

WCL NEWS FORUM

Newsletter of the Washington Council of Lawyers

A Public Interest Voice in the Legal Community



FALL 2010

Riding Out the Storm

WCL President, Taryn Wilgus Null

The economy has recently shown some promising signs of improvement. For public interest lawyers and our clients, however, it still feels like a hard time. In spite of—indeed, because of—the challenges that we face in our nation and our community, the Council can, and should, play an important role at this time. There are several ways in which the Council plans to be helpful.

First, we will continue to advocate for legal services organizations and the clients that they serve. This is an incredibly difficult time for legal services organizations to maintain the funding that they have, much less increase their funding to adequately serve their clients at a time when the demand for legal services has grown dramatically. In order to advocate for this desperately needed funding, the Council sent a letter to the DC Council several months ago to urge them to increase the funding in the fiscal year 2011 budget for the Access to Justice program, which funds DC legal services organizations, to an amount comparable to that in previous years. The Council will seek other opportunities to speak up for public interest organizations and their clients. If you see a way that we can be a voice for the poor and the powerless, please let us know.

The Council also plays a role in providing an invaluable network of public interest and pro bono lawyers. Since we are all struggling in a variety of ways, with smaller budgets at our organizations, increased workloads, an uncertain job market, and a growing strain from the greater demand for our services, we all need each other to provide support and community. The Council can do a great deal to connect



Taryn Wilgus Null, WCL President

new public interest lawyers with experienced lawyers, law students with lawyers working in fields of their interest, and the private bar with public interest organizations. We have an incredible legal community in DC, and I have no doubt that we can rise to meet the challenges that face us. To help us do so, the Council will work to nourish the community of public interest and pro bono lawyers in DC. We are reprising our Mentoring Program, which connects public interest lawyers new to the DC community with experienced mentors. We also plan to hold more events that provide an opportunity for networking, such as the Up on the Roof Social on September 8.

Because there are many law schools in DC full of students who plan to remain and work in DC after they graduate, the Council aims to reach this population of future lawyers. While law students have been involved in the Council in the past, we plan to provide more programming aimed specifically at law students and their needs.

This is just a snapshot of the Council's plans and concerns at this time. In order to be responsive to our members and our community, we need your help. If you have thoughts and ideas about what the Council can and should be doing right now, please contact me at tarynwn@gmail.com. We appreciate your support and your energy. ■

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Summer Forum 2010... Simply Superb!

by Jen Swedish

On June 8, 2010, Professor Laurence H. Tribe, Senior Counselor for Access to Justice at the U.S. Department of Justice, delivered a powerfully moving keynote address before a record crowd of over 250 summer associates and interns. As director of a new initiative that seeks to improve delivery of legal services to low-income families and individuals, Professor Tribe described the dire need to improve indigent criminal defense, and he proposed an expanded role for the private bar to bolster the public defender system. He also spoke about the problem of access to justice in the civil system, explaining that the lack of publicly funded counsel in these proceedings can have tragic consequences for indigents in life-altering matters, such as deportation, loss of a child, or eviction.

Professor Tribe exhorted the attendees to not only engage in pro bono practice but also encourage their employers to place a higher priority on pro bono

work. As a long-time professor at Harvard Law School, Professor Tribe is well aware of the importance of early efforts by new lawyers, both in terms of immediate benefit and establishing lifelong career objectives.

Attorney General Eric Holder Jr. appointed Professor Tribe to lead the Justice Department's Access to Justice Initiative in March 2010. Through this new initiative, Professor Tribe works collaboratively with courts, the defense bar and others in the criminal justice system to improve the quality of justice for all. Prior to his appointment, Professor Tribe served as the Carl M. Loeb University Professor at Harvard Law School, where he taught constitutional law for more than 40 years. In addition to being a highly regarded constitutional law scholar, Professor Tribe has argued 35 cases before the Supreme Court and he is a leading appellate advocate. WCL was honored to have him speak at the 2010 Summer Forum. ■



Professor Laurence H. Tribe

Harvard Law School professor Laurence H. Tribe addresses the WCL Summer Forum.



Summer associates, interns, and WCL Members enjoy the Summer Forum.

SUMMER FORUM 2010

Panel Discussions Exploring Public Interest Careers and Pro Bono Opportunities

In addition to a fantastic keynote speaker, the Summer Forum provides WCL Members the opportunity to participate in lively and thought-provoking panel discussions exploring public interest careers and pro bono opportunities. Our panelists in 2010 were:

Civil Rights/Civil Liberties

<i>Joy Moses</i> (Moderator)	Policy Analyst, Poverty and Prosperity Program, Center for American Progress
<i>Jon Greenbaum</i>	Legal Director, National Lawyers Committee for Civil Rights Under Law
<i>Jeffrey Gutman</i>	Professor of Clinical Law, George Washington University Law School
<i>Carolyn Weiss</i>	U.S. Department of Justice, Civil Rights Division

Criminal Law/Death Penalty

<i>Don Salzman</i> (Moderator)	Pro Bono Counsel, Skadden, Arps, Slate, Meagher & Flom LLP
<i>Robin Maher</i>	ABA Death Penalty Representation Project
<i>Maribeth Raffinan</i>	Supervising Attorney, Trial Division, Public Defender Service

Immigration/Human Rights

<i>Karen Grisez</i> (Moderator)	Public Service Counsel, Fried, Frank, Harris, Shriver & Jacobson LLP
<i>Kathryn Doan</i>	Executive Director, Capital Area Immigrants' Rights ("CAIR") Coalition
<i>Paul Lee</i>	Pro Bono Coordinator, Kids in Need of Defense
<i>Megan Mack</i>	Director, ABA Commission on Immigration

Non-Litigation Practice

<i>Jodi Feldman</i> (Moderator)	Director of Pro Bono and Intake Programs, Legal Aid Society of DC
<i>Blake Biles</i>	Partner, Arnold & Porter LLP
<i>Natalie Nanasi</i>	Senior Immigration Staff Attorney, Tahirih Justice Center
<i>Walter Smith</i>	Executive Director, DC Appleseed Center for Law and Justice

2009 WCL Awards

Congratulations to our 2009 WCL Awards Recipients:

WCL Presidents' Award	Louise Howells , University of the District of Columbia
Law Firm Contribution Award	Goodwin Procter LLP
Outstanding Government Pro Bono Attorney Award	Sean Keveny , Civil Rights, Department of Justice
Above & Beyond Award	Mary Kennedy , Arnold & Porter LLP

Thank You to Our 2009 Awards Reception Sponsors

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Washington Council of Lawyers: A Noble Mission

The Washington Council of Lawyers is a nonprofit organization of lawyers committed to pro bono service and the public interest practice of law. Through regular and annual events, training programs, discussions, and special projects, the Council seeks to stimulate the interest and involvement of all segments of the bar in matters that affect the public interest.

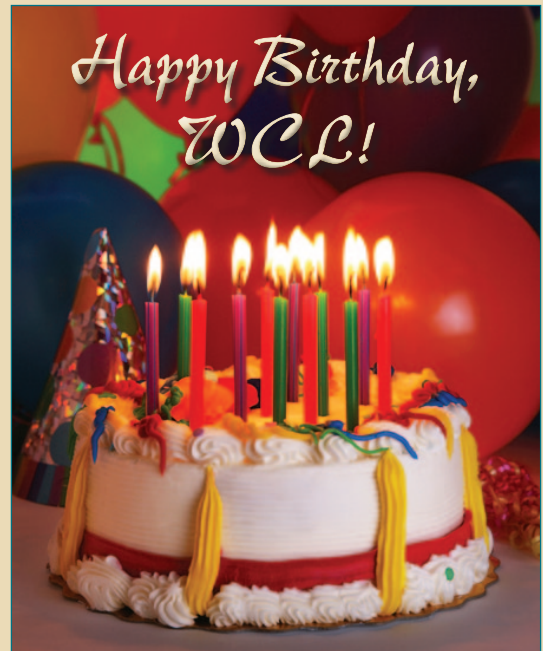


Join WCL today!

Washington Council of Lawyers Wish List!

The Washington Council of Lawyers is getting ready to hold another amazing raffle this spring, and we need your help! Please let Nancy Lopez, NALopez@wclawyers.org, know if you can donate any of the following items:

- Use of a vacation property
- Tickets to sporting events
- Theater or other performance tickets
- Gift certificates to your favorite restaurants
- Sailing outing on your boat
- Spa or other indulgence items
- Certificate for a free stay at a hotel or resort



The Washington Council of Lawyers is turning 40!

The Washington Council of Lawyers will be forty years old in 2011! Get ready to celebrate with us!

2011 WCL Calendar Upcoming Events

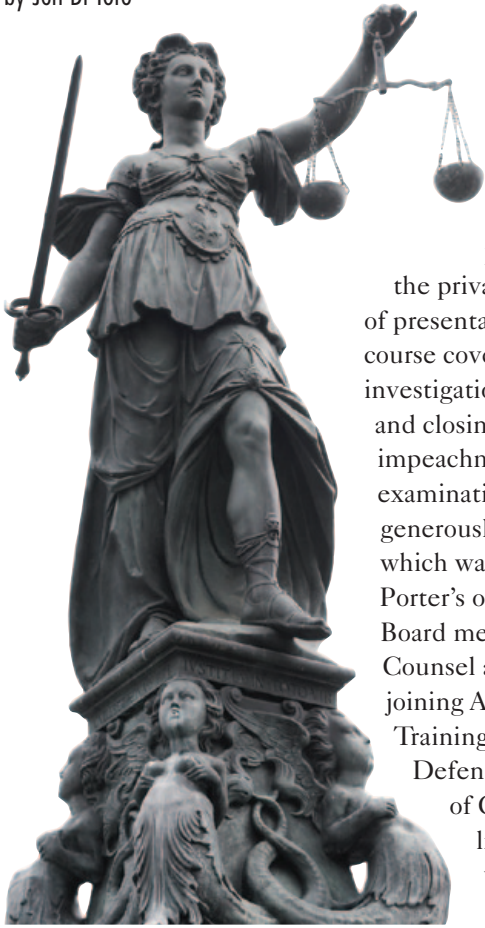
2011	JANUARY	• Timely Topics: Immigration Law Discussion Panel
	FEBRUARY	• WCL Volunteer Opportunities: DC Bar Advice & Referral Clinic (Saturday, Feb. 12) DC Public School Mock Trial Program
	MARCH	• WCL Raffle and Happy Hour
	APRIL	• Timely Topics: Discussion Panel
	MAY	• Litigation Skills Training • WCL Volunteer Opportunity: DC Bar Advice & Referral Clinic (Saturday, May 14)
	JUNE	• Summer Pro Bono Forum

Watch your e-mail for more information about these valuable Washington Council of Lawyers programs.

— Nancy Lopez

Litigation Skills Training – Making a World of Difference

by Jen Di Toro



Litigation Skills Training 2010

In May of this year, the Council hosted a two-day litigation skills training for public interest attorneys and the private bar. Using a combination of presentation and guided practice, the course covered core trial skills including: investigation and discovery, opening and closing statements, evidence and impeachment, and direct and cross examination. Arnold & Porter LLP generously co-sponsored the event, which was chaired by Arnold & Porter's own Mary Kennedy, a WCL Board member and Trial Training Counsel at Arnold & Porter. Before joining Arnold & Porter, Mary was Training Director for the Public Defender Service for the District of Columbia. She has been a litigator for more than twenty years. Under her guidance, participating attorneys worked

in small-group practice sessions guided by experienced public and private litigators. In response to feedback from prior years' courses, we included more intensive sessions on evidentiary issues and introducing documents and other physical evidence.

Lunchtime presentations included sessions on working with reduced-capacity clients and those with limited English competence. The 2010 Litigation Skills Training was extremely well-attended, and comments from the participants and their organizations were overwhelmingly enthusiastic.

Many thanks to all the presenters and small-group faculty members, and especially to Arnold & Porter for hosting the training! ■

Litigation Skills Training 2010 a Tremendous Success

Participants made these comments about the Litigation Skills Training:

“The lectures on opening statements and closing arguments were excellent!”

“I thought all the lecture speakers were great. The majority of small group trainers were very knowledgeable. I particularly liked the advice from individuals working in non-profits and the public interest.”

“The trainers were great!”

“This practice was invaluable!”

Meet the New Members of the WCL Board of Directors



Evelyn Becker joined Children's Law Center in 2010 as its first Pro Bono Director. Previously, Evelyn was a partner at the law firm of O'Melveny & Myers LLP, where she practiced employment law, served as the DC office's Administrative Partner, and worked on a wide range of pro bono matters. Evelyn graduated from the University of Chicago Law School, where she received the Karl Llewellyn Memorial Cup for excellence in brief writing and oral advocacy. During college, Evelyn worked as a



pre-K and kindergarten teacher at a private school.



Arlene Brens serves as an Attorney Advisor at the Social Security Administration where she manages disability cases and drafts decisions for the Administrative Law Judges. After graduating from Syracuse University in 2002, she attended law school at Indiana University

School of Law-Bloomington. Upon graduation from law school in 2005, she worked for Thompson Hine LLP, Cleveland, Ohio, where she practiced Labor & Employment law. While practicing law, Ms. Brens worked for the United Way in 2006 as a Summer Loaned Executive, and she volunteered as a Guardian Ad Litem. Subsequently, in February 2007 she left her firm to clerk for a federal district court judge in Kansas City, Missouri. After finishing her clerkship, she moved to Washington, DC in August 2008 to pursue a fellowship with the National Women's Law Center through the Georgetown Women's Law and Public Policy Fellowship Program. At the Center, she primarily worked on issues of child care, economic security for women, and judicial nominations.

Ms. Brens first became involved with the Washington Council of Lawyers as a mentee in the Council's lawyer mentoring program in 2008. Last year, she co-chaired the mentoring program along with Golda Philip, and is now looking forward to serving the Council as one of its Board members.



Daniel Bruner is Director of Legal Services at Whitman-Walker Clinic, a community-based nonprofit HIV/AIDS and GLBT health clinic in Washington, DC. Prior to joining Whitman-Walker's staff in 1995, Dan was a partner at the Washington, DC law firm of Spiegel &

McDiarmid. At Whitman-Walker, his practice has concentrated on discrimination in employment and health care; on insurance and employee benefits; and on privacy issues.

Dan received his law degree, *magna cum laude*, and a Master's in Public Policy from the University of Michigan. From 2000 until 2005 he taught public health law and HIV/AIDS law at American University's Washington College of Law. In 2007 Dan received the Washington Council of Lawyers' Presidents Award. In 1994, while still at his old law firm, Dan received a Founder's Award for outstanding pro bono service from Whitman-Walker.

Dan currently serves as Co-Chair of the District of Columbia Consortium of Legal Service Providers.



Christy Fisher, a long-time public interest attorney, began her legal career in the District of Columbia. After directing a consumer education program funded by the Food and Drug Administration, she was a Clinical Instructor of Law responsible for administering

the Consumer HELP Bankruptcy Clinic at George Washington's law school.

In the mid-80s, Christy moved to Connecticut and joined the staff of the New Haven Legal Assistance Association (NHLAA) where she handled public benefits, consumer, and elder law cases. While at NHLAA, Christy worked on a number of health-related projects: representing a client-initiated group, *Save Our Clinics*, in its efforts to restore and maintain dental services to under-served residents in the state's Lower Naugatuck Valley and, in 2007, assisting in the creation and the coordination of HeLP, a medical-legal partnership between NHLAA and a local pediatric clinic that was staffed by students from New Haven area law schools. She returned to the

New WCL Board Members continued on page 7

classroom on a part-time basis in 2000-01, as a Clinical Instructor affiliated with the Community Legal Services Clinic at Yale Law School.

Beginning in 2005, Christy served as one of NHLAA's Deputy Directors. She held this position until she moved back to DC in late 2009 after her husband, Harold H. Koh, was named the State Department's Legal Adviser. Earlier this year, Christy began working on a part-time basis with the DC Bar's Pro Bono Program; she has been assisting pro bono attorneys representing clients in Social Security cases as well as those staffing the Landlord Tenant Resource Center.



Jeffrey Gutman is a professor of Clinical Law at the George Washington University Law School. Prior to coming to the Law School in 1994, Professor Gutman served as a trial attorney in the Federal Programs Branch, Civil Division, Department of Justice. His work at Justice

principally involved representing the federal government in constitutional and administrative challenges to federal statutes and regulations in federal courts throughout the country. Among the cases he litigated were challenges to the military base closing statute, firearms control legislation and regulations, legislation governing the receipt of honoraria by federal employees, the savings and loan reform statutes, and private meetings of government advisers. Professor Gutman clerked for a federal district court judge in California after graduating from law school. He directs the Public Justice Advocacy Clinic, teaches Civil Procedure, and has served as associate dean for academic affairs from 2000 to 2008. ■

Is it time to renew your membership? Don't forget!



WCL Mentoring Program Expands into its Fifth Year

By Golda Philip and Arlene Brens

Celebrating its fifth year in existence, the Washington Council of Lawyers Mentoring Program has continued to shepherd new attorneys into DC's vast and varied public interest community. The 2009-2010 Program grew significantly, with forty-three new attorneys participating as mentees and forty-three experienced lawyers serving as mentors. Mentees hailed from a variety of local and national organizations, including legal aid organizations, non-profits, and government offices.

The Mentoring Program's core components consist of substantive programming (mainly in the form of five program lunches throughout the year) and one-on-one interactions between mentees and their mentor-lawyers. In addition to these components, happy hour events were held throughout the year for participants to meet, mingle, and network in informal group settings.

The October kick-off luncheon at Arnold & Porter welcomed participants into the program with a spirited talk by Jess Rosenbaum (DC Access to Justice Commission) and Wendy Patten (Open Society Policy Center), who shared some of their personal experiences as new lawyers. Through often humorous anecdotes, the speakers related potential challenges new attorneys may face and offered advice on how to move through those obstacles.

The December luncheon, hosted by Hunton & Williams, featured a panel presentation on "Employment in Federal Government." Moderated by former WCL President Steve Grumm, the panel included representatives from the Partnership for Public Service, the Department of Justice, and the Department of Homeland Security. Panelists discussed the benefits of employment in the federal government and offered advice on how to secure jobs in government service.

In February, Crowell & Moring hosted a luncheon and panel presentation entitled "Developing a Professional and Personal Plan for Career Advancement." Panelists Dena Bauman (University of the District of Columbia David A. Clarke School of Law), Jennifer Berger (AARP), and Kia Scipio (Paul, Hastings, Janofsky & Walker, LLP) focused their presentation on how mentees could develop and advance their professional

WCL Mentoring Program continued on page 8

lives while preserving and nurturing their personal well-being.

The April luncheon at Steptoe & Johnson included a panel discussion entitled “Introduction to DC’s Public Interest Players, Providers, and Coalitions.” Jodi Feldman (Legal Aid Society of DC), Mark Herzog (DC Bar Pro Bono Program), and Jess Rosenbaum (DC Access to Justice Commission) provided insiders’ perspectives into the landscape of the DC public interest community and provided participants with valuable information about how to plug into employment and volunteer opportunities in the city.

Hogan Lovells hosted the final Mentoring Program luncheon in June, which allowed mentors and mentees an opportunity to engage in small-group discussions. In these group discussions, mentors were encouraged to share personal stories and tips on “how to stay in public interest work for the long haul.”

In addition to the five luncheons, the Program hosted an event called “Employment on the Hill” in which Senate and House staffers spoke to the group about life and work on Capitol Hill and discussed strategies on how to obtain jobs on the Hill.

As it enters its sixth year, the Mentoring Program is well-poised for another year of supporting new attorneys as they navigate the DC public interest community. Individuals interested in learning more about the program should contact Program Co-Director, Amelia Kegan at ameliakegan@gmail.com. ■



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Nancy A. Lopez Washington Council of Lawyers

News Forum is designed and produced by Akin Gump Strauss Hauer & Feld LLP. The Council is grateful for their talent and generosity.

Debra Kushner, Glenda Adams, Harvey Duze, Fang-Mei Liu, Jose Garriga, Barbara Higgins.

Access To Justice In U.S. At Third-World Levels, Says Survey

By Dan Froomkin, senior Washington correspondent for the *Huffington Post*

This is an excerpt of an article originally posted on the *Huffington Post*.

http://www.huffingtonpost.com/2010/10/14/access-to-justice-in-us-a_n_762355.html

[A] world-wide survey unveiled Thursday morning... ranks the United States lowest among 11 developed nations when it comes to providing access to justice to its citizens—and lower than some third-world nations in some categories.

Particularly when it comes to access to and affordability of legal counsel in civil disputes, the U.S. ranks 20 out of the 35 nations surveyed, below not only developed nations but also such countries as Mexico, Croatia and the Dominican Republic.

The results are from the World Justice Project's new "Rule of Law Index," which assesses how laws are implemented and enforced in practice around the globe. Countries are rated on such factors as whether government officials are accountable, whether legal institutions protect fundamental rights, and how ordinary people fare in the system. The index will expand from 35 countries to 70 next year.

The lowest-ranking countries in this year's survey included Liberia, Kenya, Nigeria and Pakistan.

The U.S. didn't lead the world on any of the rule-of-law measures, ranking near the bottom of the developed world on most—including even fundamental rights. But

the most striking findings related to access to justice for ordinary people.

As part of its fact-finding, the organization polled 1,000 people in New York, Chicago and Los Angeles, and found a significant gap between the rich and the poor in terms of their use and satisfaction with the civil courts system. According to a news release:

For instance, only 40% of low-income respondents who used the court system in the past three years reported that the process was fair, compared to 71% of wealthy respondents. This 31% gap between poor and rich litigants in the USA is the widest among all developed countries sampled. In France this gap is only 5%, in South Korea it is 4% and in Spain it is nonexistent.

* * *

Indeed, the index's findings are consistent with previous studies of access to justice by lower-income people. The Legal Services Corporation reported last year that state-level studies had concluded that less than one in five of the legal problems experienced by low-income people are addressed with help from either a private or legal-aid lawyer. ■

Would Your Organization Like To Sponsor A Casual Day For The Council?

Hold a Casual Day for the Council, and everyone in your office can dress casually to support the Washington Council of Lawyers: \$5 for staff and \$10 for attorneys.

Easy to make a donation online!

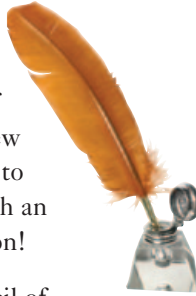
A fun way to build camaraderie and support a great cause!

For more information, or to sponsor a casual day at your office, please contact Nancy Lopez at NALopez@wclawyers.org or 202-942-5063.



A Word from the Executive Director...

Greetings! It is with great pleasure that I write to you as the new Executive Director of the Washington Council of Lawyers. I am excited to begin this new position, and feel incredibly fortunate to have the opportunity to work with such an interesting and worthwhile organization!



The mission of the Washington Council of Lawyers—to promote the practice of pro bono and public interest law—is one that easily inspires my passions. Having practiced public interest law with the Legal Aid Society of DC, and taken pro bono cases as an associate at Steptoe & Johnson, and as a volunteer with the DC Volunteer Lawyers Project, I know the importance of legal services for those who cannot afford to pay an attorney. True access to justice is very difficult to achieve when only one side in a case has representation. The lawyers who practice pro bono and public interest law make a dramatic impact in the lives of real people. The Washington Council of Lawyers makes it easier for those great lawyers to do those good works by providing training opportunities, networking, and mentoring programs. It's simply a fantastic thing to do!

I also love the diversity of attorneys and practices that comprise the Council. The Washington Council of Lawyers includes attorneys who have practiced for many years and are legends in the law, as well as idealistic young attorneys fresh out of law school, and students trying to understand how to juggle law school

loans with their dreams of how they could change a small part of the world with a law degree. We also are fortunate to bring together attorneys from public interest organizations, private law firms—large and small, and government service. At our annual Awards Reception, we celebrate the contributions of attorneys in all varieties of legal practice. How nice it is to recognize and promote pro bono and public interest work from many different areas!



Nancy Lopez, Executive Director

But perhaps what really sets the Washington Council of Lawyers apart is that the individual members of the organization are extraordinary people. The Council is a true community of bright, caring, dedicated attorneys. They are lovely to work with, and a credit to our profession. Please come to our events and programs, and get to know this wonderful group of people!

As we prepare to celebrate our 40th anniversary in 2011, we will have the chance to look back at our history, and to set a path for the future. We invite you to join us, and let us know how we can best be of service to you! ■

Sincerely yours,

Nancy Lopez

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Become a WCL member and subscribe to the PIJC today at www.washingtoncounciloflawyers.org.

WCL September Social – Up on the Rooftop

The Washington Council of Lawyers gathered for a social hour on Wednesday, September 8, at Goodwin Procter, LLP. The weather was perfect, the food great, and the drinks flowing. Prospective members were introduced to the Washington Council of Lawyers community, and current members had the chance to reconnect.

Taryn Wilgus Null, WCL Board President, invited those who were not members of the Washington Council of Lawyers to join, and encouraged those who were members to become active participants in WCL programs and committees. Law students attending the



social were inspired to find a group of lawyers who are community-minded, committed to improving the legal system, and great conversationalists!

The September Social is just one of the terrific networking events hosted by the Washington Council of Lawyers throughout the year. If you missed this opportunity, we hope you will join us for the next one! ■



Thank you

Thank you to **Goodwin Procter LLP** for their generosity in hosting the September Social!

Washington Council of Lawyers

555 Twelfth Street, NW, Suite 210, Washington, D.C. 20004

Joining or Renewing Your Council Membership

For the last 39 years, the Washington Council of Lawyers has been exclusively dedicated to promoting and supporting pro bono service and the practice of public interest law. As a member of the Council, you have access to high-quality and affordable training, peer and advisor support, social networking opportunities, and guidance toward best-fit pro bono opportunities.

To join or renew, visit our website at www.washingtoncounciloflawyers.org.

Membership categories & rates:

Law student/Still Looking	\$15
Public interest/Government	\$25
General	\$50
Contributing	\$75
Supporting	\$100
Sustaining	\$150

Plans call for increasing general membership involvement in our committees, which include:

- Issues
- Special Events
- Membership
- Pro Bono/Public Interest Promotion

Please indicate your interest!

Contact Nancy Lopez with any questions at NALopez@wclawyers.org or 202-942-5063.

The Washington Council of Lawyers is a 501(c)(3) charitable organization.

Look Inside For New Events and Workshops!



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WCL wants to hear from you. Please send your letter to the President, letter to the Editor, news release, announcement, or article to:

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