

# center news

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## Profile in Pro Bono

### Steve Pohl, a Powerful Pro Bono Advocate in Personal Bankruptcy Cases

As a partner in Brown Rudnick's Boston Bankruptcy Group, Steven D. Pohl has a reputation for handling the toughest, most complex, and highest-stakes commercial bankruptcy matters. He represents financial institutions, debtors, trustees, creditors' committees and other interested parties in some of the nation's largest bankruptcy reorganizations, asset sales, loan restructurings, and related matters. Steve is a fierce advocate for his clients.

As supervising partner for Brown Rudnick's Chapter 7 Debt Relief Pro Bono Project, Steve extends his vast commercial bankruptcy experience and deep expertise to assist individuals who are overwhelmed with personal debt or are on the verge of Chapter 7 bankruptcy. Here, too, Steve is a fierce advocate for his clients.

Since 2010, with paralegal Carol Ennis, Steve has helped dozens of pro bono bankruptcy clients directly, and has been involved in scores of other cases as the Project's leader. In addition to taking on pro bono bankruptcy clients himself, Steve encourages other Brown Rudnick attorneys to handle at least two matters per year and supervises Firm participating associates, fielding substantive and procedural questions.

Steve explained, "At the request of the judges from the U.S. Bankruptcy Court in Boston, Brown Rudnick, through our Center for the Public Interest, provides assistance to individual debtors who are crushed by personal debt. Working with the Volunteer Lawyers Project (VLP) of the Boston Bar Association, we assist individuals in determining whether bankruptcy is an appropriate approach for them, assist them in preparing court forms and represent them at the meeting of creditors, if needed. I am proud to report that since the program's inception in 2010, among all participating Boston firms, Brown Rudnick has assumed a leadership position in taking on debtor relief pro bono cases."

### in this issue...

|                            |    |
|----------------------------|----|
| Cover Story                | p1 |
| Profile in Pro Bono        | p2 |
| Foundation News            | p3 |
| Community Grant Recipients | p3 |
| Grantee News               | p4 |
| Community Involvement      | p5 |
| Pro Bono Legal Activity    | p6 |
| Pro Bono In Action         | p7 |
| Just Us                    | p8 |

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## profile in pro bono

Brown Rudnick approved the Debt Relief Project as one of its *Pro Bono Impact Projects*, which is a substantial matter requiring teamwork that has particular legal or social significance. By giving the Debt Relief Project this designation, Brown Rudnick is better able to leverage its time, skills and resources to ensure the kind of representation these pro bono clients need. Additionally, Brown Rudnick attorneys and paralegals involved in the Debt Relief Project are able to receive full billable credit for this pro bono work. Brown Rudnick also participates in a similar pro bono Debt Relief Project through the New York City Legal Service Bankruptcy Project.

Last year, illustrating the success of the Debt Relief Project, the VLP presented the 2012 Denis Maguire Pro Bono Award to Brown Rudnick and the Brown Rudnick Center for the Public Interest in recognition of the Firm's substantial and landmark representation of VLP clients. In particular, the Firm partners with the VLP on two innovative programs: the Unemployment Benefit Appeals Project and the Large Firm Bankruptcy ("Chapter 7") Initiative.

"The Brown Rudnick Pro Bono Chapter 7 Team has demonstrated professional excellence in representing low-income debtors in Chapter 7 Petitions for Bankruptcy," said Hsindy Chen, Staff Attorney, Volunteer Lawyers Project. "They have taken fourteen bankruptcy cases [in Boston] in the past year, resulting in the opportunity for clients to truly receive a 'fresh start' from their insurmountable debts."

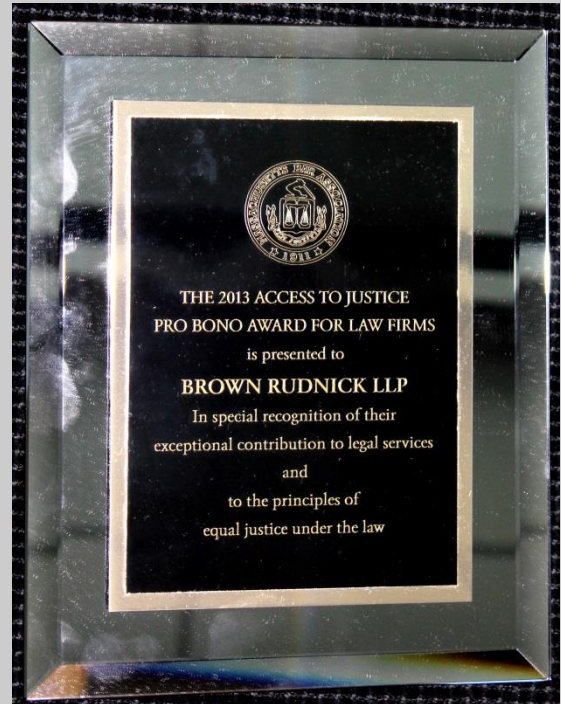
"There continues to be strong interest by our attorneys in handling these representations," commented Steve, "and there are numerous benefits to both pro bono legal counsel and pro bono clients. Professionally, attorneys and paralegals are given the opportunity to manage their own case in federal court and work on their client relations skills. Personally, I find it deeply gratifying to be able to bring my legal skills to help individuals in their time of greatest need and allow them a fresh start."

More broadly, the Firm benefits in a number of ways including and due to (i) the improvement and development of associate legal and client relations skills; (ii) the critical role its professionals take in the pursuit of these representations and the benefit it provides to the community as a whole; and (iii) the positive standing the Firm enjoys because of its role in this project.

"The bankruptcy lawyers at Brown Rudnick have made an outstanding contribution to providing representation to the low income clients referred by the Volunteer Lawyers Project. They have consistently provided careful, comprehensive and persistent representation to these clients and they have treated the clients of VLP with respect. We are grateful to them beyond words for their work in this important area." Lynn Girton, Chief Legal Counsel, Volunteer Lawyers Project of the Boston Bar Association.

Steve and other members of the Firm's Bankruptcy Group represent these clients with a degree of legal expertise and compassion that illustrates the kind of pro bono commitment at the heart of the Brown Rudnick Center for the Public Interest.

As a veteran bankruptcy lawyer, program leader and associate role model, Steve Pohl is indeed a powerful pro bono advocate.



### **Brown Rudnick Receives MBA's Access to Justice Award for Outstanding Pro Bono Legal Services**

Brown Rudnick and the Center for the Public Interest were honored with the Massachusetts Bar Association's (MBA) Access to Justice Award for the Firm's exemplary delivery of pro bono legal services. Brown Rudnick CEO Joseph Ryan, Pro Bono Committee Chair Andrew Strehle, and Center Executive Director Al Wallis attended the MBA's May 9th Annual Dinner at the Westin Boston Waterfront where the award was presented.

*"The commitment to pro bono service is strong at Brown Rudnick. We all share a desire to improve access to justice for the people of our communities. We are deeply honored to receive this recognition. The fact that the state's largest bar association would take the time to applaud, focus on and support this type of pro bono legal work is the real award."*

*- Al Wallis, Executive Director, Brown Rudnick Center for the Public Interest*

## foundation news and community grant recipients

### Steven Wasserman Elected Foundation Treasurer

The Directors of the Brown Rudnick Charitable Foundation have elected Board member Steven Wasserman to serve as Treasurer of the Board, and also to Chair the Foundation's Development Committee.



Steve, a Brown Rudnick partner, is Chair of the Firm's Distressed Debt and Claims Trading practice group, and a member of the Firm's Management Committee. He has extensive experience in the areas of distressed debt, mergers and acquisitions, private and public securities offerings, SEC reporting matters and venture capital transactions.

### Relationship Grant Recipients to Be Announced in August

The Foundation's annual selection process for 2013-14 Relationship Grants is nearly complete. About a dozen of these grants will be awarded on an academic year basis. The grants provide program funding and, ideally some pro bono or volunteer involvement by Brown Rudnick, to tax exempt organizations working to improve inner-city education in most of the cities where Brown Rudnick has offices.

The Foundation Grants Committee reviewed over 100 "letters of interest" and selected 25 organizations to submit full proposals. Those proposals were reviewed and the Committee has made final funding recommendations to the Foundation Board of Directors. The 2013-2014 Relationship Grant recipients will be announced in late August.



### Community Grant Supports Unique Art Program in the Bronx

The Foundation awarded a Community Grant to the Bronx Charter School for Better Learning (BBL), a public charter school for children in grades K- 5 in the Bronx, New York. The grant will be used to support an existing BBL arts curriculum by introducing 4th grade students to painting on canvas. Specifically, grant dollars will fund the purchase of canvas and acrylic paints, so students can experience painting using true artists' techniques and materials.

*"Students will study different artists, periods, styles, and specific paintings. Each student will then select an artist and painting to research in more depth. They will write about why they chose that artist and painting, the feelings and thoughts the painting brings to mind, what they think the artist was trying to convey, and why they would like to create a painting of their own in that style. Students will be then provided with direct instruction in the skills necessary to paint in that style, and will create their own 'masterpieces'. We appreciate the support of the Brown Rudnick Charitable Foundation in helping us make this program a reality."*

*-- BBL K-5 art teacher and grant applicant, Nikki Keenan*



### Community Grant Presented to the Samuel Adams Elementary School

The Foundation recently presented a Community Grant to the Adams Elementary School in East Boston. The grant allows the specialized Autism Strand class to purchase four iPads for their autistic students, technology which is proving to have great educational benefits to this population. Al Wallis and Kellie Cahill visited the class to present the grant and to talk with the teachers and students about their learning.

## Accepting Applications for Community Grants

Each month the Brown Rudnick Charitable Foundation accepts applications for educational grants to support inner-city educators through its *Community Grant Program*. Created to support front-line educators who often do not have a voice in funding decisions, the *Community Grants* subsidize small, concrete projects, which will improve inner-city education within Boston, Hartford, London, Providence, New York, or Washington, DC within the coming year. The grant applications and an explanation of the program can be found at <http://www.brownrudnickcenter.com/foundation/community-grant>.

## Brown Rudnick Volunteers Work on Thompson Island

Volunteers from Brown Rudnick recently participated in what has become an annual summer event: the Thompson Island/Outward Bound Brown Rudnick Volunteer Day. Thompson Island receives a Relationship Grant from the Brown Rudnick Charitable Foundation to support the *Connections* Program. *Connections* allows thousands of Boston middle school students to visit Thompson Island and to participate in academic achievement and character building programming. This year, our team volunteered to assist in maintaining roads and paths on the island which are essential to being able to navigate around the island.



(In photo are Boston Summer Associates, Partner Gordon Penman, Center Executive Director Al Wallis, and Brown Rudnick's Kellie Cahill, Jackie Fanning and Kim Walsh.)



(In photo, left to right Brown Rudnick's Jackie Fanning and Partner Gordon Penman.)

## Maya Angelou Public Charter School Wins the 4<sup>th</sup> Annual "We the People" Constitution Challenge



The U.S. Capitol Historical Society has selected Maya Angelou Public Charter School (Ward 7) as the winner of the *We the People* Constitution Challenge, which is supported through a Brown Rudnick Charitable Foundation Relationship Grant. This competition was open to those Washington, D.C. middle schools that participated in the *We the People* Constitution Tour during the 2012-13 school year. The tour, for 8<sup>th</sup> grade public and public charter school students in the District, visits sites centered on the U.S. Constitution and its three branches. The learning continues in the classroom. The Constitution Challenge contest allows teachers to demonstrate how they have continued throughout the school year to create classroom activities which reinforce what students learned about the Constitution on the tour. Eleven schools participated in the Challenge this year.

The winning class received a \$1000 grant from the Brown Rudnick Charitable Foundation for classroom educational use.

"In our fast-paced world, it is critical for students to understand that the U.S. Constitution is a living document that has guided America throughout its history and that continues to be relevant to their own lives today. As a teacher in our nation's capital, you daily instill the rights and responsibilities of citizenship in your students so they will be engaged, knowledgeable adults. D.C. is the perfect teaching environment to do this and we want to help you in any way we can."

- Al Wallis, Executive Director, Brown Rudnick Center for the Public Interest

## A Summer of Service



(Pictured: Back row from left to right - Boston Summer Associates John Ilardo, Tristan Axelrod, Daniel Riley, Jill Wexler, Cailin Harris, Samantha Miller, Shari Dvoskin, and Center for the Public Interest Executive Director, Al Wallis. Front row from left to right - Boston Summer Associate Katherine Andrew, Greater Boston Legal Services' Dan Biagiotti, and Boston Summer Associates Eric Jedrychowski, Mary Ambacher, and Kimberly Prior.)

In May, Brown Rudnick welcomed this year's class of Summer Associates in Boston, New York and Washington D.C. Through the Center for the Public Interest Summer Associate Project, these Summer Associates are providing pro bono legal representation in a variety of areas including unemployment benefit appeals, personal bankruptcy matters, and research and guidance on emerging constitutional issues for the Anti-Defamation league.

In June, the Boston Summer Associates were trained for their upcoming pro bono work at the Legal Advocacy Resource Center (LARC). LARC is a legal hotline providing legal information, advice and referrals primarily to low-income callers. LARC also handles case intakes for Greater Boston Legal Services, Volunteer Lawyers Project and Metro West Legal Services. In a cooperative program with several other Boston law firms and the national Association of Pro Bono Counsel (APBCo), the Boston Summers will each staff one or more volunteer shifts at LARC to interview callers about their legal problems; research legal issues presented; and provide information, referrals, and limited legal advice. This opportunity will provide low income individuals with critical information and advice and LARC with desperately needed resources.

### SAILS NYC AND WASHINGTON, DC

Each year, the summer associates participate in a Center for the Public Interest program we call "SAILS"(Summer Associates in Support of Legal Services). Instead of a Firm purchased lunch, the Summer Associates bring their own brown bag lunch and the Center sets aside \$25 per summer associate for a charitable donation. We discuss the nation's history of providing legal representation to indigent individuals as well as the present day needs and nature of the delivery of legal services in the communities in which Brown Rudnick operates. We describe some legal services programs and invite the Summer Associates to "nominate" others they may have worked with or know of. The Summer Associates then make a collective decision about which organization the Firm should make a donation to this summer. The New York & D.C. summers met as a group in May and decided to direct donations to the Children's Law Center in D.C. and the New Start Project, Inc. in NYC.

A similar lunch with Boston Summer Associates will take place in July.

### ORANGE COUNTY OFFICE MAKES COOL DONATION

In perfect bi-coastal harmony with Brown Rudnick's concern for helping our communities, Chris Mamrot of the Orange County office, Keith Schultz in Boston and Kellie Cahill, Coordinator of the Brown Rudnick Center for the Public Interest collaborated to find a good home for a fully functioning two year old OC office air conditioner. When Brown Rudnick learned that it would need to purchase a new replacement unit meeting current building specifications, Chris, Keith and Kellie contacted the Orange County office of "Stand Up For Kids", a national organization helping homeless youth, and learned that the organization could really use the air conditioner. This cool donation has now been made by to them by the California office.

## recent community involvement



### Meanwhile across the pond...

Brown Rudnick's London Office participated in the annual London Legal Walk recently to raise funds for the London Legal Support Trust. This effort, encouraged by the Brown Rudnick Center for the Public Interest, was coordinated in London by legal Trainee, Emma Quinn. The Trust works to support law centres, legal advice agencies in London and the South East by providing them with grant funding alongside other forms of support. The Trust is part of a network of U.K. trusts working with the Access to Justice Foundation to ensure funds can be distributed where needed most throughout England and Wales.

## recent pro bono legal activity

### Supreme Court Victory for Racial Diversity Standards Urged by Brown Rudnick

Last August, Brown Rudnick joined a coalition of Boston law firms and other organizations in becoming a signatory to the Boston Bar Association's (BBA) amicus brief to the U.S. Supreme Court in *Fisher v. University of Texas, et. al.* At issue was whether the Court's prior decisions interpreting the Equal Protection Clause of the Fourteenth Amendment, including *Grutter v. Bollinger*, permitted the University of Texas at Austin's consideration of race when making undergraduate admissions decisions. The BBA brief urged the Court not to overturn *Grutter*, but to continue to allow consideration of diversity goals, including consideration of race, in school admissions. In June, the Supreme Court in a 7 to 1 ruling endorsed the principles established in *Grutter* while determining that the lower court had failed to correctly apply strict scrutiny standards to the University of Texas's admissions process. As the BBA had urged, the Court did not overturn *Grutter*, which in some circumstances permits consideration of race in admissions policies.

### Pro Bono Impact Projects in Boston and New York Assist Individuals Crushed by Debt or Who Are Out of Work

The Firm is continuing two multi-year Impact Projects in Boston and New York.

**The C.7 Debtor Relief Project** provides limited assistance to individuals seeking to file for personal bankruptcy. The initiative is screened and supported by Volunteer Lawyers Project of the Boston Bar Association and the New York Legal Services Bankruptcy Assistance Project in New York. In Boston, Steve Pohl is the supervising partner with support from associate Ben Chapman. In New York City, partner Dan Saval supervises with support from associate Shemane Amin.

**The Unemployment Benefit Appeal** in Boston & NYC provides representation to individuals who have been denied unemployment benefits. This project is screened and supported by Volunteer Lawyers Project of the Boston Bar Association in Boston and Manhattan Legal Services in New York City. Partner Edward Naughton supervises in Boston with support from associate Rebecca McDowell, while partner May Orenstein supervises in New York with support from associate Aaron Lauchheimer.



### Brown Rudnick Retired Partner Continues Pro Bono Work

Retired Brown Rudnick Partner, Carl Axelrod, has been named a 2013-14 Access to Justice (ATJ) Fellow. The ATJ Fellows program is a year-old pilot program of the Massachusetts Access to Justice Commission that encourages transitioning and retiring lawyers to volunteer their skills and experience for the public good, for people of limited means and the non-profits that are dedicated to helping them.

## pro bono in action

### ***A United Kingdom Rape Victim Will Get Her Day in Court***

In 2012, the London pro bono organization *LawWorks* referred a matter to Brown Rudnick's London office which involved the judicial review of a decision of the Crown Prosecution Service. Brown Rudnick's Neill Shrimpton, Christian Toms and Ben Williams took on the pro bono engagement.

Over three decades ago the client was the victim of a very serious sexual assault. However, in common with many such cases, she suffered in silence, unable to report the matter for many years. Finally, in 2006, she was able to come forward and report the matter to the police. When she did so, a police investigation was launched, and whilst the police thought there was a basis for her complaint, the Crown Prosecution Service (CPS) eventually decided not to prosecute. After exhausting all internal CPS appeal processes, she wished to have the decision of the CPS judicially reviewed by the English High Court.

Working against deadlines alongside co-counsel from the Bar Pro Bono Unit, Brown Rudnick's pro bono legal team drafted and filed a persuasive application for leave to review the CPS decision. This was a challenging and stressful matter to work on. Gratifyingly, the team was quickly successful in obtaining leave, with the High Court Judge who granted the application being very clear in his order that the CPS had completely failed to engage with the key points raised in our client's complaint. He also gave a very strong hint to the CPS that a further review was likely to be appropriate.

As a consequence of this, the CPS conceded the Judicial Review application, paid the client's court costs, and the matter was sent for review by the Principal Legal Adviser to the Director of Public Prosecutions of England and Wales.

In June, the final decision was rendered. The CPS soon will be charging at least one named individual with offences of rape and false imprisonment. The door is open for further charges against other individuals also alleged to have been involved pending the outcome of police investigations.

Our client was understandably delighted that her story will now finally get to be told in court and, hopefully, the offense addressed. She passed on her sincerest and heartfelt thanks for the hard work of all at Brown Rudnick who assisted on the matter.



### ***Boston Legal Clinic for the Homeless***

In May, Brown Rudnick Boston attorneys led a legal clinic for the homeless at Boston's Pine Street Inn, assisting nine individuals. These clinics, which the firm does twice a year, are organized by the Boston Bar Association's Lawyers Clearinghouse.

### ***A New York Woman Will Receive Her Unemployment Benefits After 3 Years of Litigation***

A Brown Rudnick pro bono client was denied unemployment benefits in 2010 when her employer asserted that she had voluntarily quit her job at a social service agency. Manhattan Legal Services referred her case to Brown Rudnick as part of the firm's Unemployment Benefit Pro bono Impact Project. New York associate Aaron Lauchheimer handled the case, supervised by partner May Orenstein.

The case was appealed twice and was remanded for additional hearings three times. At the last hearing, the employer, a social service agency, produced only one witness to speak to the reasons our client's employment was terminated. Aaron was able to establish that the employer's witness had no personal knowledge as to our client's "voluntary departure." In particular, the witness did not know that the client, while employed at the social services agency, was subjected to a violent episode when a patron of the agency threatened to physically harm her. Nor did the witness know anything about the steps that the client had taken to try and secure a different position at the company. As a result of Aaron's advocacy, the Administrative Judge determined that under the circumstances the client had not "voluntarily" quit her job, and she was therefore entitled to benefits.



Al Wallis  
Executive Director, Brown Rudnick  
Center for the Public Interest

***“Job ranking: 116. Job title: Attorney.” - Wall Street Journal, April 22, 2013***

Number one hundred sixteen.

According to the *Wall Street Journal*, that is where “attorney” ranks on CareerCast.com’s list of the 200 best/worst jobs of 2013. My profession is supposedly worse than that of Funeral Director (just above us at number # 115).

Times are surely tough all over, and the legal profession has at least as much reason to gripe about it as, say, numbers 117 through 200. But, this stormy view fails to capture the abundant proof of sunny opportunities in the law firm world. This newsletter is full of that proof.

This spring, through our Center for the Public Interest, Brown Rudnick attorneys applied their legal skills to rescue scores of individuals from crushing debt; from the ravages of lost employment; from the hopelessness of homelessness. These lawyers stood by immigrant kids who had arrived in our country without a parent or guardian to help them avoid deportation back to the dangerous conditions in the country from which they had fled. They fought indifferent prosecutors through time and bureaucracy for a traumatized rape victim to win her day in court. They left their comfortable law offices to pursue justice for their clients in the dispirited halls of homeless shelters, in the cramped confines of administrative tribunals, and in the overcrowded and often numbing halls and court rooms of the Housing Court. These people and our law firm did this “pro bono publico” – for free, for the public good. You will likely find similar stories about attorneys in other premier law firms in our country’s major cities.

I assure you that none of these attorneys are thinking “I have one of the worst jobs in America” while they are in pursuit of justice; when they are working to make the legal system fair; when they are rather selflessly (in the material sense) giving their talent and ability to help other human beings in need. There is real and personal satisfaction for them in this work. Almost always, their goal is to resolve someone’s difficult problem, or to right a wrong, or to help a stuck person move forward.

This kind of work fulfills attorneys and leaves us content. We make it part of our job and in doing so we may be able to change the direction of a person’s life. We might rescue someone from an injustice. Or maybe, through the magic of the law, even help to bring a lost and burdened person – almost walking dead – back into a productive life.

I’d like to see a Funeral Director do that.

*- Al Wallis*  
*Center for the Public Interest*  
*Executive Director*