

## Case Highlights

Dykema's involvement in pro bono activities touches every realm of human need in the communities in which we live and work. Among the areas in which our pro bono efforts have helped those whose access to legal services is limited or non-existent:

### Immigration/Asylum

- Beginning in the Spring of 2017, Dykema attorneys represented members of an Afghani family seeking asylum in the United States because of death threats it received from the Taliban after opening three very successful, secular, English-speaking schools in Afghanistan that teach an international curriculum and focus on women's education. In order to protect themselves, the family secured visas to fly to South America and trekked to the United States over the course of several months. Upon reaching the Texas border in December of 2016, they immediately requested asylum, but were denied bond and remained in detention during the pendency of their cases. The Dykema attorneys took on the case pro bono and successfully argued for asylum. The family was released from detention within hours of the Immigration court's decision and immediately flew to California to reunify with family members who were already settled there.
- Dykema's Dallas office was highly engaged in working with local legal aid agencies in a coordinated response to a presidential executive order on immigration affecting refugees and non-citizens. Several Dykema lawyers spent hours assisting affected travelers at Dallas/Fort Worth International Airport.
- Dykema helped a teenaged Central American boy earn a Special Immigrant Juvenile Status (SIJ) matter. The SIJ visa is designed to help abused, abandoned, or neglected foreign children who cross the border, without a guardian or parent, stay in the United States. Under this program, youths who cannot be reunited with a parent can get a green card, which allows them to live and work permanently in the United States.
- Dykema won asylum for two refugees after a Honduran woman came to the United States without her daughters to escape the children's father, who relentlessly abused the woman after she joined an evangelical church.
- A member represented a 24-year-old man who left India at the age of 10 as an orphan, and whose naturalization petition had been denied. Although the young man had no government-issued documentation that he had been admitted lawfully to the United States, the Dykema lawyer argued the circumstantial evidence and equities, suggesting that if the U.S. government officials who handled the child immigrant's paperwork after the orphan petition approval had performed their duties properly, the client would have been eligible for naturalization. The client ultimately prevailed and the government district office granted his naturalization application on the basis that "service error" could not be ruled out. In a letter sent to our lawyer, the client wrote, "I have met many people who gave me false hopes and dealt with many bureaucratic entanglements over the years and you have made it possible for me to realize my dream. I will never forget your kindness and generosity and will work hard to live my life by your example." The client has been sworn in, and is a legitimate U.S. citizen.

### Children/Juvenile Justice Issues

- The firm is cooperating counsel with the ACLU Michigan in a case involving a girl who has cerebral palsy and her service dog, who was banned from bringing Wonder to class when she was 5 years old. The Chair of our Appellate Group and a Member in our Employment group handed the case when it was heard at the trial level and at the Sixth Circuit. The United States Supreme Court has granted review in its fall 2016 term, and focused on whether students in certain circumstances can bring claims under the Americans with Disabilities Act without first exhausting administrative processes under a separate law.
- Since 2008, the volunteers in Chicago, Ann Arbor, Detroit, Chicago, Dallas and Washington DC have represented children in state, federal and immigration courts who have been abandoned, abused or neglected by parents and have fled to the United States. Often, these children have traveled thousands of miles on foot to arrive in the United States seeking asylum, protection from trafficking and or sexual abuse. The volunteer lawyers Exercise rights bestowed upon them by federal crime victim rights and immigration laws to get these children's lives back on track.

## Case Highlights (Cont.)

- Dykema attorneys represent seven of Michigan's 360 juvenile lifers who are now serving unconstitutional sentences under *Miller v. Alabama*. This case, and subsequent cases found that juveniles who were sentenced to mandatory life without the possibility of parole before they turned 18 must be resentenced and must be permitted to present mitigating evidence to their re-sentencing judge. The State of Michigan has the second largest population of juvenile lifers sentenced under this now unconstitutional scheme in the country.
- A member and an associate, in conjunction with the Children's Advocacy Center at the University of Michigan Law School, prepared an *amicus* brief to the U.S. Supreme Court on behalf of the Child Welfare League of America, the National Council on Crime and Delinquency, the National Association of Social Workers and approximately 30 other groups. The *amicus* brief advocated the position of children's rights groups opposing the policy of the Michigan Department of Corrections that severely impacted the ability of minor children to visit their incarcerated parents.
- Several attorneys have worked on matters referred by the National Center for Missing and Exploited Children, under the Hague Convention on Civil Aspects of International Child Abduction. Such matters involved representation of the "left behind" parent in seeking return of the child when the child was wrongfully taken or retained by the other parent in the United States.
- Two associates, led by a member of the Firm, worked on Special Education Pro Bono Project matters, on behalf of students and their parents.

## Civil Rights

- In a matter wherein our client was arrested on assault charges (which were later dropped), a Dykema lawyer helped ensure that the client's private health information be protected from disclosure. During the police booking process, the client disclosed his HIV-positive status so that jail officials would be able to administer his time-sensitive medications and alert authorities to take reasonable precautions where needed. Even after the charges were dropped, the police record maintained the client's HIV-positive disclosure in their report. Since his status had not been previously disclosed to family, friends or his employer, the client asked that it be redacted from the police record. Privacy was especially important in this situation because the alleged assault victim was a family member who had a legal right to the report. When Lambda Legal issued a request for assistance, Dykema stepped up and with the help of one of our lawyers, the client succeeded in having the records redacted.
- Dykema attorneys assisted Lambda Legal in filing an *amicus* brief in the U.S. Court of Appeals for the 6th Circuit, on behalf of four gay and lesbian organizations. The case involved a graduate student who, while enrolled in a practicum course on high school counseling, learned that one of the students she would be counseling was gay. The graduate student demanded that she be allowed to refer the gay student to another counselor. She also refused to counsel any gay or lesbian clients, stating that it was against her religious beliefs as a Christian. Following a formal review of her continued refusal to counsel gay and lesbian patients, the university dismissed the graduate student from the graduate program. She subsequently filed suit asserting her First Amendment rights were violated. The federal district court and Sixth Circuit ruled in favor of the university.
- The firm was pro bono counsel, along with a team of defenders from the Michigan Innocence Clinic and the Northwestern on Wrongful Convictions of Youth to release a 23 year old Detroitier who, at 14 confessed to a quadruple homicide he did not commit. Press release [http://www.dykema.com/news-press-michigan-court-overturns-2008-murder-conviction-of-detroit-teenager-davontae-sanford\\_060716.html](http://www.dykema.com/news-press-michigan-court-overturns-2008-murder-conviction-of-detroit-teenager-davontae-sanford_060716.html)

## Death Penalty

- Dykema teams in Los Angeles, Detroit and Ann Arbor, Michigan have dedicated hundreds of hours preparing death penalty appeals on behalf of three death row inmates in the state of Georgia. The work has included years of discovery, numerous prehearing motions, a remand to the trial court and a habeas hearing. In 2011, the Georgia Supreme Court set aside the death sentence and granted a new trial of one of these inmates, based on the pro bono work of Dykema attorneys.

## Environment

- A team of Dykema lawyers created conservation easements and acquired title to 21,500 acres in Michigan's Upper Peninsula. The acreage, totaling more than 400 square miles, was the largest conservation easement in the United States.

## Family Law

- Several attorneys provide much needed assistance in family law matters. An associate was assigned a case by a judge involving a woman who had a stroke. In another matter, an associate was able to secure a very favorable settlement for her difficult client, after filing the trial brief. A third associate also negotiated a very favorable settlement on behalf of a Russian immigrant in a short-term marriage, involving issues of property division, immigration and domestic violence.
- Dykema lawyers are trained in, and routinely handle, PPO-related hearings on behalf of indigent victims of domestic violence.

## Not-for-Profit

Our transactional pro bono caseload is particularly active. Dykema lawyers represent a broad array of non-profits, most involved with social service issues or addressing the needs of special populations, with respect to transactional, regulatory, real estate, zoning, tax and other matters. Among the cases in this area:

- Two Dykema attorneys were members of a team of lawyers on a year-long project with Community Legal Resources to support the development of affordable housing in Michigan through the creation of community land trusts (CLTs): private nonprofit corporations created to provide access to land and affordable housing, especially in communities experiencing rapidly increasing house prices. The project attorneys developed a series of legal tools and forms to assist Michigan CLTs. These legal documents helped create the legal foundation for nonprofits to construct and provide access to affordable housing across Michigan for generations to come.
- An associate demonstrated poise, common sense, and extraordinary patience, as well as the ability to provide sound legal advice, in assisting a not for profit agency in the successful recovery of \$100,000 to \$125,000 that had been withdrawn and arguably "hidden" by one of the former Board members of the organization. The associate spent significant time attending Board meetings, sifting through bylaws and articles of incorporation, and talking with various factions of the organization and opposing counsel.
- A team of Dykema attorneys prepared an appeal on behalf of a developer of affordable housing from the Zoning Board of Appeals, in which the ZBA had affirmatively revoked site plan approval of an affordable housing duplex.

## Prisoner Rights

- The Firm routinely handles prisoner rights cases, which involve infringement of basic medical care or infringement of the right to practice religion.

## Poverty Law

- Dykema attorneys and legal specialists handle a wide variety of litigation matters for low income clients. Such cases range from quieting title and litigating defective home repairs to advocating for fair allocation of food stamps, working to discharge student loans due to disability, and pursuing claims against fraudulent service providers. These cases tend to be as interesting, rewarding and diverse and interesting as the clients we represent.

## Veterans Rights & First Responders

- The Firm has handled multiple cases on behalf of disabled veterans to increase their disability ratings, which will provide long term care for themselves and their families.
- Two members assisted in the fundraising effort for a veteran in need of a ramp installed on his house. The Dykema lawyers prepared all the necessary documentation to ensure the family would not be subject to adverse tax consequences related to the received benefits.

## Case Highlights (Cont.)

- The Firm is involved with Wills for Heroes, a national program that provides legal documentation for the country's first responders. Dykema's participation in the program in the Chicago and surrounding metro-areas has included assistance with local police and firefighters. Launched in 2012, the Firm designed and coordinated an identical Wills for Heroes program in Dearborn, Michigan with Ford Motor Company.

## Women's Issues

- A member, assisted by an associate, represented the plaintiffs in a lawsuit against a national fraternal organization which threatened to revoke a local chapter's charter because the chapter accepted women. The litigation resulted in a settlement requiring the national organization to allow all state-wide chapters to admit women; letters to that effect were sent to all chapters and auxiliaries stating that policy. The national organization has since revised its national constitution to allow for women members.
- Dykema founded a clinic to assist in the preparation of personal protection orders in Wayne County, Michigan, in partnership with the court, clerk of court, Detroit Metropolitan Bar Association and countless Firm volunteers, to provide to survivors of domestic violence and sexual assault.
- Volunteers in Detroit and Chicago assist battered women seeking civil protection orders.
- The Firm is general counsel on many matters for a shelter that services the residents of Wayne County, Michigan.