



# An Enduring Commitment:

Orrick's 2009 Report on Community Responsibility



ORRICK





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The past year has presented many new challenges for people worldwide, forcing individuals and their families, businesses and organizations to adapt as the world around them changes. These challenges have become more complex, presenting an even greater call for corporate social responsibility.

While Orrick's primary areas of focus—legal services, education and arts—remain the same, we are rethinking the way we offer support within these sectors, refining our approach so that we may respond in the most effective way.

For example, in our pro bono efforts, Orrick has joined forces with several legal services organization partners to provide them with full-time first-year associates, offering these organizations dedicated and talented lawyers to serve their client base. Additionally, we now direct more of our money to nonprofits' general operating funds, allowing our charitable partners the flexibility to devote their funds where they are most needed.

We are proud to have a long history of community investment and pro bono legal work, and we remain committed to our role as a good corporate citizen. Our support is sincere and steadfast.

The stories on the following pages represent just a few ways our lawyers and staff are demonstrating their personal commitment to Orrick's core values and making a positive impact on the world. Please join us in reflecting on some of the more inspiring successes of 2009, as we continue to find new ways to support those in need in 2010.

Most sincerely,

RALPH BAXTER  
Chairman and CEO

J. PETER COLL, JR.  
Chairman, Community  
Responsibility Committee

JILL L. ROSENBERG  
Partner in Charge  
of Pro Bono Programs



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## Learning About Community

# Through Music

The need for increased access to arts education in the New York City public school system is critical. With approximately 974 music teachers system-wide serving more than 1.1 million students, schools do not have the resources, tools or trained personnel to fulfill arts education standards. A recent U.S. Department of Education survey states that only 8 percent of New York City elementary schools reach the minimum requirements for arts education.

Orrick is proud to continue sponsorship of The Weill Music Institute's Musical Explorers program at Carnegie Hall. In Musical Explorers, first and second graders explore heritage through music, specifically song. Each semester, the curriculum focuses on three distinct cultures and musical styles represented in New York City, with each featured singer performing his or her culture's three selected songs in a culminating concert.

Aligning with social studies curricular themes that explore the students' own communities and New York City neighborhoods, Musical Explorers engages 4,025 students and adults per year in 42 schools. Through music, students learn valuable ways to relate to a range of cultures, genres of music and communities—and have fun doing it.

“Carnegie Hall and The Weill Music Institute rely on the support of sponsors like Orrick to fulfill our mission of making great music accessible to as wide an audience as possible,” said Sarah Johnson, director of The Weill Music Institute. “In these challenging financial times, Orrick’s generosity is crucial in helping us respond to critical needs in our schools and communities.”

## Transactional

### Orrick Leads in Microfinance and Broader Social Sector Work

Orrick transactional lawyers in virtually all offices made further impressive strides in expanding the firm's cutting-edge microfinance and social sector work worldwide. Microfinance provides credit, savings and other basic financial services to low-income individuals who are underserved by traditional financial institutions, and microfinancing is now being utilized to make possible projects offering clean water, renewable energy and other basic needs to poor people in the developing world.

Orrick regularly advises and counsels prominent microfinance clients such as Mercy Corps, FINCA, Unitus, Kiva Microfunds and CHF International in a diverse array of corporate, financial and other regulatory work.

Key examples of this work include:

- A transaction in which a multidisciplinary team of senior lawyers represented Mercy Corps in a deal between its microfinance entity in Kyrgyzstan and a local cell phone services provider, pursuant to which members of the microfinance entity receive discounted services.
- Orrick initiated an outside general counsel relationship with Water.org, the result of a 2009 merger between WaterPartners International and H2O

Africa. This nonprofit organization is committed to developing and providing safe drinking water and sanitation to people in developing countries. Its microfinance-based WaterCredit Initiative is pioneering sustainable giving in the sector. A corporate team worked to change the organization's corporate name from WaterPartners International to Water.org and to revise the organization's bylaws. In addition, a transaction attorney drafted a memorandum addressing the limitations on lobbying activities by tax-exempt nonprofit organizations that are also public charities.

- A team of Orrick lawyers has been providing comprehensive services to Lumni, an organization dedicated to creating an efficient global market for education finance through the introduction of a human capital contract. In return for education financing, students promise Lumni a percentage of their future income for a specified period. This structure allows individual students to share risk with investors, as students who make no or little money after college will also pay back no or little money. Orrick's transactional team facilitated the development of two small loan funds to benefit students in a school in the San Francisco Bay Area, allowing the students to obtain funding for college, and the team will provide Lumni with legal support as the organization expands its fund.



### Impact Work for Social Entrepreneurs and Low-Income Business Owners

Orrick transactional lawyers regularly work with our partner organizations to serve both social entrepreneurs, through referring organizations such as Ashoka, and low-income microentrepreneurs, through referring organizations such as City Bar Justice Center, Volunteers of Legal Service, the D.C. Bar–Community Economic Development Project, Public Counsel and Legal Services for Entrepreneurs.

In 2009, Orrick represented more than 30 such clients, handling issues related to business formation, finance, real estate, employment, tax, patent, trademark and copyright law. The advice and counsel Orrick lawyers provide are critical to the social entrepreneurs, as they seek to affect major social problems positively, and to microentrepreneurs in jumpstarting their businesses as well as reviving dormant business plans.

One such outstanding social entrepreneur client Orrick lawyers assisted with corporate, tax and intellectual property issues in 2009 on behalf of her nonprofit organization is Rose Shuman, founder of the Question Box, a simple telephone intercom that connects people to the Internet to find answers to their questions. It requires no literacy or computer skills, and users can place a free call to the Question Box simply by pushing a button. An operator uses an Internet-enabled computer to locate answers and translates them into the user's local language. The operator also sends and receives e-mail messages on the user's behalf. In the near future, users will be able to call an operator directly from their telephones. Currently, there are two Question Boxes in operation, located in the Indian villages of Ethida and Poolpur. The Question Box has been featured in *The New York Times* and other publications.

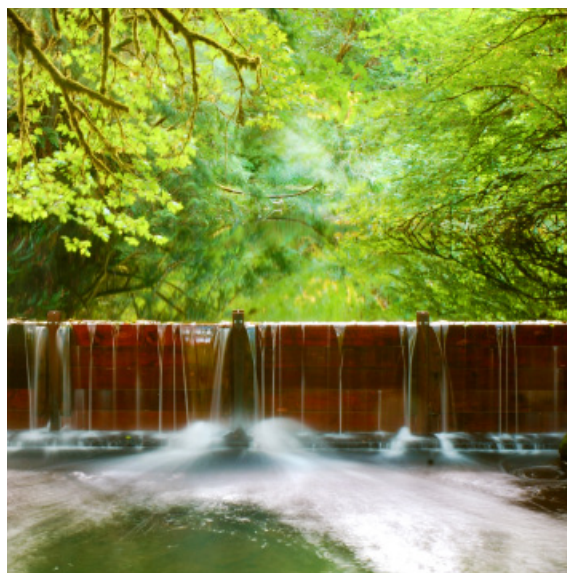
Domestically, Orrick assisted a senior citizen who has developed a prototype for a camera with potential security

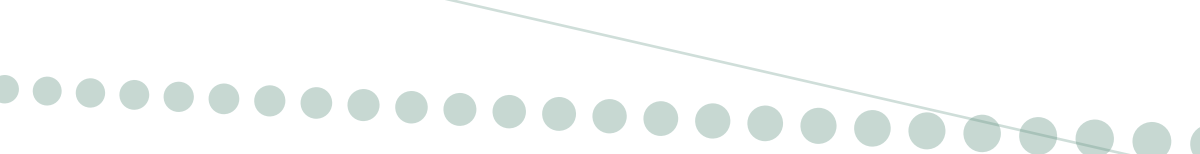
uses that would also confer broadband wireless access to public schools and public housing facilities lacking such access. The client is on a fixed income and is working to create a partnership to develop this technology. Transactional lawyers in our New York office are helping him on corporate and other business law needs; a Silicon Valley intellectual property lawyer drafted a provisional patent application; and a San Francisco licensing lawyer is negotiating a complex licensing agreement with one of the client's business partners.

### Full Service to Nonprofit Organizations

Orrick lawyers provide representation to public service, nonprofit organizations in virtually all of our communities worldwide. This includes start-up work, complex transactions and day-to-day support on a full range of issues.

Currently, Orrick corporate and intellectual property lawyers in Tokyo are representing the Wild Salmon Center, a U.S.-based environmental organization established to protect the health of remaining populations of endangered fish in the Pacific Rim, as well as assisting the Sarufutsu Itou no Kai—a local environmental and endangered fish species protection group—in its efforts to protect critical spawning habitats of the Itou, develop a legal framework for regulating recreational fishing and, at the same time, promote ecotourism in the Sarufutsu area.





Another firmwide corporate and tax team assisted East Bay Children’s Law Offices, Inc. with its incorporation in California and its successful application with the Internal Revenue Service for tax-exempt status. East Bay Children’s Law Offices was formed by the lawyers in the Dependency Division of the Alameda Public Defender’s Office to fill the void when that division was closed June 30, 2009. East Bay Children’s Law Offices provides free legal representation and services for more than 2,200 abused and neglected children and youth in Alameda County in all aspects of dependency law.

## Litigation

Orrick litigation lawyers consistently secure important victories for low-income clients in both individual and impact cases.

### Individual Cases

Lawyers regularly volunteer in Family Court, Housing Court, Immigration Court, and state and federal district courts, serving the neediest clients who often face the loss of a primary right. Noteworthy examples include:

- A team of lawyers in San Francisco successfully represented two teenage siblings from Central America in an asylum hearing before an immigration judge. The siblings had suffered years of physical and sexual abuse at the hands of their father, including his attempted rape of one boy who at the time was 13 years old.
- Orrick lawyers successfully defended a Family Court decision that changed custody from the mother to the father of two children who had been low-performing but have since changed their fortunes while living with their dad.
- A San Francisco team secured a victory for a low-income client who was threatened with a civil injunction by the San Francisco Housing Authority. If successful, the injunction would have barred the client from coming within 150 yards of any of

52 public housing communities and would have prevented him from visiting his six children living there. Due to the team’s persistent litigation efforts, the plaintiff agreed to dismiss the case with prejudice.

- The firm secured a noteworthy win in federal court for two clients entangled in immigration proceedings. The first was for an individual detained for more than two years at a notorious detention facility. Orrick lawyers—who helped start and support a novel civil legal services program run from the detention facility—successfully obtained release for the client under applicable Supreme Court precedent. In the second case, an individual who had fled Vietnam in 1975 following the Vietnam War and settled in San Jose, California, as a lawful permanent resident, applied to become a U.S. citizen in January 2002, but his application became mired in a seemingly interminable and ultimately fruitless administrative “background check.” When Orrick filed a federal court lawsuit for him, the government retreated and granted him his citizenship papers.
- In a case that balanced the rights of free speech, privacy and access to health care, a team of Orrick litigators secured an important victory for the city of Oakland when a federal judge ruled that a city ordinance’s creation of a buffer zone—in which protesters are barred from coming within eight feet of patients entering and exiting abortion clinics unless they receive the patient’s consent—was constitutional.

Orrick’s work reached all the way to the United States Supreme Court, where the firm filed a petition for certiorari on behalf of a death row inmate who gained significant attention when 11 dissenters in a Ninth Circuit en banc hearing concluded that the client may be innocent.

### Impact Cases

Orrick litigators regularly take on impact cases. For the past several years, a team of our lawyers has represented two Guantanamo Bay detainees from Yemen in their habeas corpus proceedings, seeking to establish that Constitutional rights apply even to individuals the U.S. government has deemed to be “enemy combatants.” One client’s appeal is now pending before the D.C. Circuit Court of Appeals.

### Amicus Briefs

The firm regularly files amicus briefs in the most important appellate cases of the

day. For example, Orrick represented a bar association in a family law case currently before the Court of Appeals, New York’s highest court. The case involves the rights of same-sex couples and the birth mother’s ability to petition a court for child support from her former same-sex partner, whose participation was integral to the decision to have a child. The Appellate Division held that Family Court lacked jurisdiction to entertain the petition. Orrick’s brief argues in favor of equality and recognizing the birth mother’s rights under New York’s child support framework.

### AWARDS

**Orrick and its lawyers were honored with several prominent pro bono awards in 2009:**

**Volunteer Law Firm of the Year — California Lawyers for the Arts** — for the firm’s commitment to serving low-income artists in a diverse array of pro bono legal needs

**Volunteer Law Firm of the Year — Sylvia Rivera Law Project** — for the firm’s sustained commitment to serving the pro bono legal needs of LGBT clients

**Santa Clara County Bar Association Pro Bono Achievement Award** — one of two firms honored during National Pro Bono Week for the firm’s highest pro bono hours per lawyer for a local office

**Legal Services of Northern California Jane Black Award for pro bono volunteers of the year** — given to the firm for its guardianship project serving low-income clients in Sacramento County in conjunction with our client, Intel’s legal department

**Volunteers of Legal Service Pro Bono Firm Honor** — recognizing the firm for having exceeded its pro bono pledge

**Martha Graham Dance Company Award** — given to an Orrick associate for her pro bono work on behalf of the organization while it went through its financial reorganization

**Jeremy G. Epstein Award for Pro Bono Service** — given to a New York partner for his work in representing veterans in connection with their VA benefits applications through the City Bar Justice Center’s Veterans Assistance Advocacy Project

**Legal Aid Society Pro Bono Publico Award** — given to a New York partner for his significant contributions to the Legal Aid Society in the areas of employment law counseling, policy development and litigation assistance

**Father Cuchulain Moriarty Award, Lawyers’ Committee for Civil Rights of the San Francisco Bay Area** — honored two lawyers in the San Francisco office who made an extraordinary pro bono contribution to the Lawyers’ Committee’s Asylum Project

**2009 Public Justice Award** — given to the firm’s pro bono counsel for his commitment to and support of the New York State Family Court Self-Represented Project through which unrepresented, low-income litigants receive counseling and advice in a court-based clinic



Diversity Scholarship:

## Bolstering the Pipeline

Orrick continues to support the California Bar Foundation's Diversity Scholarship program, which bolsters the pipeline of diverse individuals from groups historically underrepresented in the legal profession.

"The scholars are a diverse group with an impressive array of academic, extracurricular and professional accomplishments, who give us great hope for the future of the legal profession," says Leslie T. Hatamiya, executive director of the California Bar Foundation.

Jonah Lalas, a University of California Berkeley Boalt Hall Law School student, is the 2009 Orrick scholar. Committed to giving back to the community, Jonah has an impressive background.

After graduating summa cum laude and Phi Beta Kappa from UCLA, Jonah spent six years working for the Service Employees International Union in Los Angeles and Texas. Jonah began his organizing work with healthcare employees, influenced by his mother who worked as a nurse and came to America to escape poverty in the Philippines. While in Texas, Jonah led the campaign to unionize the 13,000 Houston city workers. Jonah intends to use his legal education to ensure that the laws that

protect workers are enforced and to reform the laws that hinder workers from exercising their rights.

"The support I am receiving from Orrick means so much to me," said Jonah. "My wife and I, after working for six years, decided to go back to school together, and we both are living entirely on grants and loans. The aid I'm receiving from Orrick helps me live a little easier so that I can focus on my academic work."

Despite the tough economic times, the California Bar Foundation raised \$20,000 more in scholarship funds this year, distributing \$130,000 in diversity scholarships to 23 students attending California law schools. Recipients were selected from a competitive pool of more than 200 applicants who demonstrated academic excellence, financial need and commitment to the community and, in many cases, have overcome significant obstacles to attend law school.

Orrick is proud to support this critical scholarship.

Orrick Scholar Jonah Lalas  
with Silicon Valley partner  
Neel Chatterjee



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## Human Rights/Public Policy

Orrick regularly takes on innovative human rights and public policy work that allows lawyers from all practice groups to collaborate on important domestic and international projects. Major representative matters include:

- A team of lawyers advised Greenpeace China in relation to a major environmental protection project that aims to limit and reduce industrial pollution in China. Specifically, Greenpeace China established a campaign to stop the release of hazardous chemicals into China's water sources. The Orrick team examined the various water-related regulations that exist in China and provided a comprehensive review of Chinese environmental laws and regulations as they affect the proposed campaign.
- Teams of Orrick lawyers provided legal and technical assistance to the Public International Law & Policy Group, which is (i) assisting Ugandan officials in addressing accountability and developing mechanisms that promote transitional justice following a 20-year civil war, and (ii) supporting Nepali government officials, political party leaders and representatives of key stakeholders to further Nepal's constitution-drafting process following a bloody civil war.
- Orrick is representing Jaycee Dugard, who had been kidnapped and held captive for 18 years. She was found after police were tipped off when Jaycee's abductor, Phillip Garrido, and two children walked into the University of California's police station asking for approval to hold an event on the school's campus. Several Orrick partners are assisting the Dugard family with legal issues the family now confronts, especially the prosecution of Jaycee's abductors, as well as serving as the family spokesperson.

## PRO BONO PERFORMANCE

The firm's pro bono numbers continued to increase at a substantial pace. The firm posted a year-end pro bono participation rate of more than 85% (improving over 2008 when 83% of lawyers in U.S. offices billed 20 or more pro bono hours; in 2007, 74% of U.S.-based lawyers billed more than 20 pro bono hours; in 2006, 67% of U.S.-based lawyers billed more than 20 pro bono hours).

Pro bono hours per lawyer in the U.S. averaged more than 103. By comparison, in 2008 and 2007, pro bono hours per lawyer in the United States averaged 119 and 86, respectively.

Lawyers and legal assistants at the firm billed a total of 89,030 hours of pro bono legal work. By comparison, in 2008 and 2007, the numbers were 95,669 and 71,698, respectively.

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