

Pro Bono Firm Of 2012: Dechert

By Scott Flaherty

Law360, New York (August 24, 2012, 6:40 PM ET) -- Taking on a range of public interest matters from securing registration rights for low income voters to establishing investment funds for social entrepreneurs, [Dechert LLP](#) has displayed a focus on pro bono work that puts it among Law360's top pro bono firms of the year.

Recently, Dechert attorneys have worked pro bono on matters large and small, representing voters across the state of Georgia, prisoners in a New Jersey county jail and even individual tenants trying to stave off eviction in Philadelphia, the firm said. On the whole, its U.S.-based attorneys spent 61,862 hours representing pro bono clients in 2011-2012, accounting for some 6.9 percent of Dechert's billable work, numbers that represent a commitment strong enough to earn the firm a spot on Law360's Pro Bono Firms of 2012.

Dechert's focus on pro bono work, according to securities and white collar partner Neil Steiner, sends a clear message to the firm's attorneys: "No matter what your interests are, no matter what your beliefs are, there are people out there that could use your help."

Taking that message to heart, Steiner headed up a voter registration rights case against the state of Georgia that led to one of Dechert's recent pro bono successes, and which built off an earlier settlement the firm — along with nonprofit partners Demos, The Lawyers' Committee for Civil Rights Under the Law and Project Vote — reached with the state of Ohio in a similar dispute.

In Ohio, Dechert and its partners alleged that the state wasn't living up to its obligations under the National Voter Registration Act, sometimes called the motor-voter law because of a provision mandating that states offer residents the chance to register to vote when they apply for drivers' licenses.

Another NVRA provision requires states to provide recipients of public assistance, such as Medicaid or food stamps, with the chance to register when they interact with state-run offices, an obligation that Ohio was falling short of, according to Steiner.

After securing a victory in the Sixth Circuit, Steiner and his team eventually settled with the state, reaching an agreement that mandates a multitiered training, oversight and reporting system to make sure Ohio is fully complying with the law. With that case serving as a blueprint, Dechert again partnered with the nonprofit groups to challenge the state of Georgia.

Raising a novel argument, Georgia claimed in a dismissal motion that the NVRA only specifies a state's responsibility to offer voter registration during in-person interactions with public assistance clients, Steiner said. Therefore, the state argued, it wasn't obligated to offer voter registration to clients who interact with state agencies remotely, through the phone, Internet or mail.

Steiner and his team refuted that argument, and in January, the presiding judge shot down Georgia's dismissal attempt, issuing a strongly worded opinion that laid out steps the state would need to take to ensure full NVRA compliance in advance of this year's election cycle. After Georgia lost its bid for dismissal, Dechert secured a settlement in April, under which the state agreed to comply with the NVRA regardless of whether a public benefit client interacts with a state office in person or remotely.

"I was looking for something that would both be interesting and worthwhile," Steiner said, explaining how he got involved in the voter registration cases.

"In my mind, you can't get something more fundamental than voting," he said. "It seemed to me a worthwhile endeavor."

In a more general sense, Steiner said that, because a firm like Dechert has the wherewithal to take on cases that can provide great benefits to the public, it also has a responsibility to do so.

"It's important, when we can, to put the resources of the firm toward something that would have an impact," he said. "It's an important part of what we as lawyers should be doing."

Ezra Rosenberg — who started his career as a public defender and is now a partner in Dechert's products liability and mass tort group — says he feels similarly about pro bono work.

"I've always thought it was important for lawyers to participate significantly in public interest work," Rosenberg said. "On the whole, attorneys are very fortunate in terms of our society. And I think it's important for any professional to give back to society as a whole."

Rosenberg played a role in another major recent Dechert pro bono win, stepping in to lead a case that successfully advocated for prisoners' rights in Passaic County, New Jersey.

In that case, Dechert worked with the American Civil Liberties Union of New Jersey and Seton Hall University's Center for Social Justice to bring a class action on behalf of inmates at the Passaic County Jail, calling attention to overcrowding and excessive heat inside the jail, and an alleged overuse of force by the jail's staff.

After more than three years of Dechert-led litigation, the county agreed to fix the problems in a settlement approved in April. The agreement puts in place an independent monitor to regulate the jail's conditions and prevents the jail from taking in too many prisoners. It also requires the county to improve medical and mental health services to inmates, and to overhaul the jail's management procedures and provide enhanced training to try to limit the staff's use of force.

"We were able to forge a settlement which addresses all the problems," Rosenberg explained. "And with the safety valve of a monitor."

The firm has also made an impact through pro bono work that calls not on its litigation expertise, but on the skills of its transactional attorneys. Working alongside the Eleos Foundation — a Santa Barbara, Calif.-based nonprofit that locates and invests in social entrepreneurs in developing countries — Dechert has recently established three pooled investment funds that help support companies in India and the African nations of Liberia and Kenya.

In Liberia, for instance, Dechert's work allowed Eleos fund a company that provides fair-trade vocational programs for women, teaching them to cut and sew cloth, and providing them education, health care and a fair wage, according to Dechert financial services and investment management associate Michelle Peters, who has taken on a lead role in the project.

Peters, who also co-coordinates the pro bono program in the firm's Boston office, said the project "sounded like a perfect way" to apply some of the skills she was developing as a more junior Dechert attorney.

"It was a really exciting opportunity for myself and my colleagues to take the knowledge we have developed ... and apply it in a pro bono setting," she said. "It's very appealing for someone who is just starting out."

Peters said that, even in her days as a Dechert summer associate, she had an interest in pro bono work and knew she would likely spend more time participating in the pro bono practice than the 25-hour-per-year commitment the firm requires of its attorneys.

"We have an obligation to our community," she said.

On the whole, the firm's attorneys have far surpassed its minimum requirements — over the past year, Dechert spent an average of 111 hours per attorney on pro bono matters, according to the firm.

Suzanne Turner, the firm's international pro bono practice chair, said Dechert has had a longstanding commitment to pro bono work, but has more recently taken steps to ensure that it's on par with the firm's other practice areas. She said the firm has a "big tent philosophy" in its approach toward pro bono work, within which Dechert tries to match up attorney interests and skill sets with the needs of a given community or pro bono client.

In some instances, this means setting up pro bono groups with their own expertise, as the firm has done in its New York, Philadelphia and Washington offices, among other places. In Philadelphia, for instance, there are about a dozen pro bono practice groups established already, specializing in a range of areas, from prison appeals to civil rights cases to landlord and tenant disputes, Turner said.

"Pro bono is completely mainstreamed into the firm," Turner said, adding that Dechert gives its pro bono clients the same attention it gives to billable clients, a commitment both Steiner and Rosenberg mentioned as well.

Turner noted that while the firm has had recent success in high-profile matters like the Georgia NVRA or Passaic jail cases, it also puts a lot of time and energy to smaller cases that she said may have just as profound an impact, but on a more individualized scale.

"The bulk of our pro bono program," she said, "is not focused on the sexy cases."

And though the firm has been recognized as a leader in the field of pro bono work by Law360 and others, Turner said she doesn't think much about the accolades or the awards. Instead, she focuses on why the firm has committed to taking on pro bono cases in the first place.

"We do it for one reason: need," she said. "There's a huge justice gap in this country. We think it's really important that law firms step up and fill that gap."

--Editing by Andrew Park.

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