



WOAR

Juvenile Center
advancing the rights and well-being of children in jeopardy

WOMEN AGAINST ABUSE
ADVOCACY IN ACTION

Bringing Communities Together To End Sexual Violence

Philadelphia Volunteer Lawyers for the Arts
Arts & Business Council of Greater Philadelphia

HIAS
PENNSYLVANIA

ACR
Alliance for Cultural Renaissance

child advocates

RHLS

PENNSYLVANIA
IMMIGRATION
RESOURCE
CENTER

HAP
Homeless Assistance Project

CASA
Court-Appointed Special Advocates
FOR CHILDREN
CASA OF PHILADELPHIA CO

Custody and Support
Assistant Clinic

Nationalities
Service Center

PLA
PHILADELPHIA
LEGAL ASSISTANCE

VIP
The trial of you better
don't continue to Philadelphia

PENNSYLVANIA
Health Law
PROJECT

Education Law Center

PUBLIC INTEREST LAW
CENTER OF PHILADELPHIA

AIDS Law Project of Pennsylvania
a non-profit, public interest law firm

SCRUB
PUBLIC VOICE
PUBLIC SPACE

THE PENNSYLVANIA
PRISON SOCIETY
SINCE 1787

Defenders Association -
Capital Representation
Project

ACLU
AMERICAN CIVIL LIBERTIES UNION
of PENNSYLVANIA

WOMEN'S
LAW PROJECT
Safeguarding Rights. Creating Opportunities.

ICB

mazzoni center
LIFT HEALTH & WELL BEING

SIC Consumer Bankruptcy
Assistant Program

PENNSYLVANIA
INNOCENCE
PROJECT

SeniorLAW Center
Protecting The Rights of Older Pennsylvanians

DRN

PENNSYLVANIANS

CLS

Disability Rights Network
at Pennsylvania
COMMUNITY LEGAL SERVICES

Face Food
Preserving & Promoting a Food Heritage

Public Interest Section
CELEBRATES 20 YEARS
ADVANCING ACCESS TO JUSTICE
THROUGH COMMITMENT AND INNOVATION

By Joseph A. Sullivan

In the spring of 1991, a group of Philadelphia Bar Association leaders seeking to expand access to justice made an educated guess – lawyers of all stripes could achieve broader results by combining their skills and perspectives, and so the Public Interest Section was born. The envisioned goals were simple and direct: to promote the interests of members concerned with the legal rights of the poor, the disabled and other disadvantaged persons and in so doing, expand the reach and effectiveness of legal services. In numerous ways, the Section has succeeded in this mission, promoting collaborative work by the public and private bars, creating relevant continuing legal education (CLE) programs, and engaging the entire Bar in both recurring and crisis-driven public interest concerns.

“The Association is proud of the great work our Public Interest Section has done over the last two decades,” says Philadelphia Bar Association Chancellor Rudolph Garcia. “Time and again, the Section has rallied our legal community to action on behalf of Philadelphia’s most vulnerable citizens, and in support of our most fundamental constitutional protections.”

As one might expect, taking on sometimes-controversial legal issues requires both an entrepreneurial spirit and a deep commitment to the most fundamental issues of law and public policy. The names of the Section’s seven active committees reveal the range of its work: Civil Rights, Delivery of Legal Services (DLSC), Law Firm Pro Bono, Law School Outreach, Legal Rights of Children, Legal Rights of Persons with Disabilities and Women’s Rights. Section members include attorneys in legal services, private practice (law firms of all sizes and sole practitioners), government service and in-house counsel.

From the outset in 1991, the Section has joined the debate on pressing issues, such as funding for legal services through Interest on Lawyer Trust Accounts (IOLTA) and making certified foreign language court interpreters available in the courts. Many of these efforts were of necessity collaborative,

involving the Board of Governors, other bar sections and the judiciary and in some cases have taken years to bring to reality.

The Section played a key role in the Association’s 1996 resolution urging the Pennsylvania Supreme Court to create a mandatory form of IOLTA – a critical source of funding for legal services. Similarly, a 1994 resolution calling for certification of foreign language interpreters in Pennsylvania courts percolated for many years,

until in 2003, the Association created a special task force on the rights of those with limited English proficiency (LEP). The Association then adopted a resolution by the Section’s Civil Rights and Delivery of Legal Services committees addressing equal access to the courts and administrative agencies for LEP and disabled workers. Three years later, the relentless work of the Section and others led to the passage of SB 669, the Court Interpreters Act. The new statute dramatically changed, and improved, the quality and accessibility of interpreters in state courts and agencies.

As Robert C. Heim, 1991 Chancellor and co-founder of the Section, put it: “The Section brings to fruition the Bar Association’s ultimate goal – serving both the profession and the public by promoting access to justice, professional excellence and respect for the rule of law.”

The Section’s role, and its work, goes well beyond advocating for legislative solutions to the law and public policy issues facing those in need – as important as those solutions are. As current Section Chair Lawrence S. Felzer put it recently: “A major part of our Section’s job is to tell our clients’ stories and place the due process, equal protection and other legal issues they face on the front burner of discussions on the quality

of justice, and to engage the entire Bar Association in these discussions.”

Since 1991, the Section has repeatedly broken the mold by inventing new collaborations and synergies that combine the talents and insights of individual lawyers with the Bar Association’s commitment to fairness in the justice system. Significant accomplishments include:

- **Commitment to Pro Bono Services.** In 2002, Chancellor Allan Gordon appointed a Task Force on Pro Bono. The Association’s leadership, through the Public Interest Section and its new Law Firm Pro Bono Committee, adopted numerous recommendations promoting pro bono, including the requirement that all members of the Board of Governors handle at least one pro bono matter a year. Most of those recommendations have been implemented. Since then, Section members, working with the state and federal judiciary, have helped to develop and support several programs to expand legal assistance to unrepresented persons, from the Court of Common Pleas’ Landlord-Tenant Appellate Mediation Program to the federal Prisoner Re-Entry Program, among others.
- **Raising the Profile of Public Interest Lawyers and Mentoring Law Students.** From the outset, the Section has created events and educational programs to highlight Philadelphia’s nationally acclaimed legal services community. In 1991, the Section created the annual Andrew Hamilton Award, named for the celebrated 18th century Philadelphia lawyer who successfully defended New York publisher John Peter Zenger. The award honors a public interest lawyer who exemplifies the courage, skill and commitment that Hamilton epitomized.

The Section has also worked to build capacity in the public interest legal sector. In 2003, the Section created the Higginbotham Scholarships, a stipend awarded to Philadelphia public interest law centers to subsidize the work of summer law clerks. Through its Law School Outreach Committee, the Section has created annual law student awards recognizing distinguished pro bono work, as well as a popular series of

brown bag lunches to educate law students about opportunities in the public interest sector.

- **Advancing Public Discourse on Due Process and Equal Protection.** In 2003, the Section created the annual A. Leon Higginbotham Public Interest Lecture, part of a bar quarterly luncheon, at which a public interest lawyer, scholar or public figure speaks on an issue of legal or civil rights significance. The Section, through its Civil Rights Committee and others, has sponsored seminars on a wide range of issues from the death penalty for juveniles and mentally disabled persons to adequate funding for public education.
- **Forging Partnerships With the Judiciary.** Over the past decade, the Section and Bar leaders have worked closely with the judiciary on access to justice issues, from expanding services for self-represented persons to creating new models for limited representation assistance. With the encouragement of Bar leadership and others, in 2005, the First Judicial District formed its first-ever Pro Bono Committee. The Section and its committees have been working tirelessly with the court to improve access and services for low-income litigants.
- **Increasing Funding for Legal Services.** Starting with IOLTA, the Section has vigorously supported ways to increase financial support for legal services. For example, in February 2002, the Section and DLSC presented a resolution, then adopted by the Association, in support of Pennsylvania House Bill 2322, which proposed an Access to Justice Fund to help fund civil legal services through imposition of a modest civil filing fee surcharge in the courts, to be administered by the IOLTA board. In the recent period of economic upheaval, funding for legal services has suffered a number of blows, from drastically reduced IOLTA revenue to cutbacks in state and local funding and more modest support from private foundations and charities. But the Section has rallied legal services providers, private firms and a wide range of lawyers in the private bar to push to preserve and expand funding.
- **Loan Repayment Assistance Programs (LRAP).** In March,

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Content
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“Once again, the City of Philadelphia and lawyers from all parts of the profession put aside their differences and made common cause to address a public interest crisis of epidemic proportions. Our Bar Association and public interest lawyers are critical to its success.”

2004, DLSC formed a special group to work with a Pennsylvania Bar Association task force on the creation of a law student loan repayment assistance program. These early efforts contributed to the creation by the Supreme Court in 2010 of a new student loan assistance program for legal services and public interest lawyers working for organizations funded by IOLTA.

Fast forward to 2011 and the Section and its committees are hard at work addressing a range of challenges faced by low-income residents with other vulnerabilities, from predatory lending and business scams perpetrated against seniors and the disabled to increased rates of eviction and homelessness and the consequent loss of educational services and medical coverage.

To address the mortgage foreclosure crisis, leaders of the Section and its committees responded to a call in 2009 from the Court of Common Pleas, and particularly Judge Annette M. Rizzo, then-President Judge C. Darnell Jones II and a real property steering committee of the Association, to help build the innovative Mortgage Foreclosure Diversion Program, which has become a national model. The project is a collaboration that also includes the City of Philadelphia, legal services agencies including Community Legal Services, Philadelphia Legal Assistance and VIP, housing counselors, outreach workers and pro bono attorneys, who represent low-income homeowners in conciliation

sessions (and some full representation efforts) to save their homes. According to a recent study report, 70 percent of low-income Philadelphians facing foreclosure have come through Judge Rizzo’s courtroom thus far and among those whose homes were saved from foreclosure, 80 percent are still in their homes a year later.

“Our Mortgage Foreclosure program, while not perfect, is a dramatic example of how collaboration among partners makes a difference,” Judge Rizzo said recently. “Once again, the City of Philadelphia and lawyers from all parts of the profession put aside their differences and made common cause to address a public interest crisis of epidemic proportions. Our Bar Association and public interest lawyers are critical to its success.”

The Section and the Association have also been active in educating City Council and other governmental and regulatory bodies, and advocating for specific measures to achieve fundamental fairness for the disenfranchised. Section members have addressed issues such as racial, ethnic and gender identity fairness in the justice system, fraudulent conveyances and predatory lending, and Family Court access and facilities, to name a few. Most recently, they have weighed in on state budget cuts affecting children and low-income populations, and the impact of the city’s new lobbying ordinance and proposed regulations on small and neighborhood businesses and

nonprofits.

The challenges for the Section and its committees for the next decade are many. Some are even daunting. Federal and state immigration legislation and detention practices, proposals for voter ID and identity cards, and the impact of budget cuts on education reform and health care are just some of the issues. These matters, as well as the ongoing need to identify and secure dedicated and increased funding streams for legal services to meet the widening justice gap caused by the recession, will continue to require vigilant monitoring and advocacy in courtrooms and the larger community.

But to Philadelphia lawyers, it is a call to action. “The Public Interest Section’s leadership and creativity have been essential to our ongoing efforts for low-income and disadvantaged people, especially in this time of stress,” says Garcia. “Between the organizations that are members of the Section’s Delivery of Legal Services Committee and about 3,000 volunteers at private firms, Philadelphia lawyers handle 50,000 cases a year for people who can’t afford to pay for legal services. Nothing makes me prouder to be a member of the Philadelphia Bar Association.” ■

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Annual Public Interest Law Day

Join the Philadelphia Bar Association’s Public Interest Section in celebrating its 20th Anniversary on Thursday, Dec. 1 at the Annual Public Interest Law Day CLE Program at the Pennsylvania Bar Institute from 9 a.m. to 4:30 p.m.,

followed by the Section’s 20th Anniversary Reception, Awards Ceremony and Dinner at the Loews Hotel at 1200 Market St. Online registration is available for the Public Interest Law Day CLE program at www.pbi.org and for the Anniversary Reception at www.philadelphiabar.org.