

CHANGING LIVES

Transforming Communities



2010

PRO BONO REPORT

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A message from our Managing Partner

Next year Perkins Coie will turn 100 years old. Throughout our history, our firm has been dedicated to serving the people and institutions in our communities. This is one of our core values and I am proud to say that every year we contribute thousands of hours of pro bono legal service that helps better individual lives, bring about positive change and strengthen the places where we live and work.

In 2010, for the third year in a row, Perkins Coie met the Pro Bono Institute's Law Firm Pro Bono Challenge. And for the ninth year in a row, we were selected for inclusion on Fortune magazine's Best Places to Work list. We don't believe this is a coincidence. We know that we thrive when our communities thrive, and we are dedicated to continuing our tradition of giving back.

Every year we are presented with numerous opportunities to work with community partners with similar values. Our attorneys, paralegals and staff follow their interests and passions in choosing pro bono and public service projects. This annual report provides just a snapshot of some of the many projects in which they engage. I am honored to share their stories and hope you find them as inspiring as I do.



Bob Giles



A message from our Pro Bono Counsel and Firmwide Pro Bono Committee Chair

Pro bono and public service are woven into the fabric of Perkins Coie, and our work in these areas is done with the same dedication we have to providing the highest quality legal services to our other valued clients.

Perkins Coie lawyers and staff work hard to meet the continuing demand for pro bono services. In 2010, our lawyers alone provided close to 42,000 pro bono hours representing 3.6 percent of our total hours for the year and averaging over 60 pro bono hours per lawyer. The impact of our pro bono efforts and how they have increased our clients' access to justice is harder to measure.

Whether we are working on issues that make headlines or just helping everyday people with their basic needs, our energy and dedication to serving those in need is just as strong. In 2010 we assisted low-income individuals seeking legal immigration status, stable housing, protective orders against abusive family members, Holocaust reparations, veterans' benefits, the right to counsel and fundamental civil rights. We advocated for systemic changes in a variety of areas, such as immigration and indigent defense. Moreover, we represented numerous nonprofit organizations on various matters.

In addition to our pro bono legal service, our lawyers and legal staff are actively involved in a wide array of public service activities. We serve on the boards of nonprofits and bar committees, teach classes and work toward improving the legal system. Our community service efforts are vast and include partnering with schools, adopting families and supporting many of our pro bono clients. Even before they joined our firm, 14 of our incoming new associates participated in fellowships with public interest organizations throughout the country.

Through our pro bono and public service efforts, we are changing individual lives, paving the way for others in the future to live under improved circumstances and transforming the communities in which we live and work. As many of our volunteers will say, their own lives are often transformed as well.

We hope you are inspired by their stories.



Leah E. Medway



David J. Burman



> Advocacy for Immigrant Rights

Perkins Coie regularly devotes a significant portion of our pro bono effort to assisting low-income immigrants and in advocacy to protect against unjust treatment of all persons within our borders, regardless of their immigration status. This was particularly true in 2010, when we were involved in nearly 100 immigration-related matters. These included direct representation of individuals or families seeking political asylum or other immigration protections at various stages of the legal process—affirmative applications, immigration court removal proceedings, and administrative and federal court appeals. Our clients included victims of domestic violence and youth who had come to the United States unaccompanied by any parent or other legal guardian. We were also involved in broader efforts relating to the immigration process, including our efforts to overturn controversial anti-immigrant legislation in Arizona.

A Community Partnership: Assisting Indigent Detainees

For more than 20 years, our Phoenix office has had a strong partnership with the Florence Immigrant and Refugee Rights Project (the Florence Project), a nonprofit organization whose mission is to provide free legal help to indigent individuals on immigration issues. Florence Project attorneys and firm volunteers step in where public defenders and legal aid attorneys cannot—to represent people in immigration removal proceedings. Due to poverty, an estimated 90 percent of those detained go unrepresented; without representation, the likelihood of success drops dramatically. In addition to the pro bono legal work our attorneys do on referred cases, Chuck Blanchard, a former long-time Phoenix attorney, co-founded the organization in 1989, and Phoenix attorney Dan Bagatell has served on its board of directors since 2003.

In 2010, we won every case we handled for the Florence Project. The combination of great mentoring and training and the ability to so positively and directly change people's lives has made this program so popular that our attorneys are literally lining up to take on cases. Phil Higdon, the Phoenix pro bono committee chair, has played the lead role in coordinating this partnership, helping to staff cases as well as providing direct representation and supervision.

"In 2010, Perkins Coie accepted a record number of pro bono asylum cases from the Florence Immigrant and Refugee Rights Project,

representing individuals from Somalia, Romania, Guatemala, Philippines, Gambia, Mexico and other countries," notes Tally Kingsnorth, senior staff attorney at the Florence Project. "This year we saw a significant spike in the number of immigrants detained in Arizona who were seeking protection in the United States from persecution or torture in their home countries.

Over the year, the firm did not turn away a single case in which we asked for assistance. In each case, the Perkins Coie lawyers went

the extra mile for their clients. It is such a joy to work with such a committed and warm legal team." The Florence Project honored Perkins Coie with its 2010 Asylum Advocate Award.

The following are two of the many cases referred to us by the Florence Project that we brought to victory in 2010.

"Over the year, the firm did not turn away a single case in which we asked for assistance. In each case, the Perkins Coie lawyers went the extra mile for their clients."

- Tally Kingsnorth, The Florence Project



Courtesy of NLADA

> Beacon of Justice Award

The National Legal Aid and Defender Association (NLADA) honored Perkins Coie with the 2010 Beacon of Justice Award. We were among several law firms recognized for outstanding pro bono work in the area of immigration law, making certain that all people, regardless of citizenship, receive equal treatment under the law. "While we call it 'equal justice,'" said Jo-Ann Wallace, President and CEO of NLADA, "at bottom the mission is about ensuring that all people, regardless of their citizenship, are treated with fairness and respect; it is about protecting human dignity; it's about people." D.C. attorney John Devaney (pictured) accepted the award on the firm's behalf.



Serving Immigrants at Legal Clinics

In our new Dallas office, Rocio Garcia immediately began volunteering at the Catholic Charities of Dallas immigration clinic. Accredited by the U.S. Department of Justice, the organization's Immigration and Legal Services department relies on volunteer attorneys to provide counseling and representation to its many clients. Rocio works primarily with Spanish-speaking clients and helps them file family petitions, Violence Against Women Act petitions and U visas.

Our client "J.G." faced death by stoning in his native Gambia simply for being a homosexual. He was physically assaulted on multiple occasions. The situation escalated when a religious leader mobilized a mob of dozens to put J.G. in a large hole and stone him to death. J.G. was able to escape and go into hiding in Gambia and then crossed the Atlantic Ocean by sailboat to Mexico. He made his way to the U.S. border and requested asylum.

Phoenix attorney McKay Worthington helped J.G. apply for asylum, withholding of removal and relief under the Convention Against Torture. Although the immigration judge found that J.G.'s prior experiences did not constitute persecution, he did determine that J.G. had a well-founded fear of future persecution if returned to Gambia. On that basis, the judge granted asylum. J.G. was put in contact with an organization that specializes in assisting lesbian, gay, bisexual and transgender individuals and is starting his new life in the United States.

Our client "M.D.," a 24 year-old Somali, and his family suffered terrible persecution in Somalia because of their tribal affiliation. After fleeing to Ethiopia, M.D. traveled through Dubai, Russia, Cuba, Belize, Guatemala and Mexico. Finally, he made his way to the United States-Mexico border and presented himself to U.S. immigration officials to seek asylum.

Phoenix attorney Christie Hammerle began representing M.D. after he was denied humanitarian parole. She was assisted by summer associate Alex Samuels and supervised by Phil Higdon. The team spent months preparing his case to prove the almost certain persecution M.D. would face if returned to Somalia. As the hearing drew closer, Christie noticed a change in her client, who "went from apprehensive to trusting, from guarded to forthcoming, from nervous to confident." During their last meeting before his asylum hearing, M.D. told Christie that while she would forget him, he would never forget her help. "I knew I would never forget this client and also that I did not want to let him down," Christie says. And she did not. At the hearing, Judge Bain granted M.D. asylum. When the result was announced, M.D. pledged to make the most of his new chance at life.

Helping Asylees Find Safe Harbor

After his father and brother were killed by a missile at their home in Mogadishu, Somalia, 19 year-old "M.K." fled the country and made his way to the United States-Mexico border. He presented himself as an asylum seeker on a number of grounds, including his membership in a minority clan whose members the majority clans in Somalia routinely abuse and kill. He was detained and moved to the Northwest Detention Center in Tacoma, Washington after which Seattle attorney Holly Simpkins, in association with Volunteer Advocates for Immigrant Justice (see "Immigrant Youth" on page 9) got involved.

M.K.'s case took an unusual turn when a government informant, who was providing information and testimony as part of a plea deal, claimed that M.K. was actually from Kenya. After extensive motions practice and the filing of several affidavits establishing that M.K. in fact was from Somalia, on the eve of the merits hearing the government withdrew the informant's testimony. At the hearing, multiple witnesses testified on M.K.'s behalf about the violence he faced in Somalia, including his mother, who testified by cell phone from Ethiopia (where she was living after having fled Somalia with her other children). Following two days of contested hearings, our client was granted asylum and released from nearly eight months of detention.

Our client "C.M." arrived in the United States from Kenya with little more than the clothes on her back after being targeted and driven from her home by the violent Mungiki sect. In Kenya, she was an elementary school teacher. When she noticed that some of the older children were dropping out of school to join the sect or marry gang members, she started a Saturday school program where she could talk candidly with the children about the dangers of the Mungiki lifestyle. Among other things, the Mungiki engage in extortion for subsistence, violence against Christians, and violent enforcement of female circumcision and rigid dress codes for women.

When the Mungiki learned that C.M. was speaking out against them, she and her family became a target. After relocating to another village and going into hiding, C.M.

was sexually assaulted by some of her former students. Christian missionaries helped her flee to the United States. Obtaining asylum for C.M. was truly a team effort. Initially referred by the National Immigrant Justice Center, she was interviewed by Chicago attorneys Brandy McMillion and Debra Bernard. When the client moved to Phoenix, Phil Higdon and Jacob Robertson took on the case. After filing the asylum application and accompanying the client through a grueling interview, Jake and Phil were thrilled to receive a letter from the government granting their client asylum. According to Jake, "The hours of research and preparation for the application and interview were more than worth it to hear her joyful reaction." His only regret: "Waiting for Phil's second email prompt to take this case rather than responding right away."

"The hours of research and preparation for the application and interview were more than worth it to hear her joyful reaction."

- Jacob Robertson



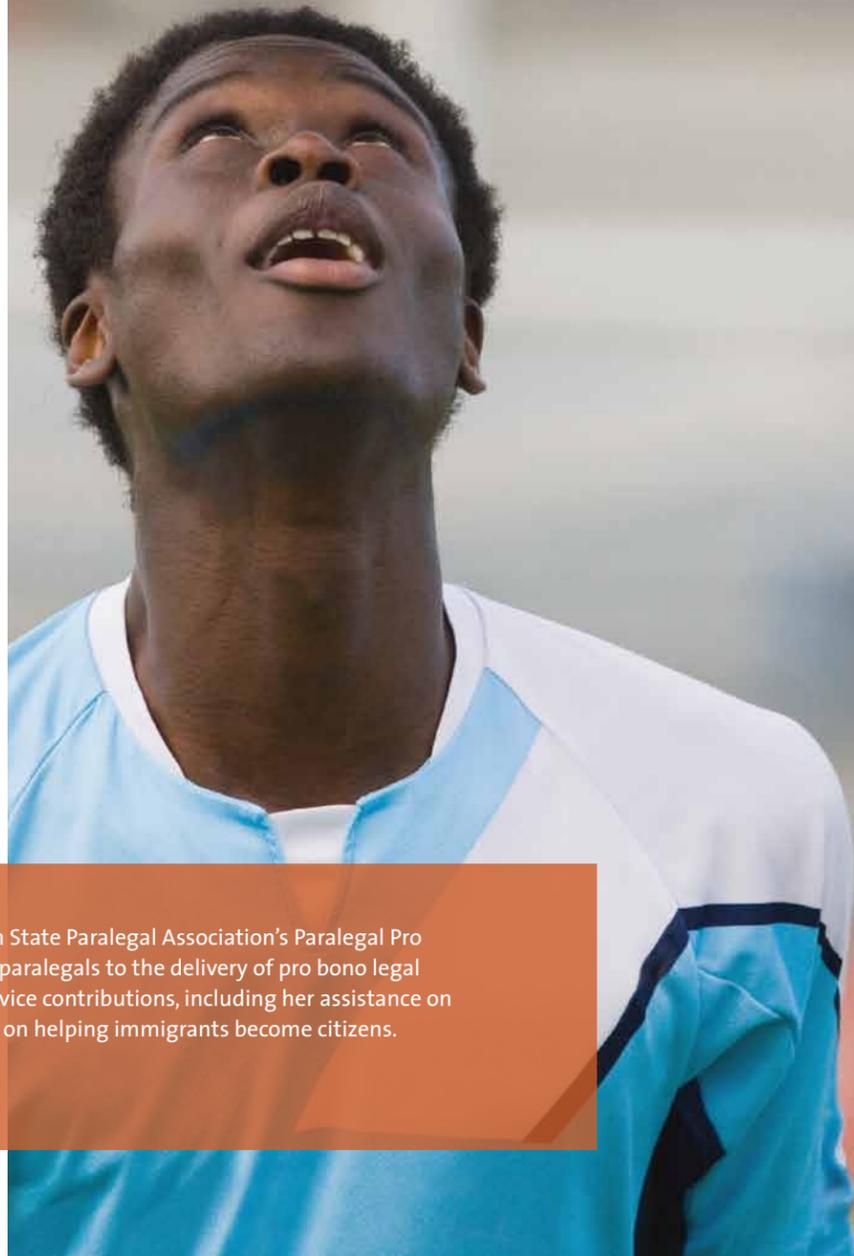
Guiding Immigrant Youth Through the System

In 2003, Perkins Coie began its partnership with Volunteer Advocates for Immigrant Justice, a pro bono initiative of the ABA Commission on Immigration and Microsoft Corporation. Each year, roughly 8,000 unaccompanied children are taken into immigration custody and placed in deportation proceedings. Some of the children have fled persecution in their home countries. Others are escaping the violence in their own homes. All are alone and vulnerable and in need of help.

Many of these children are eligible to obtain Special Immigrant Juvenile (SIJ) status. To qualify, a juvenile must be declared dependent and deemed eligible for long-term foster care by a U.S. juvenile court. In 2010, Perkins Coie helped more than 30 children navigate through U.S. immigration and dependency laws to enable them to become lawful permanent residents.

Our client “E.Z.” was born in Honduras to a life of poverty and violence. His mother died when he was six years old, and three years later, he watched as a cousin shot and killed his father. E.Z. and his siblings then lived with their ailing grandmother, who asked him to quit school at age 11 so that he could support them. He found some agricultural jobs, but they often went hungry. E.Z. also feared for his safety, due to his cousin’s gang connections. At the age of 16, he decided to come to America in the hopes of a better and safer life.

Seattle attorneys Ashley Locke and Andrea Sander sought SIJ status for E.Z. and represented him in parallel proceedings in juvenile court and immigration court. As part of the dependency proceedings, Ashley and Andrea successfully argued a motion on an otherwise undecided area of law. Last spring, our client received his employment authorization and was granted SIJ status. The immigration proceedings against E.Z. were terminated, and he was granted permanent residency in the United States. Today, E.Z. is a star player on his high school soccer team. Upon graduation, he hopes to go into law enforcement.



Paralegal Pro Bono Award

Seattle Paralegal Jeanenne Rutherford received the Washington State Paralegal Association’s Paralegal Pro Bono Award in 2010. The award recognizes the commitment of paralegals to the delivery of pro bono legal services. Jeanenne was honored for her pro bono and public service contributions, including her assistance on a matter representing an immigrant youth seeking asylum and on helping immigrants become citizens.

Appealing Immigration Decisions

While we wish that our efforts could lead to victory for all of our clients, the reality is that many cases present difficult, if not insurmountable, legal or factual obstacles. Sometimes it is the passion and zeal with which an attorney advocates in those circumstances that demonstrate the importance of making sure everyone, regardless of resources, has legal representation. Bellevue attorney Stacey Bernstein’s valiant effort on behalf of “D.G.” is one clear example of this.

D.G. was a black Mauritania citizen who had spent a decade enslaved by a light-skinned Arab. D.G. managed to escape by stealing money from his captor and using it to finance his passage by boat to the United States. He sought asylum but missed a critical filing date. Both an immigration judge and the Board of Immigration Appeals ruled that D.G.’s asylum claim was time-barred and denied alternate forms of relief.

Our firm became involved in the case after the client’s former counsel had filed the initial petition for review with the U.S. Court of Appeals for the Ninth Circuit. Stacey handled the appellate briefing and oral argument and fellow Bellevue attorney Donna Barnett helped with oral argument preparation. Although the appeal to the Ninth Circuit was ultimately unsuccessful, Stacey’s presentation drew high praise from observers, including a lawyer in another local firm who wrote to her, “[T]he passion you exhibited in advancing your client’s claim was a wonderful reminder to everyone in the courtroom of the very best aspects of being a lawyer.”

“The passion you exhibited in advancing your client’s claim was a wonderful reminder to everyone in the courtroom of the very best aspects of being a lawyer.”

Chicago attorneys Joel Levin and Chip Mulaney successfully represented a lawful permanent resident in a case referred by the Catholic Legal Immigration Network. The Department of Homeland Security (DHS) sought removal of the client based on his conviction for possession of drug paraphernalia. DHS appealed the immigration judge’s decision granting his application for cancellation of removal, and Joel and Chip represented him on appeal. The appeals court held that several factors, such as the client’s long residency in the United States and ties to his children, outweighed his criminal record. He was allowed to stay in this country with his children.

Challenging the Constitutionality of Arizona’s Immigration Law

Few people anticipated the intense international debate that was unleashed when Arizona Governor Jan Brewer signed the “Support Our Law Enforcement and Safe Neighborhoods Act,” otherwise known as Senate Bill (SB) 1070, in April 2010. SB 1070 required law enforcement to check a person’s immigration status under certain circumstances and authorized the police to make a warrantless arrest where there was probable cause to believe that person had committed a public offense that made him or her removable from the United States. SB 1070 was lauded by some for taking action where the federal government had not and criticized by others for encouraging racial profiling and intolerance.

Several civil rights groups filed a lawsuit challenging SB 1070. The purpose of the case, *Friendly House v. Whiting*, was to ensure that the issue of federal preemption and the constitutional rights of association and to travel freely were fully before the court.

One of the *Friendly House* plaintiffs, the Lawyers Committee for Civil Rights Under Law, asked Perkins Coie to participate in writing an amicus brief on its behalf. Phoenix lawyers Dan Barr, Paul Eckstein, Bridget Minder and Elizabeth Kruschek wrote the amicus brief. The Department of Justice also filed suit in federal court seeking to enjoin sections of SB 1070 because they were preempted by federal law. Judge Susan Bolton heard oral arguments for both cases in July. She issued a preliminary injunction in the DOJ case, blocking the enforcement of significant portions of SB 1070 as preempted by federal law. Due to the preliminary injunction, Judge Bolton also ruled the issue was moot in the *Friendly House* matter. That ruling in the DOJ case is currently before the Ninth Circuit Court of Appeals.



> Supporting Indigent Defense

Perkins Coie has a long history of assisting incarcerated individuals in habeas, civil rights, clemency and death penalty cases. In 2010 our attorneys worked to protect the rights of indigent people and enhance access to justice through individual representations and through broader efforts to bring about systemic change.

A new chance at life for abuse victim

We continued working to obtain post-conviction relief for Sara Kruzan, whose case we took in 2007 and first covered in our 2008 pro bono annual report. A team of lawyers in Seattle and Los Angeles, collaborating with the National Center for Youth Law (NCYL), has been working to help Ms. Kruzan, a California inmate, gain freedom.

Ms. Kruzan was sentenced in 1995 to serve the rest of her life in prison without possibility of parole for a shooting that occurred two months after her sixteenth birthday. The victim of the shooting was a 36-year-old pimp who had sexually abused our client since she was 11 and trafficked her as a prostitute since she was 13. Ms. Kruzan, now 33, has served more than half her life in prison. While incarcerated, Ms. Kruzan obtained both her high school diploma and a college degree. Among her numerous achievements, prison guards named Ms. Kruzan the “Honor Dorm Woman of the Year” in March 2010.



Sara Kruzan

This case has focused national attention on the unfairness of sentencing juveniles to life in prison without possibility of parole and on the plight of young girls victimized by sex traffickers. In 2010, Seattle lawyers Marc Boman and Kelly Moser and Los Angeles lawyers Ron McIntire and Melora Garrison, working with Pat Arthur, Senior Attorney at NCYL, and Michael Teter, a former Perkins Coie attorney and current assistant professor at Pomona College, succeeded in obtaining a resentencing for Ms. Kruzan. The team had filed a habeas corpus petition in Riverside County Superior Court seeking a retrial for Ms. Kruzan under a California law that offers relief for victims of intimate partner abuse and a resentencing based on the trial court’s mistaken belief that a life without possibility of parole sentence was mandatory. The trial court denied the petition, but the California Court of Appeal vacated our client’s sentence and ordered a new sentencing hearing at which the trial court must exercise its discretion and determine whether eventual release on parole should be ordered. Because the Court of Appeal denied the requested retrial, the team filed a habeas petition in the California Supreme Court seeking the more complete relief. That petition is pending.

In the interim, the team filed an application for clemency asking then Governor Arnold Schwarzenegger to commute Ms. Kruzan’s sentence. The team achieved a substantial victory when, on his final day in office, Governor Schwarzenegger commuted Ms. Kruzan’s sentence from life without the possibility of parole to 25 years to life with the possibility of parole. In commuting her sentence, Governor Schwarzenegger stated: “Considering Ms. Kruzan’s age at the time of the offense, and given the abuse she suffered at [her abuser’s] hands from age 11 to age 16, her sentence is disproportionate.” With this victory, Ms. Kruzan now has hope of being released from prison, where before she had none.

The firm recognized the Kruzan team’s efforts with the 2010 Perkins Coie Pro Bono Team Award (see page 36).

Sealing Criminal Records

The firm’s new San Diego office scored its first pro bono victory in 2010. The client “G.B.,” who came to the United States from Sudan, was abused physically and emotionally by her then husband. On several occasions he had her arrested on trumped-up charges. G.B. spoke very little English at the time, so the police heard only her ex-husband’s fabricated stories. Although ultimately all charges against G.B. were dismissed, the arrest records remained. Many years later, G.B., now a U.S. citizen, fluent in English and an aspiring nurse, was denied jobs and low-income housing because of those records.

The International Rescue Committee referred the client to San Diego and Los Angeles attorney Mike Engle, who successfully petitioned to get G.B.’s arrest records sealed, an act that effectively expunges her arrests from the record as if they had never happened. “My client was so thrilled she literally jumped and clapped for joy,” says Mike. “Watching an elated client and knowing it was my help both in the courtroom and out of it that had gotten her there was an experience I’ll never forget and a great reminder of why we do pro bono in the first place.”

Furthering Access to Justice

In Wisconsin, both the trial court and the county public defender’s office can appoint a private lawyer to represent an indigent criminal defendant. The hourly rate for court-appointed counsel is only \$70 and has remained unchanged for 15 years. The hourly rate for public defender appointed counsel is an even lower \$45. Paying public defenders higher rates would increase the lawyers’ time commitment and their ability to provide adequate representation—and thus help ensure that low-income defendants get equal justice despite their inability to pay.

Madison attorneys Tim Burns, David Jones and John Skilton recently spearheaded an effort in the Wisconsin Supreme Court to increase the hourly rate of court-appointed and public defender-appointed counsel. They filed a petition in the Wisconsin Supreme Court to amend the Supreme Court rule that sets the rate for court-appointed counsel. To set the stage for a legislative enactment to increase the hourly rate of public defender-appointed counsel, they posed an amendment to the Supreme Court rule that would declare any rate lower than the rate for court-appointed counsel to be unreasonable. The Wisconsin Supreme Court granted a public hearing on the proposed rule change, and the Madison office team organized and led other Wisconsin Bar leaders to argue in favor of the change. John Skilton played the chief role at the hearing. At press time we were awaiting a ruling.

A team of Perkins Coie personnel has been assisting Columbia Legal Services (CLS) in analyzing and presenting data relating to reforms to Washington’s Persistent Offenders statute, also called the “three-strikes” law. In Washington, over 200 inmates are serving life without the possibility of parole under the three-strikes law. Some were convicted of only low-level, nonviolent crimes, offenses that would carry significantly lighter sentences were it not for the three-strikes law.

The team assembled and reviewed documents from the Department of Corrections and researched data on the impact and efficacy of three-strikes laws in multiple jurisdictions. With our assistance, CLS is preparing a report that will suggest a need to rebalance criminal justice dollars by reforming the three-strikes laws in ways consistent with public safety and appropriate use of taxpayer dollars. In particular, the report recommends providing a system of periodic review for three-strikes cases, removing low-level offenses from the ambit of the three-strikes law, allowing three-strikes inmates to be eligible for release under a pre-existing program for the release of elderly and incapacitated inmates, and reinvesting funds into prevention, rehabilitation and re-entry. The report will be used for legislative advocacy and public education efforts.

The team was led by Seattle attorney Will Rava and coordinated by paralegal Beverly Kershaw. It also included a number of other Seattle attorneys and staff.

The Seattle Police Department (SPD) had an exclusion ordinance, also called a “banishment” policy, that allowed officers to banish individuals from private and public property. The ordinance was intended to help property owners by preventing loitering and criminal acts, but it allowed individual officers too much discretion, and it often targeted people’s appearance rather than their behavior. Someone who receives an exclusion order may not return to the property in question for up to one year; if they do they are subject to criminal charges. According to research done by the ACLU, the ordinance disproportionately affected homeless people. In one example profiled in the *Seattle Times*, a disadvantaged high school honor student who was standing outside a store eating a snack was unexpectedly, and with no apparent cause, herded off the property and banned from the store.

Through our long-term relationship with the Defender Association, which provides public defense in Seattle and King County, Seattle attorneys Jerry Riedinger and Kameron Parvin took on this matter to investigate the legality of the SPD’s banishment practice and to advocate for changes to this policy. Through the joint efforts of Perkins Coie and the Defender Association, the SPD has agreed to change its policies. Going forward, the banishments will be behavior-based, rather than appearance-based, and clearly posted guidelines created by property owners will identify prohibited behavior.



Advocating for Death Row Inmates

“M.W.” is a death-row inmate in Georgia who was convicted in 1997 of murder and related charges. When he was 19 years old, M.W. was present when a friend fired a single shot and killed a man.

The friend admitted to several jail inmates that he was the one who fired the shot, but M.W.’s attorneys were so deficient in their performance that they failed to follow clear Georgia precedent to have the friend’s admission of guilt admitted during M.W.’s trial. Yet the state of Georgia then successfully offered those same statements into evidence in the trial against the shooter (who also sits on death row for the same murder). The same prosecutor was on both cases.

Aside from their failure to get the jailhouse informants’ testimony admitted or to put up their own expert witness, M.W.’s attorneys were deficient in numerous other ways. For example, they allowed the state to put in unrebutted and unqualified “expert” testimony about gang violence in South Georgia, even though gang affiliation had no connection to the crime. They also failed to investigate and present harrowing

mitigation evidence that might have convinced the jury to spare M.W.’s life—evidence that he was physically abused as a child, that he was subjected to filthy conditions at home and that he witnessed rampant drug use and violence in his childhood.

Madison attorneys David Harth, David Jones and Gabrielle Bina started working on M.W.’s case in 2001, commencing habeas proceedings in state court and conducting an evidentiary hearing on his behalf. That petition was denied in 2008, and the Georgia Supreme Court, in a one-sentence order, affirmed the lower court’s denial in 2010. The team, joined by Madison attorneys Lissa Koop, Autumn Nero and Emily Lee, petitioned the U.S. Supreme Court to take M.W.’s case but were denied in December 2010. That same month, the team filed a petition for habeas relief in the Middle District of Georgia. The case has been assigned to Judge Marc Treadwell, a recent appointee of President Obama.

Meanwhile, M.W., now 34, spends 23 hours per day in his cell on death row, where he passes time by writing poetry and listening to music.

The firm is also representing Jeffery Lee and Melvin Hodges, who are death-row inmates in Alabama, a state that has no public defender system and a capital punishment system with deep constitutional problems. In the case of Jeffery Lee, 2010 saw the conclusion of state court post-conviction proceedings and the filing of an extensive federal habeas corpus petition. In the case of Melvin Hodges, in 2010 we handled appeals to the Alabama appellate courts following dismissal of Mr. Hodges’ post-conviction petition.

> An Interview with MARC BOMAN

A Leader in Public Defense and Pro Bono Work



Pro Bono Counsel Leah Medway sat down with Seattle Commercial Litigation Partner Marc Boman, who has devoted much of his career to pro bono work both as a leader within Perkins Coie and as a strong advocate of public defense in Washington State. Most recently, Marc has focused his energy on the pro bono effort to free a California woman who, as a juvenile, was sentenced to life in prison without the possibility of parole (see page 12), and on serving as chair of the Washington State Bar's Council on Public Defense.

LEAH: Marc, your team recently had a substantial victory in the Sara Kruzan case. Can you tell me what this case has meant for you?

MARC: Sara's case has been one of, if not *the*, most interesting and important cases of my career. There have been so many dimensions to it. The facts are compelling. Our client is an extraordinary woman to have overcome horrible physical and emotional childhood abuse to become a well-educated, optimistic adult. In representing her, we have seen the inequity of life without possibility of parole sentences for juveniles and had an opportunity to do something about it. The legal issues have been interesting and the policy aspects of a clemency petition are unusual. It was hard not to become passionate about this case and I, as well as my Perkins colleagues Ron McIntyre, Kelly Moser and Melora Garrison, have been fully committed to help Sara along with Pat Arthur of the National Center for Youth Law and former Perkins associate, Michael Teter.

LEAH: What other pro bono work have you done and how have you integrated direct representation with your more systemic efforts?

MARC: I have handled a variety of individual pro bono cases over the years, but I focused most of my pro bono time and effort on institutional change as opposed to individual cases. However, sometimes in helping one individual you can actually impact an area of law and affect numerous others. With Sara's case, we are trying to get her freedom, but the case has focused national attention on the plight of other young girls in similar situations. And much as I enjoy representing corporate clients, I especially like the human stories of pro bono clients.

LEAH: How did you first get involved with pro bono and public service?

MARC: In 1978, I was asked to co-chair a project for the Seattle King County Bar Association (KCBA). Later I was elected to the board of the KCBA's Young Lawyers Division, and then to the board of the KCBA itself. Eventually I became president of the King County Bar Foundation.

Years later, I was asked to co-chair, with former Chief Justice Bob Utter, a Blue Ribbon Panel on Criminal Defense. There

was a crisis in public defense in Washington and a view that despite all the studies not enough had been done. The panel ultimately became the State Council on Public Defense, which I now chair. It brings together prosecutors, private and public criminal defense counsel, law professors, judges, other elected officials and the public to improve the quality of public defense in Washington.

LEAH: How have you gotten young lawyers involved in your pro bono work, and what advice would you have for other new lawyers or even more seasoned ones interested in getting started?

MARC: For younger lawyers, I would say to start early and follow your passion. Cases like the Kruzan case are the reason that many of us went to law school in the first place. A number of our current associates began their involvement in pro bono work here as summer associates working on cases like Sara's or helping with projects for the Blue Ribbon Panel on Criminal Defense. Perkins Coie has such a good reputation for doing pro bono work that it attracts lawyers who are committed to public interest work and the firm's reputation and resources really give lawyers a remarkable platform.

Pro bono work also gives you excellent training. It can provide opportunities to get into court and in front of the judges that you may appear before in other cases. You gain new experiences and develop your skills, profile and network. Even though we have an obligation to do pro bono work under the rules of professional conduct, that's not the best reason to do it. At least, that is not what moves me or I think what moves most lawyers to do it. Pro bono work adds a dimension to your practice that is broader and very rewarding.

LEAH: Tell me something about yourself that I can't find on your profile or in Google.

MARC: My daughter wants to be a public defender. I'm very proud of her.

Marc Boman, a former King County deputy prosecutor, has more than 25 years of experience handling business disputes, internal investigations, insurance, government contract and white collar matters. In 2009, he received the Washington Defender Association's President's Award, and in 1998, he was honored with a Mayoral Proclamation declaring "Marc Boman Day" in honor of "many contributions to the citizens of Seattle."



Encouraging and Rewarding a Culture of Pro Bono Service in Idaho

In addition to the legal work highlighted herein by our Boise lawyers, attorney Rick Boardman has served on the Idaho Pro Bono Commission for the past three years. The Commission is a collaboration between the Idaho Supreme Court, the U.S. District Court of Idaho and the Idaho State Bar. Its goal is to encourage a strong culture of pro bono service in Idaho by increasing participation of attorneys and working with judges to create best practices. In addition to his service on the Commission, Rick has a long history of taking on pro bono cases.

In part because of Rick's leadership, the Boise office was honored in 2010 when it received, for the third year in a row, the Pro Bono 6.1 Challenge Award from the Fourth Judicial District of the Idaho State Bar. This award is given each year to firms for outstanding service in the area of providing legal services to the poor, performing charitable work and making efforts to improve the legal profession. Twelve of the 13 Boise attorneys contributed to the office's nearly 1,000 hours of pro bono work from April 2009 to April 2010, and the office had 100 percent participation in 2010. Rick was also honored with the Perkins Coie Pro Bono Leadership Award for 2010 (see page 36).

> Protecting Children and Families

Protecting the rights of vulnerable children and adults in difficult familial situations has been a constant focus of our pro bono efforts. Requests for family law assistance top the demand for free legal services. Last year, we represented youth aging out of foster care, children in the abuse and neglect court systems and their court-appointed special advocates, unaccompanied immigrant youth, victims of domestic violence and numerous nonprofit organizations that assist these populations.

Working for Abused and Neglected Children

A number of our Boise attorneys took on cases last year, as they do every year, representing court-appointed special advocates through the Idaho Volunteer Lawyers Program.

Boise attorney Christine Salmi took on 15 such cases involving child abuse and neglect, domestic violence and other family law matters. One especially memorable case involved the termination of parental rights to two young children who came to the United States with their biological father from a refugee camp in Somalia. The children's mother had been killed as a result of marrying the children's father, whose tribe was at war with the mother's tribe. The father brought his children to the United States to give them a better life, but he had grave difficulties adjusting to American culture and securing steady employment. He became an alcoholic and often left his small children at home by themselves for days at a time. The children were brought into foster care.

The court terminated the father's rights and placed the children with relatives who had successfully established a new home in Canada after also fleeing Somalian refugee camps. "They now have a chance to have a rewarding, loving, enriched life full of hope and opportunity," said Christine. "I am so glad I could play just a small role in their amazing story."

Boise attorney Rick Boardman represented a guardian ad litem for three siblings removed from their parents' home by the Department of Health and Welfare as a result of physical, sexual and emotional abuse and neglect claims. The parents were prosecuted for the conduct but fought proceedings for the termination of their parental rights. After multiple hearings on termination, the Court ordered the relief, and the children were placed in foster homes.

Chicago attorney Lisa Diaz volunteered as a guardian ad litem in a case referred by Chicago Volunteer Legal Services involving three minor children whose paternal grandparents had been appointed as their temporary guardians. The children did not wish to live with their mother because of her use of drugs and alcohol and her ongoing emotional and physical abuse and neglect.

In a year-long battle, the children's mother sought to vacate the temporary guardianship and regain custody of the three children. After a two-day evidentiary hearing, the court found the mother fit and terminated the paternal grandparents' temporary guardianship. The very next day, the children, extremely distraught, contacted Lisa and requested that she appeal the court's decision on their behalf. Lisa filed an emergency motion to reconsider and was appointed as counsel for the three children. After hearing oral arguments and reconsidering the evidence introduced at trial, the court reversed its earlier ruling and found the mother unfit to parent the children and awarded permanent guardianship to the paternal grandparents.

Advocating for Foster Youth

Our Los Angeles attorneys regularly participate in adoption day events sponsored by the Los Angeles-based Public Counsel Law Center. In April and December of 2010, we participated in two such Adoption Days. These events were part of the Adoption Project, a joint effort by Public Counsel, the Los Angeles Juvenile Court, the Alliance for Children's Rights and the Los Angeles Department of Children and Family Services.

Leading up to the April Adoption Day, Los Angeles attorneys Lara Dueppen, Katherine Dugdale, Audra Mori, John Peterson, Lauren Sliger and Yingli Wang advocated for increases in the benefits for adoptive families, prepared court documents and, most importantly, attended the Adoption Day hearing and represented adoptive parents in court on a life-changing day.

In one such representation, one of our attorneys helped a mother adopt her cousin's biological child. Our client already had two boys, but when she visited her cousin in the maternity ward, she sensed something was wrong and left her number with the nurse. After the new mother tested positive for drugs, a social worker removed the baby, and the nurse called our client. She has cared for the baby ever since. The young child did a rap for the judge during the hearing about her new last name.



Championing Domestic Partner Rights

Serving as co-counsel with the Lambda Legal Foundation, a group of our Phoenix lawyers, including Dan Barr, Rhonda Barnes and Kirstin Eidenbach, along with former firm attorney Jim Barton, persuaded U.S. District Court Judge John Sedwick to issue a preliminary injunction preventing Arizona from enforcing a 2009 law eliminating family insurance benefits for domestic partners and domestic partners' children of lesbian and gay state employees.

Judge Sedwick's ruling in *Collins v. Brewer* rejected Arizona's claims that eliminating these benefits will not harm the families of gay and lesbian employees. The law, Judge Sedwick concluded, would impose "inferior workplace treatment on gay and lesbian employees, relegating them to second-class status."

In rejecting the state's argument that awarding domestic partner benefits to gay and lesbian state employees "would cause harm to other constituents of state services," Judge Sedwick responded, "Contrary to the state's suggestion, it is not equitable to lay the burden of the state's budgetary shortfall on homosexual employees, any more than on any other distinct class, such as employees with green eyes or red hair."

The state appealed the grant of a preliminary injunction, and the Ninth Circuit Court of Appeals heard oral arguments on the issue in mid-February 2011.

"Contrary to the state's suggestion, it is not equitable to lay the burden of the state's budgetary shortfall on homosexual employees, any more than on any other distinct class, such as employees with green eyes or red hair."

- Judge John Sedwick

Fighting International Child Abduction

Hague Convention cases involve varied and complex legal issues ranging from family law to immigration to international treaties, and they are among the more challenging pro bono cases we handle. In one such case, we represented a Mexican national seeking to be reunited with his children. Our client and his family were resident in Mexico when, in 2008, his wife left for the United States, taking their two children with her. When our client's wife refused to bring the children back to Mexico, he filed an application under the Hague Convention on the Civil Aspects of International Child Abduction (the Convention) with the Mexican Central Authority, which forwarded the

application to the U.S. State Department. The State Department approached Perkins Coie in late 2009 to represent the father in his petition in Washington, where the mother and children were living.

Seattle attorneys Todd Rosencrans, Alvaro Alvarez and Cyrus Habib, working with the crucial assistance of Karen Brunton and paralegal Alana Shirk, prepared and filed the petition, and then they tried the case in the U.S. District Court for the Western District of Washington. The presence of minor children and non-English speakers, as well as the need to analyze Mexican family law and U.S. immigration law, added to the complexity of the proceedings.

The judge found that the children had been wrongfully kept in the United States and that this had deprived our client of his parental rights under Mexican law. Nevertheless, the judge refused to send them back to Mexico, citing two narrow exceptions to the Convention for children deemed to be either "mature" or "well settled." The client was grateful to have had our assistance navigating the U.S. legal system. The case now enters the appellate stage before the Ninth Circuit Court of Appeals.

Foster Parents Association of Washington State Honors Perkins Coie

In January 2011, the Foster Parents Association of Washington State (FPAWS) honored Perkins Coie with the Danielle and Steven Baxter Award.

FPAWS highlighted our provision of free legal counsel to protect the rights of foster children and foster parents in individual matters in dependency hearings and also in larger actions to benefit and improve the foster system. According to FPAWS, "The attorneys at Perkins Coie frequently step into the courtroom to protect the rights of children and demonstrate

a true passion and zeal for serving the interests of clients who would otherwise have no voice or access to justice."

FPAWS also singled out Seattle attorney Mary Gaston for her legal advocacy on behalf of foster families. Mary and other Perkins Coie lawyers, including Sara Baynard-Cooke and Kate Reddy, recently filed a lawsuit on behalf of FPAWS against the state of Washington challenging its inadequate foster care reimbursement payments as contrary to federal law.



> Helping Victims of Domestic Violence

Research has shown that the assistance of an attorney is one factor in reducing the incidence of domestic violence. Our lawyers and staff assist victims of domestic violence in a number of ways. We represent clients—mainly women—in hearings to obtain protective orders against their abusers through organizations such as Legal Services of Northern Virginia and others in Anchorage, Boise and Portland. Working with nonprofits such as the Northwest Immigrant Rights Project and San Francisco’s Volunteer Legal Services Program, we help immigrants secure temporary U.S. legal status and work eligibility through the U visa program and the Violence Against Women Act. And we assist victims in their other family law-related matters as further discussed in the “Protecting Children and Families” section on page 18.

Alaska has a serious domestic violence problem. In Anchorage alone, between 1999 and 2009, the Anchorage Police Department received over 44,000 reports of domestic violence. Between 2008 and 2009, as the economic downturn led to increased unemployment and homelessness, two major domestic violence incubators, the annual number of reports increased 46.4 percent.

Unfortunately, there is a shortage of lawyers to handle domestic violence cases on a pro bono basis. Last year, the victims’ group Alaska Network on Domestic Violence and Sexual Assault (ANDVSA) was unable to find attorneys for nearly 100 victims seeking legal aid. Another 100 applications for help were withdrawn. This crisis prompted Alaska Attorney General Dan Sullivan to convene a “pro bono summit” in May 2010. Sullivan asked lawyers to donate their time specifically to help victims of domestic violence and sexual assault. His efforts are an important part of the Alaska governor’s overall plan to reduce violence.

Attorneys in our Anchorage office, many of whom have been involved in this area for years,

responded enthusiastically to the governor’s call for assistance. The office is developing a signature project focusing on domestic violence. In 2010, we hosted several training sessions for both our own lawyers and others in the community. We also assisted individual clients. In one case referred through ANDVSA, Anchorage attorney Danielle Ryman is representing a client seeking custody of her four children. Tom Daniel continues his long-term representation of the local women’s shelter Abused Women’s Aid in Crisis regarding employment issues.

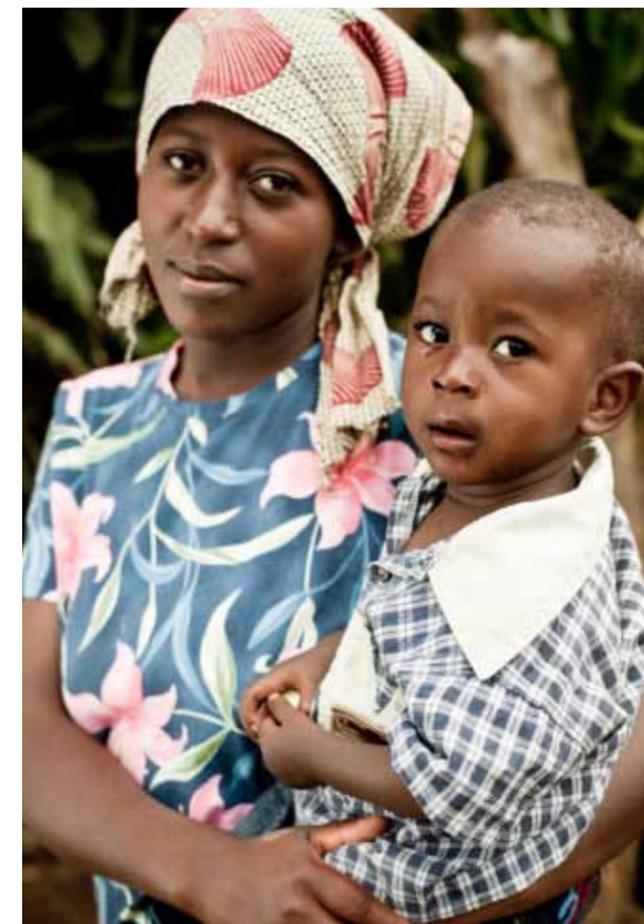
According to ANDVSA supervising attorney Christine Pate, “Perkins Coie is an enormous resource for domestic violence victims in Alaska.”

“Perkins Coie is an enormous resource for domestic violence victims in Alaska.”

- Christine Pate, ANDVSA supervising attorney

Through the Portland office’s domestic violence initiative, attorneys and staff help low-income individuals obtain temporary restraining orders under Oregon’s Family Abuse Prevention Act. Under this law, an individual suffering abuse can obtain a same-day temporary restraining order. These orders can also provide for temporary custody of children and police assistance with vacating a residence. When an order is contested, Legal Aid Services of Oregon will represent the victim or refer the case to a volunteer attorney.

In one case, Portland attorneys Sarah Crooks and Polly Hampton helped a client defeat a restraining order that her abusive husband had obtained in an aggressive attempt to cover up the abuse he had inflicted on her. The client, a Somali mother of five young children, had long suffered physical and emotional abuse from the father of her fifth child. After one brutal assault, she denied to the police that her injuries were caused by her husband, fearing his retribution and the disapproval of the Somali community. Suspecting that his wife might seek a restraining order against him, the husband sought a restraining order against her, falsely claiming that she had been the aggressor. The wife understood very little English and needed help to understand the legal process that her husband had started against her. After she found her way to Legal Aid, Sarah and Polly helped the wife get the restraining order against her dismissed.





In a matter referred through the Northwest Immigrant Rights Project, Seattle attorney Maralee Downey helped “A.G.” obtain legal status under the Violence Against Women Act.

A.G. came to the United States in 1999 to reunite with her family. She lives with her four minor children, one of whom has cerebral palsy, and her mother. When A.G. met her future husband, he was kind toward her and her children. They were married less than two years later, and he became abusive soon after they moved in together. He began drinking heavily and inflicted verbal, physical and psychological abuse upon A.G. He brandished a gun and threatened to shoot his wife if she ever left him.

With her mother’s support, A.G. worked up the courage to seek an order of protection. Following her later separation from her husband, A.G. and her children have gained some stability. With Maralee’s help, she filed a Form I-360 with United States Citizenship and Immigration Services in early 2007, and her petition was granted in October of that year. She has received employment authorization and is currently working two jobs to support her children. She is also going to a local community college and working toward becoming a certified nursing assistant. Maralee continues to help her client maintain employment authorization while she awaits a permanent visa.

When “M.R.” was nine years old, a “coyote” escorted her from Mexico to the United States to join her mother. By the time she was 13 years old, her stepfather began to sexually abuse her. M.R. was forced to endure the abuse for years and was told that if she reported it she would be sent back to Mexico alone and that her mother would be devastated. Ultimately, M.R. became pregnant and gave birth to her stepfather’s child.

Depressed and suicidal, she finally reported the abuse. Her stepfather was charged with incest and is now serving a lengthy prison sentence. M.R. was a 19-year-old single parent struggling to make ends meet when she was referred to Volunteer Advocates for Immigrant Justice (VAIJ). Working with VAIJ attorney Rebekah Fletcher, firmwide Pro Bono Counsel Leah Medway helped this young woman to apply for a U visa to give her temporary legal status and work eligibility for up to four years. M.R. received her U visa and is now working toward getting a GED and making a fresh start.



> Upholding Civil and Constitutional Rights

Throughout our history, Perkins Coie lawyers have fought to preserve and protect the civil and constitutional rights of our individual clients and the organizations that serve them. Our efforts range from constitutional challenges at the state and federal levels to advocacy efforts to prevent future deprivation of civil rights and civil liberties.

Colorado patients should soon pay less for copies of their medical records, thanks to a decision in June 2010 by the Colorado Court of Appeals that lawyers from our Denver office helped secure.

Denver attorneys Norton Cutler, Joanna Thies and Michael Sink represented the Colorado Consumer Health Initiative (CCHI) in a case referred by the Colorado Lawyers Committee for Civil Rights after the Colorado Board of Health raised the fees that health care facilities can charge for copying patients’ medical records. Our team argued that the Board of Health had raised the rates unlawfully and that the costs were illegal under the Health Insurance Portability and Accountability Act.

The Court ruled that the Board of Health must revise its “patient copy rule.” “This is a huge victory for Coloradans,” says Dede de Percin, executive director of CCHI, a statewide organization whose mission is barrier-free access to health care for all Coloradans. “The ruling provides relief for all Colorado patients, but especially families with members who have disabilities or high needs and are struggling with the runaway costs of health care.”



Litigators Recognized by *The American Lawyer* for Guantanamo Bay Detainee Representation

Perkins Coie earned an honorable mention in *The American Lawyer's* biannual "Litigation Department of the Year" competition. The publication cited the firm's ongoing representation of "clients at both ends of the power spectrum," including our work for Guantanamo Bay detainees. The publication noted, "For Al Franken, Perkins Coie fended off a series of challenges to his election to the Senate. For Osama bin Laden's driver, Salim Ahmed Hamdan, the firm was pro bono defense counsel at his military trial, which ended with Hamdan being cleared of the most serious charges against him."

Our pro bono efforts to preserve the rule of law continue as Seattle attorneys Joe McMillan, Harry Schneider and Charles Sipos pursue an appeal on behalf of Mr. Hamdan challenging the material support for terrorism charge on which he was convicted. That appeal, asserted on grounds that material support is not a recognized war crime and that the prosecution offended both the *ex post facto* and equal protection principles of the U.S. Constitution, is pending before the United States Court of Military Commission Review (CMCR). The CMCR has called for additional briefing and will hear a second oral argument on the appeal in Washington, D.C. in March 2011. The court's rulings on these issues are likely to have an impact on the course of any future prosecutions before U.S. military commissions.

In another important rule of law case, a Perkins Coie team led by Phoenix partner Howard Cabot recently completed a milestone in their defense of Noor Uthman Muhammed, a Sudanese man detained at Guantanamo Bay since 2002. After years of procedural delays and extensive negotiations, Mr. Uthman entered into a plea agreement with the government followed immediately by a sentencing trial before a panel of nine military officers. During the resulting sentencing trial, lawyers from the firm worked with our client's military defense counsel to present evidence that he was never a member of al Qaeda and was never responsible for planning or committing a terrorist act. The sentencing trial concluded with the military commission panel sentencing Mr. Uthman to 14 years. Even though the charges to which he pled carried a life sentence, under the plea agreement, Mr. Uthman will serve only 34 months.

The Perkins Coie team that helped achieve this result also included Phoenix attorneys Phil Higdon, Rusty Crandell, John Gray, Joshua Crum and legal staff Bea Stam, Tim Robertson and Rene Kuhlman.

Seattle attorneys Charles Sipos and Lisa Manheim prevailed before the Washington Supreme Court on behalf of our client, the ACLU of Washington (ACLU-WA), persuading the court to adopt as Washington law a rule that requires the government to provide a race-neutral explanation whenever the sole remaining person of the same race as the defendant or the last minority member is peremptorily struck from a jury panel.

Appearing as amicus in *State v. Rhone*, the ACLU-WA had urged the court to adopt this rule on the ground that it would best protect a citizen's right to serve on a jury, as well as the defendant's right to a fair trial and the public's interest in keeping racial bias out of legal proceedings.

The *Rhone* case stemmed from a criminal trial in Pierce County. During jury selection, the prosecutor had peremptorily challenged the only remaining African American member of the 41-person jury pool. The juror was excluded despite the fact that another individual of a different race who was accepted as an alternate juror had responded to the same line of questioning in the same way, and the record indicates that the excluded juror might well have viewed the government's case favorably. Theodore Rhone, the defendant, is an African American man who objected to the exclusion on grounds that it was race based. The trial court refused to hear the prosecutor's response, stating the defendant had not shown the juror's exclusion was prima facie discriminatory. Rhone was convicted, and the Washington Court of Appeals denied his motion for a new trial. The ACLU-WA, as amicus, supported the defendant's claim that the exclusion of the sole remaining African American juror was indeed sufficient evidence of racial discrimination to require the prosecutor to explain the reason for the peremptory challenge.

The court's ruling applies to jury selection proceedings in Washington going forward. By a 5-4 margin, the court chose not to apply the new rule to Rhone's case.

Last year, we continued our work for Washington Families Standing Together (WAFST) that was discussed in some depth in our 2009 pro bono annual report. In June 2010, the U.S. Supreme Court issued its decision in *Doe v. Reed*, agreeing with WAFST's position and holding that public disclosure of referendum petitions under Washington State's Public Records Act does not, as a general matter, violate the First Amendment.

The case arose from a state law extending certain benefits to same-sex couples. Opponents of the law circulated a referendum petition to put the law to a popular vote, hoping to overturn it. Certain private parties, including WAFST, invoked the Public Records Act to seek to obtain copies of the signed petitions submitted to the state. The proponents of the referendum obtained an injunction stopping the state from making the requested disclosure on the basis of a "facial" challenge to the Act's application to the petitions.

A team from our Seattle and Phoenix offices drafted WAFST's merits brief, which the Supreme Court's majority opinion cited several times. The team was led by Seattle attorney Kevin Hamilton and included Seattle attorneys Nick Gellert, Amanda

Beane, Dave Burman, Ryan Mrazik and Katie O'Sullivan and Phoenix attorneys Rhonda Barnes and Jessica Berch. Kevin and Amanda joined two former solicitors general and other luminaries in preparing Washington Attorney General Rob McKenna to argue on behalf of the respondents seeking disclosure.

The Supreme Court's decision resolved only one of two claims brought by petitioners and remanded the case to the trial court to consider the second. This second claim, a challenge to how the law would actually be applied, is now being litigated in the U.S. District Court for the Western District of Washington, where we have participated in discovery and expect dispositive motion practice to occur soon.

For our efforts, Perkins Coie received the first-ever "Advocate for Social Justice" award from the Greater Seattle Business Association, the largest lesbian, gay, bisexual and transgender chamber in the country.

Defending Prisoners' Civil Rights

After a three-day jury trial in the U.S. District Court for the District of Arizona, Phoenix attorney David LaSpaluto and his team obtained a verdict in favor of their client, plaintiff Najm al den Ameen. The jury found that the defendants police officers had used excessive force against Ameen in violation of the Fourth Amendment. Ameen had been a pretrial detainee at a county jail, and the case arose from an incident in which an officer led him into a segregation cell as a punishment, then tripped him and helped while other officers punched and kicked him and the sergeant in charge looked on. In finding for Ameen, the jury chose to believe him over the testimony of six police officers.

The victory is particularly significant because of the low success rate of inmate civil rights cases. Judge James Teilborg, who presided over the trial, later said that of the two dozen similar cases he had tried, this was the first victory for a plaintiff. Judge Teilborg was very appreciative of the firm's willingness to accept this case and of the trial team's diligence in representing Ameen.

Phoenix staff Melinda Manchester, Stephanie Grossman and Marie van Olffen provided invaluable assistance at trial and beforehand.

Pro Bono Award for Civil Rights Work

In May 2010, Judge Amy St. Eve of the U.S. District Court for the Northern District of Illinois presented Chicago attorneys Chris Wilson and Jon Buck with the Award for Excellence in Pro Bono Service. Judge St. Eve had nominated Chris and Jon for the award based on the pro bono work they did on behalf of a civil detainee. The award is jointly sponsored by the district court and the Chicago Chapter of the Federal Bar Association.



> Working for Holocaust Survivors

Perkins Coie attorneys and staff continue to work with the Holocaust Survivors Justice Network, a coalition of law firms, corporations and Jewish social service agencies organized by Los Angeles-based Bet Tzedek Legal Services to provide support and resources to survivors of the Holocaust. In previous years we helped survivors obtain reparations from the German government, and in 2010, we assisted existing and new clients through a related German pension program.

To be eligible for the ZRBG pension, or “ghetto pension,” a Holocaust survivor must have performed “voluntary” work, for “remuneration,” in a ghetto under German control or occupation, and meet other timing requirements. Most survivors who applied were initially denied pensions under the program and sued the German social security agency. In June 2009, the German federal supreme social court ruled in favor of the survivors. As a result of that ruling and related court decisions, new applications were to be considered under greatly liberalized criteria. A number of our clients have already started to receive pensions.

One survivor we are working with had escaped from a ghetto in Pruzhany, Poland and fought with partisans against the Nazis. His wife had survived the Pruzhany ghetto, as well as the Auschwitz-Birkenau concentration camp. Edmund and Ann Kaye were married in 1946. They came to the United States in 1949 and raised two daughters in Seattle. “It has truly been my pleasure to seek financial reparations for such courageous people,” says Seattle attorney Jennifer Stevenson. “My pro bono experience working with Mr. Kaye and other holocaust survivors and their families has been a professional highlight.”

In addition to our direct legal services, Perkins Coie serves as a coordinating law firm of this project in Denver, Phoenix, Portland, San Francisco and Seattle and recently began participating in Los Angeles as well. In all, 35 lawyers, paralegals and staff participated in the ZRBG pension project last year.



Edmund and Ann Kaye, Holocaust survivors



Music of Remembrance

For more than seven years, our business and intellectual property lawyers have represented Seattle-based nonprofit chamber music organization Music of Remembrance (MOR). MOR is devoted to paying tribute to and remembering Holocaust musicians and their art through musical performances and recordings, educational activities and commissions of new works. Although banned by the Nazis, many courageous Jewish and non-Jewish musicians created music while in ghettos and concentration camps. MOR helps ensure those brave voices will be heard. Perkins Coie attorneys Heidi Sachs, Jason Howell, Lisa Oratz and Andrea Sander, and paralegal Gillian Workman, have filed trademark applications for MOR and prepared and negotiated a variety of agreements for the organization, including music license, performer, filmmaker and recording agreements.



> Assisting Our Nonprofit Community Partners

We provide pro bono legal services to numerous nonprofit clients operating across the United States and internationally. Our business, tax, real estate, labor and intellectual property lawyers represented our community partners on issues ranging from advice and assistance with entity formation and tax-exempt status to the varied ongoing legal and business needs nonprofits face. Moreover, we provided direct service to low-income entrepreneurs seeking to help improve their communities and find their own way out of poverty.

The ongoing human tragedy created by the 2010 earthquake in Haiti is a grim reminder of, among other things, the acute need for surgical care around the world. The doctors, nurses and other volunteers of International Surgical Health Initiatives, Inc. (ISHI), a nonprofit corporation, have answered this call by organizing and performing surgical missions to under-served communities throughout the globe, including Ghana, Guatemala, the Philippines and Haiti (twice).

ISHI also empowers local medical professionals to be self-sustained through education and training. Perkins Coie is proud to serve as ISHI's principal legal services provider. Chicago attorneys Siddesh Bale, Ken Crane, Rich Peterson and paralegal Bonnie Heacock helped incorporate the nonprofit and assisted it in obtaining 501(c)(3) status. The team currently advises ISHI on general business matters in connection with its ongoing operations.

Perkins Coie serves as primary corporate counsel to the kiwanja Foundation, a charitable organization dedicated to helping international nonprofit organizations make better use of information and communications technology in their work. The key focus for kiwanja is deploying mobile communication solutions in developing countries with poor communication infrastructure. Among other significant initiatives, kiwanja designed and developed FrontlineSMS, a free, open source software program that turns a laptop, working in concert with mobile phone technology, into a communications hub that has been utilized by non-governmental organizations around the world. A team of Palo Alto attorneys including David Wood, Anastasia Lang and Daphne Higgs helped form kiwanja as a California nonprofit and shepherded it through the 501(c)(3) process.



Hill Center

Washington, D.C. attorneys Guy Martin and Bill Malley have been involved with the Old Naval Hospital Foundation (ONHF) for several years.

ONHF is dedicated to the rehabilitation of one of the oldest and largest unrenovated historic buildings on Capitol Hill, the Civil War-era Old Naval Hospital. Guy and Bill are representing ONHF in a significant project that will save and redevelop the deteriorating building and develop it as a vibrant community center called the Hill Center, dedicated to lifelong education, arts and public service.

The legal work we have provided for the Hill Center has been varied and demanding, including legislation, real estate, tax and general business advice. Guy's duties even included acting as the master of ceremonies for the groundbreaking, which featured the mayor of D.C. and the U.S. Navy Band. When the Hill Center opens, it will offer programs for children, adults and seniors.

Chicago attorneys Joseph Q. McCoy and Jaci McNally have been representing Urban Prep Academies in a number of real estate transactions.

Urban Prep is a nonprofit organization that operates a network of charter public schools whose mission is to provide comprehensive, high-quality education to young men that results in their graduates succeeding in college. The school focuses on underprivileged and primarily African American boys who may be otherwise at risk of not succeeding in school. McCoy and McNally worked to acquire a facility to house Urban Prep's Englewood Campus and negotiated and drafted the lease of a facility for Urban Prep's South Shore campus. The schools are currently in shared facilities with other public schools. Through these transactions, Urban Prep will be better able to control the environment and enhance its ability to achieve maximum outcomes for its students.

Washington Young Pro Bono Lawyer of the Year

Seattle Attorney Lisa Schaures was honored with the Washington State Bar Association's (WSBA) 2010 Thomas Neville Pro Bono Award. Given annually by the WSBA's Young Lawyer's Division, the award recognizes a young Washington lawyer who has generously committed time and effort to providing legal services for the public good. From the start of her legal career, Lisa, whose regular practice focuses on business and tax, has devoted considerable time to helping others. In 2010 alone, she provided nearly 300 hours of pro bono legal service to approximately 60 poverty-stricken individuals and numerous nonprofits and that does not include her time on civic and charitable matters. In addition, she has mentored and provided tax guidance to attorneys throughout Perkins Coie who provide pro bono services to nonprofit organizations. Among her many pro bono commitments, Lisa is the Coordinator of the Compass Center Legal Clinic, which provides a range of services and housing options to people struggling with homelessness and poverty in the Seattle area. Lisa's extraordinary efforts at the center earned her the 2008 Perkins Coie Pro Bono Leadership Award.



Leah Medway, Stewart Landefeld, Lisa Schaures and WYLD President Kari Petrask

In a different example of how we assist our nonprofit clients, we represented the Seattle Rotary Service Foundation after it discovered in early 2009 that its bookkeeper had been embezzling Foundation funds for her personal use.

The Foundation is a 501(c)(3) public charity managed by the Seattle Rotary Club, the largest and fourth-oldest Rotary Club in the world. Engaged on a pro bono basis, Seattle attorneys Karl Ege and Karen Brunton, with the assistance of a forensic accountant, conducted an in-depth investigation that uncovered more than \$355,000 in losses over a six-year period. Their report was delivered to the King County prosecuting attorney and to the insurance companies that had underwritten employee theft coverage for Seattle Rotary and the Foundation. The employee was charged with over 100 counts of embezzlement and pleaded guilty to 10 counts of first-degree felony theft. In 2010, she was sentenced to 53 months in prison and ordered to make full restitution. The Foundation recovered the full amount of its losses from a combination of insurance proceeds and a special contribution from Seattle Rotary's reserves. Perkins Coie has received an outpouring of appreciation from Seattle Rotary's 700 members for our efforts on behalf of Seattle Rotary and its foundation.



Courtesy of Blue Window Creative

Helping Low-Income Entrepreneurs

For nearly four years, attorneys in our Portland office have taken on clients through the Lewis & Clark Law School Small Business Legal Clinic (SBLC), often joined by in-house lawyers from Intel Corporation and with additional collaboration with other firm attorneys. The SBLC provides business transactional legal advice to new and emerging businesses, primarily those owned by women, minorities and recent immigrants. In 2010, Perkins Coie attorneys volunteered at 10 legal clinics and counseled 15 small businesses.

One of those businesses was Blue Window Creative, a photography and design studio. Attorney Lindsay Dickston worked with Intel attorney David Herman to counsel owners Mary and Joel Schroeder regarding their existing and proposed customer services agreements. Mary and Joel also worked with David and Lindsay to determine whether it was in the company's best interest to switch from a sole proprietorship to a corporation.

In a matter referred by Legal Services for Entrepreneurs, Palo Alto attorneys Peter Norseth and Kirupa Pushparaj assisted a low-income individual who was down on his luck but who had a great idea. The client was a former computer science engineer who had been laid off from his job and was living in poverty as a single father. He created a unique methodology for ranking and assessing the prominence of websites for marketing and advertising purposes. We helped the client, through his new company, Event SQ LLC, to obtain a patent for his idea and introduced him to people who could help him to license the patent. The company now has a steady revenue stream; in fact, the client is hoping to engage our firm as a paying client.



> Homelessness Prevention and Assistance

Whether volunteering at homeless shelter advice clinics, helping homeless veterans with debt obligations, representing clients facing eviction, or representing nonprofits trying to build low income housing or otherwise serve this vulnerable population, our attorneys, paralegals and staff focus a portion of their pro bono efforts toward the end goal of keeping people out of homelessness.

A team of San Francisco and Palo Alto attorneys helped a client, the victim of predatory lenders, regain her family home. The client, "T.S.," inherited her home from her family and has lived there for more than 20 years. The victim of unscrupulous predatory lenders, T.S. and her disabled brother mortgaged their home in 2002, entering into several loans between 2002 and 2006. One of these loans was executed while our client was hospitalized recovering from a traumatic brain injury she suffered in 2005 that continues to confine her to a bed or wheelchair and render her speech unintelligible. The lender foreclosed on one of the loans and the home was sold in a trustee sale in 2008.

Following the sale, the new owners (the same predatory lenders) initiated eviction proceedings against T.S. to remove her from her lifelong home.

Attorneys Marta Palacios, Farschad Farzan, Euphemia Thomopoulos and Faisal Hasan successfully dismissed the first unlawful detainer in October 2009. The plaintiff secured new counsel, refiled in February 2010 and aggressively pursued the eviction. Litigation of the second unlawful detainer matter spanned almost all of 2010, with a trial date set for early January 2011. Our team not only defended against the unlawful detainer but also filed a federal complaint against the lenders and additional parties claiming, among others, fraud and predatory lending and seeking quiet title on behalf of T.S. Following an intense mediation in the unlawful detainer action, the parties reached a tentative settlement agreement at the end of December. The agreement, once finalized, will allow the client to regain title to her property and remain in her family home along with her daughter and three grandchildren, and she will dismiss the federal complaint.

In 2010, Perkins Coie furthered its relationship with Willamette West Habitat for Humanity (WWHfH), a nonprofit organization whose mission is building decent, affordable neighborhood housing in Washington County, Oregon. A focus of Perkins Coie's work involved representing WWHfH in the prosecution of a title reformation lawsuit in Washington County Circuit Court. Through the lawsuit, WWHfH succeeded in securing clear title for various homeowners in a Habitat subdivision

"I'm not sure where we'd be without the help we've received from you & Perkins!"
- Mark Forker, Executive Director of WWHfH

following the discovery of certain defects to title. Portland attorneys Audrey Baker, Nathan Christensen and Erick Haynie assisted with the representation. We also advised WWHfH in connection with its operating procedures and provided day-to-day dispute resolution assistance.

In another project, we are advocating for increased low-income housing. Working with Columbia Legal Services (CLS), we represent Catholic Charities Housing Services (CCHS) in connection with its application to the City of Prosser, Washington to change the Comprehensive Plan designation of property CCHS has under contract to permit the development of affordable housing on that site. The Prosser City Council voted in March 2011 in favor of our client's proposal, and we await the final vote with respect to implementation of the underlying ordinance. After CLS approached Seattle attorney Laura Whitaker, who had worked with them on similar efforts for migrant farm worker housing, Bellevue attorneys Nate Veranth, Jerry Lutz and Eddie Lin took on this important advocacy effort.



> Our Community Service Involvement

Our pro bono work meshes with our commitment to support local community organizations nationwide. Our lawyers and staff give back to our communities in a variety of ways, such as tutoring schoolchildren, leading fundraisers, improving community service centers and collecting and sending goodies to our active duty troops. Integrating our pro bono efforts with our community services ensures that we holistically serve our neighbors and clients. Here are just a few of the many projects we participated in last year that focused specifically on children and families.

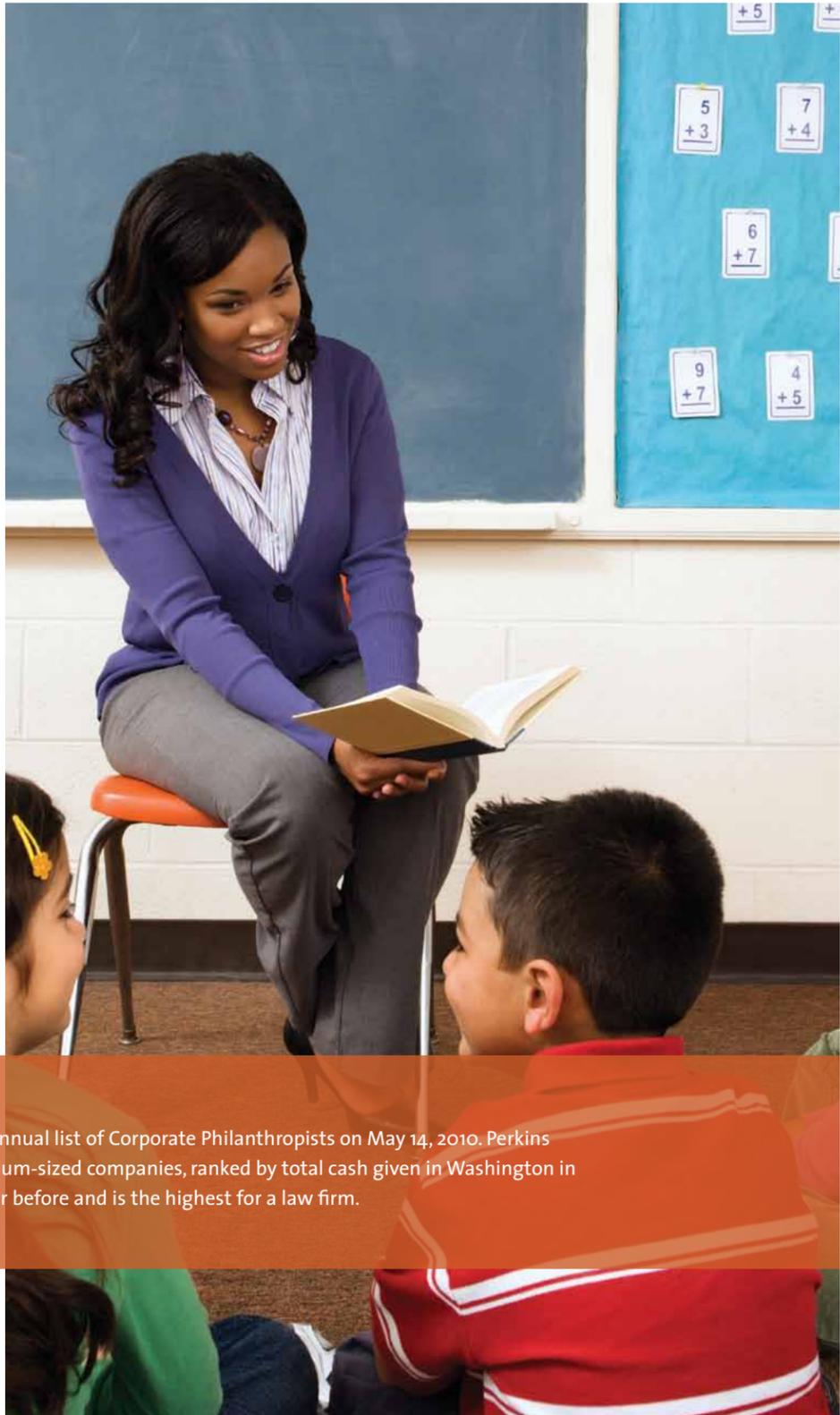
The Chicago office works with Griffith Tutoring, a nonprofit organization that prepares at-risk Chicago high school students for the ACT college entrance exam. Last fall, nine attorneys from the Chicago office were trained by Griffith staff to tutor and mentor students. Each attorney tutored between two and three students, for a total of more than 20 students.

The Washington, D.C. office has partnered with Powell Elementary School in the School Partnership Program run by the Washington Lawyers' Committee for Civil Rights. Through the program, D.C.-area law firms provide services such as tutoring, mentoring, small facility repairs, fundraising support, field trips and, in some cases, even run legal clinics for parents. D.C. attorney Barry Reingold helped start this partnership.

Attorneys and staff, including Barry Reingold, Carol Smoots, Claudette Henry and Linda Rockwell, coached Powell's third- and fourth-grade team for GeoPlunge, a citywide contest designed to teach elementary school students about U.S. geography. Joan Ellis participated as a judge. Carol Smoots donated a U.S. map and globe to the school. The D.C. office also participated in a Thanksgiving food drive with Powell that brought in school uniforms, canned goods and cash donations.

The Palo Alto office again participated in the local Adopt-A-Family gift-giving program with the Bill Wilson Center of Santa Clara County. The center serves thousands of families and children through counseling, housing, education and advocacy and provides a variety of services to help promote self-sufficiency of low-income families and youth who are at risk. Staff and attorneys in the Palo Alto office "adopted" 15 children from the foster care system in 2010.

The Boise office supported holiday programs provided by the Court Appointed Special Advocates program, which serves children who have been removed from a parent or guardian and are in state custody and with whom we work on a pro bono basis. With the monetary donations made by Boise attorneys and staff, we purchased gifts, food, clothing and toys for several children in foster care and delivered the gifts in time to help brighten the children's holidays.



> Pro Bono Leaders in the Firm

We established the Perkins Coie Pro Bono Leadership Award in 2001 to recognize one or more firm lawyers each year who have demonstrated outstanding leadership and commitment in providing pro bono legal services. Chosen by the firmwide Pro Bono Committee, award recipients are honored for their pro bono work, the diversity of which reflects the strength and breadth of the firm's pro bono program.

Award winners are not only recognized within the firm but are also given the opportunity to direct a \$1,000 charitable contribution to the legal services organization of their choice. Last year was another exceptional year in terms of the level of pro bono legal services we provided and the strength of leadership among our attorneys. For 2010, the Pro Bono Committee is honoring Boise Commercial Litigation Partner Rick Boardman with the Pro Bono Leadership Award. The Committee also chose to honor the Sara

Kruzan Post-Conviction Relief team with the Pro Bono Team Award, a new award created this year to specifically recognize the efforts of a team or work on an extraordinary project. Our 2010 honorees truly exemplify our firm's commitment to changing lives and transforming communities.

Rick Boardman was selected because of his consistent leadership efforts and long history of pro bono work. Rick's primary work has been in the area of family law, representing individuals and guardians ad litem under the Idaho Child Protective Act. He represented eight clients in 2010 alone, including infants subjected to physical abuse by their parents. Rick has also been assigned by the U.S. District Court to provide representation to prisoners denied medical care. Rick is a leader both within the firm, as evidenced by the high pro bono participation in Boise, and outside of the firm, such as his service on the Idaho Pro Bono Commission. Please see pages 17 and 18 for more information about Rick's pro bono efforts.

The Kruzan team was chosen for its successful efforts to obtain post-conviction relief for Sara Kruzan, who had been sentenced at the age of 16 to life imprisonment without the possibility of parole for killing her abuser and pimp. The Perkins team is comprised of Seattle lawyers Marc Boman and Kelly Moser and Los Angeles lawyers Ron McIntire and Melora Garrison. They have worked closely with former firm attorney Michael Teter and Pat Arthur of the National Center for Youth Law. The team began working on Ms. Kruzan's case in 2007 and, in 2010, it obtained an order for a resentencing of Ms. Kruzan from the California Court of Appeal and a commutation of her sentence from former California Governor Arnold Schwarzenegger. Please see the article about the case on page 12.



Staff Certificates of Appreciation

The Pro Bono Committee also recognized staff members for their extraordinary work in support of the firm's pro bono efforts in 2010. These individuals were selected for recognition based on nominations submitted by lawyers and staff at the firm. The Pro Bono Committee thanks the following individuals for their extra efforts on behalf of our pro bono clients: Judy Brandon, Becky Brezenoff, Karen Campbell, Patricia Dean, Barbara Ditchey, Jane Frissell, Michelle Fu, Elva Gonzalez, Bonnie Heacock, Andrea Homier, Rose Kelly, Chris Knowlden, Sandy Koehler, Melinda Manchester, Bethany Ming, Dawn Nix, Brianne O'Leary, Jeanenne Rutherford, Deana Scott, Jane Scott, Alana Shirk, Bea Stam and Jason Walter.

We know that many other members of our staff also provided valuable support on behalf of our pro bono clients. We thank all of you for your dedication and support.

> **Top Corporate Philanthropists**
The Puget Sound Business Journal published its annual list of Corporate Philanthropists on May 14, 2010. Perkins Coie appeared as number five on the list of medium-sized companies, ranked by total cash given in Washington in 2009. The ranking is up from number six the year before and is the highest for a law firm.

Contributors with 50 or more pro bono hours

The Pro Bono Committee would like to thank the following Perkins Coie lawyers and paralegals who provided 50 or more hours of pro bono services to our clients in 2010:

Ahler, Colin P.	D'Jaen, Miriam D.	Khanna, Abha	Nero, Autumn N.
Ahlers, James A.	Downey, Maralee M.	Kiyani, Nadia A.	Neumann, Kurt J.
Alappat, Rose K.	Dueppen, Lara J.	Kmoch, Heidi L.	Nyberg, Gina P.
Aldama, Karin Scherner	Dugdale, Katherine M.	Koop, Lissa R.	Oleksa, Laurence J.
Alvarez, Alvaro M.	Dunn, Stephanie E.	Kratky, Billie M.	O'Sullivan, Kathleen M.
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Baker, Audrey A.	Eckstein, Paul F.	Kuzma, Jason T.	Palma-Solana, Vilma R.
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Bass, Joren S.	Exstrom, Travis A.	Lee, Emily J.	Petersen, Tonn K.
Baughman, Kristin A.	Fahrer, Nathan F.	Liburdi, Michael T.	Peterson, Sherilyn
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Boehl, Stephanie J.	Gaston, Mary P.	Manchester, Melinda	Rasmussen, Rick T.
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** We will also welcome new committees led by Tanya D. Henderson (Dallas) and Ryan Hawkins (San Diego).



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March 2011