

# 2015 PRO BONO ACHIEVEMENTS

**Kirkland is committed to providing legal services without charge to those who cannot afford counsel, with the goals of improving clients' lives, bettering communities and deepening our own professional experience.**

At Kirkland & Ellis, our commitment to pro bono runs deep. Across our 12 global offices, attorneys at all levels — from senior partners to summer associates — and other legal professionals are engaged in impactful projects that provide valuable help to those who need it most.

Our dedication to providing legal services without charge to those who cannot afford counsel reached new heights in 2015. The Firm set an all-time high pro bono program participation rate, with 72.8 percent of attorneys performing at least 20 hours each of pro bono work. On average, each Kirkland attorney devoted 72.3 hours to pro bono work, and more than 100 of our attorneys performed an impressive 100 hours or more of pro bono work.

As we continue to team with legal services organizations and other institutions providing pro bono assistance, we invite you to join us in our commitment. We are eager to continue exploring ways we can work together on important pro bono initiatives.

On behalf of our Global Management Executive Committee, I thank our attorneys and staff, clients and partnering legal services organizations for their 2015 pro bono contributions.

A handwritten signature in white ink that reads "Jeffrey C. Hammes". The signature is fluid and cursive, with a large, stylized initial "J" and "H".

JEFFREY C. HAMMES, P.C.  
Chairman, Global Management Executive Committee



## ANTI-TRAFFICKING

### AWARD

#### SANCTUARY FOR FAMILIES ABOVE & BEYOND PRO BONO ACHIEVEMENT AWARD

Kirkland was honored for excellence in pro bono advocacy at Sanctuary for Families' 13th annual Above & Beyond Awards. Kirkland was also recognized for its leadership as a founding partner in a new initiative that provides pro bono staffing to New York City's Human Trafficking Intervention Courts. Sanctuary for Families is the largest nonprofit in New York State dedicated to serving victims of domestic violence and sex trafficking.

The statistics are alarming: There are 4.5 million victims of sex trafficking around the world. Ninety-eight percent of them are women and girls. And in New York, more than 4,000 minors are bought, sold and trafficked for sexual purposes every night.

Kirkland attorneys are helping these victims in partnership with the New York State court system and Sanctuary for Families, the state's leading service provider and advocate for survivors of domestic violence, sex trafficking and related forms of gender violence. Among other services, Sanctuary for Families' anti-trafficking initiative provides pro bono staffing to two of New York State's 11 Human Trafficking Intervention Courts, established by former Chief Judge Jonathan Lippman in fall 2013.

"Kirkland worked with Sanctuary for Families and the New York State Courts to create an anti-trafficking clinic within the courts' Queens Family Justice Center, and staff it

with volunteer attorneys who were specially trained to screen defendants for indications of exploitation," said Kirkland New York pro bono counsel Jacqueline Haberfeld. "Our objective was to work with these people as victims, rather than as criminals, and to make them aware of the legal remedies, counseling and other resources available to them."

In partnership with Sanctuary for Families and seven other New York law firms, Kirkland established the framework for the clinic. A two-day, six-hour training was held for interested attorneys, who also needed to pass a security clearance process. The clinics were up and running by July 2014. Since the initiative's inception, more than 45 Kirkland attorneys, summer associates and legal assistants have devoted more than 600 hours to staffing the anti-trafficking clinic at the Queens Family Justice Center. The program has been so successful that it has recently expanded to the Brooklyn Human Trafficking Intervention Court.

**"With Kirkland's support, the Trafficking Intervention Pro Bono Project has provided lifesaving assistance to nearly 300 victims of sex trafficking and others at high risk of exploitation and abuse."**

DORCHEN LEIDHOLDT  
Director, Legal Center,  
Sanctuary for Families

Interviews with trafficking defendants are difficult and emotional. The majority of individuals that Kirkland attorneys meet with are foreign-born women arrested for prostitution. Many do not have immigration documentation and do not speak English. Translators, in person or on the phone, are essential to the interview process.

"Right out of the gate, you face a complicated situation," said Kirkland intellectual property litigation partner Jeannie Heffernan, who has volunteered at the Queens location since it opened. "You're meeting someone for the first time. She's scared and typically doesn't speak English. We are fortunate to have in the New York office a significant number of lawyers and staff with foreign language fluency who are engaged in this project. When we don't have a lawyer with language skills, though, both you and the clinic's clients are looking to the interpreter to help make sense of things. Add in the fact that the subject matter is very sensitive and you have a short amount of time to try to establish a rapport. It can be quite challenging."

In some cases, defendants are reluctant to self-identify as victims.

"Very often, someone has paid for them to come to this country, so there is a debt bondage situation," Haberfeld said. "They may fear for their lives or the safety of their families back home. In those

instances, we aim to educate them that there is help for them when they are ready to receive it."

Some defendants do already realize they are sex trafficking victims and accept help. These individuals are offered the opportunity to apply for T Nonimmigrant Status, known as a T visa, which protects them and allows them to stay in the United States to assist in bringing their exploiters to justice. Kirkland attorneys complete these T visa applications in addition to the hours they serve at the clinic.

The anti-trafficking clinics have counseled hundreds of people, and have helped many sex trafficking victims remain safely in the United States and escape the abuse, isolation and degradation they previously faced. Kirkland was honored at Sanctuary for Families' 13th annual Above & Beyond Pro Bono Awards in October 2015 for its leadership as a founding partner in the anti-trafficking initiative.

"The attorneys who participate in this program have an opportunity to make a real, meaningful and immediate difference in someone's life," Heffernan said. "When we are able to help these clients feel comfortable and supported enough to self-identify as victims so that they can start to escape a truly awful life, it is immensely rewarding."

### SEX TRAFFICKING BY THE NUMBERS

**4.5 million** victims of sex trafficking globally

**98%** of all sex trafficking victims are women and girls

**4,000+** underage youth are sex-trafficked every night in New York

*Source: International Labour Organization and Sanctuary for Families*



Kirkland litigation of counsel Michael McConnell (right) stands with raisin farmers Marvin and Laura Horne (center) and co-counsel Brian Leighton in front of the U.S. Supreme Court after oral arguments on April 22, 2015.

## APPELLATE

**400+ hours**  
devoted to *Horne v. USDA*  
in 2015

### AWARD

#### THE A-LIST

For the third year in a row, Kirkland was named to *The American Lawyer's* A-List. The A-List comprises the country's 20 most well-rounded law firms via a measure of their success in four core areas: financial performance, pro bono, diversity and midlevel associate satisfaction.

It was a sight to behold: Kirkland litigation of counsel Michael McConnell, arguing on the floor of the U.S. Supreme Court, had cracked a joke about dancing raisins, and several of the justices, even those with the most stoic reputations, couldn't help but giggle. In fact, there were multiple bouts of laughter during the oral argument.

"There is something inherently comical about a case about raisins," McConnell said.

Those tiny dried fruit snacks were at the very center of *Horne v. USDA*, a case that McConnell and his Kirkland team argued at the Supreme Court — not once, but twice.

Kirkland represented Marvin and Laura Horne, a California couple that owns a raisin farm. In the early 2000s, the Raisin Administrative Committee (RAC), a Great Depression-era government entity that manages the country's raisin supply through federal marketing

orders, required the Hornes to surrender a substantial portion of their raisin crop — several hundred tons — to the government without compensation. The Hornes refused to comply, alleging the long-running program violated the Fifth Amendment's Takings Clause, which protects against the confiscation of private property without just compensation.

What happened next made it hard for the justices to keep a straight face during arguments: The RAC sent trucks to the Hornes' farm, intending to seize their raisins by force. The Hornes, of course, refused entry. The RAC aborted the mission and ultimately fined the couple more than half a million dollars for not complying with the order to surrender their raisins. A lawsuit ensued.

The case eventually made its way to the U.S. Court of Appeals for the Ninth Circuit, which ruled in 2011 that the courts do not even have jurisdiction to consider the

**"Winning the case not once, but twice, was truly a herculean task."**

MARVIN AND LAURA HORNE

Hornes' constitutional claims until after they complied with the government order. Kirkland stepped in to represent the Hornes on a pro bono basis and argued the appeal in the Supreme Court in 2013. The justices unanimously reversed and remanded the Ninth Circuit's decision, leaving Kirkland and the Hornes to again face an unsympathetic court.

By now, the case was receiving widespread national media attention, with many news organizations not so subtly hinting at how outdated and ridiculous the RAC and its orders seemed. Comedy Central's "The Daily Show with Jon Stewart" even aired an episode with a segment devoted to the case, complete with an interview with Marvin Horne, who delivered deadpan responses to questions peppered with raisin puns.

The case traveled to the Supreme Court for a second time in April 2015. Nearly a dozen California raisin farmers flew out to Washington, D.C., to watch the arguments. So did McConnell's cousin, who is an apple farmer.

"That just goes to show how important this case was to these people," McConnell said.

Kirkland and the farmers prevailed. In June, the court held 8-1 that personal property is protected from government takings without just compensation, and that the right to make a livelihood by engaging in commerce is not merely a "government benefit" for which the government can require the relinquishment of a constitutionally protected right.

"Seeing how happy the Hornes were was tremendously uplifting," said Kirkland intellectual property litigation partner John O'Quinn. "Their livelihoods had been at stake. They had literally bet the farm on winning. This was an important win for personal liberty."

The Hornes were grateful to have Kirkland's expertise on their side.

"Winning the case not once, but twice, was truly a herculean task," the couple said. "The win will ensure the continuation of family raisin farms in California."

## FELLOWSHIP

### Kirkland & Ellis Pro Bono Fellowship Program

Kirkland began its sixth annual Kirkland & Ellis Pro Bono Fellowship Program in conjunction with the University of Chicago Law School in June 2015.

The program provides a unique opportunity for students to gain practical experience in a law firm setting while engaging in public interest work during the summer following their first year of law school. Each fellow worked as an intern at a legal aid provider with which Kirkland has had a longstanding relationship, and worked with Firm attorneys on pro bono matters referred from that legal aid provider.

The 2015 pro bono fellows worked with Equip for Equality, Lawyers for the Creative Arts, the Better Government Association and the National Immigrant Justice Center.



## HOUSING RIGHTS

### AWARD

#### ICLC RECOGNITION

The Inner City Law Center (ICLC) recognized Kirkland's pro bono work for low-income tenants at its Annual Awards Luncheon in Los Angeles in June 2015. Kirkland partnered with ICLC to represent more than 100 low-income plaintiffs in a negligence lawsuit against their landlord after enduring dangerous living conditions for years.

Rats scurried around every corner, leaving trails of urine and droppings. Children played in rooms that had peeling lead paint and exposed wires. Cockroaches spawned in bedbug-infested mattresses and crawled into peoples' ears as they slept.

These atrocious living conditions were a longtime reality for more than 100 tenants of a 26-unit building in South Los Angeles. For four years, residents — including more than 10 elderly people and 40 children — endured mold and sewage problems, faulty sanitation, infestations, lack of running water, fire safety violations and more. The Health Department and Housing & Community Investment Department repeatedly cited the building for failures in compliance with basic health and safety laws and fire codes.

The tenants complained about the conditions to their landlord, Franco Haiem and Bracha Investments LLC, but their grievances were ignored. Many residents were unable to

vacate the building because it was too expensive for them to move.

Something had to be done.

Kirkland partnered with the Inner City Law Center — a nonprofit organization that provides free legal services to low-income Los Angeles residents for housing and homelessness-related issues — to help the tenants in their quest for safer living conditions.

“Unfortunately, in South Los Angeles, there are a lot of these types of slum apartment buildings,” said Kirkland intellectual property litigation partner Sharre Lotfollahi, who led the Kirkland team that represented the tenants on a pro bono basis. “The landlords attract low-income, non-English-speaking tenants by not charging deposit fees, and not running background and credit checks. But then they charge excessive rent and neglect the buildings. Even though tenants know this is wrong, they won't

**“We are thankful that justice has been served and hopeful the compensation our clients will receive will help change their lives for the better.”**

SHARRE LOTFOLLAHI  
Partner, Kirkland & Ellis

speak up, because they're afraid they'll end up living on the streets or will get deported.”

Although the attorneys tried to work with the landlord to address the problems, he continued to ignore the residents' complaints. The Inner City Law Center filed a lawsuit on behalf of the tenants in 2013. The complaint alleged negligence, breach of implied warranty of habitability, unlawful collection of rent, intentional infliction of emotional distress and other wrongful conduct.

A jury trial was granted. Attorneys from Kirkland and the Inner City Law Center worked with translators to prepare for the tenants' depositions. Many of the clients, who were mostly Spanish-speaking immigrants, were skittish about the entire process.

“We focused on helping them to understand how important it was for them to be heard and to tell their story,” Lotfollahi said. “It was very rewarding to see how empowered they became.”

When the 12-day jury trial kicked off in April 2015, representative

plaintiffs began taking the stand. The shocking stories they told about their living situation, and the effects on their physical and emotional well-being, made headlines. The landlord's callousness also attracted attention; he testified that he had put his “heart and soul” into the building, and that the unsafe living conditions were the tenants' own faults.

Four days into the trial, Kirkland and the Inner City Law Center obtained a \$2.18 million settlement on behalf of the tenants.

“It is incredibly unfair that this landlord took advantage of these tenants, most of whom had no recourse but to live in unacceptable and dangerous surroundings while he neglected even the most basic amenities,” said Sonia Pflaster, senior staff attorney at the Inner City Law Center. “We appreciate the effort that the Kirkland team put into this case to ensure that our clients would receive appropriate compensation for the hardships they endured. The settlement will have a meaningful impact on each of their lives.”

## FELLOWSHIPS

### Equal Justice Works Fellowship

In 2015, Kirkland co-sponsored an Equal Justice Works Fellowship with client Aon. Fellow Alexandra Roffman is working with Cabrini Green Legal Aid in Chicago, where she will advocate for young mothers whose interaction with the criminal justice system threatens their mother-child bonds. Through her work, she will address the cycle of incarceration, foster care and violence for young women.

### Kirkland & Ellis Justice Fellowship

The Firm endows the Kirkland & Ellis Justice Fellowship, a two-year fellowship to the Disability Rights Legal Center (DRLC) in Los Angeles. The fellow is selected on the basis of personal integrity and the potential to make a positive contribution toward enhancing the civil rights of people with disabilities; the fellow pursues public interest work as a DRLC staff attorney.



Leandro Valencia Martinez, Ines Alcala Hernandez and their children with Kirkland corporate associate Leon Johnson after their civil marriage ceremony.

## IMMIGRATION

**40+**  
asylum cases handled  
by Kirkland in 2015

### AWARD

#### LEADING LAW FIRMS FOR PRO BONO

Who's Who Legal named Kirkland one of 10 Leading Law Firms for Pro Bono in 2015. The list includes firms that are making valued pro bono contributions and giving back to their local communities.

Kirkland routinely goes above and beyond to best serve its clients. For proof, look no further than Kirkland corporate associate Leon Johnson, who applied to become a Deputy Commissioner of Civil Marriages in order to officiate his pro bono clients' wedding in Kirkland's Palo Alto office.

Johnson had been volunteering at Community Legal Services in East Palo Alto (CLSEPA), a nonprofit organization that provides legal assistance to low-income individuals and families in East Palo Alto, California, and the surrounding community, where two-thirds of the population is Latino or Pacific Islander. In December 2014, an opportunity arose to represent a Mexican family seeking asylum in the United States.

The demands on CLSEPA's Immigration Program have grown steadily since summer 2014, when the U.S. Department of Justice adopted an accelerated process for

asylum cases. These "surge dockets" aim to clear the immigration court system's backlogs. As a result, deportations take place within months rather than years. Immigrant advocacy groups must work quickly to help asylum-seekers navigate the system. CLSEPA has been serving approximately 40 families a month at its asylum workshops and is trying to place as many of these families as possible with pro bono attorneys.

"The difference between having an attorney or not is often a matter of life or death," said Kaitlin Kalna Darwal, a senior attorney for CLSEPA's Immigration Program. "These are families that left their homes fleeing for their lives."

Johnson was working with Leandro Valencia Martinez and Ines Alcala Hernandez, who fled to the United States with their two children when they were threatened by a drug cartel in Mexico. He quickly became close with the family, often

**"The difference between having an attorney or not is often a matter of life or death. These are families that left their homes fleeing for their lives."**

KAITLIN KALNA DARWAL  
Senior Attorney, CLSEPA

meeting with them at their home. His basic Spanish helped him break through the language barrier and develop a relationship with them.

"Whenever I came over, the kids would shout, '*iNuestro abogado está aquí!* Our lawyer's here!' It was a great feeling, knowing that they understood someone was there to advocate for them," Johnson said.

As Johnson worked on the family's case, he encountered a complication: Although Leandro and Ines had been married in a Catholic church in Mexico, there was no legal documentation of their marriage from the Mexican government. In order for Leandro to gain derivative asylum from Ines' claim, the couple would need to have a civil ceremony.

Johnson took the couple to the county office to get a marriage license and explained to them that they could choose anyone to perform their ceremony, as long as that person could legally do so. Leandro and Ines had no doubt about the person they wanted to officiate their wedding: Johnson himself. Honored at their request, Johnson completed the necessary paperwork, but he didn't stop there.

Johnson organized the wedding ceremony to take place in Kirkland's Palo Alto office event space, complete with a wedding cake and

champagne. Several attorneys and secretaries attended the ceremony, which Johnson performed in both Spanish and English.

"Leandro and Ines were truly touched to see how the whole Kirkland family came around them to support them and their marriage," Johnson said. "It was clear that this was an incredibly special day for them."

Johnson filed the family's asylum claim soon after the March 2015 wedding. A hearing on the merits of their case is scheduled for October 2016.

As Darwal and her colleagues at CLSEPA continue to meet with families seeking asylum, she often thinks back to a court hearing she attended with Johnson and Ines.

"Ines had a big smile on her face as she waved at me," Darwal said. "She no longer looked scared; rather, she looked confident and hopeful. My hope is for more of these families to find that sense of security."

## CLIENT SPOTLIGHT

In April 2016, *Time* named former Kirkland client Jaha Dukureh to its list of The 100 Most Influential People — a list on which world leaders such as President Barack Obama and Pope Francis also appear.

Dukureh, a native Gambian, was sold by her father at age 16 to an abusive husband in the United States. She feared that if she returned to her home country, she would be murdered for disgracing her family. Dukureh sought asylum through Sanctuary for Families, New York's leading service provider and advocate for survivors of domestic violence, sex trafficking and related forms of gender violence. Kirkland, a longtime pro bono partner of the organization, took on her case. Dukureh was granted asylum in March 2009 and was later granted permanent resident status.

In 2013, Dukureh founded Safe Hands for Girls, a nonprofit organization that works to eliminate female genital mutilation (FGM) and provides support to survivors of the practice. Dukureh herself is an FGM survivor.

Dukureh's efforts have saved more than 100 girls from FGM. Her work also helped make it a crime to transport American girls abroad for FGM.



## LGBT RIGHTS

**8,000+**  
dedicated to LGBT-  
related pro bono work  
in 2015

There are an estimated 1.4 million transgender adults living in the United States according to the Williams Institute, a national think tank at the University of California, Los Angeles, School of Law. While the community is sizeable, many individuals live in the shadows: A GLAAD/Harris Interactive poll recently found that only 16 percent of Americans say they know someone who is transgender, compared with 87 percent who say they know someone who is lesbian, gay or bisexual. This invisibility is partly tied to fears associated with “outing” oneself.

“The transgender community is disproportionately affected by bullying, discrimination and violence, especially among individuals whose legal names don’t match their true gender identities or physical appearances,” said Edward Sadtler, a technology & IP transactions partner and co-chair of the Firm’s LGBT Subcommittee. “Everyday situations where people

must show an ID, such as traveling or applying for jobs, school, benefits or housing, can be tremendously difficult.”

As part of its deep and broad commitment to LGBT rights, Kirkland is helping transgender individuals legally change their names to match their gender identities through its partnership with the Transgender Legal Defense and Education Fund (TLDEF), a nonprofit organization committed to ending discrimination based upon gender identity and expression and to achieving equality for transgender individuals. Kirkland is one of the most active law firm participants in TLDEF’s Name Change Project, which provides free legal name change services to transgender people.

While the name change process is legally straightforward, it can be daunting for non-lawyers who are intimidated by the court system.

“Many of our Name Change Project clients are overwhelmed by the procedural aspects of changing their names,” said debt finance partner Anh Lee. “We were eager to use our legal skills to help people navigate the process and make meaningful differences in their lives.”

Kirkland became involved in the Name Change Project in 2010, when the Firm was exploring ways to expand pro bono opportunities to coincide with the growth of its New York office and address the particular interest of many attorneys in LGBT rights work. The Firm’s Chicago office became involved in the project soon after, in 2014. In the past five years, 80 Kirkland attorneys from the Firm’s New York and Chicago offices have handled a combined 57 Name Change Project cases.

The work is not without its hurdles. Kirkland attorneys involved in the Name Change Project say it can be particularly difficult to establish trust with clients, who may be nervous, hesitant and reluctant to open up. But the happy end result — a legal name change — overshadows any challenges.

“A name change is such a personal, transformative event,” Lee said. “It is humbling to be part of the journey.”

In 2012 and 2016, TLDEF recognized Kirkland’s commitment to the Name Change Project with

its Advocacy Award and Freedom Award, respectively.

“We are tremendously grateful to Kirkland for supporting the Name Change Project in cities around the country,” said Jillian Weiss, TLDEF’s executive director. When transgender people can match their legal names and gender markers with who they truly are, they are able to live their lives with less discrimination in employment, housing, health care and public accommodations. Through its pro bono participation in this life-changing project, Kirkland demonstrates its commitment to helping improve transgender lives.”

Kirkland looks forward to helping more clients through the Name Change Project in the years to come.

“We want to communicate to the transgender community that our Firm is a safe haven where people are helped and never judged,” said corporate partner Jeffrey Seifman.

## AWARD

### 2016 FREEDOM AWARD

During its 11th annual Freedom Awards in New York, the Transgender Legal Defense & Education Fund (TLDEF) presented Kirkland with its 2016 Freedom Award for the Firm’s continued pro bono work on TLDEF’s Name Change Project. The Name Change Project ensures that transgender individuals can successfully navigate the legal process involved in changing their names in order to move forward with their lives.

### LAW360 PRO BONO FIRM OF THE YEAR AND PRO BONO ALL STAR

Kirkland was named a *Law360* Pro Bono Firm of the Year for 2015, making it one of 20 firms that went “above and beyond for their pro bono clients over the past year.” This is the third year in a row that Kirkland was named to the list. Kirkland was also named to *Law360*’s 2015 list of Pro Bono All Stars. The 17 firms on the list logged more than 1 million hours of pro bono work combined in the past year and have all been named Pro Bono Firms of the Year at least three times since the contest began in 2010.



Designs are underway for the Academy for Global Citizenship's new campus, which will feature elements that enrich the school's sustainability-focused curriculum.

## NONPROFIT COUNSELING

### AWARD

#### ABA DEATH PENALTY REPRESENTATION PROJECT PRO BONO AWARD

The American Bar Association Death Penalty Representation Project honored Kirkland with its Pro Bono Award in recognition of the Firm's "unwavering and inspirational commitment to justice." Kirkland was selected as one of two firms that have demonstrated extraordinary commitment and assistance to death-sentenced prisoners.

Every building needs a solid foundation to stand strong and withstand the test of time. In the same way, a strong, solid foundation in education is imperative for children's success in the classroom and beyond.

Kirkland is helping to build both types of foundations — the physical and the academic — at a school on the Southwest Side of Chicago.

Founded in 2008, the Academy for Global Citizenship is a K-8 Chicago Public Charter School located in one of the city's underserved neighborhoods. The school's innovative, holistic approach to education aims to empower its 450 students — 94 percent of whom are minority and 72 percent of whom are low-income — to positively influence their community and the world. AGC's curriculum of concept-based learning includes daily activities and experiences that foster global mindfulness, such as writing to pen pals at

sister schools in Uganda and India, taking care of the schoolyard garden and chickens, and helping to maintain the school's sustainable operations (AGC's recycling and composting efforts divert 37.5 pounds of waste from landfills each week). AGC has been designated a Level 1 school by Chicago Public Schools, a distinction that indicates strong academic performance, positive school culture and success in serving populations in need.

"AGC's commitment to academic excellence and sustainability is impressive," said Kirkland real estate partner Josh Hanna, who learned about the school when he met founder and executive director Sarah Elizabeth Ippel at a networking event in 2013. Hanna offered to provide the school with pro bono legal assistance in whatever capacity he could. "With Kirkland as a resource, the school can further advance its cause."

**"Kirkland has supported us through a variety of legal needs in conjunction with our school's growth and expansion. We would never have been able to accomplish the work that we've done so far without the Firm's help."**

SARAH ELIZABETH IPPEL  
Founder and Executive Director,  
Academy for Global Citizenship

In the past three years, nearly a dozen Kirkland attorneys, many of whom have backgrounds in education, have jumped in to help AGC with contract renewals, board materials, and labor and employment-related documents.

"There are several attorneys at Kirkland who are passionate about this school," Hanna said. "One of our partners was so committed to AGC that she now sits on its board."

Currently, AGC operates out of two buildings: a converted barrel factory and another rented space. Ippel intends to resolve this "financially and educationally inefficient" split by constructing Illinois' first net-positive energy campus, which will produce more energy than it consumes. Plans for the new campus include elements that will elevate AGC's sustainability-focused curriculum, including expanded gardens, prairie areas, orchards, wastewater wetlands, wind turbines, a barn, a greenhouse and a farm stand through which AGC plans to sell its organic produce to the surrounding community —

a welcome addition to one of Chicago's food deserts.

"The new campus will not only enrich the students' experience, but it will also benefit their families and other local residents," Hanna said.

Kirkland is assisting with various real estate and architecture contracts involved in the project. With Kirkland's support, the school secured six acres of land in 2016 and is on its way to breaking ground for the new campus in 2017.

"This work is rewarding on so many levels," Hanna said. "Not only is this a first-of-its-kind project for us, but we're also immersed in an incredible network of people dedicated to the bright future of this school."

## FELLOWSHIP

### The Public Interest Law Initiative

Each year, Kirkland funds multiple postgraduate fellowships as part of the Firm's commitment to the Public Interest Law Initiative (PILI), an organization with a mission to cultivate a lifelong commitment to public interest law and pro bono service within the Illinois legal community.

The fellowships allow incoming Kirkland lawyers to work at public interest legal aid organizations across Chicago while studying for the bar exam. The legal aid organizations help clients become citizens, buy homes, adopt children, secure disability benefits and gain asylum, among many other achievements. Kirkland sponsors approximately 30 PILI Fellows every year, the most of any law firm in Chicago.





## VOTING RIGHTS

Ninety-four-year-old Rosanell Eaton wasn't giving up. Over several weeks, the North Carolina native made 10 different trips to the Department of Motor Vehicles and Social Security office in an attempt to straighten out her documents, which contained various versions of her name and birth date. Her goal: to obtain a valid photo identification card. After more than 200 miles of traveling and 20 hours of waiting, she finally got what she needed.

Eaton called the debacle a "headache" — an understatement

considering her age and her esteemed past.

"Rosanell Eaton is an impressive woman," said Kirkland litigation partner Dan Donovan. "She's a walking, living history of the struggle for equal rights."

In 1939, Eaton became one of the first African Americans to vote in her county after successfully passing a Jim Crow-era "literacy test" that required her to recite the Preamble to the U.S. Constitution in order to complete her voter registration. She later marched alongside Dr. Martin Luther King, Jr., during the civil rights era.

Nonetheless, the recent hurdles Eaton faced are common for minorities in North Carolina. In 2013, Gov. Pat McCrory signed a state law (House Bill 589) that requires voters to show photo identification at the polls, eliminates same-day voter registration and

student pre-registration, and shortens the early-voting period, among other restrictions. The changes, according to the State, help ensure electoral integrity and reduce administrative burdens tied to the voting process. Others see the new law as an illegal voter suppression measure.

"These kinds of restrictions on voting disproportionately affect minorities and discourage prospective voters from participating in elections," said Kirkland litigation partner Susan Davies.

Many older minority individuals face legal name and birth date discrepancies, she noted, while many younger minority individuals often have less time and fewer resources to help them overcome the burden of obtaining identification and registering to vote.

Representing Eaton and the North Carolina State Conference of the NAACP, Kirkland and co-counsel Advancement Project filed the first case against North Carolina's voting law, contending that it violated the U.S. Constitution and the Voting Rights Act while discriminating against African Americans, Latinos and young voters. The U.S. government and numerous other plaintiffs also sued the State.

Kirkland's case has wound its way through the courts, heading all the

way to the U.S. Supreme Court, which in April 2015 denied the state of North Carolina's petition to review the U.S. Court of Appeals for the Fourth Circuit opinion that had ordered an injunction against the new restrictions on same-day registration and out-of-precinct voting. The district court conducted a three-week trial in July 2015 on the non-photo identification parts of the law and a six-day trial on the photo identification requirement in January 2016. In April 2016, the district court upheld both parts of the law. The case is now on appeal to the Fourth Circuit and was argued in June 2016.

"We still have a long road ahead of us, and we are dedicated to the fight," Donovan said.

In 2015, the Firm devoted more pro bono hours to the matter than any other of its pro bono projects. More than 20 Kirkland attorneys have worked on the case, and more than 100 depositions have been taken. For the attorneys involved, the work couldn't be more meaningful.

"It is incredibly humbling to see the lengths that people will go to in order to vote, and how passionate they feel about this right," said Davies. "To be a part of the team that is helping to safeguard this right is an honor."

**5,697 hours** dedicated to *North Carolina State Conference of the NAACP v. McCrory* in 2015

### AWARD

#### NATIONAL LAW JOURNAL'S PRO BONO HOT LIST

Kirkland was one of 10 law firms named to *The National Law Journal's* 2016 Pro Bono Hot List, which recognizes firms that made exemplary contributions in providing access to justice. The Firm was recognized for its voter protection rights work. This is the third time Kirkland has been named to the Pro Bono Hot List.

**"The Kirkland team's contributions to this complex litigation were essential to building a robust and compelling case that could have sweeping implications for voting rights nationwide."**

PENDA HAIR  
Co-counsel and former  
co-director, Advancement Project



79%

Since 2013, cuts in legal aid funding in the United Kingdom have led to a 79 percent decrease in the number of people able to access help in the area of social welfare law

Source: LawWorks

## WELFARE BENEFITS

In the past few years, significant cutbacks to legal aid funding in the United Kingdom have made it more difficult for many disadvantaged individuals to obtain the benefits they had previously received.

In fall 2015, Kirkland restructuring partner Elaine Nolan and other restructuring attorneys in the Firm's London office began collaborating with LawWorks, a charity that supports and develops pro bono work throughout the U.K. LawWorks' Secondary Specialisation Programme is an initiative that trains lawyers from private practice in developing expertise in social welfare law, an area with considerable need and legal aid supply gaps.

Nolan and her colleagues were involved in a project focused on Employment and Support Allowance (ESA) appeals. Introduced in 2008, ESA is a

welfare benefit that provides financial support to people who have had difficulty finding employment due to long-term illness or disability. ESA replaced the U.K.'s former Incapacity Benefit, as well as two other welfare benefit programs, and is designed to eventually move claimants off the benefit and back into the workforce. Those seeking benefits face stringent criteria, and many end up not qualifying for the financial help they're seeking. Additionally, the government has made recent cuts to the ESA program, making it even harder for individuals to obtain benefits.

"We learned from the program that a number of quite vulnerable people had been stripped of their benefit," Nolan said.

London-based Kirkland restructuring attorneys trained with LawWorks over a period of four weeks to learn about ESA and the ESA appeals

**"Kirkland volunteers devote their time, skills and enthusiasm to ensure that very vulnerable and disadvantaged individuals receive pro bono advocacy of the highest quality. All the cases represented to date have been successful, which is a fantastic achievement."**

ANN NTEPHE  
Solicitor, LawWorks

process so that they could begin handling appeals on behalf of individuals fighting for benefits. When the training period concluded, the Kirkland team worked in pairs to handle clients' appeals.

"All the clients we helped were either physically or mentally impaired," said Nolan. "One client I represented was HIV positive and had osteoarthritis in her knees, so she was very limited in her day-to-day mobility. She had carers helping her with daily activities, such as shopping and getting to appointments. Working with her made me realize that the work we were doing was absolutely imperative to people in these situations."

Each case took four to six weeks to complete. To start, Kirkland attorneys interviewed clients at LawWorks' office. From there, they drafted and submitted all appeals documents, and represented their clients at the tribunal hearings. LawWorks' in-house legal team provided supervision and guidance throughout the process.

All five appeals that the Kirkland restructuring team handled were successful.

"All of our clients were able to retain their benefit allowance," Nolan said. "We worked professionally and diligently on behalf of these individuals by putting together a measured and credible case."

Hoping to build on the Kirkland restructuring team's success, attorneys from London's Litigation and Investment Funds Practice Groups have started volunteering with LawWorks' Secondary Specialisation Programme.

## FELLOWSHIP

### New York Public Interest Fellowships

Madiba Dennie from Columbia Law School and Diane Johnston from New York University School of Law were selected as Kirkland's 2015-16 New York Public Interest Fellows.

Madiba is working with Her Justice to better the lives of African-American women who suffer intimate partner violence, through education, outreach and direct representation of victims. Diane is working with the Legal Aid Society assisting domestic violence survivors, particularly in immigrant communities, to enforce their consumer rights and unwind the consequences of financial abuse.

Kirkland has provided Public Interest Fellowships for one graduating 3L from Columbia and NYU since 1995. The fellowships fund a year of post-graduate work that principally and directly benefits residents of the five boroughs of New York.

## **A note from the Pro Bono Management Committee**

In 2015, Kirkland attorneys broke the record for participation in the Firm's pro bono program and devoted 103,846 hours of free legal service to pro bono clients. This fifth edition of our Pro Bono Achievements highlights some of the outstanding results Kirkland lawyers and staff have achieved for pro bono clients. These stories illustrate how meaningful this work can be.

Pro bono is a professional responsibility of each and every attorney, in order to make legal representation available to all who need it, and not just those who can afford it. The Pro Bono Management Committee's goal is to engage ever-increasing numbers of Kirkland lawyers in worthwhile and rewarding pro bono work.

The Committee thanks all the lawyers and staff members who take on pro bono representations for their support of the Firm's commitment to pro bono and for their personal commitment of time and energy on behalf of their pro bono clients.

**Marjorie Lindblom and Thomas Yannucci, Co-chairs**  
**Julie LaEace, Pro Bono Counsel and Firmwide Director of Pro Bono**

[www.kirkland.com/probono](http://www.kirkland.com/probono)

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