

PRO BONO Matters



PUBLIC 1981-2006
LAW CENTER
25 Years of Service

The Newsletter of the Public Law Center

Fall 2006

PLC Volunteers Honored at State Bar Annual Meeting



PLC and the honorees at the State Bar Annual Meeting.

Anyone who attended the State Bar annual meeting this October in Monterey can tell you that next year's annual meeting is here in Orange County. But for those who were at the President's Pro Bono Service Award reception at this year's annual meeting, it felt like a bit of Orange County had moved north temporarily. That's because three of the ten statewide awards handed out by Chief Justice Ronald M. George and State Bar President Jim Heiting were given to Public Law Center volunteers. This unprecedented recognition came about because of the hard work of some extraordinary PLC volunteers. The award recipients were:

Orange County Public Defender's Office – Government category. The Orange County Public Defender is a critical pro bono partner in the Public Law Center's Homeless Legal Clinics, held twice a week from December through March at Orange County's two armory based temporary homeless shelters. At

each clinic a team consisting of Public Law Center staff and volunteers serves approximately ten homeless individuals. Homeless individuals at these clinics have a variety of different civil legal problems, including family law, consumer law and government benefits issues. In addition, many of the homeless individuals at these clinics have questions concerning criminal justice related issues, including concerns about outstanding warrants for minor criminal law offenses. These warrants often stand as a barrier to the homeless person's attempts to secure a more stable living environment.

Public defenders who volunteer at these clinics assist homeless clients by providing brief advice and counsel on minor criminal matters. Often times cases require additional follow up work, which the public defender volunteers then handle as part of their regular case load. Additionally, public defender volunteers will often route homeless persons at the clinic to Orange County's Homeless Outreach Court where they can resolve, in a non-threatening environment, their outstanding warrants on minor criminal law matters.

Dennis Connelly – Corporate Counsel. Dennis Connelly, former Legal Director and Corporate Counsel of Beech Street, a Preferred Provider Organization (PPO) and Healthcare Management Company, has been an indispensable volunteer in providing bankruptcy assistance to Public Law Center clients. Dennis had no prior experience with bankruptcies, but was mentored by an experienced PLC volunteer bankruptcy attorney (who was previously honored as our Volunteer Attorney of the Year) and quickly became one of PLC's most dedicated and dependable bankruptcy pro bono attorneys.

Bankruptcy clients come to PLC feeling overwhelmed, guilty, frightened and ashamed. Many of them face wage garnishments or are in danger of becoming homeless. They are indeed among some of PLC's most vulnerable clients. Exacerbating their problems, it is exceedingly difficult to find volunteers willing to take these types of cases. Dennis has consistently and repeatedly provided PLC bankruptcy clients with desperately needed assistance that they otherwise would not have received.

In 2005, Dennis accepted 17 pro bono individual bankruptcy cases, continued to work on cases he accepted in 2004 and volunteered at several bankruptcy clinics co-sponsored by the Orange County Bar Association and (Continued on Page 8)

Get Involved with PLC...

PLC offers a variety of volunteer opportunities for Attorneys, Law Students, and College Students including pro bono representation, staffing at community legal clinics and volunteering in-house at PLC. For more information or if you would like to volunteer, please contact Peri Doshi-O'Neill, Pro Bono Managing Attorney at (714) 541-1010 ext. 263 or pdoshioneill@publiclawcenter.org

Published by Parabolica Publishing, LLC (714) 236-8676

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Mission Statement

The Public Law Center, Orange County's pro bono law firm, is committed to providing access to justice for low income residents. Through volunteers and staff, the Public Law Center provides free civil legal services, including counseling, individual representation, community education, and strategic litigation and advocacy to challenge societal injustices.

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From the Executive Director



As we approach the end of another year, we complete a milestone for the Public Law Center. Our 25th Anniversary year has included many highlights. We're on track for serving more clients than ever before and involving greater numbers of volunteer lawyers, law students and others in our efforts. We've added dedicated staff positions to address housing and homelessness issues and to manage our growing number of volunteers. We're helping more immigrant victims of domestic violence, human trafficking and trauma achieve stability in their lives. We're continuing to find ways to assist lawyers, in an array of practice areas, to enter the world of pro bono by developing new clinics and community legal education programs.

Our efforts are being recognized. Our volunteers have received a variety of awards this year, including three prestigious State Bar President's Pro Bono Service Awards. Numerous articles in the local press have noted our efforts to make Orange County a better place to live for everyone. Our supporters have recognized our efforts as well. Our July Volunteers for Justice Dinner brought in record revenues while providing the nearly 700 attendees an extremely special celebration recognizing PLC's 25 years of service to the community.

While we welcome all this good news, we can't forget for even a moment the growing needs of our

clients. Housing costs continue to soar forcing multiple families into crowded quarters. Current estimates are that an individual would have to earn \$26.77 per/hour in order to afford a two bedroom unit in Orange County. Orange County continues to have one of the largest homeless populations of any county in the nation. As winter approaches, the search for housing becomes more desperate. Housing isn't the only crisis our clients face. Accessing affordable health care, avoiding consumer scams and escaping the cycle of domestic violence are the stuff of our clients' every day lives.

Closer to home, this celebratory year also saw some sad losses. Gar Shallenberger, a long time leader in the Orange County legal community who was one of our founders and early board presidents, passed away in September. In August, we lost Lonnie Watson, the former County Counsel of Orange County, who during the last two years of his life was a regular volunteer at our office. And earlier in the year, the California legal services community lost a giant when Tanya Neiman, the head of San Francisco's equivalent of the Public Law Center, lost a long bout with cancer.

We note their passing not to dwell on our losses, but to continue to be inspired by the passion, dedication, commitment, vision and wisdom that caused all of them to focus their time and talent on addressing the legal needs of the low income community. We hope their efforts, as well as the efforts of the thousands who have volunteered for the Public Law Center over the past 25 years, continue to inspire you too. ✍

Court Certifies Class Action Habitability Case

Volunteer attorneys from Gibson, Dunn & Crutcher recently obtained a court order granting class certification in a Santa Ana slumlord case. The court found that a class action is proper as to all causes of action in the tenants' complaint, including claims for breach of the warranty of habitability, negligence, nuisance, fraudulent misrepresentation, wrongful entry, and retaliation. Under the court's order, all current and former tenants who have lived in the Santa Ana slum apartment complex since 2001 now have an opportunity to recover damages.

The court's recent grant of class certification follows on the heels of other significant pre-trial victories in the tenants' favor. Late last year, Gibson Dunn successfully obtained the appointment of a habitability receiver — a procedure rarely used in

Orange County — to take over control of the apartment complex and see that necessary rehabilitation work is promptly completed. In mid-2006, the receiver was allowed to take out a loan on the property of over one million dollars to repair the complex, and as of September 2006, repairs there are well under way. In addition, the court recently found that the tenants have a "substantial probability" of success on their punitive damages claims and, accordingly, granted the tenants' motion to permit the discovery of the landlords' financial information.

Although a trial date has not yet been set for the class action, the Gibson Dunn team is close to completing its discovery and looks forward to pursuing damages for the tenants, along with an injunction preventing the landlords from continuing their bad business practices. ✍

Recent PLC Cases

Samuel McDermott of Wood Smith Henning & Berman represented a 73 year old widow, who survives on Social Security and a small pension, in a dispute with a contractor. Earlier in the year, the client had a new roof installed on her home. Immediately following installation she experienced problems with the roof leaking. A city inspector found that the job had been poorly performed and the roof needed to be removed and remedial work done. The client's calls to the contractor were ignored. Another contractor estimated it would cost \$6,500 to correct the job. The client had depleted her savings on the first roof job. Sam came to the client's assistance and was able to negotiate a settlement by which the contractor installed a new roof.

Solo practitioner Tom Bellamore assisted an immigrant woman who was referred to PLC by Human Options, one of Orange County's comprehensive domestic violence shelters. The client had been in the U.S. for 17 years, all the while living with a very abusive husband. The most recent incident required the client to be hospitalized for a swollen face and to obtain stitches in and near her eye where she had been cut during her beating. Soon after, the client testified in a criminal case against her husband, which resulted in a guilty verdict and a 6 months sentence in jail. Tom, in turn, obtained the required certification form from the Buena Park Police Department and then sought U visa interim relief for the client. The relief was granted in July. Tom reports that the client's entire demeanor has changed dramatically since her life and future prospects are much brighter and safer.

Michael Lee and Candice Lee of McDermott, Will, & Emery assisted a new community-based organization start-up and obtained nonprofit tax exempt status. The group, named Greet the Day, assists people affected by cancer in enhancing their health and well-being through participation in a free professional program of education, support and body work. Michael and Candice assisted the organization in preparing Articles of Incorporation, Bylaws, and other corporate governance documents. Additionally, they assisted Greet the Day in obtaining federal tax-exempt status, which the organization received in July. With its tax-exempt status, Greet the Day will now be able to apply for grants and otherwise strengthen its fundraising programs, which will allow the organization to increase its activities and services for cancer patients in Orange County.

Russ Hill of Howrey represented a client who was awakened in the early morning hours by the police who had found his vehicle. The vehicle had been stolen from his garage and torched. The client still owed over \$20,000 on the car. He submitted a claim to his insurer. They apparently took the position that either the client, or persons acting for him, burned the car so he could get out from under the loan and so they refused to pay his claim. Russ, along with Sharla Manley, Douglas Gastelum and James Bernald of the firm's Los Angeles office, filed a lawsuit asserting various causes of action including bad faith and civil rights violations. The case was settled, allowing the client to pay off the loan and receive some money for himself. ⚡

PLC Law Clerks Complete Successful Summer



PLC Summer Law Clerks enjoying the 2006 Volunteers for Justice Dinner. Front row, left to right: Alexis McLeod, Christine Dzida, Tricia Gandy, Helen Lee. Back row, left to right: Khoa Le, Serena Josephs, Henry Tsai.

PLC was fortunate to have eight remarkable law clerks this past summer. These students, representing a broad range of law schools and legal backgrounds, ensured that PLC's clients received quality and comprehensive legal

assistance. From helping clients fill out divorce papers to effectively interviewing clients at our community clinics, they all were willing to try new things by performing a wide variety of tasks for our clients. It would be impossible to (Continued on Page 8)

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THANKS to our many volunteers!

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Marvin Adviento	Jerome Stanley Demaree	Melany Harootyanian
Ashleigh Aitken	Kevin M. DeMeire	Natalie Y. Hayashi
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Treasures of the OC - Volunteer Appreciation Reception

On September 28, 2006, PLC hosted an evening reception to recognize the hard work of our many pro bono attorneys. The event was held in the garden setting of the Santa Ana Country Club. The Treasures of OC theme was played out in the tropical-tasting hors d'oeuvres buffet, drinks, music by a steel drum band and decorations. Attorneys who attended the reception met and mingled with PLC staff and other pro bono lawyers committed to providing access to justice for Orange County's low income community. The evening concluded with an opportunity drawing with prizes donated by Beatriz Gordon of Morrison Forester, Roman



Darmer of Howrey, Michael Williams of Irell & Manella, Mark Minyard of Minyard Morris and Peets Coffee. 🐼

New PLC Position to Support Volunteers

In early 2006, PLC created a new staff position to provide leadership in PLC's pro bono outreach to the legal community. This position, Pro Bono Managing Attorney, is an effort to further develop and improve PLC's recruitment, retention and recognition efforts of the many volunteers committed to providing access to justice. Peri Doshi-O'Neill, previously a PLC staff attorney, was appointed to this position earlier this year. Since that time, PLC has made strides in facilitating the involvement of pro bono volunteers. In particular, PLC has coordinated four MCLE Legal Trainings

accompanied with PLC-developed substantive legal manuals specifically for volunteer attorneys; piloted a pro bono program for summer associates at large OC law firms; developed internal infrastructure to improve communication and recognition with volunteers; and hosted a Volunteer Appreciation Reception in late September. With this new position, PLC will continue to increase its support to volunteers. If you have any questions or suggestions, please contact Peri Doshi-O'Neill at (714) 541-1010 ext. 263 or pdoshioneill@publiclawcenter.org. 🐼

PLC Offers Pro Bono Opportunities to Summer Associates at OC Law Firms

During the summer of 2006, PLC worked closely with several OC law firms to offer their summer associates a chance to experience pro bono work. Law firms including Crowell & Moring, Irell & Manella, Jones Day, Manatt, Phelps & Phillips, McDermott, Will & Emery, Sheppard, Mullin, Richter & Hampton, and Snell & Wilmer exemplified their commitment to providing access to justice by encouraging their summer associates to make use of their legal training to help Orange County's low income residents. These summer associates provided pro bono assistance by conducting intake at community legal clinics and providing clients with direct pro bono legal representation.

PLC conducts multiple legal clinics each month at community centers throughout Orange County. During the summer of 2006, 15 summer associates, under the supervision of PLC staff attorneys, participated in these clinics by interviewing clients, identifying their legal needs, and then, communicating clients' facts and needs via memorandum to PLC. Summer associates reported that they found their time at the legal clinics both interesting and rewarding. In particular, Laura Goodwin, associate at Jones Day, stated that "the summer associates (and the firm associates who accompanied them) really enjoyed the hands-on experience of working with clients at the Homeless Outreach Court legal clinic

and look forward to continuing to work with PLC."

PLC, in partnership with Snell & Wilmer, also started a pilot program this summer to offer summer associates the opportunity to provide direct pro bono legal representation. Under the supervision of Snell & Wilmer associates, their summer associates assisted six PLC clients with U Visa immigration applications. A U Visa immigration application provides victims of severe violence who have cooperated with law enforcement in the investigation or prosecution of the crime a means to temporarily gain legal immigration status. As this area of law was new to both Snell's associates and summer associates, PLC provided a 2-hour substantive training on the subject, a comprehensive "how to" manual, and samples of previous U Visa applications. In addition, PLC staff attorneys were available to provide additional guidance as needed. Deborah Mallgrave, associate at Snell & Wilmer, stated that the "direct client contact and the ability to take a case from beginning to end provided a memorable experience for each summer associate."

PLC hopes to expand summer associate involvement in both the legal clinic and direct pro bono representation projects. If your law firm is interested, please contact our Pro Bono Managing Attorney, Peri Doshi-O'Neill at pdoshioneill@publiclawcenter.org or (714) 541-1010 ext. 263. 🐼

Access To Justice Annual Fund... PLC Donors Strengthen the Community

Fall is a season of renewal and reflection. It is a time to recommit to the principles and values that guide our lives and define our community. It is a time to remember our many blessings and give back to help others in need.

Soon you will receive our request for your support of PLC's 2006-07 Annual Fund Drive. Your gift to the Annual Fund is critically important to PLC; it is also an investment in the community with a strong multiplier effect.

Every \$1 PLC spends results in over \$8.25 worth of services. This leveraged impact means that thousands more families and children, adults and seniors living in poverty are helped. In 2005, because of PLC's extensive use of volunteers, PLC staff and

volunteers were able to provide 36,000 hours of free legal services to those with pressing legal needs that threatened their well-being in areas such as child custody and support, guardianship, health access, housing, employment and individual rights.

Your gift to PLC's Annual Fund is a recommitment to the principle of Access to Justice and a tangible way to join with others in strengthening our community. You'll also have the benefit of knowing that Orange County's low income and underserved residents receive vitally needed legal assistance. Of course, your gifts to PLC are tax deductible to the full extent of law. Please respond to the Access to Justice Annual Fund appeal when you receive it. Your loyal support is crucial and greatly valued. ✍

ABTL fills the house and raises \$17,500 for PLC

On June 7th, the Orange County Chapter of the Association of Business Trial Lawyers held its 7th Annual PLC Wine Tasting Event at the Westin South Coast Plaza. Well known legal ethicist Michael Josephson spoke to the group challenging the more than 300 in attendance to go beyond success to significance. "While being a successful lawyer in the traditional business sense of the word is a laudable goal, being a significant person can be a loftier goal," said Josephson.

This annual ABTL Wine Tasting Fundraiser packed a lot into the evening; active networking reception, fine wines and food, and an excellent program. It also was successful in raising \$17,500 to support PLC's work on behalf of low income families, children and seniors in Orange County. PLC is grateful to the ABTL Board and chapter executive director, Rebecca Cien, for their efforts and thanks the ABTL members for their continuous support. ✍

Envisioning a Future without AIDS

PLC staff and volunteers joined together on Sunday, June 4, 2006, at the University of California, Irvine for AIDS Walk Orange County, which celebrated its 20th anniversary. The efforts of participants and sponsors are still essential to the fight against HIV and AIDS. In Orange County, 10,000 people are currently living with HIV or AIDS, but one-third do not know they are infected. New HIV cases are showing a sharp increase among females, minorities, and heterosexuals, and over half of all new infections in Orange County are in those under the age of 25.

PLC was again both a beneficiary of and participant in the Walk. The efforts of the PLC Walk Team and its supporters helped the Walk Team raise \$3,400 and place 9th in the Small Business/Social

Organization category. Also, a PLC volunteer attorney won the AIDS Walk pie-eating contest for the second year in a row! Overall, the Walk raised \$572,000, of which PLC was granted \$13,300. These funds will support PLC's AIDS Legal Assistance Project (ALAP), which provides free legal services to over 350 Orange County residents living with HIV and AIDS each year.

PLC appreciates the efforts of our Walk Team members and supporters, as well as AIDS Services Foundation Orange County, which coordinates the Walk and continues to recognize the importance of legal services. We look forward to next year's Walk and hope you will join us in the fight against HIV and AIDS! ✍

ACCA-SoCal Tees Off for PLC

On Monday, October 16, 2006, the Southern California Chapter of the Association of Corporate Counsel America (ACCA-SoCal) hosted its 8th annual Charity Golf Classic at the spectacular Trump National Golf Club in Palos Verdes. The proceeds of this sold-out tournament benefited both the Public Law Center (PLC) and the Los Angeles County Bar Foundation.

During a lively dinner program, ACCA-SoCal Board President Jonathan Block of Salem Communications presented PLC Executive Director

& General Counsel Kenneth Babcock with a \$10,000 check raised by the Charity Golf Classic. PLC is deeply grateful to the ACCA-SoCal for its steadfast support of PLC's programs and services and thanks Harry Field of the Boeing Company, tournament chair, as well as the rest of the tournament committee. ✍

Ching Lim
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Craig Liu
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Theresa Lopez
Jennifer Alliso Lopez
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Volunteers for Justice Dinner a Triple Treat: Exemplary Honorees; Record-Setting Proceeds of \$443,000; and a Silver Anniversary Celebration



The honorees left to right are: Alan Witche (AIDS Services Foundation - Community Partner of the Year), Cynthia Holton (Attorney of the Year), Deborah Arbabi (Crowell & Moring - Law Firm of the Year), Debra Deam (Buchalter Nemer - Founder Award), James Strother (Wells Fargo General Counsel - Corporate Partner of the Year).

It was a memorable night. The Public Law Center's annual Volunteers for Justice Dinner, held July 20, 2006 at the Hyatt Regency Irvine, hit new highs in attendance, proceeds raised, and notable features. Nearly 700 attendees enjoyed this special evening that celebrated PLC's 25th years of service to the community. Mingling with the hundreds of lawyers and business leaders present were over 30 judges and a host of state, county, and city dignitaries.

The event raised a record \$443,000 to support PLC's work in providing access to justice for low income children, families, adults and seniors in Orange County. The majority of contributions came

from 58 generous Dinner Sponsors — firms and companies committed to PLC's mission. Gifts from another 20 Underwriters, mostly smaller firms and some individuals, helped to offset various costs of the event.

The evening was emceed by Justice Kathleen E. O'Leary of the California Court of Appeal. Orange County Bar Association President Julie M. McCoy and U.S. District Court Judge Andrew J. Guilford presented awards to Buchalter Nemer (Founder Award), AIDS Services Foundation of Orange County (Community Partner), Cynthia Holton (Attorney), Wells Fargo (Corporate Partner) and Crowell & Moring LLP (Law Firm). Special



Left to right: Wylie Aitken (Aitken, Aitken & Cohn), California Supreme Court Justice Carol Corrigan, Darren Aitken (Aitken, Aitken & Cohn), Orange County Superior Court Assistant Presiding Judge Kim Dunning



PLC Board members left to right: Tom Peterson (ASF), Demetria Jackson (First American Trust), Jim Meeker (UCI).

recognition was given to a team of lawyers from over a dozen law firms who joined together to keep a homeless shelter in Santa Ana named Isaiah House from being closed.

PLC's Executive Director, Ken Babcock, conveyed heartfelt thanks to the volunteers and supporters who make it possible for PLC to assist

thousands of persons each year. He then introduced a video that showed the impact of pro bono service. The volunteers who shared their experiences in the video spoke of professional responsibility and great personal satisfaction in helping those who are vulnerable to injustice. But the stars of the video were the clients who told of their (Continued on Page 8)

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We apologize for any errors or omission in our listing.

PLC Volunteers Honored at State Bar Annual Meeting (Continued from Page 1)

PLC. These invaluable clinics are held at the Orange County Bankruptcy Court and help low-income pro se debtors who have filed for bankruptcy understand their rights regarding reaffirmation agreements and Chapter 7 filings.

Cynthia Holton – Solo Practitioner. Family law cases are traditionally some of the most difficult cases for pro bono organizations to place with volunteer attorneys. Cynthia Holton has proven to be an essential volunteer for the Public Law Center because of her willingness to take on, time and time again, family law cases that we have not been able to place with other volunteers. Since 2004 when Cynthia began volunteering with PLC, she has taken 24 separate family law matters. In 2005 alone, Cynthia individually has handled 16 cases dealing with guardianship, marital dissolution and domestic violence.

Contributing 491 hours of pro bono legal services for PLC clients just in 2005, Cynthia has been an invaluable asset not only to PLC but also to numerous families and children in the most desperate of circumstances. Without Cynthia's dedication, it is foreseeable that many of the clients she has helped would have gone without much needed legal services. It is only with the commitment of volunteers like Cynthia Holton that PLC is able to offer life-sustaining and often life-changing assistance to some of our community's most vulnerable members.

Congratulations to these and all the other recipients for a job very well done. None of them volunteered for PLC because of the potential for future recognition, but we're happy that we were able to secure for them the recognition they so deeply deserve. ✍

Volunteers for Justice Dinner (Continued from Page 7)

experiences. What came through was their immense humanity - the human side of pro bono. When Ken introduced three of the clients in the video who were at the Dinner, the audience responded with a standing ovation.

The final treat of the evening was the keynote speaker, Justice Carol A. Corrigan of the California Supreme Court. Justice Corrigan issued a call to action, reminding us of the privileges of living in our time and in our country, and also of the responsibilities that come with being well educated and working in a profession that carries obligations to help those less fortunate. She challenged everyone to make a difference in the lives of others, much in the same way that the honorees had. ✍

PLC Law Clerks Complete Successful Summer (Continued from Page 3)

recount all of their successes on behalf of Orange County's low-income population, but the following stories provide a glimpse of our law students' impact.

Henry Tsai (Whittier) successfully recovered the full available amount of a Spanish speaking client's security deposit. He negotiated persistently, working hard to make sure our client came out on top. In addition to gaining fundamental legal skills, Henry also gained a greater appreciation of the communities we serve. He said, "Volunteering at PLC has made me more conscientious of the not too uncommon economic inequalities and social injustices in Orange County."

Leann Jandron (Chapman) provided vital program management and client assistance in the first ever legal clinic for nonprofit organizations in June. She also provided direct legal assistance to a number of clients, including a child care provider in Laguna Hills that, thanks in part to Leann's hard work, received a Conditional Use Permit to operate her large family day care.

Christine Dzida (Loyola) received a Howrey HELPS stipend in conjunction with her work at PLC. This funding allowed Christine to provide legal assistance to mainly monolingual Spanish-speaking clients with immigration and family law issues. Christine hopes to continue in the field of

public interest law and thanks Howrey LLP for granting her the opportunity "to get a glimpse of all the good that can be done with a law degree."

Working along with these three students were Tricia Gandy (Chapman), Serena Josephs (University of Miami), Helen Le (Western State), Khoa Le (Temple), and Alexis McLeod (William & Mary). PLC is extremely grateful to all of our 2006 summer clerks for their incredible passion and dedication to providing access to justice for our low-income clients. We hope to see them again as pro bono attorneys as they embark on their legal careers. ✍



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