

*Serving Bucks, Chester,  
Delaware and Montgomery  
Counties Since 2001*

### **Mission**

Our mission at LASP is to provide quality legal representation to low-income people, to empower them to solve problems without legal representation through legal education and increased access to the courts, and to change community practices and systems that cause or aggravate poverty.

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Please Note: Articles in this newsletter are intended to provide general information and not specific legal advice. If you have a specific legal problem, you should consult an attorney or call our toll-free Helpline at 1-877-429-5994.

## LASP Takes the Lead in Overcoming Employment Barriers



A job, love it or hate it, is for most of us the cornerstone of family finance, security and well-being. Imagine the impact if suddenly your ability to work was taken away due to a catastrophic illness, discrimination, sexual harassment or other exploitive practices by your employer, not to mention economic conditions or the caprice of a new management team.

LASP is currently participating in a statewide Employment Project seeking to help economically vulnerable adults maintain jobs, overcome barriers to obtaining employment, and pursue job-related benefits and supports to which they are entitled. This work is particularly critical as changes to public welfare have effectively removed or reduced the safety net for individuals who lose jobs, are shortchanged on wages, or otherwise are treated unfairly. These are individuals who, without the help of a Legal Aid attorney, lack the financial resources to otherwise solve their legal problems.

Staff Attorney Phillip B. Rosenthal, from LASP's Delaware County Division, has been traveling our four-county region reaching out to groups likely to need help with employment issues. He has been sharing resources and, when needed, providing legal representation to individuals to help solve wage, benefit and workplace problems. His effectiveness was recently recognized when he was asked to take on a coordinating role for the Pennsylvania Legal Aid Network (PLAN), charged with managing the Employment Law Listserv, providing training for other employment law specialists across the state, and offering individual case consultation to his PLAN colleagues. To Phil, this work is critically important because "so many workers are unaware of their legal rights and options when they are mistreated or unfairly dismissed by employers."

To learn about how LASP can help you or your clients with their employment-related problems, check out our Employment Law Insert in this issue of the *The Voice*. To schedule a community legal education presentation, you can contact Phillip Rosenthal at 610-874-8421 x309, or by sending an e-mail to [prosenthal@lasp.org](mailto:prosenthal@lasp.org).

## “Drum Major for Justice”

This past summer, LASP was fortunate to have Taisha Chambers, a 3rd year law student attending the Penn State Dickinson School of Law, working in our Norristown offices through the Martin Luther King, Jr. Summer Internship Program sponsored by the Pennsylvania Legal Aid Network. At the end of the summer, the interns were asked to reflect on their experiences. Here is an excerpt of Taisha’s essay on being (in King’s words), a “drum major for justice.”

*“The real stories (of our clients) are rarely told. Most people do not want to hear about the senior citizen who is being ripped off by medical insurance carriers when it is time to pay for premiums for necessary medical expenses... What about the battered wife who does not know how to protect herself and her children from an abusive husband?... Who cares about the retail worker who is being treated unfairly at her job? In the short time I have been at Legal Aid, I have had the opportunity to listen to all of these stories and many others. Martin Luther King, Jr. has shown us that not every drum major instinct is a self-serving one. I am proud to say that I too have a drum major instinct, along with the attorneys that have taken the time to concern themselves with the problems of others.”*

Martin Luther King Jr. Summer Internships are available at Pennsylvania Legal Aid Network programs across the state. For additional information, contact coordinator Cynthia G. Newcomer at [cnewcomer@palegalaid.net](mailto:cnewcomer@palegalaid.net) or 1-800-322-7572 x216.



## Community Design Services for DelCo Offices

The Delaware County division of LASP is housed in the Chadwick Building, 410 Welsh Street, in the City of Chester. While the building is optimally located for our Chester clients, it has in recent years developed serious problems with its systems and physical plant. LASP was pleased to be informed recently that it has been chosen by the Community Design Collaborative (CDC) of the American Institute of Architects Philadelphia Chapter to receive donated design and assessment services valued at \$15,000. The CDC has assembled a team of five engineering and architectural professionals to produce a Master Plan for Renovation for the Chester Building. LASP staff and board members are busy trying to identify sources of funding to make the plan, once it is finished, become a reality.

## Outreach to Upper Bucks Co.

Providing effective legal services in Bucks County is challenging, considering the region extends more than fifty miles from its urbanized southern end bordering on Philadelphia to its very rural northern rim. While most of our potential clients live in the county’s southern end, where the Bristol LASP office is located, there are still significant numbers of vulnerable adults and families living in the central and upper parts of the county. For many of these individuals, legal problems are made worse by inadequate transportation and geographic isolation.

In an effort to better meet the needs of Central and Upper Bucks County, LASP recently hired staff attorney Dawn Lavallee to provide general civil legal services out of the Doylestown office, an office which was previously limited to handling family law cases. She is available once a week to see clients in Quakertown. She is also available to make outreach presentations to groups and organizations throughout Central and Upper Bucks County.

The new staff position was made possible, in part, by a generous \$10,000 grant awarded by the Bucks County Foundation as well as individual contributions made by attorneys in Bucks County.

To schedule an appointment in Quakertown or to request a speaker or representative for a community event, call the Doylestown office at 215-340-1818.

# CLIENT *Fact Sheet*

*Issues in Employment Law | Fall 2007*

*Prepared by Legal Aid of  
Southeastern Pennsylvania*

This fact sheet is intended to provide general information and not specific legal advice. The law often changes. Each case is different. If you have a specific legal problem, you should consult an attorney or call the LASP Helpline toll-free at 1-877-429-5994.

*Se habla español.*

## Clearing Your Record for Employment

- Have you been denied a job or fired from a job because of your criminal record?
- Have you been denied entrance into a job training program because of your criminal record?
- Have you been denied an occupational license because of your criminal record?
- Were you adjudicated delinquent as a juvenile and is your juvenile record making it difficult for you to get or keep a job?
- Did you participate in an Accelerated Rehabilitative Disposition (ARD) instead of pleading guilty to a crime, but have discovered your criminal record has not been expunged?
- Do you have a criminal record even though you have never been arrested or convicted of a crime?

*If you answered “yes” to any one of these questions, then Legal Aid of Southeastern Pennsylvania may be able to help you clear up your criminal or juvenile record.*

LASP will not provide representation in criminal matters and it does not help ex-offenders find jobs. LASP can advise you if your criminal or juvenile record can be expunged; help you obtain an expungement of your criminal or juvenile record; correct errors in your criminal or juvenile record; provide advice on how to try to get a pardon to erase a criminal conviction; and provide representation at an administrative hearing where a person's record is being used to deny an occupational license.

## Removing Barriers to Employment: Expungements and Pardons

Individuals with criminal histories are often denied employment or fired from jobs because of their criminal pasts. Pennsylvania law states, “[f]elony and misdemeanor convictions may be considered by the employer only to the extent to which they relate to the applicant’s suitability for employment in the position for which he has applied.” Sometimes a conviction (and a guilty plea is a conviction) can be used to keep a person out of a job, but a person’s arrest record should never serve as a basis for a denial of employment. Today, the Internet makes individual criminal histories readily available to employers and prospective employers and they are using arrests and convictions to deny employment opportunities to persons who would otherwise be qualified.

### **Expungements**

If you were arrested, but never convicted; the charges filed against you were withdrawn or *nolle prossed*, the case against you was dismissed, or after a trial you were acquitted, you are eligible to have the record of your arrest erased. If, after being arrested, you were placed into a special probation program sometimes called Accelerated Rehabilitative Disposition (“ARD”) and told that after completing the terms of your probation the charges against you would be dismissed, you are eligible to have the record of your arrest erased. If you were “adjudicated delinquent” (found guilty of a crime by a juvenile court judge), you are eligible to have your entire juvenile record erased. Legal Aid of Southeastern Pennsylvania (LASP) staff attorneys are available to help you erase your arrest record or juvenile record by the filing of an Expungement Petition. Expungements are not available to erase convictions.



### **Pardons**

To eliminate convictions and guilty pleas from a criminal history a person generally needs a pardon from the Governor of Pennsylvania after receiving a favorable recommendation from the Board of Pardons. The pardon process is long and difficult; it will take over a year before your application is acted on and requires a personal appearance at a Board of Pardons hearing in Harrisburg. Hundreds of pardons are granted each year. The first step in applying for a pardon is to send a short letter to the Board of Pardons, 333 Market Street, 15th Floor, Harrisburg, PA 17126 requesting an application for clemency. With this letter, you must include an \$8.00 check or money order payable to the Commonwealth of Pennsylvania and a self-addressed business size return envelope with 84 cents of postage on it. For more information on the pardon process, contact the LASP Helpline toll-free at 1-877-429-5994. *Se habla español.*

## Chester County Judge Katherine B. L. Platt Honored for Improving Civil Legal Aid

Each year the Pennsylvania Bar Association's (PBA) Legal Services to the Public Committee gives a Judge's Award to a judge or judges who have made the greatest contribution to improving civil legal aid in the Commonwealth. This year, the PBA presented this award to Judge Katherine B.L. Platt of the Chester County Court of Common Pleas. Judge Platt was nominated jointly by LASP and the Chester County Bar Association. PBA President Andy Susko presented Judge Platt with her award.

Judge Platt is a champion of pro bono service who, among other things, has run a tutoring class for attorneys that do not customarily practice family law so they know how to represent pro bono clients effectively in family court and has opened up nontraditional areas of law for pro bono services, such as small estates. She has also worked with colleagues on the Chester County bench to positively reinforce pro bono work, from attending events that honor pro bono lawyers to adapting court procedures that remove impediments to such service.

Judge Platt's efforts have doubled of the number of attorney volunteers available to represent clients in Chester County's family court. Similar results have been seen in numerous counties and states across the nation where judges have lent their valuable support to the recruitment, promotion and recognition of pro bono volunteers. LASP commends and thanks Judge Platt for increasing access to justice for low income residents of Chester County.

*Reprinted in part from the PBA Bar News*

### Special Thanks to Our Funders

LASP is pleased to acknowledge these recent awards:

- \$50,000 - The Independence Foundation
- \$30,000 - The Philadelphia Foundation
- \$25,000 - The Patricia Kind Family Foundation
- \$15,000 - The Claneil Foundation
- \$10,500 - The North Penn Community Health Foundation
- \$10,000 - PNC Bank
- \$10,000 - The Bucks County Foundation
- \$1,000 - The Montgomery County Foundation

## LASP in the News

■ On October 5 LASP Co-Executive Director Harvey Strauss was awarded a "Difference Makers Award" by the American Bar Association (ABA) Small Firm/General Practice Division at a dinner held at the National Constitution Center in Philadelphia. The Award is given to an individual who has made an outstanding commitment to legal services to the poor and disadvantaged. Numerous LASP and Montgomery Bar Association colleagues and board members were in attendance when Harvey received the award.



■ Cary L. Flitter, (pictured above, between Elizabeth Wood Fritsch, left, and Harvey Strauss) of the law firm Lundy, Flitter, Beldecos and Berger PC in Narberth successfully pursued a consumer class action suit on behalf of customers of a large Texas-based auto finance lender which used illegal debt collection practices. The customers won the suit and the federal court in Philadelphia approved a \$470,000 class settlement. After distribution of the settlement \$64,000 remained in unclaimed funds which was then designated to go to LASP to support legal representation and community legal education in the area of consumer law.

■ The Chester County division of LASP recently collaborated with the Chester County Bar Association and the Chester County Court of Common Pleas to produce *A Guide to Legal Services in Chester County*. This brochure identifies resources for people of all income levels who need to locate a lawyer in Chester County. Copies of the brochure can be obtained by calling Roberta Cosentino in the Chester office, 610-436-4510.

**LASP** Legal Aid  
of Southeastern PA

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## LASP Offices

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215-781-1111

100 Union Street  
Doylestown, PA 18901  
215-340-1818

### **Chester County**

14 E. Biddle Street  
West Chester, PA 19380  
610-436-4510

### **Delaware County**

410 Welsh Street  
Chester, PA 19013  
610-874-8421

### **Montgomery County**

625 Swede Street  
Norristown, PA 19401  
610-275-5400

248 King Street  
Pottstown, PA 19464  
610-326-8280

LASP TOLL-FREE HELPLINE, MON-FRI 9 AM-1 PM, SE HABLA ESPAÑOL **1-877-429-5994**

*LASP offers useful educational brochures on a variety of legal topics. To receive a copy of any of these brochures, in English or Spanish, call the Helpline.*

Landlord/Tenant Law  
Evictions  
Security Deposits  
Public Housing  
Utility Law  
LIHEAP  
Preventing Foreclosure

Bankruptcy  
Credit Reports  
Repossessions  
Custody  
Child Support  
Divorce and Separation  
Protection from Abuse  
Unemployment Compensation  
Social Security  
Medical Assistance  
Food Stamps  
Issues in Aging  
Advance Healthcare Declaration  
Power of Attorney

## Community Education and Outreach

LASP offers community legal education, staff in-service training and outreach about our services to a variety of groups in our four-county region. If you would like to schedule a LASP representative for an upcoming event, contact Harvey Strauss, Esq. at 610-275-5400 x117.