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## 2016 PRO BONO EXCELLENCE AWARDS

### **FRANK J. SCURLOCK AWARD**

*This award honors an individual attorney, in good standing, who has provided outstanding pro bono work. The award is named for the late Frank J. Scurlock, the first chair of the Legal Services to the Poor in Civil Matters Committee. Scurlock was known for his tireless efforts to provide legal services to the poor.*

#### **Charles L. Kessi, Canadian**

*Nominated by: Cindy Smith, Panhandle Crisis Center*

Charles L. Kessie, a small-town practitioner in rural Texas, serves as an example in his profession of the positive impact one man can have on the lives of others. Kessi has handled pro bono cases both in private practice and for the Panhandle Crisis Center (a family violence shelter serving rural Texas Panhandle) for over 15 years. His philosophy is “if someone need(s) help, we help” to the extreme of traveling 90 miles round trip to handle cases for the Center. One cannot measure the impact of Kessi’s years of pro bono assistance to the victims of domestic violence. Not only has he provided outstanding legal counsel, but these victims also walk away from these experiences with deep respect and gratitude. Without his representation, his clients would have encountered the civil justice system alone with tragic outcomes. He has provided hope to families who are at the most hopeless point in their lives and advocacy to those without voices. The Executive Director of the Panhandle Crisis Center writes “Although he probably would be surprised to receive an award for doing what he simply considers the right thing to do, the fact that he selflessly offers his legal expertise to the poor and disenfranchised is a significant contribution worthy of recognition.”

### **J. CHRYS DOUGHERTY LEGAL SERVICES AWARD**

*This award recognizes an outstanding legal services staff attorney. The award is named for J. Chrys Dougherty, a private attorney and Bar leader, whose efforts helped to build a strong working partnership between the State Bar of Texas and legal services providers. The award includes a \$1,500 stipend from the Texas Bar Foundation and a contribution from Graves Dougherty Hearon & Moody.*

#### **Efrén C. Olivares, South Texas Civil Rights Project**

*Nominated by: Wayne Krause Yang, Austin*

As the legal leader of the South Texas office of the Texas Civil Rights Project (TCRP), Efrén C. Olivares has litigated and won a number of important cases, supervised and mentored a high achieving legal staff, and shed light on outrageous violations of his clients’ rights. Olivares’ efforts not only have set important positive precedent for things like ensuring hospitals provide interpreters and effective communication for people with disabilities throughout Texas, Louisiana, and Mississippi, but they have helped to move toward systemic change in a number of other areas as well. For example, his work in *Serna, et al. v. Texas Department of State Health Services, et al* exemplifies his commitment to social justice. He has brought TCRP together with Texas RioGrande Legal Aid to fight for a simple benefit that most Americans take for granted is a right: the right to a birth certificate for natural born U.S. citizens. Efrén has become a leading voice for civil rights and social justice in the Rio Grande Valley. He speaks regularly to the people of the community and has written on the rights of veterans, assisting young

refugees, the cruelty of solitary confinement, and much more. Olivares has had a profound impact on so many Texans and has dramatically expanded TCRP's ability to help others.

### **JUDGE MERRILL HARTMAN PRO BONO JUDGE AWARD**

*This award honors a judge, sitting or retired, who has provided exemplary pro bono service, including: outreach to attorneys to increase the quantity and quality of pro bono representation; modifications to court processes to increase access to justice; advocacy on behalf of access to justice; or service as a volunteer judge for pro bono clinics or other pro bono proceedings. The award is named after the late Judge Merrill Hartman of Dallas, a tireless advocate for low-income communities' access to justice.*

#### **Judge Marc C. Carter, Houston**

*Nominated by: Houston Bar Association*

Judge Marc C. Carter presides over the first Veterans' Court program in the State of Texas. Prior to his Veterans' Court docket, Judge Carter was co-presiding judge of the Change Through Intervention, Mental Health Court that provides intensive structure and supervision to the most high risk mentally ill probationers. Judge Carter held his first Veterans' Court in December of 2009. Since that time, 181 veterans have gone through the court, and 96 of them have successfully completed the program. Judge Carter's tireless efforts on behalf of these veterans have yielded results: many good men and women now lead productive and law-abiding lives because they were fortunate enough to have their cases docketed in his specialty court. What is perhaps even more admirable than working with veterans suffering from post-traumatic stress and other difficulties, is the fact that Judge Carter volunteers his time to conduct Veterans' Court in addition to his regular docket responsibilities. Judge Carter is also a frequent speaker at CLE programs and programs about Veterans Courts throughout the nation. Since the beginning of the Veterans Court in Harris County, he has spoken for the Houston Bar Association each year at programs the bar sponsors at two residential facilities for veterans, US VETS at Midtown Terrace and DeGeorge at Union Station.

### **PRO BONO AWARD**

*This award honors a volunteer attorney organization that has made an outstanding contribution toward guaranteeing access to the legal system by the poor.*

#### **Refuge and Immigrant Center for Education and Legal Services (RAICES), San Antonio**

*Nominated by: Denise Gilman and Elissa Steglich, Austin*

RAICES has played a role as first responder and leader in addressing the humanitarian crisis presented by an increased number of arrivals of women and children from Central America seeking protection beginning in 2014. Working with more than 450 pro bono attorneys during 2015, RAICES was able to serve more than 13,000 women and children. The organization's reach with offices through Texas, allowed the organization to work with children and families whether they were held in detention centers or shelters or were released to communities around the state. Working with pro bono attorneys, as well as volunteer interpreters and other volunteer support teams, RAICES provides a full spectrum of legal services. RAICES volunteers conduct intakes, offer "know your rights" information and guidance, prepare clients for pro se appearances, and conduct full representation on immigration claims on the merits. They handle a range of cases and matters, ranging from Special Immigrant Juvenile petitions for children who have been abused, abandoned or neglected to asylum merits hearings for children and

mothers who face great danger if returned home. RAICES has been a true leader in marshalling the generosity and legal talent of the pro bono community in Texas.

### **PRO BONO COORDINATOR AWARD**

*The Pro Bono Coordinator Award is presented to an individual who has made an exceptional contribution to the delivery of, and access to, legal services for the poor, while serving as the pro bono coordinator for a volunteer attorney organization or group, local bar association, law firm, law school, corporate legal office, governmental law department or legal services organization. Attorney and non-attorney pro bono coordinators are eligible and may self-nominate.*

#### **Jan Kearney, Legal Aid of NorthWest Texas**

*Nominated by: Legal Aid of NorthWest Texas*

Jan Kearney is the Equal Justice Volunteer Coordinator for the McKinney office of the Legal Aid of NorthWest Texas. Throughout the course of her pro bono career of almost 20 years, Kearney has recruited and retained approximately 300 volunteers and even more non-lawyer volunteers. She coordinates all of the pro bono activities for the McKinney office, including planning, organizing, and recruiting volunteers to staff 48 clinics held each year at seven different locations. She supervises all of the applicant screening, schedules volunteers, and places and monitors cases. She is a one person operation, yet has increased the efficiency of the program by developing a critical partnership with Hewlett-Packard's legal department. Kearney's passion for equal access and justice to low income individuals and her commitment to serving the local community is consistently demonstrated by her can-do attitude and genuine sense of care and concern for both clients and volunteer staff.

### **W. FRANK NEWTON AWARD**

*This award recognizes the pro bono efforts of attorney groups (e.g., law firm, corporate law department, government attorney office, law school faculty) whose members have made an outstanding contribution toward increasing access to legal services for the poor. The award is named for W. Frank Newton, former Dean of Texas Tech University School of Law and longtime pro bono advocate.*

#### **Baker Botts, L.L.P., Houston, Dallas, and Austin Offices**

*Nominated by: Houston Bar Association*

Pro bono legal services are a top priority for the law firm of Baker Botts. As the oldest law firm in Texas, constructive contribution to the firm's local communities is important to each and every lawyer. Each office of Baker Botts has a robust and active pro bono program which is open to all lawyers and paralegals, and both associates and partners are encouraged to participate. As evidence of the importance of pro bono work in the firm's culture, all pro bono hours count toward the requisite hours for associate bonus purposes (the same as billable hours for paying clients). Each office's program is run independently so it can be tailored to the particular community in which the office is located, the size of the office, and the demands and interests of the lawyers in the office.

The Austin office donates approximately 4,000 hours per year; the Dallas office donates approximately 1,900 hours per year; and the Houston office donated approximately 11,000 in 2015. Baker Botts staffs the South Dallas Legal Clinic and a Landlord Tenant legal clinic regularly, in addition to regularly

volunteering with the Houston Volunteer Lawyers Program's Saturday Legal Advice Clinic, LegalLines, and the Veterans' Clinics at the VA Hospital. Baker Botts often recruits clients to join in these efforts, thereby increasing the number of lawyers in the community providing free legal services to the poor. Each fall, at the swearing in ceremony for their new lawyers in Houston, Baker Botts recognizes the excellent contributions of the lawyers who have provided at least 30 hours of pro bono legal services over the last 12 months. The list regularly includes both associates and partners from every department in the Houston office. The 2015 list represented a 20% increase over 2014 and more than 1/3 of all lawyers in the office.

## 2016 INDIGENT DEFENSE AWARDS

### Warren Burnett Award

*Named for the late legendary Texas Attorney Warren Burnett, the award recognizes extraordinary contributions to improving the quality of criminal legal representation to indigents in Texas. The award honors either an individual or organization for their work in the courtroom, legislature, or in the public space.*

#### **2016 Recipient: Betty Blackwell**

*Nominated by: Kellie Bailey, Capital Area Private Defender Service*

While Betty Blackwell has been zealously representing indigent clients for decades, she, along with members of the Austin Criminal Defense Lawyers' Association, the Austin Bar Association, and the Travis County Criminal Judiciary, decided to change the entire indigent defense delivery system in Travis County. Since 2012, Blackwell has selflessly given her time to the creation and success of the Capital Area Private Defender Service. The Capital Area Private Defender Service ("CAPDS") is a joint venture non-profit corporation that is dedicated to assisting indigent clients of Travis County facing criminal charges. The organization provides consulting and management services to deliver the highest possible quality defense for those facing criminal charges in Travis County. In the one year CAPDS has been managing court appointments, dismissals have increased, investigations have tripled, people are spending less time in jail, and clients are avoiding deportation. The success of the program is largely as result of Blackwell's dedication and involvement.

### Michael K. Moore Award for Excellence in Research or Writing in the Area of Indigent Criminal Defense

*This award is named after Dr. Michael K. Moore for his pivotal role in several research and writing efforts that had a major effect on indigent defense in Texas. The award will be presented to an individual (including both private citizens and members of the Bar) or organization in recognition of exceptional research or writing that deals with indigent criminal defense and that represents a significant contribution to the knowledge and practices of the bench, bar, and scholarly communities.*

#### **2016 Recipient: Jeff Blackburn**

*Nominated by: Alexander Bunin, Chief Public Defender, Harris County*

Jeff Blackburn is being recognized for his important original research, *Too Much Money, Too Little Justice: The Potter County Misdemeanor System*, which was published in August 2015. The report is a detailed statistical study and analysis of misdemeanor prosecutions in Potter County, TX, concluding that the citizens of Potter County are receiving neither adequate value for their taxes, nor adequate justice. He analyzed every adult misdemeanor case filed in Potter County in 2012 with the goal of determining how many defendants were represented *pro se*, by appointed counsel, or retained counsel; what the outcomes of those cases were based on form of representation; how long misdemeanor defendants were being held in jail pretrial; and what the system was costing the taxpayers of Potter county. He also made a number of recommendations on ways in which the criminal justice system could be improved in terms of representation of indigent defendants and reducing incarceration.

Blackburn – a solo practitioner in Amarillo – undertook this research at his own expense, with a research assistant, Andrew Boyd. It took hundreds of hours over seven months to enter information from over 2,500 case files into a spreadsheet and then analyze the resulting data. The report has generated significant media coverage that has led to increased public interest and discussion among local political candidates about how to improve the criminal justice and indigent defense systems in Potter County. The report serves as a model to review other criminal justice systems in Texas and elsewhere.

