

**Western  
Pennsylvania  
Edition**

# Women's Law Project

**NEWSLETTER**

**Late Fall 2008**

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BLOG!**

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Women's Law Project —  
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wordpress.com](http://womenslawproject.wordpress.com)

*Dear Friends,*

*We're excited to be restarting our bi-annual newsletter to the friends of the Women's Law Project in western Pennsylvania. This first issue is a "catch-up" on our activities in 2008 and to preview a few items for 2009.*

*I am grateful to be joined full-time in the office by staff attorney Tatyana Margolin and program assistant Christina Cann. Their presence, and our ability to increase our capacity to more fully serve western Pennsylvania, is due largely to an increasing base of support right here in the Pittsburgh region. Thank you!*

*We are also pleased to welcome and introduce new western PA board members Cathy Raphael and Jessica Beckett-McWalter. They join a dedicated and growing group of volunteers and interns whose generosity of expertise and energy make our efforts possible.*

*Take a minute to read about the recent issues we've been working on, from employment discrimination to child support. And although much remains to be done, we know that with your help, we will continue to see progress even during this challenging but hopeful time in our nation's history!*

*My thanks in advance for any level of support you can provide before December 31st. We look forward to seeing and talking with you more in 2009.*

*Warm wishes for the holidays!*



**National Recognition for  
Pittsburgh Buffer Zone Ordinance**



Pittsburgh was recognized as a leader in protecting reproductive health care providers and patients at a nationwide conference convened in May 2008 by the National Institute for Reproductive Health. Our regional delegation to the conference, co-organized by WLP Staff Attorney Tatyana Margolin and La'Tasha Mayes, showcased the Pittsburgh Medical Safety Zone Ordinance. This ordinance, the only buffer zone legislation of its kind in Pennsylvania, was upheld as constitutional by the U.S. District Court for the Western District of Pennsylvania earlier this year; that ruling is currently on appeal to the U.S. Court of Appeals for the Third Circuit in *Mary Kathryn Brown v. City of Pittsburgh*.

*(continued on page 3)*

**SAVE THE DATE**

**Rights to Realities Party  
April 2009**

**Donations for the silent and live auctions are welcome.  
Contact Liz at 412-227-0301.**

**Look for your invitation in February.**

**To receive your invitation via email, send a message with the subject line  
"Invite Me!" to [infopitt@womenslawproject.org](mailto:infopitt@womenslawproject.org).**

**Catherine D.  
Raphael**

Cathy Raphael learned about the critical importance of community engagement as a Girl Scout. She served as a VISTA volunteer in New Mexico, did construction work on Arcosanti, Paolo Soleri's "city of the future," and devoted 12 years to the Sociable Workshop, a community artist non-profit organization.

An active and activist philanthropist, Cathy helps direct her family's donor-advised funds at The Pittsburgh Foundation as well as her own, the Danu Fund. A board member of the Ms. Foundation for Women, she created the Fairy Godmother Fund there and participates in their Democracy Funding Circle. Cathy is on the board of the Funding Exchange and serves on their Criminal Justice Initiative. She is a founding board member of the Women and Girls Foundation of Southwest Pennsylvania and a long-time supporter of the Three Rivers Community Foundation, where she established the Women's Initiative Fund.

Thirteen years ago, Cathy created The NUIN Center in Pittsburgh, an office building providing space for therapists and alternative healing professionals.

## ...Child Support....Gender Equity...Reproductive

### **Child Support Is for Children**

This year, the Women's Law Project, with Community Legal Services and Community Justice Project, scored a big legislative win for children and custodial parents receiving cash assistance.

Prior to October 1, 2008, when a non-custodial parent paid child support for children on welfare, the family could receive a maximum of only \$50 per month of that support. The rest would be taken by state and federal welfare agencies to reimburse the government for the family's welfare grant. Taking away poor children's child support payments left many mothers and children in abject poverty and made it impossible for them to become self-sufficient. Fortunately, thanks to a new state law for which WLP vigorously advocated, effective October 1, 2008, these families saw their monthly support payments doubled to \$100/month for one child and increased to as much as \$200/month for two or more children.

The new law also ensures that any back child support payments that families are owed will be paid to them first when they leave public assistance. Previously, the back payments were paid to the government first. And the new law requires the state government to pick up the tab for a federally-mandated \$25 administrative fee for children who receive less than \$2000 per year in child support or whose custodial parents have ever received cash assistance benefits.

In her August 13, 2008 op-ed in the *Pittsburgh Post-Gazette*, WLP's Christina Cann applauded these improvements and urged the legislature to increase Pennsylvania's shamefully low cash assistance levels, which have been stagnant for a shocking *eighteen years*. A family of three may receive no more than \$403/month in welfare in most Pennsylvania counties, but the federal poverty line for a family of three is \$1627/month. WLP will keep fighting to improve the child support and welfare systems so that families have a chance to escape poverty and lead healthy, productive lives.

### **Prowel v. Wise Business Forms**

The Women's Law Project, together with co-counsel Legal Momentum, is representing twenty-one organizations committed to equality for working women in the ongoing appeal of Brian Prowel, former employee of Wise Business Forms in Butler County. Mr. Prowel was the victim of a years-long barrage of severe sexual harassment that took the form of gender stereotyping—that is, he was mercilessly harassed for failing to conform to stereotypical male behavior and appearance.

U.S. District Judge Terrence McVerry threw out Mr. Prowel's Title VII sex discrimination claim, reasoning that this was really a case of anti-gay discrimination, not sex discrimination, and no law in Butler County prohibits discrimination on the basis of sexual orientation. Mr. Prowel appealed.

In an amicus brief filed in the U.S. Court of Appeals for the Third Circuit, the Women's Law Project and Legal Momentum argued that if the lower court's reasoning is adopted, working women could lose important legal protections. Especially for women in non-traditional employment such as the construction trades or firefighting, where sexual harassment is at epidemic levels and is often accompanied by slurs about the victim's sexual orientation, the *Prowel* decision could mean the end of meaningful protection against sex discrimination exactly where that protection is needed the most. Joining on the brief were the International Association of Women in Fire and Emergency Services, American Medical Women's Association, Chicago Women in the Trades, Hard Hatted Women, National Association of Women Lawyers, National Council of Jewish Women, and many other women's advocates.

## Freedom...Domestic Violence Advocacy...Title IX...

*Western Pennsylvania  
Board Member*

**Jessica Beckett-  
McWalter**



### **Title IX in Western Pennsylvania**

Title IX, the law ensuring gender equity in schools receiving federal funds, was passed 36 years ago. Since that time, the number of girls participating in high school sports has skyrocketed. In 1972, only 295,000 girls competed in high school sports, compared to 3.67 million boys. By 2007, the number of female high school athletes rose to 3,021,807. As if to prove that Title IX does not harm men's sports, the number of boys participating in high school sports is also at an all-time high at 4,321,103.

According to the National Federation of State High School Associations, high school athletes are less likely to abuse alcohol and drugs. They are also more likely to exercise regularly throughout their lives, less likely to have body image problems and eating disorders and less likely to have an unwanted pregnancy. And for many high school students, playing on a sports team is a ticket to college scholarships and other financial aid.

But in western Pennsylvania, the situation is bleak for girls. Some schools in our area have many more athletic opportunities for boys than girls, and many of the girls' teams suffer due to lack of resources, equipment, and equal facilities.

The Women's Law Project is working to increase the number of athletic opportunities for girls in western Pennsylvania high schools and improve the treatment of female athletes. We're forming a working group to discuss the best ways to achieve change in our communities. We've requested athletic data from five area high schools to see if they are complying with Title IX. And we're working with the Women's Sports Foundation to encourage the state legislature to pass legislation requiring high schools to compile and publish data on the sports programs in their schools.

Jessica Beckett-McWalter is a member of the Commercial Litigation practice group at Pepper Hamilton LLP, where she works on constitutional civil rights matters, securities class actions, contract disputes, construction litigation, and employment consulting. A graduate of Brown University and the University of California Hastings College of Law, Jessica worked for Goldstein, Demchak in Oakland, CA, before moving to Pittsburgh in 2007.

Jessica brings a wealth of legal expertise and advocacy skills to the Law Project. She was the supervising attorney for the Legal Aid Society's Employment Law Center, and served as a member of the board of Aim High, a program for underserved middle school students. She also contributed her expertise to the Habeas Project and the Cooperative Restraining Order Clinic.

Jessica volunteered for Free Battered Women, helping to organize their annual fundraising event, corresponding with incarcerated survivors of domestic violence and conducting legislative research and advocacy on behalf of incarcerated battered women.

### **(...Buffer Zone...)**

Before Pittsburgh passed its ordinance in December 2005, large-scale abortion protests clogged the sidewalks and entrances of local reproductive health care providers every Saturday morning. "You practically needed the Steelers' offensive line to get through to the clinic door," said Sue Frietsche, WLP senior staff attorney. With a simple set of reasonable rules that allow for protests but ensure that patients will have unobstructed access to medical facilities, the Pittsburgh buffer zone law has all but ended the pushing, shoving, and kicking that women once had to endure just to see their doctor. With its successful implementation, the Pittsburgh ordinance has become a model that other jurisdictions in Pennsylvania and across the country are looking at closely. "No one should have to fight their way through an angry mob to get health care that is their constitutional right," said Ms. Margolin.

For more information on the Pittsburgh Buffer Zone Ordinance, visit our website at:  
[www.womenslawproject.org](http://www.womenslawproject.org).

*Help us take  
Rights to  
Realities*

**Make a difference  
with your  
tax-deductible  
gift today!**

*Please let us hear from  
you by December 31st!*

**Ways to Give:**

- Send your check made payable to Women's Law Project to the address below.
- Make a donation online at [womenslawproject.org](http://womenslawproject.org)
- Become a sustaining donor making monthly donations on your credit card. Call 412-227-0301 for details.
- To give a gift of stock, please contact us at 412-227-0301.

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**THANK YOU!**

**...Achievements...Get Involved...Support WLP...**

**Pittsburghers Against  
Domestic Violence**

On September 17, 2008, the National Council of Jewish Women's Pittsburgh section honored the Women's Law Project for the work we did in the "Pittsburghers Against Domestic Violence" coalition. Through the coalition, organizations committed to ending domestic violence successfully advocated for an ordinance to amend the Pittsburgh City Code to include a Domestic Abuse Policy for the Bureau of Police.

The issue came to the forefront in June 2007, when three police officers accused of committing violence against family members were promoted in the police department. The Women's Law Project joined other area advocates for women in urging the passage of an ordinance dealing with domestic violence committed by police officers.

The new ordinance prohibits the hiring of individuals with histories of violence or the promotion of officers with pending abuse investigations. If a call comes in alleging abuse against a family member by a police officer, the police supervisor must go to the scene and, if the officer is arrested, confiscate his or her service weapon. The officer may be reassigned and will be intensely monitored by the police department. Should the officer be found guilty, federal law requires that the officer be fired.

Staff Attorney Tatyana Margolin accepted the award on the behalf of the WLP.

**Myra Bradwell Fund**

This year, the Women's Law Project established the Myra Bradwell Fund to thank and recognize donors who make annual contributions of \$1,000 and more. Since the creation of the Fund, more than 50 individuals have renewed and increased their annual commitments to be counted as founding members of the Fund.

The Fund honors Myra Bradwell, who passed the test for admission to the Chicago Bar in 1869. She was denied admission by the Illinois Supreme Court on the grounds that she was married. The U.S. Supreme Court upheld the Illinois decision on the basis that the nature which belongs to the female sex makes it unfit for certain occupations of civil life. Between 1868 and 1885, when the Illinois Supreme Court reversed its earlier decision and granted Ms. Bradwell a license to practice law, she published the *Chicago Legal News*.

The Women's Law Project is determined to preserve women's hard-won rights and, with the support of Bradwell members, expand its casework, especially in core issues such as reproductive rights and gender equity.

Donors to the Bradwell Fund in its inaugural year, which ends on June 30, 2009, will be recognized as founding members in perpetuity. To become a member or for more information, please contact Christina Cann at 412-227-0301 or by email: [infopitt@womenslawproject.org](mailto:infopitt@womenslawproject.org). Donations made in Western Pennsylvania support the services in this region.

The Women's Law Project is excited to be a member of the Girls Coalition of Southwestern Pennsylvania. The Coalition is made up of organizations and individuals who want to educate, advocate and network on behalf of girls in our area. Member organizations include the Women and Girls Foundation, Adagio Health, Girl Scouts of Western Pennsylvania, the American Civil Liberties Union of Pennsylvania, and many more. For more information and a full list of members, check out [www.girlscoalitionswpa.org](http://www.girlscoalitionswpa.org).



*A copy of the official registration and financial information may be obtained from the Pennsylvania Department of State by calling toll free 1.800.732.0999. Registration does not imply endorsement.*