

Public Interest Law Center of Philadelphia

The Public Interest Law Center of Philadelphia (PILCOP) was founded in 1974 by leaders of the Philadelphia Bar Association as the successor to the Philadelphia Chapter of the Lawyers' Committee for Civil Rights Under Law. PILCOP's mission over the past 12 years has been to serve individuals and community groups who traditionally have been without access to legal assistance, to increase their economic and physical well-being through provision of a full range of legal services.

Volume 4, No.2

April 1987

Chief Counsel Tom Gilhool Appointed Pennsylvania's Secretary of Education

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On February 18, Governor Robert P. Casey appointed Tom Gilhool, one of the Law Center's Chief Counsels, to be Secretary of Education for the Commonwealth. The Governor's appointment recognized Gilhool's national reputation as an advocate for the educational rights of the handicapped, and for his pioneering work in the 1970's in two landmark lawsuits, the *PARC v. Commonwealth* case which opened public schools to handicapped children and the *Pennhurst* case, which mandated the closing of a large institution for the mentally retarded and the placement of its residents in home-like settings in the community.

Education leaders praised Gilhool's relentless and skillful efforts to require quality education for all children. Philadelphia Schools Superintendant Constance E. Clayton described him as "a supportive, concerned individual, who cares deeply about children." Herman Mattleman, Philadelphia school board President, called Gilhool a "compassionate understanding guy who knows the education scene in Philadelphia from every angle. He has in the past exhibited a tremendous understanding of and sympathy for what we're trying to do in Philadelphia. He is always someone who fights for the rights of the underdog."

At the press conference at which Governor Casey announced his appointment, he said that he had found in Tom Gilhool a non-traditional Secretary of Education who would be a tireless advocate for the right of the children of Pennsylvania to be given a quality education. "He understands that I intend him and this administration to go far beyond the narrow statutory functions of the Education Department in providing leadership to lift Pennsylvania schools to a position second to



Excerpts from Tom Gilhool's Statement at his Confirmation Hearing

The following quotations are excerpts from Tom Gilhool's statement presented at his Confirmation Hearing on March 5, 1987 to the State Senate Committee on Education.

Two days ago, in his budget proposal, the Governor further expressed his commitment to what he has called "the right of the children of Pennsylvania to be superbly educated."

In his inaugural, the Governor challenged us to "change fundamentally the focus of public education so that our children are prepared to meet and beat the competition from around the nation and around the world."

...because, in the American tradition, it is simply wrong to deny the full realization of his or her talents to any child, the Governor has charged me so to improve teaching and learning that no child is left behind.

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Law Center Tightens Environmental Protections in Philadelphia's Trash-to-Steam Proposal

The Law Center's Environmental Project directed by Jerome Balter has been involved in evaluating the public health implications of the Philadelphia Trash-to-Steam proposal for more than two years. This involvement has included innumerable meetings with South Philadelphia community groups and with environmental protection organizations.

It has also included participation in public hearings of the City Council Rules Committee and the United States Navy. The Law Center's involvement has become more intense as the day of decision by City Council approaches.

Throughout, the Law Center has stressed the need for stringent limitations on the emission of toxic pollutants from the trash-to-steam facility; the need for stipulated remedies in the event of emission excesses; and the need for citizen rights to enforce these limitations and remedies.

When the City Administration realized that the Law Center's goals were endorsed by several key members of City Council, the Administration approached the Law Center to explore a possible resolution of outstanding differences. Prolonged discussions between the Administration and Jerry Balter have resulted in the Administration's acceptance of the stringent emissions limitations of the Health Risk Analysis which would reduce the cancer risk to one in a million for 70 years of exposure to emissions from the plant. The Administration also agreed to shut down operations for repair of any boiler that exceeded the emission rate for dioxin/furans and for particulates; but at this time (March 12) the Administration has refused to agree to meaningful shutdown provisions with respect to heavy metals and acid gases. Under the Administration's plan, the facility could continue to exceed health risk limits, no matter how extreme or persistent the emissions. This approach would negate the one-in-a-million cancer risk promise.

The Administration has also refused to provide citizens the right to enforce the toxic emission limitations and the contractual remedies in the event of emission excesses. The Law Center's experience has clearly demonstrated that such a citizen right is essential to meaningful enforcement, whether the facility is operated by private corporations or by the municipality.

Gilhool Appointed *Continued from page 1*

none," the governor said. "The name of the game in education has got to be leadership, not bureaucracy as usual, and Tom Gilhool is a leader."

Gilhool, a 1960 graduate of Lehigh University, received his law degree from Yale in 1964 and was an editor of the Yale Law Review. He was consumer advocate and director of the Law Reform Office of Community Legal Services in Philadelphia for 3 years in the late 1960's, became a founding co-director of the National Legal Services Training Program at Catholic University (Washington, D.C.), and then served as a member of the faculty at the University of Southern California Law Center in Los Angeles from 1972 to 1975. He joined the Public Interest Law Center of Philadelphia in 1975.

Gilhool is married to Gillian Gilhool, who is the Director of the Center City Campus of Temple University on Walnut Street. Temple's downtown campus provides adult students with graduate and undergraduate degree programs, and also provides local Philadelphia firms with daytime seminars to meet their training needs. Currently 12,000 students are enrolled in the Temple Center City program.

The Law Center's activities will continue under the direction of Michael Churchill, who has served as Chief Counsel with Gilhool.



Excerpts *Continued from page 1*

There is no professional reason, and no excuse, for any child not to learn to read...we now have fully a dozen demonstrated effective ways to teach children to read. All of them partake of teaching systematically, and if one of those approaches doesn't work for a particular child, another approach will. We *know* that. Thus if there is in any classroom in this state a child who is not reading, there is a teacher who has not been armed with the knowledge and command of what works in teaching children to read.

I am encouraged by the conversation between us. More and more I see not just the opportunity for change but an impetus for accomplishment that both draws from us and sustains in us, and in everyone in the school community, the desire to excel. I hope you will do me the honor of permitting me to continue in your company and to work for our common purpose.

A Report on Current Law Center Cases and Programs

The criterion for each case is that it must secure for clients real and effective services vital to the quality of their lives, not mere symbolic or procedural changes, and that the changes brought about must benefit significant numbers of people.

The Law Center's legal services include training in advocacy, technical assistance, negotiation with governmental bodies, and when necessary, litigation. Many of the matters undertaken with clients take years to bring to accomplishment. The Law Center's staying power has permitted it to bring cases which have lasted over 8 years.

The Disabilities Project mission: to move residents of remote institutions for the mentally disabled to small-scale community living arrangements; to improve the quality of special education programs for mentally disabled children and to improve the quality of vocational rehabilitation services and public transportation for all disabled persons; and to challenge efforts to weaken federal laws protecting handicapped persons' rights. Current cases:

- A deinstitutionalization case in Tulsa, Oklahoma, which completed 32 days of trial in December.
- Representation of a person with epilepsy whose complaint against a government contractor has not been resolved by the Department of Labor for 7 years.
- A lawsuit against the Pennsylvania Office of Vocational Rehabilitation concerning the Andrews Center in Johnstown, PA, a state-owned employment training facility alleged to be unnecessarily segregated and restrictive.
- A lawsuit against the City of Philadelphia seeking to require that the Columbia Avenue Station on the Broad Street Subway provide elevators for mobility-impaired citizens, and that other stations which are repaired using federal grants include access for disabled citizens as part of the renovations.

The Employment and Civil Rights Project addresses discriminatory practices in minority employment, housing, City management practices and policies. Current cases and actions include:

- Representation in a federal lawsuit of a white couple, Marilyn and John McLaughlin, whose foster child was removed from their home after two years because he was black.
- A class action lawsuit representing black workers discharged by SEPTA. The workers claim persistent discrimination in certain parts of the SEPTA operations.
- Consultation with the Police Department on procedures at the Roundhouse Detention Center.

The Environmental Project seeks to improve public health by reducing human exposure to carcinogenic and other toxic substances. We educate citizens about the dangers of toxic air pollution, assist them in negotiations with polluters, and represent them in legal actions. Some current cases are:

- A citizen lawsuit to force the City of Philadelphia to operate the Northeast Sewage Plant in compliance with air quality regulations; in January, Judge VanArtsdalen declared the City to be in civil contempt for failure to comply with his orders to end violations of the state Air Pollution Control Act.
- Negotiations on behalf of the environmental community regarding emission limitations at the proposed trash-to-steam plant, and citizen enforcement of those limitations.
- Assistance to residents near Aramingo Avenue negotiating with Anzon, Inc., a manufacturer of lead-based chemicals which has caused high concentrations of lead in the air, and negotiations with the City over methods to handle the effects of the lead upon public health.

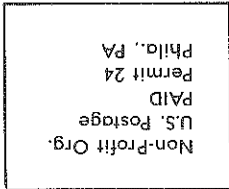
The Urban Schools Project works closely with citizen organizations and the Philadelphia School District to explore steps for citizen-supported reforms, the objective being provision of a quality education for all children.

- The Law Center has been serving on a School District Task Force to examine how federal and state regulations conflict with the provision of quality instruction for children.

Governor Appoints Two Law Center Board Members to State Posts

Harris Wofford, Jr., a partner at Schnader, Harrison, Segal & Lewis and formerly President of Bryn Mawr College, has been confirmed by the Pennsylvania Senate as Governor Casey's Secretary of the Department of Labor and Industry. Wofford was a member of President Kennedy's administration and is the author of *Kennedys & Kings*.

Christopher A. Lewis, a partner at Dilworth, Paxson, Kalish & Kauffman, has been named Executive Deputy General Counsel, working directly under Morey Meyers, the Governor's General Counsel.



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