

# THE EQUITY IMPERATIVE

DUANE MORRIS PRO BONO REPORT





Pro bono service has been an integral part of Duane Morris' culture and the backbone of our value system since the Firm's founding more than 110 years ago. Our 2018 Pro Bono Report, "The Equity Imperative," continues this tradition, shining a spotlight on the overwhelming and expanding need for pro bono legal services. In each section, we identify some of the many inequities facing individuals and families in our communities and discuss how the pro

bono work of Duane Morris attorneys is helping secure fairness and justice, both on the micro and macro levels.

Over the past year, we provided 37,000 hours of pro bono service, amounting to 3 percent of the Firm's billable hours. And, for the first time in Firm history, 99 percent of our attorneys donated time to pro bono causes. We as a Firm are very proud of this impressive rate of participation. To further understand and maximize the outcomes of our work, in 2018, we began a multiyear, multilevel project to evaluate the effect our pro bono services are having on our communities. In addition to regular surveys of our pro bono clients and legal aid partners, we also are developing new ways to measure our impact far beyond the mere number of hours or their monetary value.

I am proud to lead a Firm of such good lawyers, but more than that, I am proud to lead a Firm of such good people. We encourage you to contact us if you have any questions or ideas for new pro bono initiatives or collaborations. We hope you enjoy the report and look forward to your feedback.

**MATTHEW A. TAYLOR**  
Chairman and CEO



**IN  
2017**

**37,000+**  
PRO BONO  
HOURS DONATED  
FIRMWIDE

**OVER 55%**  
ATTORNEYS  
PROVIDING  
20+ HOURS

**59**  
RECORD HIGH  
AM LAW PRO BONO  
RANKING

# EQUITY ESSENTIALS: ACCESS TO LEGAL SERVICES

Sixty million Americans live on incomes that are at or below 125 percent of the Federal Poverty Guidelines and qualify for free legal assistance. For individuals, this is an annual income of roughly \$16,000, and for families of four, \$25,000 per year. Indeed, over 15 million Americans live in extreme poverty, defined as less than \$12,550 for a family of four inclusive of government benefits.

In Philadelphia, 26 percent of residents live below the poverty level; it is the poorest of America's 10 most populous cities. Almost 50 percent of Philadelphians live in deep poverty, or less than 50 percent of the income listed above. Across the U.S., 3 million children are in families living on \$2 a day per person.

What does this mean? One in four American families pay more than 70 percent of their income towards rent and utilities. Only about one in four families that qualify for housing assistance actually receive aid. In New York City, over 250,000 families are on the New York City Housing Authority's public housing waiting list. Over half of all renters in the U.S. are cost burdened; they spend 30 percent or more of their income on rent. And this simply represents access to a home, it does not include factors like habitability or safety.

In 2015, 2.7 million people faced eviction. But, until recently, over 90 percent of tenants in New York, Philadelphia, Atlanta and other major cities appeared in housing court pro se because they did

not have access to a lawyer. In cities like these – where around 50 percent of residents are renters – the impact is significant.

Beyond housing, in 2017, 12 percent of U.S. families experienced food insecurity (at times, they lacked access to sufficient food), including approximately 7 million children. In New York, Miami, San Francisco, Chicago, San Diego and Philadelphia, this increases to more than 20 percent of families experiencing food insecurity each year.

Nationally, there is less than one civil legal aid attorney to help every 10,000 Americans living in poverty, and in many cases, there is no right to counsel. For example, detained immigrants and children have no right to counsel in most immigration courts (New York County is one notable exception). Housing, disability benefits, domestic violence, healthcare, fraud, elder abuse and immigration are only some of the civil legal problems that 71 percent of low-income households experience each year. Yet, 86 percent of these needs receive inadequate or no legal assistance due to a lack of financial and other resources.

Over and over again, evidence shows that access to counsel in these matters prevents homelessness, protects victims from further fraud and abuse, secures legal immigration status, stabilizes income through disability benefits and more, including the experience of dignity and respect engendered by a legal advocate who really cares. This report highlights the inequities in our communities and increasing need for pro bono legal services, as well as some of the ways Duane Morris is helping fill this justice gap. We hope the report inspires you to take action in your community.



## 2018 PRO BONO AWARDS

The **Duane Morris Pro Bono Leadership Award** is given to an attorney who exemplifies the spirit of pro bono: a selfless, long-standing 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.

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.



**JULIE MEBANE** (San Diego) was honored with the Pro Bono Leadership Award for her long-term pro bono efforts with several nonprofits in San Diego and Southern California. As a vice chancellor of the Episcopal Diocese of San Diego, she has represented the diocese and various mission churches pro bono in real estate transactions. She also supported Partnership Housing, Inc., a subsidiary of Habitat for Humanity of Greater Los Angeles, in which she negotiated and drafted a disposition, development and loan agreement with the city of Bellflower to secure approval from the California Bureau of Real Estate to sell residential units in the project. In summer 2018, Julie accepted representation of three young Guatemalan boys who were separated from their fathers after entering the U.S. seeking asylum. She reunited the boys with their fathers and/or family members in the United States. Julie's pro bono experience also includes representing MarineParents.com, a public charity founded in 2003 to support Marines and their families, in connection with the successful negotiation of a trademark licensing agreement with the U.S. Marine Corps.



**BRIAN BIGLIN** (Newark) received the Pro Bono Award for his positive impact in numerous individuals who were isolated, experienced trauma, had no access to legal counsel and needed targeted, timely assistance. Brian represented a paraplegic prisoner before the U.S. District Court for the District of New Jersey in a suit concerning a county jail's failure to provide wheelchair access to the outdoors or to certain bathroom areas, and deliberate indifference to our client's need for an appropriate wheelchair, catheter, and wound care. After defeating the jail's dispositive motion, Brian obtained a settlement for a significant monetary award to trust for the benefit of our client's sons. Brian has been proactively involved with the Firm's pro bono efforts, including assisting survivors of sexual trafficking in vacating criminal convictions that were the direct result of their trafficking, representing an Afghan refugee through the International Refugee Assistance Project Chapter at Rutgers Law School, and collaborating with Amnesty International to supervise law students with research related to the sale of personal data to law enforcement.



## PRO BONO AWARD FOR THE ASIA OFFICES

*Recognizing the significant pro bono work performed by attorneys in the Firm's Asia offices, Duane Morris awarded the Firm's inaugural Asia Pro Bono Award at the annual Asia Lawyers Retreat in March 2018.*



PRO BONO LEADERSHIP AWARD

**ARFAT SELVAM** (Singapore) was honored in celebration of her career long pro bono efforts. As Managing Director of Duane Morris' Singapore office, Arfat has advised the Breast Cancer Foundation and other charitable organizations working to find a cure to breast cancer. Additionally, she aids Justice Without Borders, an international legal service provided aiding trafficking survivors in pursuing legal remedies against their exploiters, and she provides estate planning assistance to low-income seniors. Arfat is a director for the Law Society Pro Bono Services and was appointed as the Law Society Pro Bono Ambassador for 2017/2018. She previously served as President of the Law Society in 2003. Arfat was recognized for her significant leadership in championing pro bono services in Singapore and broader legal communities.



# 2018 PRO BONO ACCOLADES

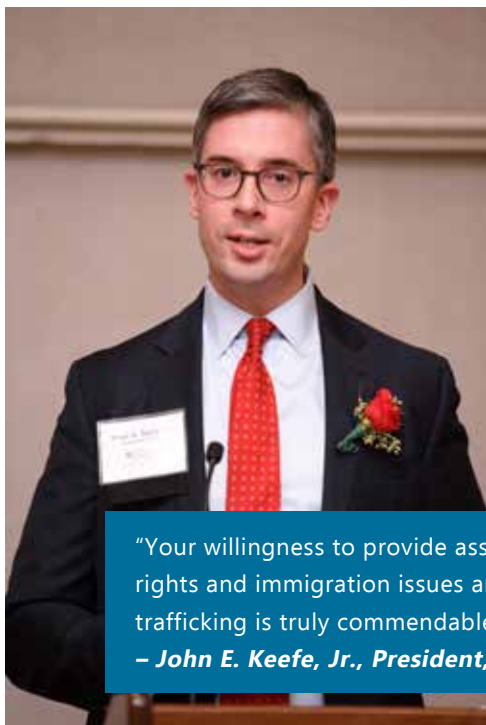
## 2018 ABA Business Law Section Pro Bono National Public Service Award

Duane Morris was honored for the Firm's donation of over 10,400 hours of pro bono legal assistance in 2017 to more than 400 nonprofits and small business entities started by low-to-moderate income individuals, furthering economic development in low-income areas.



"Duane Morris itself is entrepreneurial in its pro bono efforts, with attorneys consistently thinking outside the proverbial box concerning how to increase access to legal services for low-income clients."

**– Jennifer DaSilva, Founder and Executive Director, Start Small Think Big**



## 2018 New Jersey State Bar Pro Bono Award for a New Attorney

Associate Brian Biglin (Newark) was celebrated for his pro bono service to various New Jersey residents and legal aids, including refugees, trafficking survivors, prisoners and a local wrestling club.

"Your willingness to provide assistance to underserved and low-income New Jerseyans in civil rights and immigration issues and your advocacy for victims of commercial sexual exploitation and trafficking is truly commendable. Your efforts exhibit a true commitment to access to justice... "

**– John E. Keefe, Jr., President, New Jersey State Bar Association**



### 2018 ABA Young Lawyers Division Child Advocacy Award and 2018 Philadelphia Bar Association Large Firm Management Committee Annual Public Service Award.

Associate Theresa Langschultz (Philadelphia) was honored for her representation of a man unconstitutionally sentenced to life without parole as a juvenile in his resentencing hearing. Resentenced to 30 years to life, her client was automatically parole eligible and was paroled in May 2017.

"Your commitment to child advocacy is an inspiration, and we are thrilled to honor you with this award."

– **Dana Hrelac, Chair, 2017-2018 ABA Young Lawyers Division**

### 2018 Allegheny County Bar Association Young Lawyer Pro Bono Award

Associate Sunny Yang (Pittsburgh) received the Allegheny County Bar Association 2018 Young Lawyer Pro Bono Award for her extensive contributions supporting the arts in Pittsburgh, Pennsylvania, including work with the Volunteer Lawyers for the Arts - Greater Pittsburgh Arts Council and the Pittsburgh New Music Ensemble.



"Sunny is a good person and exemplary professional. She has done amazing work for the Pittsburgh New Music Ensemble and Greater Pittsburgh Arts Council over the last few years, helping to enrich Pittsburgh's arts and cultural community."

– **Larry Castner, Manager of Skilled Volunteer Services, Greater Pittsburgh Arts Council**



### 2018 Massachusetts Bar Foundation President's Award

Duane Morris alumnus Albert Zabin was honored with the President's Award for his pro bono service with Greater Boston Legal Services in retirement.

"He is dedicated and passionate about equal access to justice. Through his volunteer work with the MBF, he has helped strengthen the network of civil legal assistance available to individuals and families in need across the state. After [retiring], Zabin volunteered to do an Access to Justice Fellowship at Greater Boston Legal Services (GBLS). Even though the fellowship commitment is over, he continues to volunteer as a full-time staff attorney at GBLS."

– **Massachusetts Bar Foundation**



# INTERNATIONAL

## Empowering Women One Pad at a Time

On any given day, more than 800 million women between the ages of 15-49 are menstruating. Global lack of access to effective and affordable menstrual products undermines efforts to create sustainable improvements in human well-being, gender equality, social and civil empowerment. For the majority of women worldwide, the traditions associated with menstruation have life defining, negative repercussions.

Our client empowers women by creating extremely affordable, high performance products that support women's autonomy. Products also respect the environment, as they are reusable and consume minimal water to wash. Duane Morris is securing a patent for the client's menstrual products. In its pre-revenue state, our client has reached 20,000 plus users in over 26 countries in its efforts to ensure that financial and social status do not dictate access to quality menstrual products.

## Amplifying Syrian Voices

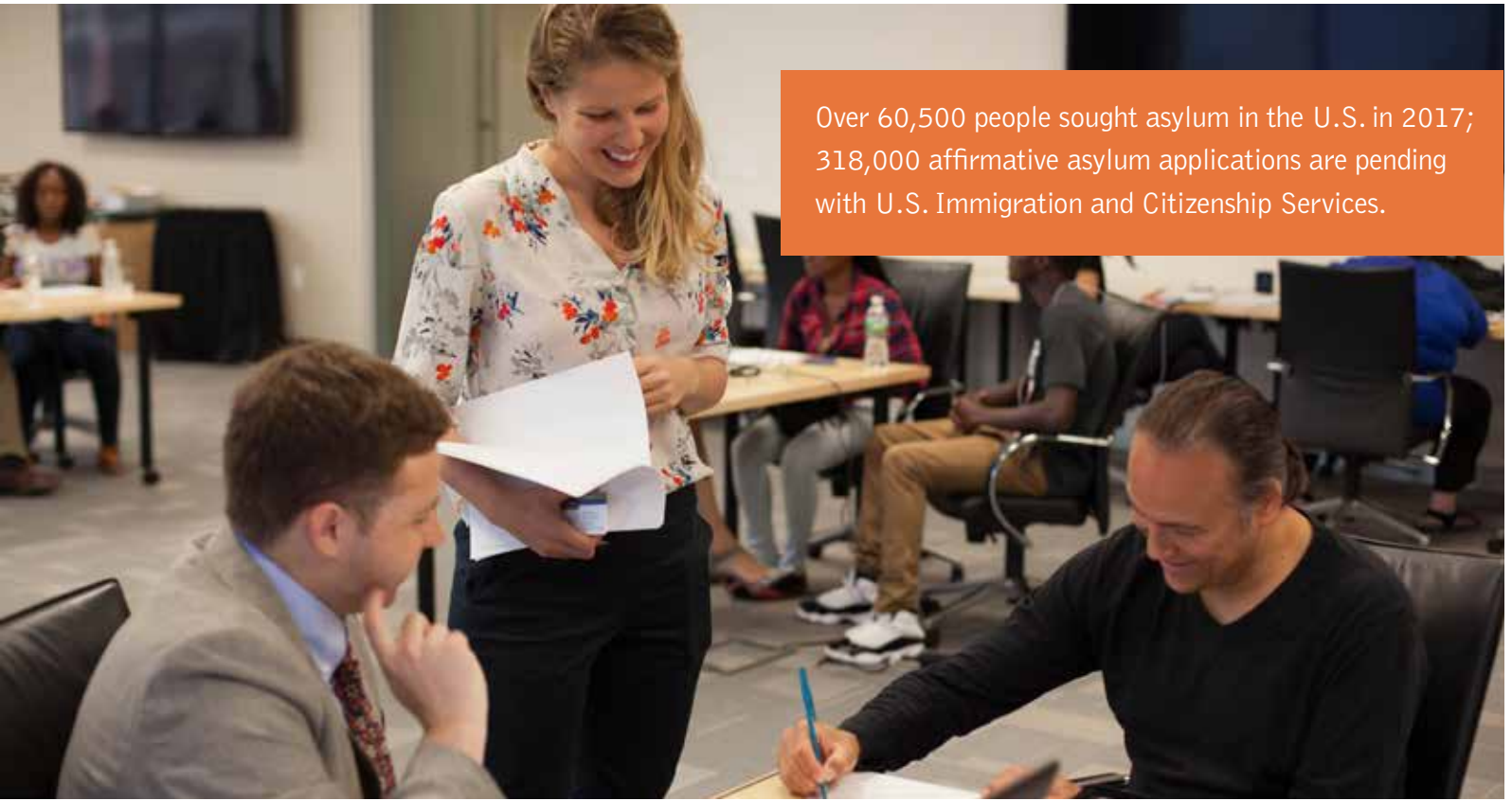
Duane Morris attorneys in London and the United States counsel Syrian humanitarians demanding democracy in the ongoing civil war, specifically White Helmets rescue workers, medics/aid workers, advocates

seeking to prevent the sale of Syrian antiquities and more. Using creative, digital communication and storytelling, advocates tell the stories and goals of these humanitarians. Our attorneys advise advocates on data protection laws in the United Kingdom and United States, specifically under the new General Data Protection Regulations.

## Should Law Enforcement Be Able to Buy Privately Aggregated, Commercial Data Profiling People Based on Religion or Other Identities?

Attorneys teamed up across multiple offices to assist Amnesty International in analyzing threats to the right to privacy arising from government access to data held by commercial data brokers (i.e., private companies that buy, sell and aggregate personal data). The team researched and drafted a report addressing whether and how United States law regulates the purchase and use of personal data by federal, state or local law enforcement. The team also shared insight with Amnesty International concerning ways in which the United States Supreme Court's 2018 decision in *Carpenter* may shape future Fourth Amendment jurisprudence on private information obtained from cell phone usage.





Over 60,500 people sought asylum in the U.S. in 2017; 318,000 affirmative asylum applications are pending with U.S. Immigration and Citizenship Services.

## THE INTEGRITY IMPERATIVE: IMMIGRATION

### Nicaraguan Ignored by Government Flees Domestic Violence and Gets Asylum in U.S.

Our client grew up in a small, rural Nicaraguan town. At 16 years old, she moved in with her domestic partner and his family. Less than a month later, the partner began a pattern of physical, sexual and verbal abuse that continued for over 20 years, including violence and attempts to kill her in front of their children. While our client reported the abuse to local police numerous times and tried to run away, the violence never stopped. The partner's family enjoyed special political and social influence in the town.

Ultimately, our client fled to the U.S., and she was detained upon entering claiming asylum. Attorneys in Florida and New York obtained her release by placing her under supervision of a U.S. citizen sponsor. They sought asylum or relief under the Convention Against Torture as the Nicaraguan government and authorities failed or were unable to protect our client against domestic abuse. After tenacious advocacy, our client obtained asylum as well as work authorization and Social Security benefits.

### Helping Afghan Interpreter Obtain Refugee Status

Our client seeks a special immigrant visa based on his courageous service on behalf of the U.S. Marine Corps as a tactical interpreter in Afghanistan for over 19 months. The client assisted during the Battle of Sangin in high-level discussions with civilian elders and was regularly exposed to enemy fire. Enemy forces targeted our client and his family with threats and "night letters" demanding members of our client's mosque turn him over to the Taliban.

Our client's commanding officers and employer both supported application for a special visa. Yet, our client's Chief of Mission approval (necessary for a special immigrant visa) was denied based on erroneous information that he was terminated and did not meet requirements for faithful and valuable service to the U.S. government. In fact, our client resigned after he was notified he would be assigned to assist another country's armed forces, whom he did not support.

Working with the International Refugee Assistance Project Chapter at Rutgers University Law School (Newark) and Rutgers law students, attorneys appealed to the State Department's Afghanistan Chief of Mission advocating to have our client's Chief of Mission approved. In 2018, our client received his approval, paving the way for a potential special immigrant visa that will afford him a life free from fear.

### What Is Considered a Valid Parental-Child Relationship for Immigration Purposes?

This question was at issue before the U.S. Court of Appeals for the Third Circuit, in which Duane Morris represented the ACLU of Pennsylvania *amicus curiae*. The petitioner, an Ecuadorian national, entered the U.S. without status in 1996 and began dating his now wife in 2010. In 2013, the wife returned to Ecuador with her children – all U.S. citizens – to care for a sick relative. She bore another son, the biological child of petitioner. The wife’s eldest child returned to the U.S. in 2014 to complete high school under the care of petitioner, and the parties married in an Ecuadorian proxy marriage in 2015. Around the same time, petitioner was charged removable from the U.S. by Immigration and Customs Enforcement.

Petitioner sought to cancel his removal under the Immigration Nationality Act, as his removal would result in exceptional and extremely unusual

hardship to his eldest stepson, a U.S. citizen. The Executive Office of Immigration Review and Board of Immigration Appeals denied the petitioner’s application because the parties’ proxy marriage had not been consummated after the marriage, and as a result, they deemed the stepson was not petitioner’s “child.”

Duane Morris argued the Immigration Nationality Act does not preclude a minor from becoming a “child” if the parental relationship results from a proxy marriage, and the validity of the proxy marriage is a matter of the law of the place where the couple married. The Third Circuit agreed, finding Ecuador recognizes proxy marriages; therefore, under Ecuadorian law the stepson is petitioner’s “child” and petitioner is eligible for cancellation of removal. Petitioner is pursuing his claim for cancellation of removal in immigration court.

**2,700**

children separated from their parents between October 2017 and May 2018

**3M+**

immigrants eligible to naturalize

**750,000**

U.S. citizenship applications each year





### Families Separated for Over Three Months Under Zero Tolerance Policy Reunited

In spring 2018, several Duane Morris attorneys volunteered to represent children separated from their parents as a result of Department of Justice's Zero Tolerance Policy. Many of these children were part of the group of 700-plus children who remained separated after the government's July 26, 2018, deadline to reunite all children.

In one case, our clients – two brothers ages 9 and 11 – traveled from Guatemala with their father fleeing violence and seeking better education, jobs to buy food and safety. Upon crossing the United States border, the family was detained and the boys were separated from their father two days later. For three months, the father had no idea where his sons had been taken; the boys were placed in a detention center in upstate New York. Working with the Guatemalan Consulate, Office of Refugee Resettlement and local advocates, Duane Morris attorneys located the boys – whom had not spoken with a family member during this entire time – and helped reunite them with their father. The family was paroled and moved to live with their sister/aunt sponsor in Missouri while seeking asylum in the U.S. Working through the Association of Pro Bono Counsel, Duane Morris located local immigration attorneys to pick up the case and continue representing the family.

In a second case, Duane Morris represents a 10-year-old boy who was separated from his father upon crossing the border in or around May 2018. The father was held in a cell with only one sandwich a day until he signed voluntary deportation orders, which were written in English. The father only speaks Spanish, and he cursorily was deported to Guatemala. Duane Morris represents the son in uniting with his uncle in the United States and in a special immigrant juvenile status petition to remain as a dependent child without proper parental authority or control. Following significant advocacy before the immigration court in Houston, Texas, our client was united with his uncle on October 12, 2018, after five months with no contact with his family. Our client's resilience and spirit are strong. When asked by a Houston immigration court judge if he was doing OK, our client responded that he really liked the pizza and asked if he could have seconds.

### Is It Possible to Do 360 Acts of Citizenship in 365 Days?

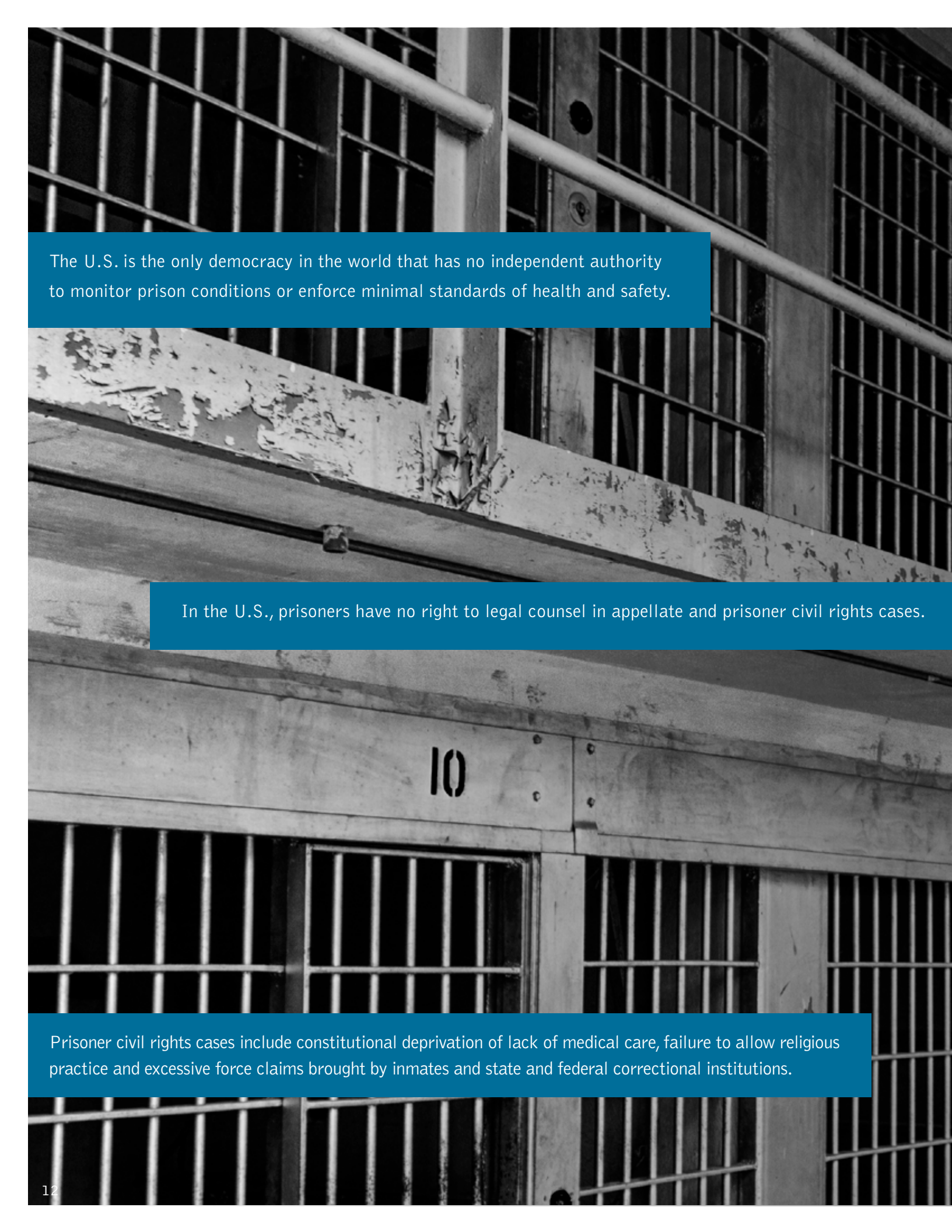


This was the challenge posed to Duane Morris attorneys and staff in response to the various immigration crises of 2017. Beyond providing security to lawful permanent residents residing in the United States, naturalized citizens also earn more money than noncitizen immigrants, strengthening their local economies. Citizens also can vote, hold government jobs and elected office, and sponsor their family members who in turn may bring more money and stability into local families and economies.

From June 2017 to June 2018, 363 acts of citizenship were completed. Following the campaign, an additional 100-plus acts have been completed. Hailing from five continents and over 25 countries, clients ranged in age from 16 to 73 years. Acts of citizenship included attending pro bono clinics and information sessions to advise immigrants on their eligibility, representing individuals in their naturalization applications, attending naturalization interviews and more. Throughout the challenge, Duane Morris partnered with TD attorneys and paralegals.



*Philadelphia Mayor Jim Kenney launched Philadelphia's New Americans Campaign, which will aid 500 more individuals before the end of 2018. Duane Morris was one of the leading firms participating in the effort.*



The U.S. is the only democracy in the world that has no independent authority to monitor prison conditions or enforce minimal standards of health and safety.

In the U.S., prisoners have no right to legal counsel in appellate and prisoner civil rights cases.

Prisoner civil rights cases include constitutional deprivation of lack of medical care, failure to allow religious practice and excessive force claims brought by inmates and state and federal correctional institutions.



# THE PROPRIETY

## IMPERATIVE:

### CRIMINAL DEFENSE AND PRISONERS' CIVIL RIGHTS

#### Man Sentenced to Life Without Parole at 16 Now Eligible for Parole in 8 Years

In 1996, our client confessed to multiple murders and was sentenced to life without the possibility of parole at 16 years old. His father sold illegal drugs, and our client started drinking alcohol at 8 years old and using illegal drugs at age 11. Sentenced at 16 for murder, our client has been incarcerated for 21 years. During this time, he earned his GED certificate, participated and served as a leader volunteer in Alcoholics Anonymous and Narcotics Anonymous, and obtained his barber's license. He successfully completed more than 23 personal improvement programs offered by the Pennsylvania Department of Corrections, and he was ordained a deacon in the Church Behind Bars. As part of his spiritual outreach efforts, our client created a mentoring program inviting members of the Mennonite community to visit inmates lacking connection to the outside world.

Duane Morris attorneys represented our client in his constitutionally mandated resentencing hearing pursuant to *Miller v. Alabama (2012)* and *Montgomery v. Louisiana (2016)*, successfully petitioning the Court of Common Pleas of Philadelphia County to reduce our client's sentence from life without the possibility of parole to 30 years to life. Pending completion of the remaining eight years of his sentence and parole being granted, our client hopes to open his own barbershop and mentor returning citizens and at-risk youth.

In collaboration with the Juvenile Law Project, Youth Sentencing and Reentry Project and Atlantic Center for Capital Representation, since 2016 Duane Morris has represented eight Pennsylvanians sentenced to life without parole at 16 or 17 years old in their resentencing hearings pursuant to *Miller v. Alabama (2012)* and *Montgomery v. Louisiana (2016)*.

#### Redressing County Jail's Practice of Denying Accessibility to Disabled Prisoner

Paralyzed, our client requires use of a wheelchair as well as grips and supports to maintain his daily care. While incarcerated in a New Jersey county jail, the jail failed to provide a handicap accessible shower or bathing seat, which led to the client's pressure sores becoming infected when he was unable to clean himself properly. The jail likewise had no ramps to the prison yard, so the client's fellow inmates had to carry him up and down to the yard.

**500**

prisoner civil rights case in the Eastern District of Pennsylvania's docket each year

**≈ 2,000**

U.S. juveniles incarcerated for life without parole

**20%**

of the Southern District of New York's docket is made up of prisoner civil rights case

**1 in 3**

Americans have some kind of criminal record



Finally, the client's catheter was not replaced weekly as medical instructed; instead, it only was replaced once a month, which led to additional medical issues and infections. A team of Duane Morris attorneys represented the client in a Section 1983 civil rights action alleging these failures violated the client's constitutional rights and federal law and led to various, painful medical conditions suffered while incarcerated. The team negotiated a settlement for a significant monetary sum, and helped reform the jail's policies.

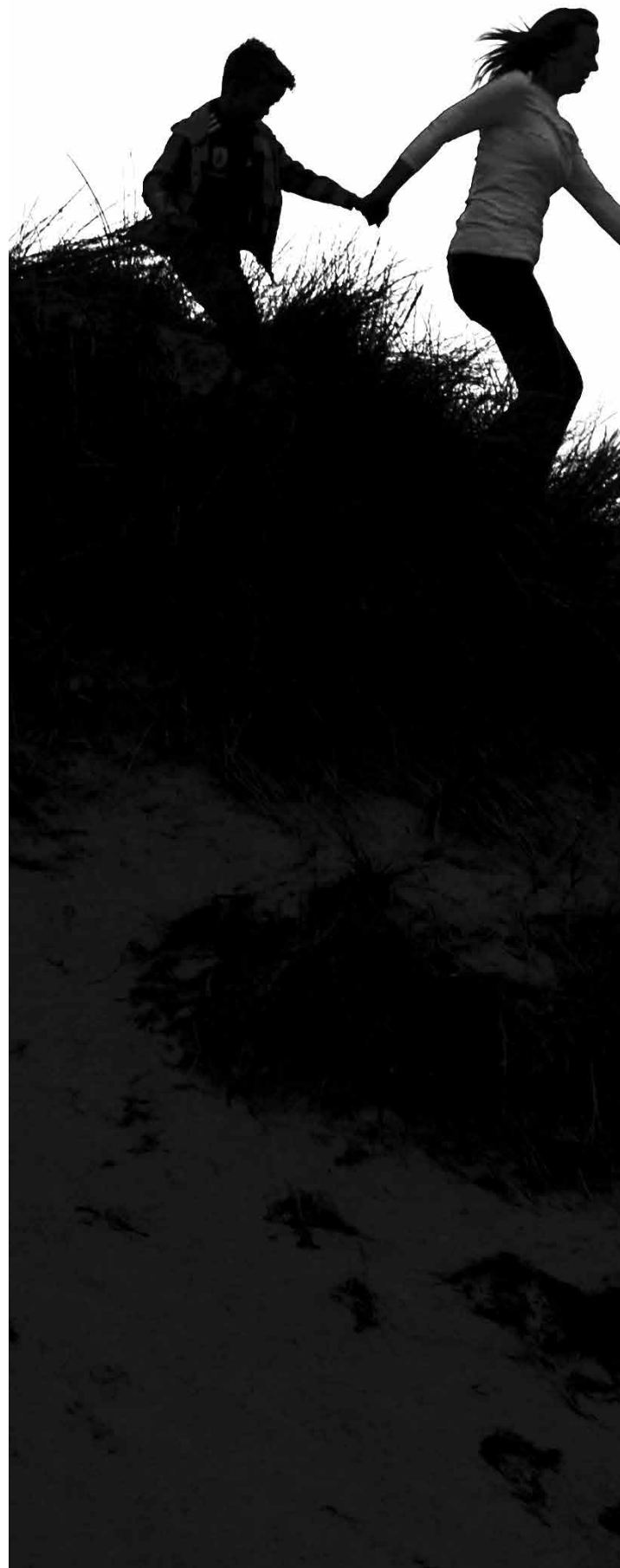
### Ensuring Client Received Medically Appropriate Care in Prison

Our client has been incarcerated for many years. For the past six years, he has sought surgery for a "massive hernia" (as described by doctors, over 90 percent of his intestines were outside his body) amid refusals by the state's department of corrections. Attorneys were court appointed to represent the client team after three prior law firms failed to achieve a successful result. The pro bono team worked graciously and with tenacity to obtain the needed surgery, negotiating with opposing counsel, the prison and a medical services provider to make sure the neglected medical care was paid for appropriately.

### Ensuring Reliability of Expert Evidence in Criminal Cases

Duane Morris represented Seton Hall School of Law's Last Resort Exoneration Project pro bono as *amicus curiae* in a seminal New Jersey Supreme Court case reversing the Court's prior decisions regarding what is known as Child Sexual Abuse Accommodation Syndrome (CSAAS) and holding that evidence of the syndrome flunked the reliability standards of New Jersey Rule of Evidence 702. Evidence of CSAAS previously was admitted in criminal cases to explain why children reported sexual abuse long after the alleged abuse occurred and why some children recanted. The decision withdrew judicial acceptance of the previously recognized form of expert testimony.

Attorneys argued the Court should abandon the *Frye* standard of "general acceptance" for expert reliability and adopt the standards set forth in *Daubert* — that is, the Court should apply a "task-specific" or "case-specific" approach to reliability. The Court signaled its willingness to apply the *Daubert* standard in future criminal cases and directed the Committee on Model Jury Charges to develop an appropriate charge for delayed disclosure.





## THE JUSTNESS IMPERATIVE: CHILDREN & FAMILIES

### Mount Sinai Health System and Duane Morris Create Medical-Legal Pro Bono Project

Duane Morris, in collaboration with Mount Sinai attorneys, medical professionals and social workers, launched a new medical legal pro bono project benefiting Mount Sinai Queens and Mount Sinai Brooklyn patients with limited income/resources and legal issues affecting their health. Attorneys staff clinics every other Friday in Queens and operate the Brooklyn clinic on a referral basis, answering questions and performing full-representation intakes on estate planning, guardianships, immigration, benefits, and landlord/tenant and housing issues. Within the first six months, the project has assisted 75-plus patients.

One client was a former jazz musician – inducted into the Jazz Hall of Fame – who now is disabled and receiving public assistance. For many years, he lived in an apartment with his mother, the original tenant of record, who recently moved into a nursing home. Thereafter, the

## OUR IMPACT

in last 12 months

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**150+**  
patients/  
clients  
served via  
medical-legal  
partnerships



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**66**  
income  
stability  
matters



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**27**  
guardianship  
and children  
cases



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**25**  
family  
matters



landlord tried to evict our client in a classic landlord/tenant succession case. In New York, tenants who meet familial relationship and related requirements have a right to succeed the original tenant and maintain the original tenant’s rental agreement with the landlord. Duane Morris attorneys confirmed, documented and asserted our client’s right to succeed his mother as the tenant of record, thus preventing him from being evicted from his home. The client now is secure in his tenancy at a monthly rent he may afford, and he and his family are thrilled.

### Should Prenatal Substance Exposure Be Civil Child Abuse?

Duane Morris represented the Philadelphia Department of Human Services, Support Center for Child Advocates, Juvenile Law Center, KidsVoice and local medical professionals and toxicologists *amicus curiae* before the Supreme Court of Pennsylvania arguing prenatal substance exposure should not be defined as child abuse under Pennsylvania’s Child

Protective Services Law as such categorization is unnecessary to protect Pennsylvanian children. *Amici* urged the court that treating substance exposure as civil child abuse would harm children, contravene prevailing standards of care for treatment of prenatal substance exposure, and impose lasting limitations on children and the children’s family.

Our attorneys argued construing prenatal substance exposure as child abuse fails to further neonatal or maternal health; the prevailing standard of care recognized by every leading medical and public health organization prescribes treating exposure as a health concern best addressed by education, prevention and community-based treatment, not punitive actions. The team further argued that subjective selection biases and drug testing inaccuracies would result in unlawful discriminatory practices that disproportionately harm women of color as well as poor and rural women.



*Duane Morris Pro Bono Counsel Kat McGee trains in-patient social work team leads at Mount Sinai Queens.*



*Duane Morris and Mount Sinai Medical-Legal Partnership sign a memorandum of understanding for the new legal clinics.*

“Tens of thousands of New Yorkers live well below the poverty line and are plagued by social and environmental conditions that threaten their health. We are combatting legal issues exacerbating our patients’ health problems and helping them maintain safe, affordable housing, preserve their income and family unity, and stabilize their immigration status. The uncommon knowledge and ability of the Duane Morris professionals is matched by an enormous investment in the well-being of their clients. Every avenue is investigated until the optimum result is achieved. We could not ask for a better, more dedicated pro bono partner.”

**– Barbara Berger Opatowsky, President, Mount Sinai Medical-Legal Partnership**





**80%**

low-income families experiencing legal problems received inadequate or no help with 87% of their needs

**60%**

of a person's health is determined by social factors (income, insurance, housing, education, immigration status, stability)

**1 in 4**

low-income households experience 6+ civil legal problems a year

**1 in 45**

children in the U.S. experience homelessness

# THE OPPORTUNITY

## IMPERATIVE:

### COMMUNITY ECONOMIC DEVELOPMENT

#### **Making Her Mark Through Makeup**

Pound Cake is on a mission to highlight and represent all shades of beauty while disrupting current industry standards. It is the first company to create lipsticks specifically designed for each person's individual lip tone. Duane Morris attorneys secured a federal trademark registration for POUND CAKE® and are

helping enforce the mark. Duane Morris likewise represents Pound Cake in negotiating manufacturing agreements with a company producing Pound Cake's makeup.

#### **Securing Gender Equity for Entrepreneurs**

The leading global platform empowering over 20,000 female entrepreneurs to build and scale successful companies, SheWorx is a leading female entrepreneur event series that democratizes access to top investors and actionable business strategies through global roundtables and summits. SheWorx is driving the movement for gender parity in entrepreneurship and focuses on closing the funding gap through collaboration, not competition. Duane Morris assisted SheWorx at various stages of development, including its formation and partnership issues.

**99%**

women-owned businesses are small businesses employing 500 workers or less

**36%**

businesses are women-owned and employ over 8.4+ million workers

**12%**

all sales accounted for by women-owned businesses

**>19%**

patents are granted to women, yet women are more likely to engage in product innovations





### Connecting Women in Technology

Our client started as a meetup forum for women to learn and share ideas and experiences with blockchain technology. During the last several years, they have grown significantly in size – reaching more than 2,000 members in New York City – and stature, with goals to increase diversity and inclusion in the blockchain/tech industry, act as a catalyst for women to take on leadership roles in the industry, and to promote public, social impact applications using blockchain technology. Duane Morris has assisted the client in setting up its 501(c)(3) nonprofit status and protecting its intellectual property during this growth.

### Educating Women Entrepreneurs

Empowering Women in Technology Startups (EWITS) provides women with hands-on entrepreneurial training and skills. Duane Morris attorneys dedicate hundreds of pro bono hours advising women on corporate governance, patent and trademarks, and other startup advice through EWITS as the female entrepreneurs launch new businesses and develop new technology.

### Moms Unite to Fight Autism

Founded by two mothers via social media while researching treatments for their autistic children with medicinal botanicals, Whole Plant Access for Autism (WPA4A) began by holding local meetings to help families learn from each other. Word quickly spread with members joining the cyber support groups from all over the world. Two years later, Duane Morris met WPA4A and helped it form as a nonprofit corporation and trademark its name. WPA4A now may focus its resources and efforts on education, learning and teaching different methods of administration.



## OUR IMPACT in last 12 months

Served  
**215**  
Nonprofits

**30**  
Microentrepreneurs

**76**  
Trademarks

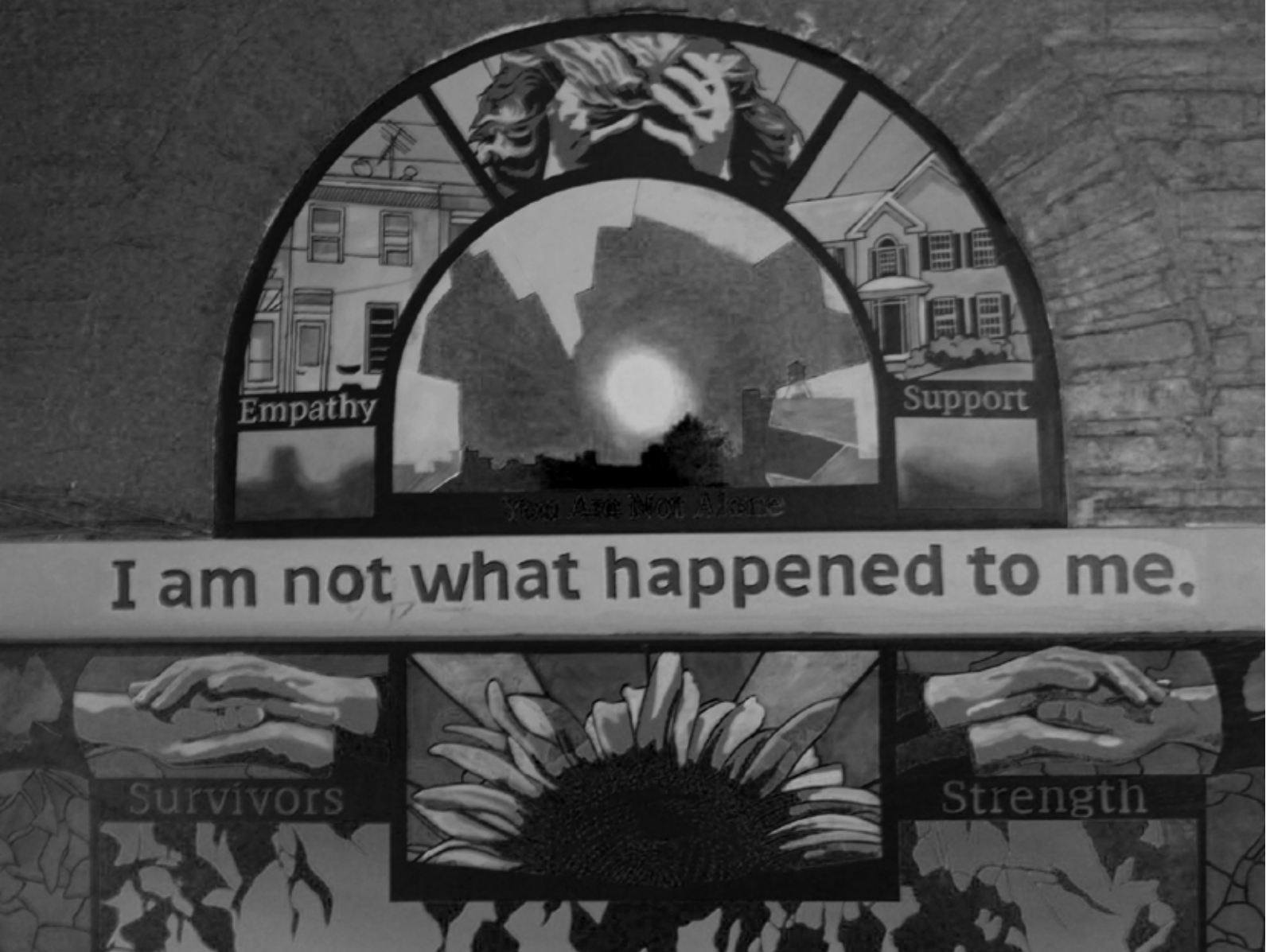


**33**  
Patents



**29**  
Copyright  
and other IP  
matters





### Collaborating to Support Families Facing Trauma and Hunger in Philadelphia

Established in 1902, Lutheran Settlement House has served children, adults, families and immigrants living in Philadelphia's Fishtown neighborhood for over a century. Led by an all-female leadership team, LSH harnesses more than 6,000 volunteer hours annually through programs such as: Jane Addams Place, a homeless shelter for 70 children and 30 parents; bilingual, free domestic violence counseling and medical advocacy in hospitals across the region; adult education and job training; a senior center with caregiver support and counseling; and Hungry to

Healthy, a food pantry providing healthy options to low-income families, cooking classes to Jane Addams Place residents and cultivating an intergenerational urban farm.

Duane Morris attorneys provide legal counsel on issues ranging from employment law to real estate advice. In 2018, attorneys represented LSH in lease negotiations to move Jane Addams Place to its new, larger home in North Philadelphia, where LSH will expand its community footprint and services. Duane Morris also teams up with LSH to provide legal representation to clients in the bilingual domestic-violence counseling program.

## THE RESPECT IMPERATIVE: VETERANS

### Righting Wrong for Woman Discharged Due to Pregnancy

Our client enlisted with the U.S. Marine Corps at 17 years old, serving as a dedicated, successful Marine for more than three years before she was forced to leave the Marines because she was pregnant. Upon learning she was pregnant with her second child, our client was told she was being involuntarily discharged because the Marines believed they could not deploy her due to being a single parent with two children. This discharge occurred during the months following the September 11, 2001, terrorist attacks, and our client had, in fact, made preparations for child care if she was deployed. But, our client's military records did not contain record that she was ever consulted about her child care plan.

In 2002, our client was discharged involuntarily with a characterization of "General (under honorable conditions)" and a narrative reason of "parenthood." As a result, she was denied a career in the Marines, prevented from securing some government jobs, denied access to certain veteran's benefits and felt deep embarrassment when she had to address her discharge characterization in professional or personal settings.

In the 14 years since being discharged, our client successfully raised her two children as a single mother. She is starting a Saturday school for students to learn about their African heritage and develop leadership skills.

Duane Morris attorneys successfully represented the client in a hearing before the Naval Discharge Review Board in Washington, D.C., advocating that the client's discharge was inequitable because she had no misconduct that warranted discharging her less than honorably. Her military record demonstrated she was qualified and deserving of an honorable discharge, and she was awarded accolades just months before her discharge, including the Good Conduct Medal and National Defense Service Medal. Our client's discharge status was upgraded to "Honorable," permitting the client to move forward with her life without undue stigma.

## THE PROBLEM



In 2017, low-income veterans and military families received inadequate or no professional help for **88%** of their civil legal needs.



**1 in 4** women & **1 in 100** men experience military sexual trauma.



**71%** of veterans/military families experience at least one civil legal problem a year.

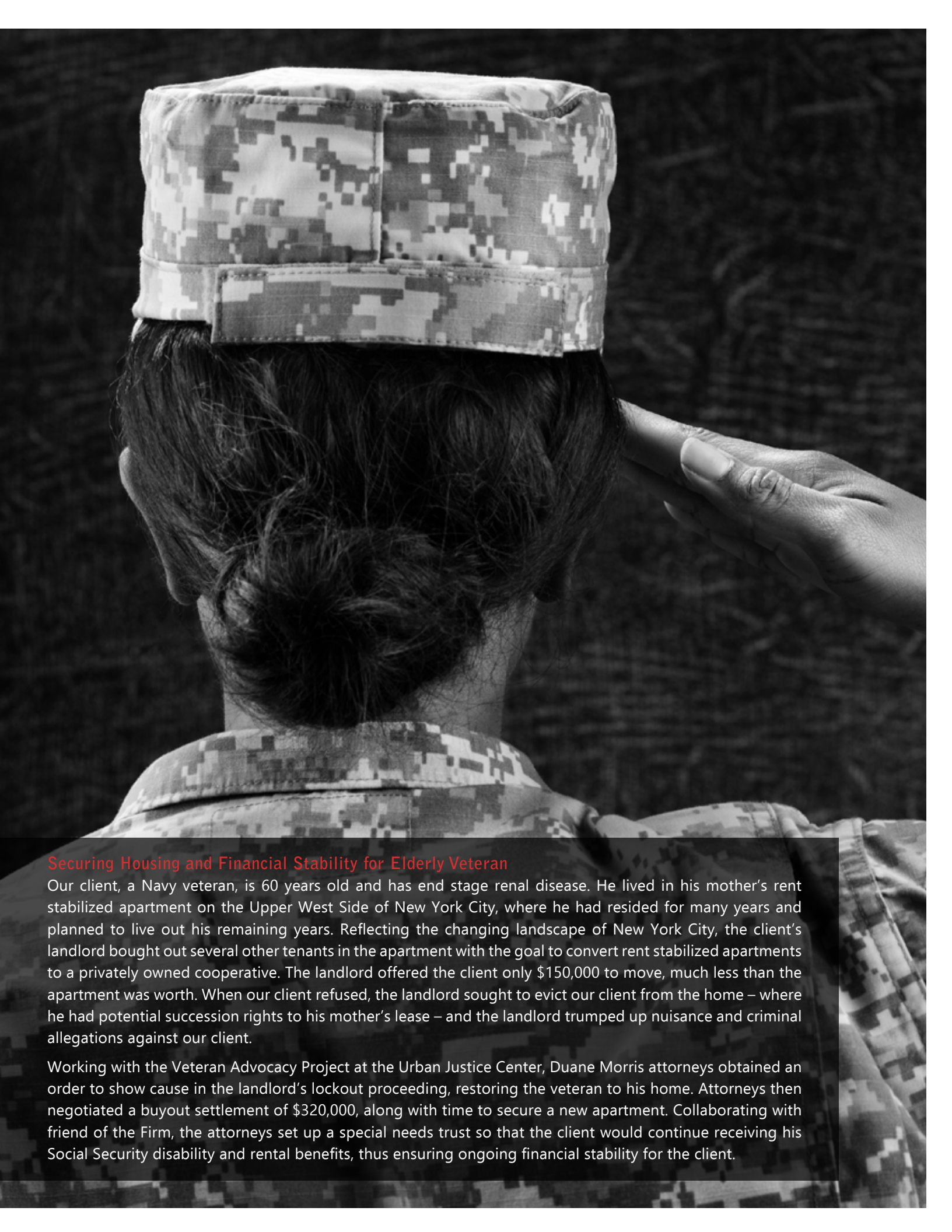


**1.7M** veterans live in poverty, **1.4M** veterans are at risk for homelessness and **11%** of homeless adults are veterans.



**50%** of returning veterans who need mental healthcare seek assistance; and only slightly more than **1/2** receive adequate care.



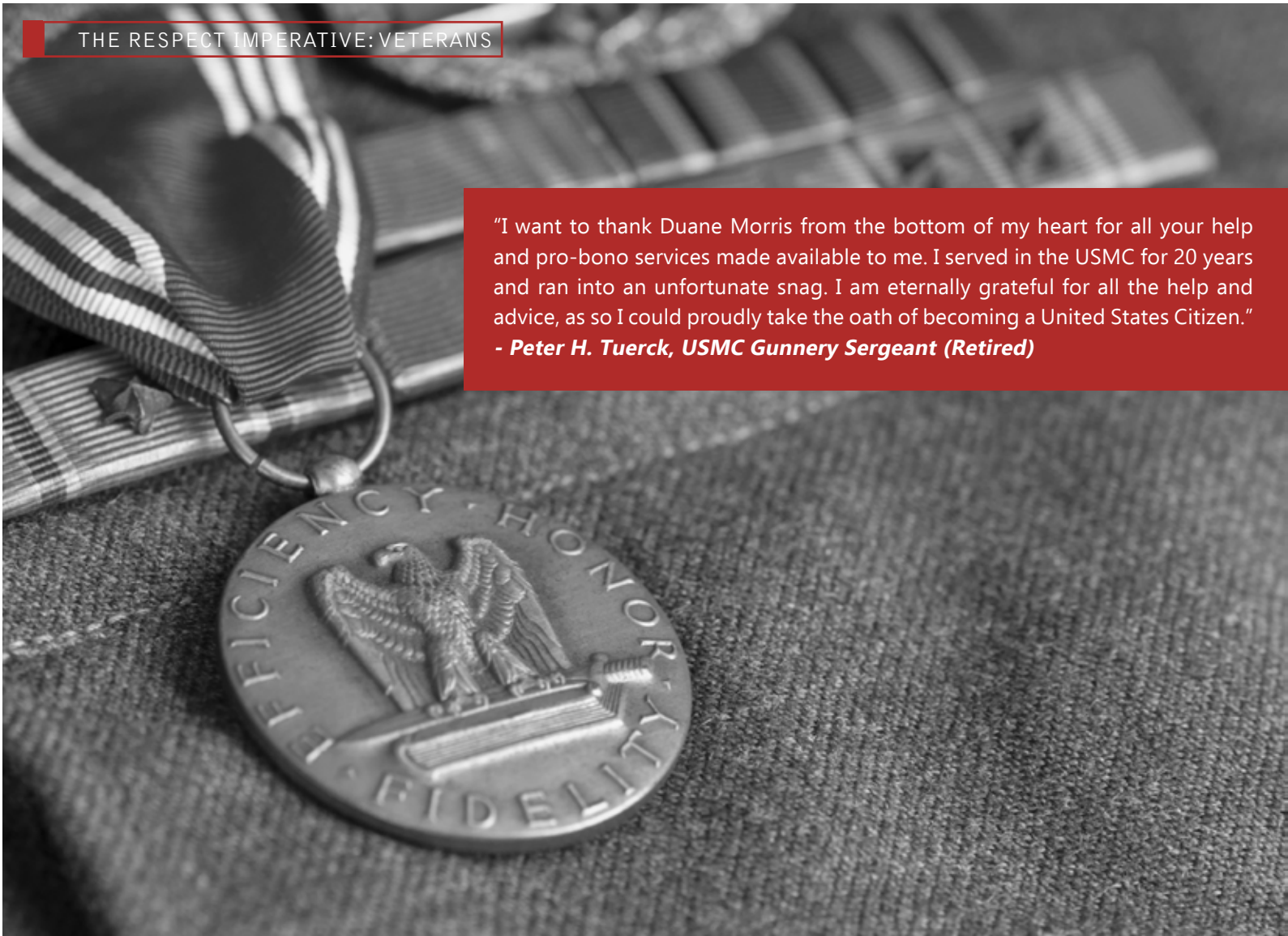


### **Securing Housing and Financial Stability for Elderly Veteran**

Our client, a Navy veteran, is 60 years old and has end stage renal disease. He lived in his mother's rent stabilized apartment on the Upper West Side of New York City, where he had resided for many years and planned to live out his remaining years. Reflecting the changing landscape of New York City, the client's landlord bought out several other tenants in the apartment with the goal to convert rent stabilized apartments to a privately owned cooperative. The landlord offered the client only \$150,000 to move, much less than the apartment was worth. When our client refused, the landlord sought to evict our client from the home – where he had potential succession rights to his mother's lease – and the landlord trumped up nuisance and criminal allegations against our client.

Working with the Veteran Advocacy Project at the Urban Justice Center, Duane Morris attorneys obtained an order to show cause in the landlord's lockout proceeding, restoring the veteran to his home. Attorneys then negotiated a buyout settlement of \$320,000, along with time to secure a new apartment. Collaborating with friend of the Firm, the attorneys set up a special needs trust so that the client would continue receiving his Social Security disability and rental benefits, thus ensuring ongoing financial stability for the client.

"I want to thank Duane Morris from the bottom of my heart for all your help and pro-bono services made available to me. I served in the USMC for 20 years and ran into an unfortunate snag. I am eternally grateful for all the help and advice, as so I could proudly take the oath of becoming a United States Citizen."  
- Peter H. Tuerck, USMC Gunnery Sergeant (Retired)



### Veteran Becomes U.S. Citizen After Living in U.S. for 50+ Years with No Immigration Status

Our client immigrated to the United States in 1956 when he was 5 years old. His parents never secured lawful permanent resident status for him, which he did not learn until he retired and applied for Social Security benefits. This is despite the client being a 20-plus year U.S. Marine Corps veteran. The Social Security Administration had no record of his immigration status and refused to release his retirement benefits. Duane Morris attorneys represented the veteran in applying to naturalize as a U.S. citizen based upon his military service and the client became a citizen in September 2018.







### Teaming Up to Create Legal Clinics at VA Medical Centers Across the Country

In 2018, Duane Morris attorneys launched a new medical-legal pro bono project providing legal assistance to veterans directly at the Atlanta VA Medical Center. Duane Morris attorneys teamed up with The Home Depot, Emory Law School and Atlanta Volunteer Lawyers Foundation to staff clinics providing estate planning/drafting for more than 70 veterans and family members thus far. Volunteers also teamed up to co-counsel on veterans' service connected disability benefits appeals before the U.S. Court of Appeals for Veterans claims through The Veterans Consortium Pro Bono Program.

The Atlanta clinic built upon Duane Morris' success collaborating with the Veterans Administration, The Veterans Consortium Pro Bono Program and Neighborhood Legal Services in Washington, D.C., to develop and staff weekly legal clinics at the D.C. VA Medical Center and in facilities across the D.C. Metro area. The first legal clinics to specifically serve D.C. area veterans when launched in fall 2016, the clinic – now housed in its own office space at the VA Medical Center – has served over 700 veterans.

*"I would like to thank you for all the support your team is providing for our veterans. You all have been great with helping out with these Wills on Wheels for Veterans."*

*-Anthony Cooper, Ph.D., Chief, Voluntary Service, Atlanta, VA Health Care System*

IN THE LAST  
12 MONTHS

**141**  
VETERANS  
SERVED





## THE JUSTICE IMPERATIVE:

### AIDING TRAFFICKING SURVIVORS

#### 25 Criminal Convictions Vacated for Trafficking Survivor

Our client moved to the United States at 3 years old with her father as lawful permanent residents; she last visited the Dominican Republic at 8 years old. Her father became an abusive alcoholic distracted by a string of girlfriends, and our client bounced between family members and being sent back to the Dominican Republic for visits. She regularly was pulled out of school mid-year, and she did not complete most of her elementary or middle school education. Eventually, she dropped out of school. When she was 11 years old, she was molested by her aunt's husband and her cousin's friend. She ran away and met a boyfriend who began trafficking her.

At 16 years old, she became pregnant by one of her traffickers. After her third child was removed from her care at birth, she decided to flee her trafficker and the life. This was incredibly dangerous; her trafficker was arrested several months later.

Two years ago, she regained custody of all her children and has worked to provide them stable, secure childhoods since that time. Our client's misdemeanor criminal convictions, which were the direct result of her being trafficked, were the sole basis for removal proceedings. Facing deportation and separation from her children, Duane Morris attorneys successfully moved to vacate all 25 convictions, which has the effect of the government stating the convictions were in error and never existed. Our client moved to reopen her removal order and is working to stabilize her immigration status in the U.S.

**90%**

trafficking survivors  
have criminal convictions  
that are the direct result of  
their trafficking

**80%**

trafficking survivors  
report facing barriers to  
employment

**50%**

trafficking survivors  
face barriers  
to housing



# PARTNERING WITH OUR NETWORK: ALUMNI GIVE BACK

A new project aimed at increasing access to justice and deepening the Firm's pro bono commitment, **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.

## Alumni Spotlight



### Marissa Boyers Bluestine

In Philadelphia and Pittsburgh, the Pro Bono Program supports alumna Marissa Boyers Bluestine (Philadelphia), executive director at the Pennsylvania Innocence Project, by assisting in individual innocence investigations and cases, as well as in *amicus* briefs across the commonwealth. Through the global Innocence Network and other state-based innocence projects, Duane Morris attorneys across the United States aid individuals seeking to be exonerated of crimes for which they were wrongfully convicted and work to ensure that the scientific basis of testimony in science-dependent cases is fully examined.



### Jamie Dyce

New York alumna Jamie Dyce joined Duane Morris in 2009 as an associate. During her tenure, she became involved with the firm's support of Pajama Program, a nonprofit organization committed to providing children with a caring bedtime ritual through the magical gifts of pajamas and books. In September 2016, Jamie joined the organization as director, and assumed the role of executive director in May 2017.



### Al Zabin

Boston alumnus Al Zabin was a strong supporter of pro bono during his 12 years at Duane Morris, where he concentrated on trial and appellate law. He retired in 2015 and became a full-time volunteer lawyer at Greater Boston Legal Services, one of the oldest legal aids in the country. As one of the 20 access to justice fellows, Al devotes between 10-20 hours per week on pro bono projects relating to criminal justice reform, assisting veterans, immigration matters and advising on governance issues for the Boston Harbor Association.





# PRO BONO TEAM

The Duane Morris Pro Bono Committee, composed of attorneys, paralegals and staff, leads the Firm's pro bono efforts. Committee members serve as local pro bono coordinators in their respective offices, as well as discuss new opportunities and initiatives, making recommendations for organizational improvements, working with practice group chairs to incorporate pro bono service into associates' professional development and ensuring that pro bono is an integral part of Duane Morris' legal services. The Committee also regularly evaluates the Firm's pro bono efforts to ensure our resources are used to achieve tangible results.

**VALENTINE BROWN**  
Pro Bono Partner

**KATHARYN CHRISTIAN MCGEE**  
Pro Bono Counsel

**KATHERINE OBENSCHAIN**  
Pro Bono Administrator

## ATLANTA

William Barwick  
John Gibson

## BALTIMORE

Phillip Chong

## BOCA RATON

Karen Kline

## BOSTON

Christopher Kroon

## CHERRY HILL

Kathleen O'Malley

## CHICAGO

Patricia Hofstra

## HOUSTON

Charles Harrell

## LONDON

Ray Smyth

## LOS ANGELES

Mel Aranoff

## MIAMI

Miles Plaskett

## NEWARK

Sheila Wiggins

## NEW YORK

Amanda Bassen  
Justin D'Elia  
Laurence Fox  
Michael Schwamm

## PHILADELPHIA

Samuel Apicelli  
Ryan Borneman  
Delorice Diggs  
Julianna Landolt  
Jessica Priselac  
Daniel Walworth

## PITTSBURGH

Joel Walker

## SAN DIEGO

Karen Alexander

## SAN FRANCISCO

Andrew Gordon  
Lauren Case

## SILICON VALLEY

Daniel McCloskey

## SINGAPORE

Babita Ambekar  
Arfat Selvam

## WASHINGTON, D.C.

Denyse Sabagh  
Christopher Tyson

## WILMINGTON

Sommer Ross





# 2017-2018 SELECT COMMUNITY PARTNERS

American Bar Association Survivor Reentry Program  
American Civil Liberties Union of Pennsylvania  
American Immigration Lawyers Association (AILA)  
Atlanta Volunteer Lawyers Foundation  
California Innocence Project  
Casa Cornelia  
Center for Reproductive Rights  
Center on Wrongful Convictions  
City Bar Justice Center of the New York City Bar Association  
Community Legal Services  
Consumer Bankruptcy Assistance Program  
CUNY Citizenship Now!  
Dade Legal Aid: Put Something Back  
D.C. Bar Pro Bono Program  
Emory Law Volunteer Clinic for Veterans  
Georgia Lawyers for the Arts  
Georgia PATENTS  
Girls Educational & Mentoring Services (GEMS)  
Greater Boston Legal Services  
Harvard Veterans Law Clinic  
HIAS Pennsylvania  
Homeless Advocacy Project (HAP)  
Immigration Equality  
Innocence Network  
Innocence Project  
International Refugee Assistance Project (IRAP)  
John Marshall Veterans Legal Support Center and Clinic  
Justice at Last  
Juvenile Law Center  
Kids In Need of Defense (K.I.N.D.)  
Lawyers Alliance for New York  
Lawyers' Committee for Civil Rights of the San Francisco Bay Area  
Legal Aid of Marin  
Legal Aid Society of San Diego, Inc.  
Legal Aid Society of San Mateo County

Legal Services of New Jersey  
MassChallenge  
Mount Sinai Medical Legal Partnership  
Northern California Innocence Project  
Neighborhood Legal Services Program  
New England Innocence Project  
New York City Family Court Volunteer Attorney Program  
Pennsylvania Innocence Project  
Philadelphia Volunteer Lawyers for the Arts / PA Patents  
Philadelphia Volunteers for the Indigent Program/Law Works  
Pro Bono Partnership of Atlanta, Inc.  
San Diego Volunteer Lawyer Program, Inc.  
SeniorLAW Center  
Start Small Think Big  
Support Center for Child Advocates  
Swords to Ploughshares  
Texas C-BAR  
The Bar Association of San Francisco Justice & Diversity Center  
The Law Project – Chicago Lawyers' Committee for Civil Rights Under Law, Inc.  
The Law Society of Singapore  
The Legal Clinic for the Disabled, Inc.  
TrustLaw  
U.S. Court of Appeals for the Ninth Circuit Pro Bono Program  
U.S. Department of State Hague Convention Attorney Network  
U.S. District Court for the District of New Jersey – Pro Bono  
U.S. District Court for the Eastern District of Pennsylvania – Prisoner Civil Rights Panel  
U.S. District Court for the Northern District of California – Federal Pro Bono Project  
U.S. District Court for the Northern District of Illinois Trial Bar Pro Bono Program  
U.S. District Court for the Southern District of California Pro Bono Panel  
U.S. District Court for the Southern District of New York – Pro Bono Services  
Urban Justice Center's Veterans Advocacy Project  
Veterans Consortium Pro Bono Program  
Volunteer Lawyers Project of the Boston Bar Association  
Widener University Veterans Law Clinic

"Duane Morris, under the leadership of Valentine Brown and Katharyn Christian McGee, has been an incredible pro bono partner for Community Legal Services and has truly gone above and beyond in service to our clients. Duane Morris is a leader in delivering innovative and excellent pro bono services to individuals in and around Philadelphia."  
**-Debbie Freedman, Executive Director, Community Legal Services (Philadelphia)**





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