

A Tribute to Pro Bono 2005



John K. Van de Kamp

President, The State Bar of California, 2004-2005

On behalf of the State Bar of California, I congratulate the recipients of the 2005 President's Pro Bono Service Awards, the Loren Miller Legal Services Award and the Jack Berman Award of Achievement for Distinguished Services to the Profession and Public. The honorees come from a variety of practice settings and represent different geographic areas. Through their energy and dedication they have inspired others to

do pro bono and public service work, work that not only helps others but can be the most fulfilling part of a lawyer's practice.

These awardees exemplify the good that lawyers do throughout the state by using their legal training, knowledge and skills to make a significant difference in the lives of those who would otherwise be unable to access the legal system, I am honored to share in the victory of our 2005 award recipients and proud to call them colleagues. They are truly amazing and compassionate women and men who renew our commitment to ensuring equal access to justice and who set an example for us all.



Honorable Ronald M. George

Chief Justice of California

I am very pleased to have the opportunity once again to congratulate the recipients of the President's Pro Bono Service Awards. These annual honors remind us how fortunate we are that so many attorneys here in California use their expertise in innumerable ways to assist those who otherwise would be without legal representation. The attorneys being honored this year have applied their skills to help children, working men

and women, the homeless, the disabled, immigrants, tenants, and many others for whom the legal system's promise of a fair resolution of their claims would otherwise be out of reach. Those of us involved in the judicial system understand that access to justice must be far more than an abstract goal; it must be an attainable reality for all those who look to the courts to give substance to their rights. Access must be meaningful, so that all individuals and organizations can present their claims and take full advantage of the promise of our justice system. Many individuals cannot afford legal representation. They may find their way to the courts barred by factors such as language, finances, education, or disability. Legal aid providers offer a wide range of invaluable services to help these disadvantaged members of our community seek the assistance of the courts. The need for legal representation, however, far outpaces the available resources. Attorneys who provide pro bono services play a crucial role in filling the gap.

Our court system relies on the trust and confidence of those we serve in order to be effective. As members of a learned profession, attorneys have a responsibility to ensure the strength of the rule of law and an independent judicial system in our state and in our nation. Our system of justice is built one case at a time. And the award winners we recognize today have made a positive difference, one case at a time, in the lives of many. By doing so, they have preserved and improved the administration of justice for us all. Thank you again for your many contributions, and congratulations on behalf of the entire court system.

President's Pro Bono Service Awards

The State Bar Board of Governors created the President's Pro Bono Service Awards in 1983 to provide statewide recognition of attorneys for outstanding provision of pro bono legal services to the poor. In 2001, the awards categories were reconfigured to fully ensure that attorneys from a variety of practice settings be recognized for their extraordinary provision of pro bono legal services to low-income persons or organizations whose primary purpose is to serve the poor.

The following factors are taken into consideration in the selection process:

- Breadth and impact of nominee's pro bono work
- Nominee's practice setting
- Nature of pro bono program through which the work is done
- Evidence of nominee's commitment to pro bono work
- Nature of services contributed

2005 President's Pro Bono Service Awards Recipients



Corporate

Stephen Pickett
Rosemead

Mr. Pickett joined Southern California Edison (SCE), the utility subsidiary of Edison International, in 1978. Currently he is Senior Vice President and General Counsel. His practice involves a wide range of complex utility regulatory and litigation matters. Mr. Pickett is credited with creating a work environment that encourages and supports pro bono work for the 80- member Law Department that he manages. SCE attorneys handle a wide variety of pro bono matters on an ongoing basis including Adoption Day where children are adopted out of the foster care system, advocating for children who have been abused or neglected, providing legal assistance to child care providers and other non-profit organizations, representing victims of home equity fraud and advocating for clients in immigration and asylum proceedings. Mr. Pickett personally handled several adoption and immigration matters. Also, he serves on the Executive Committee of Public Counsel in Los Angeles.



Emeritus or Limited Active Practice Attorney

Glen Mowrer
Santa Barbara

Glen Mowrer is the former Chief Public Defender for Santa Barbara County and served in that position for 24 years until he retired in 1999. Upon retiring, he created The Legal Project of the Committee for Social Justice. The Legal Project promotes and protects the legal rights of marginalized groups such as the homeless, immigrants, adolescents and students. The Legal Project focuses on providing representation in matters which other legal agencies do not offer service. In particular, emphasis is given to infraction charges under city and county ordinances. These charges most often involve accusations of violating laws against sleeping, camping or "habitating" vehicles in public places. Mr. Mowrer does initial screening and then either takes the case or sometimes refers to other pro bono attorneys. In 2004, his services benefited hundreds of individuals. He handled 18 trials including a major action seeking injunctive relief against the City of Santa Barbara and its police department, successfully enjoining a local ordinance directed at prohibiting parking of motor homes by homeless persons on city streets. That matter is still pending resolution.



Small Law Firm

Ruth Silver Taube
San Jose

Ruth Silver Taube is a partner in the two-attorney firm, Silver & Taube, and specializes in Employee Retirement Income Security Act (ERISA) litigation and employment law mediation. She is also a labor arbitrator on the Federal Mediation and Conciliation Service's panel of labor arbitrators. Since 1995, she has volunteered with the South Bay Workers' Rights Clinic, a collaborative of the Legal Aid Society-Employment Law Center (LAS-ELC) located in San Francisco and the Santa Clara University School of Law. In 2004, she contributed hundreds of pro bono hours by providing training and supervision of law student counselors at the South Bay Workers' Rights Clinic as the LAS-ELC's "Special Counsel," conducting community legal education workshops for Santa Clara University School of Law's Katharine & George Alexander Law Center, representing low-income individuals, and more. Under Ms. Taube's supervision in 2004, the South Bay Workers' Rights Clinic served more than 400 individuals with a high percentage of limited-English speaking or monolingual Spanish speakers.



(from left to right):
Donald Carley
Peter Soares
Paul Glad
Ivor Samson

Medium Law Firm

San Francisco Office of Sonnenschein Nath & Rosenthal LLP
San Francisco

In 2004, attorneys at the 70+ attorney San Francisco office of Sonnenschein Nath & Rosenthal LLP provided several thousands of hours handling over 53 pro bono matters involving a variety of areas such as eviction defense, housing research and advice, employment advice, prisoner's rights, corporate and transactional representation, homelessness/veterans issues and environmental issues. In one highly litigious matter, a team of partners and associates from the firm provided more than 1,250 pro bono hours representing an elderly Asian monolingual couple and their family for a total of eight persons in a wrongful eviction matter. The case was referred by the Bar Association of San Francisco Volunteer Legal Services Program and turned into two cases of great magnitude and drama. In addition, the San Francisco office provided pro bono services to the Lawyers Committee for Civil Rights of the San Francisco Bay Area, the East Bay Community Law Center and other non-profit organizations. The firm as a whole has more than 700 attorneys in nine U.S. cities and has a long history of commitment to pro bono work.



(from left to right):
Felix Lebron
Christopher Heck
Jeffrey Davidson
Valerie Hung
Tony Richardson

Large Law Firm

Kirkland & Ellis Rancho Litigation Team
Los Angeles

The Rancho Litigation Team of the Los Angeles office of Kirkland & Ellis dedicated hundreds of pro bono hours to prevent the closure of Rancho Los Amigos National Rehabilitation Hospital. Rancho Los Amigos annually serves 9,500 people with disabilities and is the only facility that provides acute care and rehabilitation services to Medi-Cal recipients in Los Angeles County. Other counsel in the lawsuit included the Western Law Center for Disability Rights, Western Center on Law and Poverty, Protection & Advocacy and the National Senior Citizens Law Center. The Team participated in all aspects of the litigation, including strategy decisions, discovery practice, motion for preliminary injunction, and took the lead on arguing the appeal in the Ninth Circuit. A published decision was issued, *Rodde v. Bonta*, 357 F.3d 988 (9th Cir. 2004), upholding the injunction and establishing a positive precedent for other communities to challenge discriminatory cuts to medical services for low-income people with disabilities. In addition, the Los Angeles office of Kirkland & Ellis is actively involved in pro bono with a variety of legal services providers and non-profit organizations and provided thousands of hours of pro bono service in 2004.



Recently Admitted

Trina Roderick
San Francisco

Admitted to the State Bar of California in October 2003, Trina Roderick is an Associate Attorney with Kletter & Peretz, a small civil litigation firm in San Francisco. Ms. Roderick practices principally in the areas of landlord-tenant and employment law. In 2004, Ms. Roderick contributed several hundred pro bono hours at three legal services organizations. With the Bar Association of San Francisco Volunteer Legal Services Program (BASF VLSP), Ms. Roderick defended minority and indigent tenants, as well as tenants with disabilities, in civil eviction lawsuits. At the Eviction Defense Collaborative, she counseled self-represented litigants who were defendants in civil eviction lawsuits. At the San Francisco Tenant's Union, she provided legal advice to tenants on a wide range of housing issues. Ms. Roderick also received BASF VLSP's Outstanding Volunteer in Public Service Award in 2004.



Solo Practitioner

Susan Ratzkin
Thousand Oaks

Susan Ratzkin is a solo family law practitioner who handles complex and difficult to place contested custody cases referred by the Volunteer Lawyers Services Program (VLSP) of the Ventura County Bar Association. In 2004, she took six new cases in addition to cases from 2002 and 2003 that continued into 2004. Also, Ms. Ratzkin single handedly developed a volunteer program for the courts involving 10 psychological evaluation experts to prepare reports for low-income litigants in contested custody cases where psychological evaluation is necessary. Ms. Ratzkin serves on the VLSP Advisory Board and is the current President of the Mexican American Bar Association in Ventura County.



Government

Robert Guerra
Oxnard

Robert Guerra is a Family Law Facilitator with the Ventura County Superior Court. Prior to that, he was in private practice and served as Executive Director of the former Channel Counties Legal Services Association. In 2004, his services benefited 90 individuals at the Thursday evening clinics held at Santa Clara Valley Legal Aid. The clinic is located in the rural community of Fillmore, a 40 minute drive from the East County courthouse in Simi Valley where Mr. Guerra works on Thursdays. He primarily handled child custody, child support, out-of-county change of venue motions, and other matters related to family law. Most of the self-represented litigants he assisted are monolingual Spanish speakers. In addition, Mr. Guerra served as an interpreter for other attorneys in labor, employment and consumer matters and mentored other volunteer attorneys.



(from left to right):
Back row: Matt Kreeger,
Greg Grossman, Leecia Welch,
Jack Londen, Michael Jacobs,
Gary Stenger
Front row: David Melaugh,
Rachel Noguera, Olga Olivares

Distinguished Pro Bono Service

Morrison & Foerster "Williams" Team
San Francisco

A team of fifteen attorneys and more than ten legal assistants from Morrison & Foerster LLP co-counseled with the ACLU of Southern California, Public Advocates, the ACLU of Northern California, MALDEF, the Lawyers' Committee for Civil Rights of the San Francisco Bay Area and others in a statewide class action suit, *Williams v. State of California*. The case was filed in May 2000 against the State and State educational agencies for denying public school children their fundamental right, under the California Constitution, to equal educational opportunity. The case settled favorably in August 2004 after years of intense litigation and extensive negotiations. On September 29, 2004, Governor Schwarzenegger signed into law five statutes implementing the settlement. The final settlement was approved on March 23, 2005. Highlights of the settlement include: standards for providing instructional materials to students in all core subjects, additional funding for instructional materials in the lowest-performing 29% of schools in the amount of \$138 million; standards for school facilities conditions with a commitment of \$50 million to identify and \$800 million to repair facility problems in the lowest-performing 30 percent of schools; standards for teacher misassignment; clear policy for parent and student complaints about these problems; and better information about school quality. The firm opted to forego seeking attorneys' fees on more than 74,000 hours of work by the *Williams* Team.

Pro Bono Highlights 2005

California Lawyers Make a Difference!

You can make a significant difference in the lives of those who would not otherwise have access to the legal system. For more information about pro bono opportunities in your community, contact your local bar association or the State Bar of California Office of Legal Services, Access and Fairness Programs, Program Development Unit at 415.538.2219, 415.538.2267 or programdevelopment@calbar.ca.gov.

The State Bar's Commitment to Pro Bono

Originally adopted by the Board of Governors in December 1989, the State Bar's Pro Bono Resolution encourages all attorneys to contribute at least 50 hours per year of pro bono service. In June 2002, the Resolution was amended to reflect an updated and renewed commitment to serving the legal needs of low- and moderate income Californians today. The revisions strengthen the original resolution by:

- acknowledging judicial support for pro bono
- urging law schools to promote and encourage law student pro bono participation and
- adding an option to support pro bono through financial contributions.

The resolution also references California Business and Professions Code Section 6068 (h) that establishes it is the duty of a lawyer "Never to reject, for any consideration personal to himself or herself, the cause of the defenseless or the oppressed."

Local bar associations are encouraged to revisit their commitment to pro bono and to adopt a similar resolution. For a copy of the full Pro Bono Resolution or for more information about enhancing pro bono activities at the

local level, see *Renewing our Commitment to Pro Bono: Tools for Local & Specialty Bar Associations* that is posted on the State Bar's website at http://calbar.ca.gov/state/calbar/calbar_generic.jsp?cid=12509&tid=17149 or contact Sharon Ngim at 415.538.2267 or sharon.ngim@calbar.ca.gov.

Emeritus Attorney Pro Bono Program

If you are an attorney who is otherwise "retired" from the active practice of law or in a transition period and want to make a difference, please consider doing pro bono work by enrolling in the State Bar's Emeritus Attorney Pro Bono Program. The Emeritus Attorney Program waives the active status membership fee for eligible attorneys who do pro bono work exclusively with a Qualified Legal Services Program or a State Bar certified lawyer referral service (no fee panel). The nature and scope of the pro bono work varies with each program or LRS. For more information about the Emeritus Attorney Program, contact Rodney Low at 415-538-2219 or rodney.low@calbar.ca.gov. Information about the EA Program and a downloadable application and sworn statement form can be found on the State Bar's website at http://calbar.ca.gov/state/calbar/calbar_generic.jsp?cid=12642&tid=3561.

Office of Legal Services, Access & Fairness Programs

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The mission of the Program Development Unit is to develop and support efforts on a statewide basis that enhance and improve the delivery of legal services to low- and moderate-income Californians.



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Access & Fairness Programs

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