

Robinson+Cole

Pro Bono

At a Glance



June 2017

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### MESSAGE FROM PETER KNIGHT, PRO BONO PARTNER

I'll begin this introduction to the latest Pro Bono at a Glance with a mea culpa. Too much time has passed since the last update on pro bono happenings at Robinson+Cole. Lest you think there hasn't been any noteworthy activity in the interim, quite the opposite is true. If anything, the number of interesting projects for well-deserving pro bono clients resulting in often life-changing outcomes has been a little overwhelming! Before discussing just a handful of new and evolving matters, on behalf of the Pro Bono Committee I want to highlight a few general items:



**2016 Pro Bono Statistics** – R+C is an annual participant in the Pro Bono Institute's Pro Bono Challenge in which we join other major law firms in striving to dedicate 3 percent of total billable hours to pro bono publico service. In compiling the data to submit in response to this year's survey we were surprised to see a net decline in the number of pro bono hours. Somewhat contradictorily, the reason behind the small dip is encouraging! For the last two years, our numbers have been bolstered by two large complex pro bono litigation matters that have since resolved. While our overall hours have declined as a result, the good news is that the level of participation among our attorneys is at an all-time high. Last year we had a 15 percent increase in the number of pro bono volunteers! More R+Cers providing a greater range of services to a more diverse pro bono clientele is by far the more important metric and one that all of our volunteers can feel good about.

**Pro Bono Intake** – We get a lot of questions from attorneys opening pro bono matters for the first time. OIS makes this very easy. After discussing a new pro bono client or matter with me or the committee, the OIS intake process is the same as with billable matters. However, after selecting “Pro Bono” under fee detail, you are directed to a series of questions regarding the client and whether the client meets our pro bono criteria (can the client afford to pay for the services, will the value of the work amount to more than \$10,000, etc). After working through the questionnaire, the new matter request is sent to my attention for final pro bono approval. There also are form pro bono engagement letters that can be found on the system, or I can provide examples.

**Pro Bono 1 or 2?** – The difference is the client. Use Pro Bono 1 when the client is either an individual of limited means or an organization whose primary focus is serving individuals of limited means. Use Pro Bono 2 when the client is any other civic, charitable, or religious organization.

**Pro Bono “Budget”** – We often are asked whether there is a special budget set aside to pay for costs associated with pro bono matters, such as filing fees or experts. The short answer is no, but the firm recognizes that some costs may be incidental to our representation. During intake, the likelihood that costs and expenses will arise during the representation should be considered carefully. In the first instance, clients should be consulted to determine whether they can afford to pay for such expenses, even if they are not paying for our fees. If they are not able to pay, the firm will cover reasonable incidental costs and expenses (such as court or corporate filing fees) on a case-by-case basis. It goes without saying that expert witnesses are expensive and cases requiring experts must be vetted carefully at the outset. We try to keep track of all pro bono-related expenses, so please run anything other than small incidentals by me for approval.

**Paralegals and Pro Bono** – Many members of our terrific staff of dedicated paralegals have expressed interest in supporting pro bono matters. As you consider staffing new matters, please keep this in mind and reach out to Lisa Vooy's if you identify opportunities for legal assistants to get involved.

**Carly Leinheiser Joins the Pro Bono Committee** – We're happy to add Carly Leinheiser to the Pro Bono Committee. Carly, an associate in the New York office, is a member of the firm's Exempt Organizations Group. Her practice advising nonprofits and charitable organizations dovetails nicely with her extensive pro bono efforts. We are happy to add another representative from the Metro-New York office to the team!

Any questions about the logistics of opening and managing pro bono matters can be directed to me or any of our committee members. We're here to encourage our attorneys and staff to continue to grow the great tradition of pro bono work at Robinson+Cole. Please consider taking on a new pro bono matter today!

The following items are just a few examples of our recent pro bono matters and successes:

### **NAMIBIA PROJECT FEATURED IN PRINT AND ON SCREEN**

The firm's ongoing pro bono project to fight wildlife crimes in Namibia, Africa, continues to garner attention and combat the poaching epidemic. A team of R+C lawyers, in coordination with lawyers from a number of DLA's global offices, is helping Namibia's Legal Assistance Centre improve the country's wildlife conservation laws and strengthen their enforcement. Sorell Negro published an [article in March](#) in the Guardian on the poaching crisis and the effort to stop it. In February, Sorell, along with Megan Baroni, Suzanne Ferguson, Peter Knight, and Kelsey Cross, hosted a discussion and screening of the recently released Netflix original documentary *The Ivory Game*, which describes the ivory trade and poaching of elephants in Africa. In March, Negro also gave a presentation at the Pro Bono Institute's Annual Conference in Washington, D.C., on the firm's efforts. Other Namibia team members include Emily Deans, Byron Flagg, and Diana Neeves.

### **THE DOMESTIC VIOLENCE RESTRAINING ORDER PROGRAM CONTINUES TO EXPAND AND SUPPORT VICTIMS OF DOMESTIC VIOLENCE**

R+C's DVRO Team, led by Nuala Droney, was recently contacted by the Connecticut Coalition Against Domestic Violence to explore ways to coordinate and publicize the team's efforts on behalf of restraining order applicants. The idea is to better track cases and outcomes and to encourage other firms and attorneys to implement similar programs. As part of that initiative, Albina Yaikbaeva, a litigation paralegal in the business litigation department, has joined the DVRO team. Albina will help with the logistics of referrals and improve how we track and report our successes.

In a recent DVRO case, Dan Brody conducted what amounted to a half-day trial on an Interval House restraining order application in Rockville Superior Court. While the issues in many restraining order cases are clear and the matter resolved quickly, this case involved a litigious respondent and a host of testimony and evidence. After a favorable ruling from the bench for their client, Nuala credited Dan with great trial instincts and judgment and noted that she "wasn't sure that the judge would have ruled for our client if she was not represented by legal counsel."

### **BUSINESS TRANSACTIONS LAWYER HONORED FOR PRO BONO SERVICE**



The Pro Bono Partnership (PBP) recognized business transactions lawyer Stephen E. Cooper as a Volunteer of the Year for 2016 during a reception on April 19, 2017. Each year, the organization celebrates the commitment of a few special volunteers, whether for their achievement in a pro bono matter, extraordinary responsiveness, or time commitment. Steve was selected based on his long-standing commitment to the PBP. He has been a PBP volunteer for nearly two decades and has developed a well-deserved reputation for his professionalism and willingness to take on new matters. Through the PBP, Steve has worked for a host of nonprofit clients such as the Regional Youth Adult Social Action Partnership (RYASAP), an organization that works to ensure the safe and healthy development of youth, young adults, and families in the Greater Bridgeport region.

### **THREE R+C ATTORNEYS AUTHOR SUPREME COURT BRIEF FOR PRISONER ON GROUNDS OF INEFFECTIVE COUNSEL**

Linda Morkan, Nuala Droney, and Kris Moore recently authored a petition for *writ of certiorari* to the U.S. Supreme Court on behalf of a prisoner, Wendell Hasan, who is serving an 80-year sentence in a Connecticut state prison for a felony murder and burglary conviction stemming from a 1985 incident. In the brief, the R+C lawyers noted that Hasan had relied on his attorney for several years, and he believed his counsel was adequately representing his post-conviction interests. They noted how the attorney faced misconduct allegations and ultimately resigned from the bar and permanently waived his right to apply for readmission. In their brief, they noted Hasan would regularly call the attorney about three times a year, for several years, to discuss his case, but was never told that there were no post-conviction proceedings pending or that he should retain another lawyer. In an April letter to his R+C lawyers, Hasan wrote, "Thanks for giving me a voice and a chance. Can't thank you enough – there's not enough words to show my appreciation for your efforts."

### **R+C ASSOCIATES RECEIVE PRO BONO TRIAL SKILL TRAINING FROM THE BENCH**

Litigation associates Dan Brody, Lisa Andrzejewski, Jim Nault, and Andrew DePeau traveled to New Haven to participate in a recent training program sponsored by the United States District Court for the District of Connecticut and the Federal Bar Council. Panelists included judges and staff of the district, together with experienced trial lawyers. In exchange, participants agreed to take on an indigent litigant in a case pending in the district in the next year.

This is just one example of the many training programs available to attorneys interested in taking on a pro bono matter inside or outside of their practice area. Robinson+Cole regularly hosts or sponsors similar programs in coordination with a number of our pro bono partners, including Lawyers for Children America, the Connecticut Veterans Legal Center (CVLC), and the Center for Children's Advocacy.

### **ATTORNEYS HELP VETERAN REMOVE ARREST COVERAGE FROM INTERNET**

Kathy Porter and Conor Duffy successfully concluded a case on behalf of a client referred by the CVLC who needed to have news stories concerning a prior arrest taken down and made inaccessible from search engines such as Google. The client sought legal advice on removal of negative search results, as the information was impeding his employment and housing prospects. Robinson+Cole identified each site that had reported on the arrest and drafted letters to request removal of the stories. Due in large part to the client's exhaustive follow-up efforts with uncooperative sites, each of the news organizations identified ultimately took down the story regarding the client's arrest. Once the stories were taken down, Robinson+Cole worked with the client to have search results removed from Google that listed dead links where the stories were previously accessible.

### **ASSISTANCE PROVIDED IN EVICTION ACTIONS**

Through the CVLC, a dedicated team of R+C attorneys regularly assists veterans and their families in housing matters. Here are just two recent cases where effective legal counsel made a world of difference to our clients:

In one CVLC case, a disabled Iraq veteran and his partner were being evicted from their apartment after their rent increased and they didn't immediately pay the difference, causing them to be in arrears on their rent and face eviction. Bob Melvin, Bill Egan, and Jon Schaefer assisted the couple in negotiating with the landlord's attorney. The couple, who needed a larger space in any event, ultimately moved out of the apartment. Through the team's efforts, the grateful couple will not have an eviction judgment on their record, and the landlord dropped initial demands for month-to-month rental costs and attorneys' fees.

In another CVLC case, Dan Brody and Bill Egan helped a family facing eviction from its apartment settle the case. Under the agreement, the family vacated the apartment, and the landlord agreed to waive all past due rent charges, which represented a savings of \$1,900 for the family. If the property was left in good, or "broom clean" condition, the landlord also agreed to vacate the entry of an order against the family, so no judgment would remain on the family members' records.

### **R+C GIVES LEASE-RELATED ADVICE TO AGENCY THAT HELPS REFUGEES**

Bob Melvin recently received a heartfelt "thank you" from the New Haven-based organization IRIS, or Integrated Refugee & Immigrant Services. The nonprofit works to help refugees from war-torn regions transition to life in the United States, from starting new jobs and school to attaining U.S. citizenship. Robinson+Cole provided the organization with advice on lease issues related to its office space. In a letter, the agency's executive director, Chris George, wrote, "Your generosity with your time, expertise, and moral support, and your willingness and ability to explain complex matters were critical to our understanding of the issues and to the successful resolution of the matter."

### **FIRM OFFERS TRAINING TO HELP IMMIGRANT CHILDREN SEEKING SPECIAL STATUS**

Jonathan Small, one of a number of R+C attorneys representing immigrant children on a pro bono basis, recently coordinated a major training program for attorneys within and outside the firm. Robinson+Cole hosted the first of three training sessions in Hartford in May and will complete the training in June for attorneys interested in doing similar work. The sessions, conducted by the Center for Children's Advocacy (<https://cca-ct.org/>), provide training for attorneys interested in representing immigrant children seeking Special Immigrant Juvenile Status (SIJS) in the United States. SIJS is a

federal law that protects immigrant children who have been abandoned, abused, or neglected and allows them to avoid deportation, regularize their immigration status, and start on a pathway to citizenship.

The firm hosted a similar training for attorneys in the Boston office in March. That training was conducted by Kids In Need of Defense (KIND) (<https://supportkind.org/>) and focused on the representation of immigrant children seeking SIJS status. Elizabeth Wright, Kendra Berardi, Chris Bergan, and Ed Daley have already taken on referrals from KIND.

### **PRO BONO PROJECT MATCHES VETERANS WITH SERVICE DOGS**

Several R+C attorneys in the Miami office are helping a new Florida-based nonprofit organization, Blues for Vets, Inc., make sure that every disabled veteran who needs a service dog gets one. The pets are trained to help veterans with post-traumatic stress disorder, anxiety, traumatic brain injury, and other disabilities. Suzanne Ferguson and Byron Flagg are helping the organization with its 501(c)(3) designation and registration as a Florida nonprofit. With R+C's support, the organization is planning its first annual Pack Walk for the fall. Before taking on this new client, the attorneys in the Miami office got together and collectively decided to support this worthy organization. As members of the Providence office can attest to, this office-wide approach is a great model to leverage and maximize support for our pro bono clients.

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### **2017 PRO BONO COMMITTEE MEMBERS**

[Peter R. Knight](#) | [Kenneth C. Baldwin](#) | [Steven J. Boyajian](#) | [Karla L. Chaffee](#)

[Kathleen E. Dion](#) | [Edward J. Heath](#) | [Carly Leinheiser](#) | [Gregory J. Ligelis](#)

[Megan R. Naughton](#) | [Christopher S. Pitt](#) | [Taylor A. Shea](#)

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