

Pro Bono Conference Held March 7, 2011

The spirit of service was in the air across the commonwealth on Monday, March 7, 2011, as more than 150 attorneys and law students participated in the 2011 Pennsylvania Bar Association Pro Bono Conference.

Chief Justice of Pennsylvania Ronald D. Castille and PBA President Gretchen Mundorff have called for the expansion of pro bono legal services to the poor and lawyers and law students answered that call by traveling to one of the nearly 20 statewide locations to learn about ways to serve by joining in the pro bono conference and CLE program sponsored by the PBA's Legal Services to the Public Committee in conjunction with the Pennsylvania Bar Institute.

PBA Pro Bono Coordinator David Trevaskis kicked off the program by thanking PBI for its support of the call for pro bono service, support that included a significant price discount. He then called up Cozen O'Connor member and Pro Bono Chair Doug Fox and Cozen associate Elena Park to present Park with her 2010 Pro Bono Award for her work representing and counseling the indigent on immigration issues.

Lisa Shearman and Jennifer Murphy then kicked off the program with their Wills for Heroes session which highlighted the work that hundreds of lawyers are doing almost every weekend in providing first responders with basic estate planning documents. Watching the session which was beamed live from Philadelphia, as were all of the morning sessions, was part of the team that will be conducting a WFH program as part of Dickinson/Penn State Law's public service spring break work this coming weekend. Included in that team were Dickinson/PSU Public Interest Programming Director Kate Cramer Lawrence and some of her students plus PBA Pro Bono Office Administrator Gabriele Miller Wagner (herself a first responder and a veteran of these clinics).

Other morning sessions included Pro Bono Program in a Box with Philadelphia VIP's Executive Director Sara Woods, VIP Managing Attorney Stefanie Seldin, PECO's Kevin Stepanuk and Blank Rome Pro Bono guru Kathy Ochroch, as well as a session by Montgomery Child Advocates Program Director Mary Pugh and Stoneleigh Fellow and Youth Court expert Greg Volz on ways to improve how children are treated by the system

After a lunch break, PBA Pro Bono Coordinator David Trevaskis kicked off the program live from Mechanicsburg with the help of Pennsylvania Legal Aid Network (PLAN) Executive Director Sam Milkes. Their remarks merged into a session featuring the paprobono.net and palawhelp.org technology through the prism of an immigration law hypothetical. PLAN Technology guru Hank Leone, Pennsylvania Immigration Resource Center (PIRC) Executive Director Angie Eveler and PIRC Staff Attorney Brooke Del Greco joined Milkes and Trevaskis in this session that highlighted the new Immigration Law Committee which will mark its first meeting at the coming Committee/Section Day. North Penn legal Services Jennifer Heverly then conducted a session on mortgage foreclosures and discussed how smaller counties might start up a program, showing how that can work with pro bono support. Neighborhood Legal Services attorney Joe Olimpi closed out the day with a presentation on the Older & Wiser Project which connects legal aid programs, legislators and private practice attorneys in an educational outreach effort. This is a specifically tailored program around elder law issues due to the high volume of questions both NLSA and receive on elder law topics. Currently, presentations are available on the topics ranging from Protection through Powers of Attorney and Living Wills to Dealing Effectively with a Healthcare Facility.

#

On the following pages see photos from the conference and the immigration law hypothetical.

PHOTOS FROM THE CONFERENCE



PBA Pro Bono Coordinator David K. Trevaskis starts the conference, with, at right, Lisa Shearman and Jennifer Murphy going over last minute details before their “Wills for Heroes” session led off the day.



Elena Park of Cozen O'Connor, one of the lead attorneys on the team of counsel who undertook the highly publicized immigration rights case challenging the city of Hazelton, Pa., Illegal Immigration Relief Act, receives her 2010 Pro Bono Award with, at left, Cozen O'Connor member and chair of the firm's Pro Bono Committee Douglas Park and PBA Pro Bono Coordinator David Trevaskis.



Conference attendees

HYPO

It was a brisk, sunny winter afternoon as Providence Pro Bono peered out her office window for a brief moment thinking of warmer days to come. But her focus was not distracted for long as her attention quickly turned back to the mounting pile of discovery on her desk related to a major med mal case she had been working on for months. The office phone buzzed. It was Providence's secretary, Doris. "I thought I indicated that I didn't want to be disturbed this afternoon," touted Providence. "I know," replied Doris, "but Marietta Appleson is calling, and she seems very upset and says that she must talk to you immediately." Marietta has known Providence her entire life and is a close friend of Providence's family. "All right," replies Providence, put the call through."

Glancing at the mountain of paperwork on her desk, Providence reluctantly picks up the phone. "Hello Marietta, what's going on?" Marietta is out of breath as she leaps into a string of rambling sentences. "Providence, I'm so sorry to bother you, but I need your help. I didn't know who else to call. You know I've been a member of St. Patrick's Church for a long time. We have a weekly clothes closet event every week down by the BuyRite grocery store. I've met this woman who is in desperate need of help. She is from Senegal and she has two young children. She wouldn't share a lot of information with me, but it is clear, based on what she has told me and what I have seen, that she is a victim of domestic violence. "

Providence reluctantly agrees to speak to the woman and tells Marietta to have the woman call her office. The woman calls only minutes later and through their initial conversation Providence learned the following:

Ida Immigrant, a 28 year old woman from Senegal, entered the U.S. on a student visa in 2005. She attended college for two semesters during which time she met Hank Hostility a construction foreman who was supervising the development of a new wing to the University that she was attending. Hank was born in the U.S. and had spent his whole life in Pennsylvania. The two began dating and, 6 months later, Ida discovered that she was pregnant with their first child. Ida gave birth to her son, Hansel in August of 2007. Later that same year, she and Hank moved in together. Ida had a difficult pregnancy and found it impossible to continue attending classes in her third trimester. As a result, Ida dropped out of school, an action which caused her student visa to lapse.

According to Ida, Hank was a very kind and loving man while they were dating. He was excited about the birth of Hansel and promised Ida that he would always take care of them. However, Ida reports that by the time Hansel was about 3 months old, Hank began to withdraw. He often complained about the financial burden of having a child and a girlfriend who couldn't work. Hank began coming home from work intoxicated and refused to speak to Ida or pay any attention to Hansel. If Ida tried to initiate conversation, Hank became angry. During his tantrums, he would accuse Ida of becoming pregnant on purpose to trap him. He also repeatedly referred to her as "worthless" citing her inability to work in the U.S. and contribute to the household.

One night in March of 2008, Hank returned home drunk as usual. Ida told him that his dinner was in the microwave. After tasting his food, Hank became enraged, stating, "Not only can you not work, you can't even cook! You are a useless whore!" Hank threw the plate against the kitchen wall, shattering it. Ida

rushed over to clean up the mess and as she knelt to pick up the pieces, Hank pushed her, causing her to fall against the floor. "Stay down there where you belong," he shouted, and then went to bed.

The next day, Hank apologized profusely for his behavior. He admitted to being stressed out at work. He told Ida that he wanted to marry her. Through marriage, Ida would be able to get her green card and work legally in the U.S. Hank insisted that marriage would solve all their problems and apologized for not having proposed sooner. He said he loved her and would never hurt her again. Ida and Hank were married in a civil ceremony two weeks later.

Ida states that things were calm for a time, until June of 2008 when Hank returned home to find Ida chatting on their front porch with their neighbor, Leon. Hank grabbed Ida by the arm and rushed her inside. He said that it was inappropriate for her to be talking to another man without him present. He said that now that she is his wife, she has to be more careful about the way she behaves in public. Ida insisted that she had done nothing wrong and that Hank was being unreasonable. Hank slapped her across the face and said, "If you can't learn how to behave, then maybe I can't remember to file your immigration papers."

In August of 2008, Ida learned that she was pregnant with their second child. She gave birth to their daughter, Gretel, in February 2009. According to Ida, the abuse escalated after Gretel was born. Hank became increasingly irate and constantly complained about money. He said he didn't make enough to support two kids and a wife and blamed Ida for becoming pregnant a second time. Ida told him that if only he would file her immigration papers, she would be able to work legally and their money problems would be solved. Whenever Ida brought up the subject of her immigration papers, Hank responded that they just didn't have the money right now, and as soon as he could save enough, they would file.

Hank began drinking every night. Some nights he didn't come home at all. If Ida asked where he had been, he would say, "None of your fu**ing business" and raise his fist to her face. One morning, when Ida insisted that he tell her where he had been all night, Hank grabbed her by the throat and choked her until she nearly lost consciousness. Hank told her she needed to learn her place. He said that if she dared to call the police, he would never send in her paperwork and make sure that she got deported. He told her that she would be deported and he would keep the children with him and she would never see them again.

As time went on, Hank's paranoia and jealousy grew. After seeing Ida wave to their neighbor Leon across the lawn, he beat her in her face and threw her against the bedroom wall. From then on, he refused to allow Ida to have a cell phone. He disconnected the land line at their apartment and told her not to ever go outside without his permission.

Hank's abuse worsened when Ida refused to have sex with him one night when he was intoxicated. Hank grabbed her by the throat and said that since she is his wife, she has to please him in the bedroom. Hank raped Ida despite her pleas for him to stop. Ida reports that he forced her to have sex on multiple occasions to follow. Ida said that she often thought about calling the police, but feared that she would be deported and could not bear the thought of being separated from her children.

One night, in December of 2010, Hank came home and, without warning, punched Ida in the face. She had no idea why he was so angry, but moved quickly to defend herself. She said there was something in his eyes that night that terrified her. She ran into the bathroom and locked the door behind her. Hank followed and began kicking at the door until it finally broke open. He grabbed Ida and threw her to the ground. He went to the kitchen and got a large knife. He forced Ida to her feet and told her that she had caused him enough misery and that it was time for her to pay for what she had done. Ida instinctively kicked Hank in the groin and ran towards the front door. She ran out of the apartment and kept running until she reached a convenience store about half a mile down the road. From there, she called the police.

Once the police arrived, Ida made a full report of what had happened that day. She accompanied the police back to their apartment. Once there, Ida saw that Hank's truck was gone. Inside, their two young children Hansel and Gretel were crying alone in the back bedroom. While the police continued talking with Ida, Hank returned to the apartment and burst through the door yelling that Ida was a "lying bitch" and should be deported. The police found that Hank had an outstanding warrant for a DUI and on that basis, arrested him and took him to jail. Meanwhile, they called Children and Youth services to come get the children. Ida begged them not to take her children, but they told her that it wasn't right for her to leave them home alone and that they felt the children were in danger there at the apartment.

It has now been three months since Hank's arrest. He has not returned to the house. Ida is unsure if he is still in jail or not. She has not heard from the police regarding the report that she made. Ida's two children are still in state custody. She wants to get them back but doesn't know where to start. To make matters worse, her landlord is threatening eviction because the rent has not been paid since Hank's departure. Ida is still undocumented and unable to work.

#