

PRO
BONO
ANNUAL
REPORT
2002



LEONARD
STREET
AND
DEINARD



UNCOMMON WISDOM
COMMON SENSE®

Unwavering Commitment to the Community

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*People Serving People
Minneapolis, MN*

On the cover:
Community University
Health Care Center, located at
2001 Bloomington Ave, So. in
the Phillips neighborhood of
Minneapolis, MN.

Future site of Vail in the Park in
St. Louis Park, MN (see page 10
for list of individual names).

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*Lowell Noteboom
President,
Leonard, Street and Deinard*

PRO BONO MESSAGE FROM THE PRESIDENT

Leonard, Street and Deinard is pleased to provide you with this summary of our pro bono activities during 2002. While our tradition of community responsibility has been an integral part of our eighty-year history, the last decade has included a unique firm-wide commitment to the residents of the Phillips neighborhood in Minneapolis. Currently in its tenth year of operation, our Legal Clinic has provided assistance to hundreds of clients, nearly all of them with household incomes substantially below the poverty line, and half of them unemployed. Their needs often relate to family law or difficulties with housing and/or government benefits. They are real people with real problems in search of a combination of legal solutions, good advice and common sense. The lawyers and paralegals of Leonard, Street and Deinard give generously of their time to provide all three. In 2002, eighty percent of the firm's lawyers, and many of its paralegals, gave in excess of 9,800 hours, substantially exceeding the Law Firm Pro Bono Challenge goal of donating three percent of our billable time for such activities.

As the firm continues to grow, so does our commitment to pro bono service to the community. The firm's founders were not only legendary lawyers in this community, but role models for community service as well. Mr. Leonard gave considerable time to the American Civil Liberties Union in a range of Minnesota court cases; Ben Deinard was one of only four civilians chosen to prosecute the Nuremberg War Trials for the United States and continued his public service in this community thereafter. His brother, Amos, was persistent in his work to eliminate discrimination in hiring and was appointed by Mayor Hubert H. Humphrey to the Minneapolis Fair Employment Practices Commission, which he chaired for fifteen years.

The firm's commitment to the Phillips neighborhood, as well as our lawyers' roles on behalf of more than 150 nonprofit, charitable institutions in this community, is the natural evolution of this commitment by the firm's founders. We know that a lawyer's pro bono contribution is a fundamental part of our responsibility to the profession and to the community. It is also enormously satisfying work.

The information on the following pages explains in greater detail the range of activities in which we have engaged in the past year. I commend my colleagues for generously contributing their time and expertise to this important work.

LOWELL J. NOTEBOOM
PRESIDENT



Jim Sticha at the Legal Clinic housed in the Community University Health Care Center.

LEGAL CLINIC VOLUNTEER OF THE YEAR

James J. Sticha, Associate – Corporate Department

Jim Sticha represented a young single mother of five children. The client's family rented an apartment from a landlord in the winter of 2000. As a condition to renting the apartment, the client paid a security deposit of \$2,200. In October 2001, the landlord sold the apartment building but failed to transfer the client's security deposit to the new landlord. The new landlord subsequently demanded an additional security deposit from the client. The original landlord refused to turn over any of the existing security deposit, claiming that the security deposit had been applied to various late fees and garbage removal charges of approximately \$1,700. As a result, the client and her children were forced to move out of the apartment and resort to temporary housing.

The client then asked the Leonard, Street and Deinard Legal Clinic to assist her in getting back the security deposit. Jim brought a conciliation court claim against the original landlord seeking damages, statutory penalties, statutory punitive damages and interest.

The case was tried and the conciliation court judge awarded the client the full return of her deposit, plus interest and punitive damages. The client was disappointed that she was not awarded statutory damages equal to the amount of the deposit, but was willing to accept the decision. The landlord, however, appealed the case to the district court, claiming he was entitled to keep the security deposit because of the garbage removal charges and late fees.

At the district court trial, Jim obtained documents showing that the alleged garbage removal charges attributed to his client coincided with the dates that other tenants in the building had moved out. Jim argued that any charges were attributable to the other tenants. He also presented evidence demonstrating that the late charges were improper.

The court ruled in our client's favor and awarded her damages in the amount of the security deposit, statutory damages equal to the security deposit, and statutory punitive damages, plus interest and costs. The award approached \$5,000.

The landlord then resorted to various post-trial maneuvers in an effort to have the judgment overturned and also to avoid payment. After these efforts failed, the landlord relented one week before Christmas of 2002. Jim received a call from the landlord's attorney stating that the landlord was willing to pay the client the full amount of her judgment. Jim met the client at the clinic a few days before Christmas and presented her with the check. The client said she had always wanted a van to transport her five children. She used the award to buy a van as a Christmas present for the family.



Ryan Vandewiele at the Social Security Administration's Office of Hearings and Appeals in Minneapolis.

PRO BONO SERVICE TO THE INDIGENT

Ryan M. Vandewiele, Associate – Corporate Department

Ryan Vandewiele, with the guidance and supervision of Blake Shepard, Jr., a shareholder in the firm's Products Liability and Tort Litigation Division, represented a 38-year-old American Indian man in a Social Security Disability Appeal. The client has a long history of mental disability that has made daily life and attempts at working difficult. He lives alone in the Phillips neighborhood and spends most days alone in his apartment because he feels unable to interact with others. He occasionally even experiences panic attacks when in public. He has little contact with family members, including his mother and son.

The client filed an application for Supplemental Security Income (SSI) benefits in 1991 and his application was granted.

In 2001, he was notified that his SSI benefits would cease. He was told that his mental impairments had medically improved and that he now had the ability to perform substantial gainful activity. The decision was subsequently affirmed at a Social Security Administration hearing in 2002. He then sought help from the Leonard, Street and Deinard Legal Clinic.

Despite many challenges, Ryan persisted at researching the standards for continuing disability benefits and obtained a written medical diagnosis from the client's treating physician (social phobia and major depressive disorder, recurrent). Ryan submitted a Memorandum of Appeal of Cessation of Benefits on our client's behalf arguing a number of points. He emphasized that new evidence was available from our client's treating physician showing that there had been no medical improvement in his impairment since our client's last favorable decision in 1998.

The client underwent psychological testing in October 2002. The results provided evidence of continued mental disability, indicating that the client suffered from an organic cerebral dysfunction.

Ryan then submitted another brief based on the results of the psychological testing, arguing that not only had our client's medical condition not improved since the comparison point in 1998, but due to the evidence of an organic brain disorder, his condition had actually worsened.

In early January 2003, our client's appeal was decided fully in his favor by the administrative law judge. As a result, his supplemental income benefits will continue.



*Dan Palmquist outside of
El Colegio Charter High School*

**"IF OUR PRO BONO WORK
WITH IMMIGRATION
AND EDUCATION
LEGISLATION REFORM
RESULTS IN A MORE
DIVERSE, PRODUCTIVE,
EDUCATED AND
QUALIFIED WORKFORCE,
THEN WE ARE HELPING
OUR BUSINESS CLIENTS
ACHIEVE THEIR GOALS."**

- Dan Palmquist

OUTSTANDING PRO BONO SERVICE TO THE COMMUNITY

Daniel L. Palmquist, Shareholder – Employment Law Group

Dan Palmquist believes in providing pro bono services to clients in need and regularly uses his talents to provide those services on complex immigration matters. "I believe it is our duty as lawyers to dedicate our knowledge, education and experience to those who need legal services the most, but can afford it least."

In the late 1990s, Dan decided to concentrate his practice in the immigration area. Fluent in Spanish, and having taught English to foreign students, Dan developed a full-service immigration practice. Today, Dan uses his immigration law expertise to supervise all immigration cases that are undertaken by Leonard, Street and Deinard's Legal Clinic—between ten and fifteen per year. These matters range from deportation to citizenship, and include asylum and bond hearings.

Recently, he has undertaken initiatives with two groups, El Colegio, a Latino charter high school, and La Escuelita, an after-school program for Latino grade school children. His purpose is to address the difficulty that undocumented children have in obtaining post-high school education.

Many in the Latino community find that, by the time undocumented children reach the eighth or ninth grades, they become disillusioned with continuing their education. This is in part because, when they graduate from high school, the costs of higher education are prohibitive. There is also a perception in the Latino community that they cannot attend because their immigration status precludes them from doing so. The inability to further their education leads to higher dropout rates for these children.

Dan's first task was to raise awareness within the Latino community, and among universities and colleges, that applications for admission may not require students to provide information about their immigration status, national origin, race or ethnicity. As a result of this work, many public and private educational institutions have eliminated this requirement.

His second task has been much more challenging. Because the students with whom he works are not U. S. citizens, they are currently not eligible to receive federal financial aid. Dan is working with state legislators to pass legislation that would allow undocumented students graduating from Minnesota high schools to receive the lower in-state tuition rate. Dan has also worked with the Minneapolis Foundation to establish the Latino College Fund, and he recently began a term as the president of Centro Legal, a legal services organization for Latinos in the Twin Cities and the state of Minnesota.



*Rebecca Beerling,
Todd Noteboom,
Mical Kapsner, and
Timothy Griffin*

OUTSTANDING PRO BONO SERVICES IN THE PUBLIC INTEREST

Rebecca K. Beerling, Summer Associate

Timothy P. Griffin, Associate – Business and Commercial Litigation Department

Mical R. Kapsner, Associate – Intellectual Property and Information Technology Department

Todd A. Noteboom, Shareholder – Business and Commercial Litigation Department

Nearly a year after the events of September 11, 2001, new rules were promulgated by the Minnesota Department of Public Safety that changed the way driver's licenses are issued to temporary legal residents in Minnesota. Among other changes, the new rules require a "status check" legend and visa expiration date on the face of driver's licenses issued to anyone other than U.S. citizens or lawful permanent residents. They also require a full-face photograph with the head and face unobscured. Civil liberties groups and several corporations were concerned that these individuals may face reprisals, or more subtle discrimination, if their alien status is featured so prominently. Similarly, those whose religions prohibit facial photography, or require a headdress to remain in place in front of strangers, must choose between their religious beliefs or being able to drive. Thousands of lawful residents have been affected.

Working closely with the Minnesota Civil Liberties Union, Todd Noteboom and a team of firm attorneys, including summer associate Rebecca Beerling, challenged the validity and constitutionality of these new rules. Through a petition and series of substantial briefs to the Minnesota Court of Appeals, petitioners argued that the new rules were implemented without mandatory notice to, and an opportunity for comment from, the public. Petitioners also argued that the new rules violated their constitutional rights to equal protection and freedom of religious expression, were preempted by federal immigration law, and exceeded the Department of Public Safety's statutory authority.

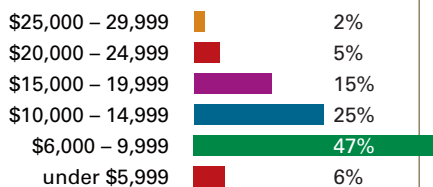
On March 11, 2003, the rules were held invalid by a three-judge panel of the Minnesota Court of Appeals. The court held that the state's use of non-public rulemaking was improper and that it had failed to show that public rulemaking would have been contrary to the public interest. After invalidating the rules on procedural grounds, the court did not find it necessary to address the constitutional arguments. The Department of Public Safety has indicated it plans to pursue an appeal to the Minnesota Supreme Court.



James Klund, paralegal, and Theresa Murray Hughes, Pro Bono Director

Special thanks to James Klund, a paralegal in the firm’s Tax, Estate Planning and Probate Department, for his role as interim pro bono coordinator from May – August, 2002. James’ dedication to the pro bono program and his commitment to the Legal Clinic ensured that client needs were met over the summer. The Pro Bono Committee wishes to thank James and the Tax, Estate Planning and Probate Department for his services.

Annual Household Income



LEONARD, STREET AND DEINARD LEGAL CLINIC

For the last nine years, a major focus of Leonard, Street and Deinard’s pro bono program has been to provide legal representation to patients of the Community University Health Care Center (CUHCC) in the Phillips neighborhood in South Minneapolis. The staff at CUHCC provide primary medical, dental and mental health care services to low-income patients on a no cost or sliding scale basis.

The Phillips neighborhood continues to have the highest medical and social risk factors of the city’s eighty-four neighborhoods. The neighborhood is considered “high risk” because of poverty, substandard housing, single-parent households, and morbidity and mortality, which are often higher than the city’s average. Nearly sixty-six percent of the patients served at CUHCC are from families with incomes that are substantially below the federal poverty guidelines.

The patients, many of whom become Legal Clinic clients, represent a rich variety of cultural and ethnic groups. In 2002, fifty-seven percent of Legal Clinic clients were people of color or new immigrants. One-third were referred by the mental health staff at CUHCC and over two-thirds of the Legal Clinic clients came from the Phillips neighborhood. Fifty-five percent had children, with nine percent having more than five children.

The problems and obstacles faced by these individuals and their families determine the forms of legal representation provided by Legal Clinic volunteer lawyers. In 2002, ten percent of the cases involved public benefits issues, a majority of which were Social Security Disability Appeals. Ryan Vandewiele was awarded the Pro Bono Service to the Indigent award for his work in the public benefits area (see page 3).

Another area of significant need is housing law. Issues range from unlawful detainer matters to discrimination and seventeen percent of the total cases handled by clinic volunteers are housing matters. Jim Sticha received the Legal Clinic Volunteer of the Year award for his work assisting a client with a dispute over a security deposit on her apartment and collecting damages from the landlord (see page 2).

The greatest area of need for Legal Clinic clients continues to be family law. More than one-third (thirty-seven percent) of the cases from the Legal Clinic involve family law issues. These cases are often litigated and require hearings and trials. The work performed by Legal Clinic volunteers remains an important part of the overall legal services delivery scheme for indigent people living in Minneapolis. To meet this ever-increasing need, the clinic continues to provide this important service to CUHCC patients.

Many firm attorneys who generally practice in other areas of the law have developed the knowledge and skills needed to handle family law matters. The following case scenario illustrates the work involved and the impact these cases have on clients’ lives.

THE MISSION OF THE LEGAL CLINIC IS TO PROVIDE A SIGNIFICANT CONTRIBUTION OF HIGH-QUALITY LEGAL SERVICES PRIMARILY TO VULNERABLE AND ECONOMICALLY DISADVANTAGED PERSONS LIVING IN THE PHILLIPS COMMUNITY. THE CLINIC SEEKS TO EDUCATE THEM ABOUT THEIR LEGAL RIGHTS, THE FUNCTION OF THE LEGAL SYSTEM, AND THE ROLE OF THE LAWYER IN PROTECTING THESE RIGHTS.

RETURNING HOME

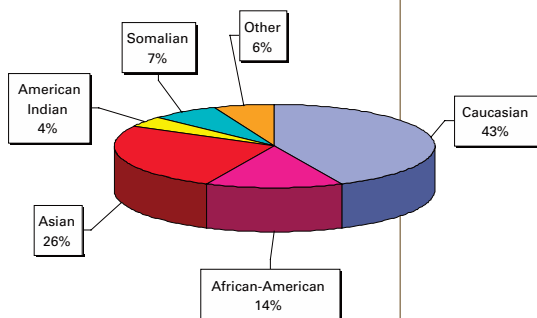
Beginning in 2001, Jane Godfrey, a shareholder in the Tax, Estate Planning and Probate Department, represented a client who sought to regain custody of her eleven-year-old daughter. The client was fifteen when her daughter was born and, as an infant, her daughter developed serious health problems, including hearing loss. Child Protection Services became involved and the client's cousin was awarded custody.

Over the last several years, the client has matured into a responsible young woman. She has held a steady job, obtained counseling and completed parenting classes. Through visitation, the client developed a strong relationship with her daughter. At the same time, the client became aware that her daughter was not receiving proper care in the custodial cousin's home. On behalf of the client, Jane obtained a written agreement from the cousin for transfer of custody back to the client and then filed a motion for modification of custody, based on the agreement. Due to the circumstances surrounding the original transfer of custody, however, the County Attorney's Office objected and requested further evaluation. A guardian ad litem was appointed and after evaluating both homes, recommended transfer of custody to our client as soon as possible.

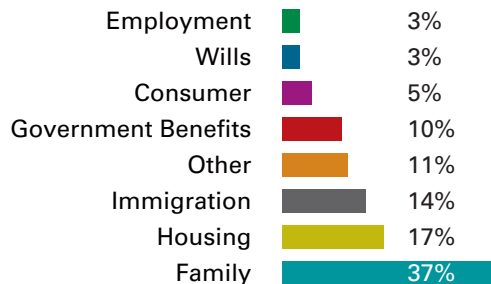
Based on this recommendation, Jane immediately obtained a temporary order for transfer of custody to the client. The guardian ad litem's report angered the client's cousin, who appeared at the custody hearing and voiced concerns about the transfer of custody. After further evaluation, the guardian ad litem found these concerns to be unfounded and the client was awarded custody of her daughter.

The following individuals also assisted in some capacity with Legal Clinic family matters in 2002: Alison Archer, Lisa Pritchard Bayley, Melody Beneke, Jeffrey Cairns, Jeffrey Cotter, David Crosby, Danel Dufresne, Jeffrey Eyres, David Ezrilov, Jane Godfrey, Elizabeth Goodpaster, Jewelie Grape, Leslie Green, Anne Hoefgen, Gabriel Holloway, Robert Huber, Susan Humiston, James Klund, Keith Moheban, Fred Morris, Rita O'Keeffe, Elizabeth Papacek, Eric Paulsrud, Mary Schwind, Julie Sivula, Ruth Timm, Amy Walsh, Tim Welch, Nancy Wiltgen, and Carolyn Wolski.

Culture/Race



Case Type





Nancy Wiltgen and University of St. Thomas Law School Dean Thomas Mengler

On March 11, 2003, Nancy Wiltgen was honored by the Hennepin County Bar Association for her outstanding commitment to pro bono service. Nancy received the Pro Bono Publico Award in the category of Excellence by a Private Sector Attorney for 2002. She has been involved as a volunteer lawyer for the Children's Law Center of Minnesota (CLC) since 1997. Nancy has provided pro bono representation to more than a dozen abused and neglected children in foster care and state ward proceedings in both Hennepin and Ramsey County Juvenile Court, has assisted in writing amicus curiae briefs, and has helped train volunteer attorneys for the Center. Nancy's pro bono work also includes ongoing consultation to the firm's Legal Clinic where she serves as a supervising attorney on pro bono family law matters.

THE CHILDREN'S LAW CENTER

Nancy Wiltgen, a shareholder in the Business and Commercial Litigation Department, is committed to making children's voices heard. In 2002, Nancy represented two sisters who were eventually placed with their 27-year-old aunt. The aunt already cared for her younger sister and her own child and was working full time, but wanted to be the foster parent for her sister's two older children. The county wanted to transfer custody to the aunt, which would have meant a significant reduction in the benefits she was receiving for the girls. (Minnesota laws have created a system that provides significantly less support to people who have custody or adopt children who would otherwise be in foster care.) Financially, she could not do this and care for the four children.

On behalf of the two girls who wanted to live with their aunt, but continued to have some contact with their mother, Nancy first brought a motion to intervene in the child protection proceeding. She then brought a motion requesting long-term foster care placement with the aunt. Nancy argued that it was in the children's best interest that they remain in foster care with their aunt. With the increased financial assistance that a foster parent receives, their aunt would be able to provide a safe and stable home for the sisters. The court agreed.

"She is a person who demonstrates a wonderful ability to relate to and communicate with children and to give voice to the child's wishes in court. Nancy meets with the child in the child's setting, and treats the child with respect through client counseling, listening, communicating, and zealous advocacy."

- Gail Chang Bohr, Executive Director, The Children's Law Center

Last year, Nancy also represented a brother and sister who were sexually abused by their father. The father was convicted of criminal sexual conduct, but failed to appear at his sentencing hearing. The case was particularly difficult because initially both extended families did not believe the children, their mother, and various individuals. They pressured the children to recant their stories. The mother and her family eventually realized they needed to support the children and that is when the family planning process became possible. Working with the children, their family, the case worker, the guardian ad litem, the county attorney, and the foster parents, Nancy assisted in developing a plan for the children to return home with their mother and her large extended family.

Thank you to all of the Children's Law Center of Minnesota volunteers in 2002, including Lisa Pritchard Bayley, Dom Cecere, Rob Devolve, Mike Dioguardi and Jim Dorsey.



MINNESOTA ADVOCATES FOR HUMAN RIGHTS IS A VOLUNTEER-BASED, NONGOVERNMENTAL, NONPROFIT, 501(C)(3) ORGANIZATION DEDICATED TO THE PROMOTION AND PROTECTION OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS.

MINNESOTA ADVOCATES FOR HUMAN RIGHTS

Leonard, Street and Deinard's lawyers and paralegals have consistently worked on pro bono matters for individuals who have pursued asylum and other immigration matters.

Steve Mayeron represents an 18-year-old Somali man who is seeking asylum in the United States. The client is a member of the Midgan, a persecuted and shunned clan of people in Somalia. Since the collapse of Somalia's central government in 1991, minority groups like the Midgan have been subjected to killings, harassment, intimidation and abuse by armed gunmen from majority clan militia. When the client was only six years old, his family was attacked by bandits from the dominant clan. His mother and sister were raped, and his father was killed.

The client also suffers from mental illness. In Somalia, mental illness is not well understood, and the patient is thought to be possessed by devils. When the client was eight years old, he began to suffer symptoms of the illness. He suffered from hallucinations, which included voices in his head telling him to injure and even kill himself. Those who are "treated" in Somalia are kept in tiny cells with chains on their feet or chained to the walls and deprived of food and clothing. Because of his clan membership and his mental illness, he was in danger of being severely persecuted or even killed if he had stayed in Somalia, or if he be made to return.

In support of the client's application for asylum, Steve argued that the client has suffered from past persecution and fears future persecution, based both on his membership in the Midgan clan and in the social group consisting of individuals with mental illness. The mental illness argument is a relatively novel legal theory. Steve is hopeful that the Immigration and Naturalization Service will accept this argument and grant the client's application.

Nonprofit Organizations

VAIL PLACE

Vail Place is a nonprofit organization providing psychosocial rehabilitation services to adults with chronic, serious mental illness. A majority of its members suffer from schizophrenia. Many have been hospitalized for long periods of time and most have little or no income apart from government subsidies.

The organization provides services six days a week to more than 1,000 members through its two clubhouses in Minneapolis and Hopkins. The services include support in housing, education, employment, socialization and recreation. Since 1993, attorneys at Leonard, Street and Deinard have worked with Vail Place. Hugh Maynard has served as a board member and legal advisor for Vail Place since 1993.

Vail Place is now building a seven-unit apartment building in St. Louis Park called Vail in the Park. It will house seven low-income members of Vail Place. Hugh Maynard, Bob Striker and Eric Galatz (shareholders in the firm's Real Estate Department) are contributing to the success of the project. Hugh gives general legal advice for the project. Bob organized the nonprofit corporation that will own the building. Eric was instrumental in helping to obtain financing. Ultimately, Eric brought together the Minnesota Housing Finance Agency, the City of St. Louis Park, the Family Housing Fund, Hennepin County and the Federal Home Loan Bank to finance the project. He helped close the loans and helped obtain several grants to support Vail in the Park.

Pictured left to right:
Eric Galatz (LS and D),
Tim L. (member),
Dale D. (member),
Jennifer White (Hopkins,
Program Coordinator),
Hugh Maynard (LS and D),
Cass Davids (Vail in the Park
Project Coordinator),
Paul Sinclair (Executive Director
of Vail Place),
Terry (member) and
Bob Striker (LS and D).





TWIN CITIES RISE!

Twin Cities RISE! is a work skills development organization that provides under- and unemployed adults with long-term training for high-skilled jobs that pay a living wage.

David Baer, an associate in the firm's Corporate Department, represented a woman who was referred to the firm from Twin Cities RISE! The woman was terminated from her job because a periodic background check revealed three criminal charges: theft, hit-and-run and driving without a license. All three charges occurred within a period of about one year. Unfortunately, the client had no idea what these charges were about and knew that she was not involved in any of them. After investigating the situation, she learned that her sister stole her identity and committed these crimes. Her sister would not own up to her responsibility and correct these charges. Therefore, the client was in the unfortunate position of being without a job due to a criminal record that was not hers.

After reviewing the client's case and the relevant law in Minnesota, David and winter clerk Nick Vivian determined that she was eligible for statutory expungement without the challenge of implicating her sister and causing a dramatic court battle. They prepared the appropriate expungement documents and filed them with the court and all appropriate agencies. One city objected to the expungement, arguing that not enough time had expired to determine whether the client would be a further threat to the community and contending the victim's interests had not been considered. Upon review of the record, however, the judge expunged all three charges from the client's record.



NATIONAL COALITION AGAINST VIOLENT ATHLETES

In 2000, recruiters from a large university approached a 14-year-old girl and her parents after media accounts brought attention to her success as a student. The girl accepted a scholarship and became a student in the university's gifted high school student program.

During her second quarter, the student was moved to a different residence hall that housed many of the school's male student athletes. The resident assistant there introduced her to others at a dorm meeting as "the 15-year -old." Throughout the quarter, athletes socialized, drank, and had sex with the girl. These sexual encounters, sometimes involving more than one athlete, became a daily experience for the girl.

Though this student initially obtained a 3.5 grade point average at the university, she eventually stopped attending classes, stopped making rent payments, and her GPA dropped to a 1.9. No notices went to her parents regarding her delinquent housing payments or her troubled dormitory life. When the student finally withdrew from the university, she went to a rehabilitation center, where she stayed for twenty-two days.

Ultimately, the girl, through her mother, sued the school's board of trustees for sexual harassment under Title IX of the Education Amendments of 1972. The matter was dismissed by the United States District Court at the pleading stage.

The National Coalition Against Violent Athletes (NCAVA) approached Leonard, Street and Deinard for pro bono assistance to submit an amicus curiae brief on behalf of the minor girl to the 11th Circuit Court.

The amicus brief, written by Rick Pins, an associate in the Employment Law Department and Jennifer Wilson, an associate in the Business and Commercial Litigation Department, with the assistance of Steve Lindemann, a shareholder in the Construction Law Department, focused largely on two arguments: (1) that the girl should have been permitted the opportunity to conduct discovery before her case was dismissed; and (2) that the district court had erroneously held that the girl's claim was improper because she "welcomed" the sexual conduct. A week prior to oral argument, the parties reached a settlement.



*People Serving People building,
614 South Third St., Minneapolis*

COMMUNITY SERVICE

PEOPLE SERVING PEOPLE

People Serving People (PSP) is Minnesota’s largest provider of emergency housing.

It operates 365 days a year, 24 hours a day, and volunteers are needed in virtually every area of operation, from preparing and serving meals, to working in the library.

Volunteers from Leonard, Street and Deinard have been involved in the Children’s Program at PSP since 1999. In 2002, the firm’s volunteers were very active within PSP. During Library Week, the firm’s Research Services Department organized a book drive, with all donations being given to PSP’s new libraries. Volunteers also spent time working on an afternoon program for preschool children where they read to the children, helped them learn the alphabet and helped with social interaction.

PSP is governed by a thirteen-member board of directors, including Steve DeRuyter, a shareholder in the firm’s Corporate Law Department. The board and staff work to fulfill PSP’s mission to provide a safe, sober, secure environment for homeless families while promoting self-sufficiency.

PSP volunteers in 2002 include: Cindy Anderson, Terri Beaverson, Sally Berfeldt, Susan Catterall, Pat Cummings, Katy DiCicco, Kathryn Engebret, Deborah Hartung, Susan Humiston, Susan Hayles, Yvonne Knecht, Paul Linstroth, Anita Martin, Catherine McEnroe, Darcy Miller, Carol Monahan, Barb Moore, Sarah Ratner, Carla Redmon, Bob Torgerson, and Dan Tschida.

CATHOLIC CHARITIES

Volunteering at Catholic Charities Branch III –A Volunteer’s Personal Perspective by Sally Berfeldt, Legal Secretary

For many years, Leonard, Street and Deinard has been involved with Catholic Charities. In addition to the firm’s direct financial contributions, Leonard, Street and Deinard employees have the opportunity to get involved with many volunteer programs offered by Catholic Charities.

Four times each year, employees prepare and serve a spaghetti lunch at Catholic Charities’ Branch III location for the homeless in the Phillips neighborhood. Employees donate money to purchase the food items, volunteers are recruited, and the food is purchased and brought to the kitchen on the morning of the lunch. It takes a team of six people two-to-three hours to prepare the lunch consisting of forty-two pounds of spaghetti, seventy-eight pounds of sauce, thirty pounds of meatballs, eighty pounds of corn, sixty pounds of oranges, two hundred dinner rolls, eight hundred cookies and twelve gallons of apple juice.

The event is a bittersweet experience for those who participate. It’s a great way to get to know other people from the firm. At the same time, however, it is difficult to discover so many people in need. Most of the people are grateful for the meal provided and our volunteers’ time.

**“IT IS A GREAT FEELING
TO GIVE BACK TO THE
COMMUNITY IN WHICH
WE WORK.”**

*—Sarah Ratner,
associate in the Health
Law Department*

Community Services



Sally Berfeldt of Leonard, Street and Deinard and Catholic Charities staff member Jason Fritzel.



Hearts and Hammers volunteers at work.

As a long-time employee of Leonard, Street and Deinard, I am proud of the firm's continued support of our community through its commitments to this and other local charities.

2002 Catholic Charities Volunteers: Wayne Barnhart, Becky Beerling, Sally Berfeldt, Heidi Burton, Deb Clift, Kathy Crowson, Jim Dorsey, Michelle Ebert, Kathy Fitzer, Carrie Johnson, Lora Low, Judi Lutgen, Dan McInerney, Rush Merchant, Tracy Peterson, Terry Pressley, Darlene Skeie, Sandy Skow, Mary Kae Vandeputte, and Kimberly Wegsheid.

HEARTS AND HAMMERS

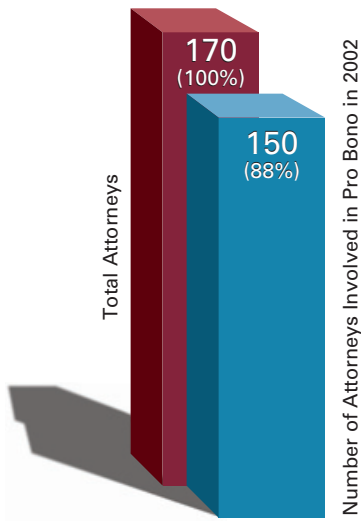
The mission of Hearts and Hammers, a small nonprofit organization, is to assist low-income elderly and disabled homeowners, who are physically and financially unable to adequately maintain the exterior of their homes, so that they can continue to live in homes of warmth and security, and feel pride-of-place.

Leonard, Street and Deinard participated for the third consecutive year in Hearts and Hammers program to refurbish homes. On September 14, 2002, 678 Hearts and Hammers volunteers refurbished twelve homes in the Minneapolis-St. Paul area.

Twenty-four volunteers from Leonard, Street and Deinard joined forces with volunteers from Carlson Companies to refurbish the exterior of a home located in Minneapolis. It is a much-loved, two-and-one-half story home owned by a woman in her eighties with crippling arthritis. She has lived in the house for almost forty years.

Although it rained for several hours on the morning of September 14, the threat did not deter the volunteers, who arrived early and ready to work. By midafternoon, the volunteers were amazed to find that the house had been completely made over. Through hard work, volunteers had scraped and primed the entire house, applied two coats of paint, painted the garage and landscaped the lot around the house. Because the house was two-and-one-half stories, a great deal of ladder work was involved, which presented a challenge to volunteers. Several courageous volunteers, unafraid of heights, met that challenge.

Those from Leonard, Street and Deinard who volunteered their skills and time were: Beth Alley; Allison Carmody; Mike Dioguardi; Doug Greenswag; Bob Huber; Susan Humiston; Carrie Johnson; Barb Kaul and her daughter Nikki; Steve Lindemann; Judy Lutgen; Janet Mesenbring and her daughter Erin; Keith Moheban and his son Sam; Sue Patterson; Tracy Peterson; Mary Schwind; Bob Striker; Ann Todd, her husband Bruce, and their children Kyle and Erin; and Marci Winga.

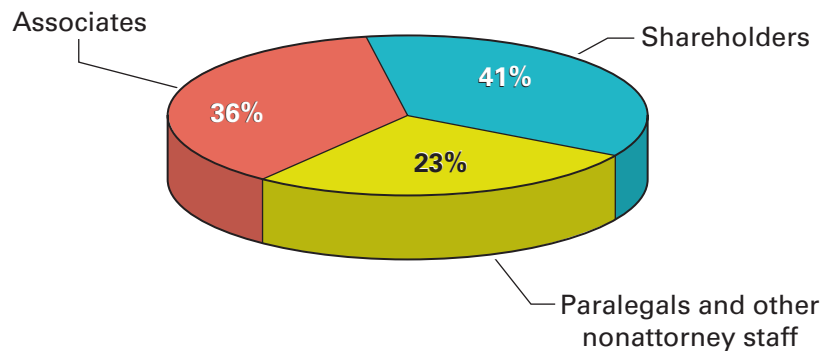


Percent of Attorneys Involved in Pro Bono Work in 2002.

LAW FIRM PRO BONO CHALLENGE

In 1993, Leonard, Street and Deinard signed the Law Firm Pro Bono Challenge and committed to giving back three percent of its billable time to the community through the firm's pro bono work. Since 1995, the first reporting year of challenge hours, Leonard, Street and Deinard has met or exceeded its three percent goal.

2002 Law Firm Pro Bono Challenge goal:	8,838 hours
Pro Bono hours:	9,817 hours
Exceeded goal by:	979 hours
Hours provided to those of limited means:	8,350 hours (85% of total)



Pro Bono Hours

THANKS TO THE FOLLOWING LAWYERS, PARALEGALS AND SUMMER ASSOCIATES WHO RECORDED FIFTY OR MORE HOURS OF PRO BONO WORK IN 2002 AND ACHIEVED THE MINNESOTA STATE BAR ASSOCIATION'S ASPIRATIONAL GOAL OF DEDICATING AT LEAST FIFTY HOURS TO PRO BONO CLIENTS EACH YEAR.

CONTRIBUTORS OF FIFTY OR MORE PRO BONO HOURS – 2002

Joel Abrahamson	Steve Mayeron
David Baer	Shaun McElhatton
Lisa Pritchard Bayley	Keith Moheban
Rebecca Beerling	Lowell Noteboom
Thanh Bui	Todd Noteboom
Nancy Chudyk	Dan Palmquist
Aaron Crandall	Elizabeth Papacek
Monica Davies	Eric Paulsrud
Chuck Dayton	Doug Peterson
Rob Devolve	Todd Phelps
Alexander Dgebuadze	Rick Pins
Mike Dioguardi	Jerry Podkopacz
Jim Dorsey	Jill Radloff
Scott Erickson	Sarah Ratner
David Ezrilov	Alyssa Rebensdorf
Shawn Frank	Gillian Rosenquist
Sean Fredricks	Allen Saeks
Eric Galatz	Brian Schoenborn
Jane Godfrey	Mary Schwind
Beth Goodpaster	Blake Shepard
Bill Gotlieb	Erin Skold
Tim Griffin	Eric Skytte
Brad Gunn	Pat Slaven
Jeff Harrington	Rachel Spector
Shannon Hoagland	Jim Sticha
Anne Hoefgen	Lowell Stortz
Scott Hoffman	Bob Striker
Tracey Holmes-Donesky	Mike Taylor
Bob Huber	Bob Thavis
David Jaffe	Ruth Timm
Tom Jensen	Ryan Vandewiele
Miki Kapsner	Nicholas Vivian
James Klund	Amy Walsh
John Kuehn	Nancy Weeks
Paul Linstroth	Jennifer Wilson
Annie Littlefield	Nancy Wiltgen
Rich Martin	Marci Winga

2002 LEONARD, STREET AND DEINARD FOUNDATION CONTRIBUTIONS

In 2002, The Leonard, Street and Deinard Foundation provided financial support to the following charitable, community and educational programs.

<p>15 Head Theater</p> <p>American Indian Business Development Corporation (AIBDC)</p> <p>Alliance Francaise of the Twin Cities</p> <p>American Red Cross Liberty Disaster Relief Fund</p> <p>Augustana College</p> <p>Boy Scouts of America – Indianhead Council</p> <p>Boy Scouts of America – Viking Council</p> <p>Boys and Girls Clubs of the Twin Cities</p> <p>Catholic Charities</p> <p>CCFA MN-Dakotas Chapter</p> <p>CentraCare Health Foundation</p> <p>Children’s Defense Fund</p> <p>Children’s Hospital Foundation</p> <p>Children’s Law Center of Minnesota</p> <p>Common Bond Communities</p> <p>Community Solutions</p> <p>COMPAS</p> <p>Cornerhouse</p> <p>Division of Indian Work</p> <p>East Side Neighborhood Development Co.</p> <p>Equal Justice Works (NAPIL)</p> <p>Family & Children’s Service</p> <p>Franciscan Brothers of Peace</p> <p>Fund for the Legal Aid Society</p> <p>Greater Metropolitan Housing Corporation</p> <p>Greater Twin Cities United Way</p> <p>Gustavus Adolphus College</p> <p>Guthrie Theater</p> <p>Hamline University School of Law</p> <p>Harley Hopkins Family Center</p> <p>Hennepin County Bar Association Annual Bar Benefit</p> <p>Headwaters Fund</p> <p>Health Fund</p> <p>Hearts and Hammers</p> <p>Howie Stillman Young Leadership Fund</p> <p>International Wolf Center</p>	<p>Jewish Community Center (St. Paul)</p> <p>Jewish Family and Children’s Service</p> <p>Jungle Theater</p> <p>Junior Achievement of the Mankato Area</p> <p>Juvenile Diabetes Foundation</p> <p>Kaleidoscope Preschool</p> <p>Kiwanis Camp Patterson</p> <p>Komen Twin Cities Race for the Cure</p> <p>Loan Repayment Assistance Program of Minnesota</p> <p>MacPhail Center for the Arts</p> <p>Mankato Area 77 Lancers</p> <p>Mankato State Theater Department</p> <p>MCLU</p> <p>Melpomene Institute</p> <p>Metro State University</p> <p>Minneapolis Institute of Arts</p> <p>Minnesota Advocates for Human Rights</p> <p>Minnesota Association of Black Lawyers</p> <p>Minnesota Children’s Museum</p> <p>Minnesota Council on Foundations</p> <p>Minnesota Environmental Fund</p> <p>Minnesota Environmental Initiative</p> <p>Minnesota Historical Society</p> <p>Minnesota Justice Foundation</p> <p>Minnesota Keystone Program</p> <p>Minnesota Opera</p> <p>Minnesota Orchestral Association & WAMSO</p> <p>Minnesota Senior Federation</p> <p>Minnesota Timberwolves Foundation</p> <p>Mount Olivet Careview</p> <p>Mount Olivet Day Services</p> <p>Mount Olivet Home</p> <p>MSBA Law-Related Education (MLRE)</p> <p>National Association of Women Judges</p> <p>Nature Conservancy</p> <p>NMF – 2002 Warroad Area Flood Recovery Fund</p> <p>NMF/Roseau Flood Recovery</p>
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Foundation Contributions

FOUNDATION CONTRIBUTIONS (CONT.)

North Hennepin Mediation Program	SteppingStone Theatre
People Serving People	The Saint Paul Chamber Orchestra
Plymouth Music Series	Tim Larsen Scholarship for Design Excellence
Rainbow Families	Torah Academy of Minnesota
Red Eye Collaboration	Turning Point, Inc.
Risen Christ School	United Way of Mankato
Ronald McDonald House	University of Minnesota Foundation
Salvation Army Harbor Light Center	University of Minnesota Law School
Salvation Army of Mankato	University of Minnesota Law School - Minority Student Scholarship
School Sisters of Notre Dame	University of St. Thomas Law School
Science Museum of Minnesota	Urban Arts Academy
Seed Academy Daycare	USA Hockey Foundation
Simpson Housing Services	Vail Place
So Others May Eat	Walker Art Center
South Central Technical College Foundation	Warroad Public Library
Southern Minnesota Regional Legal Services	Washington Performing Arts
St. Ann's Infant & Maternity Home	William Mitchell College of Law
St. Elizabeth's Hospital Nursing Home	Yellow Star Foundation
St. Paul YWCA	

NONPROFITS SERVED IN 2002

The following nonprofit entities received pro bono assistance from Leonard, Street and Deinard's attorneys and paralegals in 2002.

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|---|---|
| African American Family Services, Inc. | Faith Matters |
| Alfred Adler Institute of Minnesota | Faith Presbyterian Church of Minnetonka |
| Alley Communications | Family & Children's Service |
| Artspace Projects, Inc. | Family Service St. Croix |
| Asian Pacific Community Center | Family Support Network |
| Asian Women United of Minnesota | Felipe Postigo |
| Association for Moral Education | Forest Guardians |
| Augustana College | Friends of the Minnesota State Capitol |
| Big Watab Lake Association | Golden Valley Phoenix Soccer Club, Inc. |
| Blacklock Nature Sanctuary | Habitat for Humanity |
| Calvary Lutheran Church | Hamline University School of Law |
| Career Gear | Harriet Tubman Center |
| Cass Lake-Bena School District | Hawthorne Area Community Council |
| Local Indian | Heart of the Earth Center for American Indian Education |
| Cathedral of the Pines, Inc. | Helping Paws of Minnesota, Inc. |
| Catholic Charities of the Archdiocese of St. Paul and Minneapolis | Hmong Mental Health Providers Network |
| CCFA Minnesota-Dakotas Chapter | Hmong United International Council of Minnesota |
| Central Minnesota Legal Services | Humane Society of Wright County |
| Children's Initiative of Saint Paul | Immigrant Law Center of Minnesota |
| Children's Law Center of Minnesota | International Wolf Center |
| Christmas Presence, LLC | Jewish Community Action |
| Citizens Groups/Non-Profit Organizations | Jewish Community Center of the Greater St. Paul Area |
| City of Minnetonka | Jewish Family Service of St. Paul |
| Clouds in Water Zen Center | Jungle Theater |
| Community Centers, Inc. Loring | Juxtaposition Arts, Inc. |
| Community Housing Corporation of America, Inc. | Lake Owen Association |
| Community Housing Development Corporation | Lao Family Community of Minnesota, Inc. |
| Compatible Technology International | Legal Aid Society of Minneapolis |
| Countryside Elementary Parent-Teacher Organization | Lit Twist |
| CreArts | Little Earth of United Tribes Housing |
| CrossAutomotive, Inc. | Little Otter |
| Dakota Woodlands | Lutheran Health Care – Bangladesh |
| Danebo | Lutheran Social Services of Minnesota; Fraser |
| Danish American Fellowship | Lyngblomsten Foundation |
| Diocese of Winona | Mach 3 Flyers Swim Team, Inc. |
| East Side Neighborhood Development Company, Inc. | MacPhail Center for the Arts |
| Eastside Food Coop | Mankato Area Catholic Schools |
| Eritrean Community Center of Minnesota | MedSpecialists, Inc. |

NONPROFITS SERVED IN 2002 (CONT.)

Melpomene Institute	Saint Paul Convention and Visitors Bureau
Metropolitan State University Foundation	School Sisters of Notre Dame
Mid-Minnesota Legal Assistance	Servants of Mary of Ladysmith, Wisconsin
Minneapolis Consortium of Community Developers	Share-a-Home, Inc.
Minneapolis Heart Institute Foundation	Sister Kenny Foundation
Minnesota 9th and 10th Cavalry Association	Sol Partners, LLC
Minnesota Aids Project	Source Ministries
Minnesota Center for Environmental Advocacy	Southern Minnesota Regional Legal Services
Minnesota Civil Liberties Union	Southside Family School
Minnesota Council of Churches	St. Anne's Community Development Corporation
Minnesota Environmental Initiative	St. Cloud Area Legal Services
Minnesota Environmental Partnership	St. John the Baptist Catholic Church
Minnesota Justice Foundation	St. Paul Lacrosse Club
Minnesota Public Interest Research Group	St. Paul Reformation Lutheran Church
Minnesota Senior Federation Metropolitan Region	St. Peter & Paul's Catholic Church
Mississippi River Cycling and Hiking Corridor	SteppingStone Theatre
Model Cities Health Center, Inc.	Stevens Square Community Organization
Mount Olivet Careview Home	The Cookie Cart, Inc.
Mount Olivet Home	The Green Institute
Mount Olivet Lutheran Church	The Guild of Metalsmiths
Mount Olivet Lutheran Church Endowment Fund	The Multicultural Living Arts Project
Mount Olivet Rolling Acres, Inc.	The Saint Paul Chamber Orchestra
Mount Zion Hebrew Congregation	The Saint Paul Conservatory of Music
National Coalition Against Violent Athletes	The Salvation Army Harbor Light Multi-Service Center
National Council of Jewish Women	Theater Space Project
National Organization of Disorders of the Corpus Callosum	Torah Academy of Minnesota
New Beginnings Cooperative	Total Victory Christian Center, Inc.
Normandale Evangelical Lutheran Church of Edina	Trinity Housing Corporation
Our Savior's Shelter	Turning Point, Inc.
Pembina Trail Group Home, Inc.	Twin Cities RISE!
People of Phillips	Uniting and Building Families
People Serving People	Vail Place
Phillips Community Development Corporation	Volunteer Lawyers Network
Phoenix Foods, Inc.	WE WIN Institute
Prevention of Blindness Minneapolis Society	West Broadway Coalition
Red Eye Collaboration	Wildlife Science Center
Risen Christ School	Wooddale Center
Ronald McDonald House of the Twin Cities	Wooddale Church
	Worldwide Medical Charities
	YWCA of Minneapolis
	Zion Lutheran Church

2002 Pro Bono Committee Members

2002 PRO BONO COMMITTEE MEMBERS



Eric Galatz



Jane Godfrey



David Haynes, Cochair



*Theresa Hughes,
Pro Bono Director*



James Klund



Steve Lindemann



Keith Moheban, Cochair



Todd Noteboom



Todd Phelps



Rick Pins



Jennifer Wilson

2002 LEGAL CLINIC COMMITTEE

Theresa Hughes

Keith Moheban, Cochair

James Klund

Todd Phelps, Cochair

For additional information on the Legal Clinic, or for any other questions regarding this publication, please contact Theresa Murray Hughes, Leonard, Street and Deinard Pro Bono Director, by phone at 612-335-1954 or by e-mail at theresa.hughes@leonard.com.

LEONARD, STREET AND DEINARD

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