

Giving **Voice**. Taking **Action**.

2019 | PRO BONO ANNUAL REPORT

A man with dark hair tied back, wearing a blue zip-up jacket, stands in profile facing left. He is in front of a chain-link fence. Behind the fence, a yellow train car with the number '68' is visible. To the right, there are red flowers. A teal geometric shape is on the left side of the image.

SCOTT WARREN
Volunteer, No More Deaths

- > RIGHTING WRONGS
- > COLLABORATION AND TEAM BUILDING
- > DIGGING IN AND DOUBLING DOWN
- > CREATIVE LAWYERING
- > SMALL BUT MIGHTY
- > IN SERVICE AND HONOR
- > RECOGNITION



A YEAR OF ACTION, BY THE NUMBERS

62,970+

ATTORNEY
PRO BONO HOURS

840

ATTORNEYS DOING
PRO BONO WORK

1,600+

PRO BONO
MATTERS HANDLED

INTRODUCTION



WILLIAM G. MALLEY
*Firmwide Managing
Partner*

TO ALL OF MY PERKINS COIE COLLEAGUES WHO PERFORMED PRO BONO WORK IN 2019, THANK YOU!

The strength of our pro bono program lies in the tremendous contributions of the attorneys, paralegals, and staff members who choose to commit their time to pro bono service. I am grateful to everyone who made that choice in 2019. Through your efforts, we effect positive change in people's lives—a theme recurring in each story in this report.

I hope you will be as inspired as I am after reading about the significance of our pro bono work. And as we kick off our “20 for 2020” campaign, I invite every attorney, paralegal, and staff member to join the cause and help us serve an even wider range of clients in communities across the country. I know that pro bono work makes us better as attorneys and connects us to our communities. Please join me in doing this vital work.

A handwritten signature in dark ink, reading "William G. Malley". The signature is fluid and cursive, with a large loop at the end.



LEAH MEDWAY
Pro Bono Counsel

WELCOME TO THE 2019 PRO BONO ANNUAL REPORT.

Our cover story highlights a key component of our pro bono work: applying our legal skills to assist those in need.

To defend a humanitarian facing a retrial and a prison sentence for his work along the U.S.–Mexico border, we put our jury selection and trial skills to good use. In other matters, our privacy law teams applied evolving protections to safeguard survivors of sexual abuse. Digging in on tough issues requires commitment and creative lawyering; our nontraditional approaches proved effective, especially in the areas of women’s rights and criminal justice.

Helping immigrants obtain lawful status in the United States remained a major challenge. With the odds of success getting slimmer, we nevertheless surmounted the obstacles for many clients, including a group of immigrants recruited by the military with the promise of an expedited path to citizenship. It’s impossible not to be moved by photos of these clients being sworn in as U.S. citizens.

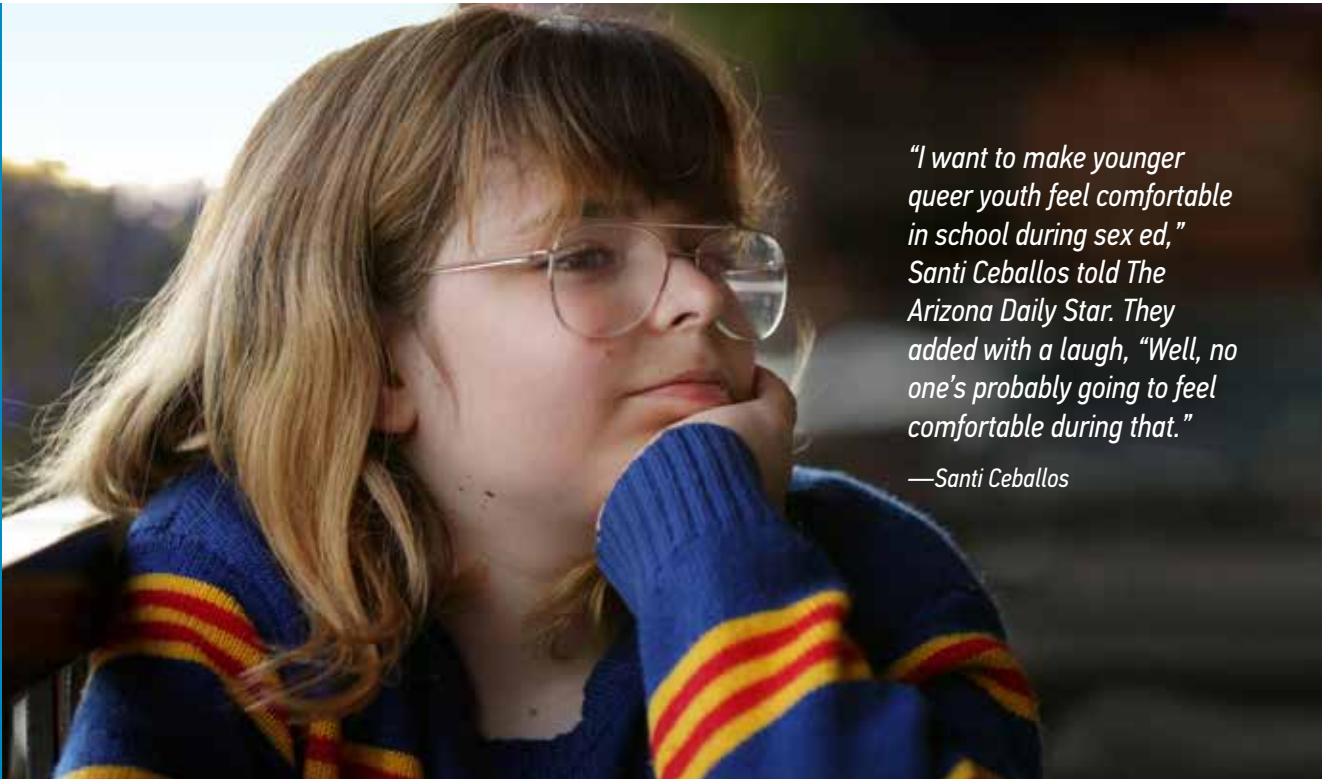
Whether advocating for broad, systemic change or for individual children, adults, or animals, our attorneys and staff collectively contributed over 72,000 pro bono hours in 2019. During the past year, we have started to revitalize our program so that our work can make a greater impact in the future. Our new campaign, “20 for 2020,” encourages every firm attorney to contribute at least 20 hours to pro bono work this year. In addition, we’ve shifted this report to a digital-only platform to communicate more frequently.

Please scroll through these pages to learn how we gave voice to people fighting to right wrongs and acted on behalf of those unable to help themselves. What remains unchanged is our gratitude for all the pro bono volunteers, clients, and community partners who make our pro bono program work.

Thank you.

A Well-Timed Lawsuit Ends Arizona's “No Promo Homo” Laws

Where there is a glaring gap between current culture and old law, the demand to correct a historical wrong often arises. Strategic and concerted efforts—from the civil rights movement to the fight for marriage equality—have eliminated many antiquated and oppressive measures. Our attorneys in Phoenix joined a similar fight in challenging Arizona's status quo when they helped strike down the “No Promo Homo” statute. >



“I want to make younger queer youth feel comfortable in school during sex ed,” Santi Ceballos told The Arizona Daily Star. They added with a laugh, “Well, no one’s probably going to feel comfortable during that.”

—Santi Ceballos

THE STATE LAW DATED BACK TO 1991, WHEN THE NATION was in the throes of the HIV/AIDS epidemic. It prohibited sex education classes in Arizona public schools from presenting information that “promotes a homosexual lifestyle,” “portrays homosexuality as a positive alternative lifestyle” or “[s]uggests that some methods of sex are safe methods of homosexual sex.”

Six other states have similar discriminatory curriculum laws. Research indicates that LGBTQ+ students in states with these laws experience hostile school climates.

Stalled With Lawmakers

Previous efforts to repeal the statute stalled in the Arizona Legislature.

Perkins Coie attorneys joined the fight in 2017, strategizing with the National Center for Lesbian Rights and Lambda Legal to bring a lawsuit. Finding a plaintiff with standing was tough. Because sex education is taught in the ninth grade in Arizona public schools, the ideal plaintiff had to be an LGBTQ+ middle school student with parental permission to sue.

The long search ended with Santi Ceballos, a 12-year-old at the time, who identifies as nonbinary and uses the pronouns “they/them,” and their mother, Carol Brochin, from Tucson. Equality Arizona joined them as plaintiffs. Initially, Ceballos and Brochin shielded their identity in the lawsuit but have subsequently gone public.

Right Lawsuit at the Right Time

The lawsuit, *Equality Arizona v. Hoffman*, filed in U.S. District Court for the District of Arizona in Tucson on March 28, 2019, detailed school bullying and Ceballos being pulled away from class for a sex education lesson. “It made me feel like even more of an outcast than I already am,” Ceballos told *Teen Vogue*.

Within two weeks of the lawsuit’s filing, the State Superintendent of Public Instruction and Arizona Solicitor General signaled support to knock the statute down. The Arizona House of Representatives voted 55-5 to repeal the statute, and Governor Doug Ducey signed it minutes later.

A bill that had gone nowhere in the Legislature for four consecutive years suddenly rocketed through with bipartisan support. As a condition of the plaintiffs’ dismissal of the

A bill that had gone nowhere in the Legislature for four consecutive years suddenly rocketed through with bipartisan support.

lawsuit, the state also repealed a regulation that required sex education classes in public schools to “[p]romote honor and respect for monogamous heterosexual marriage.”

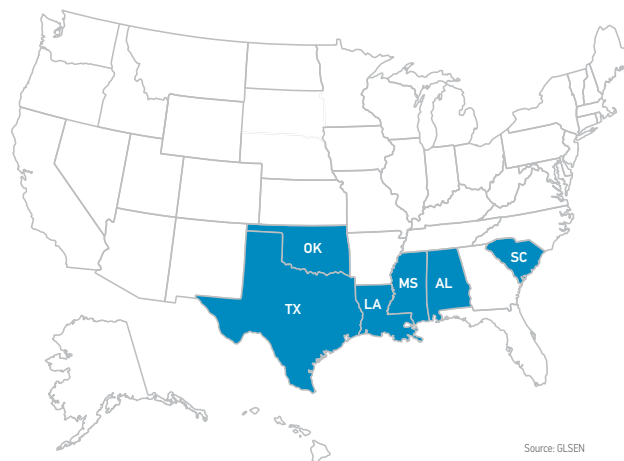
Forcing an Issue

“Once we found Santi the case became turbocharged,” said Phoenix partner Dan Barr. “It was astonishing the effect that one seventh grader stepping forward had on Arizona’s state government.”

For Brochin, the repeal was a relief. “School is supposed to be a safe place. The anti-LGBTQ+ curriculum law did just the opposite, and I couldn’t be happier to see it repealed,” she said.

PRO BONO TEAM: Perkins Coie attorneys Dan Barr, Katherine May, Randy McDonald, and Barry Stratford; Asaf Orr and Julie Wilensky (National Center for Lesbian Rights); Puneet Cheema and Peter Renn (Lambda Legal); and Clifford Rosky (University of Utah S.J. Quinney College of Law). ■

NO PROMO HOMO LAWS IN THE UNITED STATES



After the striking down of the Arizona statute, these are the states with laws forbidding health/sex education teachers from discussing LGBTQ+ people or topics.

New Name Places Playground on Correct Side of History

The Chinese Exclusion Act was the first time the U.S. Congress enacted a law excluding an ethnic group from immigrating to the United States based solely on race. Congressman Julius Kahn championed the act and built his political career around the exclusion of Chinese and all Asians from America until his death in 1924. Although the act was repealed in 1943, a San Francisco playground still bore Julius Kahn's name.

Perkins Coie helped a broad coalition of community, civic, and legal organizations eliminate this discriminatory historical hangover to better reflect the values of the community. We represented the Chinese for Affirmative Action and Chinese Historical Society of America in the renaming of Julius Kahn Playground. Our team conducted legal research, drafted analysis and briefings, organized community support, prepared resolutions, and helped lead the process to rename the park.

Following the San Francisco Board of Supervisors' unanimous adoption of the resolution for the renaming in 2018, the

San Francisco Recreation and Park Commission voted in September 2019 for the park's new name: Presidio Wall Playground.

"Our public places are the infrastructure and social fabric for our communities. Naming of our public places has meaning and should reflect our shared values," said Partner Allan Low, who led the firm's efforts on the name change. He was supported by attorneys Anupam Dhillon and Linda Zhang and former firm attorney Lindsey Quock. "This was an important moment for all San Franciscans to come together and correct a historical wrong and remind us not to repeat history," said Low. ■



Working in the Community. A coalition of San Francisco interests helped change the name of a park in the Presidio to better fit with community values. Attending the renaming ceremony were, left to right, Phil Ginsburg (SF Recreation and Park Department), Charles Ferguson (Presidio Heights Association of Neighbors), Linda Zhang (Perkins Coie), Allan Low (Perkins Coie), Kat Anderson (SF Recreation and Park Commissioner), Jane Chin (Chinese Historical Society of America), Doug Chan (Chinese Historical Society of America), Cynthia Choi (Chinese for Affirmative Action), and Samuel Bennett (District 2 Supervisor's aide).

Justice Takes the Lead Against Animal Abuse

In a groundbreaking lawsuit, a horse is positioned to be the first plaintiff to establish that animals have a legal right to sue their abusers.

Formerly known as Shadow, Justice is an Appaloosa x American Quarter Horse cross who was starved, left in the cold, and neglected. He arrived at Sound Equine Options, an Oregon equine sanctuary, suffering from lice, rain rot, and frostbitten genitals. He was 300 pounds underweight and malnourished.

Justice will require special lifelong care. His condition and the subsequent medical expenses make it unlikely that he will ever find an adoptive home.

Holding Abuser Accountable

In Oregon, animal neglect and abuse are criminal offenses. Justice is a crime victim, and his former owner pled guilty to the crime. However, the former owner paid only \$3,700 in compensation for expenses related to Justice's care before he arrived at the sanctuary.

Justice filed a civil lawsuit for negligence per se against his former owner based on her violation of Oregon's animal cruelty laws. A Washington County Circuit Court judge dismissed the lawsuit for lack of standing.

In 2019, we supported the Animal Legal Defense Fund in appealing the dismissal of Justice's lawsuit, which sought \$100,000 in damages for the horse's unique medical, socialization, and boarding requirements.

Legal Right to Be Free From Cruelty

Perkins Coie attorneys Don Baur, Julia Markley, and Sasha Petrova filed an amicus brief on behalf of an international team of equine experts.

The brief asserts that Oregon's laws recognize horses as "sentient beings" due to their intelligence and unique social



Justice, a plaintiff in a precedent-setting abuse lawsuit in Oregon, continues his rehabilitation from injuries suffered due to mistreatment by his former owner.

cognition, and as such their standing to assert such claims should be recognized by the courts. The brief also argues that a civil suit is an appropriate mechanism to obtain compensation for Justice's ongoing required medical care caused by his abuser's criminal conduct.

Joining the horse's previous owner in opposing the claim are the Oregon Dairy Farmers Association, Oregon Cattlemen's Association, and Oregon Farm Bureau Federation, which filed an amicus brief. They fear granting animals the right to sue would open the floodgates to "baseless and frivolous" lawsuits by owners of animals and upend the agricultural industry.

"This case is exceptional due to the degree of neglect he suffered," said Markley. "Our horse expert clients were able to present the science showing that horses are sentient beings, which was not in the record because of the early dismissal of the case. We believe that Justice has a right to justice, via the opportunity to receive compensation for his injuries, under state law."

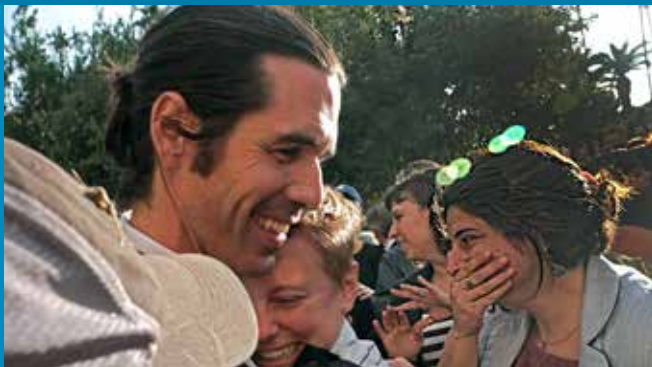
The appeal is pending before the Oregon Court of Appeals. ■

RIGHTING WRONGS

Safeguarding Humanitarian Aid: From Deadlocked Jury to Acquittal

The humanitarian organization No More Deaths focuses on preventing deaths among migrants crossing the Sonoran Desert in southwestern Arizona. It's estimated that 3,000 lives have been lost since 2000.

Dr. Scott Warren began working with the 20-year-old coalition of community and faith groups that make up No More Deaths in 2013. Warren, 37, earned his doctorate in the social geographic history of the Arizona borderlands. He was part of a volunteer squad that placed jugs of water along the trails immigrants traveled. The squad also rescued survivors and recovered the remains of those who died. >



Scott Warren celebrates a verdict of not guilty in a federal court retrial that alleged he harbored migrants. We served as pro bono trial consultants. Warren is a volunteer with No More Deaths, which provides water along trails used by immigrants crossing the Arizona desert.

IN JANUARY 2018, WARREN HELPED TWO CENTRAL

American migrants who had crossed illegally and were in need of medical care by giving them directions to avoid the deadliest terrain on the trail ahead. He testified that he was trying to keep them alive rather than trying to help them avoid border checkpoints. The federal government claimed Warren was harboring illegal immigrants and arrested him. If convicted, Warren faced a 10-year prison sentence.

On Trial

The government's June 2019 trial of Warren ended in a 7-5 hung jury after three days of deliberation. The government responded to the deadlock by digging in, doubling down, and deciding to retry Warren.

The decision to retry the case motivated Perkins Coie's Senior Litigation Consultant Karen Lisko to take action. She volunteered her services to the small Tucson law firm of Kuykendall & Associates, which represented Warren.

Jury Deliberates and Delivers

Lisko pulled out all the stops. She created an extensive jury pool questionnaire, put on a mock trial, worked with defense counsel on the opening statement and closing argument, participated in jury selection, and helped prepare Warren to testify.

The government's second trial, in November 2019, resulted in a full acquittal for Warren. The jury's unanimous verdict came after only two and a half hours of deliberations. This acquittal was especially powerful because many retrials end

"Karen's work was pivotal to the acquittals. We could not have achieved this bellwether judgment without her."

in convictions when the government narrows its first case by dropping charges in the second—as the government did in Warren's case. The stark contrast in outcomes was underscored by one juror's post-trial comment about Warren: "I think we all agreed what he and these people do is fantastic."

Getting to the Truth

In recognition of Lisko's contribution, Warren's defense attorney, Greg Kuykendall, said, "Karen's work was pivotal to the acquittals. We could not have achieved this bellwether judgment without her."

Inspired by the victory, No More Deaths has adopted a new social media tag, #HumanitarianAidsFantastic. Legal observers have noted that the case, which garnered international attention, is an indictment of the federal government's immigration policy. The verdict also reverses several years of defeat for progressive social activists claiming protection under the Religious Freedom Restoration Act.

For Lisko, the pro bono experience is one she will never forget. She said, "Scott Warren is a humanitarian truly committed to these very human migrants who have been treated so inhumanely. I'm beyond grateful that our jurors saw the truth of that." ■



PRO BONO SHOUT-OUT

KAREN LISKO

SENIOR LITIGATION CONSULTANT



Many Hands Lighten the Load and Build Bonds in Client Collaboration

We are always proud to have helped our pro bono clients. It's an experience that can deliver unexpected benefits such as team building, flexing practice muscles, and interacting with the community. Our ongoing pro bono collaboration with Intel Corporation checks all those boxes—and more. >



***Citizenship Day:** We joined forces with a team from Intel to help green card holders in Portland, Oregon, start the process to become U.S. citizens.*

INTEL IS A LONGTIME FIRM CLIENT WITH ITS OWN STRONG

pro bono program. Our joint focus on pro bono service has provided an opportunity to forge a closer relationship and serve more clients in need. In the past few years, we have partnered with Intel teams on immigration-focused work, which we expanded upon in 2019.

Justice Bus Travels to Rural California

In late winter, volunteers from firm offices in Seattle, Palo Alto, Phoenix, and Chicago joined Intel volunteers to ride the Justice Bus to Watsonville, California, where we hosted a legal clinic. The unique bus is run by the nonprofit organization OneJustice, which brings legal assistance from urban areas to qualified people living in rural and isolated communities.

The bus journey began at Intel Headquarters in Santa Clara, California, and included training en route to supplement the team's previous learning sessions. Firm members paired with Intel volunteers to conduct general immigration screenings and assist clients renewing DACA status and applying for naturalization. The Santa Cruz County Immigration Project provided valuable mentorship to our group.

Citizenship Day in Oregon

In Oregon, a large Perkins Coie-Intel coalition participated in Citizenship Day. Organized by the Immigrant and Refugee



On the Justice Bus: Perkins Coie and Intel attorneys headed to rural California to a legal clinic for immigrants.

Community Organization, the autumn event helped green card holders in the Portland/Beaverton area. Volunteers guided clients through naturalization paperwork and next steps for citizenship.

"These were great opportunities to partner with our colleagues at Intel and connect with them outside of the office as we helped the community. We have seen a new depth of camaraderie among the volunteers extend into our 'day job,' which has been a pleasant bonus for everyone," said Phoenix partner Tony Marks. ■

PERKINS COIE-INTEL PRO BONO TEAM COLLABORATORS

FOR PERKINS COIE: Attorneys Al Araiza, Alletta Brenner, Brent Bullock, Sarah Crooks, Hillary Levun, and Tony Marks; former firm attorneys Irene Chang, Kristina Holm, and Nick Hesterberg; Pro Bono Counsel Leah Medway; staff members Shannon Kimmel, Azeena Preston, Tara Ratliff, Casey Stephens, and Erin Welsh; and family members who helped.

FOR INTEL: Alan Aldous, Anthony Burrell, Susan Capello, Laurie Charrington, Roisin Comerford, Leonor Davila, Javier Fernandez, Sarah Flanagan, Mark Friedman, Ariana Gallegos, Barbara Greenspan, Katherine Kettler, Kristin McNulty, Rafael Meriles, Alan Polaski, Meredith Price (a firm alumna), Lisa Ruiz, Joe Shallenburger, Berta Tassinari, Fabien Valdivia, John Williamson, and Enlan Yuan.

COLLABORATION AND TEAM BUILDING

Cross-Gen Pro Bono Team Helps Seniors

It's never too soon to make pro bono work part of an attorney's legal practice. We embraced this motto when we brought summer associates into our pro bono fold last summer.

For the third year in a row, our Washington, D.C. office hosted a pro bono clinic with the Legal Counsel for the Elderly in June. Attorneys and summer associates assisted low-income seniors with preparing Schedule H tax documents. Schedule H is a D.C. tax credit for low-income individuals with high housing costs. Schedule H refunds, which can provide a benefit up to \$1,000 per year, often help residents pay for expenses like rent increases, food, and medicine. Perkins Coie attorneys and summer associates assisted seniors in receiving almost \$25,000 in Schedule H benefits.

PRO BONO TEAM: Washington, D.C. attorneys Tom Ahmadifar, Sumedha Ahuja, Lindsay Allen, Bob Burgoyne, Val Dahiya, Charlyn Ho, Brandon Johnson, Rebecca Mears, Vicki Nee,

Anna Smith-Sandy, Adrian Torres, Matthew Williams, and Betselot Zeleke; former firm attorney Craig Bradley; and former summer associates Arielle Andrews, Tyler Bishop, Raissa Cramer, Shelby Rampolo, Max Tyler, and Michael Want. ■



Legal Counsel for the Elderly Clinic. Summer Associate Tyler Bishop (left) and Associate Rebecca Mears discuss tax documents with a client at a Washington, D.C. legal clinic.

ACLU Partnership to Challenge Washington's Three Strikes Law

Answering the call for help from nonprofit partners is a vital part of the firm's pro bono program. Our decades-long collaboration with the American Civil Liberties Union (ACLU) of Washington continued in 2019 when the organization requested our help with filing an amicus brief in a consolidated case before the Washington Supreme Court.

At issue was a constitutional challenge to sentences imposed under Washington's Persistent Offender Accountability Act, known as the three strikes law, based on the relative youth of an offender at the time of one of the three-strikes offenses.

A team of Seattle attorneys—Rike Connelly, Lindsay McAleer, and former firm attorney Michelle Maley—focused their litigation talent on the ACLU's cause. The team prepared and filed a brief in *State v. Moretti* urging the court to reassess the current test for whether a sentence is cruel and unusual to consider the relative youth of an offender and other factors. Issues concerning Washington's three strikes law have been raised in several previous pro bono matters. ■

Protection of Women and Reproductive Rights



We helped several women in Idaho file suit to uphold their rights to make their own healthcare decisions. One of the plaintiffs is Chelsea Gaona-Lincoln (left), with her wife, Van. All the plaintiffs are women of childbearing age who have living wills detailing their healthcare preferences if they are unable to speak for themselves.

Safeguarding the rights of pregnant women and the reproductive rights of all are causes we have long supported nationwide. Although these issues involve basic human rights, they are often highly contentious, protracted, and polarizing. Our efforts in 2019 included a challenge to the constitutionality of an Idaho law invalidating a pregnant person's living will and the defense of access to abortion clinics in Milwaukee, Wisconsin.

Idaho's Medical Consent and Natural Death Act

Idaho's Medical Consent and Natural Death Act provides that pregnant women's advance healthcare directives have no force. This deprives people who can become pregnant of their fundamental right to direct their own medical care. We partnered with Legal Voice, a Seattle-based women's rights organization, and Compassion & Choices, the end-of-life nonprofit, to file *Almerico v. State of Idaho* in federal court in 2018 on behalf of four Idaho women.

Until the Pregnancy Is Complete

The lawsuit seeks to end the state's claim that if an incapacitated person is pregnant, "life sustaining measures

will continue regardless of any directive to the contrary until the pregnancy is complete." The lawsuit argues that the law violates constitutional rights to privacy and discriminates based on gender.

In 2019, the state moved to dismiss the lawsuit, but the court denied the motion, allowing the lawsuit to move forward. Perkins Coie attorneys Richard Boardman and Katie Page are leading our ongoing work with the Idaho plaintiffs and nonprofit partners. Former firm attorney Alison Hunter assisted. The outcome of the lawsuit could have an impact on similar laws in effect in 10 states, including Texas, Utah, South Carolina, and Wisconsin. ■

Countering a Siege in Wisconsin

Each summer the extremist anti-abortion group Operation Save America stages a week-long protest called “Summer of Mercy” in which it targets area clinics in a particular city. In 2019, the group joined Missionaries to the Preborn, an extremist group founded in Milwaukee, to target Planned Parenthood and Affiliated Medical Services of Milwaukee (AMS).



The annual campaign includes anti-abortion activists, many with children in tow, who stand outside abortion clinics and display posters with graphic images of purported aborted fetuses. Their purpose is to harass and shame patients seeking to enter the medical facilities and to block the clinic entrance. Anti-abortion activists have skirmished with patient escorts to block access and this year threatened more violence.

Clearing a Path

As the 2019 protest approached, pro-choice activists took a preemptive stance to enforce an injunction that was put in place in the mid-1990s at the height of violence against clinics providing abortion services. Large volunteer groups created pathways to ensure the safety and privacy of clinic patients.

Working with pro bono clients AMS and the National Clinic Access Project, Perkins Coie attorneys engaged the city and law enforcement to enforce the injunction and protect the clinic from violations of other state and federal laws, such as the Freedom of Access to Clinic Entrances Act. We also provided training to volunteer patient escorts and served as legal observers to record any illegal or suspicious activity. The clinic was able to remain open to patients throughout the protest.

“We are committed to ensuring that women have safe, legal access to healthcare and were proud to help protect patients and healthcare providers during this difficult time,” said Madison partner Michelle Umberger, who led our pro bono services. ■

DIGGING IN AND DOUBLING DOWN

The New Reality of Pro Bono Asylum and Immigration Relief

Obtaining asylum and other immigration relief for low-income immigrants has been a mainstay of our pro bono program. Under the Trump administration's zero-tolerance immigration mandate, the landscape has altered. Prolonged detentions, increased bond amounts, family separations, and "Remain in Mexico" immigration protocols dramatically increased the uncertainty for immigrants seeking asylum. >



The average length of stay at U.S. Immigration and Customs Enforcement (ICE) detention facilities jumped from 28 to 46 days in 2019. We helped several asylum-seeking clients gain release from detention.

FROM A LEGAL AND PRACTICAL PERSPECTIVE, representing asylees can be more complex if the client is incarcerated and even more difficult when compounded by the trauma of family separation. Effective counsel in asylum matters requires an unrelenting commitment to navigate a constantly shifting landscape. Here's how several Perkins Coie teams succeeded.

WASHINGTON, D.C. Partner Gwen Williamson and Associate Betselot Zeleke helped an undocumented immigrant—already living with his family in the United States—make his \$20,000 bond and gain release after fewer than six months in an ICE detention center in Ohio. Our client was fleeing gang violence in his home country of Honduras. His case was referred to us by the Immigration Justice Campaign.

SEATTLE. A team succeeded in a four-year commitment to support a bid for asylum by a native of Sierra Leone. Their client fled her country, alone as a 14-year-old, to avoid being forced into female genital mutilation. Now that she has asylum, the young lady is saving money by working two customer service jobs to earn a degree in tourism and hospitality. The Northwest Immigrant Rights Project referred the case.



Asylum Granted. *The Seattle attorneys who led a young woman from Sierra Leone, second from left, through her successful bid for asylum were, right to left, Stewart Landefeld, Nicole Schilling, and former firm attorney Dessa Dal Porto.*

NEW YORK CITY. Associate Tom Matthew gained the release of and an order of withholding of removal for a 27-year-old attorney from El Salvador who was apprehended at the border and detained for eight months. Our client, a gay man referred by the Immigration Justice Campaign, had legitimate fears of removal because of the dangerous conditions faced by the El Salvadoran LGBTQ+ community.

In another matter, we successfully stopped the deportation of a woman, a native of the Dominican Republic with a 10-year-old criminal conviction, by obtaining protection under the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). The team securing this rarely granted protection included New York attorneys Imri Eisner, Adam Mandelsberg, Matt Moffa, and Richard Ross; and summer associate Priscilla Hamilton. The matter was referred by The Legal Aid Society.

PHOENIX. Counsel Barry Stratford and Associate Ben Calleros helped a 20-year-old El Salvadoran man obtain asylum in the United States. Their “pull-out-all-the-stops” presentation of their client’s claims of past persecution by gangs and fear of future persecution should he return to his home country persuaded the Arizona immigration court to grant asylum, in the case referred by the Florence Immigrant and Refugee Rights Project.

CHICAGO. Partner Vince Maloney, supported by staff members Rosa Ravelo and Teresa Albertino, helped secure a custody agreement for a Guatemalan teen who arrived in the United States as an unaccompanied minor. The agreement was necessary for the teen to continue the Special Immigrant Juvenile process to become a U.S. citizen. This is one of more than 15 current cases referred to us by the National Immigrant Justice Center. ■

Standing Up for Noncitizen Soldiers

Navigating the U.S. military's processes, procedures, and promises can be daunting—think *Catch-22*. Over the last several years, a Perkins Coie team has successfully charted that territory in our representation of a group of lawful immigrants who were recruited by and enlisted in the armed forces through the Military Accessions Vital to the National Interest (MAVNI) program. The armed forces promised noncitizen recruits an expedited path to citizenship.

Since 2017, we have represented more than 60 noncitizen U.S. Army recruits in a District of Columbia federal court challenge. At issue are delays by U.S. Citizenship and Immigration Services (USCIS) in processing the recruits' applications for deportation protection. We obtained deferred action for most of them and at least 15 have begun active-duty service.

Immigration Purgatory

Unfortunately, we had to file a second action, *Kane v. U.S. Department of Homeland Security*, in December 2019 on behalf of 12 recruits whose valid immigration status has lapsed because of the government's continued delays. All 12 recruits enlisted more than three years earlier but cannot apply for citizenship because they have not yet been called to active duty.

"Each plaintiff enlisted during a period of armed conflict, can immediately be called up to active duty without training, and has sworn an oath to protect and defend the United States," stated the complaint. "In return, plaintiffs have been forced into an immigration purgatory."

A Band-Aid to Survive

Washington, D.C. partner Don Friedman is leading the *Kane* litigation. "What we'd like to do in the long run is have the Army simply enlist these people and let them serve," he said. "The case is a Band-Aid to simply give them the ability to survive while they wait for the Army to decide what to do with them."

In addition to actions seeking to protect the immigration status of MAVNI recruits, we have assisted several recruits in obtaining naturalization. Denver senior counsel Norton Cutler and his sister, retired Alaska Superior Court Judge Beverly Cutler, are

collaborating with Friedman on our MAVNI work. Additional firm attorneys assisting include Sam Boro, Zach Davison, Dean Galaro, Michael Henson, Jon Jacobs, and John Roche; and staff members Debby Howerton, June Starr, and Jody Sullivan. ■



We assisted a MAVNI recruit, U.S. Army Specialist Soun Bahadur Chhantyal Pun, in filing a federal lawsuit in Maryland seeking naturalization. The Nepalese native and graduate of Johnson & Wales University celebrated with his child after taking the citizenship oath.

Privacy Team Blocks Disclosure of Sensitive Information

Laws governing privacy are constantly evolving to keep up with people's interactions with technology and access to information. We applied our depth in this area of law to protect the rights of pro bono clients in sensitive situations—survivors of and witnesses to sexual assault and domestic violence.



The cases were referred by The WAVE Foundation's Legal Hope program. The program partners with law firms to provide pro bono legal assistance to survivors of domestic violence, sexual assault, and sex trafficking.

Persuasive Privacy Arguments

In the first matter, a Seattle team represented a rape survivor who was under threat of a criminal defense subpoena seeking to obtain her sensitive mental health records. Our team moved for a protective order to protect our client's privacy and undertook an all-hands effort in drafting the reply in under three hours after the defendant filed untimely. Agreeing with our arguments, the judge denied the defendant's request for all private mental health records and permitted only a limited set of records to be produced for in camera review.

The second matter involved protecting the privacy of a key prosecution witness in a domestic violence dispute. The defendant sought our client's sensitive immigration records, including visa applications and research, to improperly accuse the witness of visa fraud.

A cross-office team opposed the defendant's motion to compel discovery in addition to opposing a motion to

authorize the U.S. Department of State to turn over the witness's immigration file.

Our client prevailed. On the eve of the hearing, the defendant pleaded guilty to the charges and the matter was resolved, meaning the witness no longer needed to testify or be subjected to this invasive discovery.

Clients Gain Dignity and Respect

Privacy & Data Security practice partner Ryan Mrazik was on the team for both matters. He said, "In our daily practice, we help protect the privacy of user data as held by the country's leading tech companies. We were fortunate to be able to translate our skills and knowledge from those settings."

Further, according to WAVE's executive director, prosecutors have said that since Perkins Coie has stepped in to help with these cases, they've seen a "significant decrease in attempts to invade victim privacy and a culture of treating survivors with greater respect and dignity in the courtroom."

PRO BONO TEAM: Attorneys Gabbi Gallego, Rachel Haney, Shanna Holako, Ryan Mrazik, Lauren Tsuji, and Randy Tyler; and staff members Christina Baker, Brooke Harkness, Jeanie Hernandez, Kate Smith, and June Starr. ■

Using the Pardon Process to Secure an Immigrant's Future

Sok Krouch is a Cambodian refugee who came to the United States as a child after his family fled the Khmer Rouge regime. When his 20-year-old criminal conviction threatened to trigger his deportation, Krouch reached out for help to the Seattle Clemency Project, which referred the case to us.

Krouch's life after prison has been exemplary. To prevent Krouch from being deported, Seattle associates Cara Wallace and Mallory Webster, with support from Senior Counsel Tom Hillier, focused on the pardon process, which is normally geared toward providing deportation relief for incarcerated people serving long sentences. Through the creative use of this process, the Seattle Clemency Project has helped a number of Cambodian refugees lift the burden of a criminal history and fear of deportation.

Our attorneys' persuasive presentation to the Clemency and Pardons Board in Olympia resulted in Washington Governor Jay Inslee granting Krouch a "Full and Unconditional Pardon." With a pardon in hand, Krouch moved to terminate the removal proceedings against him and is now legally in the United States again.

Says Webster, "Sok deserved a second chance for himself, his community, and his family. He also deserved advocates who would fight alongside him for that second chance." ■



Pardon Proves Vital for Immigration Relief. Sok Krouch (holding a paper, front row, center) is surrounded by supporters advocating for his pardon, which eventually helped prevent his deportation.

SMALL BUT MIGHTY

West African Community Council Secures a Forever Home

For Seattle/Bellevue real estate attorneys Devin McComb, Nicholas Franzen, and Carl Rubinstein, documenting the purchase of property, negotiating financing terms, and closing purchases are what they do, day in and day out. The impact of one transaction they guided, however, did more than establish a new property owner—it helped define a community and secure its future.



A multicultural, bilingual preschool is among the services provided by the West African Community Council, which we helped secure a permanent South Seattle location.

The West African Community Council (WACC) was founded to provide a welcoming place for the West African community to gather; it's common to hear English, French, Wolof, Bambara, and other languages spoken there. The council provides preschool, childcare, and other family-oriented services to the West African community in the greater South Seattle area and having a permanent home helps WACC achieve its purpose.

When the opportunity arose for WACC to purchase a South Seattle property through financing from the City of Seattle's Equitable Development Initiative (EDI), the nonprofit organization asked Perkins Coie for assistance.

We rallied a legal team to help WACC meet a quick timeline and EDI's requirements. Our real estate lawyers secured the property under contract, negotiated financing with EDI, and closed the deal in the spring. Attorneys Lorri Dunsmore, Nisha Nariya, and Nicole Schilling are currently assisting with corporate governance issues, and they bring in Partner Bob Mahon for tax advice when needed.

"We are grateful and proud to have a place to call home. Our new location will allow the council to offer more services to the community and plan for the future," says Issa Ndiaye, WACC's executive director. ■

SMALL BUT MIGHTY

Scammed Elderly Couple Recoups Life Savings

FINANCIAL EXPLOITATION OF THE ELDERLY BY STRANGERS

and so-called professionals is the fastest-growing form of senior abuse according to the National Adult Protective Services Association. Often victims are too ashamed to come forward and ask for help. But when an elderly couple defrauded of their life savings sought assistance, one of our Seattle legal teams flexed its collective might to help.

Our clients had consulted a non-lawyer “trust expert” who convinced them to transfer \$1.5 million into a trust. The



consultant died and our clients discovered that the trust was under the control of the deceased's daughters.

Catching the Thieves

A cross-departmental team from our Personal Planning, Real Estate & Land Use, and Patent Litigation practices sued the estate and the daughters. We traced the money and proved the theft. When the U.S. District Court for the Eastern District of Washington granted summary judgment, it also dissolved the trust and transferred all properties and assets to our clients.

“For some, our clients’ plight might pale in comparison to the big corporate disputes we typically handle, but it was an honor to be able to restore dignity and hope to our clients,” said Partner Ryan McBrayer.

PRO BONO TEAM: Attorneys Zach Davison, Nathan Fahrner, Bill Friedman, Aaron Holloway, Ryan McBrayer, Reese Nguyen, Nicole Schilling, and Cara Wallace; and staff member Kiyomi Robinson. ■

Low-Income Tenants Receive a Helping Hand

AS A LEADING NATIONAL LAW FIRM, WE TEND TO ACHIEVE

client victories valued in the hundreds of thousands and millions of dollars. Our wins when working with low-income tenants come in at a fraction of those amounts but can transform the quality of our clients’ lives and make the value of our work priceless.

Our Seattle/Bellevue team led by Partner Joe Cutler and Counsel David Steele helped one family in need. A couple and their children were living in a rat-infested home with no heat, a leaking roof, broken windows, faulty plumbing, and mold. After the couple complained, the property manager evicted them.

The family had been unable to find better housing; an error on their rental housing record caused them to repeatedly fail background checks.

The owner and property manager refused to negotiate, which led us to file a lawsuit in Snohomish County Superior Court. Following contentious litigation, we reached a favorable settlement for our clients. We also helped them clear their rental background record, and their family is now living in a better home. Associates Lindsay McAleer and Ryan Thomas assisted on the case. ■

IN SERVICE AND HONOR

A Combat Vet's Fight for Medical Benefits



Our longtime support of veterans and active members of the U.S. military includes working with such nonprofit groups as the National Veterans Legal Services Program (NVLSP). The organization helps vets contest cases in which the armed forces have discharged officers or service members for misconduct or poor performance, where the substandard behavior is linked to PTSD or similar conditions.

Since October 2017, a joint team from Perkins Coie and NVLSP has represented a major in the U.S. Army in such a case. Our client served in the U.S. Army from 1989 until late 2014, which included a tour of duty in Operation Desert Storm. His superior officers said that he had served his country admirably and consistently throughout his military career. The single exception was an 18-month period of acute depression and anxiety at the end of his career that resulted in his separation without benefits.

A Reversal of Benefit Rights

The team filed a complaint on our client's behalf at the U.S. Court of Federal Claims, secured a remand to the Army to reconsider its original decision, and then relitigated the

appropriateness of the discharge. In 2019, the Deputy Assistant Secretary of the Army reversed her original decision and concluded that the veteran's mental disabilities warranted a medical retirement.

The new decision will result in a significant increase in a monthly pension for our client, along with improved medical benefits. "I feel like a weight has been lifted off of me," he said.

PRO BONO TEAM: Washington, D.C. attorneys Eric Aaserud, Lee Curtis, and Julia Fox; Esther Leibfarth and David Sonenshine (NVLSP). ■

What I Am Working On—U.S. Military Veteran Edition

VETERANS OF THE ARMED FORCES ARE SOME OF THE FIRM'S MOST DEDICATED PRO BONO VOLUNTEERS. They undertake a wide range of cases and are particularly effective in supporting veterans' causes. Several members of our Veterans Resource Group share their recent pro bono projects.



MICHAEL HERRERA, U.S. ARMY NATIONAL GUARD

ASSOCIATE | *Business*

San Diego

I am working with Youth Guidance to overhaul its privacy compliance regime to address the complexity of related privacy laws. The nonprofit organization mentors and counsels minority students in low-income communities nationwide. This work allows me to contribute to communities like the one in which I was raised.



CHARLYN HO, U.S. NAVY

COUNSEL | *Business*

Washington, D.C.

Co-Chair, Perkins Coie Veterans Resource Group

One pro bono effort is representing a low-income senior citizen. She is a surviving spouse of a Marine Corps veteran who served in Vietnam and was possibly exposed to contaminated drinking water, Agent Orange, and asbestos. We are analyzing potential claims to service-connected death benefits for his widow.



What I Am Working On *(Continued)*



WILL MILLER, U.S. ARMY JAG CORPS
COUNSEL | *Labor & Employment*
Boise

I represent two guardians ad litem who advocate for neglected children as part of Idaho's Court Appointed Special Advocate (CASA) program. Additional pro bono matters I'm working on include providing employment counsel to several nonprofit clients and assisting with the formation of a nonprofit helping veterans become entrepreneurs.



SETH REAGAN, U.S. AIR FORCE
COUNSEL | *Intellectual Property*
Seattle

I've been using my IP skills to help Next Up Foundation, a nonprofit organization that provides skateboarding lessons and after-school tutoring to underprivileged kids, to obtain trademark and copyright protection. I am also advising Next Up Foundation on establishing a sister organization in Brazil, the founder's home country.



RECOGNITION

It Is Our Honor to Help

Attorneys often say pro bono work has provided them with some of the most memorable and meaningful cases of their career. Our pro bono program and volunteers frequently receive recognition for their efforts in the community and the positive outcomes achieved.

In addition to the firm's annual Pro Bono Leadership Awards, which we will detail in our upcoming 2020 pro bono report, we are proud to be the recipient of the following awards and honors from our community and partner organizations:

FIRM AND OFFICE RECOGNITION

ACLU of Arizona—2019 Outstanding Pro Bono Law Firm, Phoenix Office

Animal Legal Defense Fund—2019 Advancement in Animal Law Pro Bono Achievement Award

The Center for Disability & Elder Law—Corporate Partner Award, Chicago Office

D.C. Circuit Judicial Conference—Standing Committee on Pro Bono Legal Services, "40 at 50" recognition, Washington, D.C. Office

The National Law Journal—2019 Pro Bono Hot List

Public Interest Law Initiative—2019 Pro Bono Recognition Roster, Chicago Office

The Seventh Circuit Bar Association—2019 Pro Bono and Public Service Award, Madison Office

State Bar of Wisconsin—2019 Pro Bono Organization of the Year Award, Madison Office

INDIVIDUAL RECOGNITION

Alaska Network on Domestic Violence & Sexual Assault—September Volunteer Attorney of the Month, Cameron Leonard

Chicago Lawyer and Chicago Daily Law Bulletin—2019 "40 Under Forty" Illinois Attorneys to Watch, John Schreiner

Idaho Business Review—2019 Leader In Law, Christine Salmi

Kids in Need of Defense (KIND)—Honorees Marc Boman and Jane Frissell

King County Dependency CASA—Cris Jones (Seattle) recognized for contributions

Legal Services of Northern California—Honorees, San Francisco and Palo Alto attorney team focused on victims of the California wildfires

Maricopa County Bar Association—2019 Hall of Fame induction of Dan Barr

Multnomah Bar Association—Pro Bono Award of Merit, Erick Haynie

The Oregon State Bar—2019 President's Public Service Award, Erick Haynie

Puget Sound Business Journal—"40 Under 40," David Perez

The Washington Legal Clinic for the Homeless—2019 Outstanding Volunteer, Lindsay Allen

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