

Justice Matters: Pro Bono Newsletter

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Simpson Thacher, Campaign Legal Center and Mark Johnson Secure Preliminary Injunction to Protect Kansas Voters' Access to Mail Ballot Applications

On November 19, 2021, Simpson Thacher, the Campaign Legal Center (CLC) and Kansas attorney Mark Johnson secured a preliminary injunction on behalf of VoteAmerica and the Voter Participation Center to protect voter access to mail ballot applications in Kansas, when a federal court temporarily blocked certain anti-voter provisions in the Kansas law H.B. 2332. The court ruled that the challenged parts of H.B. 2332 likely violate the

First Amendment rights of nonpartisan organizations to engage in political speech by restricting their ability to distribute mail ballot applications to voters to promote higher levels of voting.

In June 2021, the Firm, CLC and Mr. Johnson filed the suit on behalf of the two nonprofit charitable organizations which engage with voters to facilitate voting by mail as a safe and secure option to exercise the right to vote. The Simpson Thacher team includes Partner **Jonathan Youngwood**, and Associates **Meredith Karp**, **Bonnie Jarrett**, **Nicole Palmadesso** and Pro Bono Attorney **Nihara Choudhri**.



L to R: Bonnie Jarrett, local counsel Mark Johnson, Nicole Palmadesso, Meredith Karp, CLA attorney Danielle Lang, Jonathan Youngwood, CLC attorneys Rob Weiner and Alice Huling

Simpson Thacher, ACLU and ACLU-MS File Federal Lawsuit Over Anti-Muslim Bias in Mississippi

Simpson Thacher, the American Civil Liberties Union and the American Civil Liberties Union of Mississippi filed a federal lawsuit on November 3, 2021, stating that Horn Lake officials unlawfully denied zoning approval for a proposed mosque due to anti-Muslim bias. Filed in the U.S. District Court for the Northern District of Mississippi, the complaint for *Abraham House of God v. City of Horn Lake* notes that city officials denied approval for the mosque even though it would be located on property zoned for houses of worship, and the mosque's proposed site plan "met or exceeded" all requirements for approval, according to staff employed by the City's Planning Commission. Within hours of filing the lawsuit, the Judge issued an order suggesting the defendants consider entering into settlement discussions or face expeditious scheduling of a hearing.



L to R: ACLU Attorney Josh Tom, our client, Jonathan Youngwood, our client, Janet Gochman, Avia Gridi, Christopher Kraft at the press event in Mississippi.

The lawsuit, brought on behalf of the mosque and the two local leaders who founded it, alleges that the city's actions violated the federal Religious Land Use and Institutionalized Persons Act, which provides heightened protections for houses of worship in zoning proceedings, and the Free Exercise Clause of the First Amendment to the U.S. Constitution. The complaint asks the federal district court to issue an injunction allowing construction of the mosque.

The Simpson Thacher team includes Partner **Jonathan Youngwood**, Senior Counsel **Janet Gochman** and Associates **Avia Gridi** and **Christopher Kraft**.

Simpson Thacher, Bank of America and Mobilization for Justice Host *Hot Topics In NYC Special Education* and Discuss Education Advocacy Project Assisting Low-Income Children and Families

To mark the fifth year of working with Mobilization for Justice (M4J) to represent low income children with disabilities in the Education Advocacy Project, the Firm hosted a CLE presentation on October 26, 2021. Partnering with Bank of America, our attorney volunteers have coordinated to provide advice and representation to parents of students with disabilities seeking appropriate special education services and school placements from the New York City Department of Education (DOE). To date, the project has assisted more than 50 families in receiving the education services they are entitled to so that children can attain crucial educational, social, and professional life outcomes. At the October 26th presentation, panelists provided an overview of the state of affairs in NYC special education and the specific challenges faced by low-income families, and discussed impact litigation that has been underway in the federal courts to address these issues and pro bono opportunities that attorneys can take on to assist individual families directly.

Associate **Katie O'Neill** provided a first-hand account of her work on a number of these cases, while Pro Bono Attorney **Susan Cordaro** provided an overview of what representing a family at an Individualized Education Program (IEP) meeting involves, and how the Firm's attorneys from all practice groups have provided successful advocacy at these meetings.

In one such recent pro bono matter referred to the Firm by M4J, Associates **Katie O'Neill** and **Zhongji Wu**, as well as Partner **Brian Chisling**, were successful in advocating at an IEP meeting for a change to a more supportive classroom setting with an increased speech-language mandate for a student whose updated neuropsychological and other evaluations indicated that such a shift was desperately needed. Following that success, M4J recognized the team's "dedicated advocacy for the family." In each of the Simpson Thacher and Bank of America teams that have taken on pro bono IEP meeting matters, the families have expressed profound gratitude to have advocates appearing with them so that their students can obtain the services that are appropriate and necessary for them to succeed.

Simpson Thacher Launches New Project Helping Floridians Restore Their Right to Vote

Mobilizing attorneys from across the Firm's offices and practice areas, Simpson Thacher has launched a new program to assist the Florida Rights Restoration Coalition (FRRC) in researching fees and fines owed by Floridians seeking to restore their right to vote. In 2018, Florida voters passed Amendment 4, a historic state constitutional amendment restoring voting rights to individuals convicted of felonies (except murder and felony sexual offenses) upon "completion of all terms of sentence." But the Florida legislature subsequently enacted Senate Bill 7066 providing that the term "completion of all terms of sentence" requires the full payment of fines, fees and restitution owed. Despite the passage of Amendment 4, relatively few Floridians have been successful at restoring their right to vote.



One reason is that there is no centralized statewide database that individuals with past felony convictions may use to determine the amount of fines and fees they owe, and to which court(s). Simpson Thacher has recently partnered with FRRC on a volunteer research project to help Floridians convicted of felonies determine how much they owe in fines and fees. We thank Simpson Thacher Partner **Josh Polster**, Pro Bono Attorney **Nihara Choudhri** and Associates **Gurnaina Chawla**, **Chandler Mores**, **Ngozi Nezianya**, **Natalie Sherburne** and **Kelsey Vickery** for participating in the pilot program and completing the first round of research projects. We hope to expand this project significantly in the coming year.

Simpson Thacher Joins the U.K. Collaborative Plan for Pro Bono



In 2021, the Firm joined the UK Collaborative Plan (UKCP), an industry-led initiative for law firms with institutional commitments to pro bono and access to justice throughout the United Kingdom. The UKCP provides a platform and structure to allow participating law firms to collaborate with each other in order to improve access to justice through

pro bono in the UK. There are more than 70 UKCP member firms. The Firm has also relaunched its London Pro Bono Committee, which will now be led by Partners **Robert Lee**, **Sinead O'Shea**, **Adam Gallagher** and **Geoffrey Bailhache**. The Firm looks forward to developing local pro bono projects to further engage our London attorneys in pro bono work.

Simpson Thacher Obtains Release of Pro Bono Client on Parole

In conjunction with Sanctuary for Families, Simpson Thacher represented an incarcerated pro bono client in connection with her application for discretionary release on parole. The team successfully argued that parole should be granted based on our client's clear acceptance of responsibility, her unblemished disciplinary record and her numerous accomplishments and achievements while incarcerated, especially in light of her status as a survivor of severe domestic abuse that contributed to the crime of conviction. Following an initial interview of our client on October 26, 2021, the Parole Board granted discretionary release to our client after 6 years in prison, recognizing her momentous growth while incarcerated and the strength of the significant community and family support for her release. Our client is scheduled to be released in 2022 and will return home to be reunited with her three young children as well as her parents and extended family. The Simpson Thacher team included Of Counsel **Mark Stein**, and Associates **Jerry Fang** and **Shanice Hinckson**.

Recent Pro Bono Achievements

Simpson Thacher Achieves Appellate Victory for Survivor of Domestic Violence

The Firm successfully represented a domestic violence survivor in a pro bono matter before the Appellate Division, Second Department in connection with an appeal filed by a father who sought to overturn a Family Court order granting the mother a final, five-year order of protection. The appeal was argued by Associate **Kate Wheelock** on September 20, 2021. On October 13, 2021, the Second Department issued a decision that affirmed the Family Court's finding that the mother credibly testified about the acts of domestic violence perpetrated against her, often in the presence of the parties' child, and that the father had committed the family offenses of assault in the third degree,

harassment in the second degree and criminal obstruction of breathing or circulation. The matter was referred to the Firm by Sanctuary for Families. The Simpson Thacher team included Partner **Bryce Friedman**, Associate **Kate Wheelock**, Pro Bono Attorney **Susan Cordaro** and former colleague Jonathan Myers.



Kate Wheelock argues before the Second Department appellate panel.

Asia Offices Advise Japanese NGO on Anti-SLAPP Legislation in Japan

Simpson Thacher attorneys in the Tokyo and Hong Kong offices advised the NGO Human Rights Now (HRN) regarding Strategic Lawsuits Against Public Participation (SLAPP) laws to help HRN to advocate for model provisions in the context of proposed anti-SLAPP legislation in Japan. SLAPP laws are intended to censor, intimidate, and silence critics by burdening them with the cost of a legal defense until they abandon their criticism or opposition. The report included an overview of what anti-SLAPP laws are, providing the context for why new laws are needed in Japan and a comparative look at SLAPP laws in other jurisdictions. The Simpson Thacher team included Partner **Alan Cannon**, Associates **Xochitl Romo**, **Lily Rasel**, **Tiffany Toh**, Registered Foreign Lawyer **June Hu**, and Legal Assistant **Yun Yu**.

Washington D.C. Attorneys Succeed in Sealing Criminal Record

Last year, the Washington, D.C. office launched the Reentry Justice Project, focused on criminal record sealing, with our longtime legal services partner, the Legal Aid Society of the District of Columbia. Individuals who have interacted with police and the criminal judicial system—disproportionately people of color and people who live in areas of concentrated poverty—find themselves facing a multitude of collateral civil consequences that act in real and concrete ways to perpetuate generational cycles of poverty. To date, we have taken three client referrals. Last month, the Firm concluded the case of our first pro bono client, successfully moving the Court to seal

his criminal record and remove barriers to access to various social and government assistance programs. The Simpson Thacher team included Partner **Sara Razi** and Associate **Sam Sergent**.

Personal Planning Team Assists Undocumented Widow with Asset Transfer

The Firm represented a low-income, undocumented widow with two young children referred by Make the Road New York in appointing an estate administrator to transfer the assets from her husband's estate to her following the sudden death of her husband. The Surrogate's Court would not allow herself to act as administrator. The Firm filed a petition and a relative was appointed as administrator, but subsequently declined to act when required to disclose certain personal information to the Court. The Firm filed a second petition to appoint a replacement administrator, the petition was granted, and, after much delay due to COVID-19, the assets were finally transferred to the widow approximately two years after her husband died. The team included Senior Counsel **Alison Silverman**, Personal Planning Associate **Christine Kirkland** and Legal Assistant **Paul Crow**.

Awards and Events

Jonathan Youngwood Recognized with the Federal Bar Council's Thurgood Marshall Award for Exceptional Pro Bono Service



Jonathan Youngwood, Global Co-Chair of the Firm's Litigation Department, was awarded the Federal Bar Council's "Thurgood Marshall Award for Exceptional Pro Bono Service." Jon was honored for his work on high-impact pro bono litigation matters

that address injustices across different areas of society and numerous fundamental rights, including police reform, voting rights, search and seizure, free speech, immigration and public education. Most recently, Jon led a team in filing a lawsuit together with the ACLU and ACLU of Mississippi against a Mississippi town for unlawfully denying zoning approval for a proposed mosque due to anti-Muslim bias.

The Thurgood Marshall Award recognizes and celebrates lawyers in private practice who have demonstrated an exemplary commitment to pro bono legal service, and who have provided or facilitated the provision of pro bono service in federal courts or agencies.

VOLS Names Simpson Thacher Team to 2021 Pro Bono Dean's List

The Volunteers of Legal Service (VOLS) named Simpson Thacher Partner **Bryce Friedman**, Associates **Peter Farag**, **Eleanor Shingleton** and **Eric Yang**, as well as former colleague Jonathan Myers, to its 2021 Pro Bono Dean's List. The team was recognized for handling multiple unemployment hearings for New Yorkers suffering devastating job losses due to the pandemic, including three New York City public school substitute teachers who were told they were eligible, applied for, and received unemployment insurance benefits through the summer months. In Fall 2020, the New York State Department of Labor stated that the teachers should not have received those summer month benefits and asked the teachers to pay the benefits back, which most could not afford to do. The Firm won all three of those cases on behalf of these teacher-clients.

VOLS' Pro Bono Dean's List recognizes hardworking, dedicated attorneys who tirelessly serve New York City communities. VOLS was founded as a nonprofit organization in 1984, when New York City Bar leaders responded to federal government budget cuts to legal services. Today, VOLS harnesses the power of New York City's legal community and neighborhood-based groups to provide free, civil legal services when and where they are needed most.

Sanctuary for Families Honors Simpson Thacher Attorneys with 2021 Above & Beyond Awards for Excellence in Pro Bono Advocacy

Sanctuary for Families honored two Simpson Thacher teams with 2021 "Above & Beyond Awards for Excellence in Pro Bono Advocacy." Of Counsel **Mark Stein**, Counsel **Sara Ricciardi**, Associates **Jerry Fang** and **Shanice Hinckson**, along with

former colleagues **Ellen Frye**, **Sara Estela**, **Arielle Herzberg** and **Rachel Fleder**, were recognized for their representation of an incarcerated woman for whom the Firm filed applications for executive clemency, resentencing under the Domestic Violence Survivors Justice Act (DVSJA) and an application for discretionary release on parole. In addition, Pro Bono Counsel **Harlene Katzman** and former colleague **Melissa Vallejo** were honored for their representation of a victim of human trafficking and her family. The Above & Beyond Awards were held virtually on Tuesday, October 26, 2021.

Kids In Need of Defense Names Simpson Thacher Attorneys "2021 Pro Bono Team of the Year"

Kids In Need of Defense (KIND) is recognizing outstanding attorneys and volunteers who have gone above and beyond in their assistance to unaccompanied children this year. KIND's New York Office has selected a team of Simpson Thacher attorneys as its "2021 Pro Bono Team of the Year," based on our six-year representation of a child asylum seeker from El Salvador. Our representation extended through a merits hearing in Immigration Court, an appeal to the Board of Immigration Appeals (BIA) and an appeal to the U.S. Court of Appeals for the Second Circuit. The Simpson Thacher team includes Partner **Alan Turner**, Associates **Chris Janszky**, **John Santacruz** and **Austin Vance**, as well as former colleagues **Nick Jackson**, **Daniel Feder**, **Uzezi Abugo**, **Stephen O'Connor**, **Avery Johnson**, **Lauren Repole** and **Meredith Hunt**.

Please send
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or suggestions regarding
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