

Legal aid is needed more than ever

Proposal to slash funds to provide legal assistance to the poor falls short of America's ideals

By John G. Levi

1:54 p.m. EDT, September 14, 2011

Federal funding for civil legal assistance to low-income Americans in Maryland and throughout the country is in jeopardy.

A proposal before the **U.S. House of Representatives** would cut funding for the Legal Services Corporation (LSC) by 26 percent — a reduction of \$104 million, down to \$300 million. The proposal, for fiscal year 2012, would roll back LSC funding to a level not seen since 1999. Such a result would hit the 100-year-old Maryland Legal Aid Bureau with a cut of more than \$1.15 million a year.

The proposal by the House Appropriations Committee is not the last word. The Senate Appropriations Committee is scheduled to take up the issue Thursday and will soon make its recommendation for 2012 legal services funding.

Sen. Barbara A. Mikulski of Maryland is a great supporter of legal services, oversees the subcommittee that handles LSC appropriations, and through the years has helped to build bipartisan support for legal services in the Senate, for which we are very grateful.

Much is at stake. At many legal aid offices throughout the country, the recession and slow economic recovery have led to significant increases in matters involving foreclosures, landlord-tenant disputes, bankruptcy and consumer finance, and, sadly, domestic violence. And the number of Americans who are eligible for civil legal aid (at or below 125 percent of the federal poverty line) has continued to climb to now more than 60 million Americans. As a result, legal aid programs, including Maryland's, are overwhelmed with requests for assistance and stretched thin in their ability to provide it. Recent studies show that half of eligible applicants are turned away at LSC programs because of underfunding; across the nation, less than 20 percent of the legal needs of low-income Americans are being met.

Why should taxpayers support legal services?

Civil legal assistance is necessary to provide access to justice, which has long been a part of our national fabric. We pledge allegiance to a nation with "justice for all," and, as the legendary federal judge Learned Hand said, "If we are to keep our democracy, there must be one commandment: thou shalt not ration justice."

Across the country, civil legal assistance supports the orderly functioning of the civil justice system and access to administrative agencies throughout government. Large numbers of unrepresented parties in courts slow dockets and reduce efficiency in the administration of justice for everyone who needs to use the court system. Individuals unable to obtain advice may later be faced with far greater consequences than if they had been able to have their matters sorted out at an early stage.

We understand that money alone is not the complete answer. The LSC board of directors has launched a pro bono task force to look for new ways to expand the number of volunteer lawyers working with LSC's legal aid programs. LSC is also focused on using technology to increase efficiency and to expand the availability of legal forms and information to the public.

But we all know that slashing LSC's budget by 26 percent at a time when it actually needs an increase will further significantly impair our ability to provide access to justice for low-income Americans. We urge Congress to recognize its own responsibility for maintaining America's civil justice system. The cracks in that system may not be as visible as our crumbling bridges and highways, but in the absence of proper funding, one of the essential pillars of our democracy will be greatly imperiled.

As Americans, we all share a responsibility to keep the flame of equal justice alive.

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