

ATTACHMENT B

(Proposed 2017 letter to the Members of the California Congressional Delegation)

Sent via e-mail

May ___, 2017

Honorable (insert name of Senator or House of Representative Member)

Re: Legal Services Corporation Funding

Dear Members of the California Congressional Delegation:

As President of the Board of Trustees of the State Bar of California, I am writing to request your support for continued funding of the Legal Services Corporation (LSC) for FY 2018 at the level necessary to continue providing critically needed legal services to vulnerable communities throughout the United States.

LSC, the largest single provider of funding for 133 civil legal aid programs nationwide, seeks to ensure equal access to justice under the law in every county in every state and the U.S. territories. The current appropriation from Congress for LSC is \$385 million; \$40 million of that amount is granted to 11 legal aid organizations in California. The California grantees are: Bay Area Legal Aid, California Indian Legal Services, California Rural Legal Assistance, Central California Legal Services, Greater Bakersfield Legal Assistance, Inland Counties Legal Services, Legal Aid Foundation of Los Angeles, Legal Aid Society of Orange County, Legal Aid Society of San Diego, Legal Services of Northern California, and Neighborhood Legal Services of Los Angeles County. Together these organizations serve more than 200,000 individuals annually, who are some of the most vulnerable in our communities, including homeless veterans, domestic violence survivors and their children, and frail seniors.

LSC funds represent anywhere from 20% to 70% of the total budget for each of the 11 California organizations. About 50% of the funds go to the rural areas of the state. The number of Californians living at or below 125% of the federal poverty guidelines who are eligible for services from an LSC-funded organization or other qualified legal services providers is more than 8 million, or 20% of the state's population. In contrast, there is only one legal aid lawyer for every 7,500 eligible individuals—the disparity is worse in the rural parts of the state.

Ensuring equal access to justice is a core governmental function with shared federal and state responsibility. In California, a bipartisan majority in the Legislature has consistently supported state funding for civil legal aid since 1999 with a \$10 million annual general fund appropriation supporting the Equal Access Fund. Last year, the Legislature approved a one-time \$5 million augmentation to that Fund. In addition, the Legislature authorized the State Bar of California to use its annual member dues statement to collect voluntary contributions from lawyers to support legal aid. More than \$7 million in contributions has been collected for this purpose so far in 2017.

Notwithstanding the continued efforts by the State Bar of California and its justice partners to expand financial support, the need for legal aid continues to far exceed the availability of funds from federal and state sources. Most qualified legal services organizations in California are under-funded even with LSC funding, and have barely recovered from a drastic decline in funding from the Interest on Lawyers' Trust Accounts (IOLTA). Today approximately \$6 million is generated directly from IOLTA in California as compared to \$22.7 million in 2008. Eliminating funding for the Legal Services Corporation will only serve to widen the justice gap in California and the rest of the nation, and the potential effects will be devastating.

LSC funding has been shown to be money well spent. Studies from across the country show that the return on investment is \$2 to \$11 for every dollar spent on civil legal aid. In addition, civil legal aid helps ease the burden on the court system and leverages pro bono work by private attorneys. Loss of LSC funding would likely result in the layoff of up to half or more of the staff in California LSC-funded organizations, closure of offices, and denial of access to justice for literally thousands of low-income communities. In addition, there will be a corresponding loss of the private bar's capacity to provide pro bono legal services due to the lack of support and coordination provided by legal aid lawyers.

The continued effectiveness of the Legal Services Corporation is critical to the nation's justice system and to millions of indigent individuals who would not otherwise receive legal assistance, including thousands in California. Leadership from Congress is needed now more than ever. We urge the California Congressional Delegation to oppose the administration's proposal to eliminate funding for the Legal Services Corporation, and to support continued funding at a level necessary to continue providing critically needed legal services that affect basic human needs.

Board of Trustees' activities relating to this position are funded from voluntary sources.

Very truly yours,

James P. Fox
President
The State Bar of California