

Remarks
by
Legal Services Corporation Board Chairman John G. Levi

LSC Forum on Civil Legal Assistance
Oct. 1, 2012
Durham, N.C.

Good morning and welcome. I am John Levi, the 10th chairman of the board of the Legal Services Corporation. Thank you for joining us today for this important forum on the crisis confronting civil legal assistance programs that threatens our country's commitment to equal justice for all.

This program is an outgrowth of a forum we co-hosted at the White House in conjunction with spring board meeting. We held a similar forum at our summer meeting in Ann Arbor Michigan, and plan to hold more in the future.

It has been a longstanding tradition of the LSC Board to hold three of its quarterly meetings each year in the various states. The last time we were in North Carolina was 1987—in Asheville.

So it is good to be with all of you in Carolina, for many reasons, not the least of which it brings to mind my favorite James Taylor song.

We are so grateful to Duke University Law School for hosting us today and the Fuqua School of Business for providing this great facility, and to our distinguished guests, many of whom have traveled from around the country to be here.

We are especially privileged and honored to be joined by state supreme court chief justices Carol Hunstein of Georgia, Menis Ketchum of West Virginia, and Sarah Parker of North Carolina, Judge Allyson Duncan of the U.S. Court of Appeals for the 4th Circuit, Chief Judge John C. Few of the South Carolina Court of Appeals, and Justice S. Bernard Goodwyn of the Virginia Supreme Court.

These forums are calling attention to the twin challenges now facing legal services programs across the country: significantly reduced resources and historically high demand.

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 10 percent since this board was nominated in 2009 to more than 61 million. 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.

Civil legal assistance supports the orderly functioning of the civil justice system as a whole. 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.

With these significant forums we are not only highlighting such pressing issues but we are also bringing together leaders of the legal profession to seek innovative and broad solutions, and to educate our fellow lawyers and countrymen about what is at stake.

As I have been serving in my role at LSC that last two and a half years, I have been continually struck by what a good job the legal aid community does of speaking to itself about these issues but how little, apparently, that the rest of our profession recognizes what I think is a growing threat to one of the essential pillars of our democracy—equal justice.

Today's program features two panels.

In our first panel discussion, the distinguished jurists here with us today will explore the current challenges in access to civil justice for individuals living in poverty, the challenges for the courts, and the prospects for helpful initiatives and reforms.

In the next panel, experts from around the country, including the general counsel of the Department of Veterans Affairs, Will Gunn, will discuss the urgent legal aid needs of military veterans.

At lunch, we will preview the release of the now-ready-for-prime-time report from LSC's remarkable Pro Bono Task Force with its terrific co-chairs-- Dean Martha Minow of the Harvard Law School and Harry Korrell of Davis Wright Tremaine.

We will also hear from North Carolina's Larry McDevitt, Chairman of the ABA Standing Committee on Pro Bono & Public Service, whose committee under his leadership has launched a pro bono summit.

Later this evening at a reception, the LSC Board will honor five North Carolina lawyers for their pro bono work.

Let me begin by introducing our host, the Dean of the Duke University Law School--and my brother--David Levi.

David became the 14th Dean of Duke Law School in 2007 after serving as Chief United States District Judge for the Eastern District of California since 2003.

He was appointed to the District Court in 1990 by President George H.W. Bush. Earlier David was appointed United States Attorney by President Ronald Reagan in 1986.

David earned an undergraduate degree from Harvard College in History and Literature in 1972, and then entered the graduate program in history at Harvard where he specialized in English legal history. He received his law degree in 1980 from Stanford Law School, where he graduated Order of the Coif and was President of the Stanford Law Review.

After graduation, he served as a clerk for Judge Ben C. Duniway of the Ninth Circuit Court of Appeals and then for Supreme Court Justice Lewis Powell.

David has served as chair of two Judicial Conference committees by appointment of the Chief Justice. He was chair of the Civil Rules Advisory Committee (2000-2003) and chair of the Standing Committee on the Rules of Practice and Procedure (2003-2007)-- he has been reappointed to serve as a member of that committee through 2012.

At Duke, in addition to serving as Dean, David teaches courses on Judicial Behavior and Ethics.

I am lucky to have such a great legal mind as a brother, but I am especially fortunate that he is also one of the nicest guys in the world.