# Microsoft 2020 Pro Bono Report

December 2020

*"Pro bono work gives us the opportunity to make a direct and positive difference in people's lives, while at the same time gaining new professional skills.*

*At Microsoft, we're putting our skills and passions to work by helping those in need get access to justice, protecting people from abuse, enabling them to work, providing financial and housing security, and much more. It's part of our culture and a tangible way that we can individually advance social and economic well-being in the communities where we live and work."*

— Brad Smith, Microsoft President

# Table of contents


## Introduction

4 Message from Dev Stahlkopf

5 Message from Beth Henderson

6 The need for pro bono

## Upholding immigrants' rights

8 Protecting children in partnership with Kids in Need of Defense

10 Helping DACA applicants and U Visa holders with the permanent residency process with the Northwest Immigrant Rights Project

12 Supporting detained mothers seeking asylum at the border with the Immigration Justice Campaign

14 Helping families at risk of deportation with safety planning for their children

## Guarding the right to equal justice

16 Advancing equity in the criminal justice system with the Seattle Clemency Project

18 Enabling people to overcome barriers created by criminal convictions with the King County Bar Records Project and Georgia Justice Project

## Enabling inventors, entrepreneurs, and small business

20 Offering legal and business counsel with Communities Rise

21 Helping entrepreneurs with the University of Washington's Entrepreneurial Law Clinic

22 Supporting inventors through Microsoft's Make What's Next patent program

23 Developing the pipeline of pro bono advocates with the Equal Justice Works Fellowship Program

## Supporting the needs of U.S. veterans

25 Helping veterans who were injured in service to obtain benefits with the National Veterans Legal Services Program

26 Helping veterans avoid homelessness with Seattle Stand Down

## Providing pro bono services during a pandemic

28 Navigating the need for remote pro bono services

## Recognizing Microsoft's pro bono volunteers

30 Microsoft's annual pro bono award

31 Association of Corporate Counsel's Southern California pro bono award

32 Microsoft's pro bono committee

Since the launch of Microsoft's formal Pro Bono Program 17 years ago, our employees have engaged in a diverse array of pro bono activities around the world. The strength of our program has been fueled by our employees' commitment to helping others through pro bono service. Using our professional skills to help individuals and organizations overcome legal issues strongly aligns to Microsoft's mission of empowering every person and every organization on the planet to achieve more. We also recognize the many benefits that pro bono offers in return, such as developing new skills, collaborating on diverse projects that differ from day-to-day jobs, and fostering human connections around the world.

Over the last two years, our program has continued to grow and mature, with our U.S. attorneys in our Legal Affairs department each taking on a 30-hour annual pro bono commitment, by creating additional Microsoft-curated pro bono opportunities for our employees, and by providing malpractice insurance coverage for our employees to enable them to provide pro bono service for other causes about which they are passionate.

This report covers Microsoft's 2020 fiscal year, from July 2019 to June 2020. Much of the work highlighted in this report occurred before the full impact of the COVID-19 pandemic, when our volunteers were able to provide pro bono support in person and come together for group-based efforts. With the onset of COVID-19, stay-at-home orders have created new challenges for providing pro bono services, while the need for pro bono has increased for many populations made even more vulnerable in the current environment. I was so heartened to see how quickly the pro bono community made the transition to digital and remote support models to help people and organizations in need.

Thank you to the law firms, other in-house law departments, and nonprofits in our community for helping that vision take shape and for the work you do to help everyone get access to justice. We are proud and fortunate to help carry forward the tradition of pro bono, and we look forward to working with others in the legal community in the coming year.

**Dev Stahlkopf**
*Microsoft General Counsel and Corporate Vice President*

There is a long tradition of pro bono in the legal profession. In the United States, the government offers counsel in criminal proceedings only. Therefore, those needing help with a civil legal issue, such as obtaining unemployment benefits, fighting eviction, or requesting a domestic violence protection order, are on their own to find an attorney and cover the costs. For someone with limited means, this obstacle might range from difficult to impossible. Many legal aid organizations work tirelessly to provide legal services to the indigent in their communities, but few can meet the demand on their own. More than ever, pro bono is needed to close the gap in legal services.

Microsoft employees from around the world and at every professional level participate in pro bono programs. What started with a small group of committed individuals sharing ideas and working together on pro bono projects grew into an evolving, company-endorsed program with increased employee engagement and participation year over year.

Attorneys, legal, administrative, and business professionals across Microsoft engage in a diverse array of pro bono activities, which vary from assisting applicants for Deferred Action for Childhood Arrivals (DACA) status, to helping injured combat veterans obtain benefits, to providing nonprofits and micro-entrepreneurs with the legal guidance they need for success. Many of these pro bono engagements focus on advancing social justice by ensuring that people who cannot afford an attorney get access to high-quality legal services.

As the world grapples with unprecedented challenges, I have been inspired by the Microsoft pro bono community's response and the partnerships we have developed with legal services organizations, nonprofits, and law firms to scale our impact. I am also inspired by the strength and resilience of the clients we have the privilege to serve. This 2019–2020 annual report demonstrates Microsoft's continued commitment to serving the community through employee contributions and partnerships with organizations that are creating a more just and equitable world. I look forward to building upon the work we have done and hope you will join us.

**Beth Henderson**
*Microsoft Senior Attorney and*
*Director of the Microsoft Pro Bono Program*

# The need for pro bono

9.3

Low-income Washingtonians faced an average of 9.3 legal problems in 2014, triple the average experienced a decade prior.

— 2015 Washington State Civil Legal Needs Study Update

86%

86 percent of the civil legal problems reported by low-income Americans received inadequate or no legal help.

— Legal Services Corporation Annual Report

60%

More than 60 percent of unaccompanied children in the United States—tens of thousands of children—do not have lawyers in immigration court.

— Kids in Need of Defense

90%

In eviction lawsuits nationwide, an estimated 90 percent of landlords are represented, and 90 percent of tenants are not.

— Institute for Research on Poverty

88%

88 percent of low-income veterans and other military personnel received inadequate or no professional legal help with their civil legal problems.

— Legal Services Corporation Special Focus: Veterans

# Upholding immigrants' rights

## *Helping those in search of a better life*

As a company, Microsoft has long been committed to ensuring immigrants have access to the rights and protections the law affords them, and the Microsoft Pro Bono Program is proud to support these efforts. This year that included numerous kinds of work, from continuing a long-standing partnership with Kids in Need of Defense (KIND) advocating for unaccompanied children in U.S. immigration court, to sending employee volunteers to Dilley, Texas, to provide legal counsel to mothers and children seeking asylum while detained at the southern U.S. border, to hosting legal clinics for applicants for Deferred Action for Childhood Arrivals (DACA) status and assisting U Visa holders with the permanent residency process. Microsoft is committed to offering hope and help to those in search of a better life.

8 Protecting children in partnership with Kids in Need of Defense

10 Helping DACA applicants and U Visa holders with the permanent residency process with the Northwest Immigrant Rights Project

12 Supporting detained mothers seeking asylum at the border with the Immigration Justice Campaign

14 Helping families at risk of deportation with safety planning for their children

# Protecting children in partnership with Kids in Need of Defense

No child should have to face court alone, and yet thousands in immigration proceedings do. Each year, thousands of children come to the United States without a parent or legal guardian. Many are fleeing danger and violence, and when they go through the immigration process, they are not entitled to legal counsel. As a result, 60 percent of these children, ranging in age from toddlers to teens, do not have attorneys to help them navigate the legal process and their court hearings. Without help, they do not have a fair chance to make their case and may be sent back to grave harm instead of receiving the protection they need and deserve under the law.

That is why, back in 2008, Microsoft President Brad Smith partnered with United Nations High Commissioner for Refugees (UNHCR) Special Envoy, Angelina Jolie, to cofound Kids in Need of Defense (KIND). KIND provides free legal aid to unaccompanied migrant children who are placed into deportation proceedings but are not appointed legal counsel, forcing them to navigate a complex process without legal representation. KIND's review of available data reveals that unaccompanied children represented by attorneys are five times more likely to gain the protection of the United States, while only one in ten unaccompanied children without attorneys win their cases.[1]

Last year, more than 70 Microsoft volunteers, including attorneys, business professionals, and translators, worked on 35 KIND cases. Microsoft employees worked with KIND attorneys to meet with clients to learn their stories, help them file their cases, and represent them in court. While it now takes two years or more for most KIND cases to reach resolution based on government processing times, volunteers help ensure that their clients get access to the services and support they need during the pendency of their immigration cases.

Michael Rode, a senior business program manager at Microsoft, summarized his volunteer experience as "a humbling realization that, as a volunteer, just a few hours of my time can make a night-and-day difference in the lives of these children and effect a dramatic difference in how their lives will unfold."

Since its founding, KIND has helped more than 20,000 vulnerable children, trained 50,000 volunteers, and forged more than 650 partnerships with legal organizations.

*KIND's review of available data reveals that unaccompanied children represented by attorneys are five times more likely to gain the protection of the United States.*

KIND
KIDS IN NEED OF DEFENSE

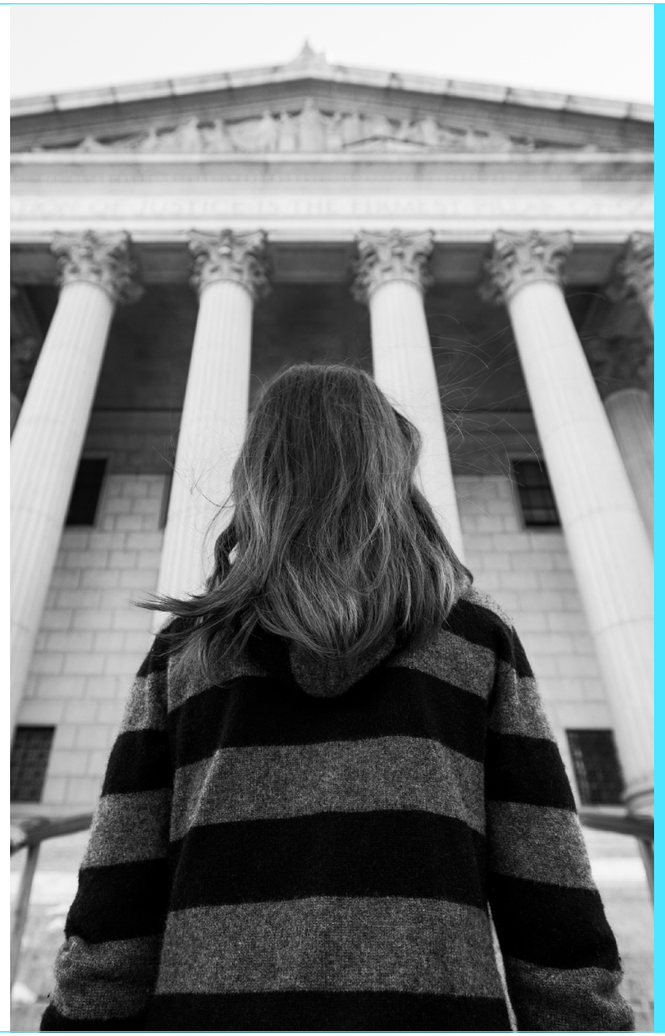
[1] *Talking Points, KIND, Jan. 2017.*

# Fleeing abuse: Cristina's KIND story

Cristina*, a 17-year-old Mayan girl from a small indigenous town in Guatemala, is the sixth of seven children in her family. She and her other family members endured the abuse of her alcohol-addicted father while her mother was too sick to work or protect her children. Because of this, Cristina left Guatemala when she was a young teenager and arrived in the United States, where she was identified as an unaccompanied minor and placed into the custody of the Office of Refugee Resettlement. There, she was matched with a pro bono team of Microsoft volunteers.

Cristina's pro bono team helped her apply and get approved for Special Immigrant Juvenile Status and Asylum. She is currently waiting for her priority date so that she can apply for permanent residency. She also received assistance with applying for a work visa so that she can support herself in the meantime. Cristina's team also represents her in immigration court hearings to secure her due process rights and to make sure she never appears in court alone.

**The client's name has been changed to protect confidentiality*



*"Microsoft's steadfast support and commitment to KIND has been critical to our ability to move thousands of immigrant and refugee children to safety, including hundreds in the Seattle area. The willingness of Microsoft employees to provide a helping hand to children who would otherwise face immigration court alone has literally saved lives and given our clients new hope for their future."*

— Wendy Young,
Executive Director, KIND

# Helping DACA applicants and U Visa holders with the permanent residency process with the Northwest Immigrant Rights Project

In 1984, the Northwest Immigrant Rights Project (NWIRP) was founded to provide legal help to hundreds of thousands of Central American refugees who were fleeing violence and civil wars. When refugees arrived at the U.S. border in search of safety, they were met with an adversarial asylum process, and legal assistance was limited or nonexistent. NWIRP came together as a small group of volunteer attorneys committed to defending the rights of refugees.

Today, NWIRP provides comprehensive immigration support for people who cannot afford an attorney through direct legal services, systemic advocacy, and community education. Through this work, NWIRP strives for justice and equity for all persons, regardless of where they were born.

This year, Microsoft partnered with NWIRP to provide pro bono legal services in several ways.

## Deferred Action for Childhood Arrivals (DACA) clinics

Prior to the creation of the DACA program by the Obama administration in 2012, young undocumented immigrants who arrived in the United States as children, known as "Dreamers," lived in constant fear of being deported even though the United States may be the only country they have ever called home. Under DACA, 700,000 Dreamers receive protection from deportation and may obtain work authorization.

As a long-standing supporter of the Dreamer community, Microsoft began partnering with NWIRP to host DACA clinics shortly after the DACA program came into effect. Since launching these clinics nearly eight years ago, business professionals, paralegals, attorneys, and other employees from across the company come together monthly to help Dreamers with DACA applications and renewals. Microsoft and NWIRP were able to continue this work in 2020 during the pandemic by using Microsoft Teams to host the monthly clinics remotely. With this model, Microsoft DACA clinic volunteers were able to provide more than 200 hours of pro bono services this year, helping 75 DACA applicants continue to pursue their dreams in the United States.

*Under DACA, 700,000 Dreamers receive protection from deportation and may obtain work authorization.*

*"I love the work we do to support the Dreamers. I am passionate about this project and try to invite and talk to new volunteers any chance I have. I also love that I get to use my language skills to make an impact."*

— Alessandra Reyes, Microsoft Paralegal and pro bono volunteer

## Assisting U Visa holders with the permanent residency process

Congress established the U Visa in October 2000 as part of the Victims of Trafficking and Violence Protection Act. These visas are intended to help victims of serious physical and psychological abuse, such as domestic violence, kidnapping, and trafficking, while improving law enforcement's ability to investigate and prosecute these crimes. The law allows up to 10,000 people a year who meet the eligibility requirements to receive a U Visa, with some additional allowance for family members. The statutory cap for U Visas has been met every year since 2010. In the U.S. Citizenship and Immigration Services 2019 Fiscal Year, more than 250,000 people had U Visa applications pending.[2] Once a person holds U Visa status for at least three years, they are eligible to apply for an adjustment of status to receive permanent residency, and thousands of U Visa holders become eligible each year.

Beginning in September 2019, 43 Microsoft volunteers, many working in groups, partnered with NWIRP to provide legal assistance and guidance to 27 U Visa holders applying for permanent residency. This work involved meeting with clients to hear their stories, gathering evidence for their cases, and submitting their applications to the government. Currently, U.S. Citizenship and Immigration Services is taking 18 to 24 months to process an application for permanent residency, so the outcome of the filed applications remains to be decided. Hopefully, these deserving clients will soon become permanent residents of the United States.

*In the U.S. Citizenship and Immigration Services 2019 Fiscal Year, more than 250,000 people had U Visa applications pending.*

Northwest IMMIGRANT RIGHTS Project

[2] *Number of Form I-918, Petition for U Nonimmigrant Status by Fiscal Year, Quarter, and Case Status, Fiscal Years 2009-2020, accessed Feb. 2019.*

# Supporting detained mothers seeking asylum at the border with the Immigration Justice Campaign

In 2018, the U.S. government implemented a zero-tolerance policy that directs U.S. officials on the Southwest Border to prosecute all adults, including those accompanied by children, who attempt to enter the United States from Mexico without first obtaining permission from U.S. immigration officials. Nearly 3,000 migrant children have been separated from their parents under this policy.[3] Many of the people impacted by this policy are mothers traveling with their children and who seek asylum in the United States.

These women are often fleeing violence against them or their family members. Their journeys to the United States to seek refuge are often arduous and dangerous. Under the zero-tolerance policy, they must then endure many stages of detention after they arrive—which can separate them from their children—before they are able to speak with an immigration official about their need to immigrate to the United States. Most of these women do not speak English and do not understand the screening and legal hearing process used to determine whether they can be released from detention and permitted to live in the United States while continuing the asylum application process.

*Nearly 3,000 migrant children have been separated from their parents under the zero-tolerance policy.*

"Our clients often had to travel thousands of miles just to even get to this detention center, often having malnourished or sick children alongside them, and still had the tenacity and the courage and the bravery to push forward," shared Lydia Petrakis, Microsoft lawyer and pro bono volunteer.

Two years ago, the rising crisis endured by these immigrant families detained at the Texas border captured the attention of Microsoft attorney Megan Yoshimura. Megan connected with Proyecto Dilley (formerly the Dilley Pro Bono Project), a partner of the Immigration Justice Campaign, and travelled to Dilley to provide pro bono legal services to impacted families for a week.

Dilley is 85 miles north of the United States-Mexico border at Laredo, and where many mothers with children seeking to enter the United States have been detained. Proyecto Dilley runs a freestanding legal clinic within the detention center in Dilley to provide legal services and representation to the women and children held there. Proyecto Dilley depends primarily on volunteers to provide their clients legal aide.

After returning from that first trip, Megan—who was deeply impacted by her clients and knew she could do more to get them help—partnered with Beth Henderson, Director of the Microsoft Pro Bono Program, to build an immersive pro bono opportunity for Microsoft employees.

IMMIGRATION
**JUSTICE**
CAMPAIGN

[3] *Newly Released Documents and Personal Testimonies Provide Evidence of Systematic Family Separations a Year After the End of Zero-Tolerance Policy, American Immigration Counsel, June 2019.*

Since February 2019, Microsoft teams including more than 55 employees—ranging from attorneys to business professionals to translators—have travelled to the South Texas Family Residential Center located in Dilley to offer legal aid to mothers detained at the border with their children.

Volunteers counseled their clients on the legal process for seeking asylum, helped them prepare for the hearing to initiate that process, also known as the "credible fear interview," and accompanied them to those hearings—all within the detention center. Many of the women have experienced significant trauma from rape, gang violence, domestic violence, and violent political oppression. As a result, they may not know who to trust with their story and they are scared. Volunteers gave them legal guidance and provided emotional support, helping them garner the courage necessary to participate in the legal process. Volunteers worked with numerous clients each day, frequently in pairs with volunteer language translators, and often for 12-hour shifts, ensuring every woman who asked for help received support.

*For the February 2019 trip, 100 percent of the women assisted by the Microsoft volunteers received a favorable outcome for their credible fear interviews.*

For the February 2019 trip, 100 percent of the women assisted by the Microsoft volunteers received a favorable outcome for their credible fear interviews, which allowed them to continue with the next step in the asylum application process. In the subsequent months, however, shifts in U.S. immigration policy prevented domestic and other types of violence from serving as the basis for a grant of asylum. As a result, Microsoft volunteers faced increasing challenges with helping the detained women navigate the credible fear interview process, and the rate of favorable outcomes declined with each trip. For the last trip in January 2020, only 25 percent of the women served by the Microsoft volunteers received a positive credible fear determination. Despite these challenges, the Microsoft volunteers remain committed to providing compassionate and high-quality legal services to the women detained at the South Texas Family Residential Center.

# Helping families at risk of deportation with safety planning for their children

Many parents in the immigrant community live in a constant state of fear about what would happen to their children if their immigration status caused government officials to detain or deport them. This uncertainty and anxiety can trickle down to their children, resulting in stressors that can negatively affect a student's ability to learn.

This year, Microsoft and the Eastside Legal Assistance Program (ELAP) partnered with one local Washington school district to collaborate on resources to support these families.

The team leveraged work done by the Legal Counsel for Youth and Children and law firm Perkins Coie to develop a safety plan kit. The kit includes a set of legally binding documents that allow parents to designate a legal caregiver for the child if the parents are detained or deported by U.S. immigration authorities.

At a clinic in December 2019, pro bono volunteers from Microsoft and law firms Davis Wright Tremaine and Perkins Coie used the kit to put safety plans in place for 38 local families. The pro bono volunteers, along with volunteer notaries and translators, ensured the families left with printed, notarized copies of their safety plans.

Based on the positive feedback, Microsoft is now working to further develop the safety plan clinic model so it can be deployed at greater scale to help more people in need of this support.

*"Our goal was to help support families facing the risk of deportation by helping reduce their stress around the uncertainty of what would happen with their children. The lift on our part felt relatively small compared to the impact, measured by the palpable relief, we could see. There was a sense of joy in the room of many volunteers, pulling together, and showing with their presence and actions that we value and support all members of our community."*

— Sima Sarrafan,
Microsoft Senior Attorney and
pro bono volunteer

# Guarding the right to equal justice

## *Helping protect civil rights*

The U.S. Constitution requires the government to provide counsel to people who have been accused of a crime and cannot afford an attorney. The right to counsel in criminal proceedings is limited, however, and does not apply to many post-conviction matters. This means that pro bono support may be the only option for those who cannot afford an attorney but were wrongly convicted, face an unduly long prison sentence, or are unable to find a job or housing because of a criminal conviction.

This year, Microsoft joined several pro bono initiatives to help address this need, including through partnerships with the Seattle Clemency Project and the King County Bar Association Records Project. These efforts have provided hope and legal recourse to individuals in prison who are deserving of a second chance and to those who need help overcoming the barriers people face to getting their lives back on track following a criminal conviction.

16 Advancing equity in the criminal justice system with the Seattle Clemency Project

18 Enabling people to overcome barriers created by criminal convictions with the King County Bar Records Project and Georgia Justice Project

# Advancing equity in the criminal justice system with the Seattle Clemency Project

In 1984, Washington State discontinued its parole system. As a result, most people who have entered Washington State prisons since then must serve their full sentence, including more than a thousand people serving an official or de facto life sentence, no matter how hard they work to demonstrate remorse, rehabilitation, and readiness to rejoin society.[4] This situation has created a system of overcrowded prisons, and one that disproportionately incarcerates people of color.[5] For individuals facing lengthy or lifetime sentences and who are deserving of a second chance, clemency—permission by the governor to be exempted from further punishment for a crime committed—is one of the few options available.

The Seattle Clemency Project (SCP) identifies strong candidates for clemency across Washington State's 12 adult prisons and matches them with pro bono volunteers to assist with the clemency process. This process involves the submission of a petition to the Clemency and Pardons Board and a subsequent hearing before the board if it is determined that the case has merit. Following the hearing, the board vote on whether to recommend clemency. If they do, the governor then decides whether to grant or deny clemency. These cases often move very slowly and can take months of work to make progress.

Over the past year, Microsoft attorneys worked with SCP to take on 15 clemency cases, providing individuals with access to counsel and the opportunity to put forward the strongest clemency petition possible.

In addition to assisting with clemency cases, Microsoft volunteers also have partnered with SCP to help clients at risk of deportation from the United States because of a criminal conviction for which they have already served their sentence.

In one case, Microsoft volunteers helped a couple from Cambodia who had fled the genocidal Khmer Rouge regime with their families when they were children and entered the United States as refugees. As adults, they sold household goods to make a living. At one point, they received and sold goods that they did not realize were stolen. They accepted the plea deal prosecutors offered them and received convictions for possessing stolen property. These convictions subjected the couple to deportation from the United States and permanent separation from their three children, who are U.S. citizens.

Microsoft volunteers worked with the prosecutor's office to vacate the original conviction and allow the couple to plead to charges that would prevent their deportation. As a result of this work, the couple no longer faces deportation and may remain in the United States with their children.

THE SEATTLE CLEMENCY PROJECT

[4] *Life Without Parole Sentences in Washington State, Law, Societies, and Justice Group, University of Washington, 2015.*

[5] *About Time: How Long and Life Sentences Fuel Mass Incarceration in Washington State, ACLU of Washington, Feb. 2020.*

In June, one of these clemency cases made its way before the Clemency and Pardons Board, which unanimously recommended to the governor that the client receive clemency.

His story, shared by Dave Heiner, former Microsoft Vice President and Deputy General Counsel and pro bono volunteer with SCP, is compelling:

## Renewed hope for freedom: Michael and the Seattle Clemency Project

*Written by Dave Heiner*

Michael, a 63-year-old African-American man, grew up with an unstable home life. By the time he was 14 years old, he'd been chased out of his home by his stepfather at gunpoint. He spent his teen years living on the streets of Seattle and hung out with other homeless kids. As he put it to me, they were "a bunch of juvenile delinquents, throwaways, and runaways." In his own mind, he was a throwaway.

The kids did what they could to get by. Juvenile crime turned to adult crime. Over the next few decades, Michael was in and out of prison, mostly in. He was generally angry at the world. And alone. Really alone.

In 2003, Michael robbed a bookstore and two banks. A typical sentence for these crimes would be a few years, but for Michael this was his "third strike"—and under Washington State's "three strikes" law, that meant he was facing life in prison. The prosecutors offered a plea deal and he took it. Forty years. He was 46.

He could have given up. As he told me, a lot of guys in prison adopt an "institutionalized" mind-set (pretty much the opposite of a growth mind-set). Faced with bleak circumstances, they lose the will to try to improve their lives. But for the first time since he was a young child, Michael had the greatest gift that anyone can receive—the unconditional love of another. And that made all the difference.

While out of prison Michael had married Shirley, and with Shirley's steadfast support, Michael turned his life around in prison. Michael became almost a renaissance man behind bars—a student, a teacher, a self-help author, a poet, a novelist, a musician (drums, lyrics, and backing vocals), an all-around hard worker, and a mentor. He published a book on overcoming the challenges of prison life. He published a collection of poetry. And he published a novel, inspired by his own life. He earned accolades from his teachers, other inmates, and even from prison staff. Late last year, he received his A.A. college degree. This year he completed training to become a paralegal.

Hopefully, the governor will act on the board's clemency recommendation soon, and one less person will be imprisoned in the United States.

**Michael and Shirley Lidel**

*Michael turned his life around in prison, but because Washington is a no-parole state, he had little hope of being released. This year, through a pro bono partnership between Microsoft and the Seattle Clemency Project, Michael requested clemency from the Washington State Clemency and Pardon Board, and they unanimously recommended that the governor grant him this relief and release him from prison.*

# Enabling people to overcome barriers created by criminal convictions with the King County Bar Records Project and Georgia Justice Project

Many employers, landlords, and benefit providers refuse to grant jobs, housing, and insurance to people who have a criminal record, effectively precluding individuals from getting their lives back on track. To address this barrier, many states have developed a legal process that permits people with a criminal record to expunge, vacate, or clear that record if they have not committed other offenses for a period of time and their convictions were not for serious violent offenses.

Microsoft has partnered with several organizations, including the King County Bar Association's Records Project and the Georgia Justice Project, to assist affected individuals with making these requests, so they have a real second chance to build a productive and law-abiding life.

## KING COUNTY BAR ASSOCIATION—THE RECORDS PROJECT

The Records Project, sponsored by the King County Bar Association (KCBA), assists people with low incomes in the state of Washington in vacating eligible criminal convictions. Once a conviction is vacated, it is removed from an individual's criminal record and is no longer visible to potential employers or landlords and cannot be used as a basis to deny employment or housing. Over the past year, Microsoft volunteers participating in the project met with clients, prepared the required documents, and appeared with their clients in court as needed. To date, six Microsoft volunteers have assisted applicants with the process for vacating their criminal records. Given the duration of the process, each of the petitions for relief are still pending, but will hopefully be favorably resolved soon.

## GEORGIA JUSTICE PROJECT

The Georgia Justice Project assists people with low incomes who have convictions in the state of Georgia vacate eligible convictions. In one case, a Microsoft pro bono volunteer assisted a client who was concerned that a conviction for a prior misdemeanor would prevent her from being promoted at work. The volunteer successfully helped clear her record, and the client received a promotion. In another case, a mother with two children needed help to clear her criminal record so she could secure stable housing. After successfully vacating her conviction with assistance from a Microsoft volunteer, the family now has a house of their own.

KING COUNTY BAR

GEORGIA JUSTICE PROJECT

*"Criminal records can be a significant barrier in someone's ability to obtain stable housing and employment, without which, moving out of poverty seems nearly impossible. I wanted to help have a direct and immediate impact by helping someone achieve more than they thought possible."*

— Erin Flaucher,
Microsoft Paralegal and
pro bono volunteer

# Enabling inventors, entrepreneurs, and small business

## *Helping people thrive in business*

Inventors, entrepreneurs, and small business owners play vital roles in our communities and are important contributors to the economy. Navigating the legal landscape in these areas can be complex, and access to legal services can be critical to success. When innovators and entrepreneurs lack the financial resources to get the legal support they need to advance their ideas and grow their businesses, everyone loses out. Pro bono legal services can play an important role in supporting innovation, advancing opportunity, and expanding small businesses in our communities.

20 Offering legal and business counsel with Communities Rise

21 Helping entrepreneurs with the University of Washington's Entrepreneurial Law Clinic

22 Supporting inventors through Microsoft's Make What's Next patent program

23 Developing the pipeline of pro bono advocates with the Equal Justice Works Fellowship Program

# Offering legal and business counsel with Communities Rise

Communities Rise (formerly Wayfind) is a nonprofit that aids communities and entrepreneurs who are impacted by systemic oppression.

One of their offerings is monthly legal clinics where community and business owners can obtain free legal advice and business counsel from practicing attorneys. Communities Rise also provides direct legal services to nonprofits on a variety of matters, including governance, bylaws, articles of incorporation, contracts, and conflict of interest policies.

This year, 10 Microsoft volunteers worked with Communities Rise at its monthly clinics to help entrepreneurs with business entity formation and drafting agreements. They also provided legal advice on corporate governance, maintenance, and compliance with state and federal laws—including taxes, contracts, intellectual property, real estate, and risk and liability assessment.

Microsoft volunteers assisted with individual matters and provided direct legal services to nonprofit organizations in Washington State.

*"Every time I meet with Communities Rise clients who have businesses they've gotten off the ground, it's so inspiring to hear all the work they've put into it and how far they've progressed."*

— Nichole Abbotts, Microsoft Attorney and pro bono volunteer

# Helping entrepreneurs with the University of Washington's Entrepreneurial Law Clinic

The University of Washington Entrepreneurial Law Clinic matches law and business students with pro bono attorneys and business advisors to provide legal and business counseling to technology entrepreneurs, small business owners, social entrepreneurs, nonprofits, and researchers who might not otherwise be able to access legal aid.

This year, Microsoft attorneys with backgrounds in patent, business management, and security volunteered their time and knowledge, working with 15 students and their clients during the Entrepreneurial Law Clinic. The Microsoft volunteers shared their experience and insight at the clinic, providing a valuable way for entrepreneurs to gain legal counsel while advancing their business ideas.

Through this work, Microsoft is grateful for the opportunity to contribute to the clinic becoming one of the cornerstones of the innovation ecosystem in the Pacific Northwest.

*"Having volunteer attorneys from Microsoft was invaluable for our consultations; their insight and experience helped to quickly identify the key issue to address the entrepreneur's questions. But Microsoft's participation is bigger than what they offer in consultation; it shows that they are committed to pro bono service and to improving the legal profession by being involved in meaningful ways with law students and that they value and support entrepreneurship in the community."*

*— Entrepreneurial Law Clinic student*

ENTREPRENEURIAL LAW CLINIC

*"Many of my students say that the Entrepreneurial Law Clinic is the most valuable experience that they have in law school. This is in large part due to our committed pro bono attorneys, like the ones at Microsoft. During our consult sessions, Microsoft attorneys not only helped entrepreneurs seeking legal assistance, but they also showed students what our profession looks like at its best."*

— Jennifer Fan,
Assistant Professor of Law and
Director of the Entrepreneurial Law Clinic

# Supporting inventors through Microsoft's Make What's Next patent program

According to the U.S. Department of Commerce, women hold less than 25 percent of jobs in science, technology, engineering, and math (STEM).[6] The disparity is even greater for female inventors based on research by the U.S. Patent and Trademark Office, which shows that the percentage of all patent inventors who are women, or the annual "women inventor rate," reached only 12.8 percent in 2019.[7]

Aiming to reduce these disparities, Microsoft launched the Make What's Next (MWN) patent program in 2016 to help female inventors around the world with patent support and mentorship, so they can protect their ideas and further their innovations. The MWN program pairs inventors with teams of Microsoft pro bono volunteers to work closely together to protect the inventions and to provide representation during the U.S. Patent and Trademark Office's review.

Over the years, the MWN patent program has helped inventors address important, real-world problems, including detecting sickle cell disease, assisting the blind, reducing airborne diseases, and monitoring prevalence of invasive species. In the last 12 months, the MWN program and 20 Microsoft volunteers assisted nine teams of inventors with new and pending patent applications.

These efforts have resulted in the issuance of five patents that span a wide range of technologies, including health diagnostics, a device that assists vision-impaired individuals, air- and water-quality monitoring systems, and enhanced spectrophotometric chemical sensors. Additionally, the Microsoft volunteers continue to pursue protection of many other inventions still pending before the U.S. Patent and Trademark Office.

*Women hold less than 25 percent of jobs in science, technology, engineering, and math (STEM).*

*— Women in STEM: 2017 Update*

*"As lawyers, we have an advantage in navigating legal processes and understanding the law, whether it is specifically in patents, or just in everyday life. I feel that it is important for us lawyers and other legal professionals to help people, where possible, who do not have such an advantage or even the resources to seek legal aid. Everyone should give back and do pro bono."*

— Sandy Swain,
Microsoft Senior Patent Attorney and pro bono volunteer

[6] *Women in STEM: 2017 Update, U.S. Department of Commerce, Nov. 2017.*

[7] *Progress and Potential: 2020 update on U.S. women inventor-patentees, U.S. Patent and Trademark Office, July 2020.*

# Developing the pipeline of pro bono advocates with the Equal Justice Works Fellowship Program

To help mobilize the next generation of lawyers committed to fighting for equal justice, Microsoft has sponsored public interest fellowships over the last decade through Equal Justice Works (EJW). EJW brings together an extensive network of law students, lawyers, legal services organizations, and supporters to promote a lifelong commitment to public service and equal justice.

Since 2009, Microsoft has cofunded 15, two-year fellowships developed by recent law school graduates to increase equal access to justice for communities in need. This investment has helped the fellows to deliver critically needed legal services to veterans, immigrant children, and other vulnerable people.

Crystal Pardue is one of the fellows Microsoft is currently cosponsoring with the law firm Davis Wright Tremaine. Crystal is providing legal advocacy to Native American students and families in Washington State who face disproportionately high levels of school discipline and juvenile incarceration proceedings. Crystal has said that as a Native woman of color, she identifies with the community she serves and deeply understands the unique cultural barriers affecting Native students' progress in education. Prior to the COVID-19 pandemic,

Crystal had planned to travel across Washington State to provide in-person "Know Your Rights" presentations to Native students and their families. She is now identifying creative ways to provide this important information to the community, but the broadband access issues many Native communities face makes this task more challenging.

To help address these broadband access issues, the Microsoft pro bono team sought assistance from the company's Airband Initiative, which aims to close the digital divide and bring high-speed internet connectivity to unconnected communities around the world. Crystal is now working with Microsoft employees who specialize in improving internet connectivity for Native communities with the goal of ensuring that the students she serves can access remote learning and legal services.

EQUAL JUSTICE WORKS

*"Without Microsoft, we could not accomplish our work mobilizing lawyers to ensure equal access to justice."*

— David Stern,
Executive Director, Equal Justice Works

# Supporting the needs of United States veterans

## *Helping those who serve others*

Members of the U.S. military place their lives on the line to defend their nation, yet they often face complex rules and difficult processes when trying to obtain the benefits to which they are entitled for their military service and support to transition into civilian life. Many do not have the financial means for legal counsel when trying to navigate these issues. Without legal assistance, it is challenging to resolve important issues like disability compensation and the impacts of a discharge status on benefits eligibility, and it often does not result in success. Pro bono services can make a great difference in helping veterans secure benefits, improving their and their families' quality of life, health, and wellness.

25 Helping veterans who were injured in service to obtain benefits with the National Veterans Legal Services Program

26 Helping veterans avoid homelessness with Seattle Stand Down

# Helping veterans who were injured in service to obtain benefits with the National Veterans Legal Services Program

For almost 40 years, the National Veterans Legal Services Program (NVLSP) has worked to ensure that U.S. veterans and active-duty personnel with disabilities resulting from their military service receive the benefits the law affords them. Bill Hayden, a Microsoft Senior Attorney and Veteran of Operations Iraqi Freedom and Desert Storm, is a member of the NVLSP board.

Thanks to Bill's efforts, 26 Microsoft volunteers assisted with 13 combat-related special compensation (CRSC) cases and five discharge-upgrade requests this past year. Volunteers with the CRSC program help veterans injured in the line of duty receive the compensation they need to care for themselves and their families. Through the discharge upgrade process, volunteers assist veterans who suffered a mental disorder, such as post-traumatic stress disorder or depression, in service that contributed to a less than honorable discharge. A successful discharge upgrade request allows these veterans to receive benefits and health care through the U.S. Department of Veterans Affairs and helps improve their employment opportunities.

To date, seven of the 13 CRSC petitions filed by Microsoft volunteers have been approved for compensation, and the remaining six are pending a decision. Additionally, Microsoft volunteers have prepared and filed five discharge upgrade requests that are currently pending. This work has resulted in Microsoft donating over 500 hours of volunteer time to provide legal support to these deserving veterans.

*"As in-house lawyers, we often don't get to see the direct benefits of our legal skills on those who are truly in need. Volunteering a few hours or taking on a case that lasts a few months can provide a lifetime of help to veterans."*

*— Bill Hayden, Microsoft Senior Attorney, NVLSP board member, and pro bono volunteer*

NVLSP
NATIONAL VETERANS LEGAL SERVICES PROGRAM

# Helping veterans avoid homelessness with Seattle Stand Down

Seattle Stand Down is a Seattle area organization that has helped nearly 4,500 veterans who are either currently experiencing homelessness or at risk of homelessness. Every December, the organization hosts an event to provide veterans with one-stop access to various services they may need. Studies by the U.S. Department of Veterans Affairs show that unmet legal needs are one of the root causes of homelessness for veterans. Nearly 40,000 U.S. veterans are homeless on any given night. Veterans of color are disproportionally impacted, and women represent the fastest growing group of homeless veterans.[8]

In December 2019, Microsoft volunteers partnered with the law firm Davis Wright Tremaine and volunteers from T-Mobile's legal department to staff a legal clinic during the Seattle Stand Down event. Volunteers collaborated to provide intake services for more than 50 veterans seeking to vacate a criminal record in Washington State and assessed eligibility for having these records vacated. Through this clinic, the volunteers also connected eligible veterans with free legal services for the next step in the record vacatur process and helped open the door to new housing, employment, and educational opportunities.

*"I am constantly impressed with Microsoft's innovative and courageous leadership in the pro bono space—it pushes other companies to do more, inspires outside law firms to step up, and is an absolute game changer in making access to justice available to all, not just those who can afford it."*

— Joanna P. Boisen,
Pro Bono Counsel,
Davis Wright Tremaine LLP

[8] *Access to Justice for Homeless Veterans, American Bar Association*

# Providing pro bono services during a pandemic

## *Helping ensure access to legal services in the face of COVID-19*

During the COVID-19 pandemic, many people became more vulnerable, not only by the disease itself but also by the resulting economic and social impacts. The global lockdown dramatically increased unemployment rates and heightened housing and food insecurity, as well as what the UN described as a "horrifying" rise in domestic violence.[9]

As the pandemic took hold, the need for pro bono services was greater than ever. With social distancing and stay-at-home orders in effect, pro bono programs had to pivot to remote and technology-based models. The pro bono community quickly worked together to shift to remote service models, leveraging digital platforms for pro bono work, and working across organizations, agencies, and the courts to ensure continuity of services for those in need.

28 Navigating the need for remote pro bono services

[9] *UN chief calls for domestic violence "ceasefire" amid "horrifying global surge," UN News, April 2020.*

# Navigating the need for remote pro bono services

Microsoft was proud to work with legal service providers like the Northwest Immigrant Rights Project and the King County Bar Association to continue to provide pro bono services virtually in the last half of the fiscal year. Some early examples included:

**Shifting to virtual DACA clinics:**
In March 2020, as social distancing rapidly became required due to COVID-19, Microsoft and the Northwest Immigrant Rights Project concluded that it would no longer be safe to host their free, in-person clinics normally provided for DACA recipients. However, the need for these services was growing because of uncertainty about whether the U.S. Supreme Court would allow the program to continue. To continue supporting Dreamers during this time, Microsoft transitioned the in-person DACA clinics to a virtual model using Microsoft Teams in April 2020. In June 2020, the Supreme Court issued its decision upholding the DACA program, and Microsoft continues to provide virtual DACA clinics with NWIRP.

**Developing remote eviction counseling:**
The economic downturn and job loss caused by COVID-19 created significant additional need for legal services to help support those at risk of losing housing. Microsoft worked closely with the King County Bar Association's Housing Justice Project to help address this crisis by volunteering with their virtual legal clinic and developing virtual community education sessions about housing instability and where to go for help.

**Offering a digital service model to empower domestic violence survivors:**
Before COVID-19, survivors of domestic violence were required to appear in person to obtain a protection order from the court. With government shutdown and stay-at-home orders in place, the King County court system quickly developed a pathway for survivors to request a protection order remotely. Working with a coalition of government, nonprofit, and law firm partners, Microsoft was able to stand up a virtual legal clinic to help domestic violence survivors obtain protection orders through this newly created process.

# Recognizing Microsoft's pro bono volunteers

30 Microsoft's annual pro bono award

31 Association of Corporate Counsel's Southern California pro bono award

32 Microsoft's pro bono committee

# Microsoft's annual pro bono award

Microsoft's Corporate, External, & Legal Affairs (CELA) department recognizes the pro bono achievements of employees through its annual pro bono award. The award is based on several criteria, including that the individual or team has demonstrated an outstanding commitment to pro bono work, whether through representation they have provided themselves or work they have done to facilitate pro bono by others.

### 2019 CELA pro bono award winners: February 2019 Dilley pro bono team

Michael Alcorta
Lindsey Burt
Stephanie Chavez
Jennifer Cooper
Marlon Fetzner
Stephanie Hong
Hanna Kim
Lydia Petrakis
Juan Santillan
Laura Sierra
Carrie Valladares
Quisaira Whitney
Megan Yoshimura

This team's extraordinary work and dedication during their Dilley volunteer trip went far above and beyond their normal responsibilities, such as meeting with leadership to share insights into ways to improve both client service and volunteer engagement and training.

# Association of Corporate Counsel's Southern California pro bono award

Each year the Southern California chapter of Association of Corporate Counsel (ACC) recognizes an ACC member, either an in-house attorney or a corporate legal department, who embodies the highest ideals of the legal profession by their sustained commitment to pro bono service to others. This year, Microsoft won the award thanks to the efforts of the following members of the West Region legal team:

**Deborah Dugan**

**Archie Iskaq**

**Njeri Mutura**

The team has deepened relationships with the Southern California community through various pro bono efforts, including a KIND intake event. KIND leadership has recognized how grateful they were for the team's effort in supporting their mission.

# Microsoft's pro bono committee

Special thanks to the members of the Pro Bono Committee for organizing and developing the program, promoting the pro bono work throughout the department, attending committee meetings, participating in curated activities, serving as ambassadors and pro bono champions to their respective teams, and for contributing to this report by preparing content, offering insight, and sharing stories.

Nichole Abbotts
Michele Burlington
Pablo Castro
Stephanie Chavez
Dan Choi
Nyssa P. Chopra
Jennifer Cooper
Phong Dinh
Julie Florida
Beth Henderson
Joe Nord
Una O'Sullivan
Avani Patel
Cindy Randall
Juan Santillan
Sima Sarrafan
Mary Jo Schrade
Susan Sieh-Raffman
Laura Sierra
Amy Squires
Angela Walker
Ellen Wong

Microsoft

© 2020 Microsoft. All rights reserved.