



LATHAM
PRO BONO

2020 ANNUAL REVIEW



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Note: names of individual clients have been changed to pseudonyms throughout this report.

LETTER FROM THE CHAIR AND MANAGING PARTNER

Dear Friends & Clients:

Providing high-quality legal services to those without the means to pay has long been a hallmark of life at Latham. Since 2000, our lawyers and professional staff have provided almost 4 million hours in free legal services to individuals and the nonprofit sector, valued at more than US\$2 billion. Pro bono is embedded in our firm culture, central to our deep-seated commitment to give back to the communities where we live and work.

In 2020, we pursued these efforts with even greater urgency to address the expanding needs emerging from the worldwide Covid-19 pandemic, embrace the galvanizing global movement for racial justice, and support the drive to ensure free and fair elections in the United States.

When the world went into lockdown, our lawyers and professional staff ensured continuity in the provision of pro bono legal services with a seamless transition to remote work arrangements and engagements. In fact, according to several sources, Latham was the first firm in the United States to conclude a trial over Zoom when a Latham associate remotely delivered closing arguments in a closely watched pro bono trial concerning voting and education rights in New York. And colleagues from around the world raised more than US\$2.7 million in our Giving Thanks by Giving Back Gift and Donation Matching Program, which was donated to the Global FoodBanking Network and a collection of local charities fighting hunger.

Over the summer, in the wake of the murder of George Floyd, the firm launched the More Than Words Donation Matching Program, raising US\$2 million for the Equal Justice Initiative, Lawyers' Committee for Civil Rights Under Law, NAACP Legal Defense and Educational Fund, and Stephen Lawrence Charitable Trust, among others. In conjunction with this financial contribution, we pledged to significantly expand our pro bono efforts in courthouses and communities in the battle for racial equality.

Driven by concerns of undercounting, particularly during the pandemic, Latham litigated to secure the constitutionality of the Decennial Census in the United States. This year also saw more than 150 Latham lawyers mobilize across our US offices to engage in election protection efforts against a backdrop of unprecedented pandemic-related challenges.

The events of this past year have forever changed our families, our society, and our firm. But, in the face of so much loss and suffering, pro bono continues to be a bright spot, offering us a strong platform to take action. While we do not know what 2021 will bring, I do know that our firm will continue to support and advocate for those most in need.

I am proud to present the 2020 Pro Bono Annual Review.

Sincerely,



Richard M. Trobman
Chair and Managing Partner

MESSAGE FROM THE PRO BONO COMMITTEE



In 2020, colleagues around the world looked to our pro bono program to pursue racial justice and election-related efforts and to support those facing profound hardships flowing from the Covid-19 pandemic. The overwhelming drive to take action, and the depth of commitment among so many colleagues, inspired hope across the firm as well as a profound feeling of gratitude toward our extraordinary public interest partners.”



Wendy Atrokhov
Public Service Counsel,
Director of Global Pro Bono



With the extraordinary scale of legal needs in 2020, I am proud of and inspired by the way our lawyers and professional staff rose to the challenge, redoubling their pro bono engagement in communities around the world, seeking to vindicate civil rights and human rights, and supporting those most in need and the organizations that serve them. The pages that follow offer a small glimpse into these incredible efforts.”



Anne Robinson
Pro Bono Committee Chair

2020 BY THE NUMBERS

3,361 participating lawyers, summer associates, trainees, and staff

259,553 hours of free legal services provided in 2020

4M hours of free legal services provided since 2000

US\$208M value of free legal services provided in 2020

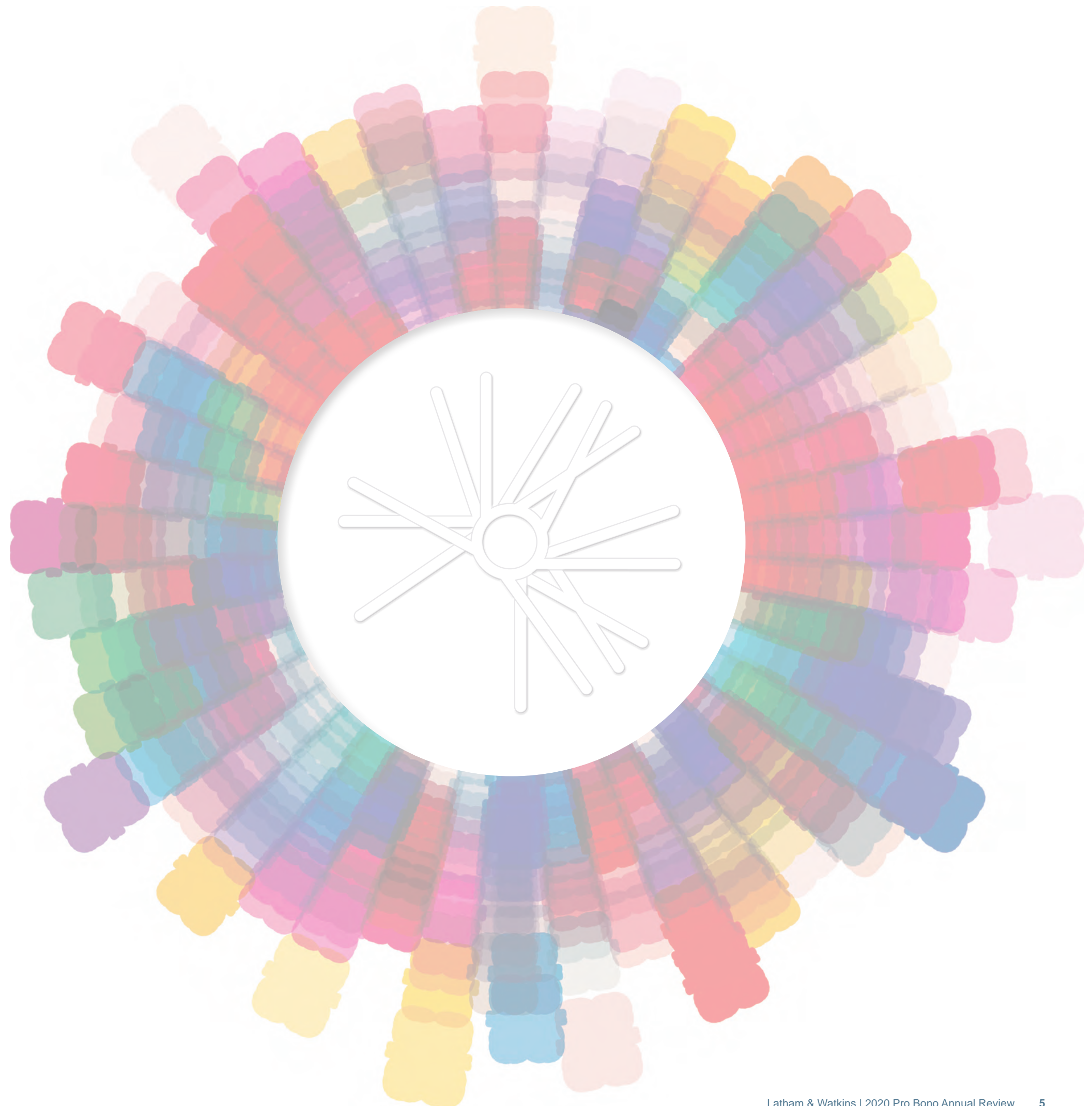
US\$2B value of free legal services provided since 2000

96% US lawyers participating in pro bono

86% EMEA lawyers participating in pro bono

93% lawyers firmwide participating in pro bono

1,006 new pro bono matters opened in 2020



PARTNER ORGANIZATIONS

We are proud to partner with so many incredible referral agencies, nonprofits, NGOs, and clients around the world. What follows is a sampling of the hundreds of organizations we work with each year.

28 TOO MANY	CALIFORNIA INNOCENCE PROJECT	FOOD FOR SOUL	LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW	NEIGHBORHOOD ENTREPRENEUR LAW PROJECT	PUBLIC LAW CENTER
A4ID		GLIDE MEMORIAL CHURCH			RISING FOR JUSTICE
A BETTER CHICAGO	CAMPAIGN FOR THE FAIR SENTENCING OF YOUTH	HUMANE SOCIETY OF THE UNITED STATES	LEGAL AID SOCIETY	NETWORK FOR VICTIM RECOVERY OF D.C.	SANCTUARY FOR FAMILIES
ACCION INTERNATIONAL	CANCER RESEARCH UK	HUMAN RIGHTS FIRST	LEGAL COUNSEL FOR THE ELDERLY	NEW YORK CIVIL LIBERTIES UNION	SAVE THE CHILDREN
ADIE (ASSOCIATION POUR LE DROIT À L'INITIATIVE ÉCONOMIQUE)	CARE	HUMAN TRAFFICKING LEGAL CENTER	LEGAL SERVICES NYC	NEW YORK LEGAL ASSISTANCE GROUP	START SMALL THINK BIG
ALLIANCE FOR CHILDREN'S RIGHTS	CASA CORNELIA LAW CENTER	IMMIGRATION EQUALITY	LIBERTY ASIA	NORWEGIAN REFUGEE COUNCIL	STARTSOCIAL
AMERICAN CIVIL LIBERTIES UNION	CATHOLIC CHARITIES	INTERNATIONAL JUSTICE MISSION	LONE STAR LEGAL AID	NOT FOR SALE	STORYCORPS
ANTI-DEFAMATION LEAGUE	CHILDREN'S LAW CENTER	INTERNATIONAL REFUGEE ASSISTANCE PROJECT	MISSISSIPPI CENTER FOR JUSTICE	NYC BUSINESS SOLUTIONS	SWORDS TO PLOWSHARES
APPLESEED NETWORK	CITIZENS ADVICE BUREAU AT THE ROYAL COURTS OF JUSTICE	INTERNATIONAL SENIOR LAWYERS PROJECT	MUSLIM ADVOCATES	PILNET	TAHIRIH JUSTICE CENTER
ASHOKA	COMMUNITY LEGAL SERVICES IN EAST PALO ALTO	JUSTICE CENTRE HONG KONG	NAACP LEGAL DEFENSE FUND	PLAN INTERNATIONAL UK	TRUSTLAW
ASIAN AMERICANS ADVANCING JUSTICE	DROITS D'URGENCE	JUVENILE AND CAPITAL ADVOCACY PROJECT OF TEXAS	NATIONAL IMMIGRANT JUSTICE CENTER	POLARIS	UBUNTU PATHWAYS
AYUDA	EAST BAY COMMUNITY LAW CENTER	KIDS IN NEED OF DEFENSE	NATIONAL LAW CENTER ON HOMELESSNESS AND POVERTY	PRO BONO SERVICES OFFICE OF THE LAW SOCIETY OF SINGAPORE	VERA INSTITUTE OF JUSTICE
BAY AREA LEGAL AID	EQUALITY CALIFORNIA	LAW FOUNDATION OF SILICON VALLEY	NATIONAL VETERANS LEGAL SERVICES PROGRAM	PROJECT CITIZENSHIP	VOLUNTEER LAWYERS FOR THE ARTS
BETHNAL GREEN LEGAL ADVICE CENTRE	EQUIP FOR EQUALITY		THE NATURE CONSERVANCY	PUBLIC COUNSEL	WHITMAN-WALKER HEALTH
BET TZEDEK LEGAL SERVICES	FONDATION GRAMEEN CRÉDIT AGRICOLE				WILLIAMS INSTITUTE
					YEAR UP

IN THEIR OWN WORDS

Nearly every lawyer at Latham takes on pro bono work. Below, a few of our colleagues share what has motivated them to give back in this way.



The highlight of my year, really my entire career, has been my pro bono work. Having the opportunity and the resources to give back and to help further causes that mean so much to me reminds me why I wanted to be a lawyer in the first place.”

Melissa Arbus Sherry

Partner, Washington, D.C.



In a year in which civil rights and social justice have been at the forefront of the national conversation, Latham’s genuine value of pro bono work has allowed me to work on multiple matters focused on protecting vulnerable populations’ rights. This has allowed me to achieve a balance in my practice that makes me feel like a holistic attorney.”

Devon Diggs

Associate, Bay Area



2020 was a painful year for Black people around the world, from the horrific murders of George Floyd, Breonna Taylor, and others in the US to the brutality of the #EndSARS protests in Nigeria. I felt moved to do more to assist some incredible nonprofits improving the lives of Black communities in Europe and Africa, with such missions as advancing inclusion and equality in technology, and developing logistical solutions for sending PPE to rural West Africa. I’m grateful that the pro bono ethos of this firm empowers its lawyers to seek out and represent organizations like these, helping them make a much-needed difference.”

David Ziyambi

Partner, London



One of my primary pro bono matters has been working closely with the Chancery Lane Project in the fight against climate change. Pro bono work has allowed me to use my transactional skills and experience to contribute to making the world a better and more sustainable place for future generations — and this has been incredibly rewarding.”

Nick Fisher

Associate, London



The year’s most memorable events — particularly the movement for racial justice in the United States and the global Covid-19 pandemic — emphasized for me the importance of our pro bono work. As lawyers, we’re uniquely equipped to ensure access to justice and to give voice to the voiceless. But the work I’ve done this year gave me the opportunity to engage in support of vulnerable communities as they dealt with the myriad issues from 2020’s various challenges, and it further deepened my appreciation for a broad and well-supported pro bono program like Latham’s.”

Rene de Vera

Partner, Chicago



Working on pro bono matters allows lawyers from Latham and pro bono organizations to learn from one another, bring different perspectives to a case, and develop the strongest solutions to complex legal issues. It was an amazing experience for me, as a third-year associate, to argue and win a Third Circuit appeal for my immigrant client facing deportation.”

Alysha Naik

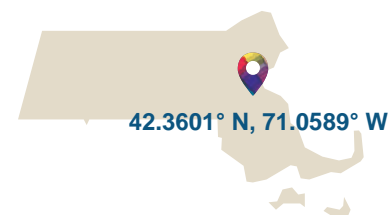
Associate, New York



GLOBAL HIGHLIGHTS

We engage in pro bono work around the world. The pages that follow offer a selection of highlights from our offices.

BOSTON



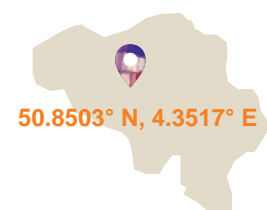
Areas of Engagement

- asylum and immigration, civil rights, domestic violence, fair housing and tenants' rights, Innocence Project, juvenile justice, low-income entrepreneurship, nonprofits and NGOs

2020 Successes

- Won a motion to stay the sentence of a woman referred by the New England Innocence Project who spent 30 years in prison for the accidental death of her young child. Our client was recently released.
- Drafted an amicus brief for the City of Boston on behalf of 34 cities, counties, and municipal agencies in Massachusetts in support of a lawsuit brought by Project Citizenship against US Citizenship and Immigration Services in opposition to its policy, which increased and eliminated the fee waiver for citizenship application costs

BRUSSELS



Areas of Engagement

- family law, nonprofits and NGOs, women's rights

2020 Successes

- Worked with Blueprint for Free Speech, a nonprofit that promotes the right to freedom of expression without undue interference or intrusion around the globe, to draft the German law implementing the EU's Whistleblower Directive. Blueprint has used our work to advocate for bridging the gap between policy and law when engaging with German ministries and other stakeholders
- Researched and drafted the chapters on Belgium, Spain, Italy, Greece, and Slovakia to be included in the World Bank's "Women, Business and the Law" report, a compendium of data on gender inequality around the globe

CHICAGO



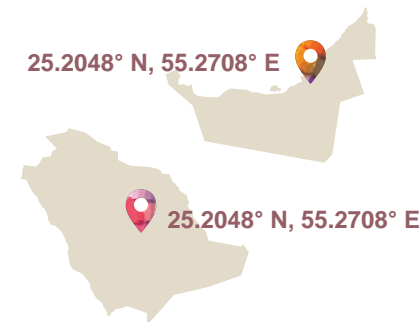
Areas of Engagement

- adoption and guardianship, anti-human trafficking and human rights, asylum and immigration, civil rights, domestic violence, juvenile justice, nonprofits and NGOs, prisoners' rights, special education, voting rights

2020 Successes

- Defeated a motion to dismiss in a class action complaint against the Kanawha County school district in West Virginia on behalf of students who have been systematically removed from general education classrooms due to behaviors related to their disabilities
- Secured asylum for a mother and her two daughters fleeing gang violence in El Salvador in a "socially distanced but live" merits hearing

DUBAI AND RIYADH



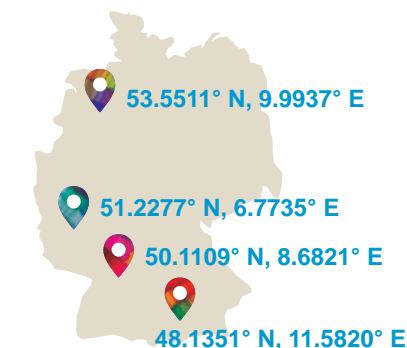
Areas of Engagement

- anti-human trafficking and human rights, asylum and immigration, environment, microfinance, nonprofits and NGOs

2020 Successes

- Advised several nonprofits, including: the Leading National Academy, which sponsors, trains, and certifies Saudi women from impoverished circumstances for entry-level jobs in different vocational trades and sectors with a focus on the energy industry; INJAZ UAE, the UAE chapter of INJAZ Al Arab and member of Junior Achievement Worldwide, one of the world's largest nonprofit business education organizations, reaching over 10 million students a year across 121 countries, in connection with its set-up in the UAE and other regulatory matters; and American Near East Refugee Aid, which seeks to improve the lives of Palestinian and other communities in the Middle East, to identify a suitable European jurisdiction in which to incorporate a wholly owned subsidiary

DÜSSELDORF, FRANKFURT, HAMBURG, AND MUNICH



Areas of Engagement

- children, community economic development, data protection, disability rights, nonprofits and NGOs, social enterprise support

2020 Successes

- Built and grew an interdisciplinary network fostering inclusive education for children with disabilities, including: representing a 14-year-old girl with an intellectual disability and her mother before the Federal Constitutional Court to enforce her school choice; filing a communication with the UN High Commissioner for Human Rights under the UN Convention on the Rights of Persons with Disabilities; and launching a new project to assess accessibility for people with disabilities in everyday life and develop legislative proposals to enhance equal access
- Continued our longtime partnership with startsocial to advise and support some of Germany's most innovative nonprofits and social enterprises

HONG KONG



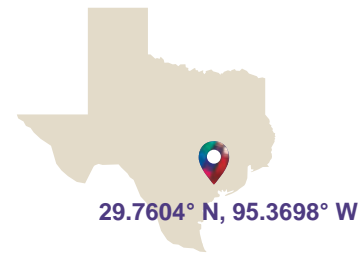
Areas of Engagement

- anti-human trafficking and human rights, asylum and immigration, domestic violence, nonprofits and NGOs

2020 Successes

- Worked closely with Justice Centre Hong Kong to assist refugees from the Middle East, Africa, and Asia seeking asylum status, including advising on applications for non-refoulement protection
- Assisted several NGOs, including UN Global Compact and WISE Employment, as they established offices in Hong Kong and applied for charitable status, or sought counsel concerning data privacy compliance

HOUSTON



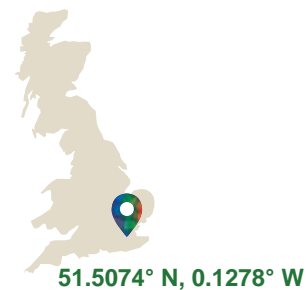
Areas of Engagement

- asylum and immigration, civil rights, corporate and regulatory matters, death penalty, estate and end-of-life planning, juvenile record sealing and school disciplinary hearings, social entrepreneurship, US veterans

2020 Successes

- Conducted research and wrote multiple memoranda for Texas Appleseed, part of a network of public interest justice centers promoting social and economic justice, regarding issues of youth homelessness, expanding internet access in rural communities, encouraging state government transparency, and investigating racial and economic inequity in school closures in Texas
- Aided the University of Texas School of Law's Capital Punishment Center in conducting research regarding race-based discrimination in law enforcement when deciding whether to seek and execute no-knock search warrants in Texas

LONDON



Areas of Engagement

- anti-human trafficking and human rights, asylum and immigration, benefits and social security, Covid-related matters, LGBTQ+ matters, nonprofit and NGOs, rights of refugees and stateless individuals, social enterprise support, women's rights

2020 Successes

- Led a cross-border, multi-jurisdictional team of over 30 lawyers researching and drafting a report by the Fawcett Society and the Thomson Reuters Foundation on international best practices in national gender equality reporting laws and mechanisms
- Represented low-income and vulnerable individuals before the Social Security Tribunal in appeals relating to the removal of their ongoing disability and living allowances. This is the first step toward expanding pro bono representation for vulnerable litigants before English tribunals.

LOS ANGELES + CENTURY CITY



Areas of Engagement

- animal welfare, adoptions and guardianships, asylum and immigration, corporate and regulatory matters, domestic violence, education, expungement, fair housing and tenants' rights, intellectual property and licensing, LGBTQ+ matters, nonprofits and NGOs

2020 Successes

- Represented a group of 49 tenants (including 15 minors) in litigation against their landlord who allowed the 100-year-old property to fall into severe disrepair, leading to major systemic problems that put the tenants' health and safety at risk. After 18 months of litigation, the parties agreed to a settlement which included a comprehensive repair plan to address all outstanding issues at the building and US\$1.25 million in monetary compensation for the plaintiffs.
- Partnered with the Legal Aid Foundation of Los Angeles to host a virtual expungement clinic, which provided expungement services to several individuals seeking to have their records sealed

MADRID



Areas of Engagement

- corporate and regulatory matters, human rights, nonprofits and NGOs, social enterprise support

2020 Successes

- Provided structuring and contract support to Bridge for Billions, a social enterprise that empowers entrepreneurs (primarily in developing countries) to find viable and sustainable ways to generate income and spur further economic development within their communities
- Offered corporate governance support to Federación de Asociaciones de Padres de Personas con Autismo, a Spanish nonprofit composed of 25 associations of parents of people with autism, and tax support to Fundación Acompartir, a nonprofit that acts as an intermediary between companies with excess stock and nonprofits that may benefit from donations of this stock

MILAN



Areas of Engagement

- civil rights, community development, corporate and regulatory matters, disability rights, education, housing, nonprofits and NGOs, real estate, social entrepreneurship

2020 Successes

- Advised on an array of corporate and regulatory matters for nonprofits and NGOs, including Ashoka, which invests in social entrepreneurs; Food for Soul and Recup, both of which combat food waste and social isolation; Fondazione Mondadori, which promotes literacy; and Associazione Ciessevi, which promotes volunteering and a culture of volunteerism

MOSCOW



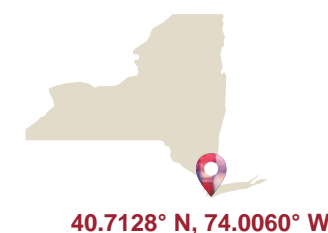
Areas of Engagement

- anti-human trafficking and human rights, children, elder law, disability rights, legal clinics, nonprofits and NGOs

2020 Successes

- Advised the nonprofit Alternativa, which works to combat human trafficking
- Participated in PILNet's 2020 Global Forum on the issues concerning the regulation of personal data

NEW YORK



Areas of Engagement

- asylum and immigration, civil rights, domestic violence, criminal justice reform, fair housing and tenants' rights, LGBTQ+ matters, low-income entrepreneurs, prisoners' rights, US veterans

2020 Successes

- Represented individual plaintiffs and the Spring Valley NAACP against the East Ramapo Central School District in a challenge under the federal Voting Rights Act against the election method that denied Black and Latinx residents an equal opportunity to elect school board candidates. Our win will ensure that, for the first time in many years, minority residents can have a real voice in electing their own representatives.
- Secured a rare jury verdict for a former inmate on his claim that the conditions of his confinement in a federal prison violated his Eighth Amendment right to be free from cruel and unusual punishment. Our win demonstrates that prison officials can be held accountable for their deliberate indifference to the health and safety risks caused by the conditions in which prisoners are incarcerated.

ORANGE COUNTY



Areas of Engagement

- asylum and immigration, corporate and regulatory matters, domestic violence, environment, impact litigation, US veterans

2020 Successes

- Advised The Ocean Cleanup as it prepared for, and launched, its advanced technology designed to rid rivers and the Pacific Ocean of debris
- Counseled the Pacific Marine Mammal Center, one of the premier marine mammal rescue organizations in California, on local land use issues

PARIS



Areas of Engagement

- asylum and immigration, children, human rights, microfinance, nonprofits and NGOs, social entrepreneurship, women's rights

2020 Successes

- Counseled We Give Collab, an online collaborative auction platform based on Instagram created by four French artists at the beginning of the Covid-19 pandemic in France, with the goal of raising funds for French health care workers
- Advised Anilore Banon for Vitae on the Moon, a participatory art and science project seeking to unite people across five continents by collecting 1 million handprints, engraving them on a sculpture, and sending that sculpture to the moon

SAN DIEGO



Areas of Engagement

- asylum and immigration, Covid-related matters, domestic violence, environment, nonprofits and NGOs, prisoners' rights, US veterans

2020 Successes

- Assisted at-risk prisoners in filing compassionate release motions to secure release to safer Covid-free environments
- Assisted US veterans in correcting erroneous military records and obtaining the benefits, including retirement, to which they are entitled

SAN FRANCISCO



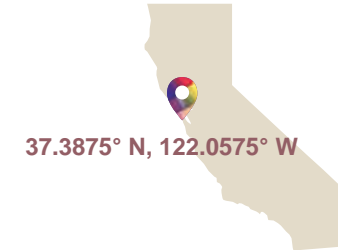
Areas of Engagement

- anti-human trafficking and human rights, asylum and immigration, children, civil rights, fair housing and tenants' rights, nonprofits and NGOs, prisoners' rights, US veterans

2020 Successes

- Secured a major victory for the National Association of Immigration Judges in a proceeding before the Federal Labor Relations Authority in a suit over whether the immigration judges are excluded from collective bargaining
- Reached a life-changing settlement with the California Department of Corrections and Rehabilitation on behalf of our client, a transgender woman housed in an all-male prison for life. As a result of our work, the client received single-cell housing for the remainder of her sentence as well as financial compensation.

SILICON VALLEY



Areas of Engagement

- asylum and immigration, citizenship, corporate and regulatory matters, domestic violence, fair housing and tenants' rights, prisoners' rights, US veterans

2020 Successes

- Obtained a permanent restraining order for a domestic violence survivor against an abusive former partner
- Obtained U-Visa approvals for our client and her daughter, giving them legal status in the United States, and paving the way for them to obtain lawful permanent resident status

SINGAPORE



Areas of Engagement

- corporate and regulatory matters, impact investment organizations, legal clinics, nonprofits and NGOs, social entrepreneurship

2020 Successes

- Advised on a flagship bond issue to support sustainable livelihoods for low-income women by making loans to microfinance institutions and impact enterprises located in South and Southeast Asia

TOKYO



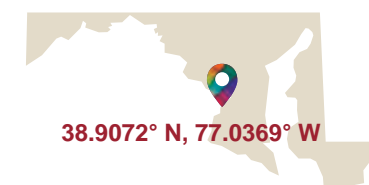
Areas of Engagement

- corporate and regulatory matters, nonprofits and NGOs, social enterprise support

2020 Successes

- Assisted the International News Safety Institute, a member-based organization dedicated to journalists' safety and to developing groundbreaking research projects, as it sought to protect journalists from online harassment
- Advised an Asia-based social enterprise with commercial and liability matters so that it could make its low-cost air purification equipment available to at-risk communities in the United States during the Covid-19 pandemic

WASHINGTON, D.C.



Areas of Engagement

- asylum and immigration, children, civil rights, Covid-related matters, criminal justice reform, death penalty, elder law, election protection, fair housing and tenants' rights, homelessness, LGBTQ+ matters, prisoners' rights, US veterans

2020 Successes

- Obtained immediate release or transfer to safer facilities for more than 200 residents of the federal halfway house in D.C. at the start of the Covid-19 pandemic by filing a class action lawsuit alleging that the crowded and unsanitary conditions violated the Eighth Amendment. In less than a month, all residents were either released to home confinement or transferred, and the facility closed.
- Challenged — on behalf of various nonprofits, local governments, and individuals — the Department of Commerce and the Census Bureau's decision to shorten the timeline to complete data collection and data processing for the 2020 Census. We also challenged an executive action that directed the Secretary of Commerce and the Census Bureau to exclude undocumented immigrants from the census for purposes of congressional apportionment.



DEEPENING OUR COMMITMENT

Our pro bono efforts in support of civil rights and racial justice honor Latham's commitment to living our values. But, in the aftermath of the murder of George Floyd in May 2020, we were galvanized to do more. We redoubled support for Latham's existing efforts focused on the fight for justice, fairness, and equality, and we launched several new programs.

Over the summer, Latham's Executive Committee announced the More Than Words Donation Matching Program, an initiative that allowed our lawyers and professional staff to make direct contributions to organizations dedicated to civil rights and racial justice that would be matched by the firm. Through this effort, we donated US\$2 million to the Equal Justice Initiative, Lawyers' Committee for Civil Rights Under Law, NAACP Legal Defense and Educational Fund, and Stephen Lawrence Charitable Trust, among others.

We also launched the More Than Words Racial Justice Training Series. The series — covering topics ranging from voting and property rights to education and the importance of preserving historical civil rights landmarks — aims to provide a deeper understanding of the history of systemic racism and inequality in the US, tying it to present-day events and actionable pro bono

opportunities to sustain the momentum that emerged in 2020. Related to this training series, our firm leaders pledged to significantly expand Latham's pro bono efforts, bringing even greater resources to bear in the battle for racial equality in our courthouses and communities. To learn more about this work, please see p. 23.

In addition, our Diversity Leadership Committee created a speaker series featuring thought leaders and experts in the areas of diversity, equity, inclusion, and belonging. This series was accompanied by the launch of Allies@Latham, a firmwide initiative on allyship that seeks to equip everyone at Latham with tools to be effective allies for one another, such as specific resources on standing up for and supporting our Black colleagues. Acknowledging that we are living through a time of profound pain, the firm's affinity groups and Diversity Leadership Committee have hosted "courageous conversations" with our lawyers and staff, providing safe spaces for our colleagues to share their personal experiences with racism, to discuss new insights, and to identify concrete actions to advance equality and justice.

As the work of dismantling centuries-old systems of institutional racism is long-term and thoughtful, so too is our commitment to this effort. ■



COUNTING EVERY AMERICAN

The stakes of the Decennial Census in the United States are high. An accurate nationwide count means an equitable distribution of federal investment, resources, and political representation. Undercounts in minority and immigrant communities, however, threaten to exclude them from critical allocations. When the US Department of Commerce sought to undermine and curtail the Census Bureau's ability and constitutional duty to complete an accurate count in the midst of the Covid-19 pandemic, Latham partnered with the Lawyers' Committee for Civil Rights Under Law to represent the National Urban League and a coalition of civil rights groups and local governments in *National Urban League v. Ross*.

Latham's pro bono team challenged the Commerce Department's effort to stop the Census months before it could complete its constitutionally required count. In an unrelenting concentrated period involving dozens of briefs and hearings, Latham secured a series of victories in the US district court, without which Census field operations would have terminated at the end of September.

In a notable federal district court ruling in early October 2020, the court concluded: "Defendants' dissemination of erroneous information; lurching from one hasty, unexplained plan to the next; and unlawful sacrifices of completeness and accuracy of the 2020 Census are upending the status quo, violating the Injunction Order, and undermining the credibility of the Census Bureau and the 2020 Census. This must stop." As a result, the Census Bureau continued its count into October, weeks beyond the date the Bureau originally sought to end its count.

Through hearing after hearing since, Latham has kept the spotlight on the Census Bureau while it works to finalize the numbers used for apportionment and redistricting. In February 2021, the US district court issued a stipulated order guaranteeing that the final population count

will not be released before April 16, 2021, and "will not include or otherwise incorporate any information on citizenship or immigration status."

Latham's pro bono team also fought for a fair and accurate 2020 Census in *City of San Jose v. Trump*, in which we represented a consortium of plaintiffs — including the Black Alliance for Just Immigration, the League of Women Voters, Harris County in Texas, King County in Washington, and the cities of Los Angeles, San Jose, and Salinas in California — challenging a presidential memorandum excluding undocumented immigrants from the apportionment count that determines congressional representation. Our team argued that the exclusion violates the US Constitution and the Census and Reapportionment Acts, which require counting "the whole number of persons in each State" for purposes of apportionment.

In late October 2020, a three-judge federal court unanimously agreed that the presidential memorandum is manifestly unconstitutional, because, regardless of their legal status, the millions of undocumented immigrants who live, work, attend school, and raise their children in American communities are inhabitants of the country and must be counted. That order was later vacated by the Supreme Court on ripeness grounds — but the court's decision, along with the like decisions of two other federal courts, should prove a potent deterrent to any effort to pursue a similar policy in the future.

In January 2021, an executive order was issued affirming that it is "the policy of the United States that reapportionment shall be based on the total number of persons residing in the several States, without regard for immigration status." The executive order also directed the Secretary of Commerce to "take all steps, consistent with law, to ensure that the total population information presented to the President and to the States is accurate and complies with all applicable laws." ■



BUILDING A MORE JUST WORLD

Each year we proudly collaborate with nonprofits, law schools, and other organizations to participate in dozens of legal clinics around the world. These clinics — which transitioned to remote platforms this year — provide an opportunity for our lawyers to directly assist underserved individuals and organizations in need of legal support. The work encompasses a variety of issues, from advising low-income tenants facing eviction to assisting US permanent residents in completing their citizenship applications to aiding social entrepreneurs seeking to develop sustainable and scalable solutions to social problems.

Our Paris office continued its longtime partnership with French humanitarian organization Droits d'Urgence to run a biweekly clinic at a hospital in the north of the city. Together, we helped indigent clients address the legal, cultural, social, and linguistic hurdles that arise when navigating complex government bureaucracies. Our lawyers advised on asylum and immigration, debt, labor and employment, and criminal law, and assisted with administrative filings for applications to public benefit programs.

Lawyers in our New York office attended several clinics serving low-income entrepreneurs and small business owners seeking to build and sustain small businesses amidst the challenges presented by the Covid-19 pandemic. In collaboration with Start Small Think Big, the City Bar Justice Center's Neighborhood Entrepreneur Law Project, and the NYC Department of Small Business Services, our lawyers counseled

clients on entity formation, contracts and leases, intellectual property and licensing, and other issues that arise when establishing and operating an enterprise, with the ultimate goal of helping the entrepreneurs attain their business goals.

Together with pro bono partner A4ID, our London office organized a virtual clinic that connected our lawyers with representatives from nonprofits and social enterprises focused on human rights, international development, and humanitarian relief. Advice included employment, real estate, privacy and data security, and intellectual property matters. The clinic followed a successful inaugural clinic hosted in 2019 by Latham and A4ID, a global charity that works in partnership with law firms in the worldwide fight against poverty.

Our lawyers have also been instrumental in helping students at leading law schools, including Moscow State University Law School and the Academy of Foreign Trade Law School, to set up and staff legal clinics. In Manchester and London, for example, we partner with law students to advise low-income and social enterprise clients on business issues. And, in Moscow, we run training seminars for students and staff that cover ethics, best practices, and operations and organizational issues that commonly arise in clinics. While the ultimate beneficiary of these trainings are the clients who attend the clinics, the trainings help strengthen civil society and develop a commitment to public service among the next generation of lawyers. ■



FIGHTING FOR RACIAL JUSTICE

In a year that propelled the racial justice movement, we redoubled our efforts to advance civil rights and challenge systemic racism, and deepened our financial and pro bono support for civil rights organizations engaged on the front lines of racial justice advocacy. Working across offices and around the globe, our lawyers partnered with organizations pursuing public policy and police reform, and advocated on behalf of individual clients seeking fair treatment under the law.

Following the murder of George Floyd in the United States, we took on several matters concerned with racially biased policing. Our lawyers explored racially biased use of no-knock warrants in Texas and the Washington, D.C. police department's widespread use of curfew laws to arrest and issue citations to peaceful protesters. We also collaborated with the D.C. Appleseed Center for Law & Justice to challenge the federal government's authority to federalize the police and National Guard in Washington, D.C., as well as its efforts to bring unidentified military and law enforcement from jurisdictions outside D.C. to police local demonstrations for racial justice.

Our lawyers pursued a range of matters focused on police reform, including serving as outside legal counsel to the independent commission investigating the police killing of Elijah McClain in Colorado, and advising Texas Appleseed in its effort to improve civilian oversight of police departments. Alongside the New York Civil Liberties Union, we are working to address racially biased policing and disciplinary practices in major police departments in New York State through Freedom of Information Act requests and analyzing patterns of certain race-based conduct for purposes of reform, advocacy, and public education.

Because effective education on systemic racism is a fundamental aspect of reducing violent, racially charged incidents, we worked with Lawyers for Civil Rights, a Boston-based public interest organization, to evaluate law enforcement protocols on police conduct and training surrounding key topics, such as cultural competency, racial profiling, and use of excessive force. And, after an executive order banned diversity trainings discussing systemic racism at private companies that are government contractors, we served as co-counsel with the NAACP Legal Defense and Educational Fund to lodge a challenge in federal court on behalf of the National Urban League.

Promoting racial justice also means addressing the wealth gap and ensuring a more equitable distribution of resources. A New York and Boston team worked with the Lawyers' Committee for Civil Rights on an amicus brief analyzing the devastating effect of new federal regulations reducing Supplemental Nutrition Assistance Program (SNAP) benefits. The SNAP benefit reduction would have removed some 700,000 people from eligibility for food assistance, dealing a devastating blow to those in need. Our lawyers highlighted the disproportionate impact felt by Black and Latinx recipients, especially those in urban neighborhoods, as they grapple with exceptionally high levels of unemployment amid the Covid-19 pandemic. The court's ruling to strike down the regulations not only ensured continued access to SNAP benefits for hundreds of thousands of people during a critical time, but also prevented a substantial regression toward inequality in food security.

This year, our work defending civil rights continued on an individual case level. We currently represent two Black men in civil litigation centering on claims of illegal search and seizure, as well as use of force, by the Chicago Police Department. Additionally, 50 Latham lawyers attended a week-long American Civil Liberties Union of Louisiana Justice Lab training focused on representing plaintiffs in federal court who were racially profiled and endured illegal search and seizures.

We also engaged with The Sentencing Project, which works for a fair and effective US criminal justice system by producing groundbreaking research to promote reforms in sentencing policy, address unjust racial disparities and practices, and advocate for alternatives to incarceration. A cross-office Latham team worked with the organization to survey felony murder laws in all 50 states. Under felony murder laws, people can be — and often are — convicted of first-degree murder and sentenced to life imprisonment in scenarios where a death is unintentional or is caused by another person, all in the commission of a different type of crime. These laws have a disparate impact on minorities, and have been reformed or repealed in a number of jurisdictions.

The movement for racial justice is complicated and multifaceted, and requires a sustained commitment. To learn more about our work, please see pp. 17, 27, and 49. ■



RESPONDING TO THE ECONOMIC DISRUPTION OF COVID-19

Amid devastating lockdowns and rapidly changing regulations, nonprofits and small businesses have faced untold challenges during Covid-19. Latham has engaged across nearly every office to protect the livelihoods of those impacted by this upheaval — striving to have a multiplier effect in the communities we serve.

Working in partnership with Start Small Think Big, a Bronx-based nonprofit, and several other local legal services providers, we advised low-income entrepreneurs and small businesses across the United States. Our lawyers remotely advised clients on aspects of the Paycheck Protection Program and the Coronavirus Aid, Relief and Economic Security (CARES) Act. Latham teams also worked one-on-one with entrepreneurs, providing a range of legal advice regarding corporate governance, commercial contracts, leases, and structuring. In Los Angeles and Century City, we participated in an urgent initiative organized by the Los Angeles Mayor's Office in partnership with our longstanding pro bono partner Bet Tzedek to help low- and moderate-income small business owners. The initiative referred small businesses facing Covid-related legal issues to a hotline and online platform operated by Bet Tzedek and pro bono lawyers, including volunteers from Latham.

Alongside these initiatives, our lawyers advised a worldwide array of individual nonprofits and social enterprises, among them:

- **Global Citizen**, an advocacy organization that seeks to eradicate global poverty, as it organized and produced the historic "One World: Together at Home" concert in April 2020. This cross-platform musical event supported and celebrated frontline health care workers and the World Health Organization. Hosted by Lady Gaga, it featured performances by John Legend, Sheryl Crowe, Common, and The Killers, among others.
- **Project Citizenship**, a nonprofit that provides free, high-quality legal services to permanent residents to help them become US citizens, as it sought to review and update its insurance policies to account for Covid-19's impact on its events, activities, and employees.
- **Think Equal**, a global organization that offers teacher guides to enhance social-emotional learning in children aged three to six, as it organized a giveaway of six weeks' worth of narrative picture books and caregiver/child activities to help children manage the challenges of the pandemic in a positive and reassuring way.
- **DrawForNHS**, a social enterprise that launched a campaign asking artists and designers to create

limited edition, affordable art prints to be sold to raise money for National Health Service Charities Together in the United Kingdom.

- **Ashoka**, an organization that supports leading social entrepreneurs, as it collaborated with the Coronavirus Makers Forum. This online community of thousands of citizens aims to alleviate the shortage of lifesaving equipment by designing and building personal protective equipment products.
- **PILnet**, an NGO that connects private and public lawyers to benefit the greater good and help strengthen civil society, as it developed resources to address frequently asked questions on the potential liability for NGOs and social enterprises in Hong Kong in the context of Covid-19.
- **StoryCorps**, a nonprofit that seeks to record, preserve, and share the stories of Americans from all backgrounds and beliefs, as it sought advice on data privacy regulations in preparation for launching new tools to gather and preserve stories during the pandemic.
- **LiveKomm**, a nonprofit that supports small live music venues and everything that happens on the stages of these venues in Germany, on legal questions and issues submitted by its members, including small clubs, employees, and performers, most of whom have faced substantial financial hardship during the pandemic.
- **The Ventilator Project**, a nonprofit founded in March 2020 and focused on designing, manufacturing, and distributing low-cost ventilators. Even before the Covid-19 pandemic, the world faced a shortage of quality ventilators. The Ventilator Project's first prototype is currently navigating FDA approval.
- **Off Their Plate**, a nonprofit formed by a concerned group of medical and business school alumni in response to the pandemic, which uses donations to purchase nutritious meals for frontline health care workers from local restaurants. As a result of Latham's advice, the nonprofit was able to scale up operations in several US cities in just a few weeks.
- **Wassmuth Center for Human Rights**, which is home to the Idaho Anne Frank Human Rights Memorial, as it navigated issues relating to the CARES Act, specifically loan and mortgage abatement. Over the past 25 years, the Center has become a respected nonpolitical institution whose primary mission is to promote respect for human dignity and diversity through education, and to foster individual responsibility to work for justice and peace. ■



ADDRESSING THE DISPROPORTIONATE IMPACT OF COVID-19

Latham lawyers responded to the urgent, wide-ranging legal needs arising from the Covid-19 pandemic, particularly as the virus laid bare how race and socioeconomic status can be determinative of survival.

We conducted research and investigated the response and solutions offered by governments and institutions during the pandemic. With evidence indicating that Black, Latinx, and other minority communities have been disproportionately affected by the virus in the United States, we assisted the Lawyers' Committee for Civil Rights Under Law in understanding how states and the federal government were collecting racial and ethnic data with respect to testing, cases, and deaths to ensure fairness and parity. On behalf of the National Law Center on Homelessness and Poverty, we researched how guidance issued by the Centers for Disease Control and Prevention and certain state laws impacted access to shelter and hygiene facilities for housing-vulnerable individuals.

Judge Jonathan Lippman, of counsel in our New York office, led a major Covid-19 pro bono mobilization effort organized by the New York Courts and New York State Bar Association. The Covid-19 Pro Bono Recovery Task Force was created to help ensure the availability of comprehensive pro bono legal services to all New Yorkers in need during and in the wake of the Covid-19 pandemic. Serving as outside counsel to the Task Force, our lawyers developed a blueprint for its operation and helped to organize more than a dozen multi-sector working groups to deliver effective pro bono services to New Yorkers during the pandemic.

Since its formation, the Task Force's network of pro bono volunteers have counseled more than 2,000 clients on unemployment insurance benefits; lined up a roster of 200+ and 80+ independent pro bono volunteers for unemployment insurance and housing matters, respectively; resolved 70+ small estates for victims of Covid-19; connected 30+ families with deceased guardians to pro bono legal assistance; and assisted 30+ incarcerated individuals seeking emergency release due to Covid-19. The Task Force also launched trainings on diversity and cultural humility in the provision of pro bono services and helped to secure the release of approximately US\$16 million in funding for legal service providers in New York. In addition,

our lawyers helped prepare a report for the Chief Administrative Judge and Governor of New York regarding the Covid-19 housing crisis, proposing recommendations to assist vulnerable New Yorkers, some of which have already been adopted in the courts and the state. The Task Force also supported a relief seminar for nonprofits in the New York area stretched thin by the Covid-19 crisis.

In Houston, we assisted Texas Appleseed with research on a range of social issues that have been exacerbated by the pandemic, including trauma experienced by students and the legal obligations of their schools to provide support. And lawyers from our Milan, Brussels, and Madrid offices researched the rights of undocumented women during the Covid-19 crisis for the European Network of Migrant Women.

As Covid-19 spread through correctional and detention facilities across the United States, numerous vulnerable prisoners and detainees who were at risk due to health conditions needed to escape crowded facilities. Latham lawyers successfully partnered with the American Civil Liberties Union (ACLU), Immigration Justice Campaign, and Families Against Mandatory Minimums to seek the compassionate release of a number of these prisoners by reviewing their medical records and preparing motions for compassionate release.

In Washington, D.C., our lawyers filed a class action lawsuit on behalf of residents at the Hope Village Halfway House, the largest federal halfway house in the United States, in conjunction with the Washington Lawyers' Committee for Civil Rights and the ACLU of D.C. At the time, prisoners were sleeping and eating in conditions that violated multiple guidelines, as well as the Bureau of Prison's (BOP's) own policies. Prisoners were crowded together and forced to eat in a dining room that lacked a handwashing station, and the facility had no on-site medical facilities or Covid-19 screening for employees or new residents. After filing suit, our team obtained a commitment from the BOP to transition all prisoners out of Hope Village, with more than 150 moving to home confinement with electronic monitoring. Thereafter, faced with mounting political and legal pressure, Hope Village ultimately closed at the end of April 2020. ■



ADVANCING DISABILITY RIGHTS

Latham colleagues have long worked to make sure that people with disabilities are treated fairly and included — both individually and collectively — in classrooms, workplaces, and society at large. People with intellectual, developmental, and physical challenges are disproportionately subjected to violence and discrimination, as well as deprived of fundamental rights and respect. At Latham, we use all the legal tools at our disposal, including legislative proposals, individual lawsuits, class action lawsuits, and comparative legal research, to rectify injustices and advance the rights of people with disabilities.

Since 2007, over 100 Latham lawyers have contributed more than 12,000 hours to Project Equal, an initiative in Germany that aims to develop legislation and jurisprudence to implement the UN Convention on the Rights of Persons with Disabilities (UNCRPD). Much of that work has focused on creating inclusive school systems in several German states. For example, this year we filed a constitutional complaint with the German Federal Constitutional Court and a communication to the United Nations on behalf of a 15-year-old girl with a slight cognitive impairment, seeking inclusive education and the same educational opportunities as her peers.

Expanding on this work, and as a complement to our legal efforts, we developed a new network for inclusion in 2020, bringing together educators, journalists, and people with disabilities to provide additional perspectives on implementing the UNCRPD. We are also engaged in comparative legal research to assess the status of disability rights implementation in Germany, France, the United Kingdom, and the United States on behalf of Sozialhelden, a nonprofit based in Germany. This research supports Sozialhelden's campaign to ensure that people with disabilities are considered when developing products and services.

We won an important victory in the United States this year, which enables us to continue our

advocacy on behalf of children with disabilities enrolled in West Virginia public schools. For more than two years, our team — in close partnership with The Arc of the United States, the Bazelon Center for Mental Health Law, Mountain State Justice, Disability Rights West Virginia, and former Latham partner and current professor at the University of Virginia Law School, Scott Ballenger — has been investigating the high levels of school suspensions of students for behaviors related to their disabilities. In the 2018–2019 school year alone, more than 1,000 children with disabilities were suspended, a number that excludes students with disability-related behaviors who were expelled or informally suspended, those who were separated unnecessarily from mainstream classrooms, and those who were placed on “homebound” status through which they may receive only a few hours of tutoring each week. Based on this investigation and extensive work with experts, we filed a class action complaint in federal court on behalf of The Arc of West Virginia and the parents of several students with disabilities against the Kanawha County School District in West Virginia alleging violations of the Americans with Disabilities Act and Individuals with Disabilities Education Act. The West Virginia District Court denied the school district's motion to dismiss, handing an important victory to our clients and other similarly situated students. As a result of the ruling, the litigation continues to move forward with discovery and class certification briefing.

In another pending matter, Latham lawyers in Washington, D.C., Boston, and Chicago are advocating for a group of Deaf and Hard of Hearing employees of the US Department of Agriculture after the agency decentralized funding for the provision of interpreting services. We are advocating to ensure access to legally required reasonable accommodations, and to remove disincentives to hiring, retaining, and promoting Deaf and Hard of Hearing employees. ■



SERVING THOSE WHO SERVED

From risking their lives on the battlefield to providing urgent care to those in need around the globe, active members and veterans of the US Armed Forces embody the meaning of service. Our work on their behalf takes many forms: we represent individual veterans who have sustained service-related injuries, as well as those who have faced wrongful discharge or deportation. In the process, we help ensure that veterans receive the full recognition and legal protection they deserve.

In partnership with the National Veterans Legal Services Program's (NVLSP's) Lawyers Serving Warriors Program, more than 400 Latham lawyers across 15 offices have taken on nearly 300 matters on behalf of veterans and active-duty service members in the past eight years, including more than 100 cases handled in 2020. This work often involves appealing the ratings that determine the amount of disability benefits veterans receive. Recent clients include a decorated officer who sustained injuries in combat operations in Iraq. Representing him before the Physical Disability Board of Review, we secured a disability rating that results in lifetime disability benefits and health care for our client and his family. We also successfully brought a case against the government in the Court of Federal Claims to help a former Navy SEAL candidate who had suffered a career-ending traumatic brain injury during SEAL training receive a medical retirement and additional disability benefits after the Navy denied his claim.

This year, we also achieved an appellate victory establishing a precedent that could potentially benefit hundreds of military officers. By rule, many military officers passed over twice for promotion must be discharged unless they are close to eligibility for retirement. But, in 2010, the US Air Force narrowed its exceptions to this policy — forcing out more than 150 majors, including our client. In a reversal of the judgment of the Court of Federal Claims, the Federal Circuit found that he had been wrongfully discharged and that the involuntary discharge protection had been improperly amended for officers who were nearing retirement. Further, the Federal Circuit

remanded in a rare precedential opinion with express instructions to convene a special board to reconsider our client's case.

Despite their service and sacrifice, many veterans are deprived of a fundamental legal protection to which they are entitled: national citizenship. Hundreds of noncitizen US veterans are estimated to have been deported in recent years, often for minor offenses. Working with the American Civil Liberties Union, we have secured citizenship or restoration of permanent residency for several deported service members, including a former member of the US Navy and Texas National Guard who was deported in 1998. Our client had lived in Texas since the age of 10 and was a green card holder at the time of his deportation. Lawyers from our Houston office helped move his application through US Citizenship and Immigration Services. In September 2020 — more than two decades after his deportation — our client took the oath to become a US citizen, and reunited with his wife and children living in El Paso.

Our pro bono support for veterans extends to significant legal matters involving leading veterans organizations. We recently secured an important federal court victory for Team Rubicon, Inc. (TRI), a nonprofit that deploys US veterans in response to large-scale disasters. TRI sought our representation in connection with a contentious trademark dispute with a former licensee. In response to the suit, a New York-Chicago-D.C. litigation team filed counterclaims and a motion for preliminary injunction on TRI's behalf to protect the organization's trademarks and intellectual property, as well as to vindicate its charitable interests — with favorable results for our client. After extensive briefing, the US District Court for the Southern District of New York granted TRI's motion, giving it all of the injunctive relief it had requested, and denied the licensee's corresponding motion in its entirety. The US Court of Appeals for the Second Circuit subsequently rejected the licensee's motion to stay the preliminary injunction order entered in favor of TRI and affirmed the preliminary injunction in a separate summary order. ■



ASSISTING SURVIVORS OF DOMESTIC VIOLENCE

According to the United Nations, approximately one in three women have experienced physical or sexual violence at the hands of an intimate partner. In recognition of this global crisis, we offer pro bono counsel directly to survivors and maintain long-term partnerships with organizations that specialize in supporting those who have been affected by domestic violence, such as Human Options, Laura's House, Network for Victim Recovery of D.C., Red Dot Foundation, RainLily, and Lawyers Without Borders. We also undertake policy-driven pro bono research projects with organizations like Refuge in the United Kingdom, which are designed to ensure protective legislation keeps pace with changing patterns of domestic abuse.

Lawyers from nearly all of our US offices help individuals and families obtain emergency and permanent restraining orders against their abusers. To take just one example: a team of Latham lawyers, working with the Legal Aid Society of San Mateo County, helped a client secure a permanent restraining order against her abuser. After suffering from her ex-boyfriend's physical, emotional, and verbal abuse, our client initially filed and was granted a temporary restraining order (TRO) against him. For several months, he continually violated the TRO, sending harassing and threatening messages via text and email, repeatedly calling, coming to her home, and even attempting to reconcile by using a food delivery service to pass her a message. When opposing counsel requested an evidentiary hearing, we were able to present exhaustive evidence, leading the judge to grant a permanent restraining order. Our client reports that her "life has completely changed since getting the restraining order."

In another case, we worked with Sanctuary for Families to support a client through a complicated, cross-border case of domestic abuse. Our client was a college-educated Pakistani woman living in an arranged marriage

to the son of a family friend. When the couple moved to the US, the husband mentally and physically abused her, forcing her to stay in the home, cutting off communication to her family, and causing her significant bodily harm. The husband's family then kidnapped her to Pakistan, where she was held under 24-hour surveillance. She eventually escaped and, with the assistance of the US Embassy in Pakistan, was able to return to the US where our lawyers filed her petition for US residency pursuant to the Violence Against Women Act. The petition was granted, and we are now assisting with her US citizenship application. Our client expressed her "heartfelt gratitude for all the care and concern ... and for working tirelessly to ensure that the immigration law worked in our favor ... I feel lucky to work with Latham & Watkins, each and every person."

Through our partnership with Refuge, a nonprofit supporting survivors of domestic violence in the UK, our lawyers are working to protect survivors of image-based abuse, a new and evolving form of abuse sometimes referred to as "revenge porn." A multijurisdictional team of 30 Latham lawyers devoted more than 700 hours to the preparation of a comprehensive report that reviewed the current legal position regarding image-based abuse in England and Wales; explored the equivalent legal position in Australia, Canada, Ireland, New Zealand, and the United States; and examined the power of courts and regulatory bodies in these jurisdictions to respond to image-based abuse. Drawing on this research, our report recommended specific amendments to the UK's Domestic Abuse Bill that seek to widen the bill's scope so that perpetrators who share or threaten to share private sexual images of a survivor without consent can be the subject of direct legal action. Refuge has now laid these amendments before the UK Parliament, and continues to rely on our report to inform its ongoing legislative campaigns to protect and support survivors. ■



ENSHRINING ELECTION PROTECTION

Securing equal access to voting has been a long and hard-fought struggle in the United States — one that Latham has supported in concert with pro bono partners across the country. Despite this year's unique challenges, Americans were determined to vote and turned out in record numbers. By removing arbitrary obstacles to voter participation and political representation, we worked to make sure every voice could be heard in our democracy.

This year, the Covid-19 pandemic added an extra layer of risk and complexity to voting. To help voters navigate challenges from registration and early voting through Election Day in November 2020, Latham teamed up with the Lawyers' Committee for Civil Rights Under Law to serve as nonpartisan election monitors and staff a remote hotline to provide direct assistance to voters. The largest nonpartisan voter protection coalition in the United States, Election Protection is at the forefront of working to ensure that everyone who is eligible to vote gets to vote and has their vote counted.

More than 150 Latham volunteers worked shifts on the hotline in the months leading up to Election Day, and over 50 colleagues served on the crucial dates of November 2 and 3. Volunteers explained the voting process, and tried to help voters decipher contrasting information being received via advertisements and mailings. Many of our recently hired first-year associates — just weeks after passing the bar exam — volunteered, completing the requisite training in their first days at the firm. We also partnered with the Lawyers' Committee for Civil Rights Under Law to amend model pleadings in advance of potential litigation on key voting rights issues. Five separate Latham teams worked to reflect the most recent case law and procedural

rules in more than 100 model documents aimed at protecting access to the ballot for voters of all affiliations.

Latham also represented the CATO Institute, R Street Institute, Due Process Institute, and other civil liberties groups in supporting a challenge to North Carolina's felon disenfranchisement scheme. In an amicus brief filed in North Carolina state court, Latham argued that North Carolina's system of criminal disenfranchisement extended far beyond historical precedent; harmed ex-offenders, communities, and the democratic process; and unconstitutionally tied the franchise to an ex-offender's ability to pay fines and fees. In September 2020, the trial court agreed in part, finding that North Carolina's scheme violated the state constitution's Equal Protection and Property Qualifications Clauses, and preliminarily enjoining the state from barring an ex-offender from voting based upon inability to make monetary payments.

Lengthy cutoff periods for voter registration prior to an election are just one of many barriers to voting. Preventing citizens from registering to vote just as interest in an election is peaking disproportionately disenfranchises new voters. At 25 days before an election, New York State has one of the longest cutoff periods, meaning that a person must be registered to vote nearly four weeks ahead of an election. This summer, Latham took action with the New York Civil Liberties Union and American Civil Liberties Union, filing a preliminary injunction in our existing lawsuit challenging the cutoff, *League of Women Voters v. Board of Elections*, requesting that the state waive the deadline for the 2020 election. Our fight to end this barrier to voting in New York continues. ■



PROTECTING THE PLANET

In September 2018, we helped found Lawyers for a Sustainable Economy. This first-of-its-kind initiative included a promise by its founding firms to make a formal and substantial commitment to support environmental sustainability through pro bono efforts. As a founding firm, we pledged to provide pro bono services worth at least US\$2 million over a three-year period to organizations advancing sustainability worldwide. Since then, we have exceeded our commitment several times over, providing more than US\$10 million in free legal services to a range of nonprofits and social enterprises focused on sustainability.

We currently provide pro bono counsel to a number of organizations focused on protecting the planet, among them:

- **The Chancery Lane Project:** organizes lawyers from around the world in a collaborative effort to develop new contracts and model laws to help fight climate change
- **Coalition for Green Capital:** drives clean energy investment and supports clean energy finance organizations
- **Eden Reforestation Projects:** provides fair wage employment to those in poverty to grow, plant, and guard to maturity native species forests on a massive scale around the world
- **The European Nature Trust:** encourages the restoration and protection of wilderness areas in Europe
- **Fashion Revolution:** brings together fashion industry leaders with the mission of creating a global fashion industry that conserves and restores the environment and values people over growth and profit
- **ISEAL Alliance:** advances and promotes credible sustainability standards
- **Native American Food Sovereignty Alliance:** supports Native communities in the US with advocacy, education, and networking as they revitalize their indigenous food systems
- **The Nature Conservancy:** seeks to conserve and safeguard the earth's resources
- **The Ocean Cleanup:** develops advanced technologies to remove debris from the world's rivers and oceans
- **Plastic Odyssey:** focuses on creating a global network of local recycling initiatives
- **Polar Pod Expedition:** explores and gathers data in the Southern Ocean to help scientists and researchers understand the Antarctic Circumpolar Current
- **Project Chimps:** offers a safe haven for chimpanzees who were bred in captivity
- **Restore the Earth:** rehabilitates and revitalizes the earth's essential forest and wetland ecosystems
- **The Samburu Project:** delivers access to clean water and promotes health, education, general well-being, and empowerment in Kenya
- **Smart Air:** creates simple air purifiers and provides free education to combat the impacts of air pollution
- **Team Afghan Power:** enables economic and community development in Afghanistan's rural villages by designing and building renewable sources of energy
- **Trees for Life:** helps reforest, remove invasive species, and restore wildlife to depleted areas in the Scottish Highlands ■



UNDERTAKING STRATEGIC IMMIGRATION INITIATIVES

Latham provided critical support to immigrant communities and legal services organizations on a number of fronts in 2020 — through strategic litigation, advocacy efforts, and the provision of emergency legal resources.

We recently represented a coalition of 20 disability rights organizations as amici curiae in support of plaintiffs challenging the new public charge rule. This rule, promulgated by the US Department of Homeland Security (DHS), would make it nearly impossible for immigrants with disabilities to enter the United States or become permanent residents once living in the United States. In June 2020, the Seventh Circuit issued an opinion affirming a district court's preliminary injunction order stopping enforcement of the rule. This opinion relied heavily on arguments we advanced in our clients' amicus brief to strike down DHS' interpretation of the public charge statute.

Another Latham team engaged on behalf of the City of Boston as amici curiae in support of the nonprofit Project Citizenship in a federal lawsuit against US Citizenship and Immigration Services. The lawsuit challenged a proposed rule that would unduly burden low-income immigrants by nearly doubling citizenship application fees and eliminating the fee waiver for indigent applicants. The case was stayed following a preliminary injunction by the Northern District of California enjoining the regulation from taking effect.

In a key appellate case filed in the Virginia Supreme Court, a Washington, D.C. team drafted an amicus brief on behalf of the advocacy organization KIND arguing that a pending asylum request should not be a barrier to receiving in-state tuition. In particular, the brief pointed to the fact that children possess myriad legal rights while their asylum applications are pending — a process that typically takes many years. The Virginia Supreme Court granted the plaintiff's writ of appeal in the case. While that appeal was pending, new legislation was signed into law implementing a pathway to in-state tuition for Virginia students regardless of their legal immigration status.

We also conducted important analyses of immigration policies to drive reform. For example, a London team recently partnered with a coalition of organizations led by the UK charity Consonant to produce a briefing that called on the UK government to improve the legal outlook for stateless persons. Our analysis included comparative international legal research demonstrating the importance of extending legal aid to stateless applicants, introducing a statutory right of appeal, and reducing the fees for British citizenship applications. The briefing was disseminated to relevant UK government ministers, members of Parliament, and the United Nations High Commissioner for Refugees. Another nonprofit partner, Refugee Rights Europe, sought our recommendations on how to advocate for UK laws that would better facilitate the safe and legal entry of refugees to Britain. Our analysis — which found instances that the current system violated refugees' human rights — was featured in a recent policy briefing published by the organization.

Our work involves counseling organizations at the front lines of ensuring fair application of immigration law. We are representing the National Association of Immigration Judges (NAIJ), a union that promotes "independence and enhance[s] the professionalism, dignity, and efficiency of the Immigration Court." The US Department of Justice had been trying to decertify the union for more than a year, which the union viewed as an extension of broader efforts to encroach upon judicial independence on immigration matters. The complaint, which was brought before the Federal Labor Relations Authority (FLRA), centered on a petition by the Justice Department seeking to decertify the NAIJ based on the claim that judges are managers and therefore cannot be in a union under the Federal Service Labor-Management Relations statute. Although the union prevailed in an initial hearing before the FLRA, the decision was overturned by the FLRA in July 2020. The union is considering options for appeal. ■



HELPING IMMIGRANTS AND ASYLUM SEEKERS

Over nearly two decades, Latham has developed a premier immigrant rights practice, representing hundreds of asylum seekers, unaccompanied children, and survivors of human trafficking, crime, and domestic violence. Our clients have different circumstances and come from different backgrounds, but each one has experienced trauma, overcome tremendous hurdles, and made the heart-wrenching decision to start over in a new country.

These clients include a first-grader whose favorite food is fried eggs and who loves to read and write, and a teenager who enjoys drawing and recently made his high school's football team. We also represent mothers and fathers, community leaders, clergy members, and business owners. The efforts of our lawyers have enabled these and other immigration clients to safely settle in the United States, escaping abuse, harassment, and violence in their home countries.

Immigration cases often require extensive research, translation, discovery, and documentation. Understanding our clients' experiences and conveying them to the immigration authorities requires skill and sensitivity. In every matter, we are determined to help people fleeing persecution on account of their religion, politics, sexual orientation, gender, ethnicity, or nationality, and to ensure that they may restart their lives anew in freedom and safety.

While some immigration cases span several years, others require immediate action by our lawyers to respond to changing policies. For example, when the US government made significant revisions to the Deferred Action for Childhood Arrivals (DACA) program, a team in Washington, D.C. moved quickly to prevent the

deportation of a DACA-holder and small business owner who had lived in the US since the age of eight. When this program was rescinded, our client was detained and scheduled for deportation to a country in which she hadn't lived for decades and where she knew no one. The team took the case on a Thursday, and the client was scheduled for removal the following Tuesday. Less than a day after taking the case, our team filed and obtained a temporary restraining order on her behalf, and thereafter sought and received a stay of her removal in federal court. She was ultimately released from detention.

In another matter this year, a New York team won an immigration appeal before the Third Circuit. The case involved an undocumented immigrant who crossed the border alone as a teenager, fleeing from gang members who had harassed him and kidnapped his grandmother. We argued that due process required that our client receive a full and fair opportunity to be heard before he could be deported, and that a hearing was necessary to determine whether he received proper notice. The Court decided to remand the case for further proceedings, identifying several actions by the Board of Immigration Appeals and the immigration judge that violated our client's due process rights.

We also advise asylum seekers in jurisdictions outside of the US. In Hong Kong, for example, we collaborate with Justice Centre Hong Kong, advising refugees, like our client from Yemen, who seek asylum and protection from torture. Yemen has been in a prolonged civil war since 2015, and Latham helped secure protection for our client in Hong Kong. In London, we provide country conditions research for asylees seeking legal status in Europe. ■



SUPPORTING THE LGBTQ+ COMMUNITY

Latham has long advocated to protect the LGBTQ+ community's civil rights. This year, our pro bono work on behalf of the LGBTQ+ community included advocating on behalf of individual clients, protecting employment status, ensuring clients' physical safety in prison and elder care, exploring LGBTQ+ organizations' access to funding, and offering direct legal and business services support.

Following several years of litigation, we achieved a major victory for our client, a transgender woman sentenced to life in an all-male prison under California's Three Strikes sentencing law. Our client commenced legal action in 2016 after being abused, assaulted, and raped by multiple cellmates. She repeatedly reported these assaults to prison staff, requesting to be moved to a single cell for her safety. Prison staff responded with flawed and biased investigations, repeatedly denying her requests and continuing to house her with violent and sexually abusive offenders.

After a referral from the Transgender Law Center, our lawyers immediately amended our client's civil rights complaint, defeated the defendants' motions to dismiss and for summary judgment, and obtained key admissions about flaws in the investigation of our client's assault claims. In July 2020, the Latham team reached a settlement that, among other things, provides our client single-cell housing for the remainder of her sentence and requires the defendants to pay damages and to reinvestigate our client's assault allegations, providing our client with a measure of security that she previously had been denied.

Individuals who transition gender navigate formidable legal obstacles when seeking to change their identity documents. We continue to work with both the Name Change Project, organized by the Transgender Legal Defense and Education Fund, a nonprofit aiming to end discrimination and achieve equality for transgender people, as well as the Name and Gender Change Clinic, organized by Whitman-Walker, a nonprofit community health center with expertise in serving LGBTQ+ individuals as well as those who have HIV/AIDS. To date, more than 120 Latham lawyers from across the firm have been trained to help low-income transgender, gender nonconforming, and nonbinary individuals change their names, devoting nearly 3,000 pro bono hours to these efforts.

This year the United States Supreme Court issued a landmark decision ruling that employers cannot fire workers for being gay or transgender in the consolidated cases of *Altitude Express Inc. v. Zarda*, *Bostock v. Clayton County, Georgia*, and *R.G. & G.R. Harris Funeral Homes Inc. v. Equal Employment Opportunity Commission*. We filed an amicus brief on behalf of the Southern Poverty Law Center, the Children's Defense Fund, and other nonprofits in which we documented the pervasive extent of employment discrimination against LGBTQ+ people, and demonstrated the debilitating economic effects of such discrimination.

We also worked alongside Goldman Sachs and Boston Consulting Group to prepare a report for GiveOut — a charity that distributes pooled donations as grants to organizations working to advance respect for LGBTQ+ rights — highlighting the funding issues and challenges faced by these organizations in high-risk jurisdictions worldwide. The report examines the role of multinational corporations and offers best practice guidance on how to better support LGBTQ+ causes globally.

As part of our continuing commitment to assist nonprofits dedicated to serving the LGBTQ+ community, we are advising Consortium. This organization works with 375 LGBTQ+ charities and groups in the United Kingdom — the largest such network in the UK — to support their delivery of direct services and campaign for LGBTQ+ rights around the country. Our lawyers are helping Consortium as it consolidates three major UK LGBTQ+ charities and leases a new property, with the view to potentially creating a co-working space for LGBTQ+ charities.

In the United States, we continue to work with SAGE, a nonprofit that provides support and services to LGBTQ+ seniors and advocates for their rights. Among other support, we developed a comprehensive survey of state and local laws, policies, and initiatives relating to elder caregiving and LGBTQ+ elder outreach in several states. Our research informs SAGE's critical work by identifying how innovative laws and policies in one state could be implemented in others to protect LGBTQ+ seniors. In light of the impact of the Covid-19 pandemic, we also assisted SAGE in applying for a Small Business Administration loan under the Coronavirus Aid, Relief, and Economic Security (CARES) Act. ■



ADVISING NONPROFITS AND SOCIAL ENTERPRISES

In addition to offering pro bono counsel directly to underserved individuals, our lawyers advise nonprofits, social enterprises, and small businesses. This work includes drafting, reviewing, and negotiating lease and partnership agreements; taking on board governance matters; addressing and managing conflicts of interest; and advising on tax law, such as charity formation and ensuring compliance with tax-exempt status.

We pursue this work with the aim of enabling nonprofits to thrive and achieve the greatest impact in their communities. Below are some examples of the nonprofits and social enterprises we had the privilege of advising this year:

- **28 Too Many:** fights female genital mutilation using research and advocacy
- **Big Kid Foundation:** advances and enhances the lives of young people in London at risk of social exclusion or violence
- **Boys & Girls Clubs:** helps all young people, especially those most in need, reach their full potential as productive, caring, responsible citizens in the United States
- **Dope Black CIC:** works to improve the outcomes of Black people globally through education and therapy
- **Law4BlackLives DC:** supports Black-led community efforts to secure justice and end anti-Blackness in metropolitan Washington, D.C.
- **Level Field Partners:** arranges affordable facilities for charter schools in the United States
- **Mississippi Center for Justice:** develops and deploys legal remedies law to advance racial and economic justice
- **NAACP Legal Defense and Educational Fund:** engages in litigation, advocacy, and education to achieve structural changes in order to expand democracy, eliminate disparities, achieve racial justice, and fulfill the promise of equality for all Americans
- **Off Their Plate:** provides meals to frontline workers battling Covid-19 from local restaurants working to stay afloat
- **Polaris Project:** combats and prevents modern-day slavery and human trafficking
- **Save the Children International:** aids and assists children around the globe
- **Start Small Think Big:** offers free legal assistance and financial consulting to qualified under-resourced entrepreneurs who are of color, women, members of other disadvantaged groups, and/or low-income
- **startsocial:** supports, coaches, and funds social entrepreneurs and their projects
- **Ubuntu Pathways:** gives cradle-to-career care to orphaned and vulnerable children in an impoverished township in South Africa
- **The Vitae Project:** seeks to collect 1 million handprints from around the world as a symbol of humanity to engrave on the first deployable artwork on the moon
- **We Are All Music Foundation:** uses the power of music to improve lives and benefit society
- **The Wellbeing Project:** develops and runs programs designed to foster and support the inner growth of individuals and organizations
- **Year Up:** runs a training program that gives young people a unique combination of technical and professional skills, college credits, an educational stipend, and internships ■



SAFEGUARDING PRISONERS' RIGHTS

Our pro bono program is predicated on the belief that everyone deserves equal and just treatment under the law. Through litigation, advocacy, and partnerships with public interest organizations, we engage on behalf of those who are unjustly incarcerated or receive disproportionately punitive sentences, as well as on behalf of prisoners whose human and civil rights have been, or are being, violated.

This year, a New York team prevailed in federal court on behalf of a former inmate who was subjected to dangerous conditions while incarcerated. A warden and counselor at a federal prison in New York held our client in an overcrowded prison cell for 880 days. Throughout the course of a seven-day jury trial, the Latham team presented evidence that the space was so crowded as to deprive our client of basic human needs, and that the lack of space resulted in an increased risk of violence, unsanitary living conditions, overheating, poor ventilation, and sleep deprivation, all of which exacerbated the client's chronic medical condition and caused ongoing psychological trauma. The jury found such treatment to be unconstitutional, finding in favor of our client and awarding damages and costs.

In August 2020, a Latham pro bono team achieved another significant victory for prisoners, this time in the Ninth Circuit. Our case involved a constitutional Equal Protection challenge to the California prison property schedule, which draws arbitrary gender-based distinctions in determining what property male and female inmates are permitted to access. An inmate at a California

prison alleged that corrections secretaries discriminated against him by not allowing him to purchase certain prison vendor products available only to female inmates. The Ninth Circuit vacated the district court's decision and adopted Latham's arguments across the board — including holding, for the first time, that the intermediate scrutiny standard of constitutional review for gender-based distinctions applies in prisons.

Lawyers in our Washington, D.C. office successfully obtained compassionate release on behalf of an incarcerated client who was severely ill with stage IV breast cancer. Our client was diagnosed shortly after being sentenced, and her medical condition had the potential to substantially worsen given the Covid-19 pandemic. We filed a motion for compassionate release, which was granted, allowing our client to return to her family and focus on her health. To learn more about Latham's compassionate release work during the pandemic, please see p. 27.

We continue to serve as outside pro bono counsel to the Independent Commission on New York City Criminal Justice and Incarceration Reform. Judge Jonathan Lippman, of counsel in Latham's New York office, chairs the commission — a group of experts, policymakers, and advocates — which called for the permanent closure of Rikers Island in its 2017 report. The report detailed how the 10,000-bed prison, notorious for its violence, neglect, and mismanagement, represented the failure of mass incarceration. It is now the official policy of the City and State of New York to close Rikers. ■



PRESERVING VOTING AND EDUCATION RIGHTS

This year, a team of Latham litigators achieved an important victory on behalf of the Spring Valley NAACP, Black and Latinx voters, and public school students in upstate New York. Using an innovative argument centered on the Voting Rights Act, our lawyers proved that minorities in a highly segregated school district were prevented from participating in political life.

Located in the Hudson Valley, the East Ramapo Central School District has a 92% Black and Latinx public school population, and had historically been one of the highest-performing districts in the state. However, beginning in the mid-2000s, white voters began using the at-large election procedures to install a majority white school board that siphoned funds from public schools to private, religiously affiliated schools. This led to massive teacher layoffs; cuts to kindergarten, art, music, sports, and other elective programs; and deteriorating infrastructure. Graduation rates and test scores among public school students plummeted to some of the lowest in the state.

The public school community tried for over a decade to get the school board to address this crisis by lobbying, protesting, and speaking at board meetings. Nearly every legal avenue had been exhausted by the time Latham took the case in 2017. In partnership with the New York Civil Liberties Union, we represented the Spring Valley chapter of the NAACP as well as individual Black and Latinx plaintiffs in challenging the district's at-large voting method on the basis of the Voting Rights Act, which prohibits racial discrimination in voting.

Of particular note, the data-driven analysis we used to estimate racially polarized voting in the district proved essential to the case. In particular, our experts employed a newer and more accurate method of analyzing actual voters, instead of just registered voters, to better understand racial voting patterns. This analysis found that Black and Latinx voters had been denied an equal opportunity to elect school board candidates in

every recent election. Following a six-week trial, a New York federal judge agreed.

In May 2020, US District Judge Cathy Seibel issued a 77-page opinion that adopted all of Latham's arguments and found entirely for our clients. She wrote: "For too long, black and Latino voters in the District have been frustrated in that most fundamental and precious endeavor. They, like their white neighbors, are entitled to have their voices heard." In October, after a second, remedy phase of the proceedings, Judge Seibel ordered the District to implement the remedy requested by the plaintiffs, and create three ward or neighborhood-based districts in which minorities make up the majority of registered voters and would have the opportunity to elect candidates to the school board.

In January 2021, the Latham team again won in the Second Circuit Court of Appeals. On February 2, 2021, in compliance with Judge Seibel's order, the East Ramapo Central School District held a special election in which voters from the three newly created majority-minority wards elected representatives of their choice to the school board for the first time.

The East Ramapo School District victory holds the promise of enabling equitable school board representation and giving Black and Latinx voters a voice in their children's educations. It also serves as a blueprint for other school districts that face similar issues of inequality and funding disparities tied to discriminatory school board election practices.

"Although a majority of board members will still be elected by the district's white voters, there will finally be an opportunity for people of color to elect candidates who will represent the needs of our communities of color for the first time in over a decade," said Willie Trotman, President of the Spring Valley NAACP. "These are kids who would not otherwise have an opportunity . . . had it not been for Latham & Watkins." ■



UPHOLDING HOUSING RIGHTS

Housing booms in major US metropolitan areas throughout the past decade have created a housing crisis for many low-income tenants who have been priced out, evicted, or subjected to uninhabitable living conditions. The Covid-19 pandemic has exacerbated an already fraught situation for many, leaving thousands of people housing-vulnerable. Latham continues to challenge unlawful evictions and dangerous housing conditions, and support leading advocacy organizations, working to ensure that individuals, families, and children with limited means have a stable place to live.

Our efforts include housing litigation aimed at protecting the rights of low-income residents. In partnership with Inner City Law Center, a Los Angeles team represented a group of 49 tenants, including 15 young people, who faced an untenable living situation in the downtown area located just a few blocks from our LA office. A landlord had allowed the 100-year-old property to fall into disrepair, causing rampant health and safety hazards, including broken windows, rusty nails, unusable laundry facilities, and infestations of insects and vermin. After 18 months of litigation, we secured a favorable settlement for the tenants, which included a comprehensive repair plan and monetary compensation.

And, in Washington, D.C., our lawyers won an appeal on behalf of tenants living in the Columbia Heights neighborhood before the D.C. Rental Housing Commission, upholding a favorable decision by the Office of Administrative Hearings in a significant case that had been argued over 16 days of trial. Owing to the housing provider's years-long refusal to complete necessary repairs and maintenance, our clients had been forced to withstand unacceptable living conditions, including significant mold, rodent and insect infestations, a leaking roof, cracked and peeling

paint, and broken door and window latches, which created health and security risks. The fight for justice for our clients continues, as the case is now on its second appeal, this time before the D.C. Court of Appeals.

Because housing issues have particular ramifications for children, we facilitate legal assistance targeting this population. In addition to our pro bono efforts, Latham sponsors Equal Justice Works Fellow Kaitlin Cutshaw, who is working with the Lawyers' Committee for Better Housing to advise a school-based legal clinic located in a Chicago neighborhood with high eviction rates. The clinic has found that children who have experienced eviction perform worse in school, losing an average of three months of improvement in reading and math skills with each school transfer. Employing a virtual model, Kaitlin continued to operate the clinic after Chicago Public Schools closed in March 2020 due to the pandemic, providing legal advice and direct representation to more than 40 clients facing eviction and other housing needs. To learn more about our sponsorship of Equal Justice Works Fellows, please see pp. 56–57.

We also directly support the legal needs of advocacy organizations leading the charge to ensure safe housing. Our lawyers provided transactional counsel to T.R.U.S.T. South LA, a nonprofit that works to mobilize community-based efforts to stabilize neighborhoods south of downtown Los Angeles, where increased property values and rents have pushed out many long-term residents. With our assistance, T.R.U.S.T. entered into a new joint operating agreement with Restore Neighborhoods LA. The partnership allows both groups to expand their impact throughout the city by creating programs and initiatives that encourage community-building and economic opportunity. ■



ENSURING FAIR SENTENCING

Our commitment to protecting civil rights and liberties for underserved groups includes the provision of free legal counsel to prisoners and those impacted by the criminal justice system. In fact, this work constitutes a fundamental part of our pro bono program. Our lawyers believe in doing what they can to open the doors of justice to all, including making sure that criminal sentencing is fair.

In the United States, children under the age of 18 can be sentenced to life without parole, essentially ensuring that they die in prison. This extreme sentencing disproportionately affects youth of color. It also disregards research indicating that children's brains continue to develop beyond the teenage years. Advocating for fair sentencing takes into account possibilities for rehabilitation and reintegration into society. Many states have begun banning life without parole for children.

Through a partnership with the Campaign for the Fair Sentencing of Youth, a nonprofit focused on ending extreme sentencing of juveniles in the United States, colleagues in our Washington, D.C., Century City, San Diego, Boston, and New York offices worked on a project to research and analyze cases in which states have resented juveniles to life without parole, even after the US Supreme Court's 2012 decision in *Miller v. Alabama* determined that such mandated sentences were unconstitutional. We researched the Miller resentencing cases — which often required patience and relentless determination just to access the case transcripts from rural

courts — to examine how courts interpreted the factors set out in *Miller*, factors expanded upon in a subsequent challenge in 2016 (*Montgomery v. Louisiana*), and whether these resentencing cases have any facts or circumstances in common. Our research may offer possible bases to challenge these sentences as constitutionally infirm and will inform future litigation to challenge this practice.

An increase in zero-tolerance policies and a heightened police presence in schools in recent years have led to more children entering the criminal justice system. To help disrupt the school-to-prison pipeline, lawyers in our Houston office have spearheaded a pro bono initiative in partnership with the Juvenile and Children's Advocacy Project (JCAP). The JCAP partnership was established by Christina Beeler, an Equal Justice Works Fellow sponsored by Latham from 2018–2020 (to learn more about our sponsorship of these fellows, please see pp. 56–57). This joint effort focuses on providing direct pro bono representation to Houston-area youth in school disciplinary proceedings and in seeking juvenile record sealing with the aim of disrupting the school-to-prison pipeline.

To date, our Houston lawyers have assisted JCAP with more than 35 juvenile record-sealing cases and have written nearly 40 research memos on various school discipline and civil rights issues, all with the aim of improving life outcomes for economically and socially disadvantaged youth. ■

AWARDS & ACCOLADES

PRO BONO FIRM OF THE YEAR

Lawyers' Committee for Civil Rights Under Law, Casa Cornelia

The Lawyers' Committee for Civil Rights Under Law (LCCR) honored Latham with the 2020 Robert F. Mullen Pro Bono Award. This firm of the year award recognizes "a law firm that has provided extraordinary pro bono legal services on behalf of [a] Lawyers' Committee client or matter."

Together with LCCR, our lawyers fought for a fair and accurate US Census. As a result of this litigation, millions more Americans were included in the count. We are also jointly involved in a second case challenging an executive order excluding undocumented immigrants, using unspecified methods, from the apportionment of federal funds and seats in Congress. Not only does this order undermine the usefulness and correctness of the Census, but it also runs the risk of dramatically undercounting non-English speakers and racial and ethnic minorities, in addition to undocumented persons.

Latham was also honored as Law Firm of the Year by Casa Cornelia, our longtime pro bono partner. Casa Cornelia is a pro bono law firm based in San Diego that primarily serves low-income members of the immigrant community in Southern California, with an emphasis on human and civil rights as well as immigration law and policy.

Latham has worked with Casa Cornelia for more than 20 years, advising victims of human and civil rights violations in Southern California. In 2019, our firm donated over 1,200 hours of pro bono legal work to Casa Cornelia's clients, taking on a variety of cases assisting adult asylum seekers, migrant children, and victims of violent offenses.

ANNIVERSARY AWARD

TrustLaw

Latham began collaborating on pro bono projects with TrustLaw, the pro bono service of the Thomson Reuters Foundation, in 2010. Since then, we have worked on more than 350 projects around the globe. In recognition of this ongoing partnership, TrustLaw honored Latham with its inaugural Anniversary Award. TrustLaw's annual awards "celebrate the remarkable

pro bono projects undertaken by legal teams with NGOs and social enterprises around the world."

ABOVE AND BEYOND AWARDS

Sanctuary for Families

Each year, Sanctuary for Families staff and Pro Bono Council members nominate a small number of pro bono teams that have gone "above and beyond" in their pro bono work on behalf of victims of gender-based violence. This year, New York partner Loren Finegold and associates Sohom Datta, Omar Jooma, Danielle Sekerak, Irina Sivachenko, and Abhinaya Swaminathan were recognized by Sanctuary for Families for their "culturally sensitive and compassionate pro bono representation" of a survivor of gender-based violence, whom they helped to obtain unconditional permanent residency in the United States.

Sanctuary for Families serves clients who have been impacted by domestic violence, sex trafficking, and related forms of gender violence, with a particular focus on helping clients with Violence Against Women Act petitions. Latham has a longstanding partnership with Sanctuary for Families, having donated thousands of hours in free legal services over the past several years.

GALA HONORS

Mississippi Center for Justice

Recognizing injustices past and present is essential to building a fairer legal system that protects the rights of all citizens. In 2018, led by Orange County counsel Nikki Buffa, a team of Latham lawyers began working with the Mississippi Center for Justice (MCJ), and the Emmett Till Interpretive Center to advocate for national recognition and protection of historical sites connected to the 1955 murder of Emmett Till to provide future generations a place to learn about this critical part of civil rights history. Our efforts have focused on organizing support for the inclusion of these sites in the National Park System, which is currently studying a number of potential sites related to civil rights history in Mississippi.

We were honored to be recognized for our pro bono contributions during MCJ's Virtual Gala in June 2020.

GOLD AWARD

Law Society of Hong Kong

Latham proudly accepted the Gold Law Firm Award from the Law Society of Hong Kong's Pro Bono and Community Work Recognition Programme at its virtual awards ceremony. This award recognizes the outstanding provision of pro bono counsel and community service by lawyers and staff in our Hong Kong office.

SCOTT C. SOLBERG PRO BONO AWARD

Legal Aid Society

The Legal Aid Society – Metropolitan Family Services (LAS) presented Latham with the Scott C. Solberg Pro Bono Award in recognition of the firm's contributions to LAS's Elder Help Desk, power of attorney clinic, and ongoing work on its U-visa/VAWA project. With respect to the U-Visa/VAWA project, Latham lawyers represent clients in partnership with attorneys from J.P. Morgan Chase & Co. in Chicago.

"The priority of our pro bono program is to engage on behalf of individuals who would be denied access to basic civil and human rights without the benefit of a lawyer, including immigrant victims of crime, the elderly, and other vulnerable community members," said Chicago associate Adam Rosenbloom, who accepted the award on the firm's behalf. "We are grateful that our partnership with LAS allows us to serve these members of our community. We are honored to accept this award from LAS, and we look forward to continuing this partnership for years to come."

CALIFORNIA LAWYERS OF THE YEAR

Daily Journal

Orange County partner Andrew Gray, Global Litigation & Trial Department Chair Michele Johnson, and Bay Area associate Grant Strother were awarded the California Lawyer Attorneys of the Year Award (CLAY) by the *Daily Journal*, California's legal newspaper of record. The awards recognize lawyers who use their talents to achieve fairness and social impact.

The trio were celebrated for a significant victory on behalf of the Orange County homeless community. The matter began in January 2018, when Orange County began the process of removing hundreds of people living at the Santa Ana riverbed, including individuals

with mental disabilities, physical disabilities, or both. Along with co-counsel Community Legal Aid SoCal and Disability Rights California, we filed suit to force the county to use already appropriated government funds to provide treatment and develop necessary programs and facilities. A class action settlement was achieved, unlocking more than US\$70 million of additional support for Orange County's homeless population and enforcing important changes that will allow individuals with disabilities to manage their conditions while living in shelters or accessing other county services.

HUMANITARIAN AWARD

Inner City Law Center

The Inner City Law Center awarded Latham its 2020 Humanitarian Award for being a "steadfast supporter and zealous pro bono partner." As noted in a short video presentation of the award, while working with the Inner City Law Center, Latham has "fought unlawful evictions, [helped people] access safe and affordable housing, helped veterans get vital VA benefits, and fought for justice for the most vulnerable among us."

The Inner City Law Center is a nonprofit poverty law firm serving the poorest and most vulnerable residents of Los Angeles. The Center fights for justice for individuals experiencing homelessness, low-income tenants, working-poor families, immigrants, people living with HIV/AIDS or other disabilities, and housing-vulnerable veterans.

LAW POWER 100

City & State

Judge Jonathan Lippman, of counsel in Latham's New York office, was honored among *City & State New York's* 2020 Law Power 100, celebrating the people at the "crucial inescapable junction of law and politics." The Judge came in at number nine on the list, the first private lawyer listed.

In the profile of Judge Lippman, *City & State* recognized the Judge's continued criminal justice reform efforts, specifically mentioning his "in-depth report that addresses the public safety and the prison system in New York" and "the report's recommendation to close Rikers Island, a proposal that's now on track."

Judge Lippman joined Latham as of counsel in the firm's Litigation & Trial Department in 2015, after retiring as Chief Judge of the State of New York and Chief Judge of the Court of Appeals. On the bench, he championed equal access to justice and helped make New York State the first US state to require pro bono work for admission to the bar.

EQUAL JUSTICE WORKS FELLOWS

Each year, Latham & Watkins sponsors a two-year public interest fellowship through Equal Justice Works. The fellowships address the shortage of attorneys working on behalf of traditionally underserved populations by providing financial and technical support to the fellows to meet pressing needs in their communities. They also help create the next generation of public interest attorneys, as most fellows continue their public service work well beyond the two-year fellowship.



Christina Beeler

Equal Justice Works Fellow 2018–2020
Juvenile and Capital Advocacy Project of Texas
Houston, Texas

Christina started her fellowship at the Juvenile and Capital Advocacy Project of Texas (JCAP), an organization based at the University of Houston Law Center that is dedicated to assisting juveniles and recommending improvements for the juvenile justice system, in the fall of 2018. She provides direct legal representation and community outreach to juveniles in school disciplinary proceedings and the juvenile justice system for school disciplinary infractions in Harris County in Houston. Thousands of students in the Houston area face expulsion or suspension from school, or criminal charges based on behaviors at school, and are in need of representation.

Christina focuses on providing representation to those most vulnerable to the school-to-prison pipeline, including students of color, immigrants, and low-income students. She collects data on school disciplinary practices and conducts community outreach by providing know-your-rights trainings. She also develops outreach program plans with community partners to provide information to the wider education community, as well as students and parents, about the representation JCAP provides. Finally, she creates partnerships between JCAP and organizations that provide immigrant services so that juveniles can obtain dual representation for juvenile court and immigration proceedings.



Kaitlin Cutshaw

Equal Justice Works Fellow 2019–2021
Lawyers' Committee for Better Housing
Chicago, Illinois

Kaitlin's fellowship with Lawyers' Committee for Better Housing addresses housing and student mobility through a school-based legal clinic located in a Chicago neighborhood with high eviction rates. Families who are evicted have higher rates of residential mobility and often experience prolonged homelessness. Children in these families perform worse in school, losing an average of three months of reading and math growth with each transfer. Eviction also impacts the greater community as neighborhoods with high

rates of eviction have difficulty maintaining social capital, lack local cohesion, and have little community investment.

The school-based clinic aims to address these problems by providing direct legal services to parents who are facing eviction, or who are at risk of being evicted. The clinic also offers a wide variety of pre-litigation and litigation services, ranging from addressing poor conditions in rental units to direct representation in eviction proceedings.



Lauren Zack

Equal Justice Works Fellow 2019–2021
Public Counsel
Los Angeles, California

As a fellow at Public Counsel in Los Angeles, Lauren works to interrupt the cycle of poverty and improve the life outcomes of LA's transition-age foster youth by preventing and challenging vehicle tows that perpetuate hardships and punish indigence. Youth in LA County's foster care system — the largest in the nation — are disproportionately impacted by poverty-related traffic tickets and vehicle tows. It is so important for these youth to be able to lawfully drive and possess vehicles in LA County, where car ownership is crucial to access work and school and to ultimately achieve independence.

Since launching her fellowship in 2019, Lauren has provided direct representation to numerous transition-age

foster youth facing traffic tickets and vehicle tows. She has secured dismissal of several thousand dollars' worth of traffic citations and has helped at-risk youth avoid vehicle seizures. When traffic courts temporarily closed due to Covid-19, Lauren organized a successful coalition effort to generate a solution reinstating licenses suspended on the basis of non-appearance in court. In summer 2020, Lauren filed a lawsuit to challenge the California Highway Patrol's practice of holding certain towed vehicles for a mandatory 30 days, effectuating a permanent vehicle seizure on vehicle owners who cannot pay the resulting fees. Lauren's fellowship is co-sponsored with Spotify.



Rio Scharf

Equal Justice Works Fellow 2020–2022
Lawyers' Committee for Civil Rights of the San Francisco Bay Area
San Francisco, California

Rio's fellowship at the Lawyers' Committee for Civil Rights of the San Francisco Bay Area takes aim at the criminalization of poverty, the process by which our criminal legal system punishes people for lacking financial resources and, in doing so, further perpetuates their poverty. A key aspect of this process is criminal legal debt. Our legal system encumbers people with fines and fees and then penalizes them for failure to pay. The amount of debt this generates is staggering: 10 million people in the United States collectively hold about US\$50 billion of criminal legal debt. And these debts inhibit people's opportunities to find employment, housing, and stability long after they complete their prison sentences.

Rio's project seeks to both decrease the amount of monetary sanctions imposed on people and to help those already struggling with criminal legal debt. Accordingly, Rio provides legal services to those facing monetary sanctions and to those who already hold debt and are defending themselves in debt-collection proceedings. Rio litigates cases that seek to change how jurisdictions address the imposition and collection of criminal legal debt. Additionally, Rio engages in public education and coalition efforts that promote local policies that impose fewer costs on defendants and curb egregious debt-collection practices.



Travis Fife

Equal Justice Works Fellow 2021–2023
Texas Civil Rights Project
Houston, Texas

In the fall of 2021, Travis will begin his fellowship at Texas Civil Rights Project in Houston, Texas. His project addresses the criminalization of children's behavior in school across the state. Every year in Texas, more than 16,000 children are referred from the classroom to a police officer. Tens of thousands more are suspended, expelled, or pushed into alternative disciplinary schools for nonviolent, ordinary adolescent misbehavior. As a former teacher, Travis knows all too well that for every instance of exclusionary discipline, a student becomes less likely to graduate and more likely to become incarcerated. As a result, disproportionately high numbers of Black, Latinx, and other children of color are deprived of a chance to succeed.

Travis' project will engage in affirmative litigation to enforce existing state and federal rights to combat the rampant harsh treatment of children of color in these matters in schools. Specifically, Travis will seek cases to curtail police involvement in routine school matters that teachers are better equipped to handle. Additionally, Travis will engage in community organizing by providing legal support to parents, teachers, and kids. This will include know-your-rights trainings, sending demand letters, filing public records requests, and giving kids the resources that they need to feel empowered in school.



Sam Karlin

Equal Justice Works Fellow 2021–2023
Start Small Think Big
New York, New York

Sam will begin his fellowship with Start Small Think Big in New York City in the fall of 2021. His project aims to overcome systemic roadblocks in access to capital by helping low-income, BIPOC, and women entrepreneurs raise money through exempt, accessible securities offerings. Despite comprising approximately 50% of New York City's population, Black and Latinx individuals account for less than 10% of the city's business owners. Lower-financed ventures have lower survival rates. In fact, these entrepreneurs are three times more likely to have growth and profitability negatively impacted by a lack of capital than are white entrepreneurs.

Through his project, Sam seeks to facilitate the growth of local businesses, create jobs, and build community wealth by providing legal counsel to help them raise funds through accessible, exempt securities offerings. He will prepare all necessary legal documents and undertake any necessary compliance filings for each small business client. Sam will work with Start Small's in-house finance and marketing teams to effectively design, structure, and market the offerings. Additionally, Sam will create a public education program to inform entrepreneurs and others about local securities offerings.

ROBERT M. DELL PRIZE FOR EXTRAORDINARY PRO BONO SERVICE

Congratulations to the East Ramapo Litigation Team, winners of the 2020 Robert M. Dell Prize for Extraordinary Pro Bono Service.



Corey Calabrese
Associate, New York



Russell Mangas
Associate, Chicago



Andrew Clubok
Partner, Washington, D.C., New York



Claudia Salomon
Partner, New York

In 2014, in honor of the retirement of Chair and Managing Partner Bob Dell, an ardent supporter of pro bono at the firm, Latham & Watkins created an award to be given annually to a Latham lawyer or team who demonstrates an exceptional commitment to pro bono.

This year we are thrilled to recognize the team of litigators — led by partners Claudia Salomon and Andy Clubok and associates Corey Calabrese and Russell Mangas — who secured a major victory on behalf of the Spring Valley NAACP, Black and Latinx voters, and public school students in upstate New York. The team's lawsuit challenged the East Ramapo Central School District's at-large method for school board elections under the federal Voting Rights Act on the basis that it did not provide equal opportunity to minorities living in the district to elect board members of their choice. For years, the school board has been dominated by members chosen by the white community who systematically underfunded the public schools in East Ramapo, where the students are 92% Black and Latinx. Those policies have resulted in the firing of hundreds of teachers, the cancellation of kindergarten, art, music, and other classes, and the deterioration or closure of multiple school buildings.

Following a multi-week trial in February and March 2020, the US district judge issued an opinion that adopted all of Latham's arguments, ruling entirely for our clients — a truly life-changing win. In January 2021, the Second Circuit Court of Appeals affirmed the trial victory. In a powerful opinion, the Second Circuit wrote that "[f]ew rights are more sacred than the right to vote" and noted that "historically [that right] has not been granted equally in this country." On February 2, 2021, in compliance with the judge's order, the East Ramapo Central School District held a special election in which voters from the three newly created majority-minority wards elected representatives of their choice to the school board for the first time.

In addition to being a victory for the minority voters of East Ramapo, the case was remarkable for several other reasons. First, after hearing four days of testimony from Latham's expert political scientist, the court wrote the first trial opinion in the country endorsing a new, cutting-edge methodology of estimating racially polarized voting, an important precedent that should vastly expand the scope of civil rights litigation in jurisdictions where voters don't report their race. Second, through focused cross-examination and impeachment, Latham exposed the discriminatory practices the District used for years to exclude minorities from the political process. Third, Latham became the first firm in the country to conclude a trial over Zoom, as a result of the Covid-19 pandemic. To learn more about our work in East Ramapo, please see p. 49.

The Latham team also included partners Michael Faris, Serrin Turner, Marc Zubick, and Roman Martinez; associates Rakim Johnson, Thomas Pearce, Charles Dameron, Ryan Baasch, Andrej Novakovski, Kathleen Elsner, Elizabeth Sahrer, Abhinaya Swaminathan, Nicole Scully, Meredith Cusick, Elizabeth Parvis, Cameron Sinsheimer, Brittany Davis, Jordan Gratch, and Faust Petkovich; paralegals Natalie Sagara, Catherine Correale, Rachel Jaffe, and Olga Baeza; trial technology consultant Jon Walton; legal secretary Jennifer Felder; trial enterprise application specialists Abel Lopez and John Villasenor; and Latham's New York Managing Attorney's Office.

The East Ramapo litigation team dedicates this year's prize to Jose Vitelio Gregorio, a plaintiff in the case who tragically passed away due to Covid-19 before the outcome of the case was announced. As Jose said to his fellow community members:

"The future of our school district and our own children is in our hands. The time to choose the course of the education of our schools has come." ■

PRO BONO COMMITTEE

The Latham & Watkins Pro Bono Committee includes partners, counsel, associates, paralegals, and staff from across the firm.

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