast-to-coast educational nonprofit focused on changing the face of early childhood education through its research-based approach deployed in schools nationwide. It establishes and operates full-day, year-round schools and educational programs for low-income children and their families, focusing on the formative first five years of a child's life. When Educare sought to expand its network into California by opening its twenty-first school, Perkins Coie was well positioned to help.

Working with Educare's affiliated public benefit corporations in California, San Francisco and Palo Alto attorneys Allan Low, Edward Wes, Tara Seracka and Michelle Chan led the nonprofit through the funding process, which included more than \$14 million in New Markets Tax Credit Program financing, an additional short-term credit facility from The David and Lucile Packard Foundation and a long-term ground lease from the school district. The funding supported the construction and operation of Educare California at Silicon Valley, an approximately 28,000-square-foot education facility serving at-risk area children and providing early education and support services for high-need families. ■



*In a display of public/private partnership and a commitment to improving early education, Educare of California at Silicon Valley broke ground in 2014 on its first school in the state.*

## BRIEFS



*Perkins Coie helped Ecotrust purchase and permanently protect Sand Lake, one of Oregon's last intact coastal estuaries and an important habitat for birds, coho and chum salmon and steelhead.*

### Oregon's Coast Gains New State Park

A pristine 360-acre natural estuary along Oregon's coast almost became a private golf course a few years ago. Fortunately, with Perkins Coie's pro bono legal assistance, Portland-based nonprofit Ecotrust was able to purchase the land—known as Sand Lake—with the agreement that it would transfer the property to the State of Oregon's Parks and Recreation Department (OPRD) so that it could be converted into a state park. By the end of 2015, the public will be able to enjoy the new park, which includes beaches, wetlands and woodlands, unique plant communities and a natural habitat for rare birds and fish. Portland attorneys Chris Hall and Matt Trager closed Ecotrust's acquisition of Sand Lake and related financing transactions. We also represented Ecotrust in negotiating an option agreement with OPRD for its ultimate acquisition of the property. ■

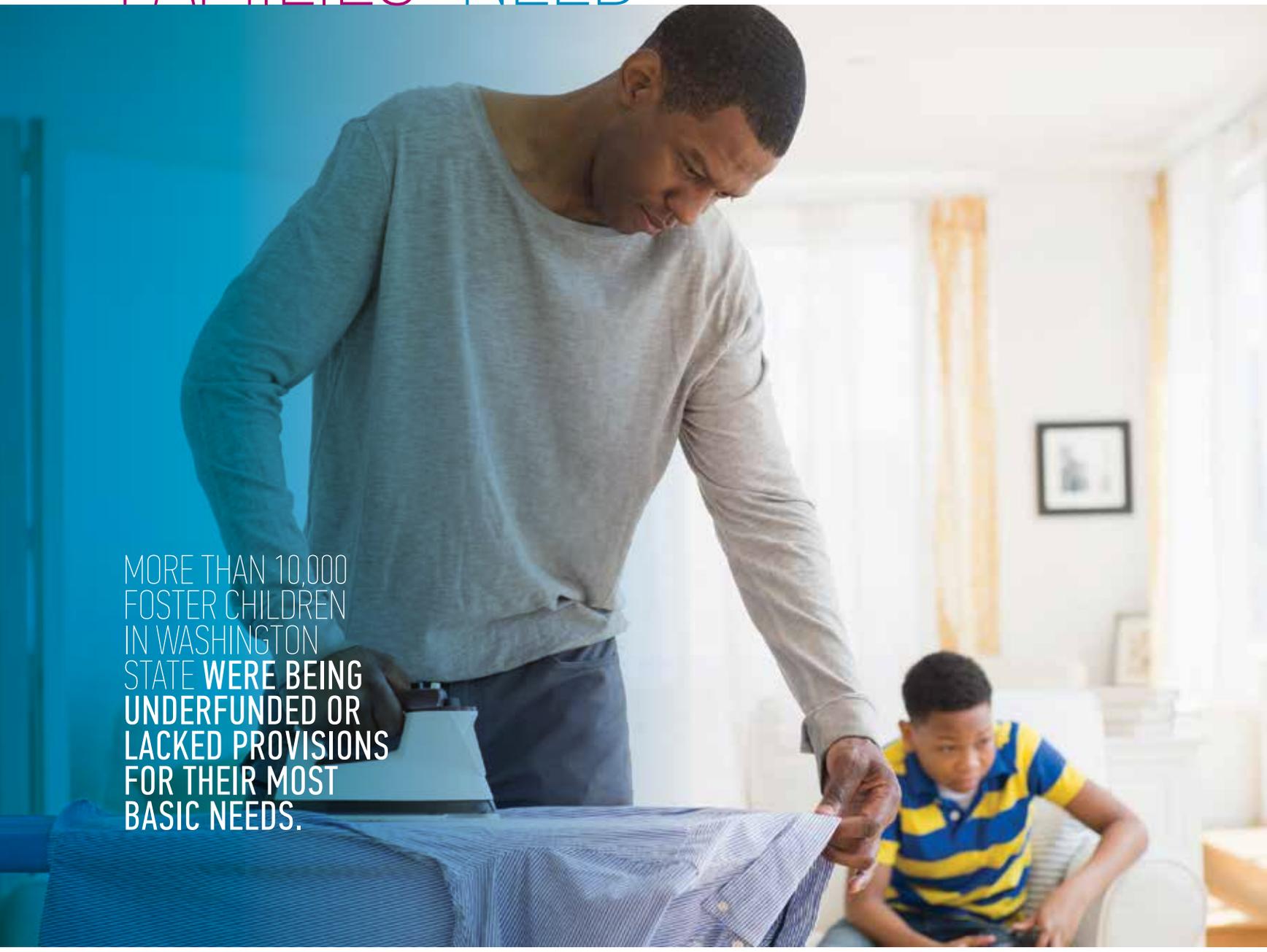
### Protecting Educational Nonprofit From Telecom Fraud

For more than 40 years, Street Law, Inc. has been advancing justice through classroom and community education programs to empower people to bring about positive change. But when the nonprofit became embroiled in a legal contractual dispute, it needed Perkins Coie's pro bono help. After third-party hackers ran up thousands of dollars on Street Law's Voice over Internet Protocol (VoIP)-based network, the organization's telecommunications and Internet service provider balked at releasing Street Law from the charges. Unlike credit card companies, telecommunications services usually place liability for this type of fraudulent charge on the customer, and so the customer rarely has any recourse. However, Washington, D.C. attorneys Allan Abravanel and Kimberly Reindl negotiated a favorable settlement agreement with Street Law's service provider. This agreement reduced our client's monetary liability and released it from the service contract. Our attorneys also helped Street Law negotiate terms with its new service provider to ensure future protection from similar VoIP fraud activities, which according to the Communications Fraud Control Association cost victims \$4.7 billion in 2014. ■

# FAMILIES+ UNDERSERVED COMMUNITIES

■ Perkins Coie continues to fight for the rights of individuals who are too young, too old or otherwise unable to fight for themselves. ■ Whether struggling against abuse, advocating for benefits and disability rights or simply trying to help elderly individuals plan to provide for their loved ones, our attorneys are focused on aiding these different populations. ■ One of the hallmarks of our pro bono program has been the protection of vulnerable children and families, and 2014 was no different as we worked to help families and children get the protection and support they desired. ■

# FAMILIES+NEED

A photograph of a man in a grey long-sleeved shirt ironing a blue and white striped shirt on an ironing board. In the background, a young boy in a blue and yellow striped polo shirt sits on a chair, looking towards the camera. The scene is set in a bright, modern living room with large windows and light-colored walls.

MORE THAN 10,000  
FOSTER CHILDREN  
IN WASHINGTON  
STATE WERE BEING  
UNDERFUNDED OR  
LACKED PROVISIONS  
FOR THEIR MOST  
BASIC NEEDS.

**CAUSE: FOSTER CARE**

**+EFFECT: SECURING \$33 MILLION FOR FOSTER FAMILIES**

**THE YEARLY COST OF PROVIDING BASIC NECESSITIES** to a child in Washington State is nearly \$10,000, yet foster parents in Washington state have been receiving a mere \$6,000 per child annually. This drastic underfunding is no longer true. Thanks to systemic change spurred by Perkins Coie, more than 10,000 foster children in Washington and their foster parents will begin receiving adequate funding, starting in 2015.

The move to increase resources for foster children began in 2011 when our pro bono client, Foster Parents Association of Washington State (FPAWS), filed a lawsuit against the state to demand an increase in reimbursements to foster parents. FPAWS's suit under the Civil Rights Act asserted that the state's Department of Social and Health Services (DSHS) was failing to provide adequate reimbursements for foster children's food, shelter, clothing and other basic expenses, as required by the federal Adoption Assistance and Child Welfare Act of 1980.

The state staunchly fought FPAWS, broadly using the fiscal crisis and economic recession as an excuse. "This is a problem that existed for decades before the budget crisis. From an economic standpoint, having a robust foster parent is in the long run more cost effective to the state." said Seattle attorney Mary Gaston, who led this case with attorneys Sara Baynard-Cooke and Kate Reddy. "The state was knowingly providing an inadequate amount of money to fund the most basic needs and relying on foster parents to fund the difference."

**Achieving Adequate Funding for Lasting Changes to Foster Care System**

At the end of 2014, and after years of protracted opposition, our pro bono team reached a substantial settlement with DSHS, requiring an increase in monthly foster care maintenance payments. Every foster child will receive an annual increase ranging from \$1,500 to \$2,200 on average, depending on the child's age. Over the course of the minimum four-year term of the agreement, foster parents will receive an additional \$33 million of direct reimbursement. In addition, DSHS is required to make significant changes to its internal and external policies and procedures and its training of staff and foster parents, to

**WA STATE FOSTER CARE PAYMENTS**

**\$768**

AVERAGE MONTHLY COST OF PROVIDING NECESSITIES FOR 6-11-YEAR-OLDS IN WA

**\$500**

APPROX. AVERAGE MONTHLY PAYMENT TO FOSTER FAMILIES FOR 6-11-YEAR-OLDS, 2012

**\$268**

AVERAGE MONTHLY SHORTFALL BETWEEN REIMBURSEMENT AND AVERAGE COST OF CARE, 2009-2012

**0%**

AVERAGE ANNUAL INCREASE IN BASIC FOSTER CARE MAINTENANCE RATES, 2007-2010

*Data Source: Report by Lorraine Barrick, Submitted November 5, 2013 in FPAWS v. Kevin Quigley, et al. to U.S. District Court Western District of Washington at Tacoma*

ensure that foster parents and foster children statewide have the resources they need. The settlement requires legislative approval, which is expected during the 2015 legislative session.

“Washington’s foster parents have shouldered too much of the costs of caring for the state’s foster children for too many years,” said Beth Canfield, co-president of FPAWS. She expressed hope that the funding increase will inspire potential parents and fortify current foster families making a difference in children’s lives.

## FROM AN ECONOMIC STANDPOINT, A ROBUST FOSTER PARENT IS, IN THE LONG RUN, MORE COST EFFECTIVE TO THE STATE.

Perkins Coie IT department member David Sebba played an instrumental role in helping the attorneys decipher the complex DSHS payments database, which helped lead to the substantial settlement. Additional Perkins Coie team members include Seattle attorneys Carmen Wong, Ian Rogers and Carla Reyes, and staff members Elaine Cherry, Jane Liston and Marchand Waldal. ■



THE DOMESTIC  
VIOLENCE  
IMPACT  
PROJECT  
SEEKS TO FILL  
THE LEGAL  
RESOURCES  
GAP  
SURVIVORS  
FACE.

## COMMITTED TO VICTIMS OF DOMESTIC VIOLENCE

**AWARENESS OF DOMESTIC VIOLENCE REACHED NEW LEVELS** in 2014 when it became an issue for the National Football League, spurring a discussion that leapt far beyond sports. Perkins Coie has represented and advocated for victims of domestic violence for decades and we continued our efforts last year, helping over 100 survivors of domestic violence.

Much of our work focuses on helping survivors obtain and maintain orders of protection. We partner with organizations such as the Alaska Network on Domestic Violence and Sexual Assault, Cook County Domestic Violence Legal Clinic in Chicago, Idaho Volunteer Lawyers Program, Legal Services of Northern Virginia's "Attorney of the Day" domestic violence program and Oregon Legal Aid. Our attorneys also directly represent legal service providers and shelters with their transactional legal needs as well as represent immigrant victims of domestic violence and human trafficking.

*Our client's violent husband continued to threaten to kill her and their child even after she left him. Perkins Coie secured a 10-year protection order and substantial maintenance for her.*



### **Holistic Services to Victim of Severe Abuse**

Our work with one client is emblematic of the powerful effect committed representation can have. Our client had been brought to the United States from her native Middle East by a husband who abused and isolated her. Following years of violence, which escalated during her pregnancy and with the birth of their child, our client feared for her child's safety and her own. She left her husband, but he continued to threaten to kill her and their child. She turned to the Eastside Legal Assistance Program, which called in a Perkins Coie pro bono team.

Initially we worked with our client to secure her safety through proper orders of protection while she sought full child custody and access to funds to build a more secure future. Several years of legal representation culminated in a two-week bench trial in which a King County Superior Court judge awarded our client custody, full decision-making authority and substantial maintenance. The court also granted her a 10-year protection order and imposed on the now ex-husband a stringent set of requirements designed to ensure the mother's and child's safety, which must be met before the ex-husband would be permitted to regain contact with their child. Our team included Seattle attorneys Judy Jennison, Holly Simpkins, Carrie Hobbs, Mary Fox, former firm attorney Laura Ewbank and paralegals Elaine Cherry and Kiyomi Robinson.

### **DV IMPACT Update**

In addition to many individual efforts, Perkins Coie also participates in wider, coordinated initiatives such as the Involving More Pro Bono Attorneys in our Communities Together (IMPACT) project focused on domestic violence launched by the Association of Pro Bono Counsel (APBCo).

The DV IMPACT project (DVIP) seeks to fill the legal resources gap survivors face when attaining domestic violence protection orders (DVPOs). We joined with several Seattle area law firms and nonprofit community partners, such as Eastside Legal Assistance Program, Northwest Justice Project and the King County Prosecuting Attorney's Office's Protection Order Advocacy Program, to create this project. The DVIP collaboration centers around "in-shelter" legal clinics in which clients working with domestic violence advocates are seen by volunteer attorneys who help prepare victims to file for DVPOs. Since launching its first clinic, DVIP has served over 70 clients—with an extremely high success rate—and is poised to expand its clinics and add a systemic advocacy component to the project. ■

### Custody Win Helps Safeguard Child

To meet the tremendous need for assistance with domestic violence and related matters in Alaska, attorneys in Perkins Coie's Anchorage office have devoted substantial time and effort to assist pro bono clients in difficult and dangerous situations. In one matter in 2014, attorneys Danielle Ryman and Sarah Shine, with assistance by paralegal Dawn Smith, helped one mother secure safety for her vulnerable child. The team represented W.D., a woman severely beaten by the father of her four-year-old daughter, in a custody modification matter. Her daughter was present and witness to the abuse. The father was convicted of felony assault, served jail time and, upon his release for the assault, sought visitation rights. A trial judge concluded in our client's favor and denied all visitation, including supervised visitation. The father can petition again to modify custody but only after he completes extensive counseling and parent education courses ordered by the court. The case was referred to our Anchorage attorneys by the Alaska Network for Domestic Violence and Sexual Assault. ■

### Serving as a Resource for Court Appointed Special Advocates (CASA)

Working in the true spirit of advocacy, Court Appointed Special Advocates (CASA) is a network of more than 950 community-based programs that support citizen-volunteers to advocate directly to the courts on behalf of neglected and abused children. Our firm is a longtime supporter of CASA volunteers across many of our offices, including many clients represented by our Boise attorneys. In 2014, more than 20 CASA/guardian ad litem matters were part of Boise's commitment.

In one matter, Boise attorney Rick Boardman represented a guardian ad litem for two young stepsisters. Left with their grandmother for extended periods of time while their mother professed to be incapable of their care, the girls' grandmother was found to be mentally unstable. The girls were declared to be in imminent danger and placed in foster care. Rick continues to represent the guardian in the effort to establish a stable home for the girls, which includes a child protection action filed by health and welfare services and an attempt to reunite the children with their mother and fathers. ■

CASA IS A NETWORK THAT SUPPORTS CITIZEN VOLUNTEERS  
ADVOCATING ON BEHALF OF NEGLECTED AND ABUSED CHILDREN.

*Whether helping a wounded veteran of the Iraq war secure resources or restoring an elderly client's financial strength, Perkins Coie sees how small matters can make a big impact on our clients' quality of life.*



## Elderly Victim of Identity Theft Regains Her Credit

Identity theft is occurring with such frequency among the elderly that it is considered a form of senior abuse. We were able to help one elderly woman, H.S., who has a meager income and little knowledge of the English language. After trying to use her credit card at Sears and being turned down, she was shocked to learn that her credit had been destroyed. Her nephew had purchased a home in her name, failed to keep up with mortgage payments and purportedly forged her name on a bankruptcy petition. H.S. contacted Adult Protective Services and the case was referred to Bet Tzedek, which in turn brought Perkins Coie in to assist. We worked toward reinstating her credit rating by filing a successful motion to reopen the case with the U.S. Bankruptcy Court for the Central District of California and then filing a motion to have her case expunged from the record. The judge ordered that our client's bankruptcy case include a notation that the petition filed in the name of H.S. was the result of fraudulent conduct of another person, in essence declaring the case a nullity. Our client is now on the road to restoring her credit worthiness thanks to the help of Los Angeles attorneys Sara Chenetz, Kasra Kokabi and Amir Gamliel. ■

## Veteran Receives Special Compensation

The number of veterans with disabilities in the United States is rapidly increasing as veterans return from Iraq and Afghanistan. One of Perkins Coie's ongoing pro bono commitments is to working with these wounded veterans. In one of dozens of current cases involving assistance to veterans, one client, R.N., returned from his tours in Iraq with debilitating injuries. The National Veterans Legal Services Program referred him to our Washington, D.C. attorneys Seth Locke and Lee Curtis. R.N. needed help with the arduous process of preparing documents for the U.S. Department of Defense's Combat-Related Special Compensation program. Seth and Lee reviewed the

## THE RURAL JUSTICE COLLABORATIVE SEEKS TO INCREASE FREE LEGAL SERVICES TO LOW-INCOME AND OTHERWISE UNDERSERVED COMMUNITIES IN RURAL AND ISOLATED AREAS.

client's military and medical records, prepared a legal memorandum and helped him with his declaration. The Department of Defense approved R.N.'s claim, finding that almost all of his claimed disabilities were the result of combat-related activities. Cutting through the bureaucracy allowed us to secure needed resources for someone who had dedicated himself to serving his country. ■

### Student Loan Discharge for Education Professional with Disabilities

Managing student loans can be difficult for anyone, but for people with disabilities, these loans can cause financial and emotional devastation. Our New York City attorneys recently helped a woman with disabilities receive a much-needed student loan discharge. The client, S.R., succumbed to a disability in 2007 and had to stop working as an education professional. Although the Social Security Administration certified her disability, her student loan lender refused to recognize these findings, claiming that the determination of one governmental agency isn't binding on another. The lender also levied interest and late penalties on S.R.'s decades-old loan, labeled her account "defaulted" and garnished her disability checks. After unsuccessfully fighting the lender on her own for years, S.R. turned to the City Bar Justice Center's Consumer Bankruptcy Project, which in turn referred her to Perkins Coie. After months of negotiations and litigation with the student loan lender failed, the court was ready to hear the case. "Less than 24 hours prior to the hearing before a federal judge, the lender called with news that was years overdue—our client would receive her discharge," said New York attorney Jeff Vanacore, who worked with attorney Schuyler Carroll on the case. ■

### Rural Justice Collaborative Project

Access to justice is particularly challenging for people in remote parts of the country. The Rural Justice Collaborative is a project coordinated by OneJustice to increase free legal services to low-income and otherwise underserved communities in rural and isolated areas of the greater San Francisco Bay Area. The project runs limited-scope legal clinics staffed by pro bono attorneys from local law firms and corporations.

Patent attorneys from our Palo Alto office, including Marcus Assefa, Harvey Chen, Shawn Cheng, Chia-Hsin Chu, Steve Studulski and Kim Tran, attended landlord-tenant clinics in Gilroy, California to provide legal advice on various housing issues. The attorneys worked with a variety of clinic clients, including a retired couple wholly reliant on Social Security income and facing an eviction action. Other clients included a tenant of a mobile home park, whom we helped prepare responses to a lawsuit filed by the park owner, and a new mother threatened by eviction after missing a single month of rent payment. The Rural Justice Collaborative project was developed in accordance with the goals of the Association of Pro Bono Counsel's (APBCo) IMPACT project to increase free legal services using innovative solutions. ■

*Jewish refugee schoolchildren pose for a class photo in the Shanghai Ghetto, a Japanese-occupied area of the Chinese city in the 1940s. Perkins Coie helped one survivor, Peter Damm, pictured here in the first row, far right, apply for retroactive pension payments from the German government.*



## Securing Benefits for a Man With Disabilities

Human immunodeficiency virus (HIV) has rendered millions of people incapacitated and unable to function in their previous manner. Our pro bono team in San Diego helped a client, injured as a result of complications due to HIV, obtain Social Security disability benefits. Our client had been denied these benefits by the Social Security Administration, and we filed an appeal and prepared him for a hearing before an administrative law judge (ALJ). The ALJ eventually found that our client's current age and health condition limited him to sedentary jobs. In June 2014, the ALJ granted our client benefits starting in January 2014 going forward. This is a significant result for our client, who is otherwise without any means of financial support. San Diego attorneys working on the case were Laura Zagar, Kevin Patariu, Di Zhang and Evan Day. ■

## Justice for Holocaust Survivors

For the past eight years, Perkins Coie has 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. Attorneys and staff in Denver, Los Angeles, Phoenix, Portland, Seattle and Washington, D.C. have helped Holocaust survivors apply for reparations and pension payments from the German government. An ongoing focal point of the work has been helping ensure that survivors receive any payments for which they are eligible amid a landscape of changing German laws. In 2014, Germany amended its law relating to ZRBG "ghetto pensions" in order to provide additional, retroactive payments to eligible Holocaust survivors. We dove in to help current and new clients navigate the process. In addition, we have been assisting new clients who were previously ineligible for these payments, including those who were forced out of Nazi Germany into the Shanghai Ghetto in Japanese-occupied Shanghai. "Not only are we helping elderly clients to feel a small sense of justice," said Pro Bono Counsel Leah Medway, "but the stories these survivors tell offer a unique and profoundly personal glimpse into history." ■

# DISASTER RELIEF+ COMMUNITY SERVICE

■ Natural disasters caused millions of dollars in property damage as well as took a human toll in our communities in 2014. ■ Our attorneys participated in large-scale relief efforts to answer the call for help from victims of such catastrophes as mudslides and floods. ■ This same grassroots assistance defines Perkins Coie's community service programs. ■ Firm employees rolled up their sleeves and worked side-by-side with members of the community in more than 30 service projects, which ranged from gardening and fixing up a home to serving hot meals to the homeless. ■

# CRISIS+RECOVERY



THE OSO, WA  
SLIDE WAS THE  
**DEADLIEST**  
NATURAL DISASTER  
IN THE COUNTRY  
LAST YEAR.

## CAUSE: SUPPORTING VICTIMS OF NATURAL DISASTERS +EFFECT: THE ROAD TO RECOVERY

**THE TRAGEDY WROUGHT BY NATURAL DISASTERS** often brings the human qualities of kindness and fortitude to the forefront. These attributes were on full display after a hillside collapsed in Oso, Washington and the ensuing mudslide devastated the city in March 2014. The “530 slide” was the deadliest natural disaster in the country last year, killing 43 people and upending the lives of hundreds more.

Perkins Coie joined many others responding to the emergent need for legal services. We supported Snohomish County Legal Services in its partnership with the Snohomish County Bar Association and the Northwest Justice Project to help develop answers to numerous legal questions that arose for victims. We assisted on issues ranging from describing Washington’s basic rules and property owners’ rights to determining the boundaries of a property “bounded by a river” following the sudden shift of a river’s boundaries. Bellevue legal secretary Ivy Carr lives near the slide area and was displaced for several months. Her fellow Bellevue colleagues supporting slide victims included legal secretary Karen Campbell and real estate and land use attorney Jerry Lutz. ■

## FEMA INFORMED OUR CLIENTS THAT THE AGENCY HAD RETRACTED THE GRANTS AND NOW DEMANDED REPAYMENT OF THE DISBURSED FUNDS.

### AFTER FLOOD WATERS RECEDE

In another disaster-related pro bono effort, Perkins Coie assisted the survivors of a 2013 flood in Glen Haven, Colorado. We represented several low-income homeowners who had received more than \$150,000 in FEMA grants for help with the cost of repairing a privately owned road, destroyed in the flood, that leads to their homes. A few months after granting the funds, FEMA informed our clients that the agency had retracted the grants and now demanded repayment of the disbursed funds, which had already been spent on repairs. Subsequent letters threatened our clients with collection actions by the U.S. Department of the Treasury. Denver attorneys Bob Miller and Jess Dance filed a successful appeal on behalf of the homeowners. The alleged debt against our clients was cancelled along with threatened collection activities, freeing them to rebuild their homes and lives. ■

## PERKINS COIE IN THE COMMUNITY

**PERKINS COIE SUPPORTS COMMUNITY SERVICE PROGRAMS** across all of our offices. Activities reflect the interests and culture of the firm and the neighborhoods in which we live and work. In 2014, employees and staff gave their time and support to over 30 programs, many of which focused on children and youth, which is also a population that our pro bono program assists extensively.

*We participated in school supply and backpack drives for homeless children with the goal of sending over 10,000 students to start the school year armed with the necessary supplies to learn and achieve in the classroom.*

In our Anchorage office, we worked in conjunction with the Young Lawyers Section of the Alaska Bar Association to collect and donate business clothing for the Covenant House Alaska in Anchorage. This organization serves at-risk, homeless and trafficked youth in the city and provides housing, healthcare, employment and educational assistance and services.

Employees of our Chicago office visited Lawrence Hall Youth Services to participate in a horticultural project. The volunteers built and prepared flower and vegetable beds for the agency's children to fill with plants. The nonprofit child welfare agency assists at-risk youth and their families.

Several offices, including Portland, New York and Chicago, helped prepare children in their communities to go back to school. We participated in school supply and backpack drives for homeless children with the goal of sending over 10,000 students to start the school year armed with the necessary supplies to learn and achieve in the classroom. Additionally, our Portland office donated toys, household goods, diapers and baby formula for the benefit of children in its community.

In our Seattle office, we again hosted our annual team to "Beat the Bridge," which raises funds for juvenile diabetes research. Seattle employees were also active participants in United Way's Day of Caring, which included many Perkins Coie employees reading to children at centers for families in need of assistance. ■



## EQUAL JUSTICE WORKS FELLOWSHIPS

To make a sustaining impact on the welfare of children, we sponsored two Equal Justice Works Fellows, Katara Jordan and Alicia LeVezu, in Seattle. Katara completed her service with Columbia Legal Services, where she provided legal assistance and helped usher in systemic change in support of homeless youth throughout Washington. Alicia commenced her work in 2014 with the University of Washington's Children and Youth Advocacy Clinic, where she is focusing on the right to counsel for foster children. ■



PRO BONO+  
RECOGNITION

# 2014 PRO BONO AWARDS

## FIRM AND TEAM AWARDS

American Civil Liberties Union of Oregon  
*Special recognition to Perkins Coie Portland attorneys*

American Civil Liberties Union of Washington  
2014 Civil Libertarian Award  
*Presented to members of the Montes and Wilbur Trial Teams*

Arizona Center for Disability Law  
Disability Justice Award

Century City Bar Association  
Pro Bono Law Firm of the Year

David W. Soukup Award for Outstanding  
Pro Bono Legal Advocacy for Children

Eastside Legal Assistance Program  
Law Firm of the Year

*Financial Times* North America Innovative  
Lawyers Report 2014  
Social Responsibility Category, DACA Clinics

Kids in Need of Defense  
Allegiance Award

King County Dependency CASA Program  
Pro Bono Firm of the Year

Legal Counsel for the Elderly  
Certificate of Appreciation

Legal Services NYC  
Pro Bono Leadership Award

National Legal Aid & Defender Association  
Beacon of Justice Award

Washington Association of Criminal  
Defense Lawyers  
Champion of Justice Award  
*Presented to the Wilbur Trial Team*

Washington Defender Association  
President's Award  
*Presented to the Wilbur Trial Team*

## INDIVIDUAL AWARDS

The Law Project (Chicago)  
*Presented to Matt Shebuski*

Legal Services NYC  
*Brian Eiting named to Pro Bono Honor Roll 2014*

National LGBT Bar Association  
Best LGBT Lawyers Under 40  
*Awarded to Misha Isaak*

Washington Lawyers for the Arts  
Robert C. Cumbow Brio Award  
*Presented to James Vana*



## PERKINS COIE ANNUAL PRO BONO LEADERSHIP AWARDS

### PARTNER AWARD

David Jones

*see page 35*

### ASSOCIATE/COUNSEL AWARD

Misha Isaak

*see page 20*

### TEAM AWARD

*Parsons v. Ryan*

*see page 24*

### STAFF AWARD

Jessica Flesner

*see page 12*

## STAFF CERTIFICATES OF APPRECIATION FOR CONTRIBUTIONS TO THE PRO BONO PROGRAM

### BELLEVUE

Karen Campbell

*Legal Secretary*

### CHICAGO

Julie Pambianco

*Paralegal*

Rosa Ravelo

*Paralegal*

Peggy Samson

*Paralegal*

### LOS ANGELES

Maggie Bernal

*Accounting Assistant*

Sharon Grisham

*Paralegal*

Mary McDermott

*Paralegal*

Cynthia Mejia

*Legal Secretary*

Sergio Perez

*Paralegal*

Ken Ragsac

*Paralegal*

### MADISON

Brenda Horn

*Legal Secretary*

Lucas Morgan

*Paralegal*

### NEW YORK

Rebecca Borowitz

*Paralegal*

### PALO ALTO

Maisaa Feddag

*Administrative Assistant*

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**SHER KUNG MADE A LASTING IMPACT DURING HER SHORT, WELL-LIVED LIFE.** Smart, witty and passionate about the law and equal access to justice, Sher joined the firm as a summer associate in 2008 and became a member of the pro bono team that year, working on the first and only contested trial of a Guantanamo Bay prisoner accused of committing war crimes against the United States.

Prior to joining Perkins Coie, Sher spent a year working as a fellow with the ACLU of Washington. In 2010, she served as part of the ACLU trial team that successfully challenged the military's "Don't Ask, Don't Tell" policy. Throughout her too brief but brilliant career as an intellectual property attorney at Perkins Coie, Sher continued to maintain an active pro bono practice. She was a strong advocate for women's rights and LGBT rights. She also represented unaccompanied immigrant youth and victims of domestic violence, and she served as a fellow with the King County Prosecuting Attorney's Office through the Perkins Coie Community Service Fellowship Program.

To celebrate Sher's contributions and to honor her memory, Perkins Coie has renamed the Perkins Coie Community Service Fellowship as the Sher Kung Memorial Pro Bono Fellowship. Sher's example and commitment to pro bono work will serve as an inspiration for future generations of young attorneys.



**Sher Kung**  
1983-2014



*Sher Kung served with Seattle attorneys Harry Schneider, right, and Joe McMillan, left, on the pro bono trial team representing a prisoner in Guantanamo Bay.*

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**EDITOR** *Amy K. Spach*

**DESIGNER** *Mary Eaton*

**CONTRIBUTING WRITERS** *Maria Kantzavelos, Kristin Kloberdanz*

**COUNSEL** *Lisa Oratz*

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