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Paul McGrath

When Gareth G. Morris (left) took on pro bono work for Marlon Pendleton (right), “the tide turned” in his favor, U.S. District Judge Joan Humphrey Lefkow said Friday, referring to a habeas corpus case that brought freedom for Pendleton, who spent 13 years behind bars for a rape and robbery he did not commit.

Federal court, bar group honor pro bono work

By Patricia Manson
Law Bulletin staff writer

American Bar Association President Karen J. Mathis says a common theme marks the work of lawyers across the country.

Members of the legal profession are dedicated to serving others, according to Mathis.

“It’s natural, I guess, to give our utmost service to our paying clients,” Mathis said Friday in Chicago. “But our proud profession is committed to representing the millions of low-income Americans who desperately need our services but cannot pay for them.”

Mathis was the keynote speaker at a ceremony recognizing attorneys for representing indigent clients in civil matters free of charge before the Chicago-based federal trial courts or working to advance the public interest.

The Awards for Excellence in Pro Bono and Public Interest Service are sponsored by the U.S. District Court for the Northern District of Illinois and the Chicago chapter of the Federal Bar Association.

Convening the ceremony at the Dirksen Federal Courthouse were Chief U.S. District Judge James F. Holderman and Joel R. Skinner, president of the FBA’s Chicago chapter.

Skinner said lawyers who practice in the Northern District stand out from their colleagues around the country when it comes to serving those in need of representation in civil matters.

“I am very proud to say that I know of no finer pro bono effort than the one we are recognizing and honoring today,” Skinner said.

Mathis said such efforts are needed in light of cuts in funding for the Legal Services Corp.

Congress provided only \$348 million for LSC this year, a steep decline from the \$415 million allocated more than a decade ago, Mathis said.

And Mathis said the Bush administration’s 2008 budget calls for slashing \$37 million from LSC’s funding.

Such a cut would reduce funding in Illinois by 12 percent,

continued...

Mathis said.

Mathis said the Northern District's Pro Bono Program is a model that other courts should follow in helping attorneys find pro bono opportunities.

In 2006, more than 175 lawyers were appointed pursuant to Local Rule 83.35 to represent clients in civil cases on a pro bono basis.

Holderman presented an award to one of those attorneys, Laurie Wardell of the Chicago Lawyers' Committee for Civil Rights Under Law Inc.

Wardell helped the District Court develop its Settlement Assistance Program for Pro Se Litigants, which matches litigants with volunteer lawyers who then assist in settlement negotiations.

Aimee B. Anderson of Wildman, Harrold, Allen & Dixon LLP was honored for her work on behalf of a man she was appointed to represent through the District Court's program.

Anderson used the skills she learned as a defense attorney to negotiate settlements in two civil rights suits that her client had brought against the City of Country Club Hills, Presiding U.S. Magistrate Judge Morton Denlow said.

Patrick A. Clisham of Shaw, Gussis, Fishman, Glantz, Wolfson & Towbin LLC. and Joseph U. Schorer of Kirkland & Ellis LLP were presented with the Special Recognition Award for Excellence in Public Interest Legal Education.

U.S. Bankruptcy Judge A. Benjamin Goldgar said the pair's work for the past two years as the coordinators of the Credit Abuse Resistance Education program showed that not all public service work takes place in the courtroom.

Bankruptcy lawyers and judges participating in the C.A.R.E. program go into high schools and colleges to warn students about the dangers of easy credit and educate them about the bankruptcy system.

U.S. District Judge Robert W. Gettleman presented an award to Chicago lawyer Lisa R. Kane for her efforts as court-appointed counsel in more than a dozen cases.

Gettleman said Kane did not always wait for a request before indicating a willingness to take on a case on behalf of a litigant who had appeared in court without representation.

Daniel J. Fumagalli of Chuhak & Tecson P.C. was honored for his efforts on behalf of woman who brought claims of race discrimination, retaliation and constructive discharge against a former employer.

Fumagalli negotiated a settlement in the case despite the "rancor" displayed by the opposing party, U.S. District

Judge John W. Darrah said.

Darrah also praised Michael D. Lake of Factor & Lake Ltd., who was honored for his representation of a man who claimed that racial-profiling prompted Illinois State Police officers to conduct a traffic stop and then arrest and incarcerate him.

Lake was persistent yet civil in reaching a settlement with opposing parties who did not always conduct themselves with such professionalism, Darrah said.

U.S. District Judge Samuel Der-Yeghiayan and U.S. Magistrate Judge Sidney I. Schenkier said Andrew R. Greene displayed tenacity and creativity in his representation of a man threatened with the loss of his longtime home.

Greene — now of Krasnow, Saunders, Cornblath LLP and previously of Sonnenschein, Nath & Rosenthal LLP — worked out a settlement in the complicated mortgage-foreclosure case that allowed the homeowner to retain possession of his home while compensating the would-be buyer, according to Der-Yeghiayan and Schenkier.

U.S. District Judge Joan Humphrey Lefkow said "the tide turned" in favor of a prisoner serving time for rape when Gareth G. Morris of Gareth Morris Law Office became one of his attorneys.

Morris advanced such a convincing case in support of his client's habeas corpus petition that the State of Illinois agreed to a DNA test that ultimately established the man's innocence and led to his release after 13 years behind bars, Lefkow said.

U.S. District Judge James B. Zagel said John D. Lien, Amy P. Purcell and Andrea K. Zollett, all of Foley & Lardner LLP, secured the release of foreign nationals who were detained in the United States after their native countries refused to take them back.

While the attorneys ultimately did not prevail in the trial of their clients' class-action suit, immigration officials were complying with the law by the time the case concluded, Zagel said.

U.S. District Judge Elaine E. Bucklo said the firm of Miller, Shakman & Beem LLP has been a leader in pro bono service.

The firm's attorneys have taken on the pro bono representation of such clients as the worker with an employment claim, the man threatened with firing because of his jury service and the woman facing a request for sanctions made by her ex-husband in a bankruptcy case, said Bucklo, who noted she once practiced with Miller, Shakman.

"Its lawyers are poster lawyers for everything I went to law school to be," she said.