

## Do You Suspect Contaminated Water? Take these steps to minimize exposure.

Drilling for natural gas is on the rise in Pennsylvania, and with it, concerns about its effects on our drinking water. Contaminants like ethylene glycol and toluene – which can damage the nervous system, brain, and heart – have been detected in drinking water near natural gas wells.

As with all health and safety threats, it is wise to take precaution. A few steps can help to minimize the risk of exposure for your family. If drilling has not yet begun in your area, make sure you get preliminary testing of your water done by a Department of



Environmental Protection-certified lab. You can call the D.E.P. at 1-717-346-7200 for a list of certified labs. If possible, make sure that drilling operations are kept a minimum of 3,000 feet away from your home, and preferably down slope from your well if you use a private well.

Signs of contaminated water include strange smells and even flammability. Symptoms of exposure may include dizziness, loss of taste and smell, and acute headaches.

If you suspect contamination, contact the D.E.P. and your local health department immediately.

## Addressing Driver's License Problems



NPLS can assist people who have various drivers' licensing issues. Our assistance and advice includes providing information about restoring driving privileges; advocating on behalf of the client regarding unsatisfied court obligations; investigating events leading to suspension and/or revocation of driving privileges. This work may involve communicating with the appropriate agency.

We also demonstrate how out of state matters may affect in-state driver's status. Many states share driver's information. Not all clients

have an immediate driver's license problem. Some want to be educated about documents they receive affecting their driving privileges. We can help explain those documents and what they might mean.

We try to develop innovative methods to reduce a suspension, fine, and/or resolve a client's driver's license problem in order to get them back on the road again as soon as possible. Clearing up these matters is another way we help clients overcome barriers to employment.

## Getting Results:

### North Penn Legal Services Outcomes for 2010-11 Program Year

- ▶ Handled **13,467** cases. The most significant increases were in employment, housing, and juvenile cases.
- ▶ Closed **9,084** cases, in which we provided direct services that helped nearly **19,431** people:
  - Litigated **2,642** cases in court, and **628** in administrative tribunals.
  - Enhanced our clients' economic security by obtaining awards totaling **\$2.1 million**, primarily in disability cases, plus **\$300,156** in monthly benefits, and relieving clients of **\$5.87 million** in debt through bankruptcy, litigation defense and negotiation.
  - Obtained **659** Protection From Abuse Orders and **600** custody and visitation orders.
  - Provided counsel and advice or limited action to **5,464** clients.
- ▶ Turned away **26,659** applicants, most of whom were financially eligible for services.
- ▶ Distributed **3,276** pamphlets and conducted outreach events to **2,368** people.
- ▶ NPLS' website received **116,187** page views.

## Executive Director's Message

As NPLS completes the first quarter of our program year that started on July 1, we are preparing for possible budget cuts that could take effect on January 1, 2012. NPLS' major funder Legal Services Corporation (LSC) could be dealt a federal appropriations cut anywhere between 2% to 26%. The weakened economy continues to stress families and bring them to our door in greater numbers. While the U.S. Census Bureau released its official poverty statistics in September and shows that 1 in 5 Americans are eligible for legal aid services, we might be saying no to more eligible applicants. NPLS will carefully monitor the current events in Washington, D.C. as we approach the New Year.

State and IOLTA revenue shortfalls effective July 1 caused NPLS to eliminate many staff benefits, close an outreach office in Susquehanna County and lay off four staff. We are ramping up our brief services program, strengthening our pro bono efforts, reviewing new ideas for automated legal documents to assist pro se litigants, and strategizing on ways to offer more information to low-income people on our website and Facebook page in order to provide as much assistance as possible, with fewer resources.

**NOTICE:** The 12 offices of North Penn Legal Services (NPLS) will be closed from December 23 through, January 2, 2012 and will re-open on January 3, 2012. New clients should note that there will be no staff in the office to take calls, receive faxes, or do an intake until January 3, 2012.



# Appeal for Justice

Fall 2011



### Services Include:

- Individual representation
- Information
- Referral
- Advice through telephone and helpline
- Community legal education
- Support for those clients who will be taking responsibility for handling some or all aspects of their cases.
- Call 1-877-9-LEGAL-0

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## Chief Justice Praises Verdict of Legal Aid Funding Audit

Chief Justice of Pennsylvania Ronald D. Castille commended the PA Legal Aid Network for the positive performance audit they received from the Legislative Budget and Finance Committee (LBFC) on their administration of Access to Justice funds. The Chief Justice also agreed with the audit's judgment that funding sources for legal aid to the state's most vulnerable citizens—those who don't have the financial means to access the courts—should be made permanent.

"The Pennsylvania Legal Aid Network provides legal assistance and access to the courts for Pennsylvanians whose family income is less than 125 percent of poverty level—those who don't have the financial means to access the courts in these difficult economic times, but for whom that access is now more critical than ever," Chief Justice Castille said. "Even with the assistance of legal aid, approximately 50 percent of eligible Pennsylvanians seeking services are turned away due to resource constraints."

*"We are truly gratified that the performance audit confirms the superior quality and high level of legal services provided to clients across the Commonwealth."*

— Gerald A. McHugh, Esq.  
Pennsylvania Legal Aid Network, Inc. Board President

for those clients who take direct responsibility for handling some or all aspects of their legal problem.

During the 2010-11 program year NPLS has closed 9,084 cases in which the organization has provided direct services that helped 19,431 people. Despite the fact that NPLS provided more services to clients with their employment, housing, and juvenile issues, the funding picture for the upcoming fiscal year is bleak.

The Access to Justice Act is scheduled to expire in November 2012 unless reauthorized by the General Assembly. Throughout the past year, Chief Justice Castille has urged the legislature and governor to continue funding of these services in budget hearings and meetings.

Roughly 24 percent of the federal and state funds received by the legal services program are from the Access to Justice funds. In 2002, the legislature passed the Access to Justice Act imposing a \$10 fee on filings in state courts with \$2 of that fee devoted directly to funding of civil

legal service organizations.

Each year, The Access to Justice Act filing fees are awarded through a grants process to the Pennsylvania Legal Aid Network, Inc. under the stewardship of the Pennsylvania Interest on Lawyers Trust Account (IOLTA) Board—an organization operating under the jurisdiction of the Supreme Court of Pennsylvania.

"This performance audit is a terrific report card—it documents what we as members of the IOLTA Board know and see each day," said IOLTA Board Chair William T. Hangle, Esq. "The well-managed legal aid programs funded by the IOLTA Board provide high quality, meaningful legal assistance in an efficient manner and are worthy of additional investment by the General Assembly."

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Legal Advocates for Low Income Families

## LEGISLATORS: Partner with NPLS to offer Older & Wiser Program to your constituents



**Issues relating to older adults are becoming paramount as baby boomers reach retirement age and simultaneously cope with concerns for their own aging parents. In fact, legislators cite matters related to aging as among the top reasons for community members to contact their offices. Working together as seminar co-sponsors, NPLS and legislators can respond effectively to these pressing concerns.**

Older & Wiser will benefit your community in your legislative district. NPLS invites you to participate in the Older & Wiser program as a co-sponsor of a series of free, civil legal information seminars addressing matters of importance to residents of the communities you serve.

### Sample topics include:

- Protection through Powers of Attorney and Living Wills
- Dealing Effectively with a Health Care Facility
- Understanding Your Retirement Benefits
- Learning About Last Wills and Living Trusts
- Mortgage Foreclosure and Older Adults
- Navigating Medicaid

### Seminar Format:

- 90-minute or 2-hour oral presentation, including a brief break, followed by a Q&A period
- PowerPoint speaker support
- Diverse referral information
- Take-away materials

### To Become a Co-Sponsor:

For more information or to co-sponsor seminars for your community, please contact Alison Norton at 610-317-5314 or via email at [anorton@northpennlegal.org](mailto:anorton@northpennlegal.org).

The seminar series is titled Older & Wiser because its content can help older adults and their families or caretakers make important decisions. Each seminar targets a separate topic of high relevance and immediate practical application to that audience.

### What NPLS Provides:

- Presenters
- Coordination
- Content
- Supply Older & Wiser brochures and flyers

### What Legislators Provide:

- Venue: Convenient, ADA-compliant locations for the seminar
- Scheduling: Date and time convenient to attendees
- Refreshments: Light refreshments suitable to time of day
- Publicity: Circulate news releases, promote seminars to the community in newsletters, on websites and via local media

## Staff Spotlight: Mary Ann May—Local Ombudsman for Luzerne/Wyoming Counties Receives Award

NPLS Ombudsman for Luzerne and Wyoming Counties, Mary Ann May, was honored with Pennsylvania's highest award for model ombudsman services. She is responsible for two counties with almost 80 facilities. During a 12-month period, Mary Ann and her PEER volunteers conducted over 287 facility visits for an average of 3.8 visits per facility. Together, Mary Ann and her volunteers attended 90 resident council visits and provided 360 seniors with information and consultations. Since 2004, Mary Ann has trained

170 PEER volunteers and established PEER groups in 16 facilities.

A recent bankruptcy case led Mary Ann and her volunteers to implement a plan of action to monitor issues in two facilities affected by the bankruptcy as well as coordinating efforts with the local ombudsman in a neighboring county who also had a facility impacted by the same bankruptcy case. NPLS congratulates Mary Ann and her volunteers on a job very well done!

## Pro Bono Attorney Achieves Great Outcome For Family Law Client

Volunteer Attorney Melissa P. Rudas, Esq. accepted a pro bono case to help Maria gain visitation with her daughter. Maria hadn't seen her daughter for almost three years because the child's father took their daughter and left the Lehigh Valley. Maria had no idea of her daughter's whereabouts. When the child's father returned to Bethlehem, Maria eventually discovered where her daughter was now residing. Maria filed another contempt action against the

child's father. Attorney Rudas represented Maria at the contempt hearing. The child's father did not appear at the conference and a Custody Order was granted giving Maria shared custody of her daughter. The child's father was fined \$2,000 for his contempt of a prior Order. Fortunately, Maria and her daughter were reunited as a result of Attorney Rudas' representation.

## NPLS Staff Attorney Amanda Young Praised for Legal Work in Luzerne County

Amanda Young, Esq.—a Staff Attorney at NPLS' Wilkes-Barre office was commended by Judge Panella for her time and effort in representing a child through her brief and argument in front of the PA Superior Court in Harrisburg on July 20. The case involved a newborn being placed with her natural father. The natural mother contested the confirmation of custody. Attorney Young represented the child at all local court hearings as well as producing the brief for appeal. Judge Panella asked Ms. Anderson about her position as a Guardian Ad Litem Attorney. The Judge was impressed that she was providing Guardian Ad Litem services full time. Her advocacy helped the Judge make his decision by providing a solid and well-informed factual record for his review.



## Chief Justice Praises Verdict. . . continued from page 1

Pennsylvania Legal Aid Network, Inc. Board President Gerald A. McHugh, Esq. stated, "We are truly gratified that the performance audit confirms the superior quality and high level of legal services provided to clients across the Commonwealth. The audit's findings are indeed a tribute to the important work undertaken by the attorneys and other dedicated professionals of the local legal aid programs working to ensure equal access to justice for those who have nowhere else to turn."

"This audit provides ample evidence of the success and value of funding legal services through the Access to Justice Act. In addition to

addressing overall court funding issues, I encourage the legislature to make these filing fees a permanent, stable funding stream for legal aid," Chief Justice Castille said.

Another temporary surcharge of \$1 on filing fees that goes to fund legal services is slated to expire in January 2012. The LBFC report recommends the General Assembly consider making both fees a permanent source of funds for the legal aid program.

Retrieved from the Administrative Office of Pennsylvania Courts.

## Bed Bugs: Infestations on the Rise

By: Leah Finlayson, Esq., Managing Attorney, Bethlehem Office

Did you see on the news about the bedbugs found at the movie theatre? What about at that Hilton Hotel? Cases of bedbugs have received more publicity in the last few years. However, despite more awareness of bed bug infestations, cases are on the rise – especially in apartments of low-income families. **So what are bed bugs and how do I know I have them?**

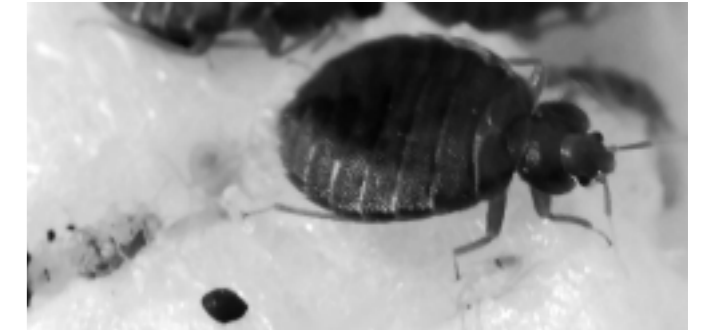
Bed bugs are tiny wingless insects that survive solely on the blood of warm-blooded animals. They are about 1/4 of an inch in length. An adult bed bug is reddish-brown, flattened, and oval, with microscopic hairs that give them a banded appearance. Most people don't know they have bedbugs until they are bitten or they start to itch. Bedbug bites can look like mosquito bites. If you get bitten or start to itch, you may want to look at your mattress or other furniture for bedbugs. Bed bugs readily hide in small crevices. They may accompany luggage, furniture, clothing, pillows, boxes and other such objects when these are moved between apartments, homes, and hotels. There have been a higher occurrence of bed bugs and their eggs in used furniture, especially bed frames and mattresses. Bedbugs can also spread in apartments through pipes and other ventilation systems.

Bed bug infestations are a serious problem and you should not ignore it if you find bed bugs in your apartment. Bed bugs infestations happen quickly and a female bed bug can lay hundreds of eggs throughout their lifetime. **So what should you do if you find bed bugs in your apartment?**

1. Notify your Landlord/Management immediately of signs of bed bugs!!
2. Cooperate with the Landlord/Management and Pest Control.
3. Reduce clutter, inspect and vacuum frequently around rooms and your furniture.
4. Do NOT attempt to treat with store bought insecticides on your own!

### What does the Landlord/Management need to do if bedbugs are detected?

1. Be attentive to signs/complaints of bed bugs in your property!
2. Contact a certified pest control agency for inspection and treatment(s).
3. Reduce clutter, inspect, vacuum frequently and caulk crevices around rooms.



### Can you keep your belongings after a bed bug infestation?

There are differing opinions about whether or not you should throw away your belongings after a bed bug infestation. If the infestation is severe, you may want to play it safe and throw away as much as possible. However, many people cannot afford to do so. The problem is, bed bugs can hide in such small places. There is always a chance of a reoccurrence of the problem. You should discuss treating your furniture with the exterminators. If you decide to throw away your affected items, please make sure you dispose of them in the garbage or mark them in some way so that other people do not take them and bring them into their apartment.

You may be able to save any affected clothing by washing them in hot water and drying them on the highest dryer setting. If you are washing and drying in batches, protect the clothes you have already treated by sealing them in a new tightly closed garbage bag. Any clothes that cannot be salvaged should be sealed tightly in a plastic garbage bag and thrown away in trash cans.

### Is there any laws in PA that address the bed bug problem?

Many states have already enacted bed bug legislation and hopefully Pennsylvania is not that far behind. In April 2011, Senator Larry Farnese of Philadelphia introduced Senate Bill 908, a free-standing act that will address the growing health concerns regarding bed bug infestations in multi-unit buildings and hotels. Most notably Bill 908 would make it clear that landlords and hotel owners provide a clean and sanitary living environment free of bedbugs. It would make property owners responsible for the maintenance of a bed bug-free facility and must remove bed bugs at their own expense upon notification of their presence. Hopefully, this bill will pass and provide some much needed relief for low-income families dealing with the problems of bed bugs.

