



Building a Pro Bono Culture in South Korea: Letter from Pro Bono Counsel, Harlene Katzman



Harlene Katzman

In December 2012, Simpson Thacher participated in a Pro Bono Symposium in Seoul, South Korea. This was the country's first major gathering to discuss the role of pro bono in the Korean legal community and it drew over 100 representatives from private law firms, including **Youngjin Sohn** from Simpson Thacher's Seoul office, Korean NGO's, the Seoul and Korean Bar Associations, academics and journalists. The Symposium aimed to provide a new vision for how the nation and its law firms could expand and coordinate pro bono legal services. The goal was to inspire Korean law firms to think of pro bono as more than just an act of social responsibility, but as a culture of legal service to socially and economically marginalized people. The event was hosted by Bae, Kim & Lee LLC and the Dongcheon Foundation.

The United States was held out as having a model pro bono culture and my colleagues, Esther Lardent from the Pro Bono Institute and David Lash from O'Melveny & Meyers, and I presented in depth models of pro bono management and practice. We spent many hours discussing how pro bono legal service delivery works in the United States and answering in-depth questions about the benefits of formal pro bono programs. We learned that many Symposium attendees have followed pro bono developments in the United States, including the pro bono efforts of U.S. law firms, for years. I am honored that Simpson Thacher is so highly regarded in the pro bono arena from as far away as Korea and look forward to watching the Korean pro bono culture develop.



Back and middle: Lawyers from Bae, Kim & Lee LLC and the Dongcheon Foundation; Front: David Lash, Esther Lardent and Harlene Katzman



Symposium participants in a break-out group discussing pro bono legal services models.

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Recent Pro Bono Achievements

Simpson Thacher Wins Pro Bono Housing Case in D.C. Court of Appeals

On January 24, 2013, the Firm's Washington office succeeded in obtaining a reversal by the District of Columbia Court of Appeals of a judgment entered against a tenant in a nonpayment eviction action brought by her landlord. In 2010, our client's landlord sued to evict her and her children alleging unpaid rent and damage to the property. Simpson Thacher went on to represent the client at a jury trial on the claim for nonpayment of rent, and after a loss at trial, appealed the decision in 2012. While the appeal was pending, the landlord filed a new eviction case based on an alleged lease violation and the Firm began the second defense. This second case also went to a jury trial, which the Firm won. In January 2013, the D.C. Court of Appeals ruled in our client's favor, remanding the first case, and creating good law by clarifying the D.C. retaliation statute. According to the Legal Aid Society of the District of Columbia, which referred the case to the Firm, the ruling will not only benefit our client personally, but also countless other tenants now and in the future. The Simpson Thacher team included **Peter Thomas**, **Conor Reidy**, and **Jonathan Porter**, who represented the tenant pro bono. Former associate **Christopher Kelly** argued the appeal.

Simpson Thacher Successfully Resolves Civil Rights Case in California Federal Court

Attorneys in the Palo Alto office successfully resolved an Eighth Amendment case originally brought *pro se* by a prisoner as a Section 1983

action against prison officials. While an inmate in a California prison, the client received grossly inadequate medical care, which led to progressive worsening of his back condition and necessitated aggressive reconstructive surgery that left him permanently disabled. Following a four-day jury trial in the Eastern District of California, a highly favorable settlement was reached to compensate the client for his injuries and provide him with a new lease on life following his anticipated release in early 2013. The team included **Alexis Coll-Very**, **Stephen Blake** and **Paloma Wu**.

Simpson Thacher Amicus Brief Helps New York Court of Appeals Decision to Limit Application of Anti-Terrorism Statute

Simpson Thacher filed an amicus brief in the New York Court of Appeals earlier this year on behalf of the NYU Center on the Administration of Criminal Law in a case challenging a conviction based on the extension of New York State's anti-terrorism statute to traditional gang-related street violence. On December 11, 2012, the court unanimously vacated the conviction and ordered a new trial, ruling that criminal activity traditionally ascribed to gangs cannot be prosecuted under the anti-terrorism statutes enacted in the wake of the September 11, 2001 attacks. The Firm's amicus argued that the Penal Law is replete with statutes that adequately punish gang-related crimes without the need for prosecutors to resort to laws that were enacted in response to 9/11 style terrorism, and that misapplying the anti-terrorism statute toward gang violence harms prosecutors' ability to combat both terrorists and gang members. The matter was handled by **Nicholas Goldin** and former associate **David Edwards**.



Simpson Thacher Wins Special Immigrant Juvenile Status and Legal Permanent Residency for Youth

Los Angeles associates **Jessica Marek** and **Colin Rolfs** secured Special Immigrant Juvenile Status and Legal Permanent Residency for a Guatemalan youth who came to the United States fleeing gang violence. The client was granted Special Immigrant Juvenile Status by U.S. Citizenship and Immigration Services based upon the Los Angeles Superior Court's finding that reunification with the client's parents was not a viable option and returning to Guatemala would not be in his best interest. The client's removal proceedings before the Immigration Court were then dismissed, and the client applied for and was granted Legal Permanent Residency. **Seth Ribner** supervised the matter, referred by Kids In Need of Defense, and **Marisela Licerio** and **Gisela DeSantiago** provided translation and interpretation assistance.

Simpson Thacher Wins Asylum on Behalf of Kyrgyz Client

On January 22, 2013, Immigration Judge Javier E. Balasquide granted asylum to a Kyrgyz client who had been a victim of persecution by both private citizens and government officials due to her sexual orientation. The matter was referred to the Firm by the New York City Bar, and the Simpson Thacher team included associates **Craig Waldman**, **Michelle Hertz**, and **Jordan Botjer**, and was supervised by **Bryce Friedman**.

Simpson Thacher Corporate Lawyers Help Launch New Business in Harlem

Simpson Thacher attorneys in New York helped Brenda and Aaron Beener, a mother-and-son team,

start Seasoned Vegan, a vegan soul food restaurant in Harlem, by providing pro bono legal assistance at a critical point in the launch of the business. According to the *Daily News* article which highlighted the opening in a January 23, 2013 article, the restaurant will "offer a savory array of meatless, non-dairy feasts to an area where the consumption of grease, gluten and high-cholesterol animal fats has long been linked to astronomical rates of obesity and diabetes." The Beeners were first advised during the Firm's small business legal clinic which operates in partnership with New York City Business Solutions Center and VOLS' Microenterprise Project. The team of lawyers included: **Michael Svetich**, **Charles Clinton**, **Sam Warfield** and **Bennett Surajat**, and was supervised by **Alan Brenner**.

Simpson Thacher Awards Two Public Service Fellowships in 2013

The Public Service Fellowship was initiated in 2009 as a means for Simpson Thacher lawyers to make a sustained commitment to public interest work. The fellowship offers associates the opportunity to spend one year working on a public service project of their choice, supported by a stipend and benefits from the Firm. This year, the Fellowship has been awarded to two incoming associates from the class of 2012: **Mrinalini Singh** and **Deborah Frankel**.

Mrinalini is hosted by the United Nations Association of the UK (UNA-UK), a non-governmental organization that is a leading source of policy analysis of the UN, headquartered in London. During her fellowship, Mrinalini will monitor the decisions of the UK government and the recent international law trends as part of the "a



fairer world” campaign. She will also focus on the campaign for “a sustainable world” by working closely on policy recommendations to achieve the Millennium Development Goals. Finally, Mrinalini will educate the elected public representatives in the UK parliament about objectives of the UN so that they can better serve the public.

Deborah is hosted by the New Haven Legal Assistance Association (NHLAA), which protects the rights of those residents of New Haven County unable to obtain legal counsel. Deborah will work in the Juvenile Matters and Education Law Units. She will litigate individual abuse and neglect cases; advocate for children with special needs and their families; and assist with NHLAA’s class action lawsuit challenging the state for delays in processing applications for critically needed Medicaid assistance.

Simpson Thacher Files Pro Bono Amicus Brief to U.S. Supreme Court in DOMA Case

Simpson Thacher submitted an amicus brief in *Windsor v. Bipartisan Legal Advisory Group* on behalf of Service and Advocacy for Gay, Lesbian, Bisexual and Transgender Elders (SAGE), the National Senior Citizens Law Center, the American Society on Aging, the National Hispanic Council on Aging, the Southeast Asia Resource Action Center and the National Organization of Social Security Claimants’ Representatives in support of the affirmation of the Second Circuit’s ruling that section 3 of the Defense of Marriage Act (DOMA), which creates a federal definition of marriage as only between a man and a woman and consequently denies over 1,000 federal marital benefits and protections to legally married same-sex spouses, is unconstitutional.

In *Windsor*, the plaintiff was denied the protection of the marital deduction under the federal estate tax and was required to pay over \$363,000 in estate taxes on her deceased wife’s estate. The U.S. District Court for the Southern District of New York found Section 3 unconstitutional as applied to the plaintiff and the case was appealed to the Second Circuit, which affirmed the District Court’s ruling. Simpson Thacher’s amicus brief illustrated the tangible impact that DOMA’s definition of marriage has on the lives and financial well-being of LGBT elders. The Simpson Thacher team included **Joe Tringali, Lexie Pitney, Nick Davis** and **Laura Safdie**.

Simpson Thacher Assists Tokyo NGO with Research on Myanmar

Since February 2012, lawyers at Simpson Thacher have assisted Japanese NGO Human Rights Now by producing monthly reports on the human rights situation in Myanmar. Extraordinary democratic reforms have dramatically changed the country’s political landscape since President Thein Sein brought a civilian government to power in 2011. These reforms include the liberation of Aung San Suu Kyi after 15 years of house arrest, her subsequent election to Parliament and a global easing of economic sanctions. The Simpson Thacher research team reports on the responses of the international community to Myanmar’s reform efforts (with a specific focus on sanctions), elections, ethnic violence, political prisoners, economic development, civil and political rights and the rule of law.

Human Rights Now draws on the materials prepared by the Simpson Thacher team to publish proposals regarding development and human



rights issues in Myanmar. Recently, Human Rights Now used our reports to prepare for a meeting with Mr. Tomás Ojea Quintana, the United Nations Special Rapporteur on the human rights situation in Myanmar. The research team includes attorneys from the New York, Washington and Tokyo offices including, **Tyler Flood, Michael Ceulen, Andrew Winerman, Jonathan Ripa and Joshua Walker**, and is overseen by Tokyo partner **Alan Cannon**.

Simpson Thacher Holds Annual Pro Bono Recognition and Awards Receptions in NY, PA, LA and D.C.

In March, Simpson Thacher celebrated the Firm's 2012 pro bono contributions with office receptions honoring 137 partners and associates and 13 legal assistants who devoted 100 or more hours to pro bono service, and recognizing 113 additional partners and associates who devoted between 25 and 100 hours. Our deepest appreciation goes out to the lawyers, legal assistants and staff who represented the many low-income clients, organizations that serve them and others needing our assistance.

New York Reception, March 6, 2013



Caroline Gross, David Pernas, Lara Pomerantz, Jordan Botjer and Kelly Hodges



Harlene Katzman and Andrea Wahlquist



Noah Stern, Isaac Rethy, Omari Mason, Maura Whelan, Rodrigo Surcan dos Santos and John Bennett



Jonathan Youngwood, Janet Gochman and Tom Rice



Julia Kohen, Harlene Katzman, Alden Millard and Makiko Harunari



Adam Moss, Michael Monteleone, Tiffany Threadcraft, Shelly Lin and Ifeanyi Oteh

Los Angeles Reception, March 7, 2013



Chet Kronenberg presents Jessica Marek her award for completing over 100 hours of pro bono service.



Michael Freedman, Mike Kibler, Colin Rolfs, Marisela Licerio, Jessica Marek and Michelle Kallen



Tom Wuchenich, Dan Clivner, Chet Kronenberg and Mike Kibler



Palo Alto Reception, March 7, 2013



Kevin Kennedy, Jonathan Sanders, George Brell, Roxana Niktab, Buzz Frahn, Colman McCarthy, Melissa Schmidt, Andrew Sparks, Paloma Wu, Larissa Soboleva, Joel Beck-Coon and Nancy Anderson

Washington, D.C. Reception
Save the Date for April 19, 2013

Simpson Thacher and Morgan Stanley Jointly Sponsor Equal Justice Fellow to Work at ACLU Women's Rights Project

Simpson Thacher and Morgan Stanley jointly selected their second Equal Justice Works Fellow, Michaela Wallin, for a two-year position at the ACLU Women's Rights Project. Michaela's project will provide legal representation, policy advocacy, and community outreach to domestic violence victims whose housing and safety are threatened by discriminatory local laws in New York and Pennsylvania. The selection committee included partners **Bruce Angiolillo** and **Jonathan Youngwood**, Pro Bono Counsel **Harlene Katzman**, Eric Grossman, Morgan Stanley's Chief Legal Officer, and Alita Wingfield and Anne Cooney from Morgan Stanley's Legal and Compliance Department.

Awards/Other Updates

Simpson Thacher Honored by Common Cause

On March 12, 2013, Simpson Thacher received the Champions of Democracy Award for its work on Election Protection by Common Cause/New York. **John Ericson**, **Harlene Katzman** and **John Bennett** accepted the award at the University Club of New York. Common Cause is dedicated to restoring the core values of American democracy, reinventing an open, honest and accountable government that empowers ordinary people to make their voices heard.



Barbara Arnwine, Executive Director, Lawyers Committee Civil Rights Under Law, Harlene Katzman, John Ericson, Susan Lerner, Executive Director, Common Cause/NY, and John Bennett



Washington Office Honored by D.C. Circuit Judicial Conference

In April 2013, Simpson Thacher's Washington office will be honored at *The 40 at 50: Judicial Pro Bono Recognition Breakfast*. This event, held at the U.S. Courthouse, honors the firms in Washington, D.C. that have at least 40% of the lawyers contributing at least 50 hours of pro bono legal services. The Judges of the U.S. Court of Appeals for the D.C. Circuit and the U.S. District Court for the District of Columbia will present the award and **Peter Thomas** will attend with associates on behalf of Simpson Thacher.

Los Angeles Office Honored by Public Counsel Law Center

Simpson Thacher's Los Angeles office will receive the 2013 William O. Douglas Dinner Law Firm Pro Bono Award from Public Counsel Law Center. Founded in 1970, Public Counsel is the public interest law firm of the Los Angeles County and Beverly Hills Bar Associations as well as the Southern California affiliate of the Lawyers' Committee for Civil Rights Under Law. The Douglas Award is named for the late Supreme Court justice noted for his support for civil rights and freedom of speech. Past recipients of the individual Douglas award include former Secretary of State Madeleine K. Albright, Vice President Al Gore, Nobel Peace Prize Laureate Elie Wiesel and Assistant Secretary for Veterans Affairs L. Tammy Duckworth.

Simpson Thacher Receives Allegiance Award from Kids in Need of Defense

On April 30, Simpson Thacher will receive the Allegiance Award from Kids in Need of Defense (KIND) at its 2013 Gala Dinner. KIND was found-

ed by Angelina Jolie and the Microsoft Corporation to create a pro bono movement of law firms, corporations and others to provide quality and compassionate legal counsel to unaccompanied refugee and immigrant children in the United States. KIND serves as the leading organization for the protection of unaccompanied children who enter the U.S. immigration system alone and strives to ensure that no such child appears in immigration court without representation. Over the past four years, Simpson Thacher attorneys in the NY, LA and D.C. offices have represented over 20 children referred from KIND in their immigration matters.

Simpson Thacher Lawyers Serve on Fund for Teachers Selection Committee

Eleven Simpson Thacher attorneys served as members of the committee that reviewed and helped to select this year's recipients of summer fellowships for New York public school teachers through the Fund for Teachers, which is administered by New Visions for Public Schools, a long time pro bono client of the Firm. Associates **Patricia Adams, Nicholas Baker, Whytne Brooks, Samuel Charlton, Meredith Duffy, Julia Kohen, Matthew Levy, Brittany McCants, Jason Pearl, Paul Sirkis** and **Alicia Washington** participated in the 2013 selection process.

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