Pro Bono & Community Involvement

Wiley Rein LLP prides itself on a strong tradition of service to the local and global community, and encourages its lawyers and legal assistants to participate in pro bono activities. Not only do such activities fulfill our desire to give back to our community, they also contribute to a heightened sensitivity to client needs, increased depth of experience, sharpened legal abilities and the development of a well-rounded lawyer.

Wiley Rein and its lawyers have frequently been recognized for their outstanding pro bono contributions.

- Theodore A. Howard is a recipient of the prestigious Wiley A. Branton Award for Civil Rights Advocacy.
- Recognized for exceptional volunteer work by the Washington Legal Clinic for the Homeless.
- Honored with the Outstanding Achievement Award in the fields of Public Accommodations and Disability Rights by Washington Lawyers' Committee for Civil Rights and Urban Affairs.
- Thomas W. Brunner has also received the Wiley A. Branton Award for Civil Rights Advocacy.
- Honored with Whitman-Walker Health's "Going the Extra Mile Award" for outstanding legal work on behalf of people living with HIV.
- Theodore A. Howard recognized by Legal Aid Justice Center (LAJC) of Charlottesville, VA, for outstanding work defending the constitutional rights of prisoners at the Fluvanna Correctional Center for Women (FCCW).
- Received the Pro Bono Advocacy Award from the Federal Circuit Bar Association (FCBA) for work on veterans’ appeals.

Our representations over the past decade have included noteworthy cases (cases with sweeping potential ramifications or those requiring significant resources), cases handled on behalf of individuals referred through legal service providers with whom we have developed close relationships, and a diverse array of other matters appealing to the individual interests, strengths and ideals of our Wiley Rein pro bono participants, including a host of transactional and other non-litigation matters.

Wiley Rein’s pro bono program aims to offer its attorneys and legal assistants broad opportunities to participate in matters that best allow them to make a positive difference for their clients and our community. As one formerly homeless client for whom a Wiley Rein associate had won Social Security disability benefits confirms, "[n]ot only did your winning my case help me to make up for time as far as family relationships and my home. It’s also served as a template to the remainder of my life . . . I want to work. . . . My disabilities persist, but you have brought me a long ways, and I’m never going back."

The firm’s pro bono program is managed by its Pro Bono Committee and receives the full support of the firm and its resources. The committee fosters the development of the pro bono program and operates on an equal basis with the many other standing committees that oversee firm governance. Wiley Rein requires that every pro bono matter be performed in accordance with the firm's high professional standards applicable to the performance of all paying client matters. The firm provides associates with up to 50 hours of "billable" credit for pro bono work, and all pro bono work is favorably considered in the annual associate evaluation process and bonus
determinations. The firm's strong level of commitment to pro bono work as an integral element of its existence was confirmed by its designation of a fulltime Pro Bono Partner, Theodore A. Howard, in 2014.

**Noteworthy Pro Bono Matters**

**Litigation:** A sampling of some of our noteworthy cases reveals the breadth of our pro bono representations:

- In a case commenced in July 2012 by Wiley Rein in collaboration with the Legal Aid Justice Center of Charlottesville, VA and the Prisoners’ Project of the Washington Lawyers’ Committee for Civil Rights and Urban Affairs, the firm took up the representation of the entire 1,200 woman population of the Fluvanna Correctional Center for Women (FCCW), a Virginia state prison at which the medical care provided to the prisoners was alleged to fall, on a systematic basis, far below federal constitutional minimum standards. After 2 ½ years of contentious litigation, the Virginia Department of Corrections (VDOT) agreed to settle the case on the eve of trial on terms highly favorable to the plaintiffs. The settlement came in the wake of decisions by the Court granting the plaintiffs’ motion for class certification and granting the plaintiffs’ partial summary judgment on two critical threshold issues, while the State’s motion for complete summary judgment was rejected in its entirety based, in part, upon the Court’s conclusion that, in light of the evidence presented, “a fact-finder could reasonably conclude that the VDOC is deliberately indifferent to the serious medical needs of the Plaintiffs and the entire class of women residing at FCCW.” After a November 2015 Fairness Hearing, the Court approved the Settlement by Order dated February 5, 2016. Under the terms of the parties’ settlement agreement, the Court appointed a correctional medical expert to collaborate with the parties on a comprehensive review of all the VDOC practices and procedures governing the provision of medical care in the Virginia prison system and to monitor the VDOC's implementation of those revised procedures and its compliance with the obligations imposed by the settlement agreement on its provision of medical care at FCCW on an ongoing basis. Wiley Rein and co-counsel will undertake additional measures to enforce the terms of the settlement and vindicate the rights of the class members to the extent necessary. To read more about the Fluvanna case, click here.

- Wiley Rein, in collaboration with the Washington Lawyers’ Committee for Civil Rights and Urban Affairs and the ACLU of Maryland, represents three African-American police officers who were subjected to a lengthy and extremely disturbing pattern and practice of wrongful discrimination and retaliation based on race by their co-workers and superiors within local and State law enforcement entities on the Eastern Shore of Maryland. A complaint seeking declaratory relief, injunctive relief, damages, and attorney’s fees was filed in federal district court in Baltimore followed by a second amended complaint adding Title VII counts for hostile work environment, discrimination in pay and benefits, and retaliation against the police officer-plaintiffs who had filed charges with the EEOC. The suit alleges a conspiracy of race discrimination and retaliation.

- Wiley Rein secured a major victory when attorneys represented an individual brought into this country from Pakistan by a Pakistani diplomat under false pretenses. The client was subjected to conditions essentially amounting to slave labor, working 60 hours or more per week for hardly any pay, confined to the diplomat’s household and subject to repeated instances of extreme verbal and occasional physical abuse before finally escaping and enlisting the assistance of the International Rescue Committee. Wiley Rein enlisted to help the client navigate the Justice Department’s investigation into his trafficking allegations, as well as to prepare and submit an application for a T-Visa pursuant to which the client could lawfully stay in this country. When a procedural issue arose while the T-Visa application was pending giving rise to the client’s possible removal, we prepared and filed a civil action for damages against the diplomat and his wife in the
Federal District Court in Alexandria as an impediment to deportation, and in September 2016, the T-Visa was granted. The client is not only permitted to stay in this country, but he may bring his wife and children here from Pakistan to live with him.

- Wiley Rein represented the ACLU of Maryland and 11 individuals in a case filed in 2012 against Anne Arundel County, former County Executive John Leopold, and two police officials, alleging that Mr. Leopold had directed his staff and police officials to compile dossiers of personal information about the individual plaintiffs, whom he perceived to be political rivals. Mr. Leopold resigned from office in 2013 after being convicted of misconduct. The intermediate appellate court held that the Public Information Act creates a private right of action, which extends to claims against governmental units like the county, and that the defendants are not protected by public official immunity. Wiley Rein attorneys served as lead counsel at the two-day trial in the Circuit Court for Anne Arundel County, after which the judge found there was “clear and convincing evidence” that former Anne Arundel County Executive John Leopold violated a provision of the Act that guards against public officials’ creation and use of personal records for illegitimate reasons. This case was the first to address the portions of the Maryland Public Information Act creating a private right of action and therefore sets an important precedent regarding the right of citizens to challenge public officials’ creation and use of records containing personal information for illegitimate reasons.

- Wiley Rein along with CAIR (Capital Area Immigrants’ Rights) Coalition will intervene in the criminal-immigration (crim-imm) pipeline by expanding access to counsel trained in the intersection of criminal and immigration law. The program, entitled The Crim-Imm Pro Bono Project, is made possible by sponsorship from the Arnold & Porter Foundation and through the support of an Equal Justice Works fellowship to develop the project. The Crim-Imm Pro Bono Project is tackling cutting-edge issues in criminal and immigration law. Non-citizens—many of whom are longtime, legal permanent resident green-card holders—are increasingly detained and deported because of criminal convictions. In the Washington, DC area alone, approximately half of the detained immigrants served by CAIR Coalition face the joint punishments of detention and deportation due to involvement in the criminal justice system, even though they have completed their criminal sentence in most instances. Because there is no right to government-appointed counsel in immigration court, the vast majority of detained immigrants are unrepresented—so they rarely are able to make the complex criminal-immigration legal arguments needed to challenge the basis of their deportation.

- In March 2014, Wiley Rein and the American Civil Liberties Union (ACLU) of Maryland reached a landmark settlement with the Baltimore City Police Department (BPD) ensuring citizens’ First Amendment rights to record police activity. Wiley Rein and the ACLU filed suit on behalf of Christopher Sharp, who alleged that BPD officers deleted two dozen personal videos from his cell phone after he used it to record officers violently arresting a female acquaintance at the 2010 Preakness. The settlement requires the adoption by the BPD of new policies protecting individuals’ rights to record BPD officers while they perform their official duties in public and other places where people have the right to be, as well as training of BDP officers to ensure compliance with the new policy. The case, Sharp v. Baltimore City Police Department, was pivotal in spurring the U.S. Department of Justice (DOJ) to issue an unprecedented legal statement in May 2012 on citizens’ rights to record police actions. More about the case and settlement can be found here.

- On behalf of The Equal Rights Center, Wiley Rein and the Washington Lawyers’ Committee for Civil Rights and Urban Affairs secured a multimillion-dollar settlement of a class action lawsuit brought against MetroAccess, the branch of the DC Metropolitan Area rapid transit system responsible for providing transportation to disabled riders, alleging that Metro had violated the Americans with Disabilities Act and
the Rehabilitation Act by failing to provide adequate service to its clientele. In 2008, The Washington Lawyers’ Committee for Civil Rights and Urban Affairs presented Wiley Rein with its Outstanding Achievement Award in the field of Disability Rights for the firm’s representation on this matter. To read more about this settlement, click here.

- In resolution of pro bono litigation pursued on behalf of DC Central Detention Facility (DC Jail) inmates by Wiley Rein's Theodore A. Howard, the DC government agreed to establish and enforce a 2,164-inmate population cap at the DC Jail following the court's grant of summary judgment to Mr. Howard's clients. Mr. Howard, in conjunction with the DC Prisoners' Project of the Washington Lawyers’ Committee for Civil Rights and Urban Affairs, sued the District of Columbia to force compliance with the DC Jail Improvement Act of 2003 - a law enacted in order to alleviate dangerous conditions in the jail attributed to overcrowding.

- Wiley Rein secured an important pro bono victory against the operators of a years-old realty scheme designed to defraud poor and homeless persons in the Washington, DC metropolitan area. Wiley Rein, in conjunction with The Washington Legal Clinic for the Homeless, represented one of the scam's victims in a DC Superior Court lawsuit. According to the suit, Wiley Rein's client paid the scam entity - Apartment Finders and its proprietor, Jasmine Worthy - a non-refundable application fee, as well as a security deposit and the first month's rent in exchange for the promise of low-rent housing. The client never received housing and Apartment Finders stopped responding to her inquiries. The court judgment in this case imposed the maximum civil penalty available under the DC Consumer Protection Procedures Act.

- One of the firm’s landmark pro bono matters came to a successful conclusion when then Virginia Governor George Allen commuted the death sentence of Joseph Patrick Payne three hours before his scheduled execution based upon “a substantial question involving the reliability of evidence presented at...the trial.” This was the culmination of a nine-year odyssey, led by Pro Bono Committee Chairman emeritus, Paul F. Khoury, through Virginia’s state post-conviction and federal habeas corpus system, with three separate petitions to the Supreme Court of the United States.

**Non-Litigation Matters and Individual Initiatives:** Wiley Rein attorneys also serve pro bono clients in a variety of ways outside the courtroom in matters referred to us by our legal service provider partners and arising from their outside interests:

- Represented the American Red Cross in obtaining use of 1-800-RED-CROSS for the organization's post-Hurricane Katrina work.

- An associate helped The Lab School of Washington create a successful relationship with the Academy in Manayunk in Philadelphia, PA, allowing the Academy to form a new school based on the programs and methods created by The Lab School of Washington. The Lab School is internationally recognized for its innovative programs for children and adults with learning disabilities.

- A partner assists the International Senior Lawyers Project, a group of experienced lawyers who volunteer to work on legal projects in developing countries. He is the coordinator for a 60-hour commercial law training program designed to assist historically disadvantaged black South African lawyers to improve their commercial law skills and attract corporate clients.

**Partnerships With Local Legal Service Providers**

www.wileyrein.com
A key part of Wiley Rein's pro bono mission is to provide equal access to the justice system for individuals and/or groups otherwise unable to afford it. We do this primarily by taking cases referred through local legal service providers with whom we have forged close ties.

**DC Bar Pro Bono Program Advocacy & Justice Clinic:** For many years, the firm has participated in the DC Bar's Pro Bono Program Advocacy & Justice Clinic, which matches indigent clients with volunteer attorneys. We staff the clinic biannually and are committed to taking at least 10 to 14 cases a year. The clinic is an excellent opportunity for individual attorneys and paralegals to gain valuable experience and skills by taking on the pro bono representation of clients in regard to landlord/tenant, family law and Social Security disability matters.

**Whitman-Walker Health Legal Services Program:** Wiley Rein has a longstanding relationship with DC's Whitman-Walker Health Legal Services Program. The clinic is the primary provider of medical, legal and support services for people in the metropolitan DC area living with HIV and AIDS. Through the Legal Services Program, Wiley Rein attorneys and paralegals provide assistance to clinic clients for the range of legal problems that are faced by affected individuals, including entitlement to Social Security and private disability benefits, insurance issues, discrimination in employment and public accommodations, debt counseling and immigration concerns. In 2009, the Legal Services Program honored Wiley Rein with the "Going the Extra Mile Award" for outstanding legal work on behalf of people living with HIV/AIDS. Click here for additional information.

**Consumer Law Resource Center:** Operated under the auspices of the DC Bar's Pro Bono Program, the Consumer Law Resource Center provides free legal information to unrepresented consumers residing in DC relating to debt collection, contractor disputes, small claims cases, and similar consumer law issues. Wiley Rein attorneys regularly staff the Center, informing consumers of their legal rights, reviewing contracts and assisting self-represented individuals understand the legal process and advocate for themselves in court.

**N Street Village:** For several years, Wiley Rein Managing Partner Peter D. Shields has served as Chair of the Board of Directors for N Street Village, which empowers homeless and low-income women in Washington, DC, to claim their highest quality of life by offering a broad spectrum of services, housing, and advocacy in an atmosphere of dignity and respect. In addition to Peter’s role as Chair of the Board, he and other Wiley Rein attorneys provide the organization with legal counsel and assist with legal matters, including strategic combinations and other transactions.

**Washington Legal Clinic for the Homeless:** For many years, the firm has been a strong supporter of the Washington Legal Clinic for the Homeless. Typical cases referred by the Clinic involve access to Social Security benefits, food stamps, housing concerns, veterans’ issues and many other legal matters. With thousands of homeless individuals in Washington, DC, Wiley Rein considers assistance to the local homeless population a critical priority.

**DC Prisoners’ Project of the Washington Lawyers’ Committee for Civil Rights and Urban Affairs:** As the successor of the DC Prisoners’ Legal Services Project, Inc., the mission of the DC Prisoners’ Project of the Washington Lawyers’ Committee for Civil Rights & Urban Affairs remains to advocate for the humane treatment and dignity of all persons convicted or charged with a criminal offense under DC law who are housed in prisons, jails or community corrections programs. The project also allows us to assist their family members with prison-related issues and promote progressive criminal justice reform.

**Washington Area Lawyers for the Arts:** Washington Area Lawyers for the Arts (WALA) supports artistic expression and creative innovation by serving the legal needs of the Washington, Maryland and Virginia's arts and cultural
communities. WALA provides education, advocacy and volunteer legal services through workshops and seminars, legal clinics for artists and arts organizations and pro-bono referral services. Wiley Rein helps many WALA referrals with non-litigation matters in the areas of contract drafting and review, corporation formation, intellectual property analysis and general advice.

Legal Aid Society of DC: The Legal Aid Society of Washington, DC provides free civil legal assistance to low-income residents of Washington, DC in the areas of family law (including custody, visitation, child support and domestic violence issues), landlord-tenant (including Superior Court evictions as well as Section 8 and DCHA administrative proceedings), public benefits (TANF, food stamps, Medicaid and Alliance, General Assistance for Children or POWER) and special education cases.

Capital Area Immigrants’ Rights (CAIR) Coalition: The CAIR Coalition serves as a primary source of legal assistance for detained immigrants (adults and children) in the DC metropolitan area and works with community groups, pro bono attorney volunteers, and immigrants themselves from DC, Maryland, and Virginia to ensure that all immigrants are treated with fairness, dignity, and respect for their civil and human rights.

Legal Counsel for the Elderly: For nearly 40 years, the LCE has championed the rights and interests of Washington, DC’s elderly citizens by providing free legal and social work services to those in need. LCE, in collaboration with its pro bono law firm partners, helps low-income elderly DC residents by stopping home foreclosures and evictions, preserving and promoting affordable housing, representing seniors victimized by scams and predators, working with the local courts to oversee and administer guardianships, and producing hundreds of wills, powers of attorney, advanced health directives, and other "end-of-life" legal documents.

Global Initiatives

Wiley Rein's pro bono program also has sought to address emerging issues throughout the world. For example, taking advantage of our knowledge of and ties to the insurance industry, we currently serve as insurance counsel for LeapFrog Investments, Ltd., an innovative investment fund that seeks to underwrite numerous varieties of “microinsurance” in developing nations. Microinsurance is an offshoot of the burgeoning micro-finance movement in the developing world whose leading proponent, Muhammad Yunus, won the 2006 Nobel Peace Prize. Like microloans, microinsurance seeks to protect the poor in Africa and South Asia. Initial coverages will include "shack"/low income housing insurance, health insurance and funeral insurance; additional coverages will follow. LeapFrog's mission is to tap into the estimated 1 billion person market for microinsurance and take the financing of this industry to the next level. The goal is to reach 25 million poor and low income people during a relatively short launch period. A Wiley Rein partner currently serves as General Counsel to LeapFrog.

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Wiley Rein continues to recognize the growing severity of the unmet legal needs in the local and global community and is mindful that major law firms must play a leading role in addressing those needs. The firm believes that its approach to encouraging its attorneys to participate in a broad and eclectic array of pro bono matters results in the provision of important services to many organizations and individuals while developing its lawyers’ expertise and enhancing their professional development.

For more information on Wiley Rein's pro bono representation and service to the community, please contact Theodore A. Howard at 202.719.7120 or thoward@wileyrein.com.