

**Remarks Prepared for Delivery by
Legal Services Corporation Board Chairman John G. Levi**

**ABA House of Delegates Meeting
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Chicago**

Good afternoon.

Thank you Linda for that warm introduction and I particularly want to thank you for giving me the opportunity to speak to the ABA's House of Delegates, your distinguished policy-making body that has been LSC's stalwart partner throughout the Corporation's 38-year history.

I also want to take a moment to thank your out-going president Bill Robinson for his outstanding service, his partnership with LSC, and his friendship.

And I want to welcome fellow-Chicagoan Laurel Bellows as she assumes her post, and I look forward to working closely with her this year.

I also want to recognize the important work the ABA does through its SCLAID committee, The Standing Committee on Pro Bono and Public Service, the Center for Pro Bono, and other entities in the access to justice community.

I am here today to talk about that community, the role LSC plays in it, the historic challenge now confronting it, and to ask for your help.

The Legal Services Corporation, as you probably know, is the single largest funder of civil legal aid for low-income Americans, providing federal grants to 134 non-profit legal aid organizations in every state.

LSC is headed by a bipartisan board whose 11 members are appointed by the President and confirmed by the Senate.

I have had the privilege of serving as the 10th Chairman of the LSC's Board for the past two-and-a-half years, and to work with our outstanding president Jim Sandman, who assumed that post 18 months ago.

I also want to acknowledge two other individuals who are here today – Jim's predecessor as LSC president, Helaine Barnett, who provided six years of stellar service to LSC and is a member of this House of Delegates....And my fellow board member, your former ABA president, the remarkable Robert Grey.

LSC's abiding mission is the preservation of a core American value – equal access to justice.

The legal aid programs funded by LSC are exemplary public-private partnerships, obtaining, on average, more than half of their financial support from non-federal sources together with extraordinary donations of time from private practitioners.

These programs help with civil matters that go to the very heart of their clients' safety and security – the core issues regularly confronted by clients of our programs year after year.

Our programs assist over two million people a year, helping women and children escape abusive relationships, families avert foreclosures, the elderly caught in consumer scams, and veterans struggling to get the benefits that we owe them.

Nearly three of four clients are women, and include Americans of all races, ethnic groups, and ages.

For many of the hundreds of thousands of clients who crowd LSC-funded offices each year, having a lawyer at their side is their lifeline to safety and subsistence.

This lifeline, however, is being stretched to the breaking point by a grim combination of forces – unprecedentedly high demand and sharply reduced resources:

The distressing facts are:

- The size of the population now eligible for civil legal assistance —Americans with incomes at or below 125 percent of the federal poverty line— has grown by nearly 10 million since our board took office two and a half years ago and is projected to be nearly 66 million this year. That is an all-time high.
- LSC's congressional appropriations have been reduced 17 percent since 2010 to just \$348 million this year. In inflation-adjusted dollars that is an all-time low.
- Funding from other sources for LSC programs across the country has also dropped and combined funding for these programs from all sources fell from \$960 million in 2010 to \$878 million in 2012.
- Legal aid offices have closed, staff has been laid off, more people in need have been turned away. LSC-funded programs are projected to have eliminated nearly 1,500 positions from 2010 to 2012, more than a 15 percent reduction. And we know that legal service programs are forced to turn away over 50 percent of those seeking help because of inadequate resources.

As LSC programs struggle to meet the staggering demands of the last decade, they have been at the forefront of technological innovation on behalf of their clients and the civil legal system as a whole.

Working with just \$40 million in special technology grants, LSC, our programs, and partners have built a network of websites stretching from coast to coast that delivers a wealth of

legal information, self-help videos and automated forms to assist low-income individuals with their legal needs. These resources are accessed many thousands of times a day.

We are continually told by court administrators that our grantees' websites and on-line forms are invaluable to the orderly functioning of their courts, providing important assistance for the host of self-represented litigants flooding the courthouses every day seeking help.

Using one such technology grant, our program in Maine, Pine Tree Legal Assistance, developed the very first dedicated site, StatesideLegal.org, dealing specifically with veterans' issues for clients and lawyers across the nation.

Many of these innovations grew out of a technology summit LSC held in 1998, and in June we launched a new Tech Summit. We are confident that the 2012 Summit will also yield significant advancements in expanding access to justice.

Increasing pro bono can also help, and the ABA has played an important leadership role in this area.

Last year, LSC formed its own Pro Bono Task Force with nearly 60 leaders of the profession, including ABA leaders, to look for ways to measurably increase pro bono.

The task force presented its draft wide-ranging recommendations to our board 10 days ago and we look forward to finalizing and rolling out the full report in the coming weeks.

The general theme of the Task Force's recommendations is to reshape pro bono into a reliable, organized system that will effectively deploy increased and consistent pro bono to the core areas affecting low-income Americans.

But, more effective use of technology and increased pro bono are not enough without a well-supported infrastructure of well-funded, fully functioning clinics.

The combination of the significant underfunding of civil legal assistance together with the chronic underfunding of our state courts is seriously undermining America's commitment to provide justice for all.

As State Department Legal Advisor and former Yale Law Dean Harold Koh observed at our April White House Forum on the State of Civil Legal Assistance, the U.S. ranks 21st on access to justice for disadvantaged groups, 52nd in the world in terms of access to legal assistance, with striking deficits in poor people's use of and satisfaction with the justice system.

These alarming developments, if allowed to continue unchecked, pose a great risk to our democracy, as the Honorable Deannell Reece Tacha, the new Dean of the Pepperdine School of Law and the former Chief Judge of the U.S. Court of Appeals for the Tenth Circuit, said just a few months ago at a LSC board meeting:

“When the great majority of the individuals and small businesses of the nation no longer can, or believe they no longer can, get a lawyer, be represented effectively, go to court, settle their disputes in a fair and impartial way, and be treated like every other citizen, we quite simply, have lost the guiding principle of our republic—equal justice under law. When that goes, the rule of law goes, and when that goes, the great dreams of those patriots who founded and fought for this republic go with it—never to be reclaimed. Something must be done!”

We at LSC agree.

The cracks in our civil justice system may not be as visible as those in our bridges and highways, but they are just as real and, in my view, pose an even greater threat.

And because they are not as easy to see, we in the legal profession have a special responsibility to speak up and let the country know about the unacceptable risk now threatening one of the fundamental pillars of our wonderful country.

When my father, Edward Levi, ended his service as Attorney General of the United States in 1977, he reminded us in his farewell address to the Department of Justice that the values on which our country is founded “can never be won for all time—they must always be won anew.”

My fellow lawyers, let us resolve that the promise of justice for all will be won anew.

Thank you so much.