

2010 Pro Bono Report



Lowenstein Center
for the Public Interest

**Lowenstein
Sandler**
ATTORNEYS AT LAW

Table of Contents

Lowenstein Center for the Public Interest Overview	2
Children and Education	4
Immigration	8
Community and Sustainable Development	12
Criminal Justice	16
Civil and Human Rights	18
The Arts and Humanities	22
Other Legal Work	25
Lowenstein in the Community	27
Mission Statement	30
Acknowledgments	31

Lowenstein Center for the Public Interest Overview



Kenneth H. Zimmerman
Chair, Lowenstein Center
for the Public Interest

It is with great pleasure that we present Lowenstein Sandler's 2010 Pro Bono Report, which reflects the first full year of activities of the Lowenstein Center for the Public Interest.

In 2009, the firm decided to expand upon its longstanding and robust commitment to community and *pro bono* work by creating the Lowenstein Center for the Public Interest. The purpose of the Center is to maximize the impact of the firm's *pro bono* activities by focusing our efforts in key areas, deepening our partnerships with leading nonprofits and community organizations, and more strategically using the talents and passions of the firm's lawyers and staff.

In the following pages, you will see how we have done so. Among a broad range of transactional activities involving charter schools and foreclosure responses, for example, the firm has forged a partnership with the national nonprofit **Living Cities** to take its urban revitalization efforts to scale. Lowenstein's corporate finance attorneys are helping to develop the framework through which **Living Cities** will make \$85 million in grants and loans to local nonprofits for

Lowenstein Center for the Public Interest

transformative projects in five cities selected in a nationwide competition.

On the litigation front, even as the firm continues to represent individual clients in immigration, domestic violence, and military benefits cases, we seek broader reform through impact litigation and amicus work. In the past year, by way of example, we helped to persuade the New Jersey Supreme Court to establish the visitation rights of siblings in foster care and, in some circumstances, after adoption, and we supported prison reform efforts in California by filing a brief in the United States Supreme Court on behalf of leading national religious organizations.

We have similarly worked to develop new ways that *pro bono* services can be delivered effectively and at scale. Lowenstein's Bankruptcy Department is now working with **Merck & Co.** and **Volunteer Lawyers for Justice** to assist dozens of low-income persons who seek to file for personal bankruptcy. There is real promise in this combination of the skilled

support of a legal services intermediary, the resources and commitment of a corporate legal department with a long history of *pro bono* service, and the experience and talents of the firm's Bankruptcy Department.

Overall, we hope that the following report gives you a sense of the firm's sustained commitment to community and *pro bono* work. As we all realize, it has been especially

important to take on the challenges reflected here when so many communities and families are struggling. On behalf of Catherine Weiss, who has joined the Center as Director of Public Interest Advocacy, Jeseñia Brown, who is our new Pro Bono Coordinator, and the other Center staff, thank you in advance for your interest in our work.

Ken Zimmerman

“Without question, my greatest satisfactions in life, apart from my family, have come from the services I have rendered to individuals and families, and on a larger scale, to my community.”

— *Alan V. Lowenstein*

Pro Bono by the Numbers

1

Lowenstein Sandler's rank in the ***New Jersey Law Journal*** annual list of the state's top *pro bono* programs

47

Lowenstein Sandler's rank in the ***2010 American Lawyer Pro Bono Report*** of the nation's top *pro bono* programs

96

Average number of hours each firm attorney dedicated to *pro bono* work in 2010

187

Number of *pro bono* clients Lowenstein attorneys served in 2010

23,682

Total hours firm attorneys dedicated to *pro bono* work in 2010



Protecting Siblings’ Right to Stay Connected

CHILDREN AND EDUCATION

Approximately 423,773 children were in foster care in the United States on September 30, 2009, according to the most current Adoption and Foster Care Analysis and Reporting System Report, released in September 2010.

When children are removed from abusive or neglectful homes, they don’t just lose their parents; they are frequently cut off from their entire world—their school, their friends, their neighborhood. Many of these children have also been torn from their brothers and sisters, who are often their only connection to their original family and to their past.

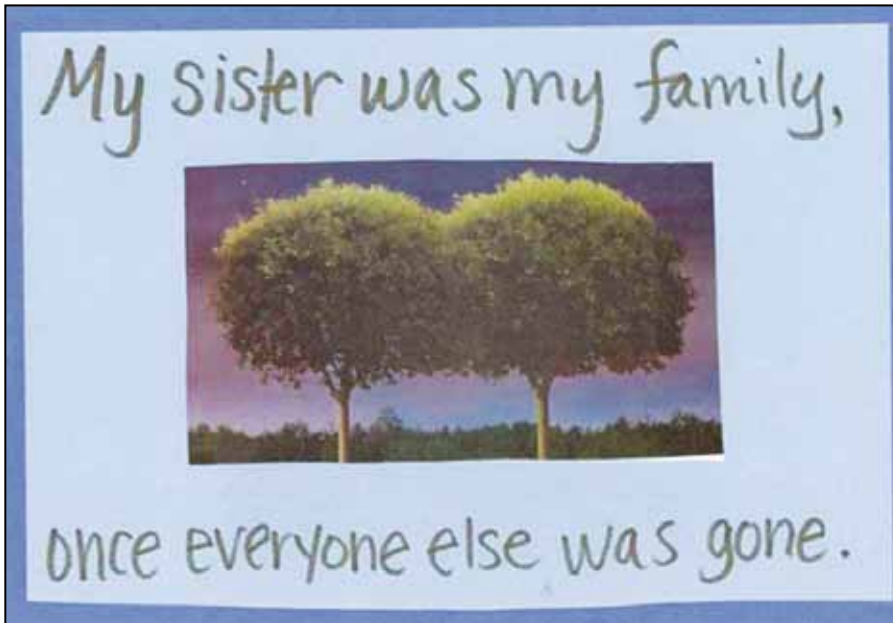
“For most people, the loss of siblings is a huge loss of identity,” says Nathan Monell, Chief Executive Officer of **Foster Care Alumni of America (FCAA)**, a national organization of adults who experienced foster care as children. “A sibling might be the only person who remembers what you did when you were seven years old at Christmastime, or what your grandmother looked like, or whose eyes you have.”

In September 2010, Lowenstein Sandler helped to win a major victory for children when the New Jersey Supreme Court issued a landmark decision clarifying and affirming their right to maintain their connections to their brothers and sisters. At the time of the decision, more than 7,500 children in New Jersey were living in foster care or other out-of-home placements.

The appeal concerned four siblings — an adult woman and her teenage brother and

ward who were prevented from visiting their younger twin sisters by the girls’ foster mother, who had begun adoption proceedings. In its decision, the Court relied heavily on an amicus brief the firm filed on behalf of **Foster Care Alumni of America** and the **Child Advocacy Clinic at Rutgers School of Law-Newark**. Using the analytic framework advanced by the firm, the Court found that the New Jersey Division of Youth and Family Services (DYFS) was legally obligated to keep siblings in out-of-home placements together or, if this was not possible, to facilitate their visitation. If DYFS seeks to deny this right, it bears the burden of proving that visitation would be harmful.

Once a child is adopted, the burden shifts because adoptive parents have the same right to autonomy in child-rearing as biological parents. Still, siblings of adopted children, or children living with their biological parents, have the right to visit their brothers and sisters if they



An image from FCAA's postcard campaign, through which children and adults who experienced foster care share their observations and insights about foster care.

can show that denial of contact would be harmful. "It's a great decision. It really clarifies the rights of children as they move through this whole process," says Catherine Weiss, Lowenstein Sandler Director of Public Interest Advocacy and Senior Counsel.

To create the legal foundation on which the Supreme Court's decision was based, the Lowenstein team thoroughly examined all the cases, state and federal laws, and regulations pertaining to the rights of

siblings and how they shift when children are removed from their homes, placed in foster care, and eventually adopted. "The case reflects the firm's broader commitment to the rights of children. We worked to identify what the children's rights are and should be in this context, and then helped to persuade the Court to declare these rights," says Weiss.

Following this decision, the New Jersey Supreme Court ordered the Appellate Division to

reconsider another appeal in which Lowenstein had also filed an amicus brief. The case concerns three siblings who lived together for most of their lives. Two of the children were adopted together, but their adoptive mother has not continued visitation with the other sibling, who has serious disabilities and lives in a group home. In one of the first cases to apply the Supreme Court's new doctrine, Lowenstein helped to persuade the Appellate Division to order a full hearing on whether cutting off visitation would harm the three children.

At **Foster Care Alumni of**

America, Nathan Monell is optimistic that the Supreme Court's decision will reverberate throughout New Jersey and, indeed, the country. The organization's members are elated that sibling visitation rights are now clearly defined in New Jersey, since many were separated from their own brothers and sisters as children. "Most of the feedback has been, 'Boy, I wish someone had been there to help me when I was going through that.'" ■

Supporting Educational Innovation

Nearly 20,000 children are on waiting lists for charter schools throughout New Jersey, according to the **New Jersey Charter School Association**, a statewide advocate for charter school students, teachers, and school leaders. Lowenstein Sandler is helping to address the demand for additional and improved charter schools. In 2009, the firm established a charter school initiative through which lawyers across the firm, including primarily corporate attorneys but also litigators when appropriate, focus their *pro bono* work on charter schools.

Much of the firm's initial work in this area centers on Newark, New Jersey's largest school district. The firm served as real estate and local counsel and provided investment management advice to **Uncommon Schools**, a nonprofit organization that starts and manages urban public charter schools, in connection with the completion of a \$26 million financing transaction. The funds from this transaction, which required multiple closings between December 31, 2009, and January 29, 2010, are being used to build a high school for Newark's **North Star Academy Charter School**, one of the firm's flagship charter school *pro bono*



Students from North Star Academy Charter School created a video to thank Lowenstein Sandler for its work in helping to make the new high school building a reality.

clients, which has a 100 percent college matriculation rate. This financing transaction was one of the first in the nation to rely on the issuance of Qualified School Construction Bonds. The firm's representation included legal services regarding title transfer of the project site, title and easement analysis, review of dozens of loan documents, and delivery of opinion letters to lenders. Lowenstein is also providing a range of other legal services to **North Star Academy**, including counseling the school with regard to contract interpretation, compliance with bidding

regulations, policy review, landlord-tenant relations, student discipline, and immigration and employment issues.

Since 2010, the firm has also served as general counsel to the **Newark Charter School Fund**, a nonprofit funded by the Bill & Melinda Gates Foundation, the Doris & Donald Fisher Fund, the Walton Family Foundation, and the Robertson Foundation, to invest more than \$20 million in the expansion and improvement of Newark's charter schools. In addition, the firm helped establish as a 501(c)(3) organization the

Charter schools are independent, accountable, public schools that control their own curricula, staffing, organization, and budgets with an obligation to maximize student potential and meet all state standards. There are currently 68 charter schools in New Jersey, serving 22,000 students.

— *New Jersey Charter School Association*

Newark branch of **BRICK: Building Responsible Intelligent Creative Kids**, a coalition of teachers in the Newark Public Schools District. Through a global curriculum, extended-day programs, customized professional development, and community and family partnerships, **BRICK** helps students become what the organization refers to as “college- and life-ready” in a global society.

Beyond providing legal services, firm attorneys serve on the boards of several charter schools and charter school associations. ■

CREATING A ONE-STOP RESOURCE CENTER FOR VICTIMS OF CHILD ABUSE

The **New Jersey Children’s Alliance**, a member of the **National Children’s Alliance**, assists law enforcement in responding to allegations of child abuse by coordinating with prosecutors, medical professionals, and social services in a child-friendly environment. Lowenstein helped the nonprofit file for 501(c)(3) status, enabling it to continue its work promoting justice and healing for victims of child abuse. ■

FINDING FAMILY FOR FOSTER CHILDREN

Lowenstein recently assisted **International Social Service-USA Branch** in negotiating contracts with Rutgers University School of Social Work and the New Jersey Department of Children and Families in connection with the implementation of its project, Expanding Options for Permanency: International Family Finding for U.S. Children in the New Jersey Foster Care System. This first-of-its-kind demonstration project was created to undertake intensive international family-finding activities for children in the New Jersey foster care system and to strengthen foster children’s connection with family members who live outside the United States. ■





Finding Safety — and a New Life — after Fleeing from the Taliban

IMMIGRATION

Having lived through the Afghan civil war, subsequent Taliban rule, and the aftermath of the 2001 NATO invasion, 27-year-old A.J. knew that when the Taliban made threats on his life, they were real. So when the Taliban threatened to “chop off [his] head” for being a Western sympathizer and a spy, A.J. understood that his life was in danger.

In 2009, A.J. was helping the *New York Times* Kabul bureau gather information about Afghanistan and the war. One weekend afternoon, Taliban fighters ambushed A.J. and two *Times* journalists. The two journalists were kidnapped, and A.J. escaped by literally running for his life. A few days later, A.J. found out that the British military had attempted a rescue, raided a Taliban compound, and successfully saved one of the journalists. The other journalist and dozens of Taliban were killed.

The Taliban were incensed and blamed A.J. for “ratting out” their location to the British. The Taliban found his contact information, constantly called his cell phone, and marked him as a Western sympathizer and spy. They vowed revenge



and threatened to find him, kill him, and chop off his head.

The effect on A.J. was immediate. Afraid for his own life and the lives of his family, he stayed away from his family home and began living in the *New York Times* Kabul bureau 24 hours a day, seven days a week. He rarely ventured outside and found it difficult to eat, sleep, or stop thinking about the Taliban’s threats. To keep busy, he spent time helping *New York Times* staff improve security around the Kabul bureau.

In January 2010, the *New York Times* brought A.J. to the United States so he could share his personal experiences with *Times* personnel who were responsible for safety around the world. After arriving in the United States, A.J. was afraid to return to Afghanistan and reached out to Lowenstein public interest partner **Human Rights First**, a nonprofit international

human rights organization that assists asylum seekers.

Through **Human Rights First**, A.J. was introduced to attorneys at Lowenstein, who agreed to provide *pro bono* representation. “Working with A.J. was remarkable,” says Khizar A. Sheikh, Lowenstein Counsel, and one of the team that represented A.J. “As a lawyer, it is enormously satisfying to help someone like A.J., who had witnessed the horrors of war yet always had a smile on his face. By setting forth his experiences, we were privileged to be able assist him in seeking safety in the United States and the opportunity to start a new life.”

With only two months to prepare A.J.’s asylum application, the Lowenstein team assembled a five-inch-thick package that included reports of conditions in Afghanistan, expert opinions, factual affidavits from witnesses, translations of phone calls A.J. received from the Taliban, and a legal memorandum.

“We tried to focus the asylum officers on two main arguments: first, that sending A.J. back to Afghanistan would essentially deliver him into the hands of the Taliban to be persecuted

and possibly killed; and second, that the Taliban had targeted A.J. not just for revenge but because they identified him as a Western sympathizer,” Sheikh explains. By focusing on A.J.’s political beliefs and support of Western journalists, his legal team dispelled a possible concern that immigration officials would view the threats against him as motivated solely by revenge, an inadequate basis for an asylum claim.

This strategy prevailed. About three months after submitting his application, A.J. was granted asylum. As Ken Zimmerman, Chair of the Lowenstein Center for the Public Interest who was also involved in the representation of A.J., says, “In significant respects, the firm’s representation of A.J. goes to the heart of what *pro bono* legal services are all about: the ability to use our legal skills to help individuals obtain the rights and benefits they deserve.”

A.J. is thriving in the U.S. He is now taking English lessons, preparing for college, and thinking about applying for permanent residence. “Now I am here. I am safe,” says A.J. “I am very happy with my friends, my lawyers. I will never forget their help.” ■



Protecting the Security and Privacy of Immigrants in Their Homes

Lowenstein opposed the government's motion, and in an important decision for victims of constitutional violations, the Court held that the plaintiffs are entitled to the opportunity to prove their case at trial against the federal officials.

Lowenstein Sandler, along with the **Seton Hall Center for Social Justice**, is representing nine victims of unconstitutional home raids conducted by federal immigration agents and local police in violation of fundamental privacy and due process rights. In each raid, Immigration and Customs Enforcement (ICE) agents, sometimes accompanied by local police, burst into families' homes in the early hours of the morning, without a warrant and without obtaining the voluntary, informed consent of the families to enter and search those homes. This federal lawsuit is the first in the country to focus on such home raids over a substantial period of time and across an entire state. It has raised fundamental questions about ICE's "Operation Return to Sender," a federal program that has created strong incentives for unconstitutional behavior by establishing unrealistic arrest quotas for immigration agents without offering adequate training or imposing guidelines or safeguards to prevent foreseeable abuses.

In addition to suing the federal agents who were present at the home raids, the plaintiffs are suing a number of high-level federal officials, including the former

head of ICE, for their roles in directing and overseeing the home raids. In response, the federal officials attempted to dismiss the case against them, arguing that a recent United States Supreme Court decision, *Ashcroft v. Iqbal*, precludes the plaintiffs from attempting to hold them liable based simply on their alleged "knowledge and acquiescence" in the unconstitutional conduct of agents in the field. Lowenstein Sandler opposed the government's motion, and in an important decision for victims of constitutional violations, the Court held that the plaintiffs are entitled to the opportunity to prove their case at trial against the federal officials. The federal officials have now appealed the trial court's decision to the United States Court of Appeals for the Third Circuit. Lowenstein Sandler is opposing that appeal, while continuing to litigate the underlying case against the federal agents. ■



HELPING UNACCOMPANIED CHILDREN NAVIGATE IMMIGRATION PROCEEDINGS

Lowenstein has taken the lead in New Jersey in supporting **Kids in Need of Defense (KIND)**. Launched in October 2008, **KIND** conducts outreach and screens the cases of children who are unaccompanied by or separated from their parents, apprehended by the authorities, and charged in immigration court. Under United States law, immigrants — even if they are children who do not speak English — have no right to appointed counsel in removal (i.e., deportation) proceedings. **KIND** matches such children with *pro bono* counsel and provides extensive training and mentoring throughout each case. Lowenstein has been **KIND**'s steadfast partner in this effort and has co-counseled cases with both **Prudential Financial, Inc.** and **Merck & Co.**

Among Lowenstein's cases are the first three litigated in New Jersey, one of which has already involved an appeal to the United States Court of Appeals for the Third Circuit. The firm is



currently representing several children who fled the homes of their parents or guardians because of maltreatment and who are seeking protection in the U.S. in the form of Special Immigrant Juvenile Status (SIJS). One of the firm's clients is a South American girl who was refused food and locked in her room in her mother's house and is now thriving in the care of an aunt. Her counsel sought and obtained a family court order finding that the child had been neglected in her home country and designating the aunt as her guardian. Immigration authorities relied on this order to grant the child SIJS and ultimately

to make her a permanent legal resident, with a "green card" that allows her to live safely in this country for as long as she chooses.

In addition to maintaining a substantial docket of **KIND** cases, Lowenstein has helped develop model papers for use by children who have no potential guardians in the United States and so seek to apply for SIJS on their own behalf. The firm has also developed a model brief for use by other attorneys representing children who live with one parent in this country but who are nevertheless eligible for SIJS under a recent amendment to the governing federal statute. ■



COMMUNITY AND SUSTAINABLE DEVELOPMENT

Fighting for the Right to Shelter

It has been called a modern-day Hooverville. In the woods of Lakewood, New Jersey, approximately 40 homeless men and women fight to survive in an extraordinary tent city. With no emergency shelter in Ocean County, the residents — many of whom lost jobs and homes during the recession — have been forced to fend for themselves. They work together to keep their small community running, preparing meals, tending the vegetable garden, chopping wood, and even gathering eggs from chickens they tend to in the community.

“Everybody helps out,” says Michael Berenzweig, who moved into the camp with his wife in April 2010 after a job loss left the couple unable to pay their rent. “In a way it’s more of a community than most places, just out of necessity.”

While the residents make the best of it, homelessness can be a life-and-death struggle. Before people settled in tents, one homeless man froze to death sleeping in an automobile in the area. Tents often collapse from the weight of winter snow. Another homeless man died when his tent caught fire, apparently from a propane tank that he used for heat and cooking.

Still, the camp has been the only viable option for many of the individuals and families living there. So when Lakewood Township officials began legal proceedings to eject the residents and bulldoze the property, Lowenstein took up the cause, representing homeless Ocean County residents *pro bono*.

“The people who are living in the woods have nowhere else to go,” says Jeffrey J. Wild, Member of the firm and lead attorney on the case. “Our government has no more basic duty than to protect the lives of individuals who could otherwise die from conditions like these. To bulldoze this community without providing emergency shelter would be both inhumane and unlawful.”

Working in close coordination with a group of nonprofits and religious organizations, Lowenstein filed claims against Ocean County citing, among other sources, the Poor Laws that date back to Elizabethan times and that are still on the books in New Jersey. These laws impose on the government a duty to provide assistance to needy people so that they “may not suffer unnecessarily from cold or hunger, or be deprived of shelter.”

Lowenstein achieved an initial victory last summer, when Lakewood officials signed an



Residents of the Lakewood tent city are pictured with friends and Jeffrey J. Wild, Lowenstein Sandler Member of the firm.

unprecedented consent order. Not only did the township agree to cease the eviction proceedings, it also joined in the effort to address the problem of homelessness in Ocean County by cooperating in a three-step plan.

The first step calls for the identification of safe, adequate emergency shelter for the residents living in the woods — a process that is currently under way as some homeless individuals have moved into a facility near the Lakewood-Toms River border. The next goal is to establish the first permanent shelter in Ocean County, and the third step is to secure permanent housing for all individuals in the county.

To achieve these objectives, the Lowenstein team must now either persuade or compel Ocean County to join in working on behalf of the homeless, rather than against them. The county's participation is necessary to ensure that all homeless people in the area have real and viable alternatives to setting up camp in the woods.

"Anyone could be homeless," notes Wild, whose father was homeless during the Great Depression. "Anyone could have one or two bad breaks or make mistakes in life. We shouldn't think that it couldn't be us or our neighbors out in the cold woods — because it could be." ■

The number of homeless families increased in 2008 and 2009, and the number of families in emergency shelters and transitional housing jumped 30 percent from 2007 to 2009. Similarly, the U.S. Department of Education reported a 20 percent increase in the number of homeless students for the 2008-2009 school year.

— *Center on Budget and Policy Priorities*

Reviving Inner Cities

Lowenstein Sandler is working closely with **Living Cities**, a national nonprofit organization that combines philanthropic investment from the nation's largest foundations with traditional funding to pioneer approaches to the most pressing urban problems. **Living Cities** has developed several innovative initiatives to make capital and technical assistance available to leading organizations on the ground, and it has relied on the corporate counsel of Lowenstein lawyers in doing so.

Most recently, Lowenstein attorneys are working with **Living Cities** to facilitate its \$85 million Integration Initiative. Following a national competition that resulted in applications from 19 cities being winnowed down to five final sites, The Integration Initiative will provide loans, project-related investments, and grant funds to nonprofit organizations in Baltimore, Cleveland, Detroit, Newark, and the Twin Cities for transformative initiatives. Lowenstein lawyers are helping to develop the framework for these transactions. The firm has also worked with **Living Cities'** Catalyst Fund, a \$20 million fund that helps high-capacity organizations to develop catalytic projects in underserved



Mayors from the winning cities participated in the October 2010 launch of The Integration Initiative. (from left): Cleveland Mayor Frank Jackson, Baltimore Mayor Stephanie Rawlings-Blake, Detroit Mayor Dave Bing, Living Cities President & CEO Ben Hecht, Minneapolis Mayor R.T. Rybak, St. Paul Mayor Christopher Coleman, and Newark Mayor Cory Booker.

communities. For example, the firm assisted with the formation of a revolving credit line for the **New Teacher Center**, a national organization that provides accelerated training for teachers and principals with the goal of improving student learning. The work completed by the Lowenstein team gives the **New Teacher Center** access to liquid capital at all times. ■

“The Living Cities Integration Initiative, an \$85 million effort to support public-private partnerships working to improve the lives of low-income people in five U.S. cities, was designed to leverage all we have learned over the past 20 years about catalyzing change in urban communities. Lowenstein has been instrumental in facilitating this Initiative. The firm has provided invaluable advice on structuring and closing millions of dollars of investments in multiple transactions. We count Lowenstein as a valued partner in tackling critical barriers to opportunity for low-income communities.”

— Ben Hecht, President and CEO, Living Cities



CREATING ONE-STOP SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE

Lowenstein attorneys helped to incorporate and launch the **Essex County Family Justice Center, Inc. (ECFJC)**, not only providing legal advice but also helping to formulate corporate strategy and serving on its board. Reflecting a “best practice” in domestic violence intervention, the **ECFJC** brings together domestic violence advocates, civil legal service providers, and other community-based and government agencies to provide crisis intervention, safety planning, counseling, access to public assistance, and access to the criminal justice system and civil protective process, all under one roof. Lowenstein was instrumental in helping **ECFJC** open its doors in May 2010. ■

PROTECTING TENANTS FROM UNLAWFUL EVICTION

Lowenstein has taken on several cases involving the protection of tenants’ rights. The firm recently represented two Paterson, New Jersey, families threatened with eviction after a credit company foreclosed on the mortgage held by their landlord. The new owner sent the families a “Notice of Termination” of their tenancies after the foreclosure. Anxious about what they believed was an imminent eviction, the tenants called the **New Jersey Department of the Public Advocate** for help. On the eve of its abolition in June 2010, that state agency referred the tenants to Lowenstein Sandler.

Under New Jersey law, residential tenants cannot be evicted simply because a bank or other creditor forecloses on the property where they live. The new owner must take the property with the tenants in it and must send the tenants a notice of their legal rights, which the new owner did not do. The firm negotiated on behalf of the tenant families, and in a settlement finalized in late August, the new owner agreed to allow the families to remain in their homes and gave each of them \$2,500 in rental abatements in compensation for not having received the required notice of their rights. The owner also clarified where and how future rent should be paid and designated local realtors to respond to the families’ complaints about persistent maintenance problems. The tenant families remain in their homes today.

In a second case, Lowenstein, in conjunction with **Essex-Newark Legal Services**, represented a Montclair tenant whose landlord tried to evict her for “habitual” late payment of rent. In an important decision for low-income tenants throughout New Jersey, the Appellate Division held that a “fact-sensitive inquiry” is necessary to determine whether a tenant has habitually delayed in paying her rent. The evidence in the case showed that the tenant had paid late only twice after receiving a warning from the landlord, for a total of “ten days [of delay] during the eleven-month period.” In these circumstances, the court concluded that the tenant had evinced no habit of tardiness. ■



CRIMINAL JUSTICE

Remedying Unconstitutional Prison Conditions

Federal courts have long held that conditions in the California prisons violate basic constitutional standards. The state incarcerates nearly twice as many inmates as the prisons were designed to hold; the prison health care system is so broken that one prisoner a week dies from preventable causes; and prisoners are committing suicide at a rate nearly twice the national average (with 72 percent of the suicides adjudged to be foreseeable and preventable). In the course of the litigation, Governor Arnold Schwarzenegger himself declared an ongoing “state of emergency,” and the prison guards intervened on the side of the prisoners.

When the case (*Schwarzenegger v. Coleman and Plata*) ultimately reached the United States Supreme Court, Lowenstein Sandler filed an amicus brief on behalf of a wide array of religious organizations. The Court will rule on whether a federal court may issue a prisoner release order when the evidence shows that crisis-level overcrowding is the primary cause of the unconstitutional conditions and dozens of court orders entered during the past 15 years have failed to remedy the violations. The firm is representing diverse and influential religious groups, including **Prison Fellowship**,

the **American Friends Service Committee**, the **National Council of Evangelicals**, the **Islamic Shura Council of Southern California**, and the **Union for Reform Judaism**.

The brief argues that both constitutional law and standards of human decency demand an effective remedy for the ongoing violations, while underscoring that the overcrowding has not only undermined basic health care but also deprived inmates of the means to engage in collective worship and other forms of protected religious observance.

The amici urge the Court to affirm the population reduction order and restore basic rights to California’s inmates. The prisons can comply with the order without a wholesale release of prisoners. Indeed, the state’s own plan proposes other alternatives, such as diverting minor parole violators to other settings and granting more “good time” credits so that offenders who live strictly within prison rules can be released earlier. The case was argued on November 30, 2010. ■



Cages used for daytime confinement of suicidal inmates in the California prisons.





S.B., pictured in East Jersey State Prison, where he has served more than 20 years for a sexual assault he says he didn't commit. Lowenstein is working with the Innocence Project to prove his innocence. — Photo courtesy of Matt Rainey/*The Star Ledger*

EXONERATING WRONGLY CONVICTED INDIVIDUALS

Working with the **Innocence Project**, a national litigation and public policy organization dedicated to exonerating people who did not commit the crimes of which they were convicted, Lowenstein is representing S.B. in litigation seeking to prove that he was wrongly convicted of aggravated sexual assault and third-degree burglary. He has served more than 20 years in prison for these crimes, despite his steadfast claim of innocence and repeated requests for DNA testing. In 2010, Lowenstein researched, drafted, and filed S.B.'s application with the Superior Court of New Jersey and obtained an order directing the state of New Jersey to conduct a thorough search for potentially exculpatory DNA evidence and documentation that the state had previously claimed was missing. The firm is currently working to ensure that the state fulfills its obligations under this court order. ■

There have been 261 post-conviction DNA exonerations in the United States. The true suspects and/or perpetrators have been identified in 116 of the DNA exoneration cases.

— *Innocence Project*

APPEALING CRIMINAL CONVICTIONS

In an effort to expand the capacity of New Jersey's **Office of the Public Defender**, Lowenstein's White Collar Defense Practice Group continues to partner with the office to take on select criminal appeals that raise novel and complex issues. In 2010, Lowenstein handled two matters, one of which is currently pending before the New Jersey Supreme Court regarding the proper scope of testimony of expert police witnesses. The other, pending before the Appellate Division, raises the issue of the proper use of "other crimes" testimony and out-of-court "consistent" statements. ■



Enhancing Educational Opportunities for Children with Disabilities

CIVIL AND HUMAN RIGHTS

Ensuring a proper education for one's child shouldn't be a full-time job, but that is the reality for K.G. Before her 14-year-old son, who has Down syndrome, started preschool, K.G. began battling with her school district to place him in a general education classroom. "I wanted for him what I want for all of my children – to be educated with his peers and to be part of his community," she says.

Her fight has continued off and on ever since, with wildly varying results. From the second through the fourth grades, K.G.'s son was completely segregated from his nondisabled peers – and held to a much lower standard. He wasn't fully included until the seventh grade. Now, as an eighth grader, he thrives in a general education setting. With modifications and additional support, he keeps up with his classmates, who eagerly include him in group projects and other team efforts. "The children accept him as one of their own. That doesn't happen when you are in a segregated classroom. He is one of the eighth graders – not the special-education kid," she says. K.G. is fortunate in that she has the financial means to make a career of overseeing her son's education. But many parents of students with disabilities don't have this option, and as a result their children are unnecessarily segregated from their nondisabled peers at school.

This is despite the fact that the federal Individuals with Disabilities

Education Act (IDEA) requires states to include children with disabilities in general education classrooms as much as possible, and to provide teachers and aides the support they need to facilitate this inclusion. Unfortunately, out of the 50 states, New Jersey ranks last in compliance with the federal statute. Only the District of Columbia lags behind.

To address this problem, a team of Lowenstein Sandler attorneys is litigating a *pro bono* lawsuit in the United States District Court for the District of New Jersey against the New Jersey Department of Education and the New Jersey State Board of Education. The action aims to improve academic and social opportunities for children with disabilities by increasing – to the extent appropriate – their inclusion in a general education setting.

In an unusual legal strategy, the lawsuit was filed on behalf of several organizations that advocate for children with disabilities, including **Disability Rights New**



Jersey, the **Education Law Center**, the **Statewide Parent Advocacy Network of New Jersey**, and **The Arc of New Jersey**. David L. Harris, Member of the firm, says this strategy enables the team to avoid the constraints of a class action lawsuit, in which defendants may attack individual class members. When the Court denied the state's motion to dismiss on standing grounds, the Lowenstein team successfully clarified a key legal principle supporting the ability of nonprofit advocacy groups to bring such challenges.

Harris notes that many districts already do an exceptional job of including students with disabilities, while neighboring districts may do a terrible job. "We have had

parents tell us that their child was included in the classroom. Then they moved to the next town and the child was excluded," Harris explains.

Ruth Lowenkron, Senior Attorney at the **Education Law Center**, says that while inclusion isn't the best choice for every child, most students with disabilities benefit from the more challenging academic environment of a general education classroom, provided they receive the appropriate support. "As a colleague of mine recently said, it's not a special-education world out there," she says. "The rest of the world isn't segregated, so these kids shouldn't be segregated." ■

Lowenstein is litigating a federal lawsuit that aims to improve academic and social opportunities for children with disabilities by increasing — to the extent appropriate — their inclusion in a general education setting.

"Thank you so much for all your help. I am so lucky to have lawyers like you guys. I appreciate all that you have done for me. Because of you guys I can live without being judged. The book I am reading now, The Little Prince, has really great quotes especially this one. "The eyes are blind. You must see with your heart." Thanks for looking at me with your heart.



The client's thank you note to the attorneys who handled the case.

Protecting the Privacy Rights of Minors

The firm successfully petitioned the Court to protect Jane's privacy by keeping the application and the child's identity out of the public record and waiving all publication requirements.

Although genetically a boy, 12-year-old firm client John Doe has always felt like a girl and has been the subject of relentless bullying, discrimination, and harassment by his peers as a result.

Most of us take our names and gender identities for granted, but for John, the ability to transition to a new life in a new school with a new name as a girl was critically important. With the full support of his parents, John sought to have his name legally changed to Jane Doe. Yet John and his parents feared that if the application were public record and the proposed name change were published in the local newspaper, as required under the court rules, Jane's physical safety and psychological well-being would be in danger. The family looked to Lowenstein for help.

The firm successfully petitioned the Court to protect Jane's privacy by keeping the application and the child's identity out of the public record and waiving all publication requirements. While Jane will continue to face more than her fair share of uncertainty and obstacles during adolescence, she feels that the name change has allowed her to begin to build her new life. ■

LITIGATING AT THE INTERSECTION OF LAW AND REPRODUCTIVE TECHNOLOGY

Advances in reproductive technology have made it possible for couples or individuals previously considered infertile to raise a family of genetically related children. Unfortunately, the law has not kept up with the speed of science. This tension between law and science is evident in a dispute Lowenstein is litigating over the parentage of twin children. The firm's clients spent years planning their family and ultimately decided upon in vitro fertilization (IVF), using the sperm of one spouse to fertilize the eggs of an anonymous donor. The resulting pre-embryos were implanted into the uterus of the other spouse's sister. Healthy twins were born, and the proud new parents took their children home. Almost six months later, however, the sister who gave birth to the children, although she has no genetic relationship to them, changed her mind and commenced a lawsuit seeking to establish herself as a legal parent. The case is currently in trial for resolution of custody and visitation issues. ■

SAFEGUARDING THE PUBLIC INTEREST

Thanks in part to the firm's efforts, a new court rule that took effect on September 1, 2010, will continue to allow public interest organizations to advocate in the state appellate courts through the filing of amicus briefs. Amicus briefs are designed to express the views of nonparties to the litigation on matters of public importance. On March 31, 2010, the New Jersey Supreme Court proposed amendments to the court rules that would have made it more difficult to file such briefs.

Representing a coalition of public interest organizations, including the **American Civil Liberties Union of New Jersey**, the **Association of Criminal Defense Lawyers of New Jersey**,

the **Constitutional Litigation Clinic at Rutgers School of Law-Newark**, the **Education Law Center**, the **Fair Share Housing Center**, the **John J. Gibbons Fellowship in Public Interest and Constitutional Law**, and its own **Lowenstein Center for the Public Interest**, Lowenstein submitted comments on the proposed rule and argued before the Supreme Court, urging it to adopt standards friendlier to amicus filings.

The firm persuaded the Court to amend the rule in accordance with its suggestions. Thus, public interest organizations will continue to be able to express their views through amicus briefs to the state appellate courts. ■





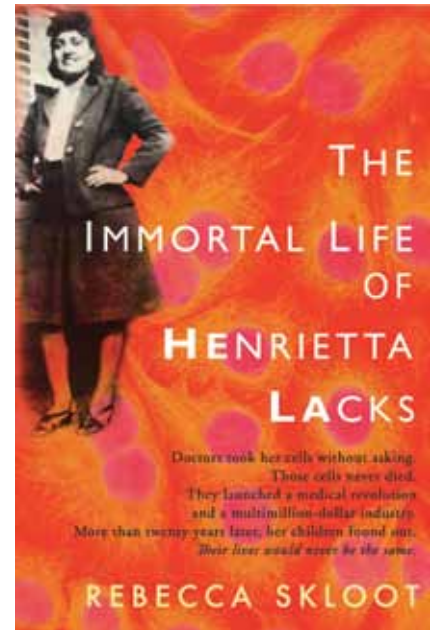
Recognizing the Human Side of Medical Progress

THE ARTS AND HUMANITIES

A poor tobacco farmer who died of cervical cancer in 1951, Henrietta Lacks is buried in an unmarked grave. But her cells continue to live. Her doctor took them without her knowledge during her treatment, and since then they have ignited a medical revolution and a multimillion-dollar industry.

Known to researchers worldwide as “HeLa,” they were the first immortal cells grown in a laboratory, and they helped create some of the most important medical innovations of our time, including the polio vaccine, chemotherapy, cloning, gene mapping, and in vitro fertilization. Henrietta Lacks’ cells have also been used in the development of drugs to treat herpes, leukemia, influenza, hemophilia, and Parkinson’s disease. They have been sent on space missions, used in atomic bomb testing, and bought and sold by businesses around the globe.

But Henrietta Lacks never knew about her remarkable contribution to science and medicine, and for more than 20 years after her death, neither did her family. While their mother’s cells have helped scientists cure and treat diseases — and have been sold for profit — Henrietta Lacks’ children have been unable to afford health insurance.



Author Rebecca Skloot first learned about Henrietta Lacks in a basic biology class when she was 16 years old. More than a decade later, after years of searching for information about this mysterious woman, Skloot approached Lacks’ adult children, saying she was interested in writing a book about the cells and the family. Angry and confused about what had happened to their mother, the Lacks family was understandably reluctant. But Skloot gradually earned their trust and spent 10 years researching and writing *The Immortal Life of Henrietta Lacks*, a fascinating chronicle of both

the science and the woman behind the HeLa cell.

The Immortal Life of Henrietta Lacks was published in February 2010 and has since topped the *New York Times* bestsellers list and been featured on “Oprah.” But long before the book went to press, Skloot knew she wanted to find a way to help the Lacks family. “I didn’t want to be another person who came along and potentially benefited from the family and their story without doing something in return,” Skloot explains.

With the *pro bono* legal counsel of Lowenstein Sandler, Skloot established the **Henrietta Lacks Foundation** in January 2010. “The purpose is to support needy individuals who have made important contributions to scientific research without their knowledge or consent, similar to Henrietta Lacks,” says Lowenstein Associate Jonathan Chou, who worked on the matter with Ethan Skerry, Member of the firm.

Funded by a portion of the proceeds from Skloot’s book sales and donations from individuals (including the reading public and scientists who have used HeLa cells and chose to give back), the Foundation provides grants to individuals,

and the descendants of those individuals, who made significant contributions to scientific research as subjects and can demonstrate financial need. The Lowenstein team is currently helping the Foundation to apply for 501(c)(3) tax-exempt status.

In August 2010, the Foundation awarded its first education grants to Henrietta Lacks’ five descendants. It also provided health and emergency-needs grants to two members of Lacks’ immediate family.

For Chou, helping the Lacks family and others like them is particularly meaningful. A former molecular biologist, he worked with HeLa cells in the past but didn’t know the story behind them. “When I first heard of this project, I said, ‘Wait, you mean *the* HeLa cells? That is amazing!’”

Chou says he is excited to be part of a team that can help address some of the injustices and oversights committed in pursuit of scientific advancement. “It’s unfortunate that so many corporations and schools can take advantage of and make profits from the cells without the family ever getting a cent,” he says. “So this is one way of raising awareness.” ■

Henrietta Lacks’ cells have been used in the development of drugs to treat herpes, leukemia, influenza, hemophilia, and Parkinson’s disease ... But she never knew about her remarkable contribution to science and medicine, and for more than 20 years after her death, neither did her family.

THE ARTS AND HUMANITIES

COLLABORATING TO SUPPORT THE ARTS COMMUNITY

Lowenstein Sandler has established a partnership with **New Jersey Volunteer Lawyers for the Arts, Inc. (NJVLA)**, which provides legal education, representation, and other legal services to the arts community in New Jersey, and in particular to low-income artists and nonprofit arts organizations. Lowenstein Sandler has assisted with various matters referred by the **NJVLA**, generally involving the negotiation and drafting of arts-related contracts. ■



HELPING ARTS COUNCIL LAUNCH MAGAZINE

Lowenstein helped the **Monmouth County Arts Council** launch a new arts magazine. The firm's intellectual property attorneys shepherded the organization through the entire process of establishing a name and logo, which included prosecuting two trademark applications on its behalf. ■

CLOSING A DEAL FOR RENOWNED DANCE COMPANY

Lowenstein Sandler provides legal services to the **Bill T. Jones & Arnie Zane Dance Company**, widely recognized as one of the most innovative and powerful forces in modern dance. The firm assisted the organization with transactional work that included negotiating a documentary film deal for the dance company, and drafting and negotiating various artist agreements and other entertainment-related contracts. ■



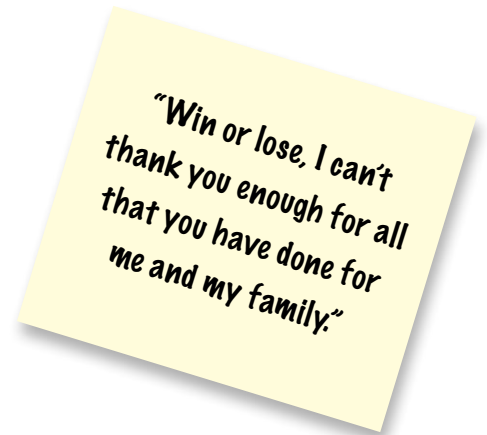
PROMOTING PEDIATRIC CARE THROUGH PSAs

R Baby Foundation, a nonprofit organization working to improve emergency pediatric services to infants, promotes its mission in part through documentary and television opportunities. To enable the foundation to pursue this course, the firm negotiated licensing agreements for documentary films and TV shows, as well as talent agreements, writer's agreements, location agreements, promotional agreements, and releases. ■

OTHER LEGAL
WORKRepresenting Service Members
Returning from Combat

Lowenstein participates in the **Military Legal Assistance Program**, established by the **New Jersey State Bar Association**, and has represented multiple injured service members in connection with their pursuit of disability benefits upon discharge from the armed services. One of the firm's current clients, a national guardsman with more than 28 years of service in the military, is seeking disability benefits sufficient to compensate for his many injuries. Lowenstein represented the service member throughout his evaluation by the Army Medical Evaluation Board and successfully appealed the Board's decision, which resulted in the Army's recognition of an additional significant medical condition for purposes of determining monetary compensation. The firm will continue to represent the service member in the next steps of his disability evaluation by the Army Physical Evaluation Board and Department of Veterans Affairs to ensure recognition and adequate compensation for all of his medical conditions, so he can make a smooth transition to civilian life.

The firm also represents a member of the New Jersey Army National Guard in seeking additional



parenting time with the daughter he was forced to leave upon his deployment to Iraq. A few days prior to the hearing, the Lowenstein attorney working on the case received a gift basket from the client with a note that read, "Win or lose, I can't thank you enough for all that you have done for me and my family." The court agreed that his visitation schedule should be increased to allow him to spend more time with his daughter. ■



Lowenstein/Essex-Newark Legal Services Fellowship

In 1991, Lowenstein Sandler became one of the first firms to establish a fellowship program with a local legal services agency. Twenty years later, the program continues to offer attorneys the opportunity to perform public interest work. The program permits second- and third-year associates to spend between four and six months at **Essex-Newark Legal Services** as Lowenstein Fellows. Attorneys within the firm apply for the positions and are selected by a panel in conjunction with the *Pro Bono* Committee. Lowenstein Fellows work in the division of housing services, one of the highest need areas for legal representation. Law firm-sponsored fellowship programs provide both learning opportunities for attorneys and extra human capital for legal services organizations, which in recent years have seen drastic decreases in funding. ■

LAUNCHING PHILANTHROPY FOR A POLICE ASSOCIATION

For more than 10 years, Lowenstein has represented the **Bergen County Police Chiefs Association**, an organization of current and former police chiefs from approximately 70 municipalities in Bergen County, New Jersey. The association recently established the **Bergen County Police Chiefs Foundation**, a partner organization that helps war veterans receive support, counseling, physical therapy, and health care after service overseas. The foundation also supports other charitable activities, such as orphanages, hospitals, and the families of officers killed in the line of duty. The firm provided general legal consultation and assisted the organization in the formation of the **Bergen County Police Chiefs Foundation** as a charitable organization. ■

HELPING LOW-INCOME PEOPLE TO DISCHARGE THEIR DEBTS

The economic crisis has yielded an unprecedented number of personal bankruptcy filings by people who lost their jobs during the recession and cannot pay their bills. The firm responded by developing a collaboration with the legal department of Merck & Co. and a local legal services entity, **Volunteer Lawyers for Justice**. This collaboration takes advantage of the particular strengths of each of the partners and is designed to eliminate the backlog of individuals seeking legal help with personal bankruptcy petitions. The initiative has already begun to meet the overwhelming need in the area.

Even before this broader initiative, the firm regularly accepted *pro bono* bankruptcy matters. Recently, through **Legal Services of New Jersey**, the firm worked with E.M., who had fallen on hard times. Her hours at her part-time job had been reduced, and she hadn't been able to find full-time employment. She could barely make ends meet, even though she had minimal expenses. Moreover, her living situation — a room rental in South Jersey, far from her job — added to her transportation time and costs. Based on the petition the firm filed, the bankruptcy court discharged her debts, bringing E.M. relief from her creditors' collection activities and from a pending garnishment of her meager wages. The firm also applied for discretionary funds from the **New Jersey Bankruptcy Lawyers' Foundation** on E.M.'s behalf to assist her with her move to a new apartment closer to work. ■

LOWENSTEIN IN THE COMMUNITY

Because public interest work extends beyond *pro bono* legal services, Lowenstein Sandler is committed to ensuring that human capital is fully used to further public interest and community investment. To this end, the firm encourages nonprofit board service, volunteerism, and charitable giving.



Lowenstein's second annual Pro Bono in the Park celebrated the first anniversary of the Lowenstein Center for Public Interest and the public service of our nonprofit partners, attorneys, and staff.

TRAINING NONPROFIT BOARD MEMBERS

Serving on the board of a nonprofit organization is one of the ways in which Lowenstein employees invest in the community. Such service not only benefits the organization, but the individual trustee gains valuable experience in governance and leadership. The firm strongly encourages attorneys and staff to serve on nonprofit boards. Lowenstein attorneys and staff have served on the boards of local and national nonprofits for years, some as founding members of organizations.

In addition to general encouragement of board service, during 2010 Lowenstein undertook a new initiative to provide board service training to prospective, new, and current board members. Working with the leading organization in governance training, **BoardSource**, the firm offered a half-day training that was open to trustees of prominent nonprofit boards, firm employees, their fellow board members, and clients who serve as nonprofit directors. ■

LOWENSTEIN IN THE COMMUNITY

SUPPORTING THE NONPROFIT COMMUNITY

Through charitable contributions, Lowenstein supports the communities in which it operates. The firm makes contributions to organizations that are referred by Lowenstein employees.

During 2010, Lowenstein supported the following organizations:

ACLU — New Jersey	Legal Services Foundation
American Cancer Society	Legal Services of NJ
American Conference on Diversity	New Jersey Charter School Association
Appleseed Foundation	New Jersey Community Development Corporation
City Harvest	New Jersey Institute for Social Justice
Community Food Bank of NJ	New Jersey Performing Arts Center
Court Appointed Special Advocates (CASA), Essex County	New York Lawyers for the Public Interest
CPR Institute	North Star Academy
Education Law Center	Partners for Women and Justice
Equal Justice Works	Pro Bono Institute
Free the Slaves	Pro Bono Partnership
Fresh Air Fund	Roseland Volunteer Fire Department
Human Rights First	Roseland Volunteer First Aid Squad
Innocence Project	Second Harvest Food Bank
Kids Corporation	Thurgood Marshall College Fund
Kids in Need of Defense (KIND)	Volunteer Lawyers for Justice
La Casa de Don Pedro	Volunteer Lawyers for the Arts
LatinoJustice PRLDEF	YMCA of Newark and Vicinity
Lawyers Committee for Civil Rights	
Leadership Conference for Civil Rights	
Legal Aid Society	



Lowenstein volunteers clean classrooms at North Star Academy Charter School in Newark, NJ.



Lowenstein representatives present the firm's donation of more than 400 toys collected for Kids Corporation's annual holiday toy drive.

SHARING GOOD FORTUNE

In addition to community service days, Lowenstein hosts several drives and non-service efforts that aim to give back to the community. In 2010 the firm hosted two drives to benefit **Kids Corporation**, a nonprofit organization established by a firm partner that serves more than 3,600 children in Newark through after-school programs, summer enrichment sessions, and other outreach services. Lowenstein employees donated more than 150 coats, gloves, scarves, and hats during the coat drive. The toy drive was just as successful; Lowenstein employees donated 482 toys, in addition to making cash contributions.

Lowenstein is also a proud supporter of Lee National Denim Day, sponsored by Lee Jeans, which benefits breast cancer research, support, and awareness efforts. Participating organizations allow their employees to wear denim jeans in return for a donation, with proceeds going directly to the organization. In 2010, 230 Lowenstein employees participated in the fund-raiser. ■

PROMOTING VOLUNTEERISM

Understanding that dedication to community service isn't unique to lawyers, Lowenstein launched the Community Service Initiative, which expands the firm's community work to offer non-attorney staff members the opportunity to participate in local volunteer activities. The Community Service Initiative offers at least four firm-sponsored volunteer events per year and provides information on volunteer opportunities throughout the year.

The Community Service Initiative has organized several successful volunteer projects since its inception in 2008. During 2009, the firm sponsored a community service week, allowing employees to volunteer at local nonprofits during business hours. More than 50 employees participated in this service event, volunteering at the **Community Food Bank of New Jersey** and a local animal shelter. In 2010, Lowenstein staff volunteered at four nonprofits in Newark, in honor of Martin Luther King Jr. Day. The staff painted day care and school classrooms, sorted donated winter coats for the homeless, and helped with administrative tasks at one agency's office. Other efforts in 2010 included volunteering with **Habitat for Humanity** to build a home for a family in need and with **North Star Academy Charter School** to set up classrooms for the new school year. ■

Lowenstein Center for the Public Interest

MISSION STATEMENT

From its founding, Lowenstein Sandler has been committed to advancing the public interest and serving the communities in which we live and practice. The Lowenstein Center for the Public Interest embodies this commitment. It couples the firm's strong *pro bono* program with other aspects of the firm's civic engagement to address significant social problems and offer meaningful assistance to low-income, disadvantaged, and other vulnerable persons and the organizations that advocate for and support them. In doing so, the Center uses the full range of the firm's talents and capacities, while applying the core values that imbue all of the firm's efforts: to perform work of the highest quality in a manner that maximizes results for our clients and causes.

The Center:

1. identifies issues, programs, and partners to ensure that the firm's involvement achieves significant impact for those in need, building on the interests and passions of firm attorneys and staff and reinforcing the firm's commitment to civic leadership;
2. increases opportunities to work with our neighbors, clients, and communities to advance the common good and to fulfill our responsibilities as legal professionals and as citizens;
3. encourages the broadest possible participation from all our attorneys to bring to bear the judgment and experience of our senior attorneys while recognizing the inherent professional development opportunities for all attorneys;
4. promotes collaboration among attorneys and staff and enhances morale and spirit within the firm.

Acknowledgments

Pro Bono Partners

American Civil Liberties Union
 American Friends Service Committee
 Association for Children of New Jersey
 Bazelon Center for Mental Health
 Community Hope New Jersey
 Community Outreach Team, Inc.
 Court Appointed Special Advocates of New Jersey (NJ CASA)
 Disability Rights New Jersey
 Education Law Center
 Essex-Newark Legal Services
 Family Justice Center
 Free the Slaves
 Housing and Neighborhood Development Services, Inc. (HANDS)
 Human Rights First
 Innocence Project
 Kids in Need of Defense (KIND)
 La Casa de Don Pedro
 LatinoJustice PRLDEF
 Lawyers Committee for Civil Rights Under Law
 Legal Aid Society
 Legal Services Foundation
 Legal Services of New Jersey, Inc.
 Living Cities, Inc.
 New Jersey Charter School Association
 New Jersey Community Development Corporation
 New Jersey Institute for Social Justice
 New Jersey Volunteer Lawyers for the Arts
 New York Lawyers for the Public Interest
 North Star Academy Charter School
 Partners for Women and Justice
 Pro Bono Institute
 Pro Bono Partnership
 Seton Hall Law School Center for Social Justice
 The Rachel Coalition
 The Reinvestment Fund
 Uncommon Schools
 Volunteer Lawyers for Justice
 Wynona's House

Lowenstein Sandler Pro Bono Committee

Robert C. Boneberg
 David L. Harris
 Allen B. Levithan
 Melissa Toner Lozner
 Miguel Alexander Pozo
 Mary E. Seymour
 R. Scott Thompson
 Eric D. Weinstock
 Catherine Weiss
 Kenneth H. Zimmerman

Lowenstein Center for the Public Interest Staff

Christine S. Boyle
 Jeseñia Brown
 Kylie Cooper
 Carmen Conring DeMatteis
 Victoria L. Logan
 Aurora F. Parrilla
 Khizar A. Sheikh
 Catherine Weiss
 Kenneth H. Zimmerman

Lowenstein Sandler accepts requests for individual *pro bono* assistance through referrals from approved legal services organizations. Individuals in need of *pro bono* legal help should contact their local bar association or visit www.lawhelp.org.

This annual report highlights activities in late 2009 and all of 2010.

Lowenstein Center
for the Public Interest

www.lowenstein.com

1251 Avenue of the Americas
New York, NY 10020
212 262 6700

590 Forest Avenue
Palo Alto, CA 94301
650 433 5800

65 Livingston Avenue
Roseland, NJ 07068
973 597 2500

**Lowenstein
Sandler**
ATTORNEYS AT LAW