

*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.

Elizabeth C. Price

President

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Executive Director

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Executive Director

610-275-5400 x117

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.

Rx for Better Healthcare: Take Two Aspirins and Call Legal Aid



A new collaboration between VNA Community Services, Inc., a community health agency, and LASP is working to assure that low-income and vulnerable residents of Montgomery County get the health insurance coverage they need. Funded by a two-year grant from the Pottstown Area Health and Wellness Foundation, the collaboration will provide eligible residents with information, application assistance, and legal help to appeal coverage denials that keep hundreds of families from getting the medical attention they need.

This grant has allowed LASP to hire a paralegal in Pottstown to conduct community outreach and assist individuals who believe their coverage has been wrongfully denied or terminated. LASP outreach and Helpline staff will also refer individuals to the VNA Montgomery County Personal Navigator Program, an innovative service that helps individuals with enrollment for health benefits and 21 community and government assistance programs. When legal representation is needed to challenge denials or negotiate legal solutions to enrollment barriers, Legal Aid attorneys will provide representation at no cost. Together, the two agencies project that between \$150,000 and \$750,000 in public benefits will be secured for our high-need clients.

While this funding allows LASP to work more intensively in Montgomery County, help is available in all four counties. For help with a public benefits problem, call LASP's Toll-free Helpline at 1-877-429-5994. To access the Montgomery County Personal Navigator Program, call 1-800-591-8234. Or, for more information about the Pottstown Health Access Project, call Sam Brooks at 610-874-8421 x316.

Don't Borrow Trouble: More Important Than Ever

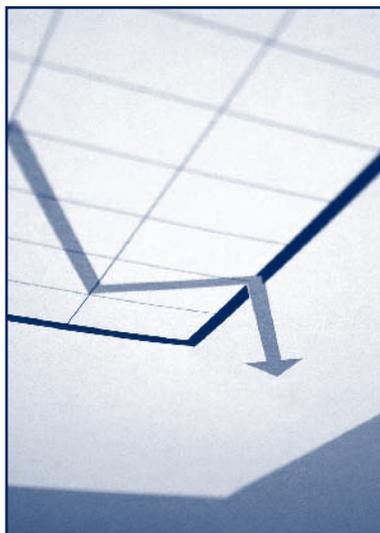
The Don't Borrow Trouble Program (DBT) in Bucks, Montgomery, Chester and Delaware counties is a public education initiative and legal assistance program aimed at stopping predatory lending practices in the region. The program seeks to educate families and individuals about how to avoid predatory lending scams and about available community resources. The Don't Borrow Trouble Helpline at 888-275-8843 offers information, brief advice and referrals to answer questions and provide direction to people facing potential or actual credit problems that put their homes at risk.

It comes as no surprise that DBT has seen record increases in usage in the past year, with nearly 600 new cases opened in 2007, an increase of more than 50% over the previous year. One significant and growing problem has been the ever increasing number of people facing mortgage foreclosure for a number of reasons. While numerous clients have prime mortgages and fall behind due to financial difficulties, many clients are losing their homes as the result of predatory purchase money mortgages and refinancings that they never should have qualified for in the first place. In these situations, we see families able to make fewer than three or four payments on their new loans before going into default.



Other problems that are on the rise include predatory mortgage products pushed on vulnerable older clients by unscrupulous loan brokers. One older woman in Bucks County living with her 70 year-old sister and 95 year-old mother was duped by a broker into refinancing her home from a solid fixed interest loan to far more expensive adjustable rate mortgage, with promises of a 1% interest rate for a full year. In fact the low rate was only for the first month and when she continued paying the very low rate, interest charges were added to the unpaid principal balance, diminishing the equity in her home by almost \$1,000 each month. The case was referred to Community Impact Legal Services where it is now being litigated.

Since every foreclosure case is different DBT continues to provide an individual assessment of each client's specific situation and refer to various community partners including housing and credit counselors, non-profit refinance rescue programs, consumer protection groups and various social service agencies.



Low Interest Rates = Less Money for Legal Aid

Since August of 2007 the Federal Funds Interest Rate has gone from 5.25% to 2.25%, a reduction of 3 full percentage points. This sudden drop in rates means that IOLTA, the Pennsylvania Interest on Lawyers Trust Accounts program which pools money earned from certain bank accounts and gives grants to legal services programs across the state, will have millions less to give in 2008-2009. IOLTA is projecting about a 37% cut in the funds that it provides to programs which translates to a decrease of more than \$330,000 in its grants to LASP in the coming fiscal year. LASP is increasing its efforts to identify and reach out to new funding sources to help make up this shortfall as well as look for ways to reduce costs.

CLIENT **Fact Sheet**

Issues in Public Benefits and Welfare Law | Spring 2008

*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.



Welfare and Benefits Help From Legal Aid

- > *Have you been denied Medical Assistance, food stamps, or cash assistance?*
- > *Are you struggling with high heating and electricity costs?*
- > *Do you feel you are not getting the government benefits you deserve?*
- > *Are you a recipient of Medicare Part B, on a fixed low income, and paying \$96.40 each month for your insurance?*
- > *Do you have a disability and a job, but don't have health insurance?*

LASP is able to help clients with all the above matters and more. LASP offices have legal staff that work on public benefit cases and evaluate every client's case to make sure she is receiving the benefits she should be.

Knowing your rights and what you are entitled to can often times be confusing and complicated. LASP staff can help you get the government help that you need to keep a roof over your head and to make sure your family gets health care, medicine and food to stay healthy and independent.

The first step is to call the LASP Toll-Free Helpline, 1-877-429-5994, Monday through Friday, 9 a.m. – 1 p.m. *Se habla español.*

CLIENT *Fact Sheet*

Issues in Public Benefits and Welfare Law | Spring 2008

Helpful Tips for TANF Recipients

KEYS Program

TANF recipients and food stamp recipients are eligible to participate in the KEYS program. The KEYS program allows benefit recipients to attend a local community college. Rather than having to participate in a local vocational program, benefit recipients can attend a two-year community college program and continue to receive their benefits. Enrollees in the KEYS program are eligible for special allowances for child care, books, school supplies, registration fees, tools and equipment. KEYS participants who are unable to obtain student loans are entitled to one semester of tuition from KEYS in order for students to get their finances in order. TANF and food stamp recipients can enroll in KEYS by telling their welfare office case worker.

Extended Benefits

People leaving TANF because they have earned income above the eligibility guidelines are eligible for extended benefits. When a TANF recipient begins to work and has too much in earnings to continue to receive cash assistance, she and her family are automatically eligible for six months of continued Medical Assistance. After six months, if the household income is below 185% of the federal poverty guidelines, the family is eligible for an additional six months of Medical Assistance.

TANF recipients receiving child care subsidies are also automatically eligible to be transferred to the Child Care Information Service (CCIS) program, which will continue to fund subsidy payments past the TANF ending date. There is no waiting period and payments should continue uninterrupted. Additionally, families not receiving child care subsidies when they leave TANF can apply for up to six months after their TANF ends.

TANF recipients whose benefits are ending because of earnings should notify their caseworkers they want extended Medical Assistance and child care subsidies.



Appealing Notices from the CAO

Inevitably all recipients of benefits from the County Assistance Office (CAO) will receive a notice from the CAO informing them their benefits are going to change. Often, these notices are difficult to understand and confusing. All notices from the CAO have a place where a recipient can file a request for a fair hearing. In most cases, this appeal must be filed within 30 days.

If a recipient's benefit is decreasing or stopping, and she thinks this is incorrect, if an appeal is filed within 13 days, the CAO must continue the benefit pending a hearing. Recipients should be careful, if they do file an appeal and lose at the hearing, they could have to pay back all the benefits they received after filing the appeal. Recipients should contact LASP for advice about whether to make an appeal.

Domestic Violence Fatality Report Issued

On March 6th, the Bucks County Domestic Violence Fatality Review Commission issued a report with the results of its two year study of four domestic abuse homicides occurring in the County between April and October of 2005. These four cases resulted in eight deaths. The number of deaths in such a short period of time and the unusual circumstances in which they occurred served as a catalyst for the formation of a commission and undertaking of the study.

The Commission was made up of representatives from numerous public and private agencies, including the District Attorney's office, police departments, domestic violence and victims' advocacy programs, Legal Aid and others. The mission of the Commission was to identify gaps in the systems or services available to the victim or perpetrator leading up to their deaths and to recommend systems changes in order to prevent further domestic abuse related fatalities.

Among the Commission's findings:

- In none of the homicides was there previous physical abuse of the victim by the perpetrator, but in all of them the perpetrator exhibited stalking and other very controlling behaviors.
- Three of the four perpetrators had documented mental illness and there was evidence that the fourth also showed signs of a mental disorder.

The Commission's recommendations stressed the need for education about lethality risk factors that were present in the four cases studied. These included drug and alcohol abuse, recent separation, and most notably the risks posed by stalking and mental illness. The recommendations also called for a multi-disciplinary team to continue to work on education, collaboration and advocacy around issues related to domestic abuse.

Board News

■ *LASP Board Member Receives PLAN Award*

On March 18th, at the Pennsylvania Legal Aid Network (PLAN) Award banquet in Harrisburg, John F. McKenna received a 2008 Excellence Award for his exemplary and "hands on" commitment to the cause of equal justice for low income residents of southeastern Pennsylvania.

John joined the LASP Board of Directors in 2004, making its fundraising efforts in Chester County a matter of his personal responsibility. He has worked tirelessly to double the base of support from members of the local bar. John McKenna is unique in his ability to bring people and systems together to collaborate in support of Legal Aid. We congratulate him on this recent honor.

■ *New LASP Board President*

In February 2008, Delaware County board member Elizabeth (Betty) C. Price became president of the LASP board of directors, succeeding Chester County board member Robert M. Mulhern, Jr., Esq. who has just completed a two-year term in that office. Betty is Executive Director of the Delaware County Bar Association and was active with the former Delaware County Legal Assistance Association prior to the merger that created LASP in 2001.

Special Thanks to Our Funders

LASP is pleased to acknowledge these recent awards:

- \$55,662 (2 yrs) – Pottstown Health & Wellness Fdn.
- \$17,887 – Chester County Trial Run (2007)
- \$15,000 – Chestnut Hill Healthcare Foundation
- \$10,000 – 1675 Foundation
- \$10,000 – E. Wallace Chadwick Memorial Fund
- \$8,250 – Sisters of the Blessed Sacrament Mission Grant
- \$6,500 – Chester Co. Paralegal Assn: "Taste of Chester"
- \$5,000 – Univest Bank
- \$2,500 – Merck & Co.
- \$1,200 – First Presbyterian Church of West Chester

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Delaware County

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Chester, PA 19013
610-874-8421

Montgomery County

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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.