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Jones Day: Pro Bono Without Borders

The Editor interviews Laura Tuell Parcher, Firmwide Partner-in-Charge of Pro Bono, Jones Day.

Editor: Laura, you have been Jones Day's firmwide partner-in-charge of pro bono since 2008. What are your proudest accomplishments during this time period?

Parcher: Overall there's been significant growth in pro bono for the entire firm, which has been very rewarding and amazing to watch. While I undertake a fair amount of administrative work to manage the program, I work with lawyers across the globe who are undertaking increasing amounts of pro bono work, and seeing the results of their efforts is inspiring.

In addition, I'm proud of the way our offices collaborate on pro bono cases that are significant in scope, allowing them to achieve positive outcomes for the client. It's exciting to see people across the world working together on a pro bono matter.

Editor: Are there clearly identified pro bono goals at the firm? What are the firm's expectations in terms of pro bono hours?

Parcher: Our goal is to create opportunities so every lawyer can find a pro bono project that's a good fit for him or her personally, whether it be in an area he or she is passionate about—e.g., discrimination—or an opportunity for professional development, e.g. learning how to craft an appellate argument.

As for hours, our philosophy has always been for lawyers to make their own decisions about the amount of pro bono work that's appropriate for them.

Every Jones Day office has a partner-in-charge of pro bono responsible for approving pro bono matters, and my job is to coordinate all of those partners. Once the firm approves a matter, it's treated like any other client matter, and the hours that

our lawyers spend on our pro bono cases count identically to those spent on paying cases, both in terms of attorney evaluations and the compensation they receive. We encourage our lawyers to do pro bono work and support them in the wide range of causes they choose.



Laura Tuell
Parcher

Editor: What new areas of pro bono has the firm participated in over the last two years?

Parcher: We've greatly expanded our international rule of law work. We work primarily with PILPG (Public International Law and Policy Group) and Lawyers Without Borders, and have done projects for them giving advice on legal issues in (among others) Kosovo, Bosnia, Tanzania, Libya and Kenya, on areas including juvenile justice, criminal procedure, parliamentary procedure and antidiscrimination laws. Currently we're looking at the political structure in Libya to see whether there are ways that the legislature can facilitate the development and growth of alternative political parties.

What's so interesting about these projects is that often they include a survey of the legal issues in five or six other countries. For example, when we were addressing antidiscrimination laws for Bosnia and Herzegovina, we researched the laws in Eastern and Western Europe, a task that brought in lawyers from all over the firm. The last two years these international rule of law projects have seen Jones Day attorneys from San Francisco, San Diego, Los Angeles, Chicago, Atlanta, Dallas, Washington, New York, Atlanta, London, Paris, Milan and Brussels forming multi-office teams to tackle both domestic and international projects.

On an international level, in addition to PILPG, Lawyers Without Borders is a favorite nonprofit. We've drawn in lawyers from several of our international and domestic offices to work together on modules for the trainings LWOB does in Kenya, and we're also working on an inheritance and succession law project in Namibia. There, when the head of household male dies, all of his assets may traditionally go to his oldest living relative, who might be an uncle with no interest in the wife or the children, resulting in the neglect of countless families. LWOB is helping Namibia not only improve its laws to protect these family members but also to educate the public and implement more effectively the succession laws they do have in place.

We also help conduct a training program in Kenya to help over 100 lawyers and judges develop trial advocacy skills.

Editor: Can you give us an example of an organization you work with in the Washington office, where you are based?

Parcher: We do a lot of work with the Children's Law Center and have taken cases to help children find permanent and safe homes. In fact, one of our partners here, Carmen McLean, is being awarded Pro Bono Lawyer of the Year this month by the DC Bar for developing our relationship with the CLC.

We also do significant work with Capital Area Immigrants' Rights Coalition, which focuses on detained immigrants in the DC metropolitan area. Because DC has no airport or prison, immigrants who are picked up in the region—coming through the airport or otherwise—are detained in Maryland and Virginia. CAIR Coalition performs "know your rights" presentations for those immigrants and seeks out pro bono legal counsel where appropriate. I've been on their board of directors for about 15 years.

We work closely with the DC Bar as

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

well and participate in two different free clinics on a regular basis with the them.

Editor: I imagine that we may be seeing more pro bono related to the increased use of detention centers.

Parcher: I imagine so. Virginia has been building facilities in order to house Department of Homeland Security detainees, and those numbers have increased every year we've been involved. Currently there are over 1,000 immigrants detained on any given day in Virginia and Maryland. Immigrants in detention include arriving asylum seekers, many of whom are survivors of torture, pregnant women or women who have just given birth, as well as individuals who are seriously physically or mentally ill. Many immigrant detainees have lived in the U.S. for years and have U.S. citizen spouses and children who suffer tremendous hardship as a result of their family member's detention and possible deportation. When these immigrants have no relief, CAIR Coalition assists them to return home sooner in the deportation process so that they spend less time in detention. In other instances, CAIR Coalition provides assistance to the immigrants and referrals to pro bono lawyers where appropriate.

Many of the stories will just break your heart. For example, we might see a woman who has lived in the U.S. for more than ten years with two American citizen children charged with a crime of moral turpitude for shoplifting diapers for her baby. This crime can make her deportable. There are two secure juvenile detention facilities in Virginia where youngsters who are unaccompanied and have no one here in the U.S. to look after them are detained. CAIR Coalition visits them, conducts know-your-rights presentations, finds them lawyers where appropriate and overall helps them understand what their options are.

Many of these children are eligible for relief under either asylum, special immigrant juvenile visas or special protections for victims of trafficking and crime.

Editor: Have you continued to conduct your program of bringing lawyers from Afghanistan to the U.S. for training?

Parcher: Yes. It's going to take a long time for the legal system in Afghanistan to improve, but we have recently supplemented the program and are not only bringing lawyers here but are also working under the Public Private Partnership for Legal Reform in Afghanistan with the

State Department and several other law firms, professors, and judges across the U.S. to create LLM degree opportunities for Afghan lawyers at either a reduced or fully subsidized tuition. The commitment is that these lawyers will return to Afghanistan and work to reform the legal system there. We've been working hard to increase the number of schools that are giving these opportunities to students.

Editor: The firm has been involved with Room to Read, a program promoting literacy in nine countries in Asia and Africa. Please give our readers some background of your work with this organization.

Parcher: For a few years now, the firm has had a strong relationship with Room to Read, an impressive organization that was chosen two years ago as the *Financial Times* Nonprofit of the Year. The Jones Day Foundation has given grants in the six digits for the last three years to Room to Read to build libraries in India and to give scholarships for girls in Southeast Asia to attend school. This year we are one of the funders helping to launch new programs in Indonesia. We've sponsored fundraisers for Room to Read in several offices, among them Sydney, New York, Boston and Washington.

In addition, we have lawyers working on Room to Read intellectual property issues, especially trademark infringement, a growing challenge as Room to Read expands around the world. Furthermore, Room to Read publishes local language children's books (so a child in India, say, can read about other children in India rather than New York City), and all of those books must be copyrighted.

Editor: The firm has represented immigrants seeking asylum. Please describe one or two of these cases.

Parcher: One of the more interesting cases in the Washington office was the representation of an individual whose family had fled from El Salvador in response to threats from the MS-13 gang and was being deported. The father, who had witnessed the murder of a family member by the gang, had agreed to testify in court and cooperate with the government on the prosecution of the individual who committed the murder. He and his family were subsequently threatened by the gang, causing them to flee to the United States. Their case ended up going all the way up to the

Fourth Circuit, which actually reversed the Board of Immigration Appeals. To qualify for asylum, you must belong to a "particular social group" that is being persecuted, and the court concluded that he met the definition as being among a group targeted by the MS-13 gang for cooperating with the government. It was a very important, precedent-setting victory in the immigration community.

We've also done cases on behalf of political dissidents; women suffering female genital mutilation, forced marriage and marital rape; and transgendered immigrants who are persecuted in their home country.

I am passionate about asylum cases. My first pro bono case at Jones Day was an asylum case for a young Kenyan man, and in fact that very client is today an employee here at Jones Day.

Editor: That's amazing. What trends are you seeing in pro bono work?

Parcher: One of the more exciting areas of growth is for-profit corporations that exist solely for the purpose of making a social difference, usually called social purpose corporations, or SPCs.

We helped one such company called Embrace. Embrace's founders, who were students, learned that many children die every year because of a lack of access to expensive baby incubators, and so they have invented, developed and manufactured an effective incubating pouch that, when worn by an adult, pulls in the adult's body heat and encircles the child in warmth.

Even though the entire purpose of the product and company was to save lives and not to make a profit, in order for its corporate structure to work, Embrace was developed as a for-profit company. For-profit status aside, because Embrace was trying to manufacture the product at the lowest rate possible, we did their initial work pro bono. Right now there are many such companies being structured either as a multi-purpose or a for-profit company. Recently, California and some other states have actually started to draft legislation for such companies that lie somewhere between nonprofit and for profit, so this multipurpose type of corporation is a huge growth area for pro bono. It's a controversial area because people question whether such work should count as pro bono. For myself, I find it a very exciting – and heartening – manifestation of our country's entrepreneurial spirit.