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Civil Rights Veteran Joins DC Employment Boutique

By **Rachel Rippetoe**

Law360 (January 10, 2023, 4:38 PM EST) -- A veteran civil rights litigator and former legal director of the Virginia ACLU has joined D.C. employment law boutique Kalijarvi Chuzi Newman & Fitch PC, the firm announced Monday.

Steve Pershing, who was also once a senior attorney in the Civil Rights Division at the U.S. Department of Justice, joined Kalijarvi Chuzi as of counsel, where he will represent employees in disputes with their employers. With Pershing's addition, the employee-side firm now has 19 lawyers.

Pershing, who most recently ran his own solo practice Pershing Law PLLC, told Law360 Pulse that he is delighted to be joining the D.C. firm.



Stephen Pershing

"I've known for years they were one of the finest employment law firms in the D.C. area," Pershing said. "What I didn't know until recently, and am still discovering, is how rare and wonderful a group of people they are. Not just brilliant, dedicated, and successful, but highly principled, great-hearted, concerned with one another's well-being. The firm has a community culture and makes a daily conscious effort to nourish it. There's a sense of solidarity, of shared commitment to the good of the group, and a mutual respect for each other and our carefully chosen clients that makes us all want to get up in the morning."

As a solo practitioner, Pershing said he hadn't considered joining another firm until Kalijarvi Chuzi partner Mary Kuntz approached him.

"I was honored at the very suggestion — and then confessed I was a little wary," he said of his encounter with Kuntz. "In solo practice, for better or worse, you answer to no one, take any case you like, control your own schedule except when courts say otherwise. It's a designer life. It took me some weeks to come around to saying yes, I would give that up for the right firm."

Pershing has spent decades litigating minority voting rights and other civil liberties cases across the country. From 1989 to 1996, he was the legal director of the Virginia ACLU and has continued to serve on its legal panel since his departure.

He went on to become a senior attorney in the Civil Rights Division of the DOJ, where he focused on voting rights. Then he spent four years as senior counsel, litigating civil justice issues at the Center for Constitutional Litigation PC in Washington, D.C., an appellate firm for the plaintiff's bar that takes on high-profile appeals before the U.S. Supreme Court and state and federal courts.

"Steve has dedicated his life and career to advocating for marginalized communities and

challenging racial and social injustice in our systems and institutions, and I could not be more thrilled that he has chosen to bring his experience and dedication to our firm," Elaine Fitch, managing partner for Kalijarvi Chuzi, said in a statement Monday.

Pershing has also been heavily involved in legal education throughout his career. He was the first full-time director of the UCDC Law Program, an intensive Washington semester program offered to law students in the University of California system. And in 2011, he started a similar nonprofit consortium of schools.

He has been teaching voting rights law as an adjunct professor at George Washington University since 1999, and has taught classes at American University and the College of William & Mary.

Pershing has also served as of counsel to several plaintiffs-side litigation firms, including Hall & Sethi PLC, Charlson Bredehoft Cohen Brown & Nadelhaft PC and The Chavers Firm LLC.

In his solo practice, Pershing became increasingly drawn to employment law. He said it's the busiest area of civil rights litigation and often touches on the rights of the most vulnerable. For instance, Pershing recently represented a District of Columbia Courts maintenance worker who said in a suit filed in July that he was fired because he is a Black transgender man.

"Workplace injustice isn't going out of style," he said. "And in a society like ours, where people's identity is so wrapped up in their work, I feel the predicament of my employee clients especially keenly."

In July 2021, Pershing helped represent the Metropolitan Washington Employment Lawyers Association and the Constitutional Accountability Center in its amicus brief asking the D.C. Circuit to rethink its 1999 ruling in *Brown v. Brody*, which allows employers to force or deny requests for workers' lateral transfers as long as they don't result in "tangible harm" to the employees. The D.C. Circuit did eventually overturn *Brown v. Brody*, declaring in an en banc decision in June that job transfers can qualify as bias that violates federal law.

Back when Pershing was a student at University of Virginia School of Law, he successfully sued his alma mater under the First Amendment for suppressing student protests against apartheid on the university's Thomas Jefferson-designed central grounds.

"I wrote a set of purple-prose stipulations of fact, and at oral argument I waved a book of Jefferson's writings at the judge in a burst of rookie theatrics," Pershing recalled. "We won an injunction two days before I graduated. I'll never forget the elation."

He also worked as a law clerk for U.S. District Judge Julian A. Cook Jr., of the Eastern District of Michigan in Detroit, while the judge presided over the notable \$1 billion Northwest Airlines Flight 255 air crash litigation.

Pershing said he went from being independent as a solo practitioner to joining "not just organized baseball, but the major leagues." And so far, he's happy with the choice.

"A capable and respected firm like KCNF can take high-impact cases, and achieve important and even startling results, that are much harder to reach with a solo's resources," he said.

In addition to taking on big cases in the firm's federal sector practices, Pershing said he is looking forward to mentoring the firm's younger lawyers, two of which are his former law students.

"That is a full-circle thrill I can't describe," he said. "Social change is a vast swirl of thousands or

millions of stories of adversity and successful struggle. To me it's a privilege to be a part of some of those stories."

--Editing by Nicole Bleier.

Update: This story has been updated to include comments from Stephen Pershing.

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