



From the Chair...

by Mark I. Schickman

Chair of the ABA Standing Committee on Pro Bono and Public Service

Poverty continues to be a pervasive problem in today's society. Both the Old and New Testaments attest to the enduring intractability of poverty and the exhortation to help the poor is a basic tenet of several religions worldwide as it is among secular humanists and every other school of social thought. And the ranks of the poor keep growing, even in our land of opportunity. Currently, one in eight Americans live below the federal poverty level.

We have been at war against poverty for the past 35 years, and poverty is winning. The chronically poor have been a constant since President Johnson launched the War Against Poverty, and despite limited success in reducing the numbers of individuals affected by poverty, circumstances such as disasters, foreclosures, illness, human predators and a system more focused upon capital gains than human losses tend once again to swell the ranks. As a result, those who serve the poor have no shortage of clients.

Most of this war has been fought by people who re-up for a lifetime of battle, and we wonder what else there is to do? What have we not tried? What has worked? For better or for worse, we have been given a set of new challenges in the new millennium. We may die of exhaustion in fighting this good fight, but not of boredom.

The legal community is stepping up to do its part.

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2009 ABA Pro Bono Publico Award Recipients

The ABA Pro Bono Publico Award is presented each year by the Standing Committee on Pro Bono and Public Service to honor individual lawyers, law firms, law schools, government attorney offices, corporate law departments and other institutions in the legal profession that have enhanced the human dignity of others by improving or delivering volunteer legal services to the poor. The Pro Bono Committee received 29 nominations for the 2009 Award. After a very thorough review, the committee selected the following recipients:

Hope Olsson

After a long career in the software business Hope Olsson went back to law school in her late 40s. She has done pro bono work since that time. As a small firm attorney at Olsson, Fedder LLP in Rochester, NY, Olsson has counseled over 348 individual clients for the Volunteer Legal Services Project (VLSP) of Monroe's County's Debt Clinic. Through her work with the Clinic, she provides debt management education for low-income clients, participates in one-on-one client counseling sessions and accepts bankruptcy case referrals. She was also instrumental in helping VLSP establish the Clinic, a model that is one of the most successful in the region. Olsson continues to provide pro bono legal assistance in bankruptcy cases despite recent changes in bankruptcy law that have made this type of work more complicated for practitioners. She has also staffed a project once per month in the Rochester City Landlord Tenant Court to advise unrepresented tenants appearing in the Court of their rights and has done some pro bono immigration work.

Since 1998, Olsson has also been a member of the Board of Directors for Farmworker Legal Services of New York (FLSNY). She assists the project by helping to ensure that farm workers who have successful claims are compensated even when the employer files bankruptcy. She assists FLSNY staff attorneys in answering legal questions and providing mentoring in bankruptcy litigation.

In 2006, Olsson received the New York State Bar Association President's Pro Bono Service Attorney Award. She has also been actively involved in the Monroe County Bar Association's Bankruptcy Committee, which addresses issues of process and justice in Bankruptcy Court, and was a member of the Association's President's Commission on Access to Justice.

Gordon P. Erspamer

Gordon P. Erspamer of Morrison & Foerster in San Francisco, CA has been actively involved in pro bono for almost 30 years. He has received numerous awards during this time honoring his work as a tireless advocate for veterans' rights.

Erspamer's pro bono cases tend to be large in scope, often brought against government institutions to enforce veterans' rights. One of his earliest cases involved an effort to declare the \$10 attorney fee limitation imposed by the Department of Veterans Affairs unconstitutional. In 2007, Erspamer filed a lawsuit alleging that the U.S. Department of Veterans Affairs and other government institutions failed to care for veterans who returned from Iraq and Afghanistan suffering from post-traumatic stress disorder. Most recently, he filed an action for declaratory and injunctive relief under the United States Constitution on behalf of a group of veterans who

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acted as human test subjects for chemical weapons in the late 50s and 60s.

In addition to his impact pro bono work, Erspamer has brought individual cases on behalf of veterans with profound disabilities who were denied benefits. He has also assisted attorneys and veterans with questions concerning veteran benefits and advice on the Department of Veterans Affairs claims process.

Erspamer has served as a

member of the Board of Directors of the Contra Costa County Bar Association, where he was a member of the Pro Bono Committee and Chair of the Judicial Evaluations Committee. In 1992, Erspamer was named “Trial Lawyer of the Year” by the Trial Lawyers for Public Justice Foundation in Washington, D.C. Fifteen years later, he continues his pro bono work to ensure the rights of veterans and mentors numerous attorneys who do work in this area.

Federal Government Pro Bono Program

The Federal Government Pro Bono

Program was originally established in 1996 to comply with an order from then President Clinton which instructed federal agencies to “develop appropriate programs to encourage and facilitate pro bono legal and other volunteer service by government employees to be performed on their own time, including attorneys, as permitted by statute, regulation or other rule or guideline.”

Led by the United States Department of Justice, 36 federal government agencies currently participate in the Interagency Pro Bono Working Group. This

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group was developed to assist federal government agencies with drafting pro bono policies, promoting the federal government's pro bono efforts, and expanding the pro bono program to other agencies and cities. Although the program has been well established in D.C. for over a decade, recent efforts have been made to expand the program to federal agencies in other states. Recently, a pro bono program was launched for federal government attorneys in Chicago that involves a number of local Chicago pro bono organizations.

One of the unique aspects of the program has been its ability to thrive despite the unique challenges facing government attorneys who want to do pro bono work. Because government attorneys must provide legal services during their own time, cannot use government resources in providing services, and must be cognizant of job-related conflicts, pro bono work becomes all the more challenging. Yet, despite these obstacles, federal government attorneys have been able to provide pro bono services for a number of local agencies, engaging in such tasks such as providing advice and referrals, litigating civil cases, staffing clinics, and conducting mediation.

Holocaust Survivors Justice Network

In October 2007, German Chancellor Angela Merkel announced the creation of the German Ghetto Work Payment (GGWP) program to provide a one-time payment of 2,000 Euros to Holocaust survivors who performed "voluntary" work in German-controlled ghettos. Over the course of the next year, legal professionals in over 30 cities in the U.S. came together who collectively provided over 34,000 hours of pro bono service to

survivors, resulting in over 2,000 GGWP applications being filed.

The Network has been called "the largest coordinated pro bono effort in United States history." Never before has such a large group of legal professionals come together to coordinate such a seamless effort to reach individuals in need across the nation. Because of the use of technology and strong coordination among partners, the Network has been able to reach an unprecedented number of survivors in an extremely short period of time. In addition, the Network has been able to identify survivors who were previously unknown to social service agencies or local survivor groups due to their vast marketing campaign and other outreach efforts.

Some of the innovative actions that the Network has taken include visiting survivors in their homes to ensure access to services, holding daylong clinics at a firm, holding several

simultaneous clinics in a community, and developing a technological platform to track client assignments and case progress. Currently, there are over 2,600 attorneys from over 130 firms participating and there are plans to expand the program to Australia and Canada.

Weil, Gotshal & Manges LLP

In 2004, Weil, Gotshal & Manges developed an innovative pro bono policy which requested that every lawyer in the firm perform 50 hours of pro bono work, every partner and counsel take or supervise at least one pro bono matter, and every new lawyer work on at least one pro bono matter. By implementing this policy, the firm nearly tripled its pro bono hours. The firm's U.S. average number of hours per attorney has also reached over 80 hours for the past few years.

Weil's involvement in pro bono cases is extensive both domestically and internationally. Some of the firm's most notable efforts include working with Human Rights Watch to monitor and analyze on a daily basis motion practice and jurisprudence at the International Criminal Court and working with the Innocence Project in supporting its litigation, administration and policy work.

One of the more unique pro bono efforts of the firm is its participation as the first "beta subscriber" to Pro Bono Net's interactive Pro Bono Manager. This fully integrated online portal, known in the firm as the "Weil Pro Bono Hotspot," serves as a repository of all materials relevant to the firm's pro bono practice. In addition, the firm initiated World Pro Bono Week in 2008, during which all Weil offices held a special pro bono related event. The firm also sponsors externships of four to twelve month(s) duration at leading public service organizations. Summer associates and retiring attorneys are also

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urged to continue pro bono work for the firm and Weil partners with its corporate clients on several pro bono projects.

Over the past two years, the

firm has received upwards of 20 different awards from programs around the country for its laudable pro bono work. These include the Pro Bono Institute Pickering Award, the Lawyers' Committee for Civil Rights Under Law Advocate for Justice Award and the Law Technology

News Award for Most Innovative Use of Technology for a Pro Bono Project.

The recipients of the 2009 ABA Pro Bono Publico Award were honored on August 3, 2009 at the Pro Bono Publico Awards Assembly Luncheon during the ABA Annual Meeting in Chicago.