

BALLARD SPAHR

PRO BONO NEWS



SUMMER - FALL 2007

AWARD TO HONOR ALAN J. DAVIS

This summer, following the untimely death of our partner **Alan J. Davis**, the firm created a new pro bono award to honor Alan's



Alan J. Davis

legacy as a distinguished lawyer who used his extraordinary talents on behalf of both private and public-sector clients. The \$25,000 *Alan J. Davis Award* will be given each spring to an individual or group at Ballard Spahr providing exemplary legal representation in a matter involving the public good. Attorneys who win the award are expected to donate the amount to charity. The Davis award will be in

addition to the various awards that Ballard already makes to recognize outstanding pro bono service. Firm Chairman **Arthur Makadon** announced the award, noting that "Alan was committed to excellence in everything he did. He would love having his name attached to an award that encourages others to do the right thing, and do it well." Alan's widow, Lyn, agreed, saying that her husband would have been thrilled by the tribute, and its ripple effect.

10th ANNUAL BALLARD PRO BONO AWARDS

On April 25, Ballard marked its 10th annual pro bono awards celebration honoring lawyers and legal assistants who made a



10th Annual Ballard Pro Bono Awards. Lisa Whiteley presenting to Ed Penberthy.

significant contribution in providing pro bono legal services during the prior year. The award winners were honored at a firm-wide event and received a plaque "in recognition of outstanding dedication to the delivery of pro bono legal services to the poor" and a donation of \$1,000 to a charitable organization of each honoree's choice.

In opening the awards ceremony, Chair **Arthur Makadon** praised the individual efforts of those receiving the awards and urged every Ballard attorney to undertake a pro bono matter.

Recipients of the 2007 Ballard Pro Bono Awards were:

Habitat for Humanity Team. Over the past several years, lawyers in our Voorhees and Philadelphia offices have invested hundreds of hours in representing Habitat for Humanity as it pursues its mission of building affordable housing for people in need. Led by **Edward Penberthy** in Voorhees, and **Jeffrey Meyers** and **Frederic Clark** in Philadelphia, Ballard attorneys have helped several regional affiliates of Habitat with organizational entity issues, lease negotiations, zoning and other regulatory matters, tax advice on donations and mortgage issues. The Ballard team included **Claudia Becker** (Philadelphia), **Jeffrey Beenstock** (Voorhees), **Lauren Beetle** (Voorhees), **Debra Brigher** (Voorhees), **Frederic Clark** (Philadelphia), **Emily Daher** (Voorhees), **Shannon Farmer** (Philadelphia), **Karen McCarthy** (Philadelphia), **Jeffrey Meyers** (Philadelphia), **Kenneth Morgan** (Voorhees), **Edward Penberthy** (Voorhees), **Eileen Quigley** (Philadelphia) and **Tracy Siebold** (Voorhees). The group contributed its award to the Habitat chapters in New Jersey and Philadelphia.



Jeffrey Meyers



Frederic Clark



Michael Helbing, Yale Law School Summer Associate

Habitat Update - On July 17, twenty-four Philadelphia summer associates and lawyers participated in Habitat for Humanity's *Buildable Hours* program, working on two North Philadelphia homes.

McComb v. Crehan Team - Led by Las Vegas partner **Joshua Reisman, Allison White** (Denver) and **Burt Rublin** (Philadelphia), this team represents a Las Vegas high school principal, vice principal and technician who were sued

as individuals after a high school valedictorian attempted to give a graduation speech that proselytized in violation of settled Ninth Circuit first amendment law. Josh, Allison and Burt were assisted by **Job Itzkowitz** (Philadelphia), **Joseph Lubinski** (Denver), **Brandon Mark** (Salt Lake City), and **Sean McBride** (Salt Lake City). The group donated its award to the Anti-Defamation League.

Mother Teresa Center Intellectual Property Team - Philadelphia lawyers **Hank Hockeimer, Jamie Bischoff, Corey Field** and **Steven Kim** represent the Mother Teresa Center, exclusive licensee throughout the world of the intellectual property rights of Gonxha Agnes Bojaxhiu, known to the world as Mother Teresa of Calcutta. Ballard's pro bono representation on behalf of this worldwide charitable religious organization includes protecting copyright interests in the writings of Mother Teresa, and other intellectual property rights. For years, individuals and companies have unlawfully appropriated the writings and other works of Mother Teresa for their own economic benefit, with no remuneration to Mother Teresa's religious order, whose mission is to serve the "poorest of the poor." As a result of the team's effort since 2005, publishers from New York to New Zealand have paid more than \$200,000 in royalties, which the Missionaries of Charity use to fund their work around the world. The group donated its award to the Mother Teresa Center.



Corey Field

Mother Teresa Center Update - September 3, *TIME* magazine's cover story featured a new book published by Doubleday entitled "Come Be My Light," containing previously unpublished correspondence by Mother Teresa of Calcutta, edited and with commentary by Brian Kolodiejchuk, M.C. The Ballard team negotiated the publication agreement with Doubleday, as well as translation agreements in other countries. Proceeds from the sale of "Come Be My Light" will be used to further the charitable endeavors of the Mother Teresa Center.

Disabled Refugees Class Action - **Thomas B. Roberts** (Philadelphia) was honored for his role in spearheading a class action lawsuit against the federal government on behalf of thousands of elderly and disabled immigrants who lost their eligibility for SSI benefits when bureaucratic delays prevented them from becoming U.S. citizens within a 7-year eligibility period. Tom was assisted by **Jordana Greenwald** (Philadelphia). Prior to institution of the suit, almost 6,000 disabled, blind and elderly refugees and asylees had been terminated from SSI benefits due to the expiration of the 7-year period, with another 46,000 refugees expected to be terminated between 2006 and 2012. The Philadelphia Inquirer (March 5, 2007), Washington Post (Dec. 21, 2006), and New York Times (Jan. 1, 2007) published articles and editorials in support of the class action and the policy outcomes it seeks, and legislation to extend the 7-year deadline has been introduced in Congress. Tom's charitable contribution was made to HIAS and Council Migration Services.

Pro Bono Honor Roll

In addition to the four project awards, the firm recognized more than 140 lawyers and paralegals who volunteered 50 or more hours of pro bono legal service in 2006, inducting them to the firm's Pro Bono Honor Roll.

SOCCER GREATS LAUD LANGEL AT HALL OF FAME CEREMONY

On August 26, Mia Hamm and Julie Foudy heaped praise upon **John Langel** (Philadelphia) when they were inducted as the National Soccer Hall of Fame's first female class. Hamm is credited with more international goals than any male or female soccer player in history, and Foudy led the Women's National Team as captain during its glory years.



John Langel

In reflecting upon their careers at the induction, both Foudy and Hamm credited Langel, the U.S. Women's Team's lawyer, with helping the women to achieve their personal goals: to serve as role models and provide opportunities for young girls. According to Foudy, "Soccer was important to us, winning was great too... but the most important thing is we wanted the next generation of young girls to grow up strong, to grow up confident, to grow up believing all these things they brought to the soccer field, to the basketball court, to the running [track], they could then achieve in life." Langel has represented the players since 1997. He negotiated each of the women's team's contracts, which run through 2012, and helped form the WUSA soccer league. Foudy and Hamm won two World Cups and three Olympic medals, two

gold and one silver, and led the women's team's fight to secure wage and training parity with the men's team and start the professional women's soccer league. Foudy, in particular, has been at the forefront of women's equity issues, serving as President of the Women's Sports Foundation and, as an appointee to the Presidential Commission on Title IX in 2002, waging a successful campaign to fight limitations to Title IX.



Hurricane Katrina flooding.

LEGAL AFTERMATH OF KATRINA LINGERS

More than two years after Hurricane Katrina slammed into the Gulf Coast, the legal fallout from the storm still occupies pro bono attorneys across the country. Immediately after the storm, **Paul Casey** (Baltimore) and others provided pro bono services to long-time client, the Housing Authority of New Orleans, to seek emergency legislation, coordinate donations, and begin rebuilding efforts. Other Ballard attorneys staffed clinics in cities that offered temporary housing to evacuees. Today, Ballard attorneys continue to be engaged in the following pro bono efforts arising from Katrina.

Mississippi Wetlands

In August, Ballard and the Lawyers Committee for Civil Rights Under Law filed a lawsuit against the Army Corps of Engineers, challenging a permit that would allow dumping and development of wetlands along the Mississippi Gulf Coast. These wetlands played a vital role in protecting historic African American communities in Mississippi from storm surge and flooding. The suit was filed by **Richard Hluchan, Alan Motes, Robert Baranowski, Jr., Jennifer Simon** (Voorhees), and **Constantinos Panagopoulos** and **Charles Chotvacs** (DC).

Biloxi Health Clinic

Coastal Family Health Center (Coastal) is the only healthcare provider available to low-income persons along the Mississippi

Gulf Coast, but all of its health care sites were destroyed or damaged by Katrina. Ballard attorneys **Jane Sheehan** (Baltimore), **Nicole Lacoste** (Baltimore), **Amy Guttman**, (Philadelphia), **Emily Daher** (Voorhees), and **Cristina Coronado** (SLC) are helping Coastal rebuild by providing land use/zoning, construction, and environmental and real estate expertise. Closing on the first new site occurred in August. **Farrah Gold** and **William Kennedy** will also be reviewing the health clinic's employee manual.

New Orleans Homeowner

One of the biggest barriers to rebuilding in New Orleans is that many properties have passed from generation to generation without benefit of deeds or probate. However, in order to obtain repair grants or claim insurance, residents need to prove that they have legal title to their homes. **Eileen Quigley** (Philadelphia) is currently assisting a Katrina victim to obtain title to her New Orleans home in one of these "succession" cases through a program operated by The Pro Bono Project, (www.probono-no.org). The Pro Bono Project screens cases, provides training materials and forms, and follows up on a case once the out-of-state volunteer assembles the materials necessary to file a succession petition.

BALLARD SHINES IN AM LAW PRO BONO SURVEY

Ballard Spahr's pro bono effort ranked 49th among elite Am Law 200 firms in July's annual Am Law pro bono survey. The firm logged over 28,800 pro bono hours in 2006 for low-income individuals, nonprofit organizations and civil rights causes.



Mary Gay Scanlon

While many firms rise and fall precipitously in the annual rankings, Ballard has maintained and improved upon its strong showing from year to year, rising two places this year from 51st place in 2005. **Mary Gay Scanlon**, director of the firm's pro bono program, attributes the firm's continued high ranking to the breadth and depth of its pro bono commitment. According to Scanlon, "Ballard's pro bono effort is deeply ingrained in the firm's culture. Everyone participates, over time, from the top down, across the spectrum of pro bono work, so we don't have the sharp spikes in effort that can propel a firm to the top of the heap one year and down the next."

LAS VEGAS OFFICE PLANS NEVADA "T-PARTY"

Bill Curran and Maren Parry have teamed up with Nevada Legal Services to lead a statewide effort to assist low-income families in claiming the earned income tax credit (EITC). Although the EITC provides a significant cash benefit to low-income families, nearly \$74



Bill Curran



Maren Parry

million dollars in such credits went unclaimed last year in Nevada due to lack of awareness and resources to help families apply. Working with Nevada Legal Services, Bill and Maren have launched a multi-faceted effort, dubbed the "T-Party," to raise \$150,000 this fall and use those funds to provide tax law support, volunteer training, tax filing clinics and a consumer awareness campaign to increase the number of EITC filings in

2008. According to Wayne Pressel, Executive Director of Nevada Legal Services, "Ballard's leadership in this project is vital. Bill Curran and Maren Parry eagerly volunteered time and ideas to the concept and have been central to implementation."

SUMMER ASSOCIATES TACKLE PRO BONO

Summer 2007 brought a wide range of pro bono matters for summer associates to sink their teeth into. Philadelphia summer associates were given the opportunity to job shadow at one of five different nonprofit clients or pro bono referral agencies. Across the firm's offices, summer associates worked on a broad array of pro bono projects, including staffing legal clinics at homeless shelters, working on research projects for the Anti-Defamation League, and securing nonprofit status for a food co-op in an economically depressed Pennsylvania city that has been without a full-service grocery store for a decade. The **Pro Bono Committee** worked to ensure that every summer associate had the opportunity to work on at least one pro bono matter, an effort that will be repeated when new associates join the firm in the fall.

BALLARD HOSTS SMALL-BUSINESS CLINIC

On September 18, Ballard hosted a legal clinic for micro businesses with LawWorks (Philadelphia's transactional pro bono referral agency) and the Delaware Valley Association of Corporate Counsel (DELVACCA). Ballard Spahr attorneys **Scott Towers, Farrah Gold, Joshua Mooney, Eric Diaz, Eileen Quigley** and **Chris Jones** conducted a 2-hour CLE for volunteer

corporate counsel on issues confronting startup businesses, and then assisted in counseling clients at the clinic.

BALLARD YOUNG LAWYERS LEAD "WILLS FOR HEROES" EFFORT

Daniel McKenna (Philadelphia) has been appointed as the Public Service Coordinator for the Board of the ABA Young Lawyers Division in 2007-2008. In this role, McKenna is responsible for implementing the ABA's Wills for Heroes program, including coordination and training for events nationwide. The Wills for Heroes program offers pro bono estate planning, health care and financial directives to America's first responders and their families. The program has already been implemented in seven states, with plans to implement in a dozen more. **Maren Parry** (Las Vegas) and **Michelle Allred** (SLC) are working to implement the program in Nevada and Utah, respectively, as ABA Young Lawyers Divisional Representatives.



Daniel McKenna

DC CHILD CARE OFFERS "BRIGHT BEGINNINGS"

Allan Winn, Alexandra Freedman, Shelley King and **Jennifer Lattimore** are working with Bright Beginnings, a child and family development center in the District of Columbia that provides assistance to homeless infants, toddlers and preschoolers and their families. Allan and Alex will be providing project development counsel to the agency as it identifies and purchases property and works to build a second child care facility. **Jeff Larroca** has also assisted the agency with labor and employment issues



Allan Winn

BALLARD SCORES WIN IN ELKTON HOMELESS CASE

On September 5, the Elkton, MD, town council repealed a loitering law that was challenged in a lawsuit filed by Ballard Spahr and the ACLU in July on behalf of eight homeless individuals. In addition to challenging the ordinance, the suit seeks damages for personal effects that were destroyed when the town bulldozed a campsite where the plaintiffs were living in August 2006. Elkton officials stated that they were repealing

the law two days before they were due to respond to the suit in federal court, based upon advice of counsel. Since the lawsuit was filed, Elkton community and church leaders have been examining the need for increased services to address issues affecting the homeless in that community. The legal effort is led by Baltimore attorneys **Matthew Summers, Timothy McCormack, Lisa Welsh, Jennifer Keyser, and Benjamin Kelley**, with assistance from **William Kelleher** (Wilmington).



Matthews Summers

SLC OFFICE LEADS UTAH SENIOR LAW EFFORT

For the past year, **Sharon Bertelsen** (Salt Lake City) has been working with the Utah State Bar and the State of Utah Department of Human Services, Division of Aging and Adult Services, to prepare of a "Utah Senior Legal Guide." The guidebook, which is scheduled for publication this fall, provides general information on laws and programs specifically affecting Utah's senior citizens, as well as practical guidance for legal problems encountered by those citizens. In addition to drafting chapters herself, Sharon supervised SLC summer associates **Theresa Foxley, Ashley Isaacson, Diane Canate, and Jake Carleton** as they drafted and edited sections of the guide and researched new laws affecting the elderly.



Sharon Bertelsen

Sharon and Harry McCoy (SLC) were also recognized by the Utah State Bar Association's Commission on Law and Aging Pro Bono Honor Roll for volunteering at the Commission's Senior Citizens' Legal Clinics. Volunteers at the clinics visited 72 senior centers around the state and gave about 600 pro bono legal consultations last year. Sharon has also been named the Assistant Chair of the Utah State Bar's Committee on Law and Aging.

DOUGHERTY CAPITAL PUNISHMENT CASE - UPDATE -

On April 9, CNN's *Anderson Cooper 360* television show featured challenges to death penalty convictions based on scientifically questionable arson evidence. One of the featured cases was that of Ballard's client, Daniel Dougherty, who has been on death row in Pennsylvania for more than seven years following a house fire in which his sons died. Dougherty's defense team is led by **David Fryman, Shannon Farmer, Mark**

Stewart and Nancy Pilchik. The team is awaiting the Philadelphia District Attorney's response to the petition for relief they filed on Dougherty's behalf last November.

GUARDIANSHIP PRACTICE GROUP FORMED

The Philadelphia office has formed a guardianship practice group in response to the large number of simple guardianship matters referred every month by legal services organizations. Typically, family members seek guardianship over disabled adult relatives in order to provide for their medical and financial care. In the wake of the Terry Schiavo case and security issues presented by 9/11, families have found it necessary to formalize relationships that have existed for years. These cases are of brief duration and lend themselves to a team approach, so that they may be handled routinely and effectively.

Among the first few matters handled by the practice group, **Mary Gay Scanlon** obtained a guardianship appointment in June for the mother of a profoundly disabled 34-year-old woman, so that the client could renegotiate a mortgage held in both their names and save the family's home from foreclosure. **Virginia Neiswender** is representing the sister of a mentally incapacitated adult to resolve visitation issues among her caregivers.

The practice group is assisted by Philadelphia Volunteers for the Indigent Program, which conducts training on the substantive issues and provides client referrals. Internally, Mary Gay is developing a practice manual, with assistance from **Lindsey Erney** and summer associate **David May**, who researched and drafted a section relating to post-appointment filings. Ballard is joined in this effort by client **Exelon**, whose award-winning in-house pro bono program features team efforts such as this. Other practice group members include **Jay Meadway, Jean Hemphill, Robert Boote, Ronald Varnum, Mark Faccenda, Gregory Koory, Lynn Rzonca, Adam Finkelstein** and **Francine Appleton**.

SPOTLIGHT ON: FRIENDS OF ORPHANS

Led by **Ginger Perry** (Phoenix), Ballard attorneys are providing a range of legal services to Friends of the Orphans, an organization dedicated to improving the lives of orphaned, abandoned and disadvantaged children, through support of the Nuestros Pequeños Hermanos (NPH) network of orphanages in Latin America and the Caribbean. Ballard attorneys have provided real estate services in connection with the sale of real estate interests that have been donated to the organization, assistance with corporate governance issues, drafted an



Ginger Perry



Some of NPH's "little sisters."

employment agreement for its CEO, contract reviews and negotiations, and worked with tax counsel in connection with charitable contributions for charities outside of the USA. In addition, numerous Ballard attorneys and staff have become sponsors for children in the homes by making a monthly contribution of \$30, and, if desired, providing letters, visits and gifts to the sponsored children.

NPH, Spanish for Our Little Brothers and Sisters, currently serves over 3,500 children in Bolivia, the Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua and Peru. Since Father William B. Wasson founded NPH in 1954, hundreds of staff, volunteers and generous Friends have helped to provide loving and stable homes to over 15,000 children. In addition, NPH outreach programs, including hospitals and clinics, serve over 30,000 children and adults each year. Donations to Friends of the Orphans help provide NPH children with food, clothing, shelter, health care, education, and the opportunity to break the cycle of poverty, which was once their destiny. For more information, please visit the website at www.friendsoftheorphans.org.

FIRM RECOGNITION & PRO BONO AWARDS

WOMEN'S WAY

Leadership Award to Ballard Spahr Andrews & Ingersoll, LLP
May 2007

Community Legal Services, Inc.

2007 Equal Justice Award to Thomas B. Roberts and Jordana L. Greenwald
May 2007

Equality Advocates Pennsylvania (formerly the Center for Lesbian and Gay Civil Rights)

Volunteer of the Year Award to Ballard Spahr Andrews & Ingersoll, LLP
May 2007

Utah Bar Association Committee on Law & Aging

Pro Bono Honor Roll for Sharon Bertelsen and Harry McCoy II
May 2007

Arizona State University Students

Volunteer Recognition to Phoenix Office for participation in Homeless Legal Assistance Project program.
April 2007

First Judicial District of Philadelphia

Pro Bono Roll of Honor for Raheemah Abdulaleem, Aisha Barbour, Barbara R. Beckman, Kelly L. Gibson, Shannon Farmer, David Gifford, Amy Guttman, Daniel Johns, Geoffrey Kahn, Ed Leeds, Jeffrey Meyers, Virginia Neiswender, Donna Page, Eileen Quigley, Meredith Scull, Gina Smith, Shelley Smith, Mark Stewart, Lesley Wolf, and Lynn Zeitlin.
April 2007

DuPont

Meeting the Challenge Award to Ballard Spahr Andrews & Ingersoll, LL, in part for "Consistent commitment to pro bono matters"
April 2007

Nationalities Service Center

Volunteer Recognition Award to Kenneth Morgan
March 2007

BALLARD SPAHR'S PRO BONO COMMITTEE

The following individuals are members of the firm's Pro Bono Committee:

Leslie A. Eaton (Denver)	303.292.7302
Sarah Glover (Phoenix)	602.798.5467
Anthony Kaye (Salt Lake City)	801.531.3069
William M. Kelleher (Wilmington)	302.252.4460
Jeffrey W. Larroca (Washington)	202.661.2213
Vincent J. Marriott, III (Philadelphia)	215.864.8236
William C. Rhodes (Philadelphia)	215.864.8534
Mary Gay Scanlon (Executive Director Pro Bono)	215.864.8912
Robert Scott (Baltimore)	410.528.5527
Gareth Smith (Bethesda)	301.664.6211
Ariel Stern (Las Vegas)	702.387.3085
Scott Towers (Philadelphia)	215.864.8632
Dean C. Waldt (Voorhees)	856.761.3450
Lisa F. Whiteley (Pro Bono Coordinator)	215.864.8187

If you would like information on how to become involved in the firm's many pro bono programs, please contact any Committee member.

The Ballard Spahr Pro Bono News is published regularly by the firm's Pro Bono Program and highlights the firm's pro bono activities. Please send information for future issues of the newsletter to Mary Gay Scanlon or Lisa Whiteley in the Philadelphia office.

While information in this newsletter is believed to be accurate, it is general in nature, does not purport to be complete, and should not be construed or relied upon as legal advice or legal opinion on any specific facts or circumstances.

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