



# MidPenn Legal Services

Shana M. Walter, Esq.  
Executive Director  
MidPenn Legal Services  
213 A North Front Street  
Harrisburg, PA 17101  
(717) 232-0581 Ext. 2114  
swalter@midpenn.org

To Senator Greenleaf and distinguished members of the panel: Thank you for the opportunity to testify on the important topic of civil legal services in Pennsylvania. My name is **Shana Walter**; I am a staff attorney at MidPenn Legal Services. I have been employed at MidPenn for six years. For the past two and a half years, I have served as the Custody Attorney seeing clients in Dauphin County. MidPenn represents low-income individuals and families in a wide variety of poverty law areas, but this position focuses on direct representation in child custody matters. The position was made possible by the support of the Dauphin County Bar Association and Foundation, the Dauphin County Commissioners, Metro Bank, local foundations, law firms and numerous business leaders and attorneys in Dauphin County.

The demand for legal services, particularly in custody cases is extraordinary, particularly given the state of the economy (more residents qualify for our services). Given the heightened demand, we can only take critical matters. Typically, the cases we take are critical situations in which one parent removes the child from the primary custodian without a court order or a legitimate reason or when one parent refuses to let the other parent have contact with the child. Charles Cuff came to our office because the Mother of his daughter would not permit him to have consistent contact with the child. I filed a Complaint for Custody on his behalf and eventually established a custody schedule that gives Charles fifty-percent custody. Charles' case was a very real reminder of why we are here. When Charles' daughter got off the elevator in the courthouse, she ran up to him yelling Daddy, Daddy and jumped on his lap. She even cried for him when it was time for us to meet with the mediator.

Children need stable, safe homes. Bouncing from one relative to another or one house to another has a negative effect on children. Children thrive with structure. By ensuring that children have a schedule for when to see their Mommy and Daddy, they can worry about things kids are supposed to worry about like riding bikes and playing Skylanders.

Children also need both of their parents. As a child of parents who divorced when I was very young, I understand the need for a child to have contact with both parents. I understand that children love and need both of their parents, even if their parents cannot get along. When I have clients or opposing parties that cannot see past their contempt for the other parent, I tell them all the same thing: You have to love your child more than you hate the other person. Parents get this.

An orderly resolution to custody matters is beneficial to parents. Custody schedules benefit parents so they can schedule their periods of custody around their work hours. Too often, parents have to leave work early to make sure their child isn't taken from the school or stay home from work so the other parent doesn't take the child from the daycare center. Of course, that's not the way parenting is supposed to work, but it does and I try to minimize the impact on my clients' employment. The majority of cases settle (85%) because parents are generally reasonable and understand the necessity of having both parents in the child's life. Since December 2012, I have handled 432 cases helping 1105 local family members at less than \$250 per case.

About 70% of the callers who contact us want assistance with a custody related matter. For everyone I assist there are more people who I can't assist. Because of the growing numbers of low-income people with civil legal problems our program has had to limit the types of custody cases that we can handle to those that are emergencies. Sometimes, I provide callers with simple advice, but more often I can do nothing to assist those in need. Given that we are the only free legal resource in the County sometimes, I refer callers to Self-Represented Clinics, or tell them where they can get Self-Help packets to file on their own. As an attorney, I know that neither of these is ideal, but as one attorney, with the high demand for representation in custody matters, I simply can't meet the need of everyone who contacts our office for legal help.

**Shana M. Walter, Esq.**

Ms. Walter is currently a staff attorney at MidPenn Legal Services in Harrisburg. She has been employed with MidPenn for the past 6 years. She has a B.S. from East Stroudsburg University and received her J.D. from Widener Law School in 2007. She is an experienced custody litigator who spends many hours advising, and litigating on behalf of low-income clients with custody matters. She is a member of both the Dauphin County and Pennsylvania Bar Associations.