

# Katten Cares Pro Bono & Community Service Report



December 2012

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## 'Tis the Season for Giving Back

Across the firm, Katten attorneys and staff are finding ways to celebrate the season by doing good.

On December 4, the Century City and downtown Los Angeles offices hosted their first annual holiday party for children receiving residential treatment through [Vista Del Mar Child & Family Services](#), a nonprofit agency that has provided family-centered social, educational and behavioral health services to generations of Southern California children. Each of the 38 children who attended received a gift purchased with donations from firm members. Click [here](#) to view a list of Katten participants who helped make the event a success, and to read some of the emails of thanks sent by Vista Del Mar staff.

This year, the Chicago office's holiday gathering kicked off a toy drive benefiting the [Chicago Marine Corps Toys for Tots Foundation](#). Firm members donated more than 100 new, unwrapped toys, which will be distributed to local families. Employees in the Chicago office also volunteered to purchase anywhere from 1 to more than 20 books for the nearly 800 students at Katten's Chicago Public School partner, [Jose de Diego Community Academy](#), as part of the office's annual holiday book drive. Click [here](#) to view a list of the individuals who donated their time and talent to help make the program a success.

Like the Chicago office, the New York office held a toy drive benefiting [Toys for Tots NYC](#). And as in previous years, firm members in New York are also collecting coats through December 31 for the annual [New York Cares Coat Drive](#), which this year aims to collect a record 200,000 coats this year so that residents in areas hit hard by Hurricane Sandy can be warm this winter.

This year the Washington, D.C. office saw record participation in its annual [Angel Tree](#) effort, adopting 74 children—23 more than last year—through the Salvation Army-sponsored program. In addition, the office again hosted a coat drive in partnership with the Water Street Gym and [Georgetown Ministry Center](#) to provide much-needed warmth and comfort to the homeless in the Georgetown community.

In Charlotte, where the number of homeless children has reached an all-time high, office members purchased gifts for families who have no other means to provide gifts for their children at Christmas, in coordination with local outreach programs.

Katten again selected the national [Marine Corps Toys for Tots Foundation](#) as the recipient of the annual holiday card donation in the United States, while Katten UK chose [Street Action](#), a British charity that partners with local agencies in Africa who work directly with street children, as the recipient of its holiday card donation.



VISTA DEL MAR  
CHILD AND FAMILY SERVICES



streetaction  
COMMITTED TO  
STREET CHILDREN THROUGH  
ACTION AND PARTNERSHIP



New York Cares  
COAT DRIVE



## Appellate Court Victory for Longtime US Resident Immigrant

Century City associate **Justin Ford** won a victory in the US Court of Appeals for the Ninth Circuit on behalf of his client Maria Santos-Mendez, a Guatemalan immigrant seeking relief from deportation. Santos-Mendez has spent the past 22 years trying to normalize her immigration status to remain in the United States. Because she came from Guatemala before October 1, 1990, Santos-Mendez was eligible to receive a relief from deportation under the Nicaraguan and Central American Readjustment Act, which allows certain immigrants to the United States from countries in Central America to remain provided certain conditions are met.

A debilitating headache, nausea and an inability to speak prevented Santos-Mendez from attending her scheduled hearing before an immigration judge on July 29, 2009, and the judge ordered her deported. Santos-Mendez was subsequently diagnosed with a brain-swelling condition called hydrocephalus, and filed an appeal of her deportation because her absence was the result of “exceptional circumstances” beyond her control. Both the immigration court and the Board of Immigration Appeals denied her appeal because they did not see sufficient evidence of her illness at the time of her hearing. Santos-Mendez filed an appeal to the Ninth Circuit, which ordered that she be appointed pro bono counsel.

Justin briefed and argued the case on behalf of Santos-Mendez, and on October 25, a panel of the Ninth Circuit reversed the immigration court ruling and remanded the proceedings for a new hearing on the merits. The court held that the immigration court and the Board of Immigration Appeals abused their discretion by determining that Santos-Mendez did not present evidence of “exceptional circumstances” that excused her failure to appear, because she submitted a declaration of her condition on the day of the hearing and corroborating evidence from her subsequent hospital admission and emergency surgery.

## Jury Victory Secured for Pro Bono Client in Case with Federal Public Defender’s Office

In partnership with the Federal Public Defender’s Office, Washington, D.C. associate **Robert T. Smith** obtained a not guilty verdict for pro bono client Barbara McIntyre following a two-day jury trial in the US District Court for the Eastern District of Virginia. The 75-year-old McIntyre had been indicted on 10 counts of wire fraud for allegedly using two Social Security numbers to obtain benefits to which she was not entitled over an 11-year period. Rob not only drafted the bulk of the motions, cross-examined a key government expert on Social Security, and delivered a stellar opening statement, but also devised the legal strategy that served as the basis for the defense in the case. Rob’s arguments convinced the judge to accept his proposed jury instruction, which was key to the successful outcome: The jury was required to acquit the defendant unless it found that in 1998 the defendant had formed the intention to commit a second alleged fraud that began nine years later in 2007. The jury deliberated for approximately six hours before returning a verdict of not guilty on all counts.

## New York Office Marks National Philanthropy Day with Pro Bono Fair

In an effort to enhance the firm’s relationships with its pro bono partners, the New York office hosted its inaugural Pro Bono Fair on November 15, [National Philanthropy Day](#). The fair featured representatives from 18 local nonprofit legal aid and community service organizations, who showcased their programs and discussed opportunities for collaboration with Katten attorneys. Approximately 50 attorneys attended the event, and numerous pro bono matters have already been opened based on connections made throughout the evening. Click [here](#) to learn more about all of the participating organizations.

“Thank you so much for having VLA! It was a pleasure to be included and I spoke with many very nice attorneys who seem interested in getting more involved with us.”

— Ben Bradlow, *Volunteer Lawyers for the Arts*

“Thank you again for hosting such a wonderful pro bono fair last night—the turnout was great, and I feel like all of the represented groups had terrific conversations with your partners and associates. You are clearly very good at motivating your colleagues!”

— Lisa Mueller, *Sanctuary for Families*

“It was a great evening and we are thrilled to have been a part of it! We really enjoyed the opportunity to come to the firm and to speak with folks about their pro bono interests. We hope to work with you and the Katten team more in the future.”

— Maya Ovrutsky, *inMotion, Inc.*

## Attorney Teams Up with Public Counsel to Help Family Access Vital Services



Working with the [Public Counsel](#) legal team, Century City associate **Viviana Hedrick** has helped to ensure that a developmentally disabled Los Angeles child and her family receive critical benefits to which they are legally entitled through the South Central Los Angeles Regional Center (SCLARC). Hailey Avila has been in the care of her maternal grandmother since she was one day old (Century City associates **Jessica Mickelson** and **Christopher Stiner** assisted in finalizing Hailey’s adoption). As a result of being exposed to cocaine before birth, Hailey suffered withdrawal symptoms for the first six months of her life. She did not start walking until she was 15 months old, and at almost two years old, Hailey is still not speaking.

Although Hailey was eligible to receive weekly speech and language therapy through SCLARC, she has been receiving just one hour per week of an infant development program. In addition, the Avilas were receiving only \$898 per month in Adoption Assistance Program payments for Hailey from the Department of Children and Family Services, despite the fact that with her developmental delays, Hailey qualified instead for Los Angeles County’s specialized care rate of \$990 per month. As a result of Viviana’s negotiations with SCLARC on behalf of the Avila family, Hailey began receiving regular speech therapy sessions, and SCLARC agreed to double the recommended hours of therapy for five months to make up for the time Hailey lost waiting for these services. Viviana also successfully obtained the proper retroactive foster care and AAP payments for Hailey through DCFS.

Brian Capra, senior staff attorney for the Children’s Rights Project at Public Counsel, says Viviana “has been a blessing to Hailey and the Avila family.” He adds, “They are extremely fortunate to have someone of her mind and heart to have handled their case.”

## Charlotte Office Partners with Hospitality House of Charlotte for Week of Service



In October, Katten signed on as a Corporate Partner of the Week for [Hospitality House of Charlotte](#) (HHoC), which provides low-cost housing to out-of-town families and friends of patients being treated in Charlotte-area hospitals. Throughout the week, members of the Charlotte office participated in service projects including a jeans day benefiting HHoC, preparing dinner and special Halloween goodie bags for guests at HHoC, and refinishing a picnic table for HHoC guests’ use. Office administrator **Janice Burton** and attorneys **George Carter**, **Meghan Engle**, **Diane Burks**, **Jeff Grady**, **Amanda Christie**, **Becky Lindahl**, **Frank Arado** and **Gary Redwine** volunteered their time in support of HHoC. Office managing partner **Dan Huffenus** and associate **Becky Lindahl** both serve on the HHoC Board of Directors.

## Katten Receives Pro Bono Visionary Award from Legal Services NYC



[Legal Services NYC](#) has honored Katten with a Visionary Award for the firm’s work with [South Brooklyn Legal Services \(SBLS\)](#) over the past year. The award recognizes the efforts of all of the firm members who staff a regular wills clinic through the SBLS HIV Project, which provides legal assistance to HIV-positive Brooklyn residents. New York associate **Alexandra Copell** accepted the award on behalf of the firm at Legal Services NYC’s annual Pro Bono Recognition Awards Breakfast on December 5. Legal Services NYC is the largest organization in the United States devoted exclusively to providing free civil legal services to the poor, with neighborhood offices in every borough of New York City.

## Katten Representing Wounded Veteran Taylor Morris

Century City partner **Susan Grode** is advising Taylor Morris, the wounded Iowa veteran whose inspiring story went viral earlier this year, as he works to create a foundation to help other wounded veterans, and evaluates and participates in media opportunities.

A Navy explosive ordinance disposal tech, Morris, 23, was badly injured last May in Afghanistan when he stepped on an IED while clearing a path for his Army Special Forces team. Morris lost all four limbs in the blast, becoming only the fifth surviving quadruple amputee in the American military.

Through extraordinary courage and commitment, and with love and support from his family, Morris has made remarkable progress in his recovery. He has been equipped with prosthetics and even danced with his girlfriend at a wedding this summer.

President Obama honored Morris, who received a Purple Heart award in July, in his Veterans Day address, saying, “In Taylor we see the best of America—a spirit that says, when we get knocked down, we rise again.” Learn more about Morris at his website, <http://www.taylormorris.org>.



*Taylor Morris*

## Chicago Attorneys Help Child Immigrants

Director of Pro Bono Services **Jonathan Baum**, partner **Alyx Pattison**, and associates **Christine Bestor** and **Patrick Harrigan** joined dozens of attorneys from several Chicago law firms at a November 14 clinic sponsored by the [National Immigrant Justice Center](#)



**National Immigrant Justice Center**

to assist applicants for the Deferred Action for Childhood Arrivals (DACA) program. DACA is the program established by President Obama to enable certain young immigrants who were brought to the United States as children and educated in this country to obtain temporary immigration status and work authorization. Following a group training, each of the attorneys was assigned an individual client and then worked with that client to obtain the necessary information to complete the DACA application. The participating attorneys found working with the youthful immigrants a truly meaningful experience. Patrick said, “The DACA clinic was incredibly rewarding. My client arrived in the United States when she was 16 months old, and is now a successful student at an area high school. DACA will enable her to get a job to save money for college and allow her to remain in this country as a valuable member of the community.”

## Addressing an Unmet Need for Indoor Recreation Space

Washington, D.C. special counsel **Christina Grigorian** is assisting an independent parent-led group in lobbying the District of Columbia and the Boys & Girls Clubs of Greater Washington to replace the aging Jelleff Community Center in the Georgetown neighborhood with a facility that will better meet the needs of children from across the District. Located in an area that is woefully lacking in public indoor recreation space, Jelleff is operated by the Boys & Girls Clubs of Greater Washington through a contract with the District. Built in 1952, the existing facility is widely used but has only one gym and no central air conditioning. Recognizing that the need for a new recreation center is real, the District’s Department of General Services has begun to “spec out” a building in accordance with plans proposed by the parent group, which call for four half-court gyms, underground parking for 200 cars, a classroom for after-school tutoring, dance studios, martial arts studios and numerous other amenities that would make the facility a “best-in-class” space. The parent group is currently working to identify targets and partners for the fundraising efforts necessary to supplement the District’s budget and ensure that the project is completed.



## Building a Festival from the Ground Up

In October, Katten served as a sponsor of [The Big Draw Chicago](#), a month-long festival designed to bring Chicagoans together to draw, think, and share. A community engagement initiative modeled after similar events in London, New York and Los Angeles, the festival featured nearly 30 informal drawing programs produced by local arts and cultural organizations and held at different venues across the city. Partners **Diane Bell** and **David Stagman** also provided pro bono legal assistance to the organizers of the festival, which will become an annual event.



## Ensuring Ethical, Equal Treatment of Women with Chronic Pain Disorders

For the past several months, Century City partner **David Halberstadter** has been working, through Public Counsel, with the nonprofit organization [For Grace](#), which seeks to increase awareness of the gender disparity women experience in the treatment of their pain. More than 100 million Americans suffer from chronic pain, most of them women, but women are often not treated the same way as men. For Grace founder Cynthia Toussaint, a former ballet dancer who suffered a hamstring injury that sent her on a 30-year journey of pain, frustration and despair until she was finally diagnosed with and treated for complex regional pain syndrome, has chronicled her experiences in a soon-to-be-published memoir. David reviewed the manuscript from cover to cover and worked closely with Toussaint and others at For Grace to minimize the risk of defamation, privacy and other claims being brought by the many health care organizations and individuals depicted in the memoir.



## From a Grateful Client: Chicago Community Loan Fund

Working through [The Law Project](#), of counsel **Howard Richard** assisted the [Chicago Community Loan Fund](#) (CCLF) in a loan financing for an auto parts store. CCLF provides flexible, affordable and responsible financing and technical assistance for community stabilization and development efforts and initiatives that benefit low- to moderate-income neighborhoods, families and individuals throughout metropolitan Chicago. In a letter to The Law Project's director, the loan closing/portfolio officer who worked with Howard said, "Howard did gobs of extra work and handholding with inexperienced people (on the borrower's side) ... We appreciated him, his expertise and patience, and hope to work with him again."

