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Making A Difference: Pro Bono At Jones Day

The Editor interviews Laura Tuell Parcher, Partner-In-Charge Of Pro Bono at Jones Day.

Editor: We have had the good fortune to interview you for our pro bono pages since you became Jones Day's firm-wide Partner-in-Charge of Pro Bono in 2008. What experience over this five-year period stands out as the one that has brought you the greatest gratification?

Parcher: There are two areas that have been the most gratifying for me in terms of seeing growth. First is an increase in global participation in pro bono. The international offices have exhibited tremendous interest in growing their pro bono programs and they are very excited about the various opportunities both locally and internationally. Second is our Day of Service, which started in Washington, DC about eight years ago. Since then the concept has spread across the firm to over 20 offices including numerous international offices such as Hong Kong, Shanghai, Dubai, Madrid, Milan, Mexico City and London. All of the offices participating in the Day of Service have found the experience to be a rewarding opportunity to make a difference in the communities in which we practice. For example, Beijing took needy children to an aquarium, Dubai took children with disabilities to a farm where they could play with horses and visit a petting zoo, Hong Kong undertook a project to assist adults with mental disabilities, Boston and Chicago helped fix up local schools, Brussels worked with a shelter for asylum seekers, Cleveland, Columbus and Dallas worked to assist local nonprofits in the area to improve their facilities with new paint, play areas, flowers, recreation facilities and more, Houston and DC jumped into activities in local parks. These are just a few examples of public service projects, not direct legal services. They are a way for our offices to give back in the communities in which we live and practice in really

different and interesting ways, and a great way for us to come together as a team in each of these offices.

Editor: One of the awards of the many you have received for your efforts was the recognition you received in being named DC Bar Pro Bono Lawyer of the Year. Which of your activities in DC brought you this acclaim?

Parcher: Early in my time of becoming partner, I received recognition for the commitment I had made over the course of my career to build pro bono activities in DC. As a first year lawyer in 1996, I had helped establish the DC Bar's Free Legal Advice and Referral Clinic, where anyone regardless of income can come if he or she has a DC non-criminal legal problem for legal advice. Clients can meet with a lawyer for whatever amount of time it takes to discuss a problem. The idea is to give them advice on the spot. If they actually need a lawyer to represent them, we refer them to a pro bono lawyer. We discovered that a significant portion of the unmet legal need was satisfied by just talking to a lawyer. We give people some tools that they can actually use on their own without having to engage a lawyer.

Thereafter, I continued to engage in various pro bono activities including asylum cases, death penalty appeals and litigation regarding civil rights. The award was recognition for my work on a particular housing discrimination matter but was also a recognition of many years of dedication to pro bono legal services.

Editor: I understand that you and one of Jones Day's West Coast partners have been doing groundbreaking work in the



Laura Tuell
Parcher

“social enterprise” area. Please explain the nature of this work.

Parcher: The primary leader in this effort is Todd Johnson in our Silicon Valley office. He is widely recognized as one of the most significant leaders in the field of social entrepreneurship in the U.S. Social enterprises are often for-profit companies that seek to address a social need, often in the developing world. While they may make a modest profit, their primary goal is to make the world a better place. For example, we worked with a company called Embrace, which had developed a very low cost pouch that functions as an infant incubator. Very few countries or organizations in the developing world can afford the cheapest incubators and many don't have a consistent energy source to operate incubators. Often, incubators can be found only in city hospitals, even though 80 percent of the population lives in rural areas. Embrace developed a \$200 incubator in an effort to save the lives of the two million infants that die every year in the world due to hypothermia. Embrace began as a nonprofit, but needed significant additional funds to manufacture and distribute their incubators. Our Jones Day team led the effort for financing of a new social enterprise to scale the manufacture and distribution of this product and save the lives of thousands of babies in the developing world. Todd has been at the forefront of our firm's representation of many of these organizations that are creating technology, products and services that significantly improve the lives of hundreds of thousands of people across the globe, including Grameen, Ashoka, RoadTrip Nation and Nuru International. We are very proud to support organizations such as these.

Editor: Also, please describe the pro bono case that you and your Columbus colleagues just recently won in the Supreme Court.

Please email the interviewee at lparcher@jonesday.com with questions about this interview.

Parcher: Again, I can't take any credit. My partner Chad Readler in our Columbus office, who is also the partner-in-charge of pro bono for that office, and a team of lawyers from a couple of different offices worked on a case entitled *McQuiggin v. Perkins*. The Supreme Court recently issued its decision holding that actual innocence, if proved, serves as a gateway through which a petitioner can pass whether the impediment is a procedural bar or the expiration of the statute of limitations. If there are procedural bars to reopening a case, but if a petitioner has a creditable claim of actual innocence, he or she is actually entitled to pursue the case. It was a very important case for incarcerated individuals who have claims of actual innocence.

Editor: Please discuss the areas of pro bono on which the organizations the firm supports are currently focused. Are there any entirely new areas in the last twelve months? Where do you see the need expanding in the nonprofit community?

Parcher: We have been doing work on an ongoing basis with Lawyers Without Borders for several years. This year we expanded our work to a project in Liberia providing trial training to lawyers on the topic of human trafficking. We were very proud to send two of our partners, Alison Marshall in our DC office and Lee Ann Russo in our Chicago office, to join LWOB to help make that effort successful.

Another exciting project, which has the blessing of Vice President Joe Biden, involves an association of pro bono counsel called APBCO (Association of Pro Bono Counsel) with whom we are working to address ways to improve access to justice and bridge the gap for those who do not have access to legal representation. Cities across the country are doing very exciting initiatives in areas of immigration, reintegration of people who have been convicted of crimes, victims of domestic violence, and access to Social Security, and SSDI. Jones Day is very excited to be a leader in the Washington Office, and we'll also be participating in offices across the country. I expect in the next few months that there will be more to talk about this initiative.

Editor: Please keep our readers informed about the progress of this project.

Parcher: We will probably have something to report in a few months. It is an exciting initiative with a lot of energy and enthusiasm across the country focused on addressing different needs.

Editor: There is a misconception that most pro bono work revolves around litigation. Please describe some of the pro bono activities undertaken by attorneys from other practice areas in the firm.

Parcher: Projects, such as those involving social purpose corporations, are very complicated, intense corporate transactional illustrations of setting up corporate structures and negotiating between multiple sophisticated parties. That type of pro bono work is increasingly available. We also have always undertaken a great deal of work for nonprofit organizations in terms of helping with their 501(c)3 incorporation. We recently assisted Make-A-Wish foundation with an employment dispute. They were so thrilled with our work that they actually granted a wish in our honor, a rare accolade in the history of that organization. We also do IP work around the world with a group called Room to Read, an international nonprofit that builds schools and libraries and gives girls scholarships in Asia and Africa. Increasingly, as nonprofit organizations become more sophisticated and more international, there are many opportunities to do corporate counseling very similar to what we do for our paying clients.

Editor: What is Jones Day's pro bono infrastructure? Does each of your offices have a pro bono committee or partner? How is this participation encouraged? How are their activities linked to your office?

Parcher: I am the full-time partner-in-charge of pro bono for the entire firm. Every office has a partner-in-charge of pro bono for that office who maintains a regular billable practice but takes on the administrative responsibility of running the pro bono program within each office. Many of the offices have very active pro bono committees that assist the partner in facilitating and growing pro bono. There are a variety of ways we encourage pro bono within the firm. We have an intranet where we announce pro bono opportunities. We publish a quarterly newsletter called the *Pro Bono Press*, which is available on our website, listing all kinds of awards for successes and also highlighting offices and individual lawyers regarding a significant accomplishment in that office. We make opportunities available to lawyers within the firm, support them once they undertake the project, and see that a partner in every office mentors junior lawyers. We make sure that the cases are moving along in a way that all the lawyers feel supported and guided appropriately.

Editor: Do you normally encourage pro bono work more among your junior lawyers who would then have a more senior lawyer as a mentor?

Parcher: Every pro bono case will have a partner supervisor. Depending on the size and requirements of the case, the partner might be joined by a junior or a mid-level person. For example, a typical immigration case before an immigration judge might have a fairly junior lawyer doing the leg work, a mid-level lawyer organizing and orchestrating the case, and a partner supervising the associates as the case progresses.

Editor: How does pro bono work expand the professional experiences and development of individual attorneys within the firm?

Parcher: Large law firms are experiencing the phenomenon of seeing our junior lawyers having fewer opportunities to stand up in court. Cases are not going to trial as frequently, since other options for settlement are occurring. So it is important for our younger lawyers to appear in court, take depositions as well as take ownership of cases. Pro bono cases create a great opportunity for our young lawyers. There were several mid-level and junior lawyers who helped draft the brief and attended the argument in the *McQuiggin* case mentioned earlier. Another example of a pro bono case was *Aycock vs. Texas* in the Northern District of Texas, a case tried by three of our junior lawyers in Dallas. It was a 1983 case involving excessive force by police officers against a prisoner. While we lost this case, which the court had asked the firm to take, the judge commended our lawyers for their outstanding work. They ran the case with a lot of support from very senior partners in the firm who helped them plan their strategy and did prep sessions with them. We also do civil protective order pro bono cases that usually result in a couple of hours of trial with witnesses. We also do a fair number of custody cases requiring our lawyers to appear in court. There are many opportunities for young lawyers to take a leadership role where they both counsel the client and run a litigation matter. Those experiences are invaluable to junior attorneys as they transfer that experience to their paying client cases.