LAW360

Pro Bono Firm of 2013: KIRKLAND & ELLIS

Through its broad pro bono program, Kirkland & Ellis LLP has in the last year helped curb police brutality in Puerto Rico, joined the fight against state voter identification laws, and blocked a Michigan law barring medical benefits for partners of gay and lesbian public employees, earning the firm a spot on *Law360*'s Pro Bono Firms of 2013.

Last year, 1,099 of the multinational firm's attorneys donated a total of 103,758 hours to pro bono work, according to the firm. Kirkland doesn't have an official requirement for pro bono hours, but the firm in 2012 achieved an all-time high participation rate in such endeavors, with a record 59 percent of its attorneys performing at least 20 hours of pro bono work each.

Commitment to pro bono work has "always been part of the Kirkland culture," said Thomas Yannucci, a firm partner and co-chair of Kirkland's firmwide Pro Bono Management Committee. Yannucci heads the committee, which includes 41 attorneys, along with Marjorie Lindblom, a retired Kirkland veteran who now serves on an of-counsel basis. Senior partners in each office serve as pro bono coordinators.

The Pro Bono Management Committee has existed in its current form since 2007, but Kirkland has always maintained pro bono programs, according to Yannucci. To further its mission to help represent those in need, Kirkland has established strong relationships with various public service organizations, including the Legal Assistance Foundation, Lambda Legal and the Disability Rights Legal Center, according to the firm.

Kirkland attorneys are free to pursue pro bono matters they are passionate about, Yannucci said.

"Our attorneys can work on whatever they want — we have people working on issues some may consider
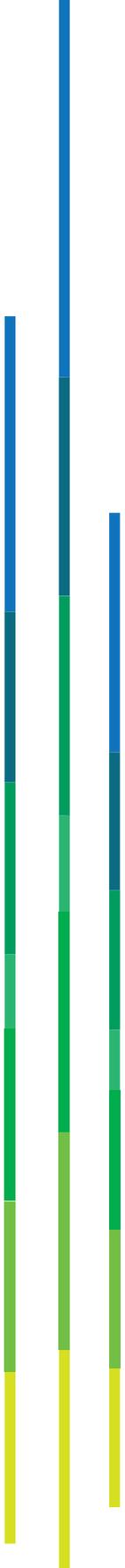
progressive, and others working on issues some may consider conservative," Yannucci said. "We take the professional and personal aspect of pro bono work very seriously."

Kirkland's attorneys receive hour-for-hour credit for pro bono work, according to Lindblom. That policy demonstrates the firm's dedication to pro bono efforts, Lindblom said.

Over the past year, Kirkland's pro bono caseload has reflected that dedication, with the firm's lawyers taking on numerous cases involving pressing civil rights issues.

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For one, the firm and the American Civil Liberties Union reached a settlement with the Puerto Rico Police Department this summer to help curb widespread police brutality on the island. Kirkland had sued the PRPD and the attorney general of Puerto Rico in June 2012 after the ACLU released a report detailing, among other things, police officers' brutal tactics against peaceful protesters during demonstrations on mass layoffs of public workers and public university cutbacks.

Puerto Rico's legislature had passed a law prohibiting protesters from portraying legislators in a negative light, said Lindblom, who worked on the case. Kirkland and the ACLU filed a preliminary injunction seeking to block enforcement of the statute.

"Puerto Ricans' constitutional rights were clearly being violated," Lindblom said.

The U.S. Department of Justice subsequently sued the Puerto Rican government over the alleged abuses, and in July, the DOJ and Puerto Rico entered into a consent decree that called for sweeping reforms designed to end police brutality on the island. Soon after, Kirkland and the ACLU settled their lawsuit against the PRPD on the condition that the consent decree include a provision requiring an independent PRPD monitor to meet with civil society groups to obtain input on proposed policies and implementation plans.

The firm's motion for a preliminary injunction to block the anti-protester statute was mooted when the newly elected Puerto Rico legislature repealed the law.

"That case was a tremendous success for the people of Puerto Rico," Lindblom said.

Kirkland has also been on the forefront of the ongoing fight for recognition of lesbian, gay, bisexual and transgender rights during the past year.

In one case, the firm secured a preliminary injunction in June blocking the implementation of a Michigan law that would bar many public organizations from extending medical and other benefits to employees' same-sex domestic partners. The ACLU and Kirkland filed the lawsuit in February 2012 on behalf of five gay and lesbian public employees and their long-term domestic partners who either lost their health insurance or would have lost their insurance as a result of the law, according to the firm.

Elsewhere, in light of the U.S. Supreme Court's recent decision in *Shelby County v. Holder* declaring a key part of the Voting Rights Act unconstitutional, Kirkland has taken up the fight to help ensure voters' access to the ballot box, according to Yannucci. To that end, the firm is representing the North Carolina State Conference of the NAACP and 92-year-old Rosanell Eaton in a recent case challenging provisions of that state's new voter identification law.

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Eaton was one of the first African-Americans who registered to vote in Franklin County, N.C., in the 1940s, and has actively tried to expand voting access in her community in the years since, according to the lawsuit. However, her ability to assist the elderly and disabled to vote will be hindered by the new restrictions, including fewer days of early voting, voter ID requirements and the elimination of same-day registration, the suit says. Under the new law, Eaton will have to go through a long process to correct her voter ID documents to match her registration record, according to the lawuit.

"There are more than a quarter million voters in North Carolina who don't meet the requirements under the new voter ID law, and that is disproportionately true for African-American voters," Yannucci said.

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