

# Neighborhood Legal The NLS Press Services Association

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

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## LAWYERS ON LOAN PROVING TO BE GREAT SUCCESS

by Barbara Kern

In late summer of 2004, Maria Greco Danaher, chair of the Law School and Pro Bono Task Force of the NLSA Board, advanced a striking new proposal for pro bono assistance - "What if a law firm were to loan an attorney to NLSA for a year?"

Within the short space of two months this concept materialized with the arrival of Attorney Linda Hernandez from Ms. Danaher's firm, Dickie, McCamey, and Chilcote, and Attorney Jennifer Schnore from Thorp, Reed, and Armstrong, where NLSA Board President Mark Nowak is a partner. Thus was "Lawyers on Loan" (LOL) born.

After the hoopla of the first month, Ms. Hernandez and Ms. Schnore settled into the routine of staff attorneys at NLSA. They have both been assigned to Consumer and Housing Rotations and both spend a day each month in Family Court representing plaintiffs in Protection from Abuse cases. In addition, Ms. Hernandez, because of her interest in elder law, has been assigned to one of our senior centers, where she meets and

advises clients in NLSA's Elder Law Program (ELP).

These two attorneys have been "on loan" for seven months now and have developed some interesting responses to their work here at NLSA. Ms. Schnore understood that when the program was developed, one of the criteria was that the attorneys who were sent to NLSA would be experienced attorneys. What she did not fully understand at the outset was the amount of hands-on experience she would be getting as a participant in LOL. She believes that her firm will get back a much more experienced attorney than they sent to NLSA in terms of courtroom advocacy, client contact, and decision-making ability.

Ms. Hernandez believes very strongly that her work here serves the community as a whole. The elderly clients she sees at the senior center have the same types of legal problems that so many older citizens have; the women that she represents in Family Court are from all walks of life; the clients whom she is helping to

save their homes from foreclosure are the homeowners who form the solid base of every community.

Both attorneys have also been impressed by the response of the judiciary on both the state and federal level. As Ms Hernandez stated, "As NLSA staff attorneys, we spend a great deal of time in the courtroom and, without exception, every judge before whom we have appeared has commented positively about Dickie McCamey's and Thorp

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## NLSA-Sponsored Trainings

Neighborhood Legal Services Association will provide a training in Representing Clients in Protection from Abuse Cases on June 9, from 1:00 to 5:00 p.m. The training is being hosted by the law firm of Eckert, Seamans, Seamans, Cherin & Mellott, LLC and is open to all attorneys and paralegals. The seminar will provide both experienced and novice PFA volunteers with a valuable background in the psychological and emotional aspects of domestic violence cases, as well as an analysis of the applicable law and a detailed review of PFA pleadings and procedure. The program will offer 3 substantive and 1 ethics credit. Anyone interested in registering should contact Patricia Stockline at 412-586-6125 or stocklinep@nlsa.us. A registration form will also be available on the NLSA website at [www.nlsa.us](http://www.nlsa.us) as of May 1.



NLSA hopes to offer a 3 hour training in "Poverty Law Issues Confronting the Community Clinic Volunteer" sometime in mid to late May. This training will be offered in a question and answer format. It is directed at volunteer attorneys who have been serving at one of the three community clinics now in operation in neighborhood communities and have identified certain issue on which they need further training. However, the training is open to all attorneys and paralegals interested in this area. Panelists on family, consumer, and elder law will be prepared to field questions from the audience on both substantive and procedural issues. We believe the interactive design of the program will best meet the needs of the audience. Further information on this seminar can be found on the NLSA website as of May 1.



NLSA's goal is to provide CLE trainings which will benefit and meet the needs of private attorneys who are doing pro bono work by accepting NLSA referrals, by participating in community clinics, or by assisting any of the Allegheny Bar Foundation CVLR organizations. If you are a volunteer in Allegheny County and feel that you and others would benefit from additional training in any area, please contact Barbara Kern at 412-586-6138 or kernb@nlsa.us and we will attempt to schedule trainings to meet your needs.

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 population 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.

## Lawyers on Loan *(continued from page 1)*

Reed's willingness to partner in this pro bono initiative."

Nationwide studies indicate that only about 20% of the civil legal needs of the poor are being met today - a statistic which has not improved over the last fifteen years. In Allegheny, Butler, Beaver, and Lawrence Counties, Neighborhood Legal Services Association is the primary organization attempting to meet these needs.

However, two developments have made this task increasingly difficult in recent years. The first involves the loss of personnel in its central office. Because of funding cuts, NLSA has not been able to replace four attorneys and one paralegal who have left since 2001.

Secondly, since 2000, the pool of private attorneys volunteering to assist NLSA clients has remained fairly static, while during the same period the number of calls from individuals needing legal assistance has increased. In 2000, NLSA listed 391 volunteers in Allegheny County (this figure included attorneys who took reduced fee referrals as well as those who took pro bono referrals.) Between 2001 and 2002 the number of volunteers dropped to 252, a statistic which can be explained in large part by the fact that, after July 1, 2001, NLSA stopped keeping records of the number of attorneys who took reduced fee referrals. In 2003 the number of volunteers went up to 316, but in 2004 it dropped again to 283. (In each of these years between 60 and 70 per cent of these volunteers have been participants in the PFA referral program.)

At the same time, the number of intakes done by the Intake Unit has increased. One of the ways in which NLSA has had to deal with this situation is to cut back on the types of cases for which we can provide full service. For example, clients calling about private housing issues now receive only telephone advice.

In light of these figures, the Lawyers on Loan Project has played a critical role in NLSA's ability to counteract this trend, which is one facing all legal service organizations today. With the combined resources of its 16 staff attorneys and 4 paralegals, two attorneys from Lawyers on Loan, and the volunteer attorneys who accept referral cases, NLSA is attempting to continue its nearly forty year tradition of providing full legal representation for as many clients as possible at a time when

many legal service organizations have been forced to cut almost all full service representation and provide only telephone advice.

In recognition of the invaluable service provided to NLSA through this program, both law firms received a Pennsylvania Legal Services Striving for Excellence Award in March, and in May, at the annual Pennsylvania Bar Association meeting to be held this year in Pittsburgh, they will receive the esteemed Louis J. Goffman Award.

But what happens on September 30 when Ms. Hernandez and Ms. Schnore return to their respective firms? The answer to that question may lie in an effort now being made by the Pittsburgh Pro Bono Partnership to continue Lawyers on Loan by making it a Signature Project of the Partnership. If that effort succeeds as envisioned, NLSA will be able to rely on at least one additional staff attorney each year through the LOL program.

The Partnership is an association of law firms, corporate law departments, and the Allegheny County Bar Foundation formed in 2001 to increase pro bono activity among Allegheny County attorneys and paralegals. More specifically, the Partnership focuses on the need to reach out to the poor and disadvantaged with creative community-wide programs. To date the Partnership has successfully launched three such efforts, or Signature Projects. Two community legal clinics and an advisory panel for qualified Minority and Women Small Businesses have been established.

The Partnership has recently decided to try to assist NLSA by making Lawyers on Loan a Partnership Signature Project. It is hoped that, with 25 law firms and law departments as members, the Partnership will be able to establish an ongoing seven year rotation cycle for the Lawyers on Loan program. The Board is asking its member firms to examine this immensely valuable program and find a way for their firm to make a one year commitment as part of this rotation group. If this Signature Project is successful, it will create a program of law firm cooperation to benefit poor and disadvantaged members of the community the likes of which exists nowhere else in this country. The challenge to accomplish this goal is one to which the Partnership Board and NLSA hope all Partnership members will respond.

## “FINDING SOMETHING MORE . . .”

by Robert Perkins

*Mr. Perkins received the Allegheny County Bar Association Law Student Volunteer Pro Bono Award in October, 2004, for his contribution to NLSA. The following is an unsolicited article which he wrote as he nears completion of his legal studies at Duquesne University School of Law. We wish him well in his upcoming legal career.*

I entered law school excited about the prospect of pursuing a career in which I could impact the lives of others. Yet halfway through my law school career I discovered one constant motivator underlying my decision to participate in any activity-resume building. Anything that would fill up another line on my resume was squeezed into the schedule; nothing else was worth my time. The harsh reality was that I had not, in fact, done anything for anyone other than myself. Disappointed and frustrated, I finally decided at the end of my third semester to stop making excuses and to commit some time to help others. And it was then that I contacted NLSA about a semester-long internship. It was the best decision I've made in my law school career.

At NLSA I was given the opportunity to engage in real client contact from the very beginning. The first client I interviewed had recently suffered an injury forcing her to go on disability. As a result, she had fallen into some financial troubles and creditors were constantly harassing her. She broke down in tears at several points in the interview. At first I was scared; torts had not prepared me for this! But I drew on some of the skills that you do not necessarily develop in the academic environment. I listened to her concerns, letting her tell her story, asking whatever questions I thought might be helpful to my supervising attorney. After the interview, the client's simple "thanks for listening" was indescribably gratifying.

Throughout my internship, I was able to work alongside NLSA attorneys on a variety of cases, the outcome of which would have direct and meaningful effects on the lives of the clients we represented. And for the first time in my law school career, I was able to see the fruits of my labor, not as a mere grade on a test, but as a benefit to a client. Once I discovered that my work could have such a positive impact on the life of someone else, I was hooked.

Over the next few months, I became more involved and began attending the Wednesday night Debt Advice and Family Law clinics. At these clinics NLSA attorneys and volunteers from the private bar provide legal advice to indigent clients. Sitting in on client interviews, I was able to observe a variety of interviewing styles and techniques. I also witnessed attorneys who were finding satisfaction in the help they were able to give and clients who were deeply appreciative of that help.

As the semester came to a close, I discovered additional benefits to volunteering at NLSA. I thoroughly enjoyed the opportunity to work as a team with other like-minded law students, administrators, and lawyers in pursuit of a common goal. This sense of community was truly rewarding.

At the end of that semester, I began my summer as a clerk with a corporate law firm. I soon realized that the confidence that I had gained at NLSA, the skills that I had developed, and the ability to communicate with supervising attorneys served me well in this new endeavor.

The time I spent at NLSA exposed me to the harsh reality that the inability to get legal help can often result in financial ruin, homelessness, and violation of individual rights. It became very clear to me that lawyers must strive to do more-either through a career in public interest law or as a volunteer from the private bar - for those low income and needy members of our society.

So why should law students find time in their busy schedules to volunteer at NLSA when so much pressure exists to build a competitive resume? The answer is simple - the demand for legal representation by those who cannot afford it far exceeds the available resources of non-profit law firms such as NLSA.

This unfortunate situation provides law students with the opportunity to build vital legal skills while also helping those in need. Representing clients at District Justice, unemployment compensation, and Protection from Abuse hearings; drafting pleadings; and doing research important to a specific case allows the law student to build real skills that will be reflected on his or her resume.

Add to this the guidance of attorneys who consider the teaching and mentoring of law students to be a fundamental part of the practice of public interest law, and you will find that NLSA provides an excellent opportunity for any law student.

Law School does not have to consist solely of three years of preparation for the next step. Through an internship with a legal services organization, students can apply their learning and skills to do something meaningful for their community right now.

## STAFF PROFILE: JOAN TUTAK

by Barbara Kern

Attorney Joan Tutak joined the staff at Neighborhood Legal Service Association's Butler office after having had a variety of legal experiences. Joan earned her undergraduate degree at the University of Pittsburgh (where she was a classmate of Dan Marino). Her interest in the law was spurred by her work as a legal advocate at a crisis center, at which she continued to work while attending Duquesne University's School of Law.

Following her admission to the Pennsylvania Bar, Joan clerked for Worker's Compensation Judge David Henry, whom she remembers with great admiration and respect. She then gained experience in the area of real estate law as an attorney for both a small law firm and then a large real estate corporation. In this capacity she was first introduced to issues in landlord tenant law and predatory lending problems which concern her in her work today. For a period before coming to NLSA, Joan had her own private practice.

She credits all of these experiences with providing a strong foundation for her position at NLSA, where she now serves as Senior Attorney for Housing. In this capacity, one of her responsibilities is to keep staff attorneys in the Southwestern Pennsylvania Legal Consortium up-to-date on developments in landlord tenant law as it affects public, private, and subsidized housing clients. To do this, Joan attends both local and statewide meetings on housing issues and investigates information received from Regional Housing Legal Services and other Legal Service attorneys through the Housing listserv. She then sends out periodic email newsletters and chairs quarterly consortium-wide conference call meetings.

In addition, because she is practicing in an office which has only two staff attorneys, Joan represents clients at SSI and unemployment compensation hearings and in bankruptcy court.

Outside of the office Joan is, in her own words, "a golf nut." She is also an avid reader and movie fan (especially classic films and anything featuring Humphrey Bogart or Katherine Hepburn); has a fascination with

the Civil War and Antebellum periods in American history; and enjoys antiquing, gardening, and hiking. As a vegetarian herself, Joan has a great interest in vegetarian cooking.

She recalls as major highlights in her life a trip to Alaska, flying a small plane, and being in the presence of the Dalai Lama.

In reflecting on her current career position, Joan says that "in many ways, working at NLSA feels very settling for me. After all the career moves I've made, this one feels like home. For me, NLSA provides the greatest opportunity I've had to experience both the law in all its aspects as well as so many of the workings of human nature."

The rest of us are glad that Joan Tutak has found her home here at NLSA. Her upbeat, positive nature; her dedication to her work; and her varied legal skills have not only benefitted our clients immensely, but have also made her a valued co-worker.



Joan Tutak enjoying one of her favorite leisure activities

# PUBLIC BENEFITS PROJECT FOR SOUTHWESTERN PENNSYLVANIA

*by Edward Van Stevenson, Jr., Esq.*

**I**n April, 2004, Laurel Legal Services, Inc., Neighborhood Legal Services Association, and Southwestern Pennsylvania Legal Aid Society came together as members of the Southwestern Pennsylvania Legal Services Consortium to propose a plan to utilize funds that were available from Equal Access to Justice for the purpose of training advocates to litigate, train, and network on public benefits issues. The program is being implemented in all 13 counties served by the Consortium.

The foundation for this effort had been laid in the previous two years through an initiative called the Comprehensive Assessment/Action Project (CAAP). Its goals have been to determine if clients are fully utilizing services that would enable them to obtain the benefits from food stamp, medicaid, unemployment compensation, child care, and Children's Health Insurance Programs. Additionally, CAAP has sought to identify any issue regarding rights or access to such services with which clients or members of their families might need legal intervention.

The trends emerging from these two programs include movement of consortium clients from welfare to work, thus decreasing TANF caseloads; enhancing public policy changes favoring client self-sufficiency; and ensuring that clients obtain the needed support to which they are entitled as they make this transition. This support network includes food stamps, child care, transportation, and supplementary cash assistance.

In the Public Benefits Project the Consortium has been receiving significant input and assistance from attorneys Peter Zurflied and Larry Norton of the Community Justice Project. Community Justice has also provided statewide training on public benefits in three locations-Harrisburg, Hershey, and Pittsburgh.

As part of this project, the Consortium members have been establishing working relationships with service providers such as Community Action groups, Women's Shelters, Child Care Information Services, County Children and Youth Agencies, Child Advocate

agencies, and County Mental Health Departments. For example, Attorney Edward Stevenson and Attorney Mary Ellen Droll in Allegheny County have met with both Head Start workers and Head Start clients to inform them of the benefits available to assist families in that program. Similarly, they have met with S.P.O.C. program leaders to make sure that DPW clients who are receiving training through the S.P.O.C. program are also aware of the benefits which may assist them as they move from welfare to work.

Each member of the Consortium is providing a full time staff person who is devoting his or her time to public benefits advocacy. Backup will come from designated managing and staff attorneys in each program. In Allegheny County, one full time attorney from NLSA's central office has been identified as the public benefit specialist who handles most of the emergency calls, does outreach, and litigates public benefit cases. A second staff attorney, who assisted with outreach at the beginning of the program, is now available to provide backup for emergency calls and some litigation.

Outreach has taken place at various locations throughout Beaver, Butler, and Allegheny Counties for 2004-2005 and will continue to be an important part of the program. This outreach has been benefitting welfare recipients, service providers, and students.

The transition from welfare to work and the movement toward greater self-sufficiency is a major step for heads of families who have long depended on public assistance as the family's sole source of income. If the family is to make this transition successfully, it must have access to supplemental assistance programs through continued food stamp eligibility, assistance with child care costs, help with transportation costs to jobs often distant from the family's home community, and continued help with medical costs. The Public Benefits Project is making clients aware that they are still eligible for these benefits in the early stages of their transition and helping them to obtain any benefits which may have been wrongfully denied.

# The Pro Bono Corner

At the March 8 Pennsylvania Legal Services annual awards dinner in Harrisburg, NLSA's two nominees for PLS Excellence Awards were honored. **Senators Jay Costa, Jim Ferlo,** and **Mary Jo White** were recognized for the work they have done in promoting the "Older and Wiser" program, through which elderly citizens and their caregivers have received information on a variety of topics in a series of seminars. The presentations are made by volunteer attorneys from the private bar. Anyone interested in volunteering for this program should contact Laurie Mansell Reich at [lreich@alltel.net](mailto:lreich@alltel.net).

The second honorees from NLSA were the law firms of **Thorp Reed & Armstrong** and **Dickie, McCamey & Chilcote**. These two firms were recognized for their outstanding contribution to NLSA through the **Lawyers on Loan Program**. Each firm has provided an experienced attorney to work full time at NLSA for a year, beginning in October, 2004. These two attorneys, **Linda Varrenti Hernandez** and **Jennifer Aitken Schnore**, have made an invaluable contribution through their work on the regular consumer and housing rotations, as well as in the Protection from Abuse area and in our Elder Law Program.

NLSA would like to recognize the outstanding volunteer work done by **Attorney John G. Burt** in three of our referral programs. Mr. Burt has been a "man for all seasons" in his volunteer work for NLSA. He represents clients at ALJ hearings to prevent their SSI from being terminated; he represents our unemployed clients at Referee hearings in unemployment compensation cases; and he accepts litigation defense cases. Mr. Burt not only accepts a variety of referrals; he has always been willing to help us on short notice and to take a case on an appeal when he feels it has merit. In the past he has also assisted NLSA as a

panelist at CLE seminars dealing with SSI issues. We have indeed benefitted by and appreciate his longtime commitment to NLSA.

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After many years of service to NLSA's Family Law Clinic, paralegal **Lynn Wyant** from **Eckert, Seamans, Cherin & Mellott, LLC** has notified us that she will be "retiring" from this particular volunteer program. We want to take this opportunity to thank Ms. Wyant publicly for her assistance with the Family Law Clinic through the years. She has recruited paralegals for this program, has taken the responsibility for scheduling both attorneys and paralegals at various times, has assisted in the training of paralegals for their work at the clinic, and has volunteered at the clinic herself more times than we can recount.

One of Lynn's final efforts on behalf of the clinic was to find her replacement for the scheduling of the paralegals who work as the support staff there. We are pleased to welcome paralegal **Rebecca Allen** from the Legal Services department of Children's Hospital of Pittsburgh, who began serving in this capacity on April 20.

•••••

NLSA is pleased to announce that its three nominees for a 2005 PBA Pro Bono Award will be recognized at the Pennsylvania Bar Association's annual meeting at the Hilton Hotel in Pittsburgh May 4-6.

**Attorney Alan P. Skwarla** has been nominated by NLSA's Butler office for his participation in their Pro Bono and Reduced Fee referral programs for family law. In 2004 he accepted 32 referrals for cases including divorce, custody, and support. Mr. Skwarla was admitted to practice in 2003 and became a member of the Butler County Bar Association in that same year. His participation in our referral program is significant both because he is helping to fill the great need for private attorney

assistance in the family law area and because of the fact that he has started to do this at such an early stage in his legal career. We hope that other young attorneys will follow this lead and will find that such volunteer work provides them with an opportunity to help those who otherwise would go unrepresented and also to obtain valuable experience in the Court of Common Pleas in Butler County.

Our Lawrence County office has nominated **Attorney Peter Horn**, a long time volunteer for NLSA. Mr. Horn accepts reduced fee referrals in a variety of areas. He has been especially helpful because of his willingness to take cases on short notice and to respond to questions from the New Castle office support staff on which a specific referral may not be involved. Because of a never ending need for volunteers in an office which has only two staff attorneys, Mr. Horn's long term service to our organization has been especially gratifying. He is proof that "burnout" is not necessarily a consequence of a commitment to serving the needs of the poor and disadvantaged members of the community.

NLSA's Pittsburgh office has nominated **Attorney Jonathan McAnney of Tucker Arensberg PC** for his leadership in spearheading his firm's goal of having each attorney and paralegal do ten hours of pro bono work per year. Under his leadership as Pro Bono Coordinator, the firm has expanded its participation in NLSA's Protection from Abuse Referral program. In 2004 the Tucker Arensberg PFA team represented 91 PFA Plaintiffs, a figure more than double the number represented in 2003. Mr. McAnney has not only coordinated the firm's efforts in this area; he has also represented referral clients himself. With his background in family law, Mr. McAnney understands the very positive effect that zealous legal representation can have in the life of a victim of domestic violence.



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**NLSA's mission is meeting the civil needs of the poor  
and vulnerable in our community through effective  
legal representation and education.**




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## The NLS Press

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