

# Pro Bono Publico

Fall 2002



## Welcome New Associates!

As fall arrives with its promise of respite from the summer's heat and humidity, I am pleased to report that the Pro Bono Program at Venable continues to expand, both in number of participants and in the variety of projects. As you will see in the accompanying articles, the good work performed by our colleagues continues to be a source of pride for the entire firm. Venable's long tradition of serving the less-fortunate in our communities continues. As our newly arrived associates find their way around, I am confident their contributions will add to our legacy.

They and you are the pillars of this tradition—the women and men who hold the key to unlocking some of the unfairness of life. The Pro Bono Committee strives to have projects of all different stripes, for different client groups and in nearly all areas of law, from transactional to intellectual property to litigation. There is something for everyone. We can provide training in an area that is new to you, or give you an opportunity to use your existing skills.

I urge each of you to consider taking on one of the pro bono opportunities we periodically announce. The work, whether for an individual or for a nonprofit organization, will provide a number of intangible benefits:

- A welcome respite from the course of regular business and a refreshing change of pace.
- Perspective on the real problems facing our communities—getting a glimpse at grinding poverty and abject hopelessness can restore appreciation for what we often take for granted.
- An opportunity to use legal skills to truly change a person's life; our daily legal work rarely produces such immediate, satisfying results.
- A feeling of giving back and making our communities better places to live.

I urge you to contact me with your suggestions of appropriate pro bono projects and of ways to improve our program.

Gerry Treanor  
*Pro Bono Coordinator*

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## Learning Matters

Learning Matters, Inc. has been a pro bono client of **Joshua Kaufman** since its inception over twenty years ago. Learning Matters is a nonprofit producer of television (under the title *The Merrow Report*) and radio programs on educational issues. It also sponsors a program called *Listen Up!*, where kids

produce public service announcements aimed at kids. (The theory being that PSAs written and produced by adults that are aimed at kids often miss their target audience.) Joshua advises Learning Matters on a host of legal issues, including negotiating television and video production deals and television contracts, and distribution matters and rights clearances.

Learning Matters' programs regularly appear on PBS stations around the country and on *Front Line*. The radio programs are carried on NPR stations nationwide. Its programs have won awards, including the coveted Peabody Award last year. Learning Matters is funded by the leading foundations in American philanthropy. Anyone with school-age children or who is interested in serious but engaging discussions on educational issues and our schools is encouraged to visit the organization's Web site [www.merrow.org](http://www.merrow.org) and watch or listen to Learning Matters' programs. The programs, which are distributed by PBS, are available in VHS and DVD format in the PBS catalogue.

### Members of Venable's Pro Bono Committee:

Gerard Treanor, Lars Anderson, Jennifer Blackwell, Shannon Bloodworth, Jacqueline Bottash, Mary Brown, Rosemary Dailey, Kathleen Dolan, Jana Gibson, Sarah Gudsruk, Elaine Clark Jones, Julia Kiraly, Mitchell Mirviss, Kali Murray, David Richardson, Otho Thompson, Meg Watkins, Brian Zemel, and Gilda Zimmet.

## Pro Bono Publico

### Venable To Fight Slave Labor in India

India has the largest number of working children in the world, estimated at 60 to 115 million. Many of these children work as virtual slaves, trapped in India's bonded labor system. Human Rights Watch describes the phenomena of bonded labor as follows:

"Bonded child labor" refers to the phenomenon of children working in conditions of servitude in order to pay off a debt. The debt that binds them to their employer is incurred not by the children themselves, but by their relatives or guardians—usually by a parent....The creditors-cum-employers offer these "loans" to destitute parents in an effort to secure the labor of a child, which is always cheap, but even cheaper under a situation of bondage. The parents, for their part, accept the loans. Bondage is a traditional worker-employer relationship in India, and the parents need the money—perhaps to pay for the costs of an illness, perhaps to provide a dowry to a marrying child, or perhaps—as is often the case—to help put food on the table.

While indentured servitude has been illegal in India for decades, the practice is still prevalent.

The International Justice Mission (IJM), an international human rights organization based in Washington, D.C. with field offices in four other countries including India, has secured the release of hundreds of these children through legal interventions since 1998. However, without the implementation of an effective long-term remedy, including providing families with access to alternative forms of credit, there is a significant risk that many of these children will fall prey to the bonded labor system in the future.

**Jeff Pankratz** is providing pro bono legal assistance to assist IJM in developing a pilot micro-finance program to offer such an alternative. Micro-finance programs provide small, collateral-free loans to the poor on reasonable terms to enable them to access capital when an emergency arises and build small businesses and other economic assets. Millions of poor around the world have improved their lives through micro-finance programs. Jeff, a member of Venable's real estate group, practices in the area of affordable housing and community development law. Prior to joining the firm, Jeff worked with several nonprofit organizations connected with micro-finance institutions in the United States. Therefore, this project has given him a chance to provide pro bono services in an area consistent with his legal expertise and interest. His work for IJM to date has involved preparing a memorandum regarding legal and business issues/options in designing the pilot micro-lending program. In the future, he may provide further legal assistance to IJM in the implementation of its pilot micro-finance program.

## Venable Aids Foundation for At-Risk Adolescents

Venable was asked by the Coordinator of the Fairfax Bar Association's Pro Bono Project to consider assisting a small nonprofit organization called the Youth Development Foundation. The Youth Development Foundation was quite active in the 1970s and into the early 80s and provided a residential care facility for at-risk adolescent boys. The facility was a large house located in what is now a very exclusive and up-scale area of McLean, Virginia.

As many of the services the Foundation provided were taken over by state and local agencies, the Foundation's real estate fell in to disrepair and its charitable activities virtually ended. In addition, the Foundation was unable to sell many vehicles it had used in conducting its charitable activities and these vehicles remained located on the property—operable but unlicensed. The County of Fairfax filed an action in Circuit Court seeking to have the vehicles removed and, based on a neighbor's complaint, the county also sought to have an old fence removed or lowered because it was "too high" and in violation of current zoning codes.

**Thomas France** and **David Lasso** offered to help. Venable has filed an answer to the litigation and has opened a constructive dialog with the county to resolve the zoning issues amicably. Legal counsel is also being provided to assist the Foundation to better manage its resources and take the necessary steps to use its resources to fulfill its charitable purpose.

## Pro Bono Publico

### Venable Helps Nigerian-Born Asylum Seeker

Venable is representing a Nigerian-born man who is applying for asylum in the United States. Upon arrival on July 10, 2001, our client was determined by the U.S. Immigration and Naturalization Service (INS) to be inadmissible to the country because he had allegedly attempted to enter the United States by fraud or willful misrepresentation. Because he was able to demonstrate a credible fear of persecution in his home country, our client was held for a hearing instead of being immediately returned to Nigeria.

Upon taking this case, we made an appearance on our client's behalf with the U.S. Department of Justice Executive Office of Immigration Review, and visited him at the Piedmont Regional Jail in Farmville, Virginia. Pursuant to this interview and several follow-up interviews with our client, we were able to prepare and file for the client an Application for Asylum and Withholding of Removal, with supporting briefs and documentation.

From our interviews we learned that our client's birth mother, a Christian, was killed in violent riots between Muslims and Christians in Nigeria. His adopted mother had converted to Christianity against the approval of her family, which practices a more traditional Nigerian form of religion. The family blamed our client for the woman's conversion, and at various times has physically assaulted him and otherwise attempted to intimidate him into leaving her. After her death in April 2001, the family seized all of our client's possessions, threw him out of his adoptive mother's home and told him they would kill him for causing her conversion to Christianity, and because he was a Christian. Our client believed the family had also bribed local police into helping search for him, prompting him to flee the country with what he thought were valid travel and immigration documents, which he had purchased.

Although our client has several acquaintances/relatives who are United States citizens, his incarceration limited his ability to locate and communicate with them. We spent several weeks tracking these individuals down, and were able to secure the necessary Affidavit of Support and bond to allow a Request for Parole on his behalf. Our client was successfully paroled and is now staying with a relative in Maryland. We have also filed FOIA requests on his behalf, and have assisted him with an Application for Employment Authorization. In the latest developments in this case, at a July 2002 Hearing on the Application for Asylum the government amended its charge against our client to further allege that he was not eligible for entry into the United States because at the time of attempted entry he had not been in possession of any valid entry document as required under the Immigration and Nationality Act. As a result of this amendment, our client's hearing has been postponed until January 2003.

**Brian Hudson** is handling this matter, with the assistance of **Maury Baskin** and **Rosemary Dailey**.

Venable in the Community – Building a “Green” Home for a New Homeowner

It’s Sunday morning, 8:30 a.m., and being July, it’s already over 90 degrees and climbing toward triple digits before noon. Your house is cooled by central air conditioning, and you can sleep in—but wait, not Venable Volunteers! They are up and out of bed, ready to hit the streets and make our city a little better for those in need, no matter how stifling the weather conditions!



On Sunday, July 28 **Jackie Bottash, Thomas Cheng Yasmine Duncan, Candice So, Donna Pieper and Pete Bevard** found their way to “I” Street SE to try their hands building a house for Annie Whren. Annie was selected as the homeowner by DC Habitat for Humanity and is required to complete 500 hours of sweat equity before she can move in. Annie is a great grandmother recovering from heart bypass surgery, as well as hip and knee replacements. She is occasionally confined to a wheelchair, and the house is designed to be accessible for her.

GreenHOME, Inc. is taking the lead on building this home, almost exclusively with volunteers and donated, environmentally friendly materials. Team Venable learned the value of clean bricks and how to stack them in like-groups so they could be turned into a walkway from the street for Annie, as well as other uses. All of the bricks were donated from local construction sites, so scraping off dirt and hammering off mortar were the order of the day. Although drinking water was plentiful, we all learned the meaning of “sweat equity” as we left after 3 hours of hard labor. We may have been tired, sweaty, gritty, and grimy, but we were also full of joy and the feeling that we had truly been a part of something special.

If you’re ever near 1221 “I” Street, SE, look up, and you’ll see the cleanest bricks in town, creating the foundation for a new beginning for a very worthy recipient.



Interested in pro bono training programs?

Upcoming pro bono training programs are posted on the Pro Bono page on Venue. Opportunities are sorted by category and chronologically. Please contact Jacqueline Bottash at extension 4914 if you are interested in attending a training program.