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DAVIS WRIGHT TREMAINE

PRO BONO REPORT

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Dear Clients & Friends

Pro bono was recently described to me as hard work and “heart work.” When I think of the time and commitment our lawyers and staff put into pro bono representation, and the way we are able to positively impact the lives of so many vulnerable members of our society, I could not agree more with that statement.

Pro bono and social impact work have always been an important part of our culture and identity as a firm. And it is incredibly motivating to see our lawyers and staff demand that we continue this legacy. Over the past year, this commitment helped ensure that dozens of children had champions at the U.S.-Mexico border, that countless vulnerable clients felt like they had a voice in court for the first time ever, and that First Amendment and other freedoms guaranteed in the Constitution were protected.

So when I read this report, I am incredibly proud that we are doing the hard work and the heart work. I hope these stories inspire you the way they have me.

— **Jeffrey P. Gray**
Firmwide Managing Partner



Committee Chair Letter

Serving as Davis Wright Tremaine’s Pro Bono Committee Chair for the past year has been inspiring. Throughout the firm, there is unanimous support for even greater pro bono efforts, and we are being entrepreneurial and intentional about how we increase both the volume and the scope of our nationwide impact. In 2018, DWT attorneys and staff worked with at least 452 different pro bono clients representing more than \$11 million worth of time.

Not only did we meet our Law Firm Pro Bono Challenge commitment to provide 3 percent of all billable hours to pro bono service, but we also created avenues that made it easier for attorneys to achieve this goal. Partners and associates designated as pro bono leaders in each office were key to this success, as was making pro bono accessible and valuable for our busy lawyers. In my media and First Amendment practice, for example, pro bono work was an excellent way for associates to gain valuable experience managing cases, taking depositions, and arguing substantive motions or appeals. There is no better training vehicle than this kind of meaningful, hands-on work.

Being innovative in our pro bono programming was also a priority. Last year we entered into an exciting pro bono collaboration with Amazon lawyers to represent unaccompanied immigrant minors seeking Special Immigrant Juvenile Status or, in some cases, asylum. These partnerships have a very positive impact on the communities and individuals they serve, and I invite interested clients to reach out to me to learn about collaboration opportunities.

This report highlights only some of the inspiring pro bono matters our attorneys worked on in the past year, such as our partnership with the American Civil Liberties Union, where teams across the firm ensured voters’ rights protections on an unprecedented scale.

We are proud of the reach and diversity of the matters we worked on this past year, and we are looking forward to another year of innovative, entrepreneurial, and impactful work.

—**Thomas R. Burke**
Chair, DWT Pro Bono Committee

20 YEARS

A TRIBUTE TO JULIE ORR

This edition of the Pro Bono Report is dedicated, with admiration and gratitude, to Julie Orr, who recently retired after more than two decades as Davis Wright Tremaine's Pro Bono Manager. Julie's passion for providing access to civil legal aid has touched countless lives, and her dedication to pro bono work was an inspiration to everyone at DWT.

Julie started her career at the firm in 1989 as a paralegal, but her true calling came in 1999, when she was selected to run the firm's pro bono program fulltime. In this role, she worked across attorneys and staff to pursue high-impact litigation on behalf of refugees, the developmentally disabled, and other vulnerable populations, and to establish numerous ongoing partnerships with legal services organizations and clients.

Among the many valuable projects Julie helped launch, it is her involvement in the Washington Medical-Legal Partnership that stands out because of its reach and impact, promoting better health outcomes for patients by addressing legal and social needs in underserved communities. She was also at the forefront of bringing the Holocaust Survivor Ghetto Work Payment Project to the Pacific Northwest, instigating DWT's participation in Washington Legal Clinics for the Homeless in Washington, D.C., and helping create the Domestic Violence Impact Project, which is instrumental in helping survivors secure protection orders in the state of Washington.

For many years, Julie also published a regular firm email, the "Pro Bono High Five," for many years to honor and bring attention to exciting pro bono successes, and to underscore the importance of pro bono service.

To Julie, working on the pro bono matters was only half of why she stayed in the field for more than 20 years — the other big part was working with volunteers. "Pro bono attorneys are generous, kind, thoughtful people," Julie said. "I have always found it a privilege to help them help their clients."

Julie, thank you for your service. Your legacy will always be a tremendous part of the firm's pro bono program.

12 MONTHS OF DWT PRO BONO WORK

October 2017 through September 2018



Our attorneys have a broad range of interests and political philosophies, and they are free to pursue those interests within the firm's pro bono guidelines.

2018 Stories

Defamation Defense for Women Standing Up in the #MeToo Movement

THE Time's Up Legal Defense Fund was created by a group of nationally recognized lawyers and advocates to provide pro bono defense to women facing the risk of legal retaliation for telling their stories in the wake of the #MeToo movement. Often these women were threatened by their assaulters with defamation suits, which they could not afford to defend. Partner **Liz McNamara** volunteered to handle one such case, that of a young, up-and-coming female comic. Associates **Jack Browning** and **Abigail Everdell** joined the defense effort.

The client was threatened with a defamation suit by a more established male comic, who accused her of having made a "false rape allegation" against him. The DWT team prepared a letter to the male comic's lawyer, citing extensive documentation of the client's consistent, honest, and credible statements regarding what had happened between her and the male comic. As a result, the male comic abandoned any further steps toward suing.

Speech Rights Defended in a Detention Facility

THOMAS R. BURKE successfully defended a detainee from Guatemala at a detention facility, who was sued by an immigration lawyer for slander and defamation. Specifically, the lawyer alleged that DWT's client called the lawyer a crook and warned against hiring him. The lawyer then went one step further and sued the client's pro bono lawyer, alleging that she had made defamatory statements about him as well.

In August 2018, a Superior Court judge granted both defendants' anti-SLAPP motions and dismissed the case. The judge found that the defendants' alleged conduct "constitutes protected activity"

under California's anti-SLAPP law (a statute that protects free speech). "There is little room for doubt that the quality of legal representation provided to detained immigrants is a topic of public interest," the judge said. Finding that the plaintiff did not have probability of prevailing on the merits of the case, the judge dismissed the case. Since then, the client's request for asylum was also granted.

Mentoring Professional Women in Afghanistan

THROUGH the U.S.-based Alliance for International Women's Rights, three DWT lawyers are participating in an innovative project to mentor professional women in Afghanistan. Recognizing that women leaders, especially in the developing world, often lack technical or substantive skills and do not know where to turn for help, the Alliance creates connections between Afghan women and professionals in developed countries interested in furthering women's rights.

New York partner-in-charge, **Lynn Loacker** has been mentoring Sabera, who earned her law degree and her L.L.M. in the United States and is interested in commercial law and international arbitration. Lynn and Sabera chat weekly via Skype and have covered basic contract formation, reviewed an arbitration agreement, and discussed human resources policies. They communicate only by audio because being seen learning about law could be dangerous for Sabera.

Alicia LeDuc, an associate in the Portland office, is mentoring Homa, who works at Herat University. They have discussed research topics for a potential presentation to a conference in Europe for women building their careers in international law, with an emphasis on women practitioners from post-conflict regions.

Seattle counsel **Catherine Maxson** has also participated in the project, working on writing and English skills with her mentee.

Hard-Fought Win for Client Who Chose to Withdraw Medical Care from Spouse

IN a heartbreaking case to which DWT lawyers and staff devoted well over 1,000 pro bono hours, a client who chose to withdraw all but comfort care from her 37-year-old husband—after he had been in a persistent vegetative state for more than a year—prevailed in L.A. Superior Court. Her sister-in-law, who was represented by a national pro-life group, challenged the client’s right to make that decision. Twenty-one witnesses testified at the 16-day trial, including experts in Catholic doctrine and neurology. **Jennifer Brockett** was the lead DWT attorney, joined by **Teri Keville**, who was asked by Compassion in Choices to take on the case. Plaintiffs sought to have the matter dismissed as moot after the husband died during post-trial briefing, but the judge declined and gave DWT’s team an important, 103-page decision affirming that an incapacitated person’s spouse has priority as that person’s presumptive surrogate for healthcare decision-making. Jennifer and Teri were assisted by attorney **Dayna Nicholson**, paralegal **Ben Planchon**, and executive legal secretary **Lisa Hernandez**.

Using Technology to Combat Human Trafficking

SEATTLE partner **Louisa Barash**, who focuses her practice on technology licensing and distribution, has been assisting Seattle Against Slavery with service and licensing agreements for a proprietary technology utilizing social media, chatbots, and automated outreach texting to reduce sex trafficking called Freedom Signal. It reaches trafficking victims, disrupts buyers of trafficked sex, and deters trafficking across communities statewide.

Searching for Answers on ICE Courthouse Monitoring

DWT’S Portland lawyers have been working on behalf of the American Civil Liberties Union (ACLU) of Oregon to expose the practices of Immigration and Customs Enforcement (ICE) of targeting sensitive public locations, including state courthouses, for immigration enforcement actions.

In April 2017, the Chief Justice of the Oregon Supreme Court wrote a letter asking ICE to stop enforcement actions at county courthouses because it has a “chilling effect” on the criminal justice system and “deters individuals, some undocumented and some not, from coming to court when they should.” ICE responded that it would not stop. ICE also acknowledged that it often requests the assistance of local law enforcement in transferring individuals into ICE custody. In some circumstances, this collaboration can violate Oregon’s sanctuary law.

Then in September 2017, a legal observer captured on camera plainclothes ICE agents who were detaining a Latino man outside a county courthouse. The agents insisted the man was an illegal alien, mistaking him for someone else. The man was actually a U.S. citizen and county employee.

Based on documented concerns about these ICE practices and the role of local law enforcement in ICE’s strategy, the ACLU of Oregon submitted a Freedom of Information Act request to ICE for records related to the agency’s actions. But the agency stonewalled, providing no documents in response. So the ACLU of Oregon asked a DWT team, led by **Derek Green**, **Alicia LeDuc**, and **Erika Buck**, to take ICE to court. Over the past year, an Oregon federal court has issued a series of orders requiring ICE to produce responsive documents, with all outstanding records due by August 1, 2019.



Dave Baca Honored for **Service to Music Nonprofit**

FOUNDED in 1998 in Portland, Ore., Ethos Music Center is a 501(c)(3) nonprofit with a mission to provide the life-changing power of music education to underserved youth. DWT partner (and former managing partner) **Dave Baca** served on the Ethos board for over a decade, and in recognition of his service, Dave was honored with the organization's Resonance Award at its 20th-anniversary celebration gala in May 2018. Ethos board president Kat Rosenbaum thanked him for his "critical guidance and support."

During Dave's tenure on the Ethos board, the organization has grown into one of the largest music education nonprofits in the state, serving thousands of children every year through group and individual lessons at Ethos' North Portland headquarters, through after-school programs in low-income schools, and through the Music Across Oregon program, which places 10 AmeriCorps volunteers in low-income, rural communities to serve as fulltime music instructors.

Public Records Litigation Reveals The Truth About L.A. Muslim Mapping Program

SINCE 9/11, law-enforcement initiatives targeting so-called “violent extremism” in the United States have repeatedly risked trampling on the country’s fundamental religious, speech, and peaceful assembly rights. A hard-won, multiyear pro bono victory was achieved by DWT and Muslim Advocates, shedding some important light on how this struggle recently played out in Los Angeles.

In late 2007, Deputy Chief Michael Downing of the L.A. Police Dept. (LAPD) testified before the U.S. Senate on “The Role of Local Law Enforcement in Countering Violent Extremism.” In his remarks, he revealed that the LAPD had launched a program to “lay out the geographic locations of the many different Muslim populations around Los Angeles” and “take a deeper look at their history, demographics, language, culture, ethnic breakdown, socioeconomic status, and social interactions.” Muslim and civil liberties groups immediately protested this program, and two weeks later Deputy Chief Downing said the LAPD was abandoning the project.

Oakland-based Muslim Advocates wanted to know what had led to this project, what exactly it called for, and who was involved. So they filed a request for documents about the program under the California Public Records Act (CPRA). But their request was stonewalled by the LAPD, which claimed it had literally “no records”—a position the department maintained for years. On behalf of Muslim Advocates, a team at DWT filed suit in 2016.

Fast-forward to October 2018, when Judge James Chalfant of Los Angeles County Superior Court awarded Muslim Advocates more than a half-million dollars in attorneys’ fees for prevailing in the case, with DWT having compelled the LAPD to produce hundreds of responsive documents.

This included two key documents produced in the final production after DWT won a ruling that said data stored on the city’s backup email tapes are not categorically exempt from disclosure under California law. The decision was important because the Freedom of Information Act (FOIA) presents a hurdle to obtaining backup tapes made for purposes of “disaster recovery,” and the question had never before been clearly addressed in a CPRA context.

The newly disclosed records undermined Deputy Chief Downing’s claims—in Senate testimony and in depositions—that the “community mapping” program was primarily aimed at connecting underserved, vulnerable Muslim community members with social services. Instead, these documents showed that the program was internally seen as analogous to combatting violent gangs, and was modeled after a British program that contemplated extensive (and unconstitutional) community-based surveillance of locations within the Muslim community in Los Angeles, such as bookstores and mosques.

The DWT team consisted of **Brendan Charney**, **Christiane Roussell**, and **Karen Henry** in the Los Angeles office, and was overseen by **Thomas R. Burke** in the San Francisco office. Christiane drafted the successful fees motion while Brendan took his first-through-tenth deposition during this litigation, obtaining key admissions from LAPD witnesses. At the fees hearing he presented such a strong case for the importance of the released documents that Judge Chalfant increased the award by 15 percent on the spot. Muslim Advocates’ fees award is one of the highest fees recoveries ever in a CPRA matter.

Addressing Homelessness Block by Block

DWT represented Facing Homelessness, a nonprofit organization working to install panelized, sustainable, compact homes in the backyards of volunteering Seattle homeowners, and then rent those houses to homeless persons. The BLOCK project is the brainchild of architect Rex Hohlbein and Jenn LaFreniere.

Facing Homelessness set out to build low-cost, dignified, and sustainable homes for those living on the streets in one of the most competitive housing markets in the United States. Since then, dozens of contractors and subcontractors have flocked to the BLOCK Project to donate time and expertise. In 12 months, more than 1,500 community members stepped forward to contribute time, materials, space, or money for construction of BLOCK Homes. This community has now successfully raised nearly \$450,000 to build the first 13 BLOCK Homes.

DWT real estate partner **Jim Greenfield** and associate **Josh Friedmann** have assisted the project with a wide range of real estate matters and served as utility infielders on unexpected legal and strategic questions. “Facing Homelessness is basically starting up a nonprofit social services organization and a real estate development firm at the same time,” Josh said.

DWT’s team has supported Facing Homelessness in creating organizational and governance documents, compliance policies, real estate documents, and program procedures, providing general strategic advising along the way. “We’ve been doing a fair amount of helping them understand and comply with various new landlord-tenant requirements that have been coming out of the Seattle City Council over the last several years, which continue to change as an ongoing process,” Josh said.

Matt LeMaster, chair of the firm’s M&A practice group, supported the project on several

governance and corporate formation matters; construction litigation partner **Traeger Machetanz** worked on contracting matters; and healthcare associate **Kyle Gotchy** helped prepare agreements between Facing Homelessness and partnering social services organizations and government agencies.

Tax partner **Dirk Giseburt** worked on a range of novel state taxation issues arising from the nonprofit’s unique business model, working with the Washington State Department of Revenue to try to secure favorable interpretations, and helped Facing Homelessness draft favorable legislative changes.

Persevering Grandparents Achieve Adoption of Second Grandchild

IN May, employment litigator **Joseph Hoag** finalized a very happy adoption of a 13-year-old boy by his grandparents. “This was the culmination of a 12-year journey,” he said. “There were tears everywhere.”

Joseph’s clients had taken the boy into their home when he was 2 years old. They later also took in his baby brother and adopted him last year, with help from former DWT lawyer Lisa Koperski. When the older boy was 7 years old, the state approached the grandparents to see if they wanted to have legal custody of him. The grandparents jumped at the opportunity, not realizing that a consequence would be the state pulling all financial support. When the grandparents determined that adopting their grandson was necessary, they found they were without state assistance to terminate the birth parents’ parental rights, pay for a required home study, and adopt the child.

Joseph worked diligently to lower the costs for the grandparents, helping them pursue legal

proceedings in a new venue (Pierce County, which is much less expensive than King County) and find a social worker who agreed to do the home study for a third of the usual cost.

It was also necessary to have the father, who was in prison, relinquish parental rights. Although he initially refused, the grandmother conducted a video conference with the father from DWT's offices. The prison prohibited Joseph from joining the call, and the prison's audio capabilities were also down, so the grandmother had to communicate with the birth father by holding up notes to the camera. Eventually, he relinquished his rights.

After a few more twists and turns, the older brother was officially adopted in what Joseph called "the happiest experience I've had in court in my life!"

Assisting Joseph were paralegal **Jaimie Patneau** and assistants **Jill Jordan** and **Mendy Graves**.

DWT Partners with Amazon for a Large-Scale Project to Aid Immigrant Kids

IN July 2017, Ajay Patel, associate general counsel at Amazon Studios in Los Angeles, contacted Kids in Need of Defense (KIND) and Bet Tzedek about providing legal services to unaccompanied immigrant and refugee children on a large scale in partnership with DWT. Ajay and Amazon Studios corporate counsel Archana Lannin, together with DWT's Julie Orr, **Jonathan Segal**, and Jill Cohen, organized planning calls with KIND and Bet Tzedek to create an innovative, multicity pro bono project with substantial impact. KIND proposed a Special Immigrant Juvenile Status (SIJS) project, where case teams of Amazon and DWT attorneys would represent children on SIJS cases. The teams launched their cases with multicity kickoff events.

Both Amazon and DWT employees disseminated information about the project, recruiting 134 associate general counsel, corporate counsel, partners, associates, contract managers, paralegals, and legal assistants in Arlington, Va.; Los Angeles; New York; Newark, N.J.; San Francisco; Seattle; Sunnyvale, Calif.; and Washington, D.C. Lawyers and non-lawyers from across Amazon's legal department, Amazon Studios, Audible, Twitch TV, and Lab126, signed up to help.

In October 2017, KIND broadcast a national webinar from Amazon Studios in Los Angeles to the participating cities. The next month, KIND and Bet Tzedek conducted in-depth trainings with the teams at six Amazon locations across the country. A month later, the teams met their clients for the first time to kick off their cases in a clinic-type setting. The kickoff events were held at DWT offices in the five cities and at Audible's offices in Newark, N.J. The following year, the San Francisco office met with additional clients who had not been screened earlier.

The 26 teams include 52 DWT lawyers and 75 Amazon lawyers and staff. Over a year into the project, the teams are representing 28 unaccompanied migrant children who left their homes in Mexico, Guatemala, El Salvador, and Honduras to come to the United States to escape gangs and other dangerous conditions. These kids were picked up by immigration officials and placed into foster homes or with relatives or into government facilities. They hope to obtain Special Immigrant Juvenile Status which will allow them to stay in the United States. Some of them may also have claims for asylum.

So far, the teams have already obtained SIJS status for two of the children and are getting very close to obtaining that status for several more.

Former Paratrooper Gets Another Chance at Receiving Veteran's Benefits

AS a paratrooper in the U.S. Army during the period following the Korean War, DWT's client was involved in multiple parachute jumps, often with heavy packs on his back. Not surprisingly, he developed bilateral degenerative knee disease later in his life. In a decision issued in 2017, the Office of Veteran Affairs (VA) denied our client's request for veterans' disability benefits caused by his knee disorder.

Through DWT's partnership with the National Veterans Legal Services Program, which connects military veterans with pro bono volunteer attorneys, **K.C. Halm**, a partner in the Washington, D.C., office, took on the case. He won a reversal, convincing the U.S. Court of Appeals for Veterans Claims that while there was no indication of an injury in service, and the knee disorder did not "present" until later in life, the VA failed to consider relevant evidence surrounding the client's service record as a former paratrooper.

Finding merit in K.C.'s argument, the Court of Appeals reversed the VA's decision to deny benefits and remanded the case back to the agency with an opportunity to file additional evidence to support the client's claims. K.C. explained the key to success: "Sometimes a little common sense goes a long way when taking on the VA's bureaucracy on behalf of our pro bono clients."



Media and Public

Allowed Window into Anticorruption Compliance

AFTER four years of litigation, DWT prevailed in an important case on behalf of the investigative journalism nonprofit, 100Reporters. Led by associates Adam Shoemaker (now with National Public Radio) and **Pat Curran**, and supervised by partners **Ronnie London** and **Laura Handman**, the team won a ruling establishing that certain kinds of documents provided by companies to the federal government, as part of ongoing compliance with the terms of enforcement actions, can be released to the media and the public.

The suit arose from a \$1.6 billion plea agreement that Siemens AG entered into with the Justice Department (DOJ) in 2008, settling charges that the company had violated the Foreign Corrupt Practices Act. As part of that agreement, Siemens was required to hire an independent compliance monitor to ensure that it established an effective system of corporate governance and complies with anticorruption laws in the future. Such monitors are commonly a part of corporate resolutions with the DOJ and the U.S. Securities and Exchange Commission, and the agencies typically receive documentation from the monitors about the monitored companies' ongoing conduct.

100Reporters sought access to some of these documents through the Freedom of Information Act, but was rebuffed by the DOJ. DWT's team stepped in and filed suit in 2015, seeking to compel production.

In June 2018, the U.S. District Court for the District of Columbia issued a decision finding that the DOJ was "overbroad" in what it withheld, and while portions of the documents sought were exempt from disclosure, others were not.

"We are gratified that Judge Contreras agreed that the denial was overly broad, and has ordered the DOJ to actually release documents that were unjustifiably withheld," Diana Jean Schemo, executive editor of 100Reporters, told Law360. "In corporate criminal settlements, the public has the right to see what the company is doing to remedy the illegal behavior."

Helping Low-Income Tax Filers in Virginia

THE Volunteer Income Tax Assistance (VITA) program is a national program sponsored by the Internal Revenue Service (IRS). Each tax season, VITA volunteers across the country prepare federal and state tax returns for low-income families—those making \$54,000 or less in 2018—in public libraries and community centers, and on college campuses. With the help of local governments, libraries, and community and faith-based organizations, VITA is implemented in the Northern Virginia area throughout Alexandria, Arlington, Fairfax, and Prince William Counties, making up a coalition called NVACASH, the Northern Virginia Coalition for Creating Assets, Savings and Hope.

David Silverman, communications partner in our Washington, D.C., office, has been volunteering for the last eight years with VITA, helping prepare and file income tax returns for low-income families. He and 294 dedicated and trained volunteers, staffing 14 VITA sites and six facilitated self-assistance sites, helped 5,459 low-income families save more than \$1 million in professional filing fees and collect more than \$8.3 million in refunds this past tax season. More than \$432,000 was awarded back to those families who qualified for the Child Tax Credit, and the average Earned Income Tax Credit recipient received \$1,866.

David was the featured volunteer in the NVACASH Campaign's September 2018 volunteer newsletter, which praised his dedication and service. David told the newsletter: "I've been preparing my own taxes for many years and always enjoyed the process, if not the result. I have continued doing this every year since, primarily because I love meeting people and helping them get as much money as I lawfully can. I am what many would call a people person, and VITA is the perfect place to be just that. I am sure I will continue to volunteer at VITA, even after I retire from my day job."

Longstanding Immigration Client Wins Complicated Adjustment of Status

SAN FRANCISCO associate **Nicole Giuntoli** successfully navigated the current immigration landscape to assist a longtime DWT client with a particularly complicated status adjustment.

The client, who was a former beauty pageant winner in her home city, fled El Salvador after being threatened on several occasions by a member of the MS 13 gang. DWT first started working with her in 2010 and helped her secure a U visa.

The client returned to DWT last year seeking assistance with her adjustment of status application and seeking renewed employment authorization. Nicole agreed to help out with what was thought to be a pretty routine application. However, because the client had gotten married, given birth to a child with significant special needs, and had trouble with both employment and housing, she did not have the typical documentation that most clients have when seeking a status adjustment.

Nicole spent hours helping the client painstakingly piece together relevant documentation necessary to show her continuous and law-abiding presence in the United States during the last five years. Despite that effort, U.S. Citizenship and Immigration Services (USCIS) still requested supplemental information, which required many additional hours of work.

Nicole proved how valuable it is to have a zealous advocate when navigating the immigration system, as USCIS ultimately approved the client's request for a green card.

Assisting the **Legal Clinic for the Homeless**

DWT'S Washington, D.C., office has a longstanding relationship with Washington Legal Clinic for the Homeless (WLCH), which provides legal services to individuals experiencing homelessness or at risk of homelessness, and advocates for policy reform to strengthen the social safety net and increase the availability of affordable housing.

DWT's team is committed to staff at least one client "intake" session a month and handle individual cases. A volunteer staffing an intake session may meet up to seven potential clients in one hour. Each interaction requires actively listening to the client's story and identifying legal problems, or simply providing a sympathetic ear. The cases that volunteers take away from legal clinic intake sessions vary, but they commonly include social security benefits, housing vouchers (or other housing programs such as rapid rehousing), shelter discipline/displacement, and housing conditions, among many others.

DWT's representation can range from informal phone calls to resolving confusion to representation in administrative proceedings, all the way to appearances in appellate court. In June, **Adam Caldwell** and **Pat Curran** represented a disabled, homeless WLCH client at the D.C. Court of Appeals challenging the D.C. Housing Authority decision. Adam and Pat's request for expedited treatment was granted, and their merits briefing brought the D.C. Housing Authority to the settlement table. The client—who had been seeking public housing assistance for years—finally moved into a unit that could accommodate his disability.

Dan Reing, who coordinated work with WLCH, helped provide further volunteer support to the clinic by establishing a collaborative pro bono relationship with lawyers from DWT client Comcast. DWT volunteers visited Comcast's Washington,

D.C., office to provide training, and to pair Comcast volunteer with DWT volunteer to staff intake sessions clinics and represent WLCH clients.

DWT volunteers provided 103 hours of pro bono service to the clinic during the past year. They included: **Van Bloys, Maria Browne, Adam Caldwell, Katori Copeland, Pat Curran, Chip English, K.C. Halm, Tiphonie Hill, Dan Reing, Bob Scott, and Mike Sloan**. Others who have recently joined the team include: **Danielle Frappier, Steve Horvitz, Nancy Libin, and Shannon McNeal**.



DWT Commitment to Portland Homeless Youth Center Recognized

THE May 2018 issue of *Multnomah Lawyer*, the magazine of the Multnomah Bar Association, highlighted DWT and its work with Outside In, a Portland nonprofit. DWT has staffed a legal clinic at the facility for more than a decade. Outside In's mission is to help homeless youth and other marginalized people move towards improved health and self-sufficiency.

As the magazine reported, one or two DWT attorneys spend about two hours at the Outside In office every two weeks. "The clinic is set up as a limited engagement, with no ongoing attorney-client relationship," the magazine said. "The main goal of the clinic is to help identify problems and suggest resources that might be available to address those problems."

Portland associate **Christopher Weathers** summarized his experience working in the clinic for the magazine: "Although our primary mission is to serve homeless youth, marginalized people from all walks of life come to the clinic," he said. "There is no typical day at the clinic and we have no advance notice of how many participants will arrive or what legal issues will be presented. I find that work at the clinic is both taxing and rewarding. So many of our clients have endured severe hardship, poverty, abuse, or have significant mental or emotional health issues. When a client lacks a cognizable legal claim, I feel like the only help I'm able to provide is to be an attentive and empathetic listener. Other times I'm presented with issues for which I can provide concrete assistance."

In addition to Christopher, lawyers participating in the clinic include: **Evan Christopher, Tim Cunningham, Alan Galloway, Nicholas Kampars, Alicia LeDuc, and Caitlin Shin.**

Updates to 2017 Stories

UPDATES TO 2017 STORIES

Voting Rights Protected in Indiana

More than 150 DWT lawyers and paralegals raised their hands in the spring of 2017 to participate in a nationwide investigation of state and county compliance with the National Voter Registration Act.

Spearheaded by Portland partner **Bob Newell** in collaboration with the American Civil Liberties Union (ACLU), the project launched with public records requests in many states, seeking information about any purges of voter registration rolls, what criteria were applied, and how many people were affected.

DWT is also assisting with related litigation. The first suit was filed in Indiana and challenges a state law that allows purging of voters, without notice or a waiting period, based on a match in the Crosscheck program, which is known to frequently and incorrectly flag people as potential double voters, especially those with unusual or ethnic names. The law was scheduled to go into effect July 1, 2018, but in June a federal judge issued a preliminary injunction, blocking enforcement. A large DWT team led by **Matt Jedreski** is working closely with the ACLU, Common Cause, and Demos on the case.

The project continues across multiple states.

Court Awards Six-Figure Fees to Photojournalist Plaintiff

In early 2017, a DWT team led by **Bob Corn-Revere** and **Ronnie London** helped freelance photojournalist Mannie Garcia win a settlement for \$45,000 as well as changes in the Montgomery County (Maryland) Police Department policy, in a civil rights lawsuit resulting from the client's unlawful arrest while photographing police action on a public street. In March 2018, a federal judge granted the client almost \$300,000 in fees and more than \$12,000 in costs.

"Dreamers" Organization Helps Resist Moves to End DACA

United We Dream (UWD) is a national nonprofit, nonpartisan, membership-based organization, and the largest immigrant youth-led organization in the nation, comprising more than 500,000 members and consisting of five branches with more than 100 affiliate organizations across 28 states. UWD's primary purpose is to advocate for the dignity and fair treatment of immigrant youth and their families, regardless of their immigration status. In 2017 and 2018, DWT filed multiple amicus briefs on behalf of UWD in federal district and appellate courts throughout the country.

The cases all involved the Deferred Action for Childhood Arrivals (DACA) program, whose beneficiaries include many of UWD's members. Established during the Obama Administration, the program allows people who entered the United States as minors, and had either entered or remained in the country illegally, to receive a renewable two-year period of deferred action from deportation and to be eligible for a work permit if they registered with the government. DACA beneficiaries have come to be known as "Dreamers."

In 2017, President Trump moved to rescind the program. Attorneys general from 19 states filed lawsuits challenging that decision. After the federal government received an unfavorable discovery ruling in the Northern District of California, the defendants filed a petition for a writ of mandamus in the 9th Circuit. DWT's **Geoffrey Brounell** and Peter Karanjia (now with DLA Piper) submitted a brief in opposition to that petition on behalf of UWD and nine other organizations. The district court subsequently issued an injunction that blocked President Trump's efforts to end DACA. That decision is now on appeal before the 9th Circuit, and DWT has filed an amicus brief on behalf of UWD defending the district court's injunction.

Young Man Gets Reduced Sentence and Chance at Productive Life

In 2000, Eduardo Sandoval was sentenced to 75 years in prison for a crime that occurred when he was 18 years old. Eduardo was part of a Tacoma, Wash., gang that committed a drive-by shooting. His sole alleged role was as a lookout.

Eduardo was the only defendant to plead not guilty to the crime and maintained his innocence throughout the trial, but he was ultimately convicted of first-degree murder under a theory of accomplice liability, conspiracy to commit murder in the first degree, and first-degree assault.

The team of **Christine Hawkins**, **Kate Tylee Herz**, and **Nathan Rouse** submitted a personal-restraint petition on Eduardo's behalf. They won a partial victory in the Washington State Supreme Court, with Kate arguing the case. The Supreme Court reversed Eduardo's murder conviction and remanded the murder charge for a new trial. The court affirmed Eduardo's convictions for conspiracy and assault.

In 2018, Eduardo's team filed a motion for reconsideration regarding the conviction for conspiracy to commit murder, and the Supreme Court took the rare step of ordering the State to respond. Prior to that response, the team negotiated an agreement with the State for a reduced

sentencing. The agreement specified that the State could argue for a 26-year sentence and Eduardo's team could argue for a 20-year sentence.

At an emotional hearing in Pierce County Superior Court, with Nathan arguing on Eduardo's behalf, the court sentenced Eduardo to just 21 years, eight of which he has already served.

Jeff Coopersmith provided valuable assistance and supervision to the team.

Governor's Suppression of Critics on Social Media Stopped

In partnership with the ACLU of Maryland, **Lisa Zycherman** and **Christopher Savage** filed a lawsuit against Maryland Governor Larry Hogan, challenging his policy of censoring constituents' speech on his official Facebook page by blocking those who disagree with him and deleting their comments. The lawsuit, filed on behalf of four individuals who had been censored by governor Hogan, sought a permanent injunction against the governor's unconstitutional social media policy as enforced by the governor and his staff.

The cutting-edge case was successfully settled in early 2018, with Governor Hogan revising his social media policy, unblocking the accounts of critics, and making \$65,000 in payments to the plaintiffs and

attorney fees. A *Washington Post* editorial said the settlement can serve as a model social media policy for other elected officials.

In a letter to Lisa and Chris, the ACLU of Maryland's executive director thanked them for the "outstanding job" they did on the case. The director said, "Each of you has been terrific to work with—extremely smart and capable, genuinely nice, and committed to providing the same excellent representation on this pro bono matter that you would to any of your firm's paying clients."

Jury Awards Nonprofit Dance Group and School for Loss of Its Home

Represented by a team of DWT lawyers, our client, Presidio Performing Arts Foundation, won a jury verdict of \$325,000. This was the culmination of a very long legal battle for the client, a nonprofit dance foundation that promotes cross-cultural understanding through dance training and performance.

The Foundation first learned in 2009 that it was going to lose the building containing its performing arts center as a result of a highway project of the California Department of Transportation (CalTrans). After numerous false starts and stops by CalTrans, the Foundation had to leave its home in 2011. After CalTrans eventually denied the Foundation's claims for just compensation, DWT filed suit in 2013.

A first trial was in 2015. DWT won a ruling in 2017 from the state Court of Appeal that the Foundation, a nonprofit, could seek just compensation. The Court of Appeal opinion established for the first time that nonprofits have a right to seek just compensation in California for the loss of goodwill in eminent domain cases. A second jury trial took place in April 2018. The jury awarded the client \$325,000.

Martin Fineman in our San Francisco office and **James Parker** in our Portland office tried the case. **Ashlee Aguiar** in the Portland office wrote many of the winning briefs.

Governor Inslee Commutes Sentence of Rehabilitated Individual Sentenced Under Washington's Three-Strikes Law

Mark Bartlett and **Rachel Herd** appeared before the Washington State Clemency and Pardon Board in September 2017 on behalf of their client, Robbie Burton. More than 20 years ago, Robbie was sentenced to life in prison under Washington's three-strikes law for drug-related theft. Since his conviction, he has completely turned his life around. Thanks to Mark and Rachel's advocacy and preparation, the board agreed Robbie's transformation was extraordinary, and Governor Inslee commuted his sentence. Robbie transitioned to work

release in March 2019 and is already working fulltime. He will finish his time in work release in September 2019.

Public
Service

SERVICE TO OUR COMMUNITIES

We are as passionate about serving our communities as we are about serving our clients, and we are committed to playing a leadership role in our communities. Our lawyers and staff have much to contribute—specialized skills, relationships, and financial support—and we embrace our opportunity to give back as board members of nonprofits and to rally support for important causes.

In 2018, we provided more than 17,000 community service hours. Besides personal contributions of time and money by lawyers and staff, DWT **donates more than \$1 million** each year to civic and charitable organizations. The following are just some of the organizations DWT supports through leadership involvement and financial assistance.

Anchorage

Alaska Bar Association
Alaska Federation of Natives
Alaska Legal Services Corporation
Alaska Native Heritage Center
Anchorage Project Access
Anchorage South Rotary
Blood Bank of Alaska
Chugach Alaska Corporation
Healthy Alaska Natives Foundation
Hope Community Resources
Koahnic Broadcast Corporation
Native Village of Eklutna
Refugee & Immigration Assistance Services
United Way of Anchorage
Wasilla Area Seniors Inc.

Bellevue

AtWork!
Bellevue Chamber of Commerce
Bellevue Downtown Association
Campaign for Equal Justice/Legal Foundation of Washington

Congregations for the Homeless
Eastside Legal Assistance Program
Hopelink
King County Sexual Assault Resource Center
Little Bit Therapeutic Riding Center
Northwest Parkinson's Foundation
OneRedmond
Together Center

Los Angeles

A Noise Within
Breaking Barriers
BRIDGE Housing
Californians Aware
California ChangeLawyers
Crohn & Colitis Foundation
Eisner Health
Highrise Networks
LA County Law Library
Los Angeles Center for Law & Justice
Los Angeles County Law Library
Los Angeles Sports & Entertainment Commission
National Bar Association

National Immigrant Justice Center
National Multiple Sclerosis Society
Pacific Opera Project
Schwartz Levi Inn of Court
Southwestern Law School
The L.A. Trust for Children's Health
Venice Family Clinic

New York

Bronxworks
City Bar Fund
City Bar Justice Center
Children's Aid Society
The Fund for Modern Courts
Jewish Theological Seminary
Legal Action Center
MTV Staying Alive Foundation
New York Cares
NYU School of Law
Sesame Workshop
The Coalition of Women's Initiatives in Law
Tribeca Film Institute
Volunteer Lawyers for the Arts

Portland

Ace Mentor Program of Oregon Inc.
Boys and Girls Aid
Boy Scouts of America,
Cascade Pacific Council
Campaign for Equal Justice
CityClub
Classroom Law Project
Community Action Organization
Community Vision
Consano
Entrepreneurs Organization
Ethos Inc.
Friends of The Children Portland
German International School
Grant High School Constitutional
Law Team
Guide Dogs for the Blind Inc.
FSU Foundation
Indiana University
Jim Neill Memorial Foundation
Lewis & Clark Law School
Literary Arts Inc.
Handful "Grab Life Fund"
Metropolitan Family Service
Multnomah Bar Association
Multnomah Bar Foundation
North Clackamas County Chamber
of Commerce
On Lok
Oregon Food Bank
Oregon Hunter Jumper Association
Oregon Law Foundation
Oregon Middle School Speech & Debate
Oregon State Bar Association
Oregon State University Foundation
Oregon Women Lawyers
Pioneer Courthouse Historical Society
Portland Art Museum
Portland Business Alliance
Portland Center Stage
Portland Community
College Foundation
Portland Leadership Foundation
Portland State University,
Business Outreach Program

Portland Suzhou Sister City Association
Save the Giants
Se Works Inc.
St Andrew Legal Clinic
The Oregon Forum
Tuality Healthcare Foundation
USDC of Oregon Historical Society
Willamette Week
World Oregon
Youth Rights & Justice
Zenger Farms

San Francisco

American Red Cross
Asian American Bar Association
Asian Pacific Islander Legal Outreach
The Bar Association of San Francisco
California Fire Foundation
The Center for Investigative Reporting
Giffords Law Center to Prevent
Gun Violence
GRID Alternatives
The Lawyers' Committee for the
Bay Area
Legal Services for Children
National Immigrant Justice Center
NatureBridge
Ninth Judicial Circuit Historical Society
On Lok
Rainforest Alliance Inc.
Raphel House of San Francisco
San Francisco Food Bank
UCSF

Seattle

Alliance for Education
Amara
ArtsFund
Boyer Children's Clinic
Launch Learning
5th Avenue Theater
Food Lifeline
Forterra
Friends of the Children
Gage Academy of Art

Housing Hope
Jewish Federation of Greater Seattle
King County Bar Association/
Foundation
Leadership Tomorrow
MAMA Seattle
The Museum of Flight
NatureBridge
New Beginnings
Rainier Scholars
Seattle Arts & Lecturers
Seattle Art Museum
Seattle CityClub
Seattle Metropolitan
Chamber of Commerce
Seattle Repertory Theatre
Seattle Symphony
Special Olympics Washington
Treehouse
United Way
Washington Medical-Legal Partnership
Washington's National Park Fund
Wellspring Family Services

Washington, D.C.

American Heart Association
Campaign for the Fair Sentencing
of Youth
City Year Washington DC
Council for Court Excellence
Keen Greater DC
The District of Columbia Bar
Tahirih Justice Center
Washington Legal Clinic for
the Homeless
Young Audiences/Arts for Learning –
Literature to Live Program

50+ HOURS OF SERVICE

The DWT lawyers and paralegal below have completed at least 50 hours of pro bono service during a 12-month period.

Scott Adams
Partner | Seattle

Ashlee Aguiar
Associate | Portland

Philip Albert
Partner | San Francisco

Jaime Drozd Allen
Partner | Seattle

Michaela Andrawis
Associate | Los Angeles

Allexia Arnold
Associate | Seattle

David C. Baca
Partner | Portland

Michael Baldock
Associate | Los Angeles

Robert D. Balin
Partner | New York

Louisa Barash
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Van Bloys
Associate | Washington, D.C.

Emily Borich
Associate | New York

Jeff Bosley
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Jennifer Chung
Associate | Seattle

Jordan Clark
Associate | Seattle

M. Graham Coleman
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Scott Cooper
Associate | New York

Jeff Coopersmith
Partner | Seattle

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James Corning
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Lyra Correa
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David Cromwell
Associate | Seattle

Pat Curran
Associate | Washington, D.C.

Will David
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Allison A. Davis
Partner | San Francisco

Chris Donati
Associate | New York

Stuart R. Dunwoody
Partner | Seattle

G. Roxanne Elings
Partner | New York

Abigail Everdell
Associate | New York

Kaitlyn Fallon
Associate | New York

Rhys Farren
Partner | Bellevue

Martin Fineman
Partner | San Francisco

Gregory Fisher
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Associate | San Francisco

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Josh Friedmann
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