



"Injustice anywhere is a threat to justice everywhere."

Letter from Birmingham Jail, April 16, 1963

Martin Luther King, Jr.
Summer Internship and Fellowship Program

Pennsylvania
Legal Aid Network, Inc.

THE DRUM MAJOR



*Martin Luther King, Jr.
Summer Interns*

*Pennsylvania Legal Aid Network, Inc.
Louise Brookins Building
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Harrisburg, Pennsylvania 17101*

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August 1, 2012

To the 2012 Martin Luther King, Jr. Interns:

We are pleased to present you with the 2012 edition of **THE DRUM MAJOR**, which is a small token of appreciation for your efforts this summer.

Through your work during the past ten weeks, you have touched the lives of many clients who have nowhere else to turn. You learned how to use your skills to make equal justice a reality.

For this, we thank you. Wherever your paths may lead you, we hope that your experience here will be an inspiration and a reminder of how you can make a difference.

Very Truly Yours,



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Equal Justice on the Horizon

Engraved into the façade of the highest court in our country are the words, “equal justice under law.” Many may be surprised to learn that the phrase does not harken back to the Declaration of Independence, the Constitution, or any other document written by the founding fathers of our country. The exact phrase does not even come from a great legal or political mind at all. It was, in fact, first written by the architectural firm that designed the Supreme Court building. The firm paraphrased the expression from the words of Chief Justice Melville Fuller, used in reference to the Fourteenth Amendment, in the 1891 case *Caldwell v. Texas*. The words stand as a reminder to all who enter the Supreme Court of what should be the goal and creed of the legal profession. However, unlike the unchanging phrase carved into the marble of the courthouse, the meaning of the words is not so concrete and fixed.

Equal justice under law does not, or at least should not, be used to describe the current state of our justice system. It would be overly optimistic at best to suggest that the poorest of Americans receive the same level of justice as does the CEO, political power player, or celebrity superstar. In a society where the wealthy purchase the best attorneys money can buy, “equal justice under law” cannot be taken to describe the objective reality on the ground. Rather, in a way that is even more inspirational, the phrase should instead be viewed as describing the goal, rather than the present status, of our justice system. “Equal justice under law” represents what we as a society should strive to accomplish, rather than what we can already claim to have created. It is that speck of light, forever on the horizon, that we must follow faithfully, understanding that the journey will be neverending.

We also must understand that strides toward equal justice do not make themselves. It takes the sweat and hard work of countless attorneys and other public servants to achieve those gains. On the forefront of those public servants are those able to call themselves public interest attorneys. These hardworking lawyers labor every day on the front lines in the fight for “equal justice under law.” More concerned with comparing their client’s income to the poverty level than calculating billable hours, public interest lawyers are too often undercompensated and receive less than the respect due to them from the legal community as a whole. Nevertheless, attorneys practicing public interest law soldier on, for they understand that true prestige is not measured by the compensation you receive, but by the number of lives you improve.

My experiences at Legal Aid of Southeastern Pennsylvania have only strengthened my resolve to become a public interest attorney following law school. Surrounded by the hardworking and compassionate attorneys and support professionals at both the Bristol and Doylestown offices, I have felt at home in the legal aid community. My experiences this summer have been varied, reaching many disparate areas of law, including unemployment compensation, bankruptcy, landlord/tenant complaints, housing discrimination, custody, Section 8 housing, and protection from abuse cases. These experiences have led me to a realization of what motivates public interest attorneys to continue doing their difficult work.

I have realized that it is the clients that provide the fuel to light the fires of steadfast advocacy in the stomachs of public interest attorneys. Clients often turn to legal aid when they have exhausted all other resources; asking for legal help is their last resort. It is these clients, fraught with the fear of having no options left, who I will first remember when thinking back to the work I have done this summer. I will remember the elderly tenant in an apartment complex, facing eviction because her social security check did not arrive in time to pay the rent each month, now no longer able to afford the late fees. I will never forget the look in another client’s eyes as she thanked me after reaching a favorable settlement in her protection from abuse complaint. Nor could I ever

erase from my mind the look of fear and desperation of another protection from abuse client, when she first made the difficult decision to ask for our help to get out of an abusive relationship, still not knowing at the time whether she was making the correct choice.

Many of these and other clients at legal aid receive favorable outcomes, but others are not as fortunate. Public interest attorneys must not become disillusioned by the losses, but instead must understand that even unsuccessful cases are, all the same, steps toward equal justice. And in many circumstances, despite a loss, clients come away from legal aid having gained something nonetheless. At times, simply having someone willing to stand in their corner and fight for them can mean the world to those who feel helpless and lost as a result of their circumstances. It is because of these clients for whom public interest attorneys pledge to advocate that I wish to be able to one day say that I am among those steadfastly working towards “equal justice under law.”

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Law in Action: Three Lessons from My Summer Internship

This summer was marked by a number of first-time experiences. It was the first time I prepared a civil complaint, and the first time I entered a county jail to serve divorce papers on an incarcerated defendant. It was also the first time I advised clients about their legal rights and witnessed the utility of the law to help people. The aggregate of these and several other first-time experiences taught, or, in some cases, reinforced lessons I will apply in life and in my legal career. The three main lessons I learned are: (1) You cannot win every case, (2) the small tasks matter, and (3) the law *can* be a tool to help people. Let me explain.

At the beginning of my internship I remember asking myself, “How could the attorneys here ever be on the losing side, since they are advocating for the poor and helpless?” An attorney in my office helped adjust my naïve impression by telling me that what matters more than a well-researched and structured argument are the particular facts of the case and what the judge thinks. He assured me neither he, nor anybody else in the office, wins every case. Several experiences over the summer confirmed that was true.

For example, one Monday morning I sat on a wooden bench in the middle of the courtroom gallery waiting to hear the judge rule on the case. The day before, I had spent hours researching the relevant legal issues and listening to the staff attorney outline the argument for the upcoming hearing. It sounded like a winner to me! Our client’s landlord used self-help to evict her from her apartment and locked her possessions within; however, the landlord claimed he had not “evicted” her because he had a hotel license and our client was a licensee. But despite the attorney’s tenacious advocacy, our well-crafted arguments, and a client who appeared to be completely helpless, the judge ruled against our client, relegating her to the streets.

In light of this experience, and others like it, I realized winning may not be the outcome on every occasion. This concept is evident in other professions as well. When a reporter asked Thomas Edison how it felt to fail 1,000 times before inventing the light bulb, he said, “I didn’t fail 1,000 times. The light bulb was an invention with 1,000 steps.” Of course, a case can’t be appealed 1,000 times, and if a case is not appealed, then the judge’s decision will be final to that client. This reality, however, does not mean the next person in the office is out of luck, or that justice is inaccessible to low-income and needy people. To me, it means that losing should not equal surrender, and has provided a more realistic notion of the odds of winning every case.

But it’s not all about winning or losing. The second lesson from my experience was that the small tasks also matter. For example, one of my responsibilities over the summer was to mail divorce complaints to defendants by certified mail. The process for mailing the complaints involved several steps, but most importantly, I needed to confirm that the defendant acknowledged receipt of the complaint by signing a card provided by the mail carrier. If the mail carrier did not get the defendant’s signature, or the date of receipt was missing, as often happened, I would have to restart the process of mailing another complaint.

My first reaction, I admit, was to dislike doing this routine and mundane task. I questioned the necessity for the extra steps to make sure the defendant signed for his complaint and his/her signature was mailed back to us. Why couldn’t I just put a stamp on the envelope and mail it?

After reading the relevant rule of civil procedure, understanding the policy considerations behind the rule, and discussing the repercussions of failing to serve original process on a defendant with one of the office attorneys, I realized the routine steps involved in serving original process by mail on a defendant *are* of vital importance to the rest of the case.

Third, the notion that the law could be used to help low-income or helpless people came alive for me when I observed a client’s frantic hand motions immediately subside and the nervous tremble in her voice disappear

as I explained that, under the law, her landlord could not forcibly evict her from her apartment before a Magistrate Judge hearing had taken place. It took only a few sentences to inform the client of her legal rights; nonetheless, it seemed to make a world of difference to her. It was then and there I was convinced of the law's utility in helping people.

This type of experience was repeated over and over throughout the summer as I observed victims of physical abuse receive immediate protection under the Protection from Abuse Act and witnessed clients prevail in unemployment compensation hearings after demanding the employer satisfy its burden of proof for denying benefits. The prior examples have one thing in common: the law served as a basis for defending, and therefore helping, helpless people.

Before I started law school there were a number of people - many of them practicing lawyers- who discouraged me from attending. The reasons were typical: the difficulty in finding a legal job in this economy, the long hours, and demanding work, etc. Even after starting law school the discouragement continued. It has been up to me to decide I *do* want to be a lawyer because I want to help people. Several experiences during my internship have shown me that a legal career can be rich with opportunities to help needy people and significantly affect their lives.

My first-time experiences were the everyday experiences of the talented attorneys I worked beside this summer and I am grateful they allowed me to "shadow" them. I am also indebted to the clients for everything they taught me. Without the internship through the Pennsylvania Legal Aid Network ("PLAN"), I would not have learned the valuable lessons of which I write. Thank you PLAN for the opportunity to live these experiences.

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**A Sense of Purpose: Restoring Service and Hope to Philadelphia
Utility Customers**

Many of us spend all of our twenties trying to figure out our role, our importance to the world around us. “What’s my purpose?” we ask ourselves, endlessly. This question has haunted and driven me for years. As Martin Luther King, Jr. notes in his famous drum major speech, humans naturally strive to be important, to stand out and, at once, be part of something important. Where we all differ is in our unique understanding of what is important. For me, a first generation college student from a family of very little means, I have always believed that assisting and advocating for those of few or no means is important to my spiritual survival and to the survival of this country. Early on, I recognized that my career aspirations revolved around this belief. Only this summer did I realize that this—assisting and advocating for underrepresented groups—is my purpose, my calling. My work in the Energy and Utilities Unit at Community Legal Services in Philadelphia has helped me understand my purpose and the important role that I was called to play in the lives of others. Who knew that work concerning utilities could be so illuminating and eye-opening!

I realized the power and importance of my knowledge the first time a client cried and expressed her hope that I could help get her water service restored. It is strange to understand suddenly the enormous amount of power I wield as an attorney-in-training. When she sat before me and shook my hand, I felt her desperation, but I also felt an overwhelming, frightening sense of responsibility as her advocate. I not only wanted to help her. I needed to help her. I realized just how much I needed to do this work when I, for the first time, successfully helped a client restore her electricity. Over the phone, she thanked me for caring, for listening, and I heard the immense relief in her voice. She

and her children would not have to suffer the extreme summer heat without air conditioning, all because of something I had done, because of a few calls I had made and a few faxes I sent. As I replay these experiences in writing this essay, I feel overcome with an almost overwhelming sense of purpose. I may have begun this summer a little uncertain about whether legal work is right for me, but no longer am I filled with that uncertainty. Fewer things are more certain to me now.

Daily, I interact with clients via phone or in-person. I review case files, trying to tease out any details that I can use to help convince the Philadelphia Water Department, Philadelphia Gas Works, or PECO to restore the client's service. I listen to client's stories, many of them truly heartbreaking, as I return calls to the utility hotline. Practically each phone call and interaction ends with the client expressing her gratitude that I listened to her story with an interested and compassionate ear. When I initially began client interviewing during my first week, I was uncomfortable and worried about how a client would interact if I told him that we could not represent him or that we could not provide him with the answer he sought. Yet rarely have my clients expressed any hostility when I deliver such news. To many of my clients, the fact that I am willing to hear their stories with an open mind means more than the solutions I can offer. My easygoing manner and way of speaking, my slightly neurotic tendency to call them repeatedly as I gather information, all of these things communicate my interest in assisting and advocating for them. I never understood, until I began working at Community Legal Services, the colossal importance of such small gestures and actions. As it turns out, these quirky aspects of my personality that I take for granted are perhaps my greatest assets.

I used to spend hours a day wondering about my purpose in life. I would write journal article after journal article, pondering this question. Working at Community Legal Services has helped me find, without even trying, an answer to that question. The drum major instinct—the need to do good, to be part of something, and to be appreciated—informs many of our actions. It informs my

actions. Essentially, that is the driving force of life. My internship this summer has been one heck of a ride.

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The Spirit of Humanitarianism

An eighteen year old, mentally handicapped, single mother of two boys being evicted from public housing; a single mother denied public housing and in a homeless shelter; a woman terminated from her job and wrongfully denied unemployment benefits; separated parents who cannot decide on a custody arrangement; a mother who needs a protection from abuse order to keep away an abusive boyfriend; a mother denied welfare benefits. These are the people whom the lawyers at MidPenn Legal Services represent daily; they represent their clients diligently even when it seems like there is little chance for success.

One of the cases I worked on was with Attorney Krone, who tried tirelessly to help a mentally handicapped, single mother of two to retain her public housing. Attorney Krone knew from the beginning that the likelihood of winning was slim but he was not deterred. He was faced with the complex task of representing a client who was unable to answer basic questions about her situation. I was honored to work with Attorney Krone and conduct research in order to find legal arguments to support the case. Attorney Krone did all he could to help this client, but the decision was out of his control. I will never forget the disturbed expression on his face as we walked out of the room after the hearing. Attorney Krone was worried that if his client did not win she would become homeless and be separated from her children.

I was truly inspired by Attorney Krone's compassion toward his clients. For Attorney Krone helping others is not a job; it is a way of life. Not only did he work at MidPenn Legal Services for over forty years, but after his recent retirement he is still at MidPenn, almost every day, representing clients. That, to me, is an indication of true humanitarianism. Attorney Krone is confirmation of the fact that public interest law is a tremendously fulfilling

career. I am blessed to have worked with him. I thank Attorney Krone for acknowledging and valuing my opinions and abilities.

In addition, I was also able to observe Attorney Mosquera as she carefully advised a mother on a custody arrangement between herself and her son's dad, in preparation for custody conciliation where the parties reached an amicable agreement. I was also able to conduct some research for a case where Attorney Mosquera diligently advocated for her client, who was a dad of five, to retain his housing. I was moved by the way Attorney Mosquera treated her clients with respect and without being judgmental. To Attorney Mosquera these were not just clients; they were people with issues that mattered.

I was also able to work with Attorney Rich as he dutifully visited homeless shelters, every month, in order to help people who had legal issues. I was inspired by his patience as he carefully listened to the many concerns and determined to whom he could provide legal aid. I was also moved by Attorney Rich's concern when he took the time to explain what one's recourse should be if one's issue was not within the services that MidPenn Legal Services provided.

In addition, I was able to conduct research for and observe Attorney Datres in action, as she successfully defended her clients in unemployment compensation cases. In one such case, a client was being denied unemployment benefits after being terminated because the employer was unsatisfied with her performance, even though the client did the job to the best of her ability. Not only did Attorney Datres demonstrate exceptional advocacy, but she was reassuring and comforting to her client who was overtaken by emotions and nervous about the hearing.

My experience working at MidPenn Legal Services has shown me that there is a great need for more public interest lawyers. The clients that MidPenn Legal Services have the capacity to represent are just a fraction of those who are in need of free legal aid in order to secure the basic necessities of life. In addition, my experience at MidPenn Legal Services awakened my awareness to needs in the community, such as, assisted living homes for mentally

handicapped parents who do not have the capacity to care for themselves and their children, and have no one to turn to.

I now have a greater desire to help those who are less fortunate and cannot afford legal help, as well as those who are incompetent of advocating for themselves.

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Fulfilling the Promise of Due Process

"Equal justice under law is not merely a caption on the facade of the Supreme Court building; it is perhaps the most inspiring ideal of our society. It is one of the ends for which our entire legal system exists...it is fundamental that justice should be the same, in substance and availability, without regard to economic status."

- Justice Lewis Powell, Jr.

“Anna shuffled her feet and glanced furtively around her. She looked at the office and once again glanced first to her left, then to her right. She appeared to take a deep breath, seemingly in an effort to gather what strength she had left in her battered body and slowly walked up the stairs. She was sixty-eight years old and a victim of domestic violence. Her body was covered with bruises of various shades and her nose looked like that of a prizefighter, made crooked forever by a well placed punch. Laurel Legal Services (LLS) was able to help her with filing for a Protection From Abuse (PFA) order, and eventual divorce and Support proceedings.”

“Tiffany was a young working mother of two. She could not have been older than twenty-five. Her two kids were still at the pre-school age and one of them had asthma that was controlled by medication. She came to LLS in early December for assistance with a Landlord/Tenant issue. She had lost her job at a convenience store because her car had broken down, and subsequently was unable to pay her rent on December 1st. An area social service agency came to her rescue and she paid the rent on December 6th. The landlord, however, locked her out of the apartment on December 9th. Inside the apartment were their clothes, the asthma medications and Christmas presents, and the landlord refused to allow Tiffany access to these. LLS was successful in getting an injunctive relief that enabled her to regain access to her apartment.”

These are just two of the millions of success stories of legal services across the country. The occurrence of these stories is, however, under constant

threat and could become a thing of the past because of funding cuts. Anna and Tiffany were fortunate that they lived in counties where the legal service agency serving them still handled their type of cases. Others though have not been that fortunate. For example, my internship site stopped doing PFAs a few years ago because of funding cuts.

Dealing with the specter of funding cuts is not a novel issue for non-profit social service agencies. In fact, these threats are known to correlate with the election results. But this should not be so, especially where the agency involved is one that is, in a sense, fulfilling one of the promises of a constitutional guarantee. The Fifth and Fourteenth Amendments of the United States Constitution provide that neither the federal nor state government can deprive anybody of life, liberty or property without the due process of law. At the heart of the Due Process clause is the concept of fundamental fairness. Consequently, the question I repeatedly asked myself all summer long was “how is making sure that the poor cannot assert his legal rights fair?”

We are already seeing traces of that. For example, my internship site is down to just one attorney and he is overworked. As a result, he only handles certain types of cases, one of which is appeals of denial of Social Security benefits. A few years ago, he was able to pursue the appeal process through all the available channels. However, he now only pursues the first level of appeal, and that is to the Administrative Law Judge (ALJ). Where the ALJ’s ruling is unfavorable and the client feels strongly about the case, he or she would have to hire a private attorney to pursue further appeals, or can pursue the appeal on his or her own, without legal counsel. More often than not, the client may have to forego his or her legal rights and decide not to pursue the appeals. How is that fair?

Also, consider the case of a custody dispute in which the proper legal strategy was to argue for a change of venue to another county. The argument was successful, but now it meant that the client would no longer be represented by an attorney because the legal aid organization in the new jurisdiction had stopped handling that type of case due to funding issues.

Additionally funding restrictions mean that legal services cannot “cross” jurisdictions, even where as in this case, the new venue was less than an hour away. The end result is that a client that clearly met the income guidelines of 125% of the Federal poverty level would have to find money to hire a private attorney in order to advocate for her rights. The other option would be for her to represent herself in the court proceedings. Again I ask, “how is that fair?”

As indicated above, a direct fallout of funding cuts to Legal Services Programs (LSP’s) might be a corresponding increase in *pro se* litigants. I am sure that almost all the judges and attorneys reading this essay would have cringed at the words “*pro se*.” Why? Because, truth be told, our legal system was not designed for self-representation by people that are not familiar with the system. Even lawyers are encouraged not to represent themselves if they can help it. However, because many legal service organizations will start turning people back and decline to take cases, the poor would have no other alternative but to represent themselves.

In enacting the Legal Services Corporation Act, Congress declared that “there is a need to provide equal access to the system of justice in our Nation.” This statement was no doubt motivated by the same notion of fundamental fairness that underlies the Due Process guarantee. Written above the main entrance to the United States Supreme Court are the words “Equal Justice Under Law”, yet another nod to the fairness notion. However, the Court has refused to extend the right to counsel to include all civil trials. How can justice be equal when you have a *pro se* litigant going up against a trained attorney? I might be naïve in thinking this, but I believe that making the right to counsel mandatory in civil cases would go a long way in calming the storm of uncertainty that legal services face. No longer can the threat to defund LSP’s completely be used as a weapon in the various political battles that take place on the legislative floor. It is almost as if some of our legislators view extending equal justice to the needy as an act of charity as opposed to a necessity. For those of this mindset, I remind them that equal justice is essential to the success of this great American experiment, democracy.

If LSP's are to be denied funding, then the least our legislators can do is to give them a fighting chance to survive. In a society that is famous for preaching individual achievement (in fact, those that are fighting the hardest to cut funding to LSP's are the same ones that preach that people pull themselves up by the bootstraps), legal services organizations are prevented from doing their best to ensure their survival. For example, legal services organizations receiving state funding are not permitted to charge for PFA representation, regardless of the petitioner's income. Because of its sheer volume, PFA work is very time consuming, using up otherwise available resources. Consequently, they should be permitted to charge those that make above the income guideline a token fee. This fee would still be significantly less than what a private attorney may charge, but it might prove invaluable to the struggling legal service organization.

As noted above, equal justice is essential if democracy is to survive. For example, Judge Learned Hand said, "if we are to keep our democracy, there must be one commandment: thou shalt not ration justice." I am aware that many have called out messages similar to mine, but that will not deter me from adding my voice to the sound of the multitude. We cannot stop advocating that the right thing should be done, otherwise a grave injustice would be done, which in the words of Rev. Dr. Martin Luther King, Jr., "is a threat to justice everywhere."

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A Listening Ear

"Many a man would rather you heard his story than granted his request."

— Phillip Stanhope
Earl of Chesterfield

"The most basic of all human needs is the need to understand and be understood. The best way to understand people is to listen to them."

— Ralph Nichols

In my second week at Philadelphia Legal Assistance's Custody and Support Assistance Clinic, I was scheduled for my first ever interview with a client. The prior week, I had a whirlwind orientation of Pennsylvania custody, support, divorce and protection from abuse law and procedure. After observing an interview conducted by my supervising attorney, I was full of feelings of both nerves and eagerness. I have always had a passion to help others, but with only two years of law school under my belt, I was not confident that I would be able to provide the best legal advice.

For my first interview, I was determined to listen to the client's story, assess her case, and consult with the supervising attorney to advise her about the upcoming Custody Master's Conference. She was a mother whose two daughters were currently staying with their maternal grandparents. The client explained that her daughters were so unhappy with their home arrangement that the older daughter ran away from home at least twice. Her eyes misted up while telling me that the girls' own grandfather never hesitated to tell them that they were as useless as their mother, I offered her a tissue and realized something. I assumed that my job as a CASAC advocate would be to provide legal advice and draft legal documents, and indeed that was the majority of my

duties. However, providing a listening ear to clients' stories was equally as important.

Many of the people who come in to Philadelphia Legal Assistance for help in family law matters have tried to share their stories to others - officials at family court, the police, or Department of Human Services caseworkers - and have been completely ignored or cut off mid-sentence because the other party was often too busy to listen. Like the mother upset with the treatment of her daughters at their grandparents' house, I have provided an ear to a frustrated father who had not seen his children since the mother took them to the mountains, a tearful mother who was unable to have her child support reinstated because the father lied about not being employed, and a nervous aunt who was reluctant to let the father take the child because he was living in a half-way house and possibly still selling drugs. While letting a client tell you their story, their anger, their frustrations, and their sorrows did allow me to assist them with their legal matters, it also was beneficial for clients to be able to vent and to have someone listen without judgment.

"I'm sorry for carrying on and wasting your time," the mother who was denied reinstatement of her child support stated after drying her tears with a tissue. "You're a very patient person for listening to my problems." I told her that it was a part of my job and reminded her that her story was not just notes jotted down on a legal pad but things that actually happened and affected her. While my experiences at Philadelphia Legal Assistance have given me knowledge and insight on family law in Philadelphia, I also learned the importance of a listening ear as a part of providing legal service. Only by listening to and understanding clients was I best equipped to help them, even if the help was just hearing their story when others refused to listen.

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**A True Drum Major: First in Love, First in Moral Excellence,
First in Generosity**

“I want you to say that I tried to love and serve humanity. Yes, if you want to say that I was a drum major, say that that I was drum major for justice; say that I was a drum major for peace; I was a drum major for righteousness. And all of the other shallow things will not matter. I won’t have any money to leave behind. I won’t have the fine and luxurious things of life to leave behind. I just want to leave a committed life behind. We all want to be important, to achieve distinction, to lead the parade. The great issue of life is to harness the drum major instinct – don’t distort it and pervert it. Keep feeling the need for being first but be first in love, first in moral excellence, first in generosity.” –Martin Luther King, Jr.

A woman and man walk in. They smell of the hot summer Sun. His shirt has stains on it, so does hers. They are young but the wrinkles around their eyes show their lives have not been easy. Like many North Penn Legal Services clients, they are both unemployed and their sole income is Social Security Disability. I had spoken to her on the telephone and they came to the office to drop off some documents and briefly meet with me. It is my first in-person client interview so I am nervous. I transcribe notes like a maniac because I want to get down everything they say but I still manage to be personable and engage them. Their situation is heartbreaking but there is likely nothing we can do to help them. I tell her I will call her later that afternoon, I walk them to the door, go back to my office and try not to cry. The man very closely resembled my deceased father; the woman looked like an aunt of mine.

As a child of Harlem, New York, I am no stranger to poverty and unfortunate circumstances. Some people would be embarrassed to own my

background, I embrace it. It has aided me not only in building a strong character but has instilled in me a great sense of humility and is the reason I chose to attend law school. I decided at a young age that I would become a lawyer because I wanted to help people no one else would. I identify with our clients more so than some of my colleagues because not only do I look like a lot of them, I, too, have encountered the unique problems which accompany being impoverished. Who better to help them than someone who is qualified and who understands? In interacting with our clients I see beyond their dialects, their apparel, and their situations and see people who may not have much but are still important. I do not judge them for their lack of education or the choices they have had to make because I understand better than many people that life happens and where you are today does not dictate where you will be in the future. The limited income of our clients does not dehumanize them and does not reflect on the types of people they are.

The reason I was moved to tears by the two clients and the reason their situation touched me so much was because I understood how dire their situation was. For many of our clients, the issues which bring them to North Penn are life or death situations and could result in them losing their affordable housing, the income they are receiving, or their children. The situation they presented to me could easily have befallen my mother, father, or family member so it was difficult for me to accept that I could not help them. In the end, they lost their housing but were empowered by the way I treated them and the information I provided them with and they were able to find a new residence that was a step above their prior one.

At North Penn Legal Services it was not always possible for us to go to court with a client or even take a client's case but it was always possible for us to empower those who contacted us whether it be merely confirming they possess a legal right not to be locked out of their apartment, providing them with our Self-Help Handbook for Tenants, or helping them understand a mistake they made in hopes that they would not make it again. People who go to law school are usually very intelligent and most of us did very well in school

and are driven, ambitious people who strive for excellence. We who choose to enter public service are an interesting breed. We could choose more lucrative, flashier jobs that pay higher salaries but do not because we realize, as did Dr. King, that empowering members of society who have been marginalized and forgotten is just as rewarding as receiving a paycheck with an additional zero. We strive to strike a balance between achieving distinction, wealth, and allowing our drum major instinct to control us with making a difference in the lives of the impoverished.

My summer in Bethlehem has given me experience in various areas of the law: landlord tenant, unemployment compensation, welfare, custody, expungement of criminal records, utility law, bankruptcy, and fair housing. My summer in Bethlehem has also given me the opportunity to work closely with well trained, experienced legal practitioners who have dedicated their lives to serving others. They serve the community out of and with love. They have harnessed their drum major instincts to seek justice and lead the community towards equality and treatment which is not predicated on income or assets. The work they allowed me to assist them with is humble work but it is necessary. It was truly my pleasure to work alongside them in seeking justice for our clients and as I continue in my studies I will fondly remember this summer and all of the work I have done while simultaneously remembering that the fight continues. I am grateful to the Pennsylvania Legal Aid Network for presenting me with this great opportunity and am thankful that programs such as this one exist for the betterment of the legal community as well as our clients.

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TWO SIDES OF THE SAME COIN

A year ago, I was an intern at the Miami-Dade State Attorney's Office in the Gang Unit. I played a part, albeit minor, in helping to prosecute and convict a number of criminals for serious gang-related and racketeering crimes. Sitting in the bright, air-conditioned office where I worked, my supervising attorney handed me a sign-up sheet that had been circulating the State Attorney's Office. Apparently, the internship coordinator had arranged a tour of the Miami-Dade Pre-Trial Detention Center.

You should go, my supervising attorney had told me. *If you're going to send people to jail, you should at least know the kind of place you're sending them.* With some slight hesitation, mixed with a feeling of youthful curiosity, I signed my name and agreed to participate in the tour. And so it was that on a sunny Miami day, with the idyllic palms swaying in a cool breeze that swept in from across the bay, I, along with a handful of other interns from the prosecutor's office, descended into the jail.

In no uncertain terms, jail is a terrible place. During my relatively short stay in the Miami-Dade Pre-Trial Detention Center, I confirmed many of my fears. Though most Americans will never enter the dark underworld of a jail or prison, we can easily imagine the sheer magnitude of physical and sexual violence, unsanitary conditions, and psychological abuse inherent in confining hundreds of men, some of them violent criminals and some of them innocent, within a single large cell. And true to form, the realities of incarceration mirror these fears. I left the jail profoundly changed, but in ways I am only now beginning to understand.

This summer, I was given the opportunity to participate in the Martin Luther King Summer Internship Program. Although the Pennsylvania Legal Aid Network places its interns in a wide variety of socially important and legally

significant public interest organizations, one in particular resonated with my experience. Like a knee jerk reaction, reflexive and decisive, I committed myself to obtaining an internship with the Pennsylvania Institutional Law Project, an organization dedicated to aiding and representing incarcerated persons in civil rights actions against the respective jail, prison, or detention center in which they are incarcerated.

Like most law-student interns, I spent much of my time researching issues, writing memos, and discussing the law with my supervising attorneys. However, my experience as an intern at the Pennsylvania Institutional Law Project was also unique - the nature of representing mostly incarcerated persons significantly changes the attorney-client dynamic, usually resulting in exchanges of written letters, timed phone calls, and the occasional face-to-face meeting within the prison facility. Accordingly, because the willingness to enter into a jail or prison for the purpose of visiting a client is vital to the attorneys at the Pennsylvania Institutional Law Project, I was once again invited to tour a prison facility.

This tour was different.

In form and function, the Philadelphia prison system did not differ greatly from the jail I had seen in Miami - the quarters over-crowded and cramped, the cells were of bars of steel, the danger and the fear visceral. No, for all intents and purposes a jail is a jail, a prison is a prison - what was different this time was me. Unlike the tour that had preceded it a year earlier, my visit to the Philadelphia Prison System left me with a surprising feeling of hope.

I returned to the office that day and discussed with my supervising attorneys what I had seen. Although everyone conceded that there was much work to be done on behalf of prisoners everywhere, we were spurred on by the knowledge that we had the power to make a difference; to ensure that the civil rights of prisoners were not relinquished to an uncaring system. For the remainder of the summer, I fought on behalf of these prisoners whose voices are muted by the harshness of the prison system.

In the end, the most important thing I learned during my internship with the Pennsylvania Institutional Law Project was the power of perspective. While the time I spent working with the State Attorney may at first appear to be in glaring contrast to the work that I did this summer, I have come to appreciate the almost symbiotic relationship that exists between the two; like two sides of the same coin. Sometimes, justice comes in different forms. For the prosecutors that send people to prison, justice is obtained by securing the conviction of the guilty, but that is not where the story ends. Even after the conviction, legal aid organizations, such as the Pennsylvania Institutional Law Project, are there to carry on - drum majors in the enduring march toward justice.

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Voices for Equity, Conduits for Energy Justice

“If you want to say that I was a drum major, say that I was a drum major for justice, say that I was a drum major for peace. I was a drum major for righteousness. And all of the other shallow things will not matter.”

- Dr. Martin Luther King Jr. Sermon at Ebenezer Baptist Church in Atlanta (1968-02-04)

It is no secret that the rising costs of resources and energy represent a major concern for the nation and the Commonwealth of Pennsylvania, while finding solutions to these concerns is becoming increasingly more complex. Truthfully, Pennsylvania is doing a great deal of good in the realm of energy and conservation through its efforts to address these new hurdles. Still, throughout the course of developing Pennsylvania’s energy future, the voices that often go unheard are of those who struggle the most to meet even the most basic energy needs, and who face the daunting challenges of poverty. Consequently, my experience as an MLK Intern with the Pennsylvania Utility Law Project (PULP) has shown me that wherever any progress is made, it is essential that those who do have a seat at the table consider the concerns of the most vulnerable in the face of prevailing interests with humility, taking hold of Dr. King’s vision by seeking the right outcome, which is a very real explanation of the work being done at PULP.

In assisting PULP, one important reality that proved evident immediately was the fact that advocacy involves diligent work behind the scenes. Several days into my experience, I had the opportunity to speak with clients over the phone about their concerns. The intense adversity experienced by so many individuals is hard to imagine. How can a choice be made between the purchase of medicine for your children, or keeping the lights on in order to ensure that the child’s nebulizer will function? How can you decide whether to keep the water running, or to put food on the table? Unfortunately, this is the

reality for a number of families in Pennsylvania every day. However, it is absolutely rewarding and edifying to connect these families with the appropriate resources or relief acknowledged by law, and mandated by Pennsylvania's Public Utility Commission. Occasionally, this would require independently connecting with the utility, or another community-based organization to get things done, behind the scenes. Ultimately, I appreciated this experience specifically because it revealed how deeply complex the actuality of accessing energy truly is, and why it is essential to provide a voice for the individuals facing these concerns.

The attorneys of PULP, Harry Geller and Patrick Cicero, not only support individuals on a personal basis with their individual utility, energy, and resource issues, but also dedicate their time and energy to advocacy on the policy front. During the summer I was given an excellent opportunity to take part in this process. For example, I was able to assist in responding to the proposals of Pennsylvania's power companies. In Pennsylvania, large utilities are required to plan out the ways that they will ensure the most economically vulnerable households will have access to energy. These "universal service plans," take months to negotiate and develop while representing an important opportunity to assure energy distributors truly consider the impact they will have on their low income consumers. Energy costs are a huge burden on low-income households, who without any assistance might devote more than half of their income simply to keep the lights on. In fact, more than 200,000 households in the Commonwealth are in that very position. Still, there are a number of factors that make tackling this issue challenging for PULP's attorneys, who work diligently to promote affordable energy. In attending a number of meetings that covered various aspects of low income energy assistance, I took note of the fact that energy distributors often wish to trump up financial limitations and reduce benefits to low-income consumers to save their own costs or those passed along to other customers not confronting energy poverty. The challenge for PULP is striking the balance, and pushing

these companies in the right direction in order to guarantee more affordable energy, access to energy efficiency measures and programs like weatherization, and that programs enacted by the companies are legally appropriate. This kind of behind the scenes work is also extremely important in assuring equity for low-income households, and serves as a conduit for their interests and their voices.

PULP involved me in the process of considering Pennsylvania's energy future in terms of the next phase of the Commonwealth's energy and conservation legislation, Act 129 and its impact on the fight against energy poverty. The Act calls for cost saving measures to assist low-income households reduce their energy use, but the law's somewhat ambiguous language requires advocacy on PULP's part to ensure that Pennsylvania's energy companies appropriately address low-income issues. During stakeholder meetings, I had the opportunity to listen and gain insight into the complexity of finding solutions that satisfy energy distributors while also serving the needs of low-income energy users. Ultimately, in our response, PULP stood to defend targeted assistance to low-income families, without risking a dilution of the limited and valuable resources available. The issues involved are complex and the attorneys at PULP are extremely skilled at what they do. Nevertheless, at the end of the day, they recognize that they are in the service of those less fortunate, and I was fortunate to take part in this service.

Dr. King set a high bar for what it means to be a leader in the context of humility. In fact, what his sermon, "the Drum-Major Instinct," suggests is that authentic leadership does not arise from a mere hierarchy or the superficial outward appearance of "being" in a position of leadership. Rather, Dr. King avowed that genuine leaders emerge from and are defined by the actions they take in the service of others. I can truly say that it has been an honor to spend this summer alongside the very dedicated attorneys who, for this entire Commonwealth, advocate for justice and equity in the realm of energy and the resources that provide invaluable comfort, life, and well-being to our

communities. Suffice to say that without an organization such as this, and individuals who embrace the mark set by Dr. King, such as these, many Pennsylvanians would not have the voice they deserve. As an MLK intern, I have had the amazing privilege to assist in providing a small portion of that voice, if only for a short time. This is something that will continue to define my perspective wherever I go as I move forward to become an attorney seeking to be a “drum-major” for justice, peace, and equity.

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Another Kind of Legal Aid

My professional aspiration is simple: to strengthen underserved communities. Exactly how to advance this goal, however, is much less clear. My experiences this summer with Regional Housing Legal Services (RHLS) in Philadelphia provided some clarity by answering at least one question: how community development lawyers can best straddle their position between traditional corporate legal work and legal aid communities.

Community development lawyers often provide legal services for small businesses and non-profits that would otherwise struggle to obtain these services. While RHLS does some of this work, it primarily focuses on the sort of complex real estate transactions that are typically found in the corporate practice groups of for-profit firms. RHLS is one of the few non-profit organizations that undertake this work. Among the legal aid providers in the Pennsylvania Legal Aid Network (PLAN), RHLS's focus is especially unique.

A single affordable housing development project requires numerous, perhaps dozens, of smaller transactions to achieve its goal. For RHLS, I followed and assembled a portfolio for one such venture. Given that it can take years to complete an affordable housing development project, this project allowed me to study an entire puzzle when most interns typically glimpse just a piece. In this particular puzzle, the pieces included negotiating contract agreements, drawing up deeds, developing mechanisms to ensure that developers comply with their loans, and drafting mortgage agreements for homeowners.

For another project, I researched whether an unincorporated manufactured home community association had standing to sue the landowner over illegal terms in tenants' land leases. While the first project could have

been plucked from the corporate practice group of a for-profit firm, this second project could have easily landed on the desk of a legal aid housing attorney. Both projects were client-centered, but the differences were striking.

Understanding how RHLS comfortably straddles two distinct legal communities has helped me recognize a viable alternative to an otherwise siloed approach to community development. It seems that groups like RHLS, just like the affordable housing developers they serve, also bring people out of their silos. In better understanding this overlap, I stand to be more efficacious in my goal of strengthening underserved communities.

Regional Programs

- Community Legal Services
- Laurel Legal Services
- Legal Aid of Southeastern Pennsylvania
- MidPenn Legal Services
- Neighborhood Legal Services Association
- North Penn Legal Services
- Northwestern Legal Services
- Southwestern Pennsylvania Legal Services
- Philadelphia Legal Assistance

Specialty Programs

- Community Justice Project
- Friends of Farmworkers
- Pennsylvania Health Law Project
- Pennsylvania Institutional Law Project
- Pennsylvania Utility Law Project
- Regional Housing Legal Services



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