

## **SPOTLIGHT ON FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP**

**By Barbara Butterworth\***

Known as one of the nation's premier law firms specializing in Intellectual Property, Finnegan Henderson has reached the top of the legal profession. But with its recent implementation of several innovative programs, Finnegan Henderson is making its mark in the pro bono world as well.

The firm's commitment to pro bono work has grown with its reputation for excellence. While pro bono work has always been valued at the firm, in the past the firm tended to limit its pro bono work to areas within its expertise. But today, the firm's pro bono program encompasses a variety of areas providing Finnegan Henderson's attorneys with a means of both improving their skills as lawyers and giving back to the community.

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In 2000, Finnegan Henderson initiated its Litigation Mentor Program, then one of the only programs of its kind in the nation. This ambitious and rare program is a unique opportunity for newer lawyers to give back to the community while improving their trial advocacy skills. IP litigation has surged in recent years, intensifying the demand for lawyers with proven courtroom skills. Due to the high stakes involved in IP litigation, young lawyers ordinarily do not first-chair a case until they are well along in their careers. This dilemma, coupled with the firm's desire to offer more pro bono opportunities, prompted the firm to create the Litigation Mentor Program. Through this program, Finnegan Henderson's lawyers represent indigent clients charged with criminal offenses in District of Columbia Superior Court. Now, up-and-coming IP

lawyers have a way to gain invaluable courtroom experience that might otherwise have taken years to acquire.

The stakes don't get much higher than defending someone's liberty. The firm's commitment to providing excellent representation to its pro bono clients motivated the firm to fund a full-time litigation mentor. I joined the firm in 2005 to take on this role, and as a criminal defense lawyer and trial advocacy instructor, I brought litigation, teaching and training experience to the position to help mentor newer lawyers. Through staged trials in the firm's mock courtroom and a highly interactive instruction style, we deliver a thorough grounding in the rigors of trial advocacy, persuasion tactics, and strategies for dealing with witnesses and juries. As the lawyers in the program prepare and try their cases, I, along with other experienced lawyers in the firm are available to walk first-timers through the unfamiliar criminal processes. We are at the side of the lawyer in court and serve as co-counsel in each case, but the mentored lawyer is in charge.

The Litigation Mentor Program also gives Finnegan Henderson's lawyers comprehensive training before they are ever assigned a case. All participants in the program are encouraged to complete a trial advocacy course as a prerequisite to attending their classroom sessions. The lawyers then attend six two-hour lectures covering criminal law and procedure, investigations, and local statutes. Bolstered by the thorough training and the encouragement and guidance of seasoned practitioners, the lawyers in the program find their skills and confidence growing with every new criminal case.

The Litigation Mentor Program is a win-win situation that gives young IP lawyers time in court while giving back valuable legal assistance to the community. Since the program's inception, lawyers in the Litigation Mentor Program have represented more than 50 criminal defendants through every phase of the criminal process.

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Finnegan Henderson doesn't limit its pro bono work to criminal defense. In January 2004, Finnegan Henderson renewed and increased its commitment to its firm-wide vigorous civil pro bono program. The firm assigned retired partner and experienced trial lawyer John Lowe as full-time Pro Bono Coordinator. As a result of that commitment and the support the firm has provided to a number of new initiatives and revitalized existing programs, the firm has created a very active pro bono program. The firm's civil pro bono program accomplishes three purposes for the firm: (1) its attorneys provide invaluable legal assistance to persons unable to pay for legal services; (2) pro bono work deepens its attorneys' insight into the needs of the less fortunate among us; and (3) its attorneys fulfill their professional obligations while continuously developing their legal and courtroom skills.

One of the firm's signature efforts in civil pro bono was the rescue of the nonprofit organization Washington Area Lawyers for the Arts (WALA), which provides legal advice and referrals for artists needing legal representation. Once a thriving nonprofit organization, the economic downturn and fundraising problems nearly forced WALA to close its doors in 2003. It stepped Finnegan Henderson, who breathed new life into the organization. In the last few years, the firm, through John Lowe, has been able to find attorneys from local firms - including, of course, Finnegan Henderson - for more than 700 artists seeking legal assistance through WALA.

The firm also runs a free legal clinic at a local homeless shelter one night each month. Several attorneys and staff members typically attend and run the clinic under John's supervision. The firm often ends up with four or five new cases at each session.

The firm has an active docket of family law cases in the local courts, many of which are referred to the firm directly from judges who have been impressed with the firm's pro bono lawyers in their courts. Finnegan Henderson lawyers represent parents in custody and visitation cases, handle adoption and guardianship cases, and serve as guardians ad litem in many family law cases.

The firm rounds out its civil pro bono work by providing pro bono lawyers for work on cases from organizations specializing in immigration, small claims, and veterans' rights.

While Finnegan Henderson appreciates the additional training and litigation opportunities that pro bono work provides, the firm places an even greater emphasis on the importance of fulfilling its obligations to the Bar and to people in need. Finnegan Henderson believes that only good can come from its pro bono work. John Lowe captures the experience of the firm when he says, "Our pro bono cases have genuinely touched the lawyers who have worked on them - and have probably changed those lawyers forever."

\*Barbara Butterworth is an attorney at Finnegan, Henderson, Farabow, Garrett & Dunner, LLP and serves as the firm's Litigation Mentor.

**Young Lawyers:**

*Are you interested in getting involved in the Pro Bono and Public Interest Committee?*

*If so, please e-mail one of the Co-Chairs at:*

*Laura Brill                      lbrill@irell.com*

*Robert Sohns                  robert.sohns@lonestarlegal.org*

*Lisa Wood                        LWood@foleyhoag.com*

*The Litigation Section has a site dedicated to you that includes articles, networking opportunities, CLE, web resources and more! Go to:*

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