

We honor 43 attorneys for their extraordinary achievements in 2008.

BY THE EDITORS OF CALIFORNIA LAWYER

The California Lawyer Attorneys of the Year Awards recognize lawyers throughout the state whose legal work made a profound impact in 2008. They include sole practitioners, city attorneys, and lawyers from large international firms. Their practice areas range from employment law and intellectual property to environmental law and appellate work. Among their successes: making school buses healthier for millions of California schoolchildren, protecting voters' rights during the recent election cycle, and winning a \$184.1 million jury award in a patent-infringement case. In total, we identify 22 accomplishments in 13 areas of legal practice that reflect the breadth of the California State Bar.

Although it has become our policy not to consider previous CLAY winners, we made an exception for the landmark conservation agreement in our environmental law category. The nine attorneys who worked on that deal included two earlier honorees, Harry C. O'Brien and Joel R. Reynolds.

Congratulations to all the winners.
—Chuleenan Svetvilas

PRO BONO



MITCHELL ZIMMERMAN
Fenwick & West, Mountain View

After working on the capital case for 22 years, Zimmerman got Henry Earl Duncan's death sentence overturned last June by the Ninth Circuit U.S. Court of Appeals. Duncan had repeatedly claimed over the years that his trial attorney acted incompetently and was to blame for the verdict, but to no avail. Zimmerman and his team, which included sole practitioner **Richard C. Neuhoff**, demonstrated that the seemingly airtight evidence—Duncan's bloody fingerprints at the crime scene—that had placed him at the 1986 murder site did not necessarily prove he was the killer. They tested Duncan's blood—which his trial lawyer had neglected to do—and determined that its type was different from that of blood found at the crime scene. Zimmerman then argued that another assailant had been present and probably committed the actual killing. A three-judge panel concurred that Duncan's counsel was ineffective.

Although Duncan's murder conviction stands, the jury's finding of special circumstances—necessary for imposition of the death sentence—was reversed. Duncan may be subject to retrial on the special-circumstances issue, but Zimmerman—who logged more than 7,400 pro bono hours on the case—is confident that new trial counsel will be able to adequately represent him.

ATTORNEY OF THE YEAR