**Public Hearing on Mayor Gray’s Fiscal Year 2014 Budget Request for**

**Access to Justice**

**Before the**

**Council of the District of Columbia**

**Committee on Public Safety and the Judiciary**

Testimony of Thomas S. Williamson, Jr., President

District of Columbia Bar

April 25, 2013

Good morning Chairman Wells and members of the Committee. My name is Tom Williamson, and I am a Senior Counsel in the Washington, D.C. office of the Covington and Burling law firm, and I am a 38-year resident of the District. I am testifying before you today in my capacity as President of the District of Columbia Bar.

On behalf of the Bar, its leadership, and its members, I would like to thank Mayor Gray for including $3.575 million in the proposed FY 2014 budget for the Access to Justice program. I would also like to express our appreciation for your continued support of the program, which provides critical legal assistance for low-income District residents. Today we ask you to renew your treatment of this program as a priority by providing at least $3.575 million to protect the most vulnerable residents of this city. As has been done in past years, these funds would be provided to the D.C. Bar Foundation to administer the grant process for legal services providers and the related loan repayment assistance program for legal services lawyers.

The D.C. Bar is the second largest mandatory bar in the country, and more than half of our 99,000 members live and work in the D.C. metropolitan area. The D.C. Bar recognizes its obligation to strive relentlessly to ensure that everyone has meaningful access to justice; accordingly, we fully support the initiatives of the Access to Justice Program. The Bar strongly believes in equal access to justice and believes that funding for this program is crucial to ensuring that those in the most impoverished neighborhoods and communities have access to attorneys and the courts.

Our Bar works to give practical, day-to-day meaning to our commitment to access to justice primarily through our nationally renowned Pro Bono Program. The D.C. Bar’s Pro Bono Program mobilizes lawyers to assist impoverished individuals, vital community-based nonprofit organizations, and small businesses operating in economically disadvantaged neighborhoods. Our Program offers volunteer opportunities for virtually any attorney, whether he or she is a litigator or a transactional attorney. We make good use of lawyers who can only be available for a few hours as well as those who are prepared to spend months and years on a *pro bono* matter. Our experienced, dedicated staff provides training, expert mentoring, and ongoing support to make volunteering as easy as possible and ensure that our clients receive high-quality legal representation. Together we serve 20,000 individuals per year.

The Bar excels as a provider and facilitator of *pro bono* legal services. We are proud to inform you that *pro bono* lawyers -- both individuals and firms -- are an integral component of the delivery of civil legal services in the District. It is noteworthy that the District’s law firms and lawyers have sustained their *pro bono* commitments during these difficult economic times. They continue to devote thousands of hours of *pro bono* time to legal services. The leadership and staff of the D.C. Bar also encourage law firms and individual lawyers to provide financial support for the legal services providers.

The D.C. Bar’s Pro Bono Program works closely with a strong community of civil legal services organizations in the city. These organizations identify our neighbors who need *pro bono* assistance, facilitate the links between the clients and the *pro bono* lawyers, and provide staff for training and mentoring volunteer lawyers.

Due to the widening income gap in the District, our Pro Bono Program has experienced a sharp increase in demand for civil legal services at the same time that the resources and assistance available to District residents are becoming more and more limited. The local legal community is working hard to address the increased need, but the partnership of a strong legal services provider network, and the financial support of the District government are essential in order to do so effectively. Being able to finance grants to legal services will undoubtedly result in keeping poor families in their homes, reinstating individuals’ unemployment benefits, ensuring that children are protected from domestic violence, and protecting the elderly against predatory lenders.

The Access to Justice appropriation leverages private resources to provide desperately needed services to District residents. The funding allows private sector lawyers working with legal services providers to offer their services on a *pro bono* basis. Also, the funding saves the District government money that would otherwise have to be spent for social services. *Pro bono* multiplies the effect of District funding. Strong and effective providers of legal services make *pro bono* possible and thus leverage District resources to serve many more clients. Notably, the legal services funding appropriated by the Council is the central, enabling component.

A clear example of this partnership and how it saves the District money can be found in Landlord and Tenant Court. The D.C. Bar staffs with volunteer attorneys a resource center that serves over 5,000 clients annually. We identify tenants in jeopardy of imminent eviction and refer them to the Court-Based Legal Representation Project, which is funded by the Council’s appropriation for civil legal services. That project is staffed by legal services providers who provide same-day representation to pro se tenants to help them assert their rights in eviction cases and avoid homelessness. Assisting families so that they can remain in their homes means fewer families have to resort to living in the District’s already over-crowded shelter system.

Civil legal services providers are struggling to meet rising need with diminished resources, while requests for assistance remain high. The recession resulted in a significant decrease in the public and private resources available to fund civil legal services. Moreover, the IOLTA (Interest on Lawyers Trust Accounts) income, which has traditionally been the greatest source of non-public revenue for legal services, has decreased drastically by more than 80 percent since 2008, costing the legal services network over $1,000,000 in lost resources.  Severe funding challenges, coupled with an already-reduced legal services staff, have resulted in the frequent denial of legal services to low-income residents seeking assistance. These residents include those with urgent, and often fully resolvable, legal issues – such as litigants struggling with mental illnesses, physical disabilities, histories of family violence, and language access barriers.

Chairman Wells, we urge you, the Committee, and the Council to continue your commitment to helping the communities in our city living in poverty, especially during these challenging economic times. We understand the District’s own financial difficulties; therefore, we thank you again for your support last fiscal year.

It is clear, based on his FY 2014 proposed funding of $3.575 million, that Mayor Gray recognizes the District government’s shared obligation, with the private Bar, to provide access to equal justice for the citizens of the District of Columbia. We commend the District of Columbia’s dedication to helping communities throughout the city and providing access to civil justice. Even with the private Bar’s efforts and with the current levels of public funding for access to justice, it is not nearly enough to aid those most in need of our help. Therefore, we ask you to sustain your support.

The D.C. Bar offers its full support for the Access to Justice Commission’s request to provide at least $3.575 million in funding for FY 2014. Thank you.