

Reinstating Insurance for Thousands of Low-Income Pennsylvanians

By John P. Lavelle Jr.

BEGINNING IN JULY 2011, THE PENNSYLVANIA DEPARTMENT of Public Welfare (DPW), which administers the Medicaid program in the Commonwealth, decided to conduct a review of Medicaid and Temporary Assistance to Needy Families cases that were allegedly overdue for re-evaluation.

The scope of the redeterminations was vast, with potentially devastating consequences for many low-income families and persons with disabilities. By DPW's own statistics, during the second half of 2011, about 150,000 Pennsylvanians, including 89,000 children, lost their health insurance and access to health care. Hundreds contacted Community Legal Services (CLS) for help, frequently telling the same story: they had completed and submitted the required paperwork, just as they had in the past, but their benefits were cut off despite their efforts. Many even had receipts for their submissions.

Early on, CLS realized that the complexity of the legal issues and the number of people affected presented an enormous challenge. It was clear that individual advocacy was not going to resolve the problem. CLS

turned to Morgan, Lewis and Bockius LLP to act as co-counsel. Having a long relationship with CLS and sitting on its Board, I was excited by the prospect of working with CLS. My partners Joyce Cowan and Amanda Smith and I assembled a team to pursue the multi-faceted case. Recruiting extra volunteers from Morgan Lewis was easy since everyone we approached wanted to lend a hand.

Our new joint team quickly sprang into action to address the issue. CLS's efforts to resolve the matter informally were unsuccessful and so, in early 2012, we officially notified DPW and the Commonwealth of our intent to file a class action to reinstate the thousands of dis-enrolled families and negotiations finally began. CLS, like all other legal services programs receiving funding from the Commonwealth, must file a pre-litigation letter prior to filing a class action to avoid "frivolous" litigation. Though this was not a procedure with which we were familiar, it allowed us to begin meaningful negotiations immediately.

Together with CLS lawyers Richard Weishaupt and Justine Elliot, we entered into lengthy negotiations that led to a detailed letter of understanding that resulted

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Pro Bono

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Among the events, the First Judicial District will celebrate National Pro Bono Week on Thursday, Oct. 23 with its annual Pro Bono Publico Awards Ceremony and Pro Bono Roll of Honor. The event celebrates the contributions of those who provided pro bono representation in the calendar year 2014 and recognizes the importance of pro bono in ensuring justice for the citizens of Philadelphia.

The entire legal community can support Philadelphia's legal service agencies on any day during October by participating in "Go Casual for Justice." Coordinated by the Philadelphia Bar Foundation and the Philadelphia Bar Association's Large Law Firm Pro Bono Committee, employees at participating workplaces pay a suggested donation to wear jeans for the day. All proceeds go to the Philadelphia Bar Foundation, which provides general operating grants to legal services organizations in Philadelphia. To participate, contact Maya Brown at mbrown@philabar.org.

Whether you are an experienced volunteer, new to pro bono, or new to the practice of law, we hope that you will join us as we celebrate Philadelphia's commitment to access to justice.

"You make a living by what you get; you make a life by what you give."

- Winston Churchill

Jodi Schatz and Sara Woods are co-chairs of the Delivery of Legal Services Committee Pro Bono Committee.




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DISTINGUISHED NEUTRALS
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Bench-Bar

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Civil Gideon and Access to Justice Task Force, Criminal Justice Section, Diversity in the Profession Committee, Election Procedures Committee, Family Law Section, Federal Courts Committee, Immigration Law Committee, Law Practice Management Committee, LGBT Rights Committee, Professional Responsibility Committee, Public Interest Section, Real Property Section, Social Security Disability Law Committee, State Civil Litigation Section, Tax Section, Workers' Compensation Section and Young Lawyers Division.

Other highlights include the closing "State of the Courts" presentation with reports from Chief Justice Ronald D. Castille, Pennsylvania Supreme Court; President Judge Susan Peikes Gantman, Pennsylvania Superior Court; President Judge Dante R. Pellegrini, Pennsylvania Commonwealth Court; President Judge Sheila A. Woods-Skipper, Philadelphia Court of Common Pleas; and President Judge Marsha H. Neifield, Philadelphia Municipal Court.

Attendees will be able join us for "An Intimate Evening With Felix Cavaliere of The Rascals" and hear such classic hits as "Good Lovin'," "Groovin'," "People Got to Be Free," "A Beautiful Morning" and more! Doors open at 10 p.m. on Friday, Oct. 17 for the concert. Admission is free to all Bench-Bar registrants. The concert follows the "Swanky Soiree" at MIXX nightclub from 7 to 10 p.m.

Full conference registration rates are \$449 for members and \$299 for Young Lawyers Division members, public interest and government attorneys. Registration for non-members is \$599. Registration includes all CLE programming and all sponsored meals and events on Friday and Saturday.

Win an iPad Mini

REGISTRATION OPENS AT 9:30 A.M. AT BORGATA IN Atlantic City, N.J. on Friday, Oct. 17 for the Philadelphia Bar Association's Bench-Bar & Annual Conference. Meet our valued sponsors who have made this year's Bench-Bar & Annual Conference possible. Also, we invite you to visit each of our sponsors throughout the Conference to get your "Passport" stamped to enter a raffle to win an iPad Mini!

Philadelphia Bar Association 2014 Bench-Bar & Annual Conference October 17 - 18, Borgata, Atlantic City - Registration Form

Registration Type	Member	Public Int., Gov., or YLD Member	Non-Member	Total
Full Conference: Includes all CLE programming and all sponsored meals and events on Fri. and Sat.	\$449	\$299	\$599	
Friday Only - Includes Dinner Reception: Includes all CLE programming and all sponsored meals and events on Fri.	\$329	\$179	\$479	
Friday - Dinner Reception Only: Includes Fri. night event only. \$25 more at the door <i>Member or guest of member only</i>	\$175	\$150	N/A	
Saturday Only: Includes all CLE programming and sponsored meals on Sat.	\$259	\$109	\$409	
Non-CLE Credit and Guest Fee: Includes all sponsored meals and events on Fri. and Sat. <i>Member or guest of member only</i>	\$225	\$200	N/A	

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Additional Information

Final registration deadline is **October 14**. Cancellation and Refund Policy: All cancellation requests must be submitted in writing to Tracey McCloskey at tmccloskey@philabar.org. The amount refunded for cancellation is dependent upon the date the cancellation request is received. Cancellations received through **Oct. 14**; 50% of the total registration fee will be refunded. Cancellations received after **Oct. 14** are 100% nonrefundable.

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Bench-Bar & Annual Conference Sponsors

Pro Bono Spotlight

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in extraordinary relief for our clients. Many of the most vulnerable families had their cases re-reviewed and everyone was offered an opportunity for reinstatement. Thousands were thus reinstated and regained their health insurance through our efforts. Those of us at Morgan Lewis were pleased to be able to lend our legal talents to such a high-impact case. We learned a great deal about the way the Commonwealth delivers services to its low-income citizens, and we were impressed with the energy and expertise that the CLS lawyers brought to the table. We all felt proud of our efforts and the results we achieved.

John P. Lavelle Jr. (jlavelle@morganlewis.com) is a partner with Morgan, Lewis & Bockius LLP.