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THE ALLIANCE
for Equal Justice

SUPPORTER

June 10, 2015

Mr. David Richardson, Treasurer
Legal Services Corporation
3333 K Street NW, 3rd Floor
Washington, DC 20007

Re: LSC Budget Request for Fiscal Year 2017

Dear Mr. Richardson:

We write on behalf of the Washington State Access to Justice Board in response to the request for written comment regarding the FY 2017 LSC budget proposal. We appreciate being included in this process, and we are always happy to provide LSC with our feedback. The Access to Justice Board strongly supports LSC's continued efforts to improve access to our nation's justice system for low-income families and individuals. Thank you for your work.

Below, you will find the information you requested – data regarding the need for LSC-funded services, knowledge of non-LSC funding for legal aid, and any other data-supported observations.

The Need in Washington State

Similar to what we see on a national level, there are currently more people than ever living in poverty in Washington State: 1.25 million people live at or below 125% of the federal poverty level and more than 2 million people, representing one-third of our state's population, live at or below 200% of poverty. Additionally, Washington's unemployment rate is higher than the national average, and Washington has one of the highest foreclosure rates in the country. Unfortunately, Washington's legal aid system is overburdened and overwhelmed. According to the 2003 *Civil Legal Needs Study*, we know that over 70% of low-income Washingtonians experience at least one civil legal problem each year. And, the need for legal aid services continues to rise as funding for services decreases. Currently, there is only one legal aid attorney for every 15,000 eligible low-income Washingtonians; whereas the aspirational level of "minimum access" to the civil justice system is one attorney for every 5,000 low-income residents. Civil legal aid services are more critical than ever.

Non-LSC Funding in Washington State

Federal and state funding comprises approximately 80% of the Northwest Justice Project's (NJP) annual budget, with state funding accounting for roughly 55%. Stagnating and fluctuating state and federal funding have

resulted in NJP losing 20 field attorneys since 2009. In an attempt to compensate for a reduction in state and federal funding, NJP has relied on short-term, non-renewable fellowships and other grants, but this is not a sustainable solution. An increase in LSC is vital to serve low-income Washingtonians, because federal funding provides NJP, which is the foundation of the legal aid network in Washington, with stability to best meet the needs of clients through system-wide centralized intake and screening, an extensive public website, and extended representation in high priority cases.

In Washington State, the Legal Foundation of Washington (LFW) administers the state's IOLTA funds, which since 2009 have dropped from \$7 million annually to less than \$2 million. LFW also organizes and manages a collaborative statewide private fundraising effort known as the Campaign for Equal Justice. In 2014, the Campaign for Equal Justice raised over \$1.5 million, which LFW uses to support 17 standalone volunteer attorney programs and six staffed specialized legal aid providers in Washington State. These organizations, along with NJP, are part of a statewide network of legal aid providers, funders, and supporters known as the Alliance for Equal Justice. Through communication, partnerships, and statewide planning coordinated by the Access to Justice Board, the Alliance works to provide the best possible, most efficient services to people living in poverty in Washington. While the elaborate network and collaborative private fundraising efforts of the Alliance have been and are successful, there is no question that our state continues to lack sufficient funding to meet the legal aid needs of our poorest residents.

Other Data-Supported Observations

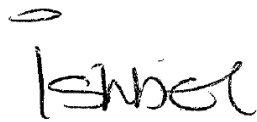
In 2003, the Washington State Supreme Court commissioned the landmark *Civil Legal Needs Study* to research the types of civil legal problems experienced by Washington's low-income population. Using the data from that 2003 study, the Washington State Supreme Court's Task Force on Civil Equal Justice Funding (Task Force) concluded that Washington needed an annual increase of \$28 million to meet the civil legal needs of low-income people who recognize that their problem is of a legal nature and seek help. Of this total, the Task Force concluded \$18 million should be the State's share, and the remaining \$10 million should come from federal grants and charitable contributions. These conclusions, however, are over 10 years old and the extent of poverty along with the need for legal aid has increased greatly since that time.

The Washington State Supreme Court commissioned a *Civil Legal Needs Study Update* that was completed in 2014. While some of the findings are consistent with those of the 2003 study, there are changes in the types and quantity of civil legal problems that poor Washingtonians face. The official findings of the *Civil Legal Needs Study Update* will not be released until September of this year, and Washington's Office of Civil Legal Aid (OCLA) has requested that we keep this findings confidential until then. However, it is our understanding that OCLA intends to share the results of the *Update* with LSC prior to its September release.

Given the information that we have outlined above, we recommend that the Legal Services Corporation propose a budget of no less than \$500,000,000 – a slight increase from your FY 2016 proposal. At this level of funding, NJP would receive a substantial grant increase that would allow them to restore lost capacity, adequately cover the increase costs of providing services, and, most importantly, serve thousands more Washingtonians in need of legal assistance to help secure justice. This level of funding is a step in the right direction of closing the justice gap in both Washington State and nationally. While we recognize the challenging federal budget situation, we urge the Legal Services Corporation to continue to educate Congress about the threat to families, communities and to the integrity of the rule of law when whole segments of our population cannot secure meaningful access to justice. We will continue to support you in this effort, working with our state’s Congressional delegation on these critical issues.

Thank you again for all of your work, and please reach out with any questions.

Sincerely,



Ishbel Dickens, Chair
Washington State Access to Justice Board



Michael J. Pellicciotti, Chair
Equal Justice Coalition

cc: Access to Justice Board
James J. Sandman, President, LSC