

O'Melveny



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**Unrelenting Challenges: Unyielding Commitment.**

Helping Our Clients and Communities Meet the Moment

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O'Melveny 2021

## COMMUNITY INVOLVEMENT AND PRO BONO

In keeping with the values that guide our firm, we again demonstrated the same passion advocating for our pro bono clients and our communities as we do for our corporate clients.

In a landmark trial that began in November, an O'Melveny team has joined forces with the Public Interest Law Center of Philadelphia and the Education Law Center of Pennsylvania in a case that has exposed drastic inequities in how Pennsylvania allocates funds for its public schools. The suit against the State of Pennsylvania challenges its failure to provide for a "thorough and efficient system of public education" as required by the Pennsylvania Constitution. Poorer districts in particular lack some of the most basic educational necessities, leading to low proficiency rates in science, math, and English for their students. The four-month trial recently concluded with the judge's ruling expected in the coming months. Any decision is likely to be reviewed by the Pennsylvania Supreme Court.

Over the past year, O'Melveny devoted almost 70,000 hours of legal representation to pro bono matters. Other highlights include successfully arguing *Lange v. California*, a US Supreme Court case that strengthens protections against warrantless entries into the home. At issue is whether the police violated a California man's rights by pursuing him into his garage without a warrant for allegedly committing nothing more than traffic misdemeanors. Writing for the majority, Justice Elena Kagan said that "hot pursuit" doesn't justify allowing police to act quickly, without a warrant, in every case.

To safeguard reproductive rights, we served as co-counsel to the abortion provider in *Dobbs v. Jackson Women's Health Organization*, a Supreme Court case challenging a Mississippi law that bans abortion after 15 weeks of pregnancy. The case poses a serious threat to *Roe v. Wade* and access to abortion in large swaths of the United States. A decision is expected in June 2022.

We remain active in the Law Firm Antiracism Alliance, a group we co-founded to help stamp out racist laws and policies. As co-counsel alongside the National Lawyers Guild, we successfully challenged the constitutionality of an emergency curfew ordinance the City of Beverly Hills used to arrest demonstrators protesting police brutality following the deaths of George Floyd and other Black victims. Our client, a 22-year-old dancer with a spotless record and passion for advocacy, was zip-tied and taken to jail after kneeling quietly at a peaceful gathering. With the ordinance struck down as a First Amendment violation and the charges dropped, our client was able to go on with her life without the threat of a criminal record looming over her head.

Knowing that collective action makes for far-reaching impact, we also teamed up with our clients in 11 virtual pro bono clinics. O'Melveny attorneys and in-house counsel provided a range of free legal services, including expungements of criminal records and discharge upgrades for veterans, assistance with DACA/citizenship applications for immigrants, recoupment of past benefits for homeless individuals, advocacy in support of domestic violence victims, legal name and/or gender marker changes for transgender people, and conservatorships. Participating firm clients included Bank of America, Fannie Mae, Google, Kaiser Permanente, TransUnion, ViacomCBS, Wells Fargo, and Western Digital.

## OUTREACH THAT MAKES A DIFFERENCE

### Pro Bono

81% Participation—67,652 Hours—106.7 Hours per lawyer on average—6.3% of total billable hours \*US offices only

Pro Bono Hot List—2 Years Running—*National Law Journal*

- **Reproductive Rights.** Defended several challenges to a woman’s reproductive rights, including:
  - Leading the charge with the ACLU, the ACLU of Arkansas, and the Planned Parenthood Federation of America in achieving a victory in the Eighth Circuit that blocked two abortion bans in Arkansas: a ban on abortion starting at 18 weeks of pregnancy, and a ban on abortion based on a patient’s reason for seeking care.
  - Securing a preliminary injunction in the District Court for the Eastern District of Arkansas in a suit challenging four laws that imposed unlawful restrictions on a woman’s right to exercise her reproductive rights. The district court’s order thoroughly and clearly laid out the facts that O’Melveny developed, finding that allowing the challenged laws to take effect would mean that “abortions other than medical abortions would be essentially unavailable in the State of Arkansas.”
  - Serving as co-counsel with the Center of Reproductive Rights and another law firm, O’Melveny represented the abortion provider in *Dobbs v. Jackson Women’s Health Organization*, a US Supreme Court case challenging a Mississippi law that bans abortion after 15 weeks of pregnancy. The case poses a serious challenge to *Roe v. Wade* and access to abortion in large swaths of the United States. A decision is expected June 2022.

John H. Pickering Award in honor of the firm’s “outstanding institutional commitment to pro bono and the inspiring pro bono performance of its lawyers and staff.”—Pro Bono Institute

- **Limits on Government Search and Seizure.** Successfully argued *Lange v. California*, a US Supreme Court case that strengthens protections against warrantless entries into the home. At issue is whether the police violated the rights of a California man by pursuing him into his garage without a warrant for allegedly committing nothing more than traffic misdemeanors. Writing for the majority, Justice Elena Kagan said that “hot pursuit” of a suspected misdemeanant does not justify a warrantless entry of a person’s home.

#2 on *Law360’s Law Firm Scorecard*, a listing of firms that “won big” during the Supreme Court’s 2020-2021 Term

- **Death Penalty.** Defeated a challenge to California Governor Gavin Newsom’s moratorium on executions in the Golden State. A lawsuit filed in Sacramento Superior Court claimed the moratorium was an unconstitutional exercise of the governor’s reprieve power. After we successfully argued that the plaintiff lacked standing to file suit, the court denied plaintiff’s request for leave to amend his complaint and granted final judgment in favor of the governor and the California Department of Corrections and Rehabilitation. *Law360* covered the case in an article titled, “[O’Melveny Pro Bono Aid Helps Maintain Calif. Execution Ban.](#)”

#### [Top 5—The American Lawyer’s Pro Bono Scorecard](#)

- **Public School Funding.** In a landmark trial that began in November 2021, an O’Melveny team has joined forces with the Public Interest Law Center of Philadelphia and the Education Law Center of Pennsylvania in a case that could change how Pennsylvania allocates funds for its public schools. The suit against the State of Pennsylvania challenges its failure to provide for a “thorough and efficient system of public education” as required by the Pennsylvania Constitution. Poorer districts in particular lack some of the most basic of educational necessities, resulting in low proficiency rates in science, math, and English for students in those districts. The four-month trial recently concluded, with the judge’s ruling expected in the coming months. Any decision is likely to be reviewed by the Pennsylvania Supreme Court.
- **Supporting Special Needs Community.** Represented Pediatric Therapy Network (PTN) in its merger with United Cerebral Palsy of Los Angeles (now Momentum). The non-profit PTN works with children with special needs and medical conditions, providing therapies to increase their abilities so that they can live more fulfilling and independent lives. We have represented PTN in a number of matters over the years and several clients serve on PTN’s board. PTN’s merger partner, Momentum, serves adults with special needs and their families. Together, the combined organizations, under the Momentum banner, better serve the entire special needs community in Los Angeles.
- **Reuniting Separated Family.** Secured humanitarian parole for a father separated from his daughter at the US border. After three years of separation, the two were finally reunited in an emotional and touching reunion chronicled in [USA Today](#).