

2014 Pro Bono Institute Annual Conference

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2014 Pro Bono Marketplace of Ideas

[The 2014 PBI Annual Conference](#) featured three fast-paced “Marketplace of Ideas” sessions, including programs dedicated to cutting-edge transactional and global pro bono projects. During these sessions, participants shared experiences and attendees learned about novel opportunities, offerings, infrastructure, and other creative and replicable pro bono developments.

We received an outpouring of positive feedback regarding these popular sessions and have assembled a brief summary of the presentations. We are pleased to share these innovative projects so that they may serve as catalysts to inspire others to think creatively, strategically, and collaboratively about future pro bono projects to address the most pressing legal issues affecting our communities.

The sessions featured:

- Martha Bergmark, Voices for Civil Justice
- Kevin Curnin, **Stroock & Stroock & Lavan***
- Joe Genereux, **Dorsey & Whitney*†**
- Dianne Heins, **Faegre Baker Daniels*†**
- Jake Lee, **Allen & Overy***
- Liz Markuci, Volunteers of Legal Service
- Anne-Françoise Meeùs, Avocats Sans Frontières
- Erik Metzger, **Intel****
- Andra Moss, International Senior Lawyers Project
- Heidi Naasko, **Dykema Gossett*†**
- Deanne Ottaviano, **Arent Fox*†**
- Owen Pell, **White & Case*†**
- Michael Silverman, Transgender Legal Defense & Education Fund

Communications Hub for Civil Legal Aid

Martha Bergmark, from [Voices for Civil Justice](#), described a newly launched national [communications hub](#) to raise public awareness and visibility in the media about the vital role of civil legal aid. Recently, funding for civil legal aid has decreased drastically, with the legal needs of more and more low-income people going unmet. The legal community has responded to this justice gap in creative ways, establishing access to justice commissions, self-help centers, and expanding pro bono services. Yet, civil legal aid is mostly invisible to the general population. Recent polling confirms that people are unaware of the crisis in funding and of the resources that may be available to them when they encounter a legal problem. To address this lack of visibility, Bergmark and her colleagues are developing the communications hub to create a collective narrative about civil legal aid, broadly defined, and why it is important. Voices for Civil Justice will work to brand the term civil legal aid as one that includes both the nonprofit legal aid groups that provide direct representation, as well as the diverse and innovative efforts to expand access, including new pro bono models, court-based services like self-help centers, and access to on-line information and forms. It will also serve as a “peddler-in-chief” to the media by generating coverage of compelling stories that explain what civil legal aid is and why it matters. To ensure that their message reaches a broad audience, they will work with diverse groups, including key national organizations such as the Legal Services Corporation, National Legal Aid and Defender Association, American Bar Association, National Center for State Courts, and other civic and business leaders, to publicize research, write opinion articles, and utilize social media.

To learn more about this initiative, please contact [Martha Bergmark](#).

Small Business Legal Academy

Kevin Curnin described Stroock & Stroock & Lavan’s participation in the [Small Business Legal Academy](#) (SBLA) at Harlem’s world famous [Apollo Theater](#). Hosted by the [Association of Pro Bono Counsel](#) (APBCo) in October 2013, the SBLA went beyond the traditional single site model to create a new approach that brought together law firms, public interest organizations, and fledgling small businesses on a large scale. The event also involved many non-legal actors, such as government agencies and financial consultants, to provide, in one place at one time, a well-rounded variety of resources for the

low-income entrepreneur. Before the event, numerous law firms and public interest organizations collaborated to organize trainings and recruit and vet eligible organizations.

On-site attorneys participated in multiple ways. They hosted workshops that provided general legal advice to a wide group of clients. They also mentored business owners through one-on-one counseling, and had the option of following up with their client if they wanted to provide additional, ongoing assistance. During the all-day event, more than 30 firms were involved and volunteers served 215 small business clients with commercial license, tax, employment, and other legal issues.

The SBLA also engaged non-lawyers, who assisted with translation work, graphic design, and signage. Technology was used to help manage information, documents, and training materials. The project is replicable, and APBCo is currently planning similar events in Los Angeles, Dallas, and more in New York.

To learn more about the SBLA, please contact [Kevin Curnin](#).

Collaborations with SCORE/Small Business Development Center Program

Joe Genereux discussed Dorsey & Whitney's successful collaboration with [LegalCORPS](#) and [SCORE](#). LegalCORPS was created ten years ago to provide free legal assistance in transactional matters to low-income entrepreneurs and innovators in Minnesota. SCORE is a network of retired business executives who advise small businesses and entrepreneurs across America. About seven years ago, the two organizations developed a clinic to enable transactional lawyers to provide legal advice to low-income business-owners. A client works with both a pro bono attorney and a volunteer business executive to develop a disciplined and realistic business plan and address any related legal issues. SCORE works as a marketing vehicle and connects entrepreneurs with the legal resources they need. The program is attractive to transactional lawyers looking for time-limited pro bono opportunities that utilize their skill sets.

Dorsey volunteers also advise low-income entrepreneurs through their work with the [Small Business Development Center Program](#). Developed by the U.S. Small Business Administration, these centers

provide a variety of services for small business owners, including business plan development and legal advice. There are more than 900 small business development centers, with at least one located in every state, allowing attorneys across the country to become involved in this program. A benefit of the Small Business Development Center Program is that it allows volunteers to connect with clients virtually, enabling people in rural areas to obtain essential legal services.

For those looking for more pro bono opportunities for their transactional and business lawyers, the local Small Business Development Center or SCORE chapter would be a good place to start.

To learn more about these efforts, please contact [Joe Genereux](#).

Submissions to the U.N.

Dianne Heins discussed the work of Faegre Baker Daniels in bringing international attention to human rights issues through submissions of human rights reports at the U.N. The goal is to expand the capacity of non-governmental organizations to advocate at the U.N. on these issues. She focused her presentation on country-specific and treaty-specific reviews.

Under the auspices of the Human Rights Council, every U.N. member country receives a human rights review approximately every five years. Faegre Baker Daniels works with civil society groups to prepare and submit a stakeholders report to the Council. This report, which typically includes allegations of human rights violations by on-the-ground witnesses, informs a dialogue in which Council members question the country's representatives on their human rights record. Recommendations for improvements are issued, and the U.N. sometimes allocates funds to help the country meet its human rights obligations.

Treaty-specific reviews can be an opportunity for human rights advocates to hold treaty signatories publicly accountable. Some reviews allow for shadow reports to be submitted, which may raise questions about the validity of the reports submitted by a country's own government. Most recently,

Faegre Baker Daniels submitted three reports on Cameroon in connection with its review under The Convention on the Elimination of All Forms of Discrimination against Women.

To learn more about submitting reports to the U.N. on behalf of nonprofits, please contact [Dianne Heins](#).

Immigration in the U.K.

Jake Lee discussed the challenges of pro bono immigration work in the U.K. He shared several ways in which Allen & Overy has contributed its services, including assisting agencies, whose funding had been cut, to restructure and merge, while ensuring that at least some of the services of the legacy agencies are still available; re-examining the process of asylum representation of children in the U.K. and how it might be improved; and finally, reviewing the pro bono immigration models in use in the rest of the world to see what might work in the U.K.

To learn more about these projects, please contact [Jake Lee](#).

Dream Not Deferred Project

Liz Markuci from [Volunteers of Legal Service](#) (VOLS) described her organization's effort to help New York City high school students resolve their immigration issues. Markuci was inspired to start the Dream Not Deferred Project when she noticed that many undocumented students were unaware of their legal rights and were afraid to disclose their immigration status. VOLS wanted to create a safe zone where immigrants could receive the assistance they needed and began working with local schools to create a space where volunteers could provide legal assistance to students. Even after the Dream Act failed to pass, VOLS continued to train pro bono attorneys and other volunteers on how to assist undocumented youth in obtaining medical care, student loans, and provided "know your rights" information to students unable to regularize their immigrations status.

Through their work in schools across New York, the project grew in size and developed a strong support system throughout the city. After President Barack Obama announced the Deferred Action for

Childhood Arrivals program, Markuci and her colleagues used their existing resources and relationships to create clinics, which could be replicated across the U.S., that help young immigrants with their applications. Currently, 19 public schools participate in the program.

For more information about the Dream Not Deferred Project, please contact [Liz Markuci](#).

International Legal Network

Anne-Françoise Meeùs discussed her role as coordinator of the International Legal Network (ILN) of Avocats Sans Frontières (ASF). ASF is headquartered in Brussels, with offices in seven countries. The ILN was created in 2010, but pro bono has been at the essence of ASF's work from its start in 1992. ASF has moved from focusing on direct pro bono representation of individual clients in Africa to capacity-building of local NGO's so they can provide quality legal services to serve local needs. ASF's use of pro bono grew to such an extent that it required a more formal structure, hence the creation of the ILN, which after four years constitutes a network of 900 individual members from 55 countries. Members are private practice lawyers, in-house lawyers, civil servants, academics with a legal background, judges, and legal services attorneys, from all over the world.

To learn more about the ILN, please contact [Anne-Françoise Meeùs](#).

California Inventors Assistance Program

Erik Metzger described Intel's involvement with the [California Inventors Assistance Program](#). The United States Patent and Trademark Office (USPTO) established a national program in 2011 to assist low-income inventors. The California effort is administered by California Lawyers for the Arts, and volunteer attorneys help eligible innovators obtain patents and provide other legal assistance. The program helps people make their ideas a reality while avoiding the high legal costs associated with a patent attorney. It has also helped reduce the large pro se backlog in the USPTO. Currently, approximately 500 volunteer attorneys are available to assist up to 1,200 potential client matters in California.

Intel was eager to participate in this program because it allows attorneys to use their skills and expertise while helping people. Intel attorneys also like the flexibility of the program, since representation is straightforward and attorneys can decide whether to provide short or long-term representation. Attorneys also have the opportunity to mentor law students from Stanford, Santa Clara University, and other law schools, if they do not want to directly represent a client. Because of the success and popularity of the program, Metzger and his colleagues are looking to expand to serve more clients.

To learn more about this program, please contact [Erik Metzger](#).

Land Rights in Cambodia

Andra Moss discussed the International Senior Lawyers Project (ISLP), which works with senior experienced lawyers primarily on human rights, economic development, and rule of law issues in the least -developed countries. She highlighted an example involving land-grabbing in Cambodia. The clients in this representative matter were forced off their land, and new settlers turned the land over to a multinational sugar company. ISLP referred the case to pro bono counsel who have taken action to obtain compensation for the displaced villages. ISLP has developed a litigation strategy to hold foreign companies accountable for their role in illegal land takings.

To learn more about pro bono opportunities with the ISLP, please contact [Andra Moss](#).

Crime Victim Rights Advocacy

Heidi Naasko from Dykema Gossett described her experience in advocating for the rights of crime victims. She became aware of the opportunity while representing a group of Central American children involved in human trafficking. Under the [Crime Victims' Rights Act](#), victims in a federal criminal case have various rights, such as the right to protection from the accused, the right to attend proceedings, and the right to restitution. During her case, Naasko fought to ensure that her clients could be present at the sentencing of their trafficker and that they received restitution. Pro bono attorneys are vital in these types of cases because other players in the justice system may not properly defend the rights of a victim, or even be aware of them. Additionally, crime victims need attorneys who can take into

consideration the depth of their losses with appropriate sensitivity. These pro bono opportunities provide litigators with meaningful federal court experience. Potential cases can be found through the state or federal courts, or the [National Crime Victim Law Institute](#).

To learn more about these pro bono opportunities, please contact [Heidi Naasko](#).

D.C. Nonprofit Law Change Training

Deanne Ottaviano shared a meaningful pro bono opportunity that arose after the District of Columbia overhauled its nonprofit code. As part of their paying practice, Ottaviano and her colleagues at Arent Fox mastered the details and impact these changes would have on their clients. In collaboration with the D.C. Bar Pro Bono Program, they tapped into this knowledge and expertise and developed an orientation for eligible nonprofits in the city so they could better understand the new rules governing their organizations. Volunteer attorneys met with nonprofits after a general orientation session and discussed how the changes specifically impacted their organization and what steps they needed to take to be in compliance. It was an incredible learning experience, especially for associates in the nonprofit practice group, who gained knowledge and skills that were transferable to assist billable clients. This program, spearheaded by a creative legal services provider, could be replicated in any jurisdiction that adopts new legislation or overhauls existing laws relevant to pro bono clients, be they institutions or individuals.

To learn more about this project, please contact [Deanne Ottaviano](#).

Genocide Prevention and Holocaust-Looted Art

Owen Pell discussed several pro bono projects he has been working on in genocide prevention and Holocaust-looted property, particularly art. Pell described the Auschwitz Institute for Peace and Reconciliation (AIPR), the main organization recognized by the U.N. for genocide prevention. His work helped AIPR develop a curriculum which includes indices/red flags of genocide, the law of genocide, and how to interact with civil society.

He noted that Holocaust-looted art is an area where pro bono lawyers can make a significant difference. Pell's pro bono work in this area started with a colleague whose family had been impacted by the Holocaust, and whose art he helped locate. These projects also include working on proposals for title-clearing and a dispute resolution entity to address claims relating to Holocaust-looted art.

For more information on these efforts, please contact [Owen Pell](#).

Name Change Project

Michael Silverman discussed the Transgender Legal Defense and Education Fund's (TLDEF) innovative [Name Change Project, which helps](#) transgender people overcome the legal obstacles to securing a name change. For many transgender people, securing a legal name change is an important step toward making their legal identities match lived experience. A lack of appropriate identity documents can deter people from applying for jobs, school, and public benefits, and can lead to discrimination. But securing a legal name change can be a challenging experience, involving interaction with the court system and judges that is foreign to many people. By providing people with adequate legal representation, TLDEF ensures that clients can successfully complete the process and move forward with their lives.

While the initiative was small in scale at first, they now work with more than 30 law firms and legal departments. It is an attractive pro bono opportunity for many lawyers, both litigators and non-litigators, since it is a time-limited commitment (approximately 20 to 25 hours per client). Currently, they are expanding the Project beyond New York to Illinois, Michigan, Pennsylvania, Texas, Wisconsin, and other locations, and are developing methods to rigorously evaluate the impact of their program.

To learn more about the Project, please contact [Michael Silverman](#).

We look forward to learning more and sharing other replicable ideas and projects at the 2015 Annual Conference in Washington, D.C., March 4-6. We invite those wishing to serve as presenters to submit brief proposals in advance describing their initiatives, to ensure adequate planning and capacity. Please send submissions to probono@probonoinst.org. (Due to time limitations, we may not be able to accept all proposals.)

PBI thanks the presenters for their participation in these sessions and for providing updates for this summary.

*denotes a Signatory to the Law Firm Pro Bono Challenge[®]

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