



# PERSPECTIVES

2019 DUANE MORRIS PRO BONO REPORT



**“I THINK OF  
A HERO AS  
SOMEONE WHO  
UNDERSTANDS  
THE DEGREE OF  
RESPONSIBILITY  
THAT COMES  
WITH HIS  
FREEDOM.”**

—BOB DYLAN



## BY THE NUMBERS

**Presidential  
Merit Award**

Allegheny County  
Bar Foundation

**37,000+**

Hours Donated

**Champion of  
Elder Justice**

SeniorLAW Center

**52**

Average Hours  
per Attorney

**100%**

Participation  
(U.S. & UK)

**>50%**

Attorneys at  
**20+ Hours**

**5,000+**

Hours Contributed  
to Assisting **200+**  
Immigrants

**1,200**

Matters Annually

**10,000+**

Hours Donated to  
**400+ Nonprofits and  
Microentrepreneurs**

**Golden Door  
Award**

Hebrew Immigrant Aid  
Society - PA



**Wills on  
Wheels Award**

Dade County  
Bar Association



# BREAKING THE CYCLE: BATTLING FEDERAL BUREAUCRACIES

Duane Morris attorneys fight the good fight every day. Attorneys from all practice groups regularly take pro bono matters involving byzantine, unnavigable federal bureaucracies, including the Social Security Administration, the Veterans Administration and U.S. Citizenship and Immigration Services. Having a dedicated, persevering attorney who never gives up the fight can make all the difference.

## HOW TO WIN A TWO FRONT WAR: GET A LAWYER AND DON'T GIVE UP

In 2016, the Social Security Administration notified our client that she owed the agency almost \$20,000 in SSI overpayments it made to her in 2012. That was the year our client began battling ovarian cancer while continuing to work part time. By 2016, she had beaten terminal cancer diagnoses five times! But, due to costly medical bills, she lost her home and filed for bankruptcy.

The Social Security Administration contended the client wrongfully reported her part time earnings

in 2012 and denied the client's *pro se* request for reconsideration. Meeting the client at a community medical-legal partnership, Duane Morris attorneys filed a new request for reconsideration, arguing the client appropriately reported all income and employment and explaining she relied entirely on disability benefits to pay her medical and other bills and that there was no feasible way for her to repay the claimed overpayment, not to mention how the alleged debt was further compounding her poor health.

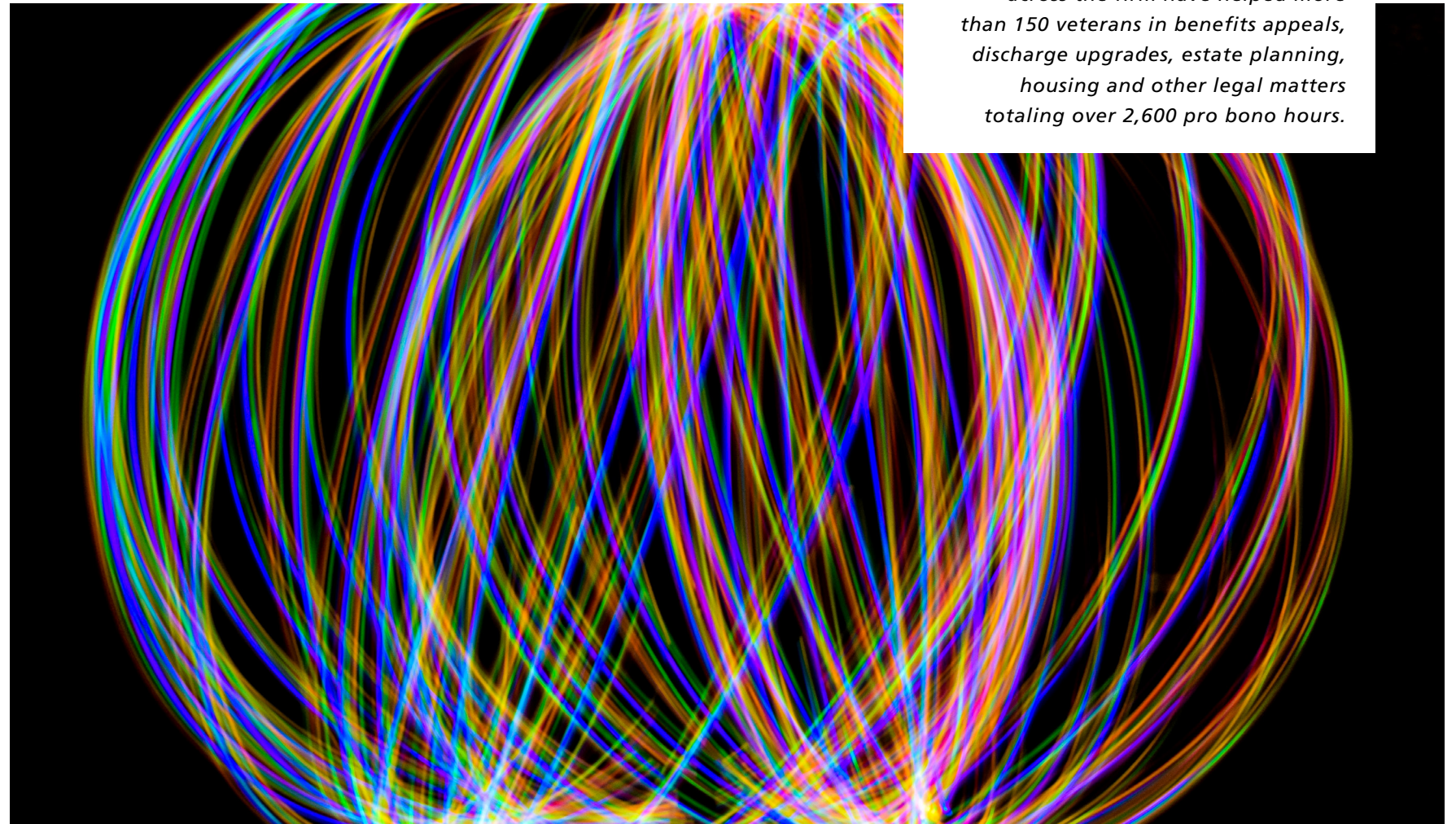
For nearly two years, our client waited to have her day in court, and when it came she won. The judge found that our client was not at fault, and the Social Security Administration reversed course on its demand for repayment.

## OVERCOMING THE LAWS OF UNINTENDED CONSEQUENCES: SSI STYLE

Our client, an Ecuadorean woman living on Social Security disability benefits in Queens, New York, received a small piece of property in Ecuador as a gift from her son when he learned he was terminally ill, neither of them knowing the property would put the client over the resource limit for SSI eligibility. Several years later, after the client reported the house, the Social Security Administration requested that she repay thousands of dollars of benefits she previously received.

*"My case was complicated and very stressful to my health. I am grateful that the firm was able to work on it and that my benefits were reinstated... Having an attorney present while visiting the government's office helped keep me calm. I am grateful beyond words."*

—Reina Naranjo



*In the past year, Duane Morris attorneys across the firm have helped more than 150 veterans in benefits appeals, discharge upgrades, estate planning, housing and other legal matters totaling over 2,600 pro bono hours.*

Working alongside Ecuadorean attorneys, Trial attorneys in Duane Morris' New York office arranged for the client to convey the property back to her son in Ecuador. The attorneys demonstrated to the Social Security Administration that the client, who had a long history of mental illness, did not understand that she owned the property until recently and that terminating her benefits and requiring her to repay past benefits would cause undue hardship. After multiple submissions, discussions and hearings with Social Security Administration's representatives, the agency agreed, reinstated the client's benefits with a lump sum payment for back benefits, and waived the repayment of past benefits.

## OBTAINING BACK RELIEF, LITERALLY AND FINANCIALLY

After serving in the United States Navy in the late 1970s/1980s, our client suffered chronic back pain that required a series of surgeries from 2008 to

2010, including spinal fusion. During the fusion surgery at a U.S. Department of Veterans Affairs Medical Center, screws were malpositioned bilaterally, which led to additional pain—worse than the veteran experienced prior—weakness on his left side, depression and several additional surgeries. Today, the veteran still experiences chronic pain.

As a result, in 2010, the veteran filed a claim for service-connected disability compensation benefits under 38 U.S.C. § 1151, which permits benefits when a veteran experiences a disability caused by surgical treatment in a VA Medical Center due to negligence. Nevertheless, from 2010 to 2019 the VA denied our client's claim.

Attorneys in Duane Morris' Philadelphia office entered the case, moving to reopen a prior denial,



obtaining a medical expert report affirming the nexus between the surgery, subsequent revision surgeries and our client's total disability, and representing the veteran in an appeal to the Board of Veterans' Appeals. Attorneys also argued the veteran was secondarily entitled to benefits related to depression as it was caused by his living in constant, debilitating pain.

Following a multiyear effort, in summer 2019 the VA awarded our client benefits under § 1151 for residuals for his lumbar spine surgery as well as for adjustment disorder with mixed anxiety and depressed mood secondary to his lumbar spinal benefits. The team continues to advocate with the VA concerning the rating level for the veteran's injuries and monthly benefits as well as benefits dating back to 2010. Needless to say, the veteran's life will forever be changed due to the surgery, but now he also will have monthly compensation to cover his bills and living essentials.

#### **U.S. CITIZENSHIP ESTABLISHED AFTER 15-YEAR MISTAKE CORRECTED BY THE BOARD OF IMMIGRATION APPEALS**

Duane Morris attorneys in New York established a claim to U.S. citizenship for a lawful permanent resident of the U.S. since 1978. Now an inmate of Sing Sing Correctional Facility, we initially sought clemency on his behalf, but soon recognized that without U.S. citizenship, our client was facing immediate deportation after the completion of his criminal sentence.

Our client was 7 when his father became a naturalized U.S. citizen and sponsored him and his mother. The client's parents later divorced and the decree did not grant sole "legal custody" to either parent. In March 2004, the Board of Immigration Appeals affirmed, without opinion, the decision of an immigration court, finding that our client was not a citizen because his father—the only parent through whom the client could naturalize—did not have sole "legal custody"—then a requirement of the Immigration and Nationality Act, which has since been repealed. After reviewing the client's entire immigration file and hearing record, attorneys concluded an injustice occurred. They



filed a motion to reconsider, although the rules state such a motion must be made within 30 days. In a unanimous decision, the board vacated its earlier decision and found our client's parents shared legal custody, his father had been actively involved in our client's life and "constituted actual uncontested legal custody"—meeting the qualifications of the Immigration and Nationality Act.

While incarcerated, our client has turned his life around with a virtually perfect prison record. He maintains close ties with his family (all of whom are U.S. citizens), obtained his high school diploma and is on his way to completing a four-year college degree. Our fight for clemency on his behalf continues.

#### **SECURING RELOCATION FROM A TOXIC APARTMENT**

For many years, our client lived in a mold-infested apartment in a public housing development in Queens, New York. As a result of long-term exposure to mold, she developed chronic asthma and skin allergies that required extensive medical treatment and frequent trips to the emergency department at a local hospital. On her own, she obtained orders from the Queens Housing Court directing the New York City Housing Authority (NYCHA) to remove the mold. She also made a formal administrative request to NYCHA to be relocated to another apartment, but NYCHA ignored her predicament.

Meeting the client through the firm's medical-legal partnership with the Mount Sinai Health System, Duane Morris attorneys brought a special proceeding in Queens Supreme Court, arguing that NYCHA was required to relocate the client as a reasonable accommodation of her mold-induced disabilities under the New York State and New York City Human Rights Laws. That lawsuit finally got NYCHA's attention and forced it to relocate the client to a mold-free apartment in a different housing development, several years after her first request. Now living in the new apartment for several months, she finally can breathe easier knowing her apartment is not a threat to her health.



**“CHANGE DOES NOT ROLL IN ON THE WHEELS OF INEVITABILITY, BUT COMES THROUGH CONTINUOUS STRUGGLE.”**

—MARTIN LUTHER KING, JR.

## RIGHTING OLD WRONGS

While the criminal justice reform movement has gained widespread acceptance, the pace of change is slow and often requires undoing decades-old injustices one painstaking case at a time. During the last year, Duane Morris attorneys in California and Pennsylvania had two significant victories.

### FREEDOM RESTORED 17 YEARS AFTER WRONGFUL CONVICTION

On April 23, 2019, our client, Karla Baday, was released from prison after serving almost 17 years for crimes she did not commit. Working along with the Northern California Innocence Project, Duane Morris attorneys represented Karla in her fight to overturn her conviction. She was wrongfully convicted in 2002 based on a single incident of an alleged sexual assault of her former partner's three young children.

Karla and her former partner met in December 1999. Within a month, they were romantically involved and the partner invited Karla to move into her home with her and her three young children. The couple happily lived together for two years, during which time our client often cared for the children alone. In December 2001, Karla moved out of the couples' home to care for her ill mother, but celebrated Christmas with her partner and the children. In 2002, Karla returned to care for her mother and the couple separated. Karla's partner then claimed Karla engaged in a single incident of inappropriate sexual contact with the children.

At trial, Karla, who spoke little to no English, was profoundly hampered by her court appointed defense counsel. Subsequently disbarred and deceased, the defense counsel failed to challenge the testimony of the state's unqualified nurse "expert" who claimed that there was medical evidence that proved the allegations were true. This testimony was patently false, yet left unchallenged, and served to bolster the prosecution's otherwise weak case. Karla was convicted of multiple counts of child sexual abuse and sentenced to 45 years to life.

Following the submission of several rounds of legal briefs and numerous declarations over an 18-month-period, and after the court issued an order to show cause as to why Karla had been incarcerated, on March 19, 2019, the district attorney conceded the medical evidence presented at trial was false and stipulated that Karla's conviction should be reversed. The district attorney initially claimed he intended to retry Karla for the original crimes, but agreed to a plea bargain wherein the 2002 sexual molestation charges would be dismissed.

Karla now resides with her sister and family in Georgia. While incarcerated, Karla learned English and obtained her high school equivalency diploma and associate's degree. Duane Morris attorneys continue to assist Karla in her immigration proceedings.

### PENNSYLVANIA SUPREME COURT REVERSES SENTENCE OF LIFE WITHOUT PAROLE AND PROVIDES NEW GUIDANCE FOR JUVENILE SENTENCING

At 17 years old, our client was living at a residential treatment facility for at-risk youth. He and a co-resident devised a misguided plan to subdue a night supervisor and escape. On the night decided, our client and friend attacked and gagged the supervisor, escaping the facility. The supervisor ultimately died of suffocation. Our client pled guilty to second-degree murder, and at 18 years old, he was sentenced to life without the possibility of parole. Fifteen years later, our client had obtained his GED and matured into a reflective, responsible adult.



Karla Baday (kneeling, right) with her legal team

*“I want to thank Duane Morris and Northern California Innocence Project for believing in me and helping me get my freedom back. Working with you was such an awesome experience. You made me feel that my life matters and that someone cares enough to take the time to find the truth. I don't even have enough words to express how I feel. I will always have you so close to my heart. Now I can live my life again and enjoy every moment with my family. Thank you so much once again. God bless everybody.”*

—Karla Baday



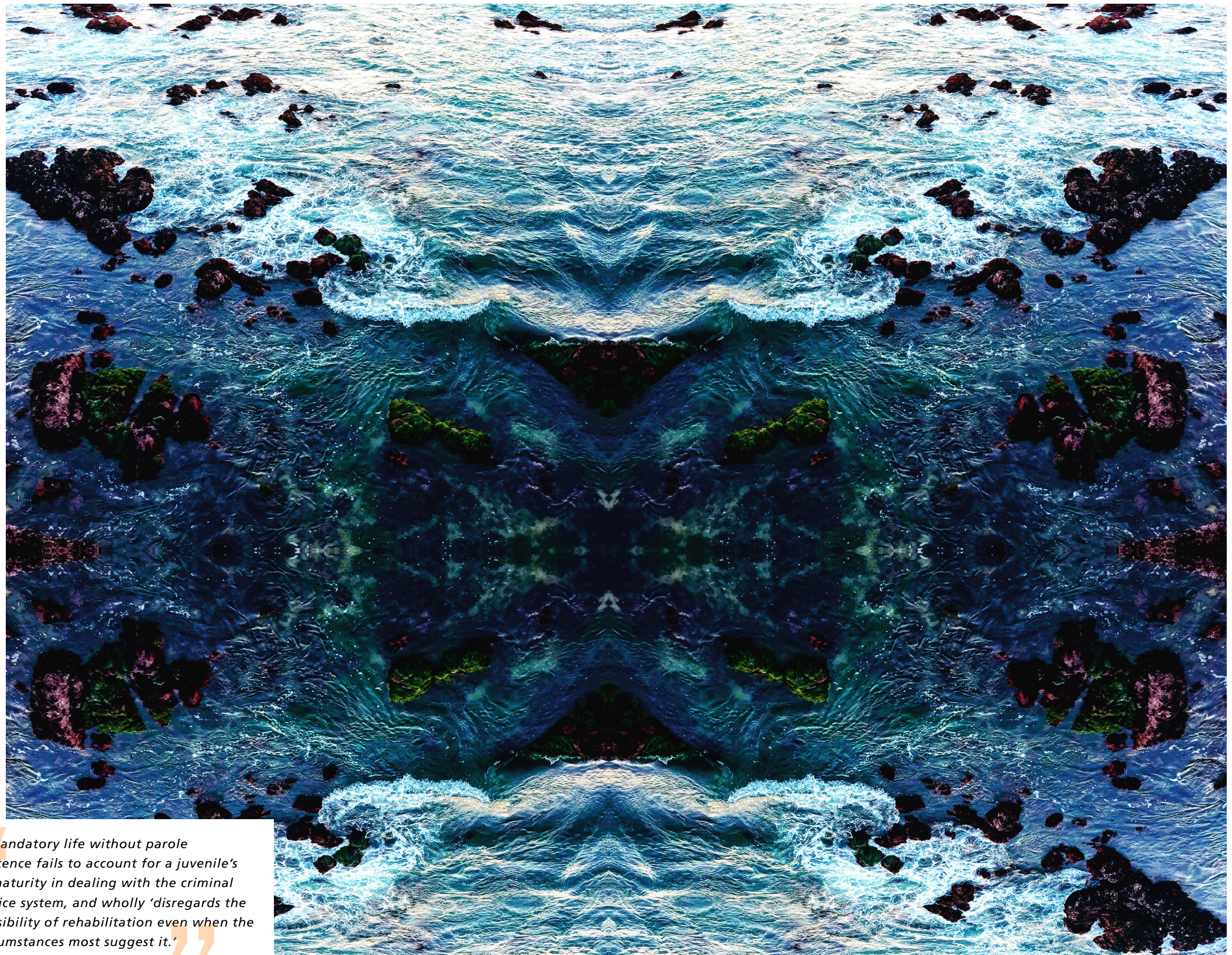
During the ensuing years, the Supreme Court of the United States—reflecting a shift in precedent and perspective—concluded that “children are constitutionally different from adults in their level of culpability . . . [and prisoners] must be given the opportunity to show their crime did not reflect irreparable corruption; and, if it did not, their hope for some years of life outside of prison walls must be restored”—held that juvenile sentences to life without the possibility of parole are unconstitutional. *Miller v. Alabama* (2012). Additionally, the court held all such sentenced offenders must be resentenced or considered for parole. *Montgomery v. Louisiana* (2016).

Since 2015, Duane Morris attorneys have represented 10 offenders sentenced to life without parole as juveniles in resentencing and parole hearings in court across the commonwealth of Pennsylvania. In the case of our now-26-year-old client, the Court of Common Pleas failed to consider all constitutionally required factors concerning his potential permanent irreparable corruption in his resentencing hearing. Duane Morris attorneys appealed the sentence, successfully arguing to the Pennsylvania Supreme Court that considering such factors is imperative as “a mandatory procedural step necessary to ‘give . . . effect to *Miller’s* substantive holding that life without parole is an excessive sentence for children whose crimes reflect transient immaturity.’” *Montgomery*, 136 S. Ct. at 735.

The court reversed and remanded for a new sentencing hearing, holding that the required constitutional factors *must* be considered in any case in which the potential outcome of the sentencing hearing is life without parole. A win on procedural grounds, the court’s ruling will provide meaningful protection and clarification for many judges, as well as individuals across Pennsylvania still awaiting resentencing of their unconstitutional life-without-parole sentences.

“A mandatory life without parole sentence fails to account for a juvenile’s immaturity in dealing with the criminal justice system, and wholly ‘disregards the possibility of rehabilitation even when the circumstances most suggest it.’”

*Commonwealth of Pennsylvania v. Machicote*, 14 WAP 2018 (Pa.) (quoting *Miller*, 567 U.S. at 478).





**“WE DO NOT HAVE TO BECOME HEROES OVERNIGHT. JUST A STEP AT A TIME, MEETING EACH THING THAT COMES UP ... DISCOVERING THAT WE HAVE THE STRENGTH TO STARE IT DOWN.”**

—ELEANOR ROOSEVELT

## SECURING SAFETY AND FREEDOM FROM PERSECUTION

In response to the immigration crisis at the southern border of the United States, Duane Morris increased our immigration pro bono efforts nationally during the past several years. **Aiding more than 350 immigrants and families in the past year, totaling over 6,000 hours,** volunteer attorneys particularly focused on assisting LGBTQ immigrants and political activists fleeing oppressive governments, as well as individuals fleeing intimate-partner violence.

The firm sent two teams of attorneys and staff to provide know-your-rights counseling and limited representation to immigrants detained in southwest Texas, held a bilingual book drive for children learning English while detained in foster shelters separated from their parents, and continues ongoing, monthly immigration clinics in various cities across the United States, in addition to full representations. Our immigrant clients have come to the United States from all parts of the world, including Afghanistan, the Bahamas, Cambodia, Chad, El Salvador, Guatemala, Honduras, Jamaica, Liberia, Russia and Ukraine.

### SECURING ASYLUM FOR TRANSGENDER FEMALE TELEVISION JOURNALIST FROM HONDURAS

Daniela—a 35-year-old transgender woman from Honduras—survived kidnapping, torture and death threats due to an imputed political opinion and membership in the Freedom and Refoundation Party (LIBRE) as

well as support of President Manuel Zelaya during the 2009 coup. She was a television editor and photographer for a local news station. In addition, our client faced death threats and physical and sexual abuse for her transgender identity.

Kidnapped by masked men, suffocated, threatened with dismemberment by machete and enduring significant psychological torture, our client and a fellow journalist reported the abuse to the police and various human rights organizations, including the Inter-American Commission on Human Rights. Nevertheless, no prosecution occurred.

She moved continuously for two years to avoid being caught until ultimately, her persecutors—members of the government regime—caught and repeatedly stabbed her with a knife. Her fellow journalist was murdered, and reports of our client’s supposed murder were spread throughout the news and social media. Daniela fled to the United States and immediately claimed asylum.

Upon entering the United States, Daniela was detained by Immigration and Customs Enforcement in an all-male facility in southwest Texas, despite her statements that she identified as female. Working in collaboration with Immigration Justice Campaign and the Lawyers’ Committee for Civil Rights Under Law, Duane

Morris attorneys stepped in to quickly assist the client in defending her asylum application. Although initially housed with other transgender women, she feared being held in solitary confinement if she were the only transgender woman remaining in the detention center.

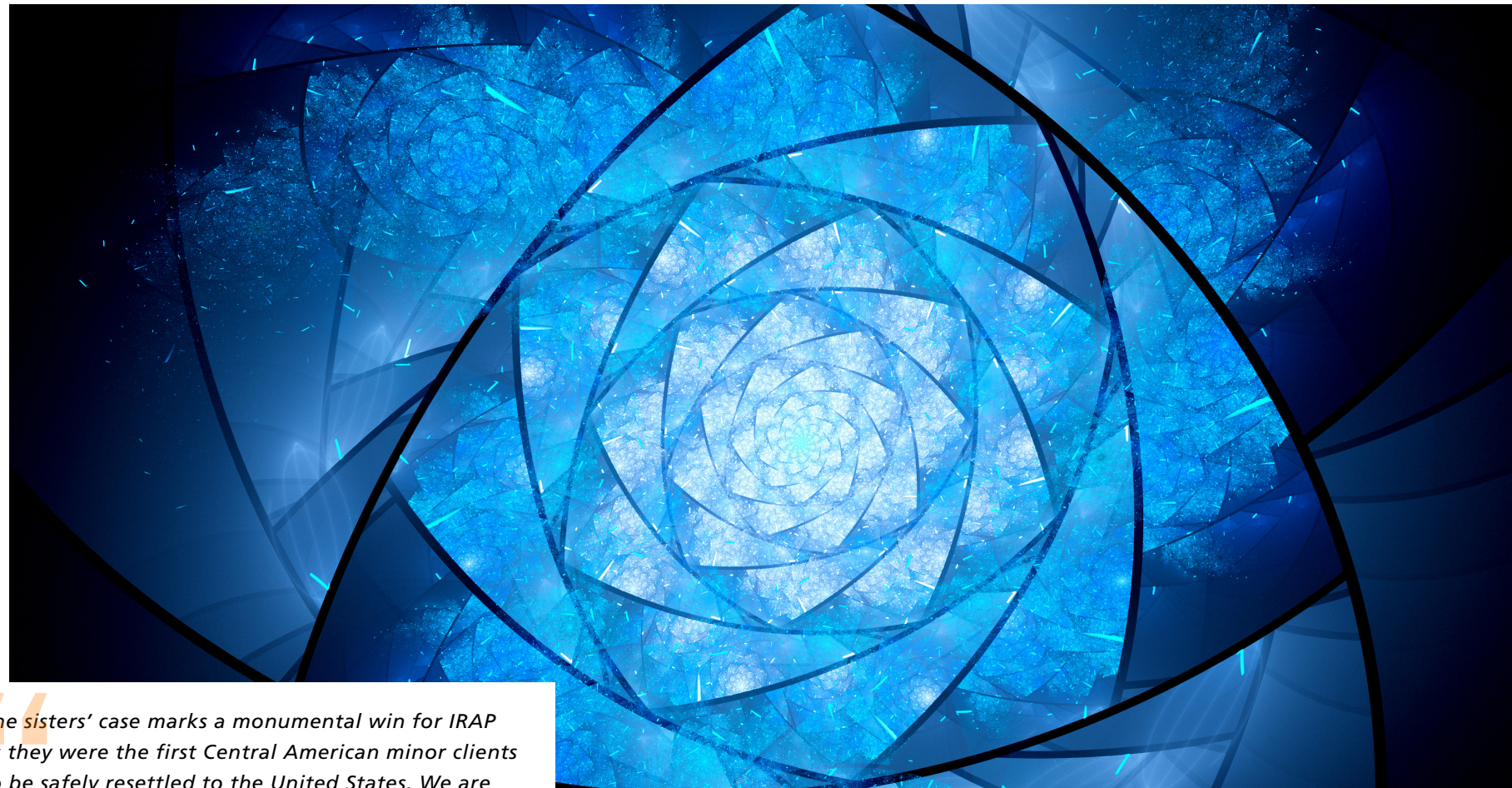
Arguing that Daniela was subject to past persecution based on her role as a journalist and imputed political opinion during the coup and arguing that Daniela reasonably feared future persecution because of her journalism and her status as a transgender woman, attorneys in Duane Morris’ New York and Philadelphia offices successfully persuaded the immigration court to grant her asylum, withholding of removal and protection under the United Nations Convention Against Torture. The case was additionally complicated due to fears that a couple of past arrests would undermine her credibility and that the government potentially would argue she was firmly resettled because she lived in a third country for a short period of time (without the ability to secure legal status).

Now happily reunited with her father, Daniela is living and working in California. Attorneys continue to represent Daniela in applying to have her minor son join her so that he too may live a life of safety. Daniela continues to advocate for transgender immigrant women’s rights.



*“Now my life has totally changed in my mind. I don’t have fear anymore that someone is looking for me to kill me or persecute me. I thank you very much, very much for your help. I hope that you can continue to help more girls like us that we are mistreated.”*  
—Daniela Lizbeth





*“The sisters’ case marks a monumental win for IRAP as they were the first Central American minor clients to be safely resettled to the United States. We are grateful for Duane Morris’ zealous advocacy that was instrumental in securing them a safe passage.”*

Julie Kornfeld, Attorney, IRAP

**SECURING REFUGEE STATUS FOR TWO SISTERS FLEEING GANG VIOLENCE IN EL SALVADOR**

Corporate and Trial attorneys from Duane Morris’ Newark office represented two young sisters from El Salvador through the International Refugee Assistance Project (IRAP) in pursuing a request for review with U.S. Citizenship and Immigration Services to challenge the denial of their request for refugee status. Living in an all-female household as practicing Christians, the sisters were targets for kidnapping and ransom by surrounding gangs and were repeatedly threatened with death, particularly since the gangs knew that no man was living in the household. The younger sister faced almost daily threats by gang members as she walked to high school in a neighborhood where several young girls recently disappeared.

The sisters experienced the murder of their maternal grandmother and aunt when gang members set off grenades in the bus in which they were riding. Several years later, another aunt who owned a small business was subject to extortion by gangs for “rent” in return for safety. When the aunt no longer could afford to pay the “rent,” she fled along with the sisters and their family.

The girls were desperate to flee to safety in the United States and be reunited with family members. Filing the request for review almost two years ago, volunteer attorneys argued the sisters suffered greatly and feared even greater violence and persecution by threatening gangs. A reinterview was conducted earlier this year and the sisters were granted refugee status, safely arriving in the United States in spring 2019.

**ASYLUM GRANTED FOR TRANSGENDER SURVIVOR OF ASSAULT AND ATTEMPTED MURDER**

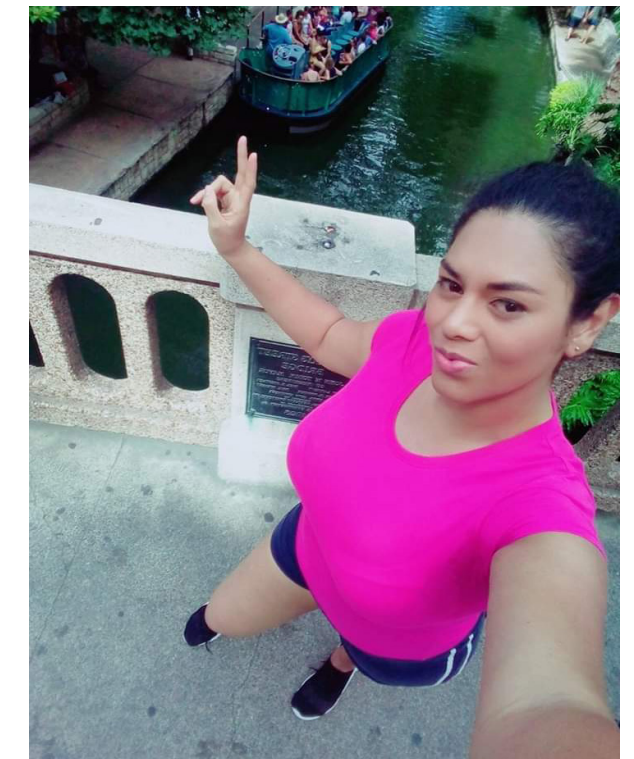
Litigators in Duane Morris’ Philadelphia office successfully obtained asylum pro bono for our client, a 24-year-old transgender woman from Honduras. As a child, Erika was abused by her family because of her female gender identity and was kicked out of her family home at only 12 years old. Erika moved to a shelter for homeless youth, where she was assaulted by an employee. At 14, she ran away and was forced into sex work. Erika was assaulted many times prior to her 18th birthday, and experienced one of her friends—also a transgender woman—being murdered. Erika sought assistance from the Honduran National Police

several times, but the police mocked her and refused to investigate the crimes or even to take down a report.

At 18 years old, the Honduran government unlawfully denied Erika government identification that would allow her to seek employment because she presented as a woman. As a result, Erika again was forced into sex work to earn any money for food and shelter.

Thereafter, Erika was attacked by a man with a butcher knife on the streets of San Pedro Sula, Honduras, when he learned that she had male sexual organs. The man cut Erika’s back from neck to waist and then attempted to stab out her breasts. Before being scared away by a passing car, the man threatened to burn our client alive. The attack left Erika with a cut most of the way down her back and other wounds on her arms from protecting her chest. Erika sought treatment at a local emergency room, which hastily stitched up the wounds and forced her out immediately because they did not want a transgender woman in their files. The hospital assumed Erika had AIDS because she was transgender. After the police again refused to assist Erika, she fled to the United States, where she legally presented

herself at the Laredo, Texas, port of entry and applied for asylum. With Duane Morris’ help, our client was granted asylum and released the next day. She now lives in Houston and hopes to be an advocate and positive example to fellow transgender women and survivors.



Erika at the San Antonio Riverwalk

**TIBETAN NATIONAL GRANTED ASYLUM**

Duane Morris likewise obtained asylum for a Tibetan man who was targeted by the Chinese government after bringing a picture of the Dalai Lama to a protest. The military destroyed the client’s home and questioned his wife continuously to reveal her husband’s location so they could arrest him. The client managed to escape and fled China, afraid of being tortured, killed or arrested if he returned. A team of Duane Morris attorneys obtained asylum for the client, which was granted following a daylong hearing.



“THE PERSON  
WHO MOVES  
A MOUNTAIN  
BEGINS BY  
MOVING SMALL  
STONES.”

—CONFUCIUS

THE BIG PICTURE:  
HELPING  
ORGANIZATIONS  
THAT ADVOCATE FOR  
LEGAL REFORM

PEOPLE CHANGE; RECORDS DON'T  
TEAMING UP TO REFORM THE PARDON  
PROCESS IN PENNSYLVANIA

Any person who ever was arrested or charged with a crime in Pennsylvania, even if they never had to go to court or never were found guilty, has a criminal record. Every crime a person was charged with is permanently available on the internet to the public, for free, at any time, unless a judge orders it to be expunged (or erased). For most criminal convictions in Pennsylvania, even minor offenses or something that happened decades ago, the only way to erase them from public records is to get pardons from the Pennsylvania governor.

On average, over 200,000 new criminal cases are initiated every year in Pennsylvania with 25,000 people released to Philadelphia from federal, state and local jails and prisons annually. Ninety-one percent of those coming from state prisons are returning to low-income communities. Indeed, over 50,000 low-income Pennsylvanians' ability to obtain gainful employment is directly impacted by their lack of access to a pardon decision. Yet, annually, the Pennsylvania Board of Pardons only decides approximately 200 cases.

For several years, Duane Morris attorneys have assisted more than 300 individual Philadelphians seeking expungements, redactions and sealings of criminal charges that were dropped or minor offenses that could be sealed (removed from public view). Our clients ranged from individuals who made poor decisions shoplifting or getting in neighborhood fights as young adults to grandmothers now over 70 years old who wanted to clear their record so they could work in child care or help care for grandchildren in the foster care system.

Nevertheless, our one-by-one approach seemed a drop in the bucket of true reform, and Duane Morris attorneys sought ways to help secure meaningful reform of a broken system. Enter Philadelphia Lawyers for Social Equity (PLSE), which seeks to refine the Pennsylvania pardon

process by simplifying the pardon application and adopting a summary hearing process for applications where the government and victim-witnesses do not object to the pardon.

Pennsylvania defines a pardon as an act of grace that is extended by the state to those who clearly demonstrate that they learned their lessons, redeemed themselves, changed their ways and were “reborn” as productive citizens. Presently, the Pennsylvania Constitution requires a “full hearing in open session, upon due public notice” for the Board of Pardons to recommend a pardon to the governor. The board only meets four times a year to hear applications, which necessarily limits the number of applicants heard annually.

Volunteer attorneys working with PLSE proposed the board adopt a “consent agenda” approach whereby the board may list hundreds of





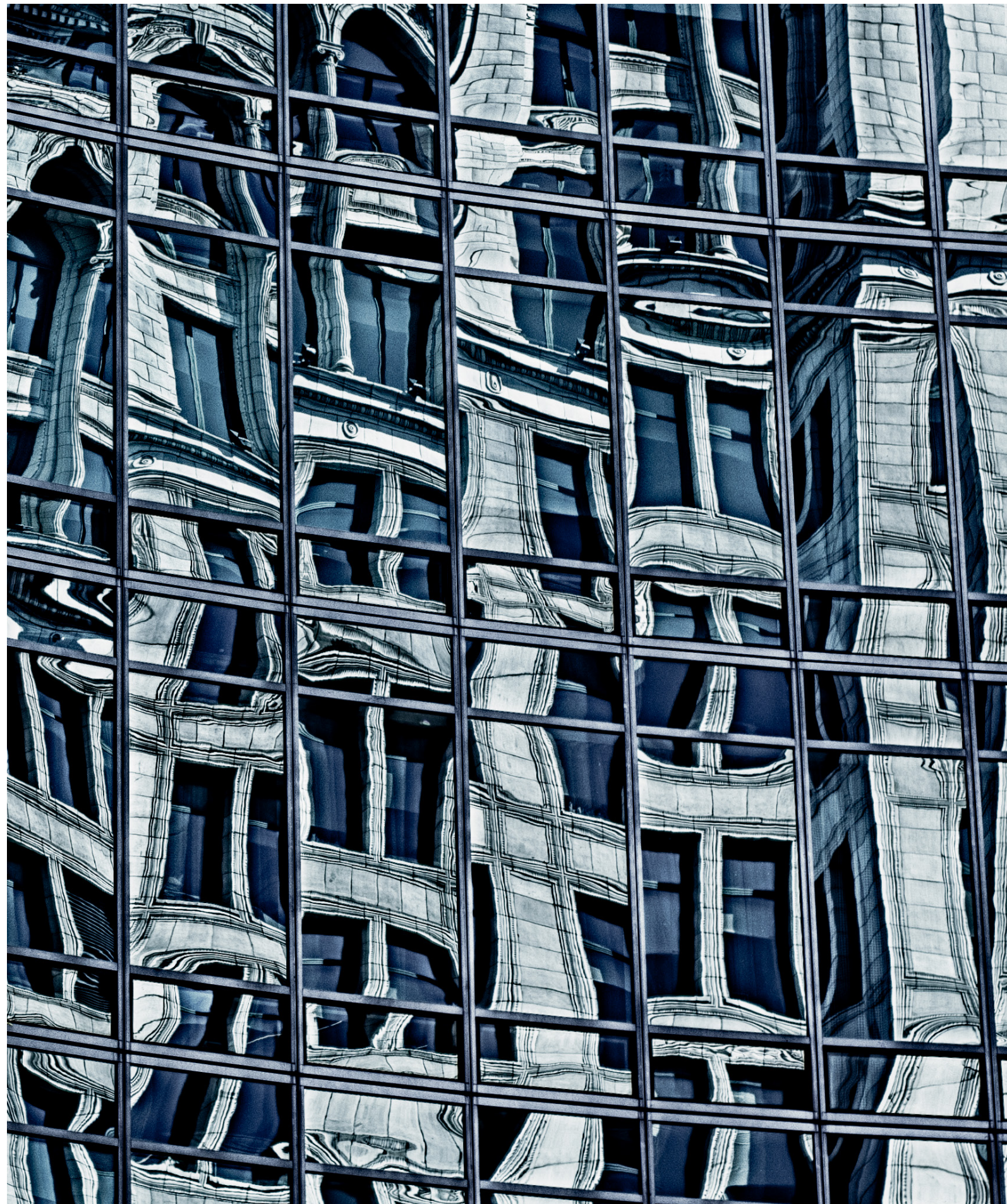
individuals for approval (e.g., those whom the board identifies as meriting a “presumptive pardon”), call any person appearing on the list to a public hearing, remove the names of anyone as to whom an objection is lodged and then vote to approve all the rest in a single vote. Duane Morris Appellate attorneys performed a constitutional analysis concerning whether the consent agenda complied with the requirement of a “full hearing” requirement under the state Constitution. Concluding the consent agenda, at a minimum, was not unconstitutional, the team found it likely comported with the intent of the framers in requiring a “full hearing.” The consent agenda is under active consideration and we remain hopeful for pardon reform in Pennsylvania.

#### **SUPPORTING ALL YOUNG PEOPLE, REGARDLESS OF SEXUAL ORIENTATION OR IDENTITY, VIA SAFE SUPPORT ENVIRONMENTS**

Hetrick-Martin Institute (HMI), the nation’s oldest and largest LGBTQ youth services agency, fosters healthy youth development through a comprehensive package of direct services and referrals concerning education, healthcare, mental health, homelessness, economic empowerment and more. Duane Morris is proud to support HMI and its mission, and our attorneys have assisted HMI pro bono on numerous legal and regulatory issues, such as updating its employee handbook, negotiating and drafting a cause marketing agreement with a worldwide cosmetic company, and drafting legal documents for licensing its intellectual property, know-how and services to its first federated partner, HMI: New Jersey.

#### **PROTECTING SENIORS AGAINST ELDER FINANCIAL EXPLOITATION AND ABUSE**

Teaming up with SeniorLAW Center and AARP, Duane Morris attorneys are helping draft a protection-from-elder-abuse statute



in Pennsylvania. Older victims often are confronted with elder financial, emotional and physical abuse, yet Pennsylvania’s current protection-from-abuse order was created largely to address intimate-partner violence, dating violence and/or stalking. Elder abuse victims face distinct crimes, including financial exploitation, often by different relative, nonrelative and caregiver perpetrators not covered by traditional protection-from-abuse orders. To date, only a handful of states have protection-from-abuse orders specifically protecting against the various forms of elder abuse. Attorneys drafted a model proposed statute designed to address the most common issues confronting older victims and are working with SeniorLAW Center, stakeholders, the Pennsylvania Legislature and Governor Wolf’s administration to advance its adoption.

#### **ENVISIONING GLOBAL BROTHERHOOD AND SISTERHOOD AS THE STATE OF HUMANKIND**

Founded by Mrs. Coretta Scott King, The Martin Luther King Jr. Center for Nonviolent Social Change (“The King Center”) prepares global citizens to create a more just, humane and peaceful world using Dr. King’s nonviolent philosophy and methodology. Utilizing the life, legacy and teachings of Dr. King, The King Center inspires new generations to carry forward his unfinished work, in addition to preserving and providing access to the writings and papers of Dr. King, the Southern Christian Leadership Conference and other civil rights leaders and organizations. Duane Morris attorneys support The King Center, thereby supporting the advancement of civil rights globally, by advising the Center on numerous legal issues, including the conveyance of the birth home of Dr. King to the National Park Foundation, the renovation of the Reflecting Pool and Crypt of Dr. King and Mrs. Coretta Scott King, and maintenance of the digital archives of Dr. King’s writing and artifacts.



## PRO BONO AWARDS

### 2019 DUANE MORRIS PRO BONO LEADERSHIP AWARD

*The Duane Morris Pro Bono Leadership Award is given to an attorney who exemplifies the spirit of pro bono: a selfless, longstanding and unwavering commitment to pro bono service; a leader by example, who accepts pro bono matters without fanfare; and a pro bono contributor who encourages and mentors other Firm attorneys in pro bono service.*



**RICK DARKE** (Chicago) was honored with the Pro Bono Leadership Award for his long-term pro bono efforts representing numerous clients in § 1983 prisoner civil rights actions before U.S. district courts. For more

than 10 years, Rick has averaged 100-plus pro bono hours annually as he ensures his clients' civil rights are upheld. He also mentors associates as they garner experience litigating similar cases before federal courts and juries. Recently, Rick helped obtain long-overdue hernia surgery for a client who had a "massive hernia" as described by doctors. Over 90 percent of the client's intestines were outside his body cavity. The department of corrections staff refused the surgery for over six years. Rick—along with a team of partners, associates and staff—obtained the neglected medical care after three prior law firms appointed to the case failed to achieve a successful result. Rick and his team convinced the U.S. District Court for the Northern District of Illinois to order the surgery at the expense of the department. He continues to pursue monetary damages for the client while volunteering for a new prisoner civil rights case for a client who endured unconstitutional confinement for six months.

### 2019 DUANE MORRIS PRO BONO AWARD

*The Duane Morris Pro Bono Award honors the outstanding service of any attorney or group that exemplifies Duane Morris' commitment to pro bono service and has made a significant impact on an individual or community. In recognition of the award, the firm makes a \$5,000 donation to the legal services organization of the winner's choice.*



**BRIAN J. "BJ" SLIPAKOFF** (Philadelphia) received the Pro Bono Award in recognition of his successful appeal to the Pennsylvania Supreme Court of an improper resentencing wherein

he clarified the legal standard for such cases in Pennsylvania under recent Supreme Court of the United States precedent. A notable win on its own, the matter afforded BJ the opportunity to argue his first appeal to the Pennsylvania Supreme Court. Unconstitutionally sentenced to life without parole as a juvenile for second-degree murder, 15 years later, BJ's client was subject to resentencing pursuant to Supreme Court precedent holding that juvenile sentences to life without the possibility of parole are unconstitutional. *Miller v. Alabama* (2012). BJ also was honored for his consistent willingness to help on pro bono matters, supervise junior associates and review complaints even at the last minute.

### 2019 DUANE MORRIS PRO BONO AWARDS FOR THE ASIA OFFICES

*Recognizing the significant pro bono work performed by attorneys in the firm's Asia offices, Duane Morris presented the firm's Asia Pro Bono Awards at the annual Asia Lawyers Retreat in March 2019.*



Giles Cooper



Tran Minh Thanh

**GILES COOPER** was honored with the 2019 Pro Bono Leadership Award and **TRAN MINH THANH** received the 2019 Pro Bono Award for their efforts assisting Towards Transparency to establish a Business Integrity Forum in Vietnam. Towards Transparency seeks to reduce corruption by encouraging transparency, accountability and integrity in government, business and society.

“TRY TO  
BE A  
RAINBOW IN  
SOMEONE'S  
CLOUD.”

—MAYA ANGELOU



# PRO BONO OFFICE HIGHLIGHTS

**ATLANTA** – Held Wills on Wheels Clinic at the Atlanta VA Medical Center in collaboration with The Home Depot, Emory Law School and Atlanta Volunteer Lawyers Foundation benefiting veterans from the Korean, Vietnam and Gulf wars, and other conflicts.

**AUSTIN** – Representing Folds of Honor, a nonprofit organization providing educational scholarships to spouses and children of America’s fallen and disabled servicemembers, in forming new chapters in Florida, North Carolina, Missouri, Oklahoma, Pennsylvania and Tennessee.

**BALTIMORE** – Representing a Cameroonian family of seven in obtaining asylum in the United States. The family fled Cameroon after the parents were tortured for their participation in labor protests and union activities.

**BOCA RATON** – Launched new clinic with Florida Atlantic University Tech Runway, a 12-month incubator to launch or expand existing businesses. Duane Morris attorneys provide pro bono office hours twice a week, offering general information and advice to startup companies and entrepreneurs.

**BOSTON** – Representing indigent Bostonians in landlord-tenant related habitability disputes through Greater Boston Legal Services.

**CHERRY HILL** – Representing the Camden Schools Foundation, which raises funds for the city’s public schools to ensure students have equal access to the support and services needed to succeed, including scholarships, building a STEM lab, supporting marching band travel and more.

**CHICAGO** – Successfully represented several prisoners in constitutional claims challenging conditions in local prisons, including obtaining hernia repair surgery for one client who had 90 percent of his intestines outside the body cavity and was denied surgery for more than six years.

**HOUSTON** – Restored service-connected disability benefits at 80 percent and \$71,000 in back pay for a veteran of the U.S. Navy after his disability rating was reduced to 10 percent.

**LAKE TAHOE** – Participated in the Voluntary Dispute Resolution Program of the United States District Court for the Eastern District of California to mediate civil actions pro bono.

**LAS VEGAS** – Represented an 86-year-old Army veteran in upgrading his discharge status based on military sexual trauma by a commanding officer at the age of 17. The Korean War veteran—who went absent without leave due in part to PTSD—was court martialed and served a five-year prison sentence. Seventy years later, Duane Morris attorneys hope to secure equity for the veteran.

**LOS ANGELES** – Represented a client in petitioning to seal, vacate and destroy her criminal arrest and conviction records that were the direct result of her being a survivor of human trafficking and commercial sexual exploitation.

**MIAMI** – Partner Marsha Madorsky and the office were honored with Dade County Bar Association’s Wills on Wheels Award for the office’s several years of work traveling to various Veterans Affairs Centers and hospitals to assist veterans by drafting wills, living wills, healthcare surrogates and powers of attorney.

**NEWARK** – Obtained asylum for a Tibetan man who was targeted and tortured by the Chinese government after he brought a picture of the Dalai Lama to a protest.

**NEW YORK** – Aided more than 80 nonprofit organizations and microentrepreneurs pro bono in various business matters including formation, leases and agreements, intellectual property, employment advice and more. Donated more than 1,800 pro bono hours to indigent patients with various civil legal issues via Mount Sinai Medical-Legal Partnership in Queens.

**PHILADELPHIA** – Launched new pro bono divorce project with Philadelphia VIP to help people in Philadelphia County who cannot afford the legal costs of divorce. Eighty-five percent of people financially eligible for a free divorce attorney in Philadelphia County do not get one; they are on their own due to limited resources. In a state and county with

complicated legal processes for obtaining a divorce, Duane Morris attorneys hope the new clinics will prevent people from being trapped in unwanted marriages.

**PITTSBURGH** – Managing partner Kenneth M. Argentieri was honored with the Allegheny County Bar Foundation’s Presidential Merit Award in recognition of his substantial contributions to the delivery of free legal services while providing exceptional leadership in advancing pro bono efforts.

**SAN DIEGO** – A team of attorneys obtained withholding of removal for a transgender woman from El Salvador who was sexually trafficked, tortured and persecuted by the infamous MS-13 gang in San Salvador.

**SAN FRANCISCO** – Represented numerous survivors of intimate-partner violence in obtaining protection from abuse orders through the Legal Aid Society

of San Mateo County. A team recently secured a protection-from-abuse order and custody for a 21-year-old mother whose husband was physically abusive to the client and her 3-year-old daughter.

**SILICON VALLEY** – Assisting an indigenous Guatemalan father and son in an emergency asylum application based upon racial persecution; the father and son were separated for 10 months as a result of the zero tolerance policy before being reunited by Immigrant Families Together.

**WASHINGTON, D.C.** – Launched new Women’s Information and Referral Clinic at the Washington, D.C. VA Medical Center to serve female-identifying veterans who are uncomfortable being treated in a setting with men due to their experiences with military sexual trauma or other concerns.

**WILMINGTON** – Represented four veterans in appealing service-connected disability denials or improper ratings before the U.S. Department of Veterans Affairs and Board of Veterans’ Appeals.





# DUANE MORRIS PRO BONO HONOR ROLL

Duane Morris congratulates the following attorneys who contributed 50 hours or more of pro bono legal services in 2018.

- |                        |                       |                          |                        |
|------------------------|-----------------------|--------------------------|------------------------|
| Dominica Anderson      | Joanne Erde           | Adam Keating             | Dana Pellegrino        |
| Kenneth Argentieri     | Terrance Evans        | Michelle Khoury          | Sarah Peyronnel        |
| Andrea Augustine       | Kevin Fee             | Meghan Killian           | Miles Plaskett         |
| Danielle Bagwell       | Brett Feldman         | Steven Knipfelberg       | Jessica Priselac       |
| Alice Barkley          | Kassia Fialkoff       | Colin Knisely            | Sheila Raftery Wiggins |
| Michael Barz           | Gina Foran            | Seth Kugler              | Nathan Reeder          |
| Maxine Bayley          | Lawrence Fox          | Anjali Kulkarni          | Michael Reiter         |
| Christopher Bennett    | Kenneth Franklin      | Elizabeth Lacombe        | Andrew Rudowitz        |
| William Berman         | Joel Freedman         | Kimball Lane             | Denyse Sabagh          |
| Brian Biglin           | Matthew Freeman       | Theresa Langschultz      | Adam Santeusano        |
| Gregory Bombard        | Patrick Gallagher     | Joanna Lardin            | Angela Santos          |
| Kelly Bonner           | Lily Gao              | Michael Leeds            | Marc Scheiner          |
| Ryan Borneman          | Melissa Geller        | Gregory Lefkowitz        | Michael Schwamm        |
| Mark Bradford          | Justus Getty          | Charles Lewis            | William Shotzbarger    |
| Eric Breslin           | Kristina Gill         | Candice Light            | Brian Siff             |
| Dawnn Briddell         | Andrew Gordon         | Kristen Lin              | Brian Slipakoff        |
| Katherine Brodie       | Katelynn Gray         | Joshua Long              | Alice Snedeker         |
| Valentine Brown        | Walter Greenhalgh     | Richard Lowe             | Richard Snyder         |
| Matthew Burrows        | Christopher Grohman   | Joseph Machi             | Breeana Somers         |
| Michael Butterman      | Amy Gross             | Anthony Martin           | Christopher Soriano    |
| Christiane Campbell    | Tyson Hafen           | Robin McGrath            | Lisa Spiegel           |
| Ralph Carter           | Samantha Haggerty     | Katharyn Christian McGee | Keith St. Aubin        |
| Teresa Cavenagh        | James Halligan        | Julie Mebane             | William Staes          |
| Andrea Christensen     | Charles Harrell       | Lisa Merrill             | Steven Sweeney         |
| Jonathan Cohen         | Jeffrey Hayes         | Evan Michailidis         | Brooke Tabshouri       |
| Richard Cohen          | Jeffrey Henderson     | Elizabeth Mincer         | Trevor Taniguchi       |
| Dean Colucci           | Joaquin Hernandez     | Daniel Minter            | Daniel Tarr            |
| Mark Comtois           | Jarret Hitchings      | Leah Mintz               | Thomas Totten          |
| Giles Cooper           | Patricia Hofstra      | Daniel Mita              | Christopher Tyson      |
| Christopher Crosswhite | Michelle Hon Donovan  | Angela Moore             | Kenneth Tze            |
| Christine Cusick Ross  | Stephen Honig         | Patrick Morand           | Maximilian Viski-Hanka |
| Jason Dang             | Amelia Huskins        | Matthew Mousley          | Daniel Walworth        |
| Richard Darke          | Miriam Hyman          | Barbara Murray           | Terry Wang             |
| Miguel de Leon Perez   | Julian Jackson-Fannin | Amrita Narine            | Bradley Wasser         |
| Jovalin Dedaj          | Fran Jacobs           | Thomas Newman            | Corey Weideman         |
| Justin D'Elia          | Katie Jacobsen        | Jason Nolan              | Keli Whitlock          |
| Rudolph Di Massa       | Harvey Johnson        | Oderah Nwaeze            | Keri Wintle            |
| Vishal Dobarra         | Allegra Jones         | Lorraine Ocheltree       | David Wolfsohn         |
| Michael Donahue        | Alexandra Jones       | Jennifer O'Sullivan      | Shiwei Wu              |
| Drew Dorner            | Drew Kapur            | Robert Palumbos          | Cindy Yang             |
| Arthur Dresner         | Spenser Karr          | Joseph Pangaro           | Sunny Yang             |
| Gregory Duffy          | Patrick Kearney       | Manly Parks              |                        |

# DUANE MORRIS ALUMNI GIVE BACK

Duane Morris Alumni Give Back formally connects, activates and encourages alumni globally to team up with current firm attorneys through its Pro Bono Program, including attending public interest CLEs and legal clinic volunteer opportunities.

An attorney with Duane Morris for nearly 20 years after joining the firm as a summer associate, **Steve Janove** began his own firm in 2002 focusing on domestic relations, criminal defense, commercial litigation and corporate investigations. He has been an active member and volunteer for decades through his synagogue, Congregation M'kor Shalom, in Cherry Hill, New Jersey. During the past several years, as he has looked toward a third act in retirement, Steve has become an active immigration pro bono attorney representing lawful permanent residents applying to naturalize as U.S. citizens through Duane Morris' pro bono clinics with the Hebrew Immigrant Aid Society (HIAS) Pennsylvania.



Steve Janove (right) at the naturalization and oath ceremony of his client, Shaquille Stevenson.



Juan Betancourt (above) at his naturalization and oath ceremony.



Jennifer Blum Feldman

Similarly, Duane Morris alumna **Jennifer Blum Feldman**, now associate general counsel in the Office of the General Counsel at University of Pennsylvania and Penn Medicine, began volunteering last year with Duane Morris' citizenship clinics. Her first client, Juan Betancourt, immigrated from Peru more than 10 years ago, becoming a United States citizen in August 2019. Jennifer also is active in the Greater Philadelphia Chapter of the Association of Corporate Counsel and is on the board of the Parent Infant Center (PIC).



# COLLABORATING LEGAL AIDS AND COMMUNITY PARTNERS

American Bar Association Survivor Reentry Program  
 American Civil Liberties Union of Pennsylvania  
 American Immigration Lawyers Association (AILA)  
 American Immigration Council  
 Atlanta Volunteer Lawyers Foundation

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Casa Cornelia Law Center  
 Center on Wrongful Convictions  
 Chicago Lawyers' Committee for Civil Rights Under Law  
 City Bar Justice Center of the New York City Bar Association  
 City Year Philadelphia  
 Community Legal Services  
 Congreso de Latinos Unidos  
 Consumer Bankruptcy Assistance Project

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Dade Legal Aid: Put Something Back  
 D.C. Bar Pro Bono Program

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Emory Law School Veterans Clinic

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Georgia Lawyers for the Arts  
 Georgia PATENTS  
 Greater Boston Legal Services

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Harvard Veterans Law Clinic  
 HIAS Pennsylvania  
 Homeless Advocacy Project (HAP)

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Immigration Equality  
 Immigration Justice Campaign  
 Innocence Network  
 Innocence Project of Southern California  
 International Refugee Assistance Project

John Marshall Veterans Legal Support Center and Clinic  
 Juvenile Law Center

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Kids in Need of Defense

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Lawyers Alliance for New York  
 Lawyers' Committee for Civil Rights Under Law  
 Lawyers' Committee for Civil Rights Under Law of the San Francisco Bay Area  
 Legal Aid of Marin  
 Legal Aid Society of San Diego  
 Legal Aid Society of San Mateo County  
 Legal Clinic for the Disabled

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Maryland Volunteer Lawyers Service

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Neighborhood Legal Services Program  
 Newark Reentry Project

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Pennsylvania Innocence Project, Public Counsel  
 Philadelphia Volunteer Lawyers for the Arts / PA Patent  
 Philadelphia Volunteers for the Indigent Program/ LawWorks  
 Pro Bono Partnership of Atlanta

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San Diego Volunteer Lawyer Program  
 SeniorLAW Center  
 Start Small Think Big  
 Support Center for Child Advocates  
 Swords to Plowshares

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Texas CBAR  
 The Bar Association of San Francisco Justice & Diversity Center  
 The Law Society of Singapore  
 The Legal Aid Society of New York City  
 The Veterans Consortium Pro Bono Program  
 TrustLaw

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Urban Justice Center's Veteran Advocacy Project

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Volunteer Lawyers for Justice

# PRO BONO LEADERS



**VALENTINE BROWN**  
Pro Bono Partner



**KATHARYN CHRISTIAN  
MCGEE**  
Pro Bono Counsel



**MERCEDES NUNEZ-SALGADO**  
Pro Bono Administrator

*The Duane Morris Pro Bono Committee, composed of attorneys and staff, leads the firm's pro bono efforts. Committee members serve as local pro bono coordinators in their respective offices and communities.*

**ATLANTA**  
 Kenneth Franklin  
 John Gibson  
 Alice Snedeker

**BOCA RATON**  
 Karen Kline  
 Angela Santos

**BOSTON**  
 Christopher Kroon

**CHERRY HILL**  
 Kathleen O'Malley

**CHICAGO**  
 Patricia Hofstra

**HOUSTON**  
 Charles Harrell

**LOS ANGELES**  
 Mohammad Tehrani

**MIAMI**  
 Miles Plaskett

**NEWARK**  
 Sheila Wiggins

**NEW YORK**  
 Pierre Bonnefil  
 Justin D'Elia  
 Lawrence Fox  
 Michael Schwamm

**PHILADELPHIA**  
 Samuel Apicelli  
 Ryan Borneman  
 Erin Duffy  
 Richard Lowe  
 Jessica Priselac  
 Daniel Walworth

**PITTSBURGH**  
 Joel Walker

**SAN DIEGO**  
 Karen Alexander  
 Julie Mebane  
 Teodora Purcell

**SAN FRANCISCO**  
 Andrew Gordon  
 Meghan Killian  
 Sean Patterson

**SILICON VALLEY**  
 Terry Ahearn

**SINGAPORE**  
 Arfat Selvam

**WASHINGTON, D.C.**  
 Rebecca Bazan  
 Denyse Sabagh  
 Christopher Tyson

**WILMINGTON**  
 Sommer Ross





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