

Guest commentary: Dwindling funds leave more poor people without legal services

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America's democracy is founded on a commitment to justice, a pledge cited in the first line of the Constitution and engraved over the entrance to the U.S. Supreme Court.

But this commitment has become an empty promise for growing numbers of low-income Americans who cannot afford a lawyer and cannot get access to one through increasingly overburdened civil legal aid services.

The Legal Services Corp., established by Congress in 1974, provides federal grants to 134 nonprofit legal aid programs with more than 900 offices in every state. It's the single largest funder of civil legal aid for low-income Americans. The problems for which low-income Americans seek assistance at LSC-funded legal aid programs go to the very heart of

their safety and security: domestic violence, unlawful foreclosure or eviction, child custody and veterans' issues, among others.

In Michigan, LSC [funds](#) six programs with 29 offices across the state. These offices, both in Michigan and nationwide, are increasingly overwhelmed with requests for help.

Nearly one in five Americans -- 63 million people -- now qualify for LSC-funded civil legal assistance because they live at or below 125% of the federal poverty guideline. That is an all-time high.

As demand has been rising, the combined [funding](#) for LSC programs from federal, state, local and all other sources has dropped from \$960 million in 2010 to \$878 million in 2012.

As a result, legal service programs are turning away more and more people who seek help -- 50% or more according to recent studies.

More than 21% of the state's population now qualifies for LSC-funded civil legal assistance. Resources from LSC and other funders, however, have dropped dramatically. Projected overall funding for the six LSC grantees in Michigan for 2012 is \$19.6 million -- a decrease of nearly 24% from 2010 funding levels.

Most work at LSC-funded programs is performed by modestly paid staff attorneys. Legal services programs also coordinate the volunteer services of attorneys in private practice who handle cases on a pro bono basis.

But as it has across the country, the drop in funding has forced staff reductions in Michigan. By the end of this year, the six Michigan programs are projected to have 17% fewer employees than they did in 2010, cutting 18% of their attorneys, 16% of their paralegals, and 16% of their support staff.

Cutbacks in these legal services affect more than the low-income people who may not be able to secure quality representation.

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 for everyone who needs to use the court system.

LSC has responded to these challenges by launching a pro bono task force to look for new ways to recruit more volunteer lawyers to work with its programs. LSC is also focused on using technology to increase efficiency and to expand the availability of legal forms and information to the public.

What is really needed, however, is a renewal of our national pledge to ensure equal access to justice for all, a message that should be sounded by the courts, the bar, all levels of government and the public.

After all, another pledge recited every day by American schoolchildren says we are a nation "indivisible, with liberty and justice for all" -- not justice for only the shrinking number of Americans who can afford to hire a lawyer.

John G. Levi is chairman of the Legal Services Corp. board of directors.