

# PRO BONO Matters



PUBLIC  
LAW CENTER

The Newsletter of the Public Law Center

Winter 2009

## PLC Makes the World a Better Place for Tibetan Refugees



With the help and legal support of PLC, the Tibetan refugees in our story are free from persecution for the first time in their life.

“They have suppressed our culture and religion by destroying our monasteries and homes and by imprisoning and murdering our monks. They have also murdered, tortured, and imprisoned Tibetans, some of them my family members or friends. Forcibly returned Tibetan refugees are subjected to serious punishment, including beatings, torture, lifetime imprisonment, and even death. Tibet is a dangerous place for those, like me, who do not accept the Chinese way of life and who follow the tenets of His Holiness, the Dalai Lama. I wish to start a new life here in the United States and this is my story.”

This is an excerpt from the affidavit submitted by the legal team of **Yoanna Binder** and **Yi-Chin Ho** of **Manatt, Phelps and Phillips, Benjamin Benumof**, formerly of Manatt, Phelps and Phillips, now **Chief Legal Counsel of Tresor Properties**, and **Kirsten Kreymann** of the **Public Law Center**, on behalf of Tenzing (not her real name), a 39 year-old Tibetan woman. Tenzing made her way to the United States from her rural village in Tibet to escape past and certain future persecution.

In 2006, Tenzing fled her rural village, one she had never left before, leaving behind her five children and her husband. Tenzing had been publicly beaten “solely because I am a Tibetan,” forcibly sterilized, and threatened with imprisonment because she had violated China’s two child policy for Tibetans. She landed at Los Angeles International Airport in January 2008 seeking asylum and was immediately detained by the Department of Homeland Security as she had no documents to legally enter the country.

In an odd coincidence, 26 year-old Nima (also not her real name) was flying into LAX on the same day. She did not know Tenzing, but her story was similar—she was also fleeing persecution in Tibet. Some close friends of Nima had disappeared because their parents had more than two children. Nima was the youngest child of three and her parents had already had letters and visits from the Chinese government asking of her whereabouts. Nima, and her family, friends and neighbors, had also been persecuted by the government. Nima flew to the United States seeking asylum and, lacking the necessary documents, was arrested upon arrival.

Both women were detained at the Santa Ana City Jail, where the legal team spent countless hours collecting, reviewing, and documenting each client’s story. The team filed asylum petitions on behalf of each woman and represented them at numerous immigration court hearings over the following six months. In back to back merits hearings on the same day in August, both women were finally granted asylum. Tenzing faced the judge, got down on her hands and knees, and bowed toward the bench. Nima was speechless and tried to thank the judge in between sobs.

On that August day, Tenzing and Nima were released on to the streets of Los Angeles after more than six months of incarceration to start a new chapter in their lives. Nima wishes to continue her schooling to become a nurse and Tenzing wishes to learn English and petition to bring her family over from Tibet. Both women say they are free for the first time in their lives—free to openly practice their religion, free to voice their opinions and free to be Tibetan.

The work of **Yoanna, Yi-Chin, Ben,** and **Kirsten** was life-changing for Tenzing and Nima. PLC clients depend upon volunteers to provide assistance in a wide variety of civil matters that if unresolved threaten their safety and security in basic areas of human need. To make a difference in the life of a PLC client contact Kirsten Kreymann, Pro Bono Director at [kkreymann@publiclawcenter.org](mailto:kkreymann@publiclawcenter.org) or (714) 541-1010 ext. 283.

## Make a Difference Volunteer!



### 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



Having grown up with a father who spent over 30 years coaching high school and junior college athletics, I'm particularly prone to the overuse of sports metaphors. One of the ones I overuse the most is "stepping up to the plate." To be sure, the Philadelphia Phillies stepped up to the plate both literally and figuratively and should be congratulated for their World Series victory last year. President Barack Obama also stepped up to the plate in winning the election and will be called upon to do so many, many more times in the coming months as he deals with the growing economic crisis and a host of other pressing issues.

How about the rest of us? How are we asked to "step up to the plate?" How do we respond when asked? Leaving aside for a moment the myriad responsibilities that accompany our lives in this 24/7 world we live in (such as children, aging parents, faith communities – the list goes on and on), what do we do when we're asked to help the less fortunate in our community? Do we say "I'm too busy to volunteer," "someone else will surely help," "I'm too strapped to give right now," or any one of a number of other excuses we all use to help rationalize our decision to stay uninvolved. Or do we step up to the plate?

We know how some people step up to the plate. Look at the stories in this newsletter about some of our volunteers, look at the lists of our volunteers or our donors, both individuals and organizations, who have

given their valuable time or their hard earned dollars and you'll find example after example of lawyers, law students and others in our community who decided not to say "I'll do it next time." Instead, they stepped up to the plate and many of them have hit it out of the park.

Sure, it might be easy to say no when we're asked to give of ourselves. But considering the great rewards that come with giving, it's actually more in our self interest to say yes. We all know how good it feels to give to a worthy cause. Indeed, scholars have written about the physiological and psychological benefits that accompany giving. Who wouldn't want the thrill, the rush, the feeling of contentment – call it what you will – that comes with giving? That explains, in part, why so many volunteer their time, their financial resources, or both to the Public Law Center.

But feeling good about giving only partly explains why every year a cast of over a thousand provides support to the Public Law Center and our clients. Some step up to the plate simply because they know it's the right thing to do. Some step up because they believe that equal justice under law can only be achieved if the legal system is accessible to all, regardless of means. And some because they recognize the incredible need in the community.

And to be sure, the need has never been greater. Through the course of this year, we will no doubt see more people loosing their jobs, more homes going into foreclosure, more families at risk coming to the Public Law Center for help. Given the dire economic crisis we're in, the opportunities to step up to the plate in the months ahead will be many.

The question is – are you willing to step up to the plate? ↩

## Transitions and New Faces at PLC

PLC bids farewell to three staff members. **Peri Doshi-O'Neill** elected to not return to PLC after her maternity leave for the birth of daughter Sarina. **Peri** has an opportunity to work in her family's business which gives her flexibility to be with her children. **Tracy Hermans** left PLC to pursue her law degree at Golden Gate University School of Law in San Francisco. **Richard White** left PLC to relocate to New Jersey. We wish the best of luck to Peri, Tracy and Richard.

Over the past several months, the following individuals have joined the PLC staff team: **Rebeca Canales** is looking forward to continuing the public interest work she performed while a law student at University of California, Davis School of Law and as a 2007 summer law clerk at PLC. As an Equal Justice Works AmeriCorps Legal Fellow, Rebeca will assist with PLC's significant family law case-

load, recruit volunteer law students and coordinate PLC legal intake clinics. **Leigh Ferrin**, a recent graduate of Loyola Law School in Los Angeles, also joined our staff recently as an Equal Justice Works AmeriCorps Legal Fellow. Leigh will focus her work on foreclosure and bankruptcy and will also serve as our principal "point" person as we develop collaborative efforts in a variety of fields with the new UC Irvine School of Law. Both Rebeca and Leigh are recent admittees to the California Bar. **Tish Leon** joined PLC in the new position of Office Manager. Tish will focus on supervision of our Administration and Intake Specialist team, organization of office procedures and administration of human resource policies. We are also pleased to announce **Kristen Lara's** promotion to housing and homelessness staff attorney from Equal Justice Works AmeriCorps Legal Fellow. ↩

# Another Successful Summer for PLC Law Clerks

In the summer of 2008, PLC was fortunate to host four summer law clerks who played a significant role in helping our clients receive the legal services they so desperately need. Their projects ranged from assisting with the affordable housing project, working with PLC's Community Organization Legal Assistance Project serving nonprofit organizations, assisting with family law and immigration petitions. All of their work allowed them to develop hands-on lawyering skills that they will be able to use for the rest of their careers.

The summer also allowed our clerks to get to know each other, PLC staff, and the legal community. Our clerks attended various trainings and social events that helped them get a better idea of what it is like to practice law. We thank **O'Melveny & Myers LLP, Snell & Wilmer L.L.P., the Orange County Superior Court, and the Justices at the California Court of Appeal** for providing valuable information and resources to our clerks.

PLC is incredibly grateful to our summer law clerks for their passion and dedication to providing access to justice for our low-income clients. Our 2007



2008 PLC Summer Law Clerks front row: Katie Dao & Dawn Purser, back row: Katie Petry & Katie Moorer.

summer clerks were: **Katie Dao** (2L Michigan State University College of Law), **Katie Moorer** (1L Chapman University School of Law), **Katie Petry** (2L Pepperdine University School of Law) and **Dawn Purser** (2L Boston University School of Law). ↩

## Recent PLC Cases

PLC reported in the Fall 2004 issue of **Pro Bono Matters** regarding a request for records by a group of residents at Leisure World Seal Beach that was met with a law suit against the seniors by Leisure World's management company. Believing that the elderly residents should not have to defend against the management company's suit without counsel, PLC looked to its pro bono panel of attorneys to help. **Steven P. Rice and Amy E. Owens of Crowell & Moring** jumped in to assist the clients.

The case began in January 2004 when seven seniors filed 16 suits in small claims court, because the Golden Rain Foundation, (GRF) which operates Leisure World, refused to turn over financial records. Civil Code 1365.02 allows homeowner suits in small claims court if an association refuses to grant access to records. Rather than turn over the records, GRF sued them. Since 2004, the Orange County Superior Court repeatedly ruled in favor of the residents of Leisure World in their efforts to seek greater transparency from the management company.

In an 18-page published decision, the California Court of Appeal affirmed a lower court ruling that Leisure World is a common interest development and, therefore, subject to the state laws governing such associations. According to **Steven Rice** the opinion will apply to other Leisure World communities, like Rossmoor in Walnut Creek (Contra Costa County),

also founded by Leisure World's developer.

Volunteer attorney, **Eric Hardeman (now of Jones Day)** successfully represented a disabled homeless man at a Social Security Administration appeal hearing. The client was involved in a motorcycle accident and sustained massive head trauma. As a result of the accident, he suffered from seizure disorders and other mental disorders that prevented him from holding down a steady job. He attempted to work, but was fired from several different places because he would have seizures while working. He had no income, was homeless, and moved from shelter to shelter. As a result of Eric's efforts, the client now receives social security benefits and also received payments retroactive to the date of the injury. Additionally, Jeffrey was connected to medical benefits to treat his condition that he otherwise would not have been entitled to receive.

**Todd Smith and Robert Gooding of Howrey LLP** successfully represented a single mother of three children living in Westminster, in setting aside a \$248,000 judgment that was wrongfully entered against her. Based on the plaintiff's failure to properly serve the client with the summons and complaint, as well as the fact that she was not responsible for the underlying charges, Todd and Robert successfully petitioned the court to vacate the outstanding judgment and, ultimately, to dismiss the case in its entirety. ↩

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## Special Thanks

The Public Law Center received important financial support during the last few months from several organizations and firms of note in Southern California. Their ongoing assistance is critical in our efforts to maintain our diverse mix of funding sources, which helps keep PLC financially sound.

PLC extends its gratitude to the **Association of Business Trial Lawyers Orange County Chapter** for the generous gift from their annual PLC Wine Tasting Fundraiser. This year's event contributed \$20,000 to further PLC's mission.

The **Association of Corporate Counsel America, Southern California Chapter** supports PLC with a con-



Zachary Zaharek (Immediate Past President), Renée Benjamin (President), Matthew Scelza, Linda Stude, Charlotte Finklea, and William Harn (Tournament Co-chair).

## Volunteer Appreciation Reception 2008

On October 7, 2008, the Public Law Center hosted its third annual Volunteer Appreciation Reception to recognize the dedication of the many pro bono attorneys, law students and college students who volunteer their time to help provide access to justice to Orange County's low income residents. This year's event was held at the Sky Garden high above Irvine providing guests with an incredible sunset view. The evening offered volunteers the opportunity to mingle with fellow members of the Orange County legal community while enjoying good food and drink, as well as entertainment by local guitarist Donovan Raitt.

**Mike Williams** of **Connor, Fletcher & Williams** and a member of PLC's Board of Directors, spoke to the group about the invaluable contribution of time and talent these volunteer attorneys, law students, and other community members had provided to the community. **Jennifer Bagosy** of **Howrey** shared her heartwarming experience providing pro bono representation for a disabled child who in spite of



Michele Johnson, Joanna Joyce Weiss, Hon. Kathleen O'Leary, and Hon. Andrew Guilford.



Martha Gooding (President ABTL Orange County), presents Ken Babcock with the commemorative check.

tribution from their annual fall golf tournament. This year PLC was the recipient of the \$10,000 President's Award. PLC thanks the leadership and members of ACCA-SoCal and all who played in the tournament.

**Bingham McCutchen** and **Gibson, Dunn & Crutcher** each directed cy pres funds from two separate class action settlements to PLC. These generous contributions were very much appreciated.

Many thanks to the employees of **Edison Mission Energy** and the **St. Joseph Health System** for designating PLC to receive funds from their Employee Campaigns and events.

The **Orange County Women Lawyers Association** supported PLC with a \$3,000 contribution from their annual Summer Sizzle. ↩

his limitations is certain that he is really "superman."

PLC would like to thank the following firms for their important financial support in helping to underwrite this year's Volunteer Appreciation Reception: **Crowell & Moring LLP**, **Gibson, Dunn & Crutcher LLP**, **Howrey LLP**, **Irell & Manella LLP**, **Latham & Watkins LLP**, **McDermott Will & Emery**, **O'Melveny & Myers LLP**, **Rutan & Tucker LLP** and **Snell & Wilmer L.L.P.** ↩



John Hurlbut, Dale Giali, and Preston Ascherin.



Barbara Nicols, Jeanne Thomas, and Teresa McQueen.

## Focus on Pro Bono



Performing pro bono services provides me with a sense of accomplishment unlike any other. I feel good about the work because I'm helping someone who can't afford it, but generally deserves and really needs the help. Recently, in assisting the PLC with a variety of immigration and U-visa cases, I've had the honor of assisting abused women find their own independence apart from their abusers by obtaining visas to stay in the United States with their children. While I love my job and it's nice to be paid to do what you enjoy, the compensation that comes from pro bono work, in the form of emotional gratitude, is incredibly rewarding. At Snell & Wilmer, I handle business litigation matters, so I also welcome the diversity and unique challenges associated with pro bono work.

Deborah Mallgrave  
Associate, Snell & Wilmer L.L.P.

## Take a Pro Bono Case

PLC has a variety of pro bono cases for both litigators and transactional attorneys. PLC offers training, samples and mentors to support your pro bono work. Areas of need include:

- Bankruptcy
- Consumer
- Employment
- Family Law
- Foreclosure Assistance
- Guardianship
- Housing
- Immigration
- Individual Rights
- Micro Entrepreneur
- Nonprofit
- Wills

To receive PLC's bi-monthly case list or find out more information about volunteering for PLC, please contact Kirsten Kreymann, Pro Bono Director at [kkreymann@publiclawcenter.org](mailto:kkreymann@publiclawcenter.org) or (714) 541-1010 ext. 283 ↩

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**Volunteers for Justice Dinner 2008: Amazing Support for a Worthy Cause**



Maureen Aitken, Hon. Franz Miller, Hon. Claudia Silbar, Hon. Ronald Kreber, Chris Aitken.

The Public Law Center's Volunteers for Justice Dinner is always an inspiring evening as we celebrate the efforts of the Orange County legal community, who tirelessly give of their time to help our community's low-income residents gain access to justice. This year's dinner, held Monday, July 14th at the Hyatt Regency Irvine raised a record breaking \$533,000 to support PLC's work.

Television and radio personality Stephanie Edwards emceed the evening's festivities. This year's honorees included; *Community Partner of the Year* Community Service Programs Inc. for their work in assisting victims of crime, *Attorney of the Year* Abigail Lloyd of Paul Hastings Janofsky & Walker for her dedication to helping others and *Law Firm of the Year* Latham & Watkins LLP for their remarkable commitment to pro bono work. This year we were fortunate to have Erwin Chemerinsky, the Founding Dean of UC Irvine's School of Law to speak about the necessity of building a law school with a focus on public interest. The Public Law Center looks forward to developing a strong collaborative relationship with the school to help strengthen our ability to provide much needed legal services to those in need and to help instill in the next generation of lawyers a strong public service ethic.

We greatly appreciate the support of our many Dinner Sponsors and Underwriters, law firms, financial, corporate & educational institutions and affiliate bar associations. We would also like to thank this year's Dinner Co-chairs, Todd Gordinier of Bingham McCutchen and Mimi Justice of Deloitte, Silent Auction Co-chairs Mike Williams of Connor, Fletcher & Williams and Jennifer Yokoyama of McDermott, Will & Emery and the many committee members who gave of their time soliciting the support that made this year's Volunteers for Justice Dinner the most successful fundraising event in the Orange County legal community.



Deborah Arbabi (Crowell & Moring LLP, President Public Law Center, Board of Directors), Richard Derevan (Snell & Wilmer, L.L.P.), Hon. Andrew Guilford (District Judge for Central District of California).



Dinner attendees from Latham & Watkins, Law Firm of the Year.

# Volunteers For Justice

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The Public Law Center is grateful to the sponsors and attendees of our Volunteers for Justice Dinner held July 14, 2008.

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## Kudos...

PLC board members have recently been recognized for their contributions to the community. **Darren Aitken** of Aitken•Aitken•Cohn was named by the Orange County Trial Lawyers Association as their Personal Injury Lawyer of the Year and honored at their annual Top Gun Awards Dinner. **Roger & Patt Grable** were the Family Honoree at the Families Forward Annual Gala. **Dimetria Jackson** of First American Trust was elected as 2009 Secretary of the Orange County Bar Association. **Mark Minyard** of Minyard Morris LLP was appointed by California Chief Justice Ronald George to the Elkins Family Law Task Force which is conducting a comprehensive review of the California Family Law system and making recommendations to the Judicial Council for proposals which will, among other things, increase access to justice. **Alexander Polsky** of JAMS was named by the Los Angeles Daily Journal as one of the Top 40 Neutrals in California for 2008. **Mark Robinson** of Robinson, Calcagnie, and Robinson was honored



Wylie Aitken, Hon. Kathleen O'Leary, Ken Babcock and Mitch Kamin.

as the Cal-ABOTA Trial Lawyer of the Year at their Annual Conference and was recognized by the Los Angeles Daily Journal as one of California's Top 100 lawyers in 2008.

PLC Executive Director **Ken Babcock** has recently been recognized by the Los Angeles Daily Journal as one of California's Top 100 lawyers in 2008, and was also awarded the Judicial Council of California's Bernard Witkin Amicus Curiae Award which honors individuals other than members of the judiciary for their outstanding contributions to the courts of California. ⚡

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| Dan Pittman | Rutan & Tucker LLP |
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\* This listing includes our "Access to Justice" Annual Fund supporters, as well as other donors who gave from January 1, 2007 to October 1, 2008. It does not include supporters of PLC's Volunteers for Justice Dinner, who are recognized elsewhere in this newsletter. We apologize for any errors or omissions in our listing. Please contact Charlotte Finklea, Director of Fund Development at (714) 541-1010 ext. 277 or cfinklea@publiclawcenter.org with any questions about giving opportunities.

## PLC's New Pro Bono Director

The Public Law Center is pleased to announce the promotion of **Kirsten Kreymann** to **Pro Bono Director**.



For the past three years, Kirsten has been working in the field of immigration law at the Public Law Center. She has successfully expanded PLC's Immigration Law Project to better serve the low income clients who come to PLC with immigration law concerns. She both provides services to clients directly and has developed a large pool of volunteer attorneys in the Orange County legal community to handle these matters pro bono. She also has worked in conjunction with other non-profit and government agencies as part of the Orange County Human Trafficking Task Force. Kirsten regularly provides training to volunteer attorneys and law students, to other social service providers and to law enforcement on the legal rights of immigrant victims of crime.

Kirsten has done such an outstanding job of engaging volunteer attorneys in helping low income clients that the Public Law Center recently elevated her to serve as PLC's Pro Bono Director. In that new role, Kirsten will be responsible for coordinating volunteer recruitment efforts in areas ranging from immigration and family law to consumer fraud, bankruptcy, housing, AIDS legal services and non-profit transactional work. Working with other PLC staff, Kirsten will help ensure that Orange County lawyers become even more involved in providing access to justice for those who cannot afford a lawyer.

To receive PLC's bi-monthly case list or find out more information about volunteering for PLC, please contact Kirsten at [kkreymann@publiclawcenter.org](mailto:kkreymann@publiclawcenter.org) or (714) 541-1010 ext. 283. ↙



Front Row: Alexis McLeod, Diana Lopez Middle Row: Joel Garcia, Leslie Bigler Lindgren, Pearl Gondrella Mann, Charlotte Finklea, Quyen Tu, Kirsten Kreymann, Robert Isaac, Tom Peterson, Top Row: Arash Samadani, Lai Tu, Tammy Tu, Sean Umipig, Joanna Joyce Weiss.

## PLC Steps Up to the Plate for OC AIDS Walk

PLC staff and volunteers stepped up to the plate for OC AIDS Walk on Saturday, May 10, 2008, at Angel Stadium in Anaheim. The efforts of walkers, donors, corporate sponsors and agencies brought in nearly \$765,000 for the fight against HIV and AIDS. The PLC 2008 walk team was 18 strong and raised \$7,765 for the walk from 118 donors. The combination of increased sponsorship and credit for volunteer committee work by Alexis McLeod, Arash Samadani, and Liz Pejeau led to a grant of over \$14,500 to PLC's AIDS Legal Assistance Project.

All donations made to Orange County AIDS Walk stay in Orange County to serve more than 8,000 men, women and children affected by HIV/AIDS. PLC appreciates the hard work and dedication of OC AIDS Walk staff and Board of Directors. With their support, PLC will continue the fight against AIDS. We look forward to this year's walk. ↙

## Calendar

### Wednesday, March 4th Starting a New Nonprofit? The Reality Checklist

The workshop is co-sponsored by the Public Law Center and the Volunteer Center of Orange County, 1901 E. 4th Street, Suite 100, Santa Ana, CA 92705, from 9:00 a.m. to 12:00 p.m. The workshop will cover the essential information you need to apply for nonprofit incorporation and tax-exempt status. For additional information or to register for the class, please visit the Volunteer Center website at [www.volunteercenter.org](http://www.volunteercenter.org). If you have any questions, please call 714.953.5757 or email: [training@volunteercenter.org](mailto:training@volunteercenter.org).

Please see  
[www.publiclawcenter.org](http://www.publiclawcenter.org)  
for an up-to-date  
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