

## Lawyers Alliance Works with Nonprofits to Strengthen Education

A STRONG EDUCATIONAL SYSTEM underpins the social fabric of New York City and reduces socioeconomic disparities. According to the New York State Education Department, less than 40 percent of students in New York City in grades three through eight are considered proficient in English and math. Lawyers Alliance for New York has long supported nonprofit organizations serving children and youth and improving public education. As a result of a recent program priority setting process, we have made Quality Education its own area of focus, to serve a full range of nonprofits addressing educational needs from early childhood to adulthood.

### How Lawyers Alliance Helps Education Organizations

We assist nonprofits on legal issues such as navigating partnerships with schools and community-based organizations; preparing volunteer policies, including child protection policies and volunteer releases; drafting and negotiating agreements with government agencies to provide in-school and after-school programming; and protecting curriculum and other intellectual property. We also assist these organizations with business and transactional law issues common to nonprofits.

### Working with Vulnerable Populations

Education nonprofits focused on services for children need to be particularly aware of the necessity of ensuring that staff and volunteers understand their obligations with respect to protecting minors. Volunteer policies, waivers and releases, and appropriate organizational oversight of program services are crucial for protecting both the children involved and the organization itself.

**Case Example: Literacy Inc.** (LINC) engages families and community members to support young readers in high-need neighborhoods. LINC harnesses the power that exists in every community to make literacy

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Photo: Literacy Inc.

**Literacy Inc. engages families and community members to support young readers.**



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#### 2017 Cornerstone Awards

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*Helping Nonprofits Serve Immigrant Populations*

*Boosting Data Security and Privacy*

*Law Firm Appeal Sets New Record*

# 20<sup>th</sup> Cornerstone Awards Honor Outstanding Pro Bono Achievement



Honorees Karen Kim and Cheryl L. Davis



Honoree Matthew DeAtley; Peter Cavadini, Gillian Prince, and Eric Stoessel of New York Disaster Interfaith Services; Honoree Eric Allendorf



Honoree Benet O'Reilly with Sarah Shannon and Andrea MacDonald of Brooklyn Community Foundation

The Cornerstone Awards, Lawyers Alliance for New York's annual volunteer recognition event, brought volunteers, nonprofit clients, colleagues, friends, and family together for a celebratory evening. Held on November 14, 2017 at **Viacom**, this year's event thanked Lawyers Alliance's more than 1,800 volunteers and paid special tribute to two law firms and 14 individuals for their outstanding pro bono legal services to nonprofit organizations. This year also marked the 20th Anniversary of the Cornerstone Awards, begun in 1997.

**Heidi L. Naunton**, an attorney at Viacom, co-chair of Viacom's companywide pro bono initiatives, and member of Lawyers Alliance's Board of Directors, welcomed guests and emphasized the importance of all attendees. She commented, "You change the equation – in your roles as volunteers, clients, and supporters. Lawyers Alliance's pro bono attorneys dedicate their time and talents to make a positive difference in New York neighborhoods."

## Institutional Honorees

Lawyers Alliance presented Institutional Cornerstone Awards, the highest pro bono honor, to two global law firms. "These remarkable firms have created a culture that encourages pro bono work, which in turn has helped nonprofit organizations across New York City," noted **Sean Delany**, Lawyers Alliance's Executive Director.

**Latham & Watkins LLP:** Latham & Watkins LLP's dedication to pro bono work is a source of pride and a fundamental part of the firm's culture, and the firm provided free legal services valued at approximately \$135 million last year. Latham has partnered with Lawyers Alliance for more than 20 years, including more than 30 legal matters for more than 25 nonprofit clients since 2012, with 22 new matters since 2015. Its collaborative approach to client service is reflected in the corporate, contract, transactional, regulatory, and other sophisticated pro bono legal services it has provided to nonprofit clients. As a result of this pro bono work, nonprofit organizations have stronger programs, operations, finances, and facilities and therefore can better serve more New Yorkers in need.

On behalf of the firm, **Abid R. Qureshi**, Global Chair, Pro Bono Committee, and Partner, Latham & Watkins, accepted the award. He said, "Lawyers have a responsibility to use their skills to serve the underserved and give voice to the voiceless. At Latham, we're proud to donate hundreds of thousands of hours in pro bono every year, and to partner with Lawyers Alliance in its mission to support nonprofit and social enterprise organizations and improve the quality of life in New York City."

**Mayer Brown LLP:** Mayer Brown LLP's dedication to fostering an equitable society is closely aligned with Lawyers Alliance's aim to improve the quality of life in low-income New York City communities, and firm lawyers provided more than 58,000 hours of pro bono work last year to help the disadvantaged. Mayer Brown's steadily increasing pro bono work with Lawyers Alliance includes 31 legal projects for more than 25 organizations since 2012, and 21 new matters since 2015. Thanks to the firm's high quality legal services, its pro bono nonprofit clients have been able to navigate a complex array of corporate, information technology, and other business law challenges. This legal guidance has improved the ability of economic development, housing, health, and arts organizations to advance their missions and serve urban neighborhoods.

On behalf of the firm, **Marcia Tavares Maack**, Director of Pro Bono Activities at Mayer Brown, accepted the award. She said, “At Mayer Brown, we believe we have a responsibility to assist the disadvantaged, to help build a more inclusive society, and to improve access to justice. We are proud to work with Lawyers Alliance and the many nonprofit organizations it serves in the name of improving the lives of low-income New Yorkers.”

### Individual Honorees

“Since the inaugural Cornerstone Awards in 1997, only 210 of our 7,500 volunteers have received an Individual Cornerstone Award. These are Lawyers Alliance’s strongest of our strong volunteers, and they demonstrate how lawyers can positively affect their communities,” said **Elizabeth M. Guggenheimer**, Lawyers Alliance’s Deputy Executive Director and Director of Institutional Advancement. The 2017 winners are:

**Eric Allendorf** and **Matthew DeAtley, Paul Hastings LLP**: For helping a disaster relief organization ensure that New Yorkers displaced by Hurricane Sandy have access to temporary housing while repairing their homes.

**Joann B. Birle, Herrick, Feinstein LLP**: For providing expert real estate legal advice to nonprofit organizations, allowing them to secure the space needed to serve their communities.

**Cheryl L. Davis** and **Karen Kim, Menaker & Herrmann LLP**: For ensuring that a women’s economic empowerment organization’s intellectual property assets were protected in preparation for the launch of an international campaign.

**Oren Epstein, Skadden, Arps, Slate, Meagher & Flom LLP**: For a long-term commitment to pro bono work, including intellectual property matters for environmental, economic opportunity, and educational organizations.

**Scott Feira, Arnold & Porter Kaye Scholer LLP** and **Karen Peled, NBCUniversal Media, LLC**: For collaborating to negotiate a telecommunications contract for a Queens multi-service agency and encouraging corporate pro bono.

**Richard G. Kass, Bond, Schoeneck & King PLLC**: For providing sensitive, supportive employment legal advice to nonprofits over a span of 20 years.

**William X. Lang, Winston & Strawn LLP**: For high quality services in real estate and contract law, resulting in the space and structure needed by nonprofits to provide services to New Yorkers.

**Benet O’Reilly, Cleary Gottlieb Steen & Hamilton LLP**: For leading a team of colleagues providing a range of sophisticated legal assistance to a community-based foundation in Brooklyn.

**Susan L. Ross, Norton Rose Fulbright US LLP**: For making pro bono service a priority throughout her career, including expert technology and privacy law support to benefit numerous nonprofit organizations.

**Chris M. Smith, Shearman & Sterling LLP**: For spearheading a long-term project that will enable a media arts center to sell its air rights and secure its financial future.

**Daniel J. Venditti, Simpson Thacher & Bartlett LLP**: For providing crucial employment law advice to help nonprofits manage productive workplaces.

Congratulations to all of the 2017 Cornerstone honorees!



**Catherine Martinez, Downtown Community Television Center, and Honoree Chris M. Smith**



(back row, left to right): **Matthew DeAtley, Paul Hastings LLP; Abid Qureshi of Institutional Honoree Latham & Watkins LLP; Benet O’Reilly, Cleary Gottlieb Steen & Hamilton LLP; Richard G. Kass, Bond, Schoeneck & King PLLC; Daniel J. Venditti, Simpson Thacher & Bartlett LLP; Chris M. Smith, Shearman & Sterling LLP; Eric Allendorf, Paul Hastings LLP; Scott Feira, Arnold & Porter Kaye Scholer LLP; and William X. Lang, Winston & Strawn LLP**

(front row, left to right): **Marcia Tavares Maack of Institutional Honoree Mayer Brown LLP; Karen Kim, Menaker & Herrmann LLP; Susan L. Ross, Norton Rose Fulbright US LLP; Joann B. Birle, Herrick, Feinstein LLP; Oren Epstein, Skadden, Arps, Slate, Meagher & Flom LLP; Karen Peled, NBCUniversal Media, LLC; and Cheryl L. Davis, Menaker & Herrmann LLP**



# Lawyers Alliance Works with Nonprofits to Strengthen Education

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a value and right of all children, as children's educational success is the path out of poverty and the key to achievement. In order to maximize its reach, LINC engages community members to be ambassadors in high-need neighborhoods and help provide programming to children and families. LINC received pro bono assistance from **Norton Rose Fulbright US LLP** in order to ensure the organization had appropriate policies and training for volunteers and staff with respect to the protection of the children and parents involved in LINC's programs.

## Collaborating and Entering into Partnerships

Working with school-aged children often means offering services where children are already located, and collaborations with schools and other community-based organizations are a common approach for nonprofits. Drafting and reviewing partnership agreements can help ensure the long-term success of a program and protect a nonprofit from unnecessary risk.

**Case Example: Pure Creative Arts** (Pure) inspires, educates, and develops a sense of purpose in youth by involving them in an original rap-pop musical, which leads to participation in workshops and on-going

mentoring programs. Pure partners with other community organizations to reach public school students in low-income neighborhoods in New York City. This summer, volunteers from **Cahill Gordon & Reindel LLP** drafted a Services Agreement and Licensing Agreement for Pure's use with its community and school partners. The Services Agreement ensures that all parties know what is expected and the Licensing Agreement allows Pure to share its materials with partner organizations. Both agreements were completed for the start of the school year this fall, enabling Pure Creative Arts to work efficiently with students and schools.

## Our Quality Education clients offer and support:

- in-school and after-school educational enrichment
- early learning and Head Start
- public school improvement
- charter schools and alternative public education programs
- mentoring and tutoring
- educational scholarships
- college readiness and sustainability
- occupational education
- adult literacy
- continuing education
- English language learning
- STEM education



Photo: L.O.V.E.

**Latinas on the Verge of Excellence** operates a mentoring program aimed at enhancing the well-being of young girls in New York.

## Experiencing Organizational Milestones of an Education Nonprofit

In addition to legal services specifically tied to an organization's educational programming, Lawyers Alliance provides a wide range of business and transactional legal services to education nonprofits, and together with its network of pro bono attorneys, can meet legal needs throughout the life of a nonprofit corporation.

**Case Example:** Since receiving assistance in 2012 with incorporation and tax exemption from attorneys at **O'Melveny & Myers LLP**, **Latinas on the Verge of Excellence** (L.O.V.E.) has operated a mentoring program aimed at enhancing the well-being of young girls and Hispanic communities in New York by recruiting volunteer female university students to support, guide, and be role models to young Latinas during their high school years. Lawyers Alliance has continued to match L.O.V.E. with attorneys with appropriate expertise for the organization's evolving legal needs. For example, L.O.V.E. is receiving assistance from O'Melveny with negotiating a contract with a program evaluation vendor. Lawyers Alliance has also provided legal assistance on employment issues, governance, and negotiating contracts with partner schools.

For more information on Lawyers Alliance's work in education, please contact Staff Attorney **Ciarra Chavarria** at (212) 219-1800 ext. 228 or [cchavarria@lawyersalliance.org](mailto:cchavarria@lawyersalliance.org).

# Helping Nonprofits Serve Immigrant Populations

The presence of immigrants has long been a defining feature and strength of New York City. Approximately six in ten New Yorkers are either immigrants or children of immigrants, enhancing the economy and vitality of urban neighborhoods. During a period of uncertain and changing national and local policies affecting immigrants, New York City nonprofit organizations have strengthened their commitment to protecting immigrants, as has Lawyers Alliance and its volunteer attorneys. The legal work for these organizations cuts across Lawyers Alliance's five program priority areas: Community Arts, Economic Opportunity, Housing and Shelter, Quality Education, and Urban Health.

## Community Arts

**Flushing Council on Culture and the Arts**, also known as Flushing Town Hall (FTH), presents globally-focused performing and visual arts in Queens, one of the most diverse counties in the United States. Its education programs serve more than 18,000 people, and include after-school programs, school residencies and workshops, professional development workshops for teachers and artists, workshops for seniors and families, and family shows. FTH's professional teaching artists are contracted in a variety of settings, including at schools and FTH itself. Pro bono attorneys from **Farrell Fritz, P.C.** reviewed FTH's form independent contractor agreement used with these teaching artists and then drafted templates for different types of engagement, to ensure compliance with applicable employment regulations.

## Economic Opportunity

**Emma's Torch** trains, employs, and supports refugees and asylees in the culinary arts. It sets them up for successful employment while celebrating their culinary heritage and allowing them to build new lives in their adopted communities. Volunteers from **Skadden, Arps, Slate, Meagher & Flom LLP** began assisting Emma's Torch in 2016 with formation as a tax-exempt entity, and have since advised on corporate governance and a commercial lease. So far, eight people have graduated from the program and are employed in restaurants across the City.

## Housing and Shelter

**Womankind** (formerly the New York Asian Women's Center) assists survivors of gender-based violence to rise above trauma and build a path to healing. Support services include housing, economic empowerment, English language training, and immigration. These

services are provided in 18 Asian languages and dialects. Attorneys from **Alston & Bird LLP** reviewed Womankind's contract with New York City's Human Resources Administration to operate two emergency shelters for survivors of domestic violence and their children, the only such shelters in New York State culturally equipped for the pan-Asian community. As a result of the volunteers' assistance, Womankind was better able to understand the terms of this important government contract underlying its funding for the shelters.



Photo: Emma's Torch

## Quality Education

**The American Dream School (ADS)**, a charter school in the Bronx for middle and high school students, cultivates an encouraging environment for English language learners and immigrant students and develops academic excellence in both Spanish and English. The school needed new space to house the expanding student population. Pro bono attorneys from **DLA Piper LLP (US)** negotiated a lease for new space and the school moved in over the summer in advance of the 2017-2018 school year.

## Urban Health

**The New York Immigration Coalition** (the NYIC) is an umbrella policy and advocacy organization for more than 200 groups in New York State working with immigrants and refugees. Pro bono attorneys from **Crowell & Moring LLP** assisted the NYIC in reviewing and executing a contract with OneCity Performing Provider System, a hospital-led network. By entering into this agreement, the NYIC is a participant in New York State's DSRIP (Delivery System Reform Incentive Payment) program, aimed at improving patient care and reducing avoidable hospital expenses by bringing together community-based organizations and hospital providers. As a result, the NYIC has a platform for promoting the role that community-based, immigrant-focused providers have in improving health outcomes and ensuring that community-based organizations' needs are represented in the transition to value-based payment for health care services.

For more information on Lawyers Alliance's work with immigrant-serving nonprofits, please contact Legal Director **Elizabeth Perez** at (212) 219-1800 ext. 232 or [eperez@lawyersalliance.org](mailto:eperez@lawyersalliance.org).

**Emma's Torch trains, employs, and supports refugees and asylees in the culinary arts.**

# Lawyers Alliance's Team Continues to Grow

Lawyers Alliance is pleased to welcome new directors and staff. All of the new Board members have volunteered on behalf of Lawyers Alliance nonprofit clients.

## New Board Members

**Scott J. Gordon** is a partner at Kirkland & Ellis LLP and the global leader of the firm's Derivatives Practice. He is a leading counsel to end-users, representing clients ranging from Fortune 500 companies to many of the world's preeminent private equity funds and their portfolio companies in interest rate, currency, commodity, equity, and credit derivatives matters. Mr. Gordon is a 2012 Lawyers Alliance Cornerstone Awardee.

**Pamela L. Marcogliese** is a partner at Cleary Gottlieb Steen & Hamilton LLP. Her practice focuses on corporate and financial transactions, as well as corporate governance matters. In particular, Ms. Marcogliese has considerable experience in initial public offerings and other public and private capital markets offerings.

**Christopher C. Paci** is a partner at DLA Piper LLP (US) and Chair of the firm's Capital Markets Practice Group. He has substantial experience representing investment banks and US and foreign issuers in a broad range of capital markets transactions. Mr. Paci also has extensive experience in the corporate and securities law aspects of financial restructurings.

**Andrew E. Tomback** is a partner in the Global Commercial Litigation Group at White & Case LLP. He focuses his practice on litigations and investigations involving federal securities laws, complex litigation, and the Foreign Corrupt

Practices Act. Mr. Tomback's considerable experience is drawn from business, private practice, government service, and pro bono service.

**Veronica M. Wissel** is a partner in Davis Polk & Wardwell LLP's Corporate Department, practicing in the Executive Compensation Group. She advises clients on a variety of compensation-related matters, including the design and implementation of equity, retention and incentive plans, disclosure and regulatory compliance, and employment negotiations with senior executives.

## New Staff Members

Staff Attorney **Ciarra Chavarria** is responsible for the Quality Education program priority area, which assists nonprofit organizations that improve access to and quality of educational opportunities. **Gina DelChiaro** joins us in the newly created position of Corporate Engagement Counsel, and she is working to expand corporate legal department relationships and national programming. Staff Attorney **Bee-Seon Keum** is responsible for the Urban Health program priority area, which is focused on preventive health, food security, healthy aging, and environmental health. Program Assistant **Jessica Perelman** provides support for our legal and educational programming. Staff Attorney **Noah Sapse** is working with nonprofit clients engaged in community redevelopment and their pro bono attorneys, as part of the Housing and Shelter and Economic Opportunity program priority areas. In addition, Lawyers Alliance has promoted **Emily Crossan** to Marketing and Communications Director. For biographies of all our staff members, visit [www.lawyersalliance.org/staff.php](http://www.lawyersalliance.org/staff.php).

## Lawyers Alliance Board of Directors

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TO OUR FINANCIAL SUPPORTERS

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*Cleary Extern, Staff Attorney*

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Neil Stevenson  
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James Valentin  
*Development Coordinator*

# Pro Bono Attorneys Boost Data Security and Privacy

In the digital age, nonprofit organizations are wrestling with appropriately identifying and mitigating their data security risks. As they consider donation platforms, handle personally identifiable client information, share necessary information with partners, and otherwise use data to advance their missions, nonprofit organizations need legal guidance to manage the potential consequences of collecting and storing information. Risks include financial and time costs associated with data breaches, reputational damage that can harm relationships with donors and clients, and the threat of regulatory penalties. In order to help nonprofit clients maximize opportunities and address these risks, Lawyers Alliance works with a network of pro bono attorneys with relevant expertise who support the crucial work of our nonprofit clients.

Nonprofit organizations' collection of certain types of financial information requires particular attention to the legal issues involved. Those helping individuals, families, and micro-entrepreneurs to access capital, credit, scholarships, or other funding frequently collect information about financial and personal history and welcome legal guidance to comply with applicable rules.

**Case Example: Economic Mobility Corporation**, doing business as Center for Economic Mobility (Mobility), identifies, develops, and evaluates programs and policies that enable disadvantaged individuals to acquire the education, skills, and networks needed to succeed in the labor market. Based in New York City, Mobility works with organizations across the country. In 2016, volunteer attorneys from **Orrick, Herrington & Sutcliffe LLP** assisted Mobility with negotiating a subcontract with another nonprofit organization and data sharing agreements with several Massachusetts state agencies in connection with Mobility's role as the independent evaluator of a workforce development program for limited-English speakers in the Boston metropolitan area.

In some cases, data security questions arise when a nonprofit organization seeks to partner with another service provider, and needs to share information about itself or the individual clients it serves in order for the collaboration to function effectively.

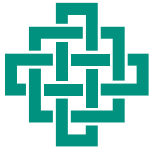
**Case example: Bay Ridge Center**, a Brooklyn-based senior services organization, sought pro bono assistance with reviewing a contract with a community-based health plan provider, which was lined up to provide seniors with social adult day care services. In addition to helping Bay Ridge Center adopt legally compliant policies with respect to its own handling of the seniors' private health information, pro bono attorneys at **Manatt, Phelps & Phillips, LLP** reviewed the contract with attention to data sharing provisions. As a result, Bay Ridge Center entered an arrangement that enabled necessary information sharing and was better able to ensure that the new venture would not result in unnecessary data security risks.

Lawyers Alliance encourages nonprofit organizations to take a proactive approach to data privacy concerns related to their work with vulnerable populations, such as children, the sick or disabled, and English learners. Pro bono attorneys can help nonprofit clients understand special laws and rules applicable to different types of organizations.

**Case Example: New York State charter schools**, which are nonprofit organizations and public schools, must adopt legally compliant policies about how certain student and governance information is shared with parents and the public generally. Pro bono attorneys at **Sidley Austin LLP** recently assisted **Washington Heights and Inwood Music Community Charter School (WHIN)** with reviewing Freedom of Information Law and Family Educational Rights and Privacy Act policies for the school. These policies allow the charter school to communicate more effectively with parents regarding what and how student information will be shared between the school and families, and provide guidance to school staff on how and when to protect the private student information held in school records.

If you are interested in volunteering to help nonprofit clients with data security and privacy legal issues, please contact Pro Bono Counsel **Stacey Fahey** at (212) 219-1800 ext. 242 or [sfahey@lawyersalliance.org](mailto:sfahey@lawyersalliance.org).





# Lawyers Alliance *for* New York

171 Madison Avenue  
Sixth Floor  
New York, NY 10016

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## 2016-17 Law Firm Appeal Sets New Record

The 2016-17 law firm appeal raised \$893,150 from 77 participating law firms, setting a new record! Lawyers Alliance thanks our outstanding co-chairs, **Kim Koopersmith** and **Steven H. Schulman** of Akin Gump Strauss Hauer & Feld LLP. Each year, the appeal helps Lawyers Alliance and our staff-

supported pro bono program to provide much needed business and transactional legal services to hundreds of nonprofit organizations that are bettering thousands of lives. We thank the following firms that contributed \$1,000 or more to the annual appeal:

Akin Gump Strauss Hauer  
& Feld LLP  
Allen & Overy LLP  
Alston & Bird LLP  
Arnold & Porter Kaye Scholer LLP  
Bernstein Litowitz Berger  
& Grossmann LLP  
Blank Rome LLP  
Brown Rudnick LLP  
Cadwalader, Wickersham & Taft LLP  
Caplin & Drysdale, Chartered  
Cleary Gottlieb Steen  
& Hamilton LLP  
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Clyde & Co US LLP  
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Covington & Burling LLP  
Cravath, Swaine & Moore LLP  
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Wollmuth Maher & Deutsch LLP

We look forward to working on this year's appeal with the 2017-18 co-chairs, **Michael A. Gerstenzang** and **Breon S. Peace** of Cleary Gottlieb Steen & Hamilton LLP.

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