

## Miller Canfield Attorney Kimberly Scott Wins Cummiskey Award for Pro Bono Service

---

June 6, 2019

Miller Canfield is pleased to announce that Kimberly Scott, a principal in the firm's Ann Arbor office, will be awarded the prestigious State Bar of Michigan John W. Cummiskey Pro Bono Award, given annually to recognize outstanding pro bono service.

Since June 2017, Kim has worked on the widely publicized class action case *Hamama v. Adducci*, which she has done on a pro bono basis in cooperation with the ACLU of Michigan. The case has impacted some 1,400 Iraqi nationals who had been living in the United States for years, and even decades. Hundreds of them live in Southeast Michigan.

"Kim's work in the *Hamama* matter has been extraordinary," said Miller Canfield CEO Michael McGee. "She, along with our pro bono team and the ACLU has quite literally saved lives by helping the clients attain the access to justice."

The case began on June 11, 2017, when federal immigration agents arrived at the homes of hundreds of Iraqis, rounded them up without warning and detained them with the intent to remove them to Iraq. Many of these men and women fled Iraq years ago, some as small children, with many coming to this country as refugees. Most are Chaldean Christians or other religious or ethnic minorities who face serious threat of persecution, torture or even death if they were to be returned.

This action prompted attorneys from Miller Canfield, led by Scott and Miller Canfield Pro Bono Counsel Wendy Richards, along with a team of academics and legal service attorneys, the ACLU Immigrant Rights Project, and the ACLU of Michigan, to rush to the court to stay the deportations. The goal was to allow enough time for these individuals to get to immigration court and file papers showing that conditions in Iraq have become so dangerous for them that their return would violate U.S. and treaty law.

There have been more than 500 docket entries, over 45 status conferences and hearings, more than 160 orders, two Sixth Circuit Appeals and an en banc petition. Miller Canfield has donated over 5,000 hours to this case. Several of the class members have been successful in their immigration cases, many with their status adjusted, as a result of this work, including many of the named Petitioners. Lead Petitioner Sam Hamama received a pardon from former Michigan Governor Rick Snyder, along with three other class members. And almost every class member had been released from immigration detention for the holidays in 2018.

"This case is an example of Kim's exceptional skill. It is far-reaching and complex, in that there are several issues simultaneously at play: extraordinary factual circumstances applied to novel questions of immigration and Constitutional law," McGee said. "Yet it boils down to a simple idea: every person deserves their day in court."

In another recent pro bono matter, Scott's client is an inmate at the Carson City Correctional Facility in rural Michigan. He had been taking classes as part of a 12-step program designed to help inmates transition from prison life to their release to the community. The guards routinely ordered the prisoners to stand outside the building holding the class until the instructor arrived, even though the Michigan Department of Corrections policy allowed the prisoners to arrive within 10 minutes of the start time for the class. On one of those occasions, the prisoners had to wait outside in freezing rain. Scott's client suffers from asthma triggered by cold weather; he suffered severe health complications that lasted for

Continued

---

several months.

The case has the potential to impact every prison in the state, as the case addresses how individual institutional policy interplays with the policies issued by the Michigan Department of Corrections.

Scott is a member of the firm's Litigation and Dispute Resolution Group. She is known as a superior trial lawyer who focuses on complex "bet the company" litigation. While Scott has worked on these significant pro bono cases, she has maintained a full workload of litigation matters in which she advocates just as tirelessly and zealously for her commercial clients as she does in this life-or-death pro bono matter.

Scott is a Fellow of the American Bar Foundation and has earned recognition from *Best Lawyers in America*, Intellectual Property Litigation; Criminal Defense Attorneys of Michigan; *Michigan Lawyers Weekly* Leaders in the Law and Up & Coming Lawyers; and *DBusiness* Magazine Top Lawyers.

Miller Canfield and its attorneys performed more than 8,000 pro bono hours, representing a value of more than \$3 million in 2018.

Scott will be recognized at the State Bar of Michigan Annual Meeting on Sept. 25, 2019.