

NEW YORK CITY LAW DEPARTMENT
OFFICE OF THE CORPORATION COUNSEL

Michael A. Cardozo, *Corporation Counsel*

Press Release

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For Immediate Release

**NEW YORK CITY CORPORATION COUNSEL MICHAEL A. CARDOZO
AND PHILADELPHIA CITY SOLICITOR SHELLEY R. SMITH
COME TOGETHER IN THE NAME OF PUBLIC SERVICE TO HONOR
2009 YANKEES-PHILLIES WORLD SERIES "FRIENDLY WAGER"**

***PHILLY LEGAL HEAVYWEIGHTS
ARE JOINING NEW YORK CITY EXECUTIVES AND LEGAL STAFF TOMORROW
IN VOLUNTEERING AT THE "WE THE PEOPLE"
HIGH SCHOOL CONSTITUTIONAL COMPETITION AT PACE UNIVERSITY
AND AT THE NEW YORK CARES COAT DRIVE SORTING SESSION***

Contact:

- Maura Kennedy, Press Spokesperson, Philly Law Dept, (215) 686-6210, maura.kennedy@phila.gov
- Kate O'Brien Ahlers, Media Director, NYC Law Dept, (212) 788-0400, media@law.nyc.gov

New York and Philadelphia, Jan. 6, 2010 – Honoring the innovative service theme weaved into the World Series bets of Philadelphia Mayor Michael A. Nutter and New York City Mayor Michael R. Bloomberg, Philly City Solicitor Shelley R. Smith and NYC Corporation Counsel Michael A. Cardozo will be carrying out their own bet tomorrow -- one designed to inspire volunteerism and *pro bono* service.

The friendly wager, made last October during the Phillies/Yankees 2009 World Series match-up, revolved around a theme "near and dear" to both the Mayors and their chief legal officials – promoting volunteerism generally, and educational and career opportunities for children in particular. The Yankees won the best-of-seven series, 4-2.

The wager will bring Philly's top legal heavyweights to New York City tomorrow for a day of volunteering, inspiration and unity:

- The morning will be spent at the "We the People" Competition, where high school students will compete in making legislative-style presentations about the Constitution and the Bill of Rights. The event, sponsored by the Justice Resource Center of New York City and the Center for Civic Education of Calabasas, CA, will be held downtown at Pace University near City Hall.
- At lunchtime, the Philly lawyers will visit City Hall and the Law Department, and receive honorary Yankee jerseys.
- The afternoon will be spent at the New York Cares Coat Drive Center on Hudson Street in lower Manhattan.

[Editor's Note: Reporters and photographers interested in more information on the various events can contact the New York City Law Department. The Law Department will also have photos available for media use.]

To “pay off” the bet, Philly is sending its top legal team:

- Shelley R. Smith, City Solicitor
- Donna J. Mouzayck, First Deputy City Solicitor
- Elizabeth Mattioni, Chair, Litigation
- Daniel Cantu-Hertzler, Chair, Corporate
- Jennifer Burns, Chief of Staff

They will be joined throughout the day by a number of New York City Law Department staff, including:

- Michael Cardozo, Corp Counsel
- G. Foster Mills, Managing Attorney
- Celeste Koeleveld, Executive Assistant for Public Safety
- Lawrence Kahn, Executive Assistant Corporation Counsel
- Muriel Goode-Trufant, Chief, Special Federal Litigation Division and EEO Officer
- Susan Kath, Chief, Environmental Law Division

Smith and Cardozo expressed excitement at having the opportunity to turn a friendly competition into something that would inspire local children and help those less fortunate.

“The real winner of this bet is the community that’s benefitting from the spirit of *pro bono* service embodied in this wager,” noted Smith. “We are happy to engage in these activities in the spirit of volunteerism espoused by both our mayors.”

Cardozo said, “This allows each of our offices to serve many schoolchildren, and we look forward to having the students show us what they’ve learned about our Constitution, and showing off our talented New York youth to our guests from Philly. It also gives us an important opportunity to support efforts by our Mayors and local, state and nationwide bar associations to encourage *pro bono* work among legal professionals across the country.”

The Philadelphia lawyers will arrive in New York City early tomorrow morning. From 9 a.m. to noon, they will be serving as judges at the “We the People” Competition.

From about 12:30 to 2:30 p.m., the lawyers will visit City Hall and the New York City Law Department, and meet the Mayor’s staff, including New York City Chief Service Officer Diahann Billings-Burford. “Philly will also get its new pinstriped lawyers suits – Yankee pinstripes,” Cardozo joked.

From about 3:00 to 5:00 p.m., the lawyers will join New York City Law Department staff in volunteering at the 250 Hudson Street facility of New York Cares.

According to its web site (nycares.org), New York Cares “was founded by a group of friends who wanted to take action against the serious social issues that faced our city in the late 1980s. Finding few options to help, they created their own organization to address the problems from the ground up. New York Cares is now the city’s leading volunteer organization, bringing vital volunteer support to thousands of nonprofit agencies, public schools, and other deserving organizations. Today’s volunteers share our founders’ vision that we all have a role to play in making our city a better place.”

The staff from both Philadelphia and New York City will sort coats donated during New York Cares’ recent winter coat drive. Among other things, they will create groupings for coats – i.e., men’s, women’s and children’s – and assess the condition of coats. The final groupings will be distributed to needy individuals across New York City.

Cardozo also noted that the Yankee shirts worn by Philly will be given to New York Cares after the day’s charity session ends and distributed to local youths. “We offer our special thanks to the New York Yankees for their kind donation and for adding a spirit of lightness and fun to the day,” Smith and Cardozo said in a joint statement.

The Law Department and Philadelphia’s original bet discussed doing service in every borough. However, Cardozo noted that “by tweaking some elements of the original wager, we were better able to use our and

Philadelphia's resources." He also thanked City Solicitor Smith and her staff in advance for their good sportsmanship. "Philly gave us a good fight, so this just as easily could have been us," he chuckled.

The bet between City Solicitor Smith and Corp Counsel Cardozo was inspired by an agreement announced last October between Mayor Nutter and Mayor Bloomberg. The joint Philadelphia-New York City press release at the time noted that this was "the first-of-its kind wager on the World Series between the New York Yankees and the Philadelphia Phillies" and that "the losing mayor will travel to the winning city to join the winning mayor in a volunteer service project." This bet differed from previous years, where items like local food or drinks were exchanged. Mayor Nutter lived up to his promise and helped Mayor Bloomberg paint a school this past November.

Tomorrow's bet between Corp Counsel Cardozo and City Solicitor Smith also echoes a long-term tradition of public service embraced by both cities' legal departments and chief legal officers.

Pro Bono Work of the Philadelphia Law Department

The Philadelphia Law Department strongly encourages its attorneys to supplement the valuable public service they provide in their positions with the Law Department by also offering service to the broader community through *pro bono* activities. Law Department attorneys have participated in programs such as the Homeless Advocacy Project, which provides assistance to homeless individuals with such tasks as securing social security cards and driver's licenses to assist in finding jobs and housing, Philadelphia's Volunteers for the Indigent Project (VIP), which provides low-cost or free legal services to Philadelphia citizens in need of legal representation but without means to secure such representation, and various programs offered through the Philadelphia Bar Association, including the Advancing Civics Education (ACE). This past fall, the Mayor of Philadelphia honored the extensive *pro bono* work of a senior attorney with the Philadelphia Law Department by conferring a Mayoral Citation upon that attorney.

Law Department attorneys and staff also provide service to their community through various food drives, book drives and other fundraising activities.

Pro Bono Work of the New York City Law Department

In New York City, the Law Department has partnered in the last year with the New York Court of Appeals Chief Judge, Jonathan Lippman, and created "NYC Legal Outreach" -- one of the several initiatives launched through the Mayor's NYC Service program involving the encouragement of volunteerism -- to encourage more attorneys to provide *pro bono* service in the areas of mortgage foreclosures, evictions, immigration, and consumer credit.

Law Department attorneys and staff also provide volunteer support for public schools in a variety of ways: raising funds for supplies, speaking at Career Days, coaching and judging moot court and moot trial competitions; and mentoring individual students.

In 2002, a Volunteer Legal Activities program was established for members of the Law Department. In the aftermath of the tragic events of 9/11, it was thought to be an appropriate time to recommit to the ideals of the legal profession and the obligation to render "public interest and pro bono legal service" -- while acknowledging that by working for the City of New York attorneys were already laboring daily in the public interest in fulfillment of that obligation. The goal was to encourage and support those attorneys who wanted to offer pro bono legal services and to serve the larger community through pro bono, non-profit and bar organizations. In the almost seven years since the inception of the program, the agency's attorneys have been enthusiastically participating in a variety of activities, ranging from drafting Wills, assisting pro se parties seeking uncontested divorces, acting as Small Claims Court arbitrators, to coaching public school debate teams and mentoring students interested in becoming lawyers.

Public Service Traditions of Philly City Solicitor Shelly R. Smith

Appointed by Philly Mayor Nutter in January 2008, Shelley R. Smith returned to the Law Department as City Solicitor after two years in private practice. Her commitment to the public good is reflected in her efforts to enhance Philly's legal community by serving in key municipal roles. From 1992 until early 2006, Smith was a trial lawyer and supervisor in the City's Law Department, where her practice focused on federal constitutional tort litigation. During the last seven years of her tenure in the Department, Smith headed the Affirmative Litigation Unit, the Labor and Employment Unit, and the Corporate and Tax

Group, a position she held upon her departure in 2006. As a trial lawyer for the City, Smith tried some of the City's most prominent legal matters to verdict. In total, Smith was lead counsel at the trials of nearly 60 federal civil rights matters, and she litigated hundreds more equally high-profile cases. She was named a Philadelphia SuperLawyer by *Philadelphia Magazine* in 2005. She is a member and past Chair of the Philadelphia Bar Association's Commission on Judicial Selection and Retention, and a member of the Southeastern Pennsylvania Advisory Board of Pennsylvanians for Modern Courts. In addition, Smith has participated as a team leader in the Philadelphia Bar Association's Advancing Civics Education (ACE) program, providing supplemental civics education to students in Philadelphia's public high schools, including Smith's *alma mater*, Philadelphia High School for Girls.

Public Service Traditions of Corporation Counsel Michael A. Cardozo

Cardozo, a former partner at the law firm Proskauer Rose LLP, has long been active in the public service and bar organizations. From 1996 to 1998, he was President of the 21,000-member Association of the Bar of the City of New York. He is a fellow of the American College of Trial Lawyers and a member of the Board of Directors of the Lawyers Committee for Civil Rights Under Law, The American Law Institute, and the Executive Committee of the Lawyers Division of the Anti-Defamation League. His numerous previous outside activities include serving as Chair of the Columbia Law School Board of Visitors, Chair of the Fund for Modern Courts, Chair (by appointment of the Governor and Chief Judge) of both the New York State Joint Committee on Judicial Administration and the New York State Task Force on the Appellate Divisions, and, in the mid-1970s, Counsel to Governor Hugh Carey's Task Force on Court Reform. This past fall, the Corporation Counsel volunteered at the Brooklyn Latin School in Brooklyn, N.Y, in a "Principal for a Day" celebration aimed to teach inner-city kids about career opportunities in the law.

About the Philadelphia Law Department

Under the Philadelphia Home Rule Charter, the City Solicitor is the chief legal officer and counselor for the City. The City Solicitor represents the Mayor, and his Administration, City Council and more than 30 City departments, commissions and agencies. The City Solicitor is a member of the Mayor's Cabinet, and manages the Law Department. The City of Philadelphia Law Department employs approximately 165 attorneys and is responsible for providing legal advice to all officers, departments, boards, and commissions within the City concerning any matter arising in connection with the exercise of their official powers. The nearly 45,000 matters the Philadelphia Law Department handles include the collection of all fines, taxes and other debts owed the City, the representation of the City and its officers in litigation, the preparation of ordinances for introduction in City Council, and the negotiation and preparation of City contracts. Attorneys for the Philadelphia Law Department regularly provide pro bono service in the Philadelphia community, including service to the Volunteers for the Indigent Program ("VIP"), which provides low and no-cost legal representation for Philadelphians without the means to secure legal representation. For more information about the City of Philadelphia's Law Department, please visit phila.gov/law.

About the New York City Law Department

Michael A. Cardozo oversees more than 650 attorneys in the 17 divisions of the New York City Law Department, which traces its origins back to 1683. It ranks in the top three largest law offices in New York City, and is among the largest public law offices in the country. The Law Department has an active caseload of 90,000 matters and transactions, covering a wide diversity of subject matters including Environmental Law, Contracts, Tort, Labor & Employment, Tax & Bankruptcy and Family Court. You can find out more about the NYC Law Department at nyc.gov/law.

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