



The History of Philadelphia Lawyers for Social Equity

The following history was written for the celebration held on June 4, 2018, in honor of Mike Lee, one of PLSE's founders and its inaugural executive director.

Origins

PLSE was founded in 2010 by three Philadelphia-based civil rights lawyers – Ryan Allen Hancock, Michael Hollander, and Michael Lee – who wanted to create an alternative model that brought legal services directly into the communities most affected by criminal history record information and other social justice inequities. At the time, Ryan was Assistant Chief Counsel with the Pennsylvania Human Relations Commission, Mike Hollander was a Skadden Fellow with Community Legal Services (CLS), and Mike Lee was a criminal defense attorney not long out of Drexel University's Law School.

The idea for PLSE was summarized in a grant proposal submitted by the Philadelphia Chapter of the National Lawyers Guild in November 2009 and signed by Ryan:

Criminal records present a significant obstacle to employment for thousands of Philadelphians. Because of structural and cultural inequities, a criminal history disadvantages people of color and the poor. We hope to reduce the effect of these records through efforts on four fronts:

- 1. Educational seminars including "know your rights" training and information on how to clean up a criminal record.*
- 2. CLEs to train attorneys in Philadelphia to perform pardons and expungements.*
- 3. Direct service work to prepare and file expungement petitions for Philadelphians.*
- 4. Political advocacy work to reduce the impact of criminal records through an expansion of the expungement statutes.*

We aim to complete these goals through the support of the legal community and those affected by criminal records.

The Bread & Roses Community Fund awarded \$4,500 to this project, and the Criminal Records Expungement Project ("CREP") was born.

The Clinics and The Expungement Generator

The primary method employed by PLSE were neighborhood clinics, and the first one was held on February 5, 2011 at the Enon Tabernacle Baptist Church. The founders were joined by a few volunteers provided by CLS. Almost 300 people attended and completely overwhelmed the volunteers. The second occurred a week later, when half

of the trained Enon volunteers did intake, and the other half started drafting the paperwork. The Enon volunteers had to come in a third day to complete all the work.

Obtaining an expungement requires significant time and effort. It could easily take two hours or more to prepare the required legal paperwork for one client. The need for a more coordinated and expansive response to the criminal records in Philadelphia communities became apparent immediately at the Enon clinics.

In response to this need, Hollander wrote custom software that searches the official court website for all the criminal records of a particular client, finds all cases, identifies and extracts all of the non-conviction data that might be eligible for expungement, and electronically creates a first draft of each possible expungement petition – all in 2-3 minutes. By May 2011, the Expungement Generator was born. Over the next seven years, it generated over 40,000 petitions, the equivalent of ten years of work by a full-time employee.

Word spread. More clinics were scheduled and filled. Law students from University of Pennsylvania, Temple University and Drexel University law schools began to volunteer as part of the school's public service program. With their help, clinics were held regularly at the People's Emergency Center in West Powelton, and at Hope Outreach Ministries in Kensington. Attendees learned about criminal record histories, began the process of cleaning up their own records, and left to tell others. The law students received first-hand educations about the struggles and indignities low-income Philadelphians endure as they try to obtain jobs, housing, and other benefits for which they were qualified. In just two years, over 100 students had volunteered for CREP, over 700 client intake interviews have been conducted, and PLSE had filed over 4,000 expungement petitions. Penn Law School adopted CREP as a student-led pro bono project in 2014 and has staffed community intake clinics with PLSE seven times each academic year since then.

The success of the PLSE expungement clinics inspired CLS to hold similar clinics, which in turn has inspired many others to do the same. Clinics themselves were not new to the delivery of civil legal service to the needy, but introducing them in this context was a major innovation in the world of legal services and expungements.

The Organization Matures

PLSE developed a detailed understanding of the unique legal and illegal challenges that survivors of the criminal justice system encounter in Pennsylvania. It found that arrests that did not lead to a conviction (that is, record entries that are linked to a disposition of Not Guilty, Withdrawn, Nolle Prossed, and so on) often posed as significant a barrier to employment as did actual convictions. PLSE began to partner with the Lawyers' Committee for Civil Rights Under Law, the Public Interest Law Center of Philadelphia and a panel of pro bono lawyers from the private bar in what became known as PLSE's Fair Employment Opportunities Project (FEOP). FEOP brings cases on behalf of job applicants whose rights under Pennsylvania's Criminal History Record Information Act (CHRIA) may have been violated by current or potential employers.

By August 2011, PLSE had a staff of one, Mike Lee who was its executive director, and an office on Cherry Street, and was incorporated as a Pennsylvania not-for-profit. It was one of just three legal service organizations in Philadelphia to be permitted blanket IFP

(in forma pauperis) status for its clients (CLS and the Defender Association of Philadelphia were the others). PLSE received its IRS §501(c)(3) determination in April 2012. A few months later, it received its first Phoebus Criminal Justice Initiative Grant from Bread & Roses, in its own name.

Innovations in the Court of Common Pleas

In 2011, the Defender Association, the only organization regularly filing expungement petitions before PLSE, had an unwritten rule to limit expungement petitions to 20 per day. It was clear that the need for expungements in Philadelphia was far greater than this. PLSE began filing en masse over two hundred expungement petitions from a single intake clinic. With meticulous preparation, PLSE delivered boxes of petitions to the Philadelphia Court of Common Pleas. The court was buried in the paperwork, and unprepared to handle these filings. Three weeks later, PLSE mobilized its clients to call the court to inquire about their petitions.

In response, the Court, in collaboration with PLSE, CLS and the Defender Association, created a system that allows electronic filings of “batches” of petitions. Today, with the assistance of law students at Penn Law and Drexel Law, and thanks to the Expungement Generator and batch filings, PLSE typically files more than 100 petitions at a time, and more than 2400 a year. PLSE’s success rate is over 98%.

Local and National Attention and Recognition

In 2014, PLSE was the smallest organization in the country to be awarded an Equal Justice Works AmeriCorps Legal Fellow in the Employment Opportunity field – an award which doubled the number of PLSE’s staff attorneys. The Award paid half the salary of a recent law school graduate for a year, and was renewable for a second year. Zane Johnson joined the PLSE staff in 2016 as PLSE’s second AmeriCorps Fellow.

By 2016, the issue of criminal records and the severe, permanent, and inter-generational harm they inflict had become subjects of public attention, and the importance of PLSE’s work became more widely understood and appreciated. So, too, was Mike Lee’s leadership, as he began receiving recognition for his work. Among others, the awards he received included the F. Sean Peretta Service Award from the Young Lawyer’s Division of the Philadelphia Bar Association, the Outstanding Young Attorney from the Barristers Association of Pennsylvania, the La Justicia Award from the Hispanic Bar Association, and the Excellence Award from Pennsylvania Legal Aid Network.

In 2017, PLSE received two prestigious honors: the Louis J. Goffman Award from the Pennsylvania Bar Foundation for outstanding volunteer legal service to the poor, and the Barra Award from the Barra Foundation, which recognized PLSE as an “exemplary nonprofit” demonstrating “great leadership, performance and adaptability.” PLSE was also invited to join Pennsylvania’s Lieutenant Governor and the Secretary of its Board of Pardons at a summit called by Director of National Drug Control Policy to discuss Pennsylvania’s “Pathways to Pardons” program.

The year 2017 ended with the election of a reform-minded District Attorney, who asked Mike Lee to join his leadership team as the legislative director for the District Attorney’s Office. In January 2018, Zane Johnson became Managing Attorney; volunteer staff attorney Tobey Oxholm, who had been instrumental in the success of many other Philadelphia public interest law projects, was named as Interim Executive Director.

More Innovation to Come

Recognizing that significant criminal justice reforms were possible, PLSE increased its staff to include a Director of Communications and Community Outreach and a Pro Bono Paralegal. It also entered into a new partnership with the Philadelphia Association of Paralegals and a growing number of law firms, where volunteer paralegals and lawyers are now reviewing and finalizing expungement petitions. With this new manpower, the PLSE Board of Directors set the organization's sights on helping low-income Philadelphians obtain pardons for the convictions received years, if not decades, earlier, which were holding them and their families back from reaching their potentials.

In January 2018, PLSE began meeting monthly with the Lieutenant Governor of Pennsylvania, the Secretary of the Board of Pardons and its staff with the goal of reforming the application form and administrative process to seek a pardon. A new form is expected before the end of the summer. In the communities hardest hit by arrests and convictions, PLSE envisions "pardons hubs" where staff and volunteers of existing community organizations, are trained and supported by PLSE, and provide information and assistance for people during the pardon process. Realizing that technology would again be key, PLSE received a grant from the Thomas Skelton Harrison Foundation and promptly entered into a partnership with the Criminology and Justice Studies Department and ExCITe Center at Drexel University to create a web-based "pardons app" usable by mobile devices to make the pardons process more accessible and less overwhelming to the average Philadelphian.

To help shepherd this work, as well as identify new opportunities to support and innovate, PLSE will appoint its first Mike Lee Fellow in Criminal Justice – a person who has (or had) a criminal record and who will help us organize communities around this important work of social equity.

Today, PLSE is recognized statewide as a leader in the area of criminal justice reform. It has stayed on task since its very first grant proposal in November 2009, pursuing its goals with energy, imagination and commitment, leveraging technology and volunteers, and helping to educate not only low-income communities, but also the rich and powerful about the damage permanently and needlessly inflicted on families and neighborhoods by criminal record histories.

Our society should see people for what they achieve and do today, not define them by the bad choices they may have made years, if not decades, ago. Please join us in this important, powerful, life-changing work, by making a tax-deductible contribution through our website or through GuideStar, which has awarded PLSE its Gold Seal.