

# Neighborhood Legal Services Association **The NLS Press**

A publication of NLSA, serving Allegheny, Beaver, Butler, and Lawrence Counties in Pennsylvania

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## Welcome to NLSA's New Website

by Barbara Kern, Esq.  
NLSA, Pittsburgh office

**O**n September 6 at 6:22 p.m. NLSA's new website went online at [www.nlsa.us](http://www.nlsa.us). This event marked the culmination of weeks of preparation by Amy Carpenter, one of the Helpline attorneys at NLSA and now, in addition, its new webmaster.

With declining staff resulting from decreases in funding over the years, we have long realized that we need to find new ways to serve clients, pro bono attorneys, and the community at large.

Two means through which we hope to achieve this goal are our quarterly Newsletter (the first edition of which went out at the

beginning of September) and the expanded website. Each edition of the Newsletter is available on the site, and an email subscription service will be available with links to the articles on the website.

The website also provides forms for both electronic and print registration for NLSA CLE seminars. In October several attorneys utilized this service, and we hope its use will grow as more people become aware of it.

The website currently assists clients by providing them with access to pamphlet material on a variety of topics and the names and contact numbers for other agencies

which may be able to help with specialized legal or non-legal problems. In the future we also plan to have commonly asked questions and answers on poverty law issues.

We hope that community organizations will send us information about current happenings or events in their areas, which we can post on the website in our News section.

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**New Website** *(continued from page 1)*

In addition to the online CLE registration, NLSA's new website will assist the pro bono attorney by providing direct information on legal topics related to his/her pro bono work, as well as access to specialized resource sites on these issues. We plan to introduce a method of signing up to take referrals from NLSA on a secured site. The private attorney will be able to go online to find out what types of cases are currently in need of referral and will then be able to volunteer to accept a case online. We are also investigating a way to use this procedure to enable attorneys to sign up to work at our Family and Debt Advice Clinics.

Neighborhood Legal Services Association (NLSA) recently received a Technology Incentive Grant through the Legal Services Corporation to utilize the common web templates to better integrate information and improve the efficiency of the statewide justice system. NLSA's participation in the statewide website will enable Pennsylvania to enhance our delivery systems and provide full access to justice for thousands of low-income Pennsylvanians.

Pennsylvania will utilize the LawHelp web templates developed by ProBono.net to create integrated access to legal information for both the general public and public interest legal advocates. The public resources include referrals to legal aid and public interest law offices, community legal education information, self-help information, court pro se materials and links to social service support. The advocate resources will build on the probono.net tools and integrate support for full-time poverty law advocates.

By collaborating on a statewide website, Pennsylvania will be able to increase the amount and quality of legal services provided to low-income individuals and communities by legal aid and pro bono lawyers as well as eliminate the duplication of materials. Visitors to the statewide website will be able to access personalized information based on zip code and/or municipality of the user.

We at NLSA are looking forward to a continuing growth in our website as an informational, educational, and linking instrument to help expand our ability to serve the poor in the fourteen county area of the Southwestern Pennsylvania Consortium. We welcome suggestions for additions or improvements to the site.

NLSA is a member of the Southwestern Pennsylvania Legal Services Consortium. Established in 1997, the fourteen county Consortium is a functional integration of Laurel Legal Services, Neighborhood Legal Services Association, and Southwestern Pennsylvania Legal Services. Together, these programs serve a poverty population that is greater than the individual eligible populations of sixteen other states. SPLSC was formed in response to an ongoing era of reduced governmental funding and the rising need of low-income people for professional legal services. The Consortium model enables the organizations to function in a coordinated manner throughout the region. At the same time, each program retains its own individual structure and identity permitting them to optimize the benefits of that coordination within their local communities.

# Help for Abuse Victims in Allegheny County

by Michele Babb  
NLSA Intern, Pittsburgh office

**D**omestic violence is an alarming problem within the United States, one to which the City of Pittsburgh is by no means immune. Probably no one understands this fact better than Attorney Beth Keenan\*, Coordinator of the PFA Unit at the Family Division of the Common Pleas Court. According to Ms. Keenan, on an average Monday in Pittsburgh, at least 20 to 30 victims of domestic violence file a petition for Protection from Abuse. Many of these victims are women with children, single parents, and elderly individuals, and most of them cannot afford an attorney to represent them. Unfortunately, without that representation, many victims will not adequately understand their legal options and will be unable to break the cycle of abuse.

During the fourteen years in which Ms. Keenan has been involved in Protection from Abuse work, she has witnessed a growing need for pro bono attorneys in Protection from Abuse cases. This is largely due to the fact that during the years that she has worked with domestic violence victims, the law governing Protection from Abuse has undergone dramatic changes, which, according to Ms. Keenan, have been "good for victims." Prior to 1988, only individuals who had been residing with their abuser could file for protection from abuse. Thus, at that time, anyone abused by persons not living with them had no legal recourse and were unable to get themselves out of abusive relationships. The number of petitions filed (about 1500 per year) reflected this limitation; once the habitation requirement was eliminated in 1988, the number of petitions filed increased dramatically.

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\*Ms. Keenan is a former NLSA attorney. She first worked for NLSA as a certified intern and in 1989 was hired as an attorney in NLSA's family law unit, where she handled all Protection from Abuse filings, as well as all final PFA hearings, contempt hearings, and custody cases. In 1993, she began her work at Family Division with Protection from Abuse cases.

Then, in 1994, the Protection from Abuse statute was broadened even more. The most recently amended statute permits victims of domestic violence to file a petition against any abusive person to whom they are related by blood or with whom they have an intimate relationship. The 1994 statute was also amended to eliminate the requirement of "physical menace." Victims of domestic violence can now file for Protection from Abuse upon a showing of "reasonable fear." These changes have precipitated a growing need for pro bono attorneys.

With the 1994 amendments came a gigantic increase in the number of Protection from Abuse petitions filed yearly. At the same time, Neighborhood Legal Services Association, due to budget cutbacks, had to decrease the number of full-time attorneys handling Protection from Abuse cases from six to two. Since 1995, there have been over 4000 unrepresented victims of domestic violence filing for Protection from Abuse every year. Approximately 3200 of these cases will be granted final PFA hearings, where the need for legal representation is essential.

Because of the increase in PFA filings, a special unit was created. This unit, which has been run by Ms. Keenan since its inception, has been a real asset to domestic violence victims in getting the Protection from Abuse process started. Since 1993, the PFA unit has experienced substantial growth and has developed a very experienced staff, both of which have greatly benefited clients as well as the attorneys doing pro bono work within the unit. The new unit has on staff several Domestic Relations Officers, with over 5 years of experience working with victims of domestic violence. Officers are available to help attorneys deal with client's legal issues. Furthermore, in its

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# The Unsung Heroes of the PFA Program – An Employee Spotlight on Patti Lee, Karen Monk and Mary Ann Troper-Malley

by Andrea Singley  
NLSA Intern, Pittsburgh office

**A**t Neighborhood Legal Services, representation of clients seeking Protection from Abuse orders is one of the most important services provided. PFAs allow individuals in violent relationships to obtain protection from continued harm. However, the staff attorneys and volunteer attorneys from the Pro Bono Referral Program are not the only ones who help make this service possible. Legal secretaries Patti Lee and Karen Monk and paralegal Mary Ann Troper-Malley are instrumental behind the scenes in ensuring that the PFA program runs smoothly.

Patti Lee has been working with NLSA since 1988 when she began as a clerk in the Accounting Department. In 1989, she became a legal secretary working in many units at Legal Services including housing, family law, consumer law, and assisting with administrative duties as well. Today, in addition to her work with PFAs, Patti also assists one of the managing attorneys at NLSA.

Patti does a number of things for the PFA program. She first checks for conflicts to determine which clients can be represented by NLSA and which must be referred to other counsel. She is one of several staff members who alternate at Family Court,

where they process the petitioners' applications. When the applications come back to the NLSA offices, it is Patti who reviews them. She also prepares the packets needed by both NLSA and pro bono attorneys and then prepares files for closing when the cases are resolved.

Like Patti, Karen Monk is a legal secretary who works behind the scenes to ensure that clients have the best possible PFA representation. Karen has been employed at NLSA for 27 years, working in the Hazlewood, Oakland, and Southside offices before coming to 928 Penn Avenue in 1987. Today, Karen works for the family law, elder law, and consumer law units. For the

PFA program, Karen processes PFA applications as they come in, helps to check for conflicts, locates PFAs in the system, and prepares files for closing. Karen also goes to Family Court to process the applications.

Paralegal Mary Ann Troper-Malley rounds out the team. Mary Ann has been working at NLSA since 1973 when she began as a secretary in the Braddock office. She became a paralegal and moved to the McKeesport office before being transferred downtown. When she came to the Penn Avenue office, she was assigned to the family law unit and has been handling such matters ever since. Mary Ann schedules volunteers for

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From left - Mary Ann Troper-Malley, Patti Lee and Karen Monk

# Pro Bono Work Does Make a Difference

by Pamela Dalton-Arlotti, Esquire  
Managing Attorney, Pittsburgh office

While most of our PFA cases are settled in one day, occasionally we have a situation that takes our pro bono attorneys “above and beyond”. A recent case serves as a good illustration of both the appalling abuse faced by some of our clients and the outstanding commitment of our pro bono attorneys to assist those clients.

The client had filed her action alleging that the Defendant came at her and her 12 year old daughter in a vehicle, attempting to hit them; that the Defendant had caused bruising on her chest from poking her with his finger; that he had refused to allow her to leave their home or to call for help

during an argument; that in front of her and the children he had flown into a rage and threatened to shove a knife down his throat; that he threatened to buy a gun and “do something really stupid”; that he grabbed the 5 and 12 year old children by the arms, lifted them, and shook them while in rages; that he would enter the home unannounced and begin screaming at her; that he admitted that he was using unprescribed drugs in combination with alcohol; and that he would call her numerous times at home and at work to scream and harass her.

The Butler County Court of Common Pleas dismissed her Petition at the conclusion of her

testimony and would not allow her to call any witnesses, including her 12 year old daughter. The Court determined that despite the facts she presented, this evidence would not entitle her to protection under the law.

With the pro bono assistance of attorneys Kenneth Argentieri and Luke Paglia of Kirkpatrick and Lockhart LLP in Pittsburgh, Attorney Pamela Dalton-Arlotti in the Butler office of NLSA was able to get the case before the Pennsylvania Superior Court. Fortunately, they disagreed with the trial court and vacated the dismissal on May 30, 2002, remanding the case for a full evidentiary hearing.

## **PFA Heroes** *(continued from Page 4)*

PFA cases through the Pro Bono Referral Program. So far this year Mary Ann has scheduled attorneys to handle approximately 1,000 cases. After contacting potential volunteers to request that they represent PFA clients at final hearings, she often delivers case materials to attorneys' offices. Finally, Mary Ann helps to recruit and train new volunteers.

These three women work to ensure that the PFA program runs smoothly and efficiently so that NLSA clients receive the best representation possible. They all recognize the important role that both NLSA and pro bono attorneys play. Patti says, “Due to the large volume of PFAs, the role of volunteers is crucial because of their willingness to help. Their generosity is to be commended and we thank them.”

Mary Ann adds, “Our volunteers are the lifeblood of this program. Without them, the needs of the volumes of victims seeking relief could never be met.”

In much the same vein, we at NLSA realize that it is the dedicated work of these three women which provides the support structure necessary for the PFA program to run so effectively. Although none of them ever asks for it, Patti, Karen, and Mary Ann deserve thanks and kudos for their outstanding work.

# On The Lighter Side ~ Legal Humor

*Compiled by Jason Dibble  
NLSA Intern, Pittsburgh office*

Q: Why do they bury lawyers ten feet down instead of the traditional six?

A: Because deep down they're not such bad guys.

DA: Defense Counsel is accountable to you the jury.

Counsel: Judge, I object to that. I object to him referring to me as a cannibal, Judge.

Judge: He said accountable.

Counsel: A what?

Judge: He said accountable, not a cannibal.

Counsel: It sounded like cannibal to me and I object.

Lawyer: All right. What did the individual do as far as taking property from the store without permission at that time?

Witness: It was right after that time when he said, "check this out," and he pulled out his gun.

Lawyer: And when he pulled out a gun, then what happened?

Witness: I turned to the other clerk Dave and I go, "Dave, he's not going to be paying for this stuff."

Lawyer: Any suggestions as to what prevented this from being a murder trial instead of an attempted murder trial?

Witness: The victim lived.

Counsel: Mrs. Jones, do you believe you are emotionally stable?

Mrs. Jones: I used to be.

Counsel: How many times have you committed suicide?

Counsel: What happened then?

Witness: He told me, he says, "I have to kill you because you can identify me."

Counsel: Did he kill you?

## **PFA** *(continued from page 3)*

location in the new family court building, the PFA unit has acquired much more physical space, including an attorney-client workroom which allows attorneys to work with clients in a more relaxing and private environment.

The PFA procedure begins when, five mornings a week, legal advocates interview victims and help them draw up a petition to obtain a temporary PFA. The petitioner goes before the court pro-se for this step. However, in order to obtain the permanent PFA, the victims need adequate legal representation, and this is where the role of the pro bono attorney becomes critical.

In both 2000 and 2001, NLSA attorneys represented almost 1400 plaintiffs at their hearings to obtain a final PFA order. In both of these years, NLSA referred approximately 1400 additional cases to pro bono attorneys. In the first three quarters of 2002, approximately 1000 referrals have been made.

Volunteers are asked to represent up to eight victims of domestic violence a year at their final PFA hearings. However, because most PFA cases are won by default or are settled with a Consent Decree, the time commitment per year is only about 16 hours.

In addition to the advantages of the new PFA unit in Family Court, NLSA provides many benefits to pro bono attorneys who volunteer to take PFA referrals. As part of NLSA's pro bono referral program, attorneys receive low cost training, as well as a manual, sample forms, and a list of mentors, who can be called for advice. Furthermore, free malpractice insurance coverage is provided by the Allegheny County Bar Foundation for all Protection from Abuse cases referred by NLSA. Finally, attorney volunteers can select the day when it is most convenient for them to volunteer. Larger firms can form PFA teams to provide even more flexibility for their attorney volunteers.

Victims of domestic violence are in the greatest danger when they seek help; for many of them that first step is the filing of a petition for Protection from Abuse. Therefore, what happens during the PFA process affects both the victim's immediate safety and future well-being. Navigating this course without legal assistance can cause serious repercussions for victims already terrified and demoralized by their attackers. The need for pro bono attorneys to volunteer on PFA cases cannot be overstated.

## The Pro Bono Corner

We would like to commend those volunteers who were honored at the recent fifth annual Fellows Reception and Dinner of the Allegheny County Bar Foundation.

Attorneys Kenneth Steidl and Timothy G. Uhrich received the Jane F. Hepting Individual Pro Bono Award. Mr. Steidl was recognized for the outstanding work he has done in helping NLSA develop a Debt Advice Clinic which has become a model for other legal service programs interested in starting such a clinic. Mr. Uhrich, a sole practitioner, has provided outstanding pro bono legal service for NLSA clients in our PFA program.

Assisting NLSA's work in the family law area also brought recognition to the law firm of Kirkpatrick and Lockhart for the PFA team they have expanded under the leadership of Ann Morris Baker.

Lynn Wyant, paralegal at Eckert Seamans Cherin and Mellot, received the 2001 ACBA Paralegal Pro Bono Award. Ms. Wyant has been responsible for scheduling both attorneys and paralegals to work at the Family Law Clinic practically since its inception and has herself been a frequent volunteer at the clinic and in the PFA program.

We thank all of these volunteers and congratulate them on their well deserved awards.

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In this issue we especially want to recognize some of the other volunteers who have assisted us with our PFA program. These are the people who continue year after year to be there for us, always available to "take just one more referral."

Attorney Joseph Chester has been our mainstay in handling conflict cases. Attorneys Lisa Standish and Keith Mikush not only take PFA referrals, but also volunteer at our Wednesday evening Family Law Clinics, where they advise clients on matters of divorce, custody, and support.

The law firm of McCarthy, McDonald, Shulberg & Joy has provided ongoing help for NLSA through their work with PFA referrals, as clinic volunteers, and as CLE speakers on family law topics.

Attorney Maria G. Danaher from Dickie McCamey & Chilcote P.C. has long assisted NLSA by accepting PFA referrals and is now also doing some work in the defense litigation area.

Attorney Gary Lang of Feldstein Grinberg Stein & McKee is that rare volunteer who not only accepts numerous referrals, but actually calls when he is finished to ask when and how he can help us next.

Attorney Joel Dresbold, a sole practitioner,

has given NLSA extensive help with both PFA referrals and custody cases.

Attorney Kathryn Kenyon of Picadio, McCall Miller & Norton and Attorney Melaine S. Rothey of Raphael, Ramsden & Behers have both been stalwarts in the PFA program.

Finally, we would like to welcome the newest firm to join our PFA Pro Bono Referral program - Tucker Arensberg.

To all of these people and to the many others who so generously volunteer their time and talents to our PFA program, we offer our sincere thanks and appreciation.

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**NLSA wishes to acknowledge the contribution of the paralegals who have assisted in the volunteer work your firm has done for us in 2002. If you have not already sent us a list of those paralegals, we would appreciate your doing so. Names may be sent to Barbara Kern at NLSA.**



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**NLSA's mission is to meet the civil legal needs of poor and vulnerable individuals by securing the rights and obtaining the benefits to which they are entitled through effective legal representation of eligible individuals and groups.**



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## The NLS Press

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