

## 2018 Earl G. Harrison Pro Bono Award

### Arleigh P. Helfer III



Arleigh P. Helfer III, an associate in the Litigation Services Department, is being honored by the Firm with the 2018 Earl G. Harrison Pro Bono Award. This award is presented annually to an attorney who has a distinguished record of pro bono service of enduring value to the public good.

Helfer continues Schnader's proud tradition of pro bono service, tracing its roots to the founding of the Firm in 1935. He successfully briefed and argued the 2018 Third Circuit victory in *Berardelli v. Allied Services Institute*, helping a young student whose private school refused to allow her to bring her service animal, a seizure alert dog named Buddy, to school. Helfer is also being recognized for his many efforts in support of the ACLU, notably including an amicus brief in *Kuren v. Luzerne County* on behalf of the National Association of Criminal Defense Lawyers and the Pennsylvania Association of Criminal Defense Lawyers. The Supreme Court of Pennsylvania held in *Kuren* that claims for anticipated Sixth Amendment ineffective assistance of counsel violations may proceed against counties that underfund public defenders. The Pennsylvania Association of Criminal Defense Lawyers awarded Helfer its Alan Jay Josel Advocacy Award for his work on the brief. "Arleigh's pro bono work shows great commitment to the needs of the community and the ideals of helping individuals who could not otherwise afford legal representation," said Stephen A. Fogdall, Chair of the Firm's Pro Bono Committee and Chair of the Financial Services Litigation Practice Group.

**Q: Are you currently working on any pro bono matters?**

**A:** Yes. I am working with the ACLU on a case involving a high school cheerleader who was removed from the cheer team for posting an item to Snapchat that the school perceived as disrespectful. This matter involves important First Amendment issues because she posted the Snap on a Saturday on her own time, not while at any school-sponsored activity. The ACLU won a preliminary injunction motion that reinstated the student to the team, and Molly Tack-Hooper of the ACLU and I are pursuing the case in the U.S. District Court for the Middle District of Pennsylvania.

**Q: Why did you choose to become a litigator?**

**A:** I originally obtained a masters degree in literature, thinking I would like to become a literature professor, but realized that the job market was simply too dire. My grandfather practiced law, and his example as a "literate lawyer" sparked my interest. I also find issues of social justice to be incredibly important and wanted to help disadvantaged and disenfranchised people protect their rights.

**Q: Which pro bono case was the most impactful?**

**A:** I believe the *Berardelli* case will benefit many other persons with disabilities. The decision changes the law to help others avoid the same hardships as our client. The decision means that programs receiving federal funding are subject to the same accommodation requirements under the Rehabilitation Act (RA) that apply to public entities and places of public accommodation under the Americans With Disabilities Act (ADA) concerning the use of service animals. This is significant because monetary damages are available under the RA.

**Q: How have your pro bono cases inspired you?**

**A:** Working on pro bono cases gives me the privilege of helping people facing personal and societal disadvantages. I am in awe of our clients, who fight to right the wrongs done to them and others in their position. These cases are so gratifying because the clients are thankful for the help, and to me that is the greatest reward.

**Q: How do you think this pro bono work can encourage others?**

**A:** Schnader offers strong support for pro bono work. The Firm values the contributions that lawyers can make to changing the law and meeting the needs of people in poverty, with disabilities, and facing other challenges. As attorneys, our pro bono efforts can hopefully inspire others to speak up for their rights and have a voice.