

**Weil**

# **Our Finest Hours**

## **Pro Bono 2011**



# Weil's Pro Bono Report 2011

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The economic dislocation caused by the financial crisis and its aftermath continues for many people who struggle in the face of persistent unemployment, dwindling federal and local budgets for social services, mortgage-related financial troubles, and endangered pensions. As always, such problems strike hardest at society's most vulnerable – children and the elderly, those who live near or under the poverty line, and those who suffer from disease or disability.

Weil has built its pro bono program with society's neediest members in mind. We take seriously our commitment to provide the disadvantaged with free legal services and strived to maintain a high level of pro bono activity during 2010. In these efforts we are driven by the belief that pro bono legal work is a vital component of any law firm's community outreach, as well as a core professional obligation of each lawyer. Many of our institutional clients share our commitment and have actively partnered with us on numerous pro bono initiatives in our areas of focus, including civil and constitutional rights, human rights, children's welfare, criminal justice reform, health and environmental issues, community and economic development, and asylum and immigration. Last year, our firm provided approximately 65,000 hours of pro bono work – equivalent to nearly 40 full-time lawyers – helping underprivileged or underrepresented people gain the legal assistance they need to face serious challenges and hardships. Because of this, we feel that, now more than ever, our pro bono program represents "our finest hours."

Given the public and private pressures of these uncertain economic times, the need for lawyers in private practice to give back to the community will only grow. To help meet this need, Weil maintains the goal that all lawyers at the firm perform 50 hours of pro bono work each year; the expectation that every partner work on a pro bono matter every year; and the requirement that every new attorney – from first-year associates to lateral partners – take on a pro bono matter within his or her first two years at the firm.

Policies are important in laying the groundwork for a shared commitment, but ultimately, the best indication of our firm's dedication to pro bono is the empathy, energy, and passion our lawyers demonstrate in their pro bono endeavors. In the past year, these have included helping low-income homeowners to avoid fraudulent lenders; assisting asylum seekers who need protection from persecution in their homelands; helping children still suffering from the effects of the 2010 earthquake in Haiti; protecting prisoners' due-process rights; and developing plans of action to remediate heavily polluted sites. We are proud of our pro bono commitment and accomplishments and invite you to explore a sampling of our work in the pages that follow.

  
 Barry M. Wolf  
*Executive Partner*

  
 Steven Alan Reiss  
*Co-Chair*  
*Pro Bono Committee*

  
 John B. Strasburger  
*Co-Chair*  
*Pro Bono Committee*



# Asylum

“Out of this nettle, danger, we pluck this flower, safety”

– Shakespeare

## The Gambia

In a matter referred to us by the HIV Law Project, Weil represents a Gambian couple with AIDS who were ordered deported from the US thirteen years ago. The wife was a victim of female genital mutilation prior to her emigration from The Gambia. Their ability to remain in the US is crucial since it would not only allow them to receive necessary medical care, but would also protect their four US-born daughters from being subjected to female genital mutilation upon the family's return to The Gambia. Immigration and Customs Enforcement's Office of Chief Counsel agreed to join the motion to reopen the case so that the Immigration Court can hear the request for asylum based on the female genital mutilation claim. The Board of Immigration Appeals granted the joint motion to reopen and remanded the matter to Immigration Court. This represents a significant victory, given the US government's policy that it will join motions “only under exceptional and compelling circumstances.”

## Mexico

A team from our Silicon Valley office represented a young woman from the Mexican state of Michoacán in her successful application for asylum. The matter was referred to Weil by the San Francisco office of Lawyers' Committee for Civil Rights, a Washington-based not-for-profit organization that involves the private bar in providing legal services to address the cause of civil rights. Our client and other female members of her family were victims of repeated sexual and physical abuse by the client's father. In rural Michoacán such forms of abuse are common and often go unchecked by authorities. Our client's case presented a challenge because it involved domestic violence and child abuse, both of which are developing areas of asylum law. Because our client is from Mexico, an extra level of approval was required. Following the mandatory one-year waiting period after grant of asylum, the Weil team assisted our client in a successful application for permanent residency.

## Iraq

In a matter referred to us by Scholars at Risk, an organization that seeks to promote academic freedom and defend the human rights of scholars worldwide, Weil represented an Iraqi academic in his successful application for asylum. Our client, a Sunni professor of history at a university located in an area known to be a stronghold for Shi'ite extremists, was repeatedly threatened by his students, colleagues, and members of the Mahdi Army, a Shi'ite paramilitary organization with a documented history of sectarian violence. Many of our client's colleagues had either fled Iraq or been killed. Our client was able to leave Iraq in 2008 after securing a position as a visiting scholar at a US university through Scholars at Risk.

Our client began the asylum application process in early 2010. The Weil team was able to prove that our client would likely be harmed, kidnapped, or killed if he were forced to return to Iraq. As an individual who had spent time teaching in the United States, he faced new threats from members of the Islamic State of Iraq, an umbrella organization of Sunni extremists, and others who brand Iraqis with ties to the United States as “traitors.”

## Kenya

Weil, referred by Immigration Equality, represented a Kenyan man in his successful effort to be granted asylum in the United States based on severe persecution he suffered in Kenya upon coming out as a homosexual. Our client is a committed activist for the rights of homosexual and transgender individuals in East Africa. Homosexual acts are criminalized in Kenya and carry the weight of up to fourteen years in prison. Known and suspected homosexuals are routinely the victims of violence, threats, and blackmail. Our client was evicted from his home, threatened with death, brutalized, blackmailed by police, and cut off from his family due to his activism.

# Human Rights

**“The only real prison is fear, and the only real freedom is freedom from fear.”**

*– Aung San Suu Kyi*

## Stopping the Exportation of Execution Drugs

Our London office is advising Reprieve, a UK-based organization that promotes prisoners' and human rights, on the laws governing the export of drugs from the United Kingdom and the European Union for use in executions in the United States. Both the UK and the EU have abolished the death penalty. Following an Arizona execution in October 2010, it emerged that the sodium thiopental, the anesthetic most commonly sanctioned in state execution '3 drug' protocols, was imported from England due to a general shortage in the US. Reprieve was especially concerned because Dream Pharma, the UK exporter of these drugs, lacks an industry reputation as a medical supplier and is in fact fronted by its primary role as a London-based driving school. There is evidence that the sodium thiopental supplied by Dream Pharma in two other executions may not have been properly effective as an anesthetic and that the condemned may have suffered excruciating asphyxiation and an agonizing, caustic burning sensation from the other drugs while they died.

In November 2010, under pressure from Reprieve, the UK government agreed to create controls making it illegal to export sodium thiopental from the country for such purposes. Reprieve is now engaged in a dialogue with the European Commission and European Parliament in the hopes of extending these controls to the rest of Europe.

## Advocating for Holocaust Survivors

In addition to the ongoing and multiple representations of Holocaust survivors by our German offices, Weil's US offices continue to achieve successful results on behalf of our clients in connection with the Holocaust Reparations Project, an effort coordinated with Bet Tzedek Legal Services, an organization that provides legal assistance to victims of political persecution and ethnic cleansing.

## Fostering Conditions for Peaceful Resolution to Conflicts

Through the Vance Center for International Justice, Weil has been assisting the Centre for Humanitarian Dialogue, an independent Geneva-based mediation organization dedicated to improving the global response to armed conflict, in its efforts to support the implementation of the Comprehensive Peace Agreement (CPA) entered into by the Government of Sudan and the Sudan People's Liberation Movement of Southern Sudan in 2005. The CPA, which was negotiated with the assistance of the United Nations and the international community, was meant to end the civil war that had raged in Sudan for more than three decades. South Sudan is now an independent country, but the status of the states of Blue Nile and Southern Kordofan remains unresolved. The CPA commits the parties to the adoption of a new national constitution, a referendum on independence in Southern Sudan, and a popular consultation process in certain states in Central Sudan. As an independent mediator, the Centre is in active dialogue with the participants in the popular consultation process, such as members of the federal and state governments in Sudan as well as outside observers.

To move this project forward, the Weil team helped prepare the Centre for the upcoming popular consultations in Southern Kordofan and the Blue Nile states by analyzing the CPA in conjunction with the interim federal and state constitutions. This involved particular scrutiny of the constitutional guarantees in five specific areas: language, education, gender, culture, and religion. The team contrasted these provisions with global "best practices" drawn from international conventions, peace agreements, and the constitutions of other nations. The Centre for Humanitarian Dialogue has been using the resulting report to help guide the discussion of constitutional guarantees of individual rights in these key areas as the popular consultations proceed.



## Ensuring Competent Counsel for Death Penalty Conviction

Along with The Legal Aid Society, we are serving as counsel for an Alabama death row inmate seeking habeas corpus relief through the federal court system due to ineffective representation at his trial and sentencing. Our client's original counsel did not properly cross-examine the key witness: a sixteen-year-old accomplice who provided evidence of intent to kill after agreeing to a deal with the prosecution. The US District Court for the Northern District of Alabama recently denied our client's petition, and our team is currently working on an appeal to the US Court of Appeals for the Eleventh Circuit.

## Obtaining Release from Excessive Sentencing

A client brought to our attention by The Legal Aid Society had been arrested for selling a small amount of cocaine, convicted, and sentenced under New York State's Rockefeller Drug Laws to an indeterminate sentence of four and one-half to nine years. We filed a petition under the recent reform law to modify the sentence. The district attorney then requested a modification to a determinate sentence of six and one-half years, which could have resulted in more incarceration than the client's current sentence. Judges rarely rule against DA sentencing recommendations, but in this case the judge ruled that our client was entitled to immediate release.

## Human Rights Watch

For more than four years, in one of the largest pro bono projects in the firm's history, Weil has been working with Human Rights Watch in assessing the activities of the International Criminal Court (ICC) in The Hague. A number of cases are currently pending at the ICC for

individuals with issued arrest warrants alleging war crimes, crimes against humanity, and other serious violations of international humanitarian law committed in the Democratic Republic of Congo, Central African Republic, Kenya, Libya, Uganda, and Darfur, Sudan.

Through its International Justice Program, Human Rights Watch plays an important role in following the ICC's activities to ensure that human rights are being respected through the entirety of the court process. This vigilance applies with respect to the victims of war crimes as well as to defendants accused of those crimes. In order to provide Human Rights Watch with the information it needs on a timely basis, a Weil team of over 70 lawyers prepares summaries of ICC decisions and analyses of developments in the ICC relating to core human rights issues. The decisions to date have encompassed a wide range of issues, from the appropriate basis for victim participation in trials to the rights of defendants to a fair trial. Some of these issues are being considered at this level for the first time.

Human Rights Watch is in constant dialogue with court officials of this groundbreaking institution, state parties to the ICC, and the media about how the ICC can develop and respond to the challenges it faces. From time to time, it consults members of the Weil team about the significance of certain decisions and trial proceedings with respect to the broader development of international law and practice in accordance with the appropriate standards. Human Rights Watch, therefore, plays an influential role in the development of the court, and the digests and analyses produced by our team help them effectively engage with important interlocutors. Since the project's inception, Weil has worked over 5,000 hours assisting Human Rights Watch in this important endeavor.

# Community & Economic Development

**“We cannot live only for ourselves. A thousand fibers connect us with our fellow men.”**

*– Herman Melville*

## Partnering with Others to Assist Developing Countries

Weil joined leading non-governmental organizations such as Oxfam and WWF (formerly World Wildlife Fund), as well as other top law firms, as one of the founders of the Legal Response Initiative (LRI), an organization that provides real-time legal advice to developing countries and non-governmental organization delegations attending the United Nations Climate Change Convention negotiations in Copenhagen, Cancun, and elsewhere. During 2010, Weil lawyers from London, Washington, Warsaw, Budapest, and Frankfurt advised on a wide variety of matters, ranging from the governance of climate change adaptation finance to the provisional application of international treaties. LRI's efforts have won two prestigious awards this past year: the *Financial Times* European Innovative Lawyer Awards and the British Legal Awards' CSR Initiative of the Year.

## Increasing Participation in Pro Bono Cases

Through the Low Income Texans Committee of the Texas Young Lawyers Association, our Houston office participated in the creation, implementation, and advertisement of the statewide Partnering for Pro Bono program that helps firm-based attorneys find pro bono cases by pairing them with in-house counsel through a database of profiles. The matched lawyers then select a case from a website that includes cases from legal aid organizations such as the Houston Volunteer Lawyers Program. Partnering for Pro Bono allows legal aid organizations to assign more of their caseload.

## Securing Relief for Hurricane Victims

Since early 2007, Weil has represented victims of Hurricanes Katrina and Rita in a class action suit against the Federal Emergency Management Agency (FEMA), recently securing final approval from the US District Court for the Eastern District of Louisiana for a proposed \$2.65 million settlement agreement. The plaintiffs are low-income residents displaced from their homes as a direct result of Hurricanes Katrina and Rita. These disaster victims received financial housing assistance from FEMA pursuant to the Stafford Act. The complaint alleged that FEMA violated their constitutional rights by discontinuing that assistance without adequate notice or the opportunity for a meaningful appeal. The suit also challenged FEMA's standards and procedures for recovering allegedly overpaid housing assistance. The court certified two classes and granted plaintiffs' motion for a preliminary injunction. After FEMA appealed the injunction, the case was remanded for further factual development. FEMA later voluntarily withdrew all of its thousands of pending repayment demands, announcing that it would review and adopt new procedures before attempting to recover allegedly overpaid assistance. Since that time, Weil has conducted extensive settlement negotiations, resulting in the \$2.65 million class settlement. Weil was co-counsel with Public Interest Law Project, National Center for Law and Economic Justice, the Law Clinic at Loyola University New Orleans College of Law, National Law Center on Homelessness and Poverty, Texas Appleseed, and The Mississippi Center for Justice.

## Creating Novel Financial Instruments for Charitable Organizations

In 2009 and 2010, Weil's London office advised the UK's leading disability charity, Scope, on a pilot fundraising project that has the potential to transform the lives of disabled people and charity fundraising in general. Scope presently supports up to 600 disabled people through its residential care services. The charity is keen to upgrade its accommodation so it can better assist disabled people to live independently and fulfill their potential, but it urgently needs funds in order to do so. There is currently a lack of suitable accommodation in the UK, where the number of disabled adults with complex needs is expected to double in the next 15 years.

With our help, Scope has developed a unique multi-layered venture philanthropy product, believed to be the first of its kind in the UK. It is a hybrid product consisting of "units" which are offered to supporters and which incorporate elements of donation and interest-free loans. The "unit" approach enables Scope to leverage donations to secure funds up to ten times the amount originally given. Scope used this approach to secure investment which will allow it to modernize an existing care home in Essex. Funding

such expensive capital projects is typically a challenge for many charities, and the development of a new, replicable, and sustainable finance model for them has the potential to transform the lives of thousands of people.

## Promoting Sustainable Development

Referred by Lawyers Alliance for New York, Weil assisted the Pratt Center for Community Development, a Brooklyn-based community development organization, with the successful negotiation of a strategic alliance with the New York Industrial Retention Network (NYIRN), a not-for-profit economic development organization that aims to bolster New York City's manufacturing sector and to promote sustainable development. We advised the Pratt Center's Advisory Board on the transaction, completing due diligence on NYIRN, helping to draft and negotiate a letter of agreement, and revising the Pratt Center's bylaws to reflect its new structure. This new alliance should provide both organizations with programmatic and administrative advantages and bring the Pratt Center's focus on infrastructure together with industrial retention issues to better address the sources of urban deterioration and poverty.





# Criminal Justice Reform

**“An error does not become truth by reason of multiplied propagation, nor does truth become error because nobody sees it.”**

*- Mahatma Gandhi*

## Innocence Project

Since 2005, Weil has been proud to work on a wide variety of matters for the Innocence Project, a national litigation and public policy organization dedicated to obtaining acquittals for wrongfully convicted people who remain incarcerated. The Innocence Project focuses on obtaining DNA testing to exonerate these convicts and reforming the criminal justice system to prevent such injustices in the future.

### Freeing the Innocent

Weil and the Innocence Project proved the innocence of an upstate New York man accused of murder who had been serving a prison sentence since 1992. Based on DNA test results that excluded our client and implicated the true killer – as well as multiple confessions from the true killer – our client was freed after nearly two decades of imprisonment. Prior to his wrongful conviction, our client worked as a school-bus aide and at a moving company and had no prior criminal record.

### Achieving Freedom after Twenty-Four Years

Weil partnered with the Innocence Project to represent a client who had been wrongly convicted of rape and murder and had been in prison for over twenty-four years. Our client obtained DNA testing of several critical items of evidence from the crime scene, all of which ruled him out as the source. Instead, the DNA conclusively inculpated his brother-in-law – the state’s chief witness at the original trial whose false “eyewitness” testimony had resulted in the original conviction. The Texas Court of Criminal Appeals granted habeas and overturned the conviction, holding that prosecutors’ non-knowing use of perjured testimony constituted a due process violation. The brother-in-law was extradited to Texas, and convicted. When the prosecutors insisted on re-trying our client, our client accepted a plea agreement in which he pled guilty in exchange for time served and his immediate freedom, but

without being required to confess to any elements of the crime. After serving over twenty-four years, our client is now free to enjoy a life with his wife and son.

### Seeking Exoneration after Twenty Years

For the past four years, attorneys from Weil’s Washington, DC office have worked with the Ohio Innocence Project, the Office of the Ohio Public Defender, and the Office of the Arizona Federal Public Defender to represent a man convicted of the 1990 murders of an elderly Ohio couple. He has been on death row for over 15 years. Although no physical evidence linked him to the crime scene, he was convicted on the testimony of three teenage accomplices, all of whom subsequently recanted. The only physical evidence recovered from the crime scene was a cigarette butt, and rudimentary DNA testing excluded our client. It did not, however, exclude a neighbor of the victims whom police had initially considered a suspect, but then inexplicably stopped investigating. The neighbor was later convicted and executed for a different murder. Weil’s team of attorneys has worked to seek additional DNA testing of the cigarette butt, and has also uncovered that the original DNA test results indicate the neighbor as a possible smoker of the cigarette. Based on this new evidence, Weil petitioned the Ohio state court for leave to seek a new trial. Although the motion was denied, Weil continues to pursue all possible avenues, including a petition for certiorari in

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the United States Supreme Court and appeals in Ohio state court of the court's refusal to order full DNA testing of the cigarette and its denial of a request for a new trial. For over 20 years, our client has maintained his innocence. Weil continues to investigate any leads that might result in his exoneration.

### Maintaining Fairness in DNA Testing

Lawyers from Weil's Houston office assisted the Innocence Project with a post-conviction DNA testing case for a Maryland convict. The Innocence Project was concerned by the intervention of Prince George's County Police Department. Such intervention is part of a growing trend in which third parties, including counties and law enforcement agencies, intervene in these types of cases, not always serving the interest of justice. Our research, therefore, not only analyzed the specific facts of the client's case, but also served as a summary of applicable law that attorneys at the Innocence Project may be able to utilize in future cases that involve similar attempts by third parties to intervene in criminal proceedings. The state is continuing its search for the evidence for post-conviction DNA testing.

### Protecting Prisoners' Rights to Due Process

Weil is co-counsel with the Center for Constitutional Rights in an ongoing litigation to protect due process for prisoners. The Federal Bureau of Prisons has established two Communications Management Units (CMUs) in Indiana and Illinois. These units isolate particular prisoners from their fellow inmates and the outside world while monitoring their communications. The units were created without the opportunity for notice and comment required by the Adminis-

### Promoting Post-Conviction DNA Testing

A petitioner convicted in two separate rape cases successfully petitioned the Tennessee Supreme Court to have DNA analysis performed, arguing that exculpatory results would create a reasonable probability that he would not have been prosecuted or convicted on either charge. A team of Weil lawyers based in Houston, alerted to the case by the Innocence Project, submitted an amicus brief on behalf of victims and family members of victims of similar crimes whose lives have been profoundly impacted by both the crimes that were perpetrated against them or their loved ones and the subsequent exoneration of the wrongly convicted as a result of DNA evidence. In each case that was recounted in the amicus brief, the later-identified, actual perpetrator committed additional crimes prior to eventually being incarcerated as a result of DNA testing. The brief depicts how post-conviction DNA analysis protects and supports the rights of crime victims. Reversing two lower courts, the Tennessee Supreme Court granted the petition for DNA analysis, which is now in process.

trative Procedures Act, and those prisoners who are transferred to the CMUs are denied the opportunity to address the allegations resulting in their transfers. Many of the prisoners are transferred based on incorrect, unproven, or discriminatory reasons, and the majority are Muslim. We co-authored a complaint based on these allegations and an opposition to the Bureau's subsequent motion to dismiss. The motion to dismiss was denied in part, and the litigation is proceeding.

# Civil & Constitutional Rights

**“We have too many high-sounding words, and too few actions that correspond with them.”**

*– Abigail Adams*

### Advancing Free Speech

Weil's Budapest office completed significant comparative legal research for Budi aktivna Budi emancipirana (B.a.B.e.), or Be active, Be emancipated, a Zagreb, Croatia-based strategic lobbying and advocacy group focused on the affirmation and implementation of women's rights. Our lawyers researched the protections for free speech in place in the Hungarian legal system, with a particular focus on safeguards to the independence of journalists and the media. B.a.B.e. may use this research and advice in the advancement of journalistic free speech in Croatia.

### Helping Vulnerable Homeowners Avoid Fraudulent Lending Practices

Weil joined the Lawyers' Committee for Civil Rights Under the Law, a non-partisan, not-for-profit organization that involves the private bar in providing legal services to address racial discrimination, in a nationwide effort to stop home loan modification and rescue scams through the creation of the Loan Modification Scam Prevention Network. This project is a collaborative effort of federal agencies, national not-for-profits, and local legal service providers and includes, among other entities, Fannie Mae, Freddie Mac, US Department of Housing and Urban Development, Neighborworks, National Fair Housing Alliance, Springboard, National Community Reinvestment Coalition, and National Council of La Raza. Weil's teams in New York, Florida, California, and Texas operate separate projects towards the collective goal and participate in the local legal committee of the Network for each geographic location. Our lawyers research ideas with the Lawyers' Committee to aid in the prevention of home loan modification and rescue scams and to educate the public. As part of the project, our attorneys have helped create a database of scam reports and worked with homeowners

to report home loan modification and rescue scams. This information is shared in an effort to identify patterns for potential lawsuits and to prosecute perpetrators of such scams. Weil attorneys also deliver presentations to homeowners to help them identify scams and update manuals for volunteers to aid them in the collection of data. New York attorneys have liaised with the New York State Banking Department to increase the information collected on home loan modification fraud.

In Texas, a Weil attorney presented to a group of federal and local agencies and elected officials regarding loan scams and how the Loan Modification Scam Prevention Network could assist them. As a result of this presentation, our firm became involved in an effort to assist Spanish-speaking homeowners who had been allegedly victimized by a scam. This resulted in the issuance of subpoenas to the two main principals of the scamming company, the arrest of one of the individuals, and the dismissal of the company's bankruptcy cases. Going forward, the Network will focus on impact litigation against the perpetrators of scams and on regulatory reform.

### Increasing Access to Higher Education for Disabled Persons

Our Budapest and Warsaw offices conducted a comparative legal study for the Association of Students with Disabilities of Serbia (ASD). We analyzed the regulatory framework for the promotion of the participation of students with disabilities in higher education. The research not only looked into remedies against discrimination, but also addressed legal options for affirmative assistance. ASD may use this advice in an attempt to influence policy and legislation in Serbia in the hopes of improving the access of disabled persons to higher education and the increased opportunities it provides.

# Children

**“We owe our children, the most vulnerable citizens in our society, a life free of violence and fear.”**  
– *Nelson Mandela*

## Kids in Need of Defense

Since January 2009, Weil has been an avid partner of Kids in Need of Defense (KIND), an organization that provides legal counsel to children who arrive alone in the US, helping them to navigate the immigration system. The firm is proud to provide KIND with offices in New York and Washington, DC, host legal education training for KIND volunteers, and help KIND staff to prepare materials for their programs.

### Finding a Safe Environment for a Neglected Child

In an immigration matter referred to us by KIND, we represented a Guatemalan child who was in the process of being removed from the United States after coming here from a background of danger and neglect. At the age of fourteen he was forced to leave his home in Guatemala due to parental neglect and gang violence. Weil worked for more than a year to convince the District of Columbia juvenile court to declare that the child was abandoned and neglected and that it was not in his best interest to return to Guatemala. With this success under our belt, we were able to obtain special immigrant juvenile status and permanent residence in the United States.

### Opening the Door to Education

Weil has obtained permanent resident status for a teenage girl who has had a very difficult life. Our client was referred to us by KIND. Coming to the United States at the age of eleven, our client was shuffled between aunts after her mother never returned from what was supposed to be a four-week visit to Trinidad. Her father, with whom she lived in Canada before coming to the United States, is an abusive person who served two years in jail for violently shaking an infant. Eventually, one of her aunts obtained legal custody, and with the help of her employers, found a scholarship to a private boarding school for her niece. Our client excelled at her new school and wanted to attend college, but could not be accepted until her residency status was resolved. After obtaining permanent resident status, our client was accepted to a private university that she now attends.

### Creating a Life after the Haitian Earthquake

In another immigration matter referred to us by KIND, we were able to secure permanent resident status (a green card) for a sixteen-year-old boy whose family home was destroyed by the devastating earthquake in Haiti. After the disaster, his mother, living on the street and unable to provide for her son, sent our client to live with a cousin in the United States. The mother gave up custody to the cousin, who was appointed legal guardian. We petitioned for and were granted a special immigrant juvenile visa and a status adjustment to permanent resident.

### Obtaining Appropriate Education for a Special-Needs Child

Weil represented the parents of a special-needs child in their dispute with the New York City Department of Education over their child's lack of access to appropriate public-school education. The hearing officer found that the child's needs were not met through public school and ordered that he was entitled to immediate placement in a state-approved private school. The Department of Education was also required to reimburse the parents for the private tutoring services they used while their child was not receiving an appropriate education. In addition, the Department of Education also agreed to provide payment for private tutoring for the 2010-2011 academic year. This is one of the many successful matters handled this year as part of Weil's Special Education Pro Bono Project, an initiative with New York Lawyers in the Public Interest, in which the firm represents special-needs children in New York City who require additional educational services or private schooling because of their disabilities.



## Save the Children

Weil represents Save the Children Federation, Inc. (Save the Children), a US charity that is the largest member of a global alliance dedicated to providing for children's most basic needs. Its 29 members form the leading international relief and development organization creating lasting change in the lives of children who face poverty, hunger, illiteracy, and disease. Save the Children has directed its efforts at feeding, educating, and providing basic health care for needy children in the United States and around the world. Weil has counseled Save the Children on a wide range of issues, including corporate governance, tax, and intellectual property.

For years, Weil has actively enforced Save the Children's rights for its SAVE THE CHILDREN® trademark and other marks. Save the Children has built up tremendous goodwill in its trademarks, and that goodwill is critical to its mission. Protecting these marks from dishonest entities trying to use Save the Children's name to divert funds intended for Save the Children to themselves, is important to maintaining Save the Children's reputation and status. Weil has prevented the use and registration of similar trademarks and has obtained the transfer of several internet domain names that were confusingly similar to Save the Children's internet address and were being used in bad faith. Recently, Weil persuaded a California organization to withdraw its trademark application for "Save the Children," which it had attempted to register for use in connection with combating human trafficking. Additionally, Weil obtained transfer of several domain names from an admitted cybersquatter who had used these domain names to set up pay-per-click websites and had attempted to sell the names for a profit to Save the Children.

In 2010, Weil began advising Save the Children on a matter critical to the organization. Like other members of the global alliance, Save the Children increasingly found its relief efforts in many jurisdictions being duplicated or even hindered by the similar efforts of other alliance members.

This recognition led to a global restructuring of operations and the formation of contractual relationships between alliance members that would serve to facilitate effective pursuit of common objectives while protecting the individual and independent existence of each member. The preservation of each member allowed for continued compliance with applicable national laws and grants arrangements. The restructuring was a transformational move that would materially alter the way Save the Children conducted its operations, but the organization was buoyed by the realization that this transformation – a temporary and significant disruption – was necessary to be part of a bigger, more cohesive effort to accomplish a common and noble mission.

Weil advised Save the Children on the tax, corporate governance, intellectual property, and other issues surrounding the forging of this set of arrangements, with the goal of ensuring that the consolidation would not threaten Save the Children's existence, would allow it to comply with applicable laws, and would continue to attract grants even while being part of a larger organization that would have significant oversight of Save the Children's offshore operations. In April 2011, the worldwide organization was launched and a promising new chapter for the alliance – and children in need around the world – began.





# Environmental

**“The human race is challenged more than ever before to demonstrate our mastery - not over nature but of ourselves.”**

*- Rachel Carson*

## DC Appleseed Foundation

Coordinating with DC Appleseed Center for Law and Justice, a not-for-profit organization dedicated to solving public policy problems facing the Washington, DC metropolitan area, and other law firms, corporations, and not-for-profit organizations, Weil helped craft a plan to restore the Anacostia River watershed, one of the most polluted in the nation. Our team helped to analyze why past efforts to restore the Anacostia had failed and to design a new multi-jurisdictional approach to watershed revitalization that can serve as a model for other urban watersheds across the country. A report on this approach will be presented to Congress and other federal, state and local administrators, calling on governments to coordinate programs so as to rehabilitate the Anacostia as quickly and efficiently as possible.

## E+Co

Weil continues to provide pro bono counsel to E+Co, an impact investor founded by the Rockefeller Foundation in 1994. E+Co invests capital and provides business development support to small and growing businesses in Africa, Asia, and Latin America that supply clean and affordable energy to households, businesses, and communities, thereby reducing the impact of climate change and energy poverty. E+Co has made 268 such investments in more than 200 enterprises in 21 developing countries.

Weil has taken on numerous assignments for E+Co. Recent efforts have included representing the company in investments in clean energy businesses, and in securing loan agreements, joint venture agreements, and development finance agreements to support clean energy projects. Weil also represents E+Co's carbon finance business in cooperation agreements, emissions-reduction purchase agreements, and forward purchase agreements to qualify for and sell carbon credits, and provides the company general corporate, tax, employment, and intellectual property advice.

## WEILGREEN

In 2007 Weil launched WEILGREEN, a firmwide initiative to introduce greener business processes and procedures. The program to date has introduced many efficiencies into the firm's day-to-day operations affecting recycling, document printing, office equipment/supply procurement and disposal, energy consumption, and facilities management and utilization, as well as launching green outreach programs in local communities, such as art and writing competitions in public schools. The firm's efforts have been greatly assisted by the formation of Green Committees in each of the firm's offices. These committees serve as talking shops for new ideas and also provide resources through which the firm is able to identify and extend best practices and the means by which the firm can monitor its results. Weil is also an Associate Member of the Chicago Climate Exchange (CCX), which commits the firm to moving toward carbon neutrality by purchasing Carbon Financial Instrument (CFI) contracts in an amount equal to the amount of carbon emissions produced by the firm through its US air travel and office operations.

# Not-For-Profits

**“Appreciation is a wonderful thing. It makes what is excellent in others belong to us as well.”**

– *Voltaire*

## Not-for-Profit Practice Group

Weil's commitment to the not-for-profit sector is supported by the firm's Not-for-Profit practice group. Founded in 2006, the group comprises lawyers from a wide array of practice specialties. It works to marshal and standardize the vast spectrum of Weil's not-for-profit efforts, while also providing a source of collective experience and expertise in the not-for-profit arena. As a result of the group's efforts, the firm's pro bono transactional practice has continued to elevate its status as an industry leader, and Weil has emerged as a premier provider of legal services for the not-for-profit sector. The group, in cooperation with the firm's Pro Bono Committee, hosted its Sixth Annual Not-for-Profit Board Governance Symposium in May 2011, which focused on good governance and practical solutions in an era of enhanced challenges, financial stress, heightened expectations, and rigorous regulatory scrutiny in the not-for-profit, foundation, and charitable communities.

### WAMDA

Weil assisted Riyada Enterprise Development, a subsidiary of Abraaj Capital, the largest private equity firm in the Middle East, in setting up WAMDA (“spark” in Arabic), a not-for-profit online content and community hub located at <http://www.wamda.com/>. WAMDA launched in November 2010 in Dubai and supports the evolution of all forms of entrepreneurial activity in the Middle East, North Africa, and South Asia, as well as fostering future economic development. WAMDA focuses on learning, mentoring, community-building, and networking.

### International Association for Feminist Economics

Weil's Houston and New York offices worked with the International Association for Feminist Economics (IAFFE) to review and restructure the organization's corporate governance, as well as to provide publishing advice regarding *Feminist Economics*, the official journal of IAFFE, and advice relating to a contract dispute. IAFFE seeks to advance feminist inquiry about economic issues and to educate economists and others on feminist points of view. IAFFE has approximately 600 members in 43 countries. While the majority of IAFFE's members are economists, the group also includes scholars in other disciplines, students, activists, and policymakers.



## Nonprofit Coordinating Committee of New York - Public Advocacy Award

The Nonprofit Coordinating Committee of New York, Inc. (NPCC) was established in 1984 to inform and connect not-for-profit leaders. NPCC is an umbrella organization for more than 1,700 not-for-profits in the greater New York area. It serves as both a source of information and a voice for New York's not-for-profits, saving them money, providing guidance, and strengthening the not-for-profit sector's relations with government. Weil was honored to receive the NPCC's Public Advocacy award on the occasion of NPCC's 25th anniversary.

## Community Services for Autistic Adults and Children

Weil's Washington, DC office recently represented Community Services for Autistic Adults and Children (CSAAC), a private, not-for-profit agency and the nation's largest provider of services to individuals with autism, in a dispute with the State of Maryland and Baltimore City Schools. CSAAC, which provides education, employment, and housing programs, was involved in a procedurally challenging dispute in connection with reimbursements for educational services provided to a Baltimore student diagnosed with autism. After months of work and diligence, Weil successfully negotiated a settlement of the long-running collection dispute.

### Lime Connect

Weil's Silicon Valley office serves as global pro bono legal counsel to Lime Connect, Inc., an organization that connects some of the world's leading corporations with accomplished individuals with disabilities. Lime was formed in 2006 and originally focused on hosting campus recruitment events connecting its corporate partners, including Bank of America Merrill Lynch, PepsiCo, Google, Target, and Goldman Sachs, with talented students and alumni from various universities across the United States. Lime has since expanded its footprint into Canada and recently launched a formal fellowship program; a virtual network that provides career, training, and development opportunities; and a co-branded scholarship program. Weil has been involved on an ongoing basis with various legal issues, including corporate governance, contract negotiations, licensing, and general structuring matters related to the formation of Lime Connect Canada.

Weil has received notable recognition from numerous charitable and pro bono organizations, including:

- Academy for the Development of Philanthropy in Poland
- American Bar Association
- Dallas Volunteer Attorney Program
- DC Appleseed Foundation
- Disabled American Veterans
- Eleventh Judicial Circuit and Dade County Bar Association
- Gold Star Wives
- HIV Law Project
- Houston Bar Association
- Human Rights Initiative
- Humane Society of the US
- The Innocence Project
- Jewish Board of Family and Children's Services
- Law Society of England & Wales
- Lawyers Alliance for New York
- Lawyers' Committee for Civil Rights Under Law
- Legal Aid Society (NY)
- Legal Services NYC
- March of Dimes
- National Wildlife Federation
- New York Lawyers for the Public Interest
- Political Asylum/ Immigration Representation (PAIR) Project
- Pro Bono Institute
- Sanctuary for Families
- Texas Appleseed
- Texas Bar Foundation

# Deferred Associates

In 2009, Weil established a first-year associate deferral program under which incoming first years were encouraged to use their time in a meaningful way. Many of our associates chose to pursue pro bono and not-for-profit work or to volunteer for humanitarian causes. They worked at a number of organizations that are striving to make a real impact, including:

- The Center for Justice and Accountability (CJA), an international human rights organization
- The Animal Protection Litigation section of the Humane Society of the United States
- The Cyrus R. Vance Center for International Justice, a part of the New York City Bar Association, which promotes access to justice in Latin America and Africa
- The Coptic Hope Center for Infectious Diseases
- Tulsa Zoo Management, an Oklahoma not-for-profit corporation that operates the Tulsa Zoo and Living Museum
- Sanctuary for Families' Center for Battered Women
- Asylum Access Ecuador's walk-in clinic, an institution that assists refugees in Quito
- Human Rights Watch
- The Bronx Defenders, a not-for-profit organization that provides attorneys, social workers, and other advocates to supply comprehensive assistance to clients
- The Human Trafficking Legal Clinic at the University of Michigan Law School, which assists trafficking victims navigate the immigration system
- Grassroot Soccer – SA, the South African subsidiary of an international not-for-profit that uses soccer as a tool to educate young people about the risks of HIV
- The Public Interest Law Center of Philadelphia, which works to ensure that the most vulnerable populations of the Philadelphia region have access to essential resources and services
- The United Way of New York City
- The Impact Litigation Group at Public Counsel, the largest pro bono law firm in the United States

# Weil Externships

The firm is particularly proud of its externship programs that allow full-time associates the opportunity to work exclusively on pro bono matters with leading public service and charitable organizations for a period of several months. Because of the expanded time frame of our externship assignments, associates are able to witness and appreciate the difference their efforts make, and the knowledge and skills they acquire on these assignments enhance not only their sense of social responsibility but also their legal acumen.

New to the firm's externships is The Legal Aid Society Criminal Practice Program, where volunteer attorneys assist Legal Aid in their representation of approximately 220,000 indigent defendants. Providing free legal service to the Bronx community of New York, our assignments include criminal defense work on misdemeanor cases, research and investigations, preparing witnesses, and arguing motions.

Examples of some additional externships offered at Weil include:

- Weil corporate associates work at Lawyers Alliance for New York with a wide variety of clients, advising on matters ranging from economic and community development projects and contract and lease negotiations to mergers of not-for-profits and financial reorganizations.
- Weil's externship program at the New York City Law Department provides Litigation associates the opportunity to assist the Corporation Counsel's office with depositions, motions, and trials.
- At Legal Services NYC, Weil Litigation associates get hands-on litigation experience in areas such as housing, bankruptcy, Social Security disability, and parental and children's rights, gaining valuable experience while helping disadvantaged New Yorkers.
- Weil and the Dallas Volunteer Attorney Program (DVAP), a joint program of the Dallas Bar Association and Legal Aid of NorthWest Texas, work together on the Lend-A-Lawyer Program assisting low-income Dallas residents with their legal problems. While working onsite at the DVAP offices, our attorneys handle civil cases, participate in weekly legal clinics, and work closely with DVAP's mentoring lawyers to assist clients. Weil's Dallas summer associates also spend a week of their clerkship at DVAP's offices assisting staff in providing legal services to the poor.
- Trainees from Weil's London office are seconded on a rotating basis to the Bar Pro Bono Unit, a UK-based pro bono charity organization that helps members of the public access legal counsel one day a week. The trainees assist with the prioritization and allocation of cases and are an invaluable resource for the unit.
- Weil's New York summer associates are given the opportunity to participate in the firm's pro bono summer externship program by spending one or two weeks at a public interest organization. These externships afford summer associates the opportunity to attend pro bono training programs, work alongside staff attorneys, conduct administrative hearings, assist on appeals, and interview clients. Apart from externships, summer associates are also assigned pro bono cases under the supervision of attorneys in the various practice groups through which they rotate.
- Summer associates from Weil's Washington, DC office participate in the Washington Legal Clinic for the Homeless. With training and attorney supervision, each summer associate provides advice and assistance to potential clients on issues of homelessness, the shelter appeals process, income assistance, medical needs, and public benefits issues.

# 50-Hour Plus Performers

Joseph Abadi	Russell Brooks	Melanie Conroy	Jeffrey R. Friedman	Noel Hughes
Elizabeth Alibhai	Brandye L. Brown	Rose Constance	Jared R. Friedmann	Peter D. Isakoff
Ashley R. Altschuler	Vadim M Brusser	Justin L. Constant	Alanna Frisby	Mark A. Jacoby
Jeffrey C. Angerman	Yehudah L. Buchweitz	Robin Cook	Thomas C. Frongillo	Jaroslav Jankowski
Andrew Arons	Warren T. Buhle	Jessica Costa	Deidre E. Fuller	Bíborka Jójárt
Amanjit Arora	William A. Burck	Christopher Cox	Sandra Y. Fusco	Helen Jones
Luiz Arroyo	Kathlene Burke	James Crook	Andrew L. Gaines	Rupert J. L. Jones
Corinne E. Atton	Gregory C. Burns	Stephen J. Dannhauser	Elliot Ganchrow	Pauline Justice
Lawrence J. Baer	Simon Burrows	Richard J. Davis	Randell J. Gartin	Stephen D. Kahn
Daniel Bagliebter	Casey A. Burton	Bernadette DeCelle	Larry J. Gelbfish	Irini Kalamakis
Barbara Baker	Victoria Burton	Oliver DeGeest	Joshua S. Gelfand	Marek Kanczew
Morgan Bale	Thomas Caldwell	Kristen Leigh Depowski	John R. Gerba	Mariko Kanazawa
Karen N. Ballack	Linda E. Calles	Paulette C. Deruelle	Robert Gerrity	Jocelyn R. Kanoff
Adam B. Banks	Matthew D. Cammack	Kavita Christina Desai	Stephen A. Gibbons	David B. Kapson
Nicolas G. Barzoukas	Stacie L. Cargill	Noemi Diaz	Peter Godhard	Emily Lauren Katz
Joseph J. Basile	Maria G. Carminati	Rocio Digon	Ajit Gokhale	Gregory L. Kau
Matthew Baudler	Jonathan E. Carr	Christine T. DiGuglielmo	Lyuba Goltser	Marcie R. Kaufman
Michael Bell	Starlett A. Carter	Allan Dinkoff	Max A. Goodman	Vanessa A.T. Kaye Watson
Victoria A. Bennett	Anne K. Castellani	Catherine T. Dixon	William H. Gordon	Peter J. Kee
Joseph F. Bernardi	Bill Kam Chan	James Dodd	Thomas D. Goslin	Eoghan P. Keenan
Andrea Bernstein	Brian Chih Kaung Chang	Christine Doktor	Piotr Grabarczyk	Rebecca Keep
David R. Berz	Julian Chatterton	Boris Dolgonos	Rebecca Grapsas	David Keller
John D. Beynon	Howard Chatzinoff	Richard Draper	Nathan A. Greenblatt	Consuelo A. Kendall
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Pawel Borowski	Carly-Anne Clarke	Rebecca Fett	Jin Woo Han	Jordan K. Kolar
Katherine G. Borun	Linford Coates	Elena Fialho	James R. Harvey	Robert Konig
Katherine Brandes	Sara Coelho	Susan Fiore	R. Todd Hatcher	Mateusz Koronkiewicz
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Ardith Bronson	Annemargaret Connolly	Gary D. Friedman	Eileen Hren	Alan R. Kusinitz

Weil staff members are equally critical to our pro bono work. From the Marketing Department's creative insight for our publications and the events and technical staff who assist with the firm's trainings, to our paralegals and administrative colleagues who provide critical support to the attorneys, every member is a valuable contributor to our pro bono success.

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