

K&LNG Pro Bono report

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Our Pro Bono Tradition Continues

By Carleton O. Strouss
Chair, Pro Bono Committee

Pro bono work at K&LNG continues at a record pace. Consistent with this performance, the firm has become a signatory to the Pro Bono Challenge of the Pro Bono Institute. As a challenge signatory, we have agreed to use our best efforts to perform pro bono service equal to 3% of our billable hours.

In addition to performing pro bono work, the firm continues to provide leadership in nurturing pro bono in the profession. This is most clearly illustrated by **Mike Greco's** focus on pro bono as one of the elements of his Renaissance of Idealism agenda as President of the American Bar Association (ABA). He has enlisted the assistance of **Rory FitzPatrick** in this endeavor, as Rory will serve on the ABA's Standing Committee on Pro Bono and Public Service.

In the same vein, we have collaborated with the Pro Bono Institute to explore synergies between pro bono programs and parallel efforts in diversity and professional development. Our monograph on the subject has become the focal point for much discussion on these important topics (http://www.klng.com/files/tbl_s48News/PDFUpload307/11860/Synergy_Diversity_ProBono_050228lw.pdf).

Financially speaking, **Glenn Graner**, K&LNG's CFO, has presented an interesting perspective on how pro bono work relates to the financial challenges facing larger law firms. Embraced by the Pro Bono Institute, Glenn's article, "Pro Bono is Profitable: A CFO's View" describes these challenges and opportunities (http://www.klng.com/files/tbl_s48News/PDFUpload307/10922/Glenn%20Graner.pdf).

The service performed by our lawyers has continued to garner recognition and awards as illustrated by the work done for Transitional Housing Corporation. (See page 3.) This report reflects the broad array of pro bono service being performed across the firm by lawyers representing virtually every practice area and every experience level. The articles demonstrate that our pro bono clients often include persons whose due process rights and fundamental liberties are in danger. In other situations, we are assuring their personal safety or access to basic necessities. Our work often addresses systemic community needs.

The pages that follow also reflect the substantial personal and professional satisfaction that our lawyers have experienced in giving something back to their communities and their neighbors. Our tradition of public service is growing ever stronger. K&LNG

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inMotion

NEW YORK

K&LNG's New York office has established a relationship with inMotion, a New York City-based nonprofit organization that provides low income, underserved and abused women with free, quality legal services. In doing so, K&LNG joined a network of over a thousand volunteer lawyers from New York's major law firms, corporate law programs and solo law practices who accept pro bono assignments from inMotion. This network has been highly successful in obtaining orders of protection for women whose safety is at stake, divorces from husbands who batter them, crucial child support orders and just custody arrangements.

The inMotion affiliation was seen as an ideal vehicle for providing New York's 14 summer associates with an immediate hands-on experience that would allow them to interview clients, draft pleadings, negotiate and appear in court under the supervision of an admitted lawyer pursuant to the student practice provisions of the New York State Judiciary Law. It was also viewed as a means to provide summer associates with tangible evidence of K&LNG's strong and increasing commitment to pro bono projects.

The K&LNG inMotion program is organized on the team concept with two summer associates and one lawyer assigned to each inMotion case. The teams prepared for the specific legal issues they were likely to encounter by attending two three-hour training sessions conducted by inMotion staff lawyers. They were also supplied with comprehensive legal and procedural manuals and given an outside contact with an experienced inMotion staff lawyer or volunteer lawyer able to offer guidance with difficult or unforeseen issues and problems.

Periodic meetings are held for the purpose of giving teams the opportunity to share experiences and discuss issues of common concern involving their cases.

The reaction to the program among the summer associates has been universally positive. Rather than merely observing lawyers at work and preparing memoranda and documents for matters they will probably not be able to see to conclusion, the inMotion cases have permitted the summer associates to function as "real lawyers" with "real clients." The generally short-term nature of their cases is such that, more often than not, they are able to see the product of their efforts before they leave to return to law school. It is particularly gratifying for them when they realize they've made a positive difference in a client's life that might otherwise have been unattainable. Matters that do not conclude by the end of the summer will be continued by the lawyer member of the team.

The hope is that the relationship between K&LNG and inMotion will flourish and produce a regular flow of matters that will provide excellent training, particularly for young litigators, and, most importantly, enable K&LNG to fulfill its pro bono mission. K&LNG



By Robert N. Michaelson

K&LNG Wins Award from Transitional Housing Corporation

WASHINGTON

On June 17, 2005, K&LNG was honored for its work for Transitional Housing Corporation (THC), a District of Columbia non-profit agency that provides transitional housing to formerly homeless families in Washington, DC. DC partner **Matt Jacobs** accepted the 15th Anniversary Appreciation Award on behalf of the firm from THC's Executive Director Polly Donaldson at THC's "Living in the City" gala celebration at the City Museum in downtown Washington. In her remarks, Ms. Donaldson said, "K&LNG pro bono, in kind and financial contributions have been a mainstay of THC's corporate support. K&LNG is providing critical support for THC as we expand our work into nonprofit housing development ... As we forge ahead in this new arena we are grateful that we will have K&LNG as a partner with us." DC partner **Phil Hecht** also received a surprise award for his long-time service on THC's Board of Directors.



DC partner Matt Jacobs accepts the THC 15th Anniversary Volunteer Award on behalf of K&LNG.

Founded in 1990, THC purchased, renovated and opened its first 14-unit apartment building, called Partner Arms, in 1993 to give homeless families coming out of shelters housing and comprehensive case management services, including employment counseling, tutoring, mentoring, substance abuse counseling and life-skills training, for up to two years. Over a two-year period beginning in 2001, THC purchased, renovated and opened its second 13-unit apartment building, called Partner Arms II, that doubled the number of homeless families it serves. During their stay in Partner Arms or Partner Arms II, residents learn to take numerous "next steps" that prepare them to move into market-rate housing.



By Philip H. Hecht

During its first 15 years of operation, THC has worked with more than 120 families. Each year, THC's 27 transitional housing units are home to an average of 40 adults and 50-60 children. THC's success rate is enviable: 86% of the families who have resided in Partner Arms and Partner Arms II have "graduated" to market-rate housing for a period of at least one year. Seven families have even purchased their own homes.

K&LNG has worked with THC for more than five years. Current and former K&LNG lawyers have served on its board of directors, walked for THC at Fannie Mae's annual Help-the-Homeless Walkathon and addressed THC's legal needs.

THC's "Living in the City" event celebrated not only its first 15 years of service to homeless families, but also kicked off THC's newest venture, THC Affordable Housing, Inc. (THCAH), which will develop affordable housing in the Washington, DC metropolitan area. THC currently is negotiating to acquire a large tract on which it will develop more than 100 units of affordable housing, some of which will be reserved for transitional housing and for "graduates" of Partner Arms and Partner Arms II. DC partner **John Steele**, associate **Staci Newman**, and summer associate **Collin Dretsch** drafted the articles of incorporation and bylaws for THCAH.

K&LNG

London Office Supports New Pro Bono Trust

LONDON



By Robert Hadley

Corporate associate **Marc Sosnow** has recently been appointed director and trustee of The London Legal Support Trust (LLST). The LLST supports over 50 law centers and other voluntary sector organizations throughout London. Funds raised are targeted to assist requests for help from the law centers. This financial aid helps the law centers overcome funding crises, develop new services, support appeals and improve their premises. Last month, the LLST organized a sponsored legal walk to raise funds for London's voluntary legal agencies, including law centers and advice agencies. Led by two of Britain's most senior judges, Lord Chief Justice Lord Woolf and Master of the Rolls Lord Phillips of Worth Matravers, over 300 lawyers walked 10 km around London's legal landmarks. The event raised over £25,000.

Following the recent attacks in London, the K&LNG London office has been asked, along with other firms, to provide legal advice to a national legal helpline for the victims' families. The national helpline expects to offer advice on the following areas of law: Criminal Injuries Compensation, Probate, Welfare Benefits, Family, Immigration, Insurance, Coroner Inquests and Death Certificates.

During National Pro Bono Week in June this year, the London office and 24 other City of London firms signed up to the Best Practice Pro Bono Protocol. The mass signing, held at the Royal Courts of Justice in London, was overseen by Lord Phillips of Sudbury, chairman of the SPBG, and the Attorney General, Lord Goldsmith.

The London office is proud to be celebrating its 9th anniversary of providing free legal advice to the residents of Battersea, South London. At Battersea Legal Advice Centre, our volunteers help over 1,000 people each year on nearly all aspects of law, including employment, landlord and tenant, consumer affairs and welfare rights.

Through the SPBG, we have signed up to a number of new initiatives, including the LawWorks Web Scheme, which is funded by the Department of Constitutional Affairs (formerly the Lord Chancellor's Department). Through this scheme, member firms deliver initial electronic advice on the main areas of law to those who cannot afford to pay legal costs. Also, our employment group has recently become a member of the new Employment Lawyers' Association LawWorks Panel. The Panel deals with approximately 15-20 employment cases each month, and this number is set to rise. These initiatives are in addition to the free legal advice provided by the London office to charities and not-for-profit organizations, including The Samaritans, Holiday Care, Charity Skills and Partners for Water & Sanitation (PAWS), as featured in the last K&LNG Pro Bono Report. We are pleased that the Department for Environment, Food and Rural Affairs has praised our involvement in the PAWS project. K&LNG

Pro Bono Mediation Initiative

NEWARK

K&LNG's Newark, New Jersey office has kicked off a new pro bono program mediating small claims matters in the Superior Court of New Jersey, Law Division, Special Civil Part. Less than \$15,000 is at issue in each of these matters, which collectively compose a huge docket in an already over-burdened court. In a typical county, a single judge hears approximately 100 "Special Civil" matters per week. To help keep the docket moving, judicial law clerks typically are assigned to mediate these matters on a daily basis. However, the Special Civil docket is still backlogged. The backlog is particularly burdensome for the Special Civil judges, who also must consider and hear a full calendar of Law Division, Civil Part (matters with more than \$15,000 at issue) motions every two weeks. In collaboration with the Special Civil Part of the Union County, New Jersey Vicinage, we developed a program whereby K&LNG lawyers assist the court by mediating Special Civil matters on a pro bono basis.

After participating in a mediation training session, our volunteers mediate and personally assist the litigants — most of whom appear pro se and are unfamiliar with the judicial system — in settling real cases for real money. Each volunteer is handed a case file minutes before the mediation begins. After briefly reviewing the case file, the K&LNG mediator allows each party to give its side of the story before exploring settlement, utilizing his or her own legal experience and powers of persuasion. While K&LNG has committed to send two volunteers one day each month, we are free to mediate as often as we would like and can do so without notice to the court. This flexibility allows K&LNG to better serve the court because we can (1) send substitute mediators when conflicts arise and (2) send mediators without notice when busy schedules free up.

So far, the program has been a great success. Our volunteers have settled approximately 50% of their cases, greatly benefit-

ing the Court. Our volunteers — K&LNG lawyers of all levels are encouraged to participate — also have benefited from and very much enjoyed this educational experience: "It is a worthwhile pro bono project that is discrete, interesting and completed before lunch;" "It was refreshing to be presented a problem, have an opportunity to analyze and consider the problem, and then resolve the situation to the satisfaction of all participants — with no further costs incurred by either side and in under two hours;" and "I particularly enjoyed helping people who were not necessarily legally sophisticated to become aware of their rights and responsibilities under the law." Our junior associates especially continue to seize upon this opportunity to experience the mediation process firsthand.



By Robert F. Pawlowski

The court has allowed allow us to bring our summer associates to observe all aspects of these mediations. Each volunteer mediator has made it a point to bring a summer associate along on this very interesting and fun program. They, too, have greatly benefited from and enjoyed the experience: "It was very interesting to see how the litigants' views of their own positions changed as we continued the mediation;" "It feels very rewarding when you are able to reach a settlement because you can see the parties' reactions right then and there;" and "In the case that I observed, both parties benefited enormously by settling through mediation rather than proceeding with litigation because we were able to identify the issues most important to them, which probably would not have taken place during the course of litigation."

If the program continues to sustain interest from our lawyers, we intend to expand it to include other vicinages. K&LNG

Free Speech in Your Front Yard

PITTSBURGH



By John F. Carella

A special respect for individual liberty in the home has long been a part of our culture and our law; that principle has special resonance when the government seeks to constrain a person's ability to speak there." *City of Ladue v. Gilleo*, 512 U.S. 43, 58 (1994). Through its affiliation with the Pittsburgh chapter of the American Civil Liberties Union, K&LNG recently had the opportunity to defend this principle on behalf of suburban-Pittsburgh resident Nicholas Fera.

The suburb's zoning ordinance prohibited local citizens from placing political campaign signs on their own property more than 30 days in advance of an election, but permitted other types of temporary signs. In September 2004, the suburb's zoning officer forced Mr. Fera to remove political campaign signs he had posted on his own front yard for the November elections. Shortly thereafter, Mr. Fera sought the help of K&LNG and the ACLU to challenge the ordinance.

On behalf of Mr. Fera, K&LNG requested that the suburb withdraw the zoning ordinance and avoid the need for litigation concerning the ordinance's constitutionality. That effort to resolve the matter consensually failed.

As the May primary elections approached, associates **John Carella** and **Sabrina Hudson**, along with Pittsburgh ACLU Legal Director Vic Walczak, filed a complaint and motion for

temporary restraining order in the District Court for the Western District of Pennsylvania seeking to enjoin the suburb from enforcing its unconstitutional ordinance. In preparing to bring the case to court, John and Sabrina received the advice and guidance of Pittsburgh partners **Tom Reiter** and **Chip Tea**.

Appearing in court the next day, the suburb agreed to suspend enforcement of the ordinance for one week until the court could hold a full hearing on the preliminary injunction. That afternoon, Mr. Fera posted a sign on his front yard supporting a local candidate for judge.

On the morning of the hearing, after the court noted the weight of precedent in favor of Mr. Fera's petition, the parties negotiated a consent decree under which the suburb agreed to cease enforcement of its sign ordinance and enact a revision that avoided content-based discrimination. After further negotiations, the suburb also agreed to pay K&LNG a substantial amount in legal fees. Part of this award will go to the ACLU, and the remainder will be used to cover costs and fund K&LNG's future pro bono efforts. K&LNG

Experiencing Trial Advocacy as a Criminal Prosecutor

LOS ANGELES

K&LNG's participation in the Trial Advocacy Project (TAP) furthers the firm's pro bono commitment by providing valuable assistance to Los Angeles City Attorneys' in their prosecution of criminal cases. Started in 1978, TAP, a program offered by the Los Angeles County Bar Association (LACBA), is a program in which lawyers improve their advocacy skills as a result of comprehensive, in-depth trial advocacy training and actual trial experience. As part of TAP, participants receive intensive trial advocacy instruction emphasizing performance in four criminal mock trials and are provided with constructive feedback. The program covers the gamut of trial advocacy, focusing on case preparation, search and seizure, pre-trial motions and conferences, diagrams, exhibits, voir dire, opening statements, closing arguments, evidence presentation, direct and cross-examination, expert witnesses, discovery, ethics, jury selection and instructions, witness interviews, and sentencing.

Due to the success and popularity of the original TAP program, the LACBA has expanded TAP to include a number of additional courses. Different TAP courses are available for participants with different skill levels, but the "Traditional TAP" program remains a competitive and rewarding program, accepting only 14 participants per year. Over a thousand lawyers have taken part in Traditional TAP, accounting for more than 200,000 hours of pro bono service.

Traditional TAP is a two-part program. The first part is an intensive six-week training course, where participants must attend two training sessions each week, in addition to three weekend

training sessions. Participants who complete the training course by complying with the program's strict attendance requirements, demonstrating the ability to successfully prosecute criminal cases, and passing a written ethics examination are referred to different prosecutorial agencies around the Los Angeles area to serve as volunteer prosecutors.



By Jill Varon

Last winter, after being accepted as one of the few TAP participants and receiving his certification, **Robert Feyder** of the Los Angeles office served as a deputy prosecutor for the Los Angeles City Attorney's Office in its Van Nuys criminal branch office. During his service, Robert first-chaired two jury trials. The highlight of his experience was obtaining a conviction in the first of his two jury trials. Robert also prepared several other cases that were resolved before trial. Unlike traditional civil litigation, where many arguments are made in paper motions filed with the court, the trial experience that the TAP program offers challenges lawyers to think on their feet and to make cogent arguments in a quick and concise manner. TAP not only gives participants the opportunity to help a just cause through their service, but also provides private practitioners with a significant amount of trial experience. We look forward to continuing our affiliation with the TAP program so that other lawyers can take advantage of the unique and valuable opportunity it offers. K&LNG

Veterans' Claims

HARRISBURG

K&LNG's Harrisburg office is serving as pro bono counsel in two matters now pending in the United States Court of Appeals for Veterans' Claims.

Among other things, the Court hears appeals from the Board of Veterans' Appeals (the BVA), which is an administrative appeals board that considers denials of veterans' benefits by the Veterans Affairs (the VA). K&LNG participates with the Veterans Consortium Pro Bono Program, which matches veterans and their families with lawyers who are willing to assist them pro bono. The program also provides training and support for lawyers who participate.

Several of K&LNG's Harrisburg lawyers attended the program's training seminar, and four are now engaged in representing clients.

In one case, K&LNG lawyers **Marsha A. Sajer** and **Linda J. Shorey** represent the widow of a Navy veteran. She seeks benefits based on her husband's history of schizophrenia that arose during her husband's active duty service in the U.S. Navy. His illness was both disabling and a cause of his death. Under applicable law, compensation may be awarded to a surviving spouse if the veteran's death was related to his military service or if the veteran was entitled to receive compensation at the time of his death for a service-connected injury or disease that was totally disabling for the last 10 years of the veteran's life. The BVA found that the veteran's schizophrenia was connected to his service in the Navy, but denied compensation to his widow on the basis that the evidence of record was purportedly insufficient to show that the veteran's schizophrenia was totally disabling for 10 years prior to his death.

On appeal, K&LNG argued that the BVA committed three errors. First, contrary to the BVA's determination that the VA had satisfied its duty to assist in obtaining relevant records, the VA failed to obtain or account for medical records of the veteran's hospitalization for psychological problems while on active duty.

Second, the BVA failed to consider the widow's claim for benefits under both legal theories (i.e., service-related death and service-related total disability) applicable. Finally, while the BVA purported not to address whether the veteran's death was related to his service, the BVA improperly attacked the credibility of an uncontradicted medical opinion of a VA physician that linked the veteran's death to his mental disease, thus prejudicing any subsequent consideration of the issue of the veteran's service-related death by the VA regional office.

The case is now pending before a judge of the Court of Appeals for Veterans' Claims.

The other case K&LNG is handling demonstrates just how long benefits disputes can take to resolve. K&LNG lawyers **Christopher Nestor** and **David Fine** represent a World War II veteran who seeks benefits for a foot injury. The veteran first sought benefits (through what is known as "service connection") in 1947. One of the issues now pending in the appeals court is whether the VA gave him proper notice when it first denied his request for benefits 58 years ago. That case also remains pending. K&LNG



By David R. Fine

Frederick Douglass Charter School

BOSTON

In hopes of keeping an inner-city school alive, K&LNG lawyers challenged the Massachusetts Board of Education's decision denying the renewal of a five-year charter to the Frederick Douglass Charter School. The school served as the educational home for hundreds of young, disadvantaged children from the Boston metropolitan area.

Encompassing grades six through 10, Frederick Douglass Charter School sought to prepare students for college by focusing on reading, writing and public speaking. The school aimed to foster the goals of justice, integrity and personal responsibility that the school's namesake represented. Beginning in 2000, the school received a five-year charter to help children realize their potential to achieve excellence, both as scholars and citizens. The school faced some great challenges during their first five years, including faculty retention, adequate facilities, financial struggles, and academic performance. With the assistance of dedicated staff, teachers and outside consultants, the school made significant strides in addressing these issues. This progress, however, was not enough for the Massachusetts Board of Education, which refused to renew the school's five-year charter at the end of the 2004-2005 school year.

After the Board's decision of non-renewal was issued, K&LNG represented the school on a pro bono basis in connection with its challenge to the decision. A team of six lawyers devoted significant time and effort to this fight by writing appeals papers, crafting strategy, organizing documentary support, advocating before a hearing officer, examining witnesses, and mobilizing local parents and students. **Rory FitzPatrick**, a Boston partner who is a member of the firmwide Pro Bono Committee, headed up the effort. "The hard work, dedication and professionalism brought to this effort by each of the team members was in the best tradition of K&LNG's commitment to pro bono work," commented Mr. FitzPatrick.

The team spent seven days in appellate hearings offering significant evidence to keep the school open. Despite many positive findings of fact by the hearing officer, the Board of Education reaffirmed its earlier decision. Ben Anderson, a founder and long-time trustee of the school, noted that "the process of presenting a thorough appeal does bring proper closure to our board, staff and families. Your team's exhaustive and thorough review of the vast materials to support our case and well prepared and presented case were a true gift to our school." Frederick Douglass Charter School closed its doors forever on June 30, 2005.



By Ashley K. Handwerk

The firm's work with this school gave the associates on the team new opportunities to hone their litigation skills, as well as providing a corporate lawyer a chance to see another side of the law. **Ashley Handwerk**, a first-year Boston associate, found the experience beneficial as well as inspirational. "As a young lawyer, you rarely get to see how your everyday work can make a true difference for people without the resources or expertise to effectively participate in the legal process. Notwithstanding the outcome, I feel as though K&LNG gave the staff, the kids and the community associated with this school hope that if they stand up, they can at least be heard." This experience, as well as similar efforts firmwide, affords K&LNG lawyers an opportunity, not only to learn essential skills from more experienced lawyers, but to affect the ways in which children are nurtured in our communities. K&LNG

K&LNG Defends Artistic Expression

DALLAS

At the request of the ACLU, K&LNG lawyers **F. Lin Medlin** (DA), **David Fine** (HA) and **Michael Napoli** (DA) have undertaken the representation of art gallery owner, Dwight Miller, in his fight to display a mural depicting the Fall of Man from Genesis on the outside of his art gallery in Pilot Point, Texas.

The mural borrows heavily from Michelangelo's Sistine Chapel ceiling in Rome and, in particular, from a portion of the Sistine ceiling painting that depicts God's outstretched arm reaching out to touch Adam. The outstretched arm is by far the single largest element in the work. At the far end of the mural sits a nude Eve, in a pose that is a variation on that of Adam in the Michelangelo Creation scene. God's finger points at an apple, a traditional image of the forbidden fruit in the Garden of Eden, suspended between God and Eve. The rendering of Eve, while somewhat realistic, is stylized.

In response to complaints about the depiction of a nude Eve in the mural, the city sent several letters to Mr. Miller threaten-

ing to prosecute him under a Texas statute that makes it a crime to display pornography to minors. When the city refused to drop its threat of prosecution, Mr. Miller covered Eve's breasts with a banner reading "crime scene." With the assistance of K&LNG, Mr.

Miller then sued the city under 42 USC § 1983 seeking a declaration that the mural in its original state is protected by the First Amendment and does not violate Texas law. In August 2005, Mr. Miller requested an injunction prohibiting his prosecution for displaying the mural.

The case, which has been widely publicized by the ACLU and in local and international media, remains pending before the U.S. District Court for the Eastern District of Texas. The Thomas Jefferson Center for Protection of Free Expression at the University of Virginia has filed an amicus brief in support of Mr. Miller. K&LNG



By Michael D. Napoli

Teenagers and Domestic Violence – The Not-So-Wonder Years

MIAMI



By Jeffrey T. Kucera

Sisters Jane and Michelle¹ were dating John and Mark. John and Mark were best friends, and Mark even lived with John's family while Mark and his family worked through some problems. John eventually broke up with Jane, and Mark stopped dating Michelle. Unfortunately, Michelle responded with violence. John and his family later testified that they lived in fear of her past and possible future attacks.

Teen dating violence is a growing concern, and situations like this are growing more common. One recent survey found that one in 11 high school students said they had been hit, slapped, or physically hurt on purpose by their boyfriends or girlfriends in the past year;² another reported that an average of 28% of high school and college students experience dating violence at some point.³

Although 90 - 95% of domestic violence victims are women,⁴ high school females are committing more and more violent crime. The 2003 National Survey on Drug Use and Health (NSDUH) asked youths age 12 to 17 to report how often they engaged in the following delinquent behaviors in the last year:

- a) serious fighting at school or work;
- b) taking part in a fight where a group of friends fought against another group;
- c) attacking someone with the intent to seriously hurt them;
- d) stealing or trying to steal something worth more than \$50;
- e) selling illegal drugs; and/or
- f) carrying a handgun.

Twenty percent of female respondents reported that they had a part in one or more serious fights in the past year—roughly a 25% increase from 2002.

Against this backdrop, first-year associate **Melissa Alvarez** of K&LNG's Miami office was asked to represent John, his mother, and his younger sister. Section 741.30 of the Florida Statutes provides a mechanism for victims of domestic violence to obtain a restraining order against abusers; it can be used to protect spouses, ex-spouses, relatives by blood or marriage who are residing or have resided in the past together, anyone who lives or has lived together in the same dwelling as a family, or anyone who has a child in common regardless of whether they have lived together. Section 784.046 of the Florida Statutes provides a similar protection for victims of "repeat violence" and can be used to obtain an injunction against an abuser regardless of relationship.

John and his family are recent immigrants and primarily speak Spanish; Melissa is also a native Spanish speaker. Melissa worked closely with partners **Jeffrey Kucera** and **Beatrice Butchko**, but Melissa took primary responsibility for preparing the witnesses, doing the required research, and investigating the case. Melissa presented a strong and organized case to the judge, who entered a one-year restraining order against Michelle to protect John, his mother, and sister.

Although legal actions are generally only remedial, Melissa used her skills and education to help a family find a solution for their present and future problems. We congratulate and thank Melissa for her fine performance. K&LNG

¹ All names have been changed to protect the identities of certain minors involved in these proceedings.

² Jonson-Reid, M. & Bivens, L. "Foster Youth and Dating Violence," *Journal of Interpersonal Violence* (1999)

³ Brustin, S. "Legal Response to Teen Dating Violence," *Family Law Quarterly*, vol. 29, no. 2, 331 (Summer 1995) (citing Levy, *In Love & In Danger: A Teen's Guide to Breaking Free of an Abusive Relationship*, 1993)

⁴ *Bureau of Justice Statistics Selected Findings: Violence Between Intimates* (NCJ-149259), November 1994.

K&LNG Pro Bono Committee & Coordinators



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