

Rationing Justice: the Effect of the Recession on Access to Justice in the District of Columbia
A Joint Report of the D.C. Access to Justice Commission and the
D.C. Consortium of Legal Services Providers

Executive Summary

Legal Assistance is a Critical Strand in the Safety Net for Low-Income DC Residents

Low-income District residents rely on legal services providers to help them secure the most basic of human needs. Without advocates, poor residents are forced to navigate intimidating and complex court processes alone, often when their homes, their children, their safety, or their only income stream is in jeopardy. For our many neighbors who are chronically ill, physically or mentally disabled, victims of violence or who struggle with literacy or English proficiency issues, this is a particularly treacherous proposition.

Anti-Poverty Legal Services Have Been Devastated by the Recession

The recession has devastated the capacity of legal services providers to meet these urgent needs. At a time when clients are seeking services in greater numbers, legal services organizations are being forced to reduce or eliminate critical programs. A rapid decline in funding due to the recession has required drastic measures, including laying off staff, closing intake sites, and reducing services: **funding for legal assistance in the District is down \$4.5 million, a drop of more than 25%; 21 fewer lawyers are working for legal services programs; legal services programs have lost 30 paralegals, policy advocates, social workers and others who provide critical support for clients.**

Communities Living in Poverty Are In Crisis

The recession has had a severe impact on District neighborhoods with high concentrations of poverty. Unemployment in low-income neighborhoods is at shocking levels: official unemployment in Ward 8 is 28.3%, in Ward 7 it is 19.5%, and in Ward 5 it is 15.5%. The highest rates of foreclosure are in the poorest neighborhoods. Homeowners and landlords are losing their homes and families are being displaced or become homeless. Government and charities have fewer resources to assist. The increased economic despair combined with reduced services makes it harder for persons in poverty to meet basic human needs. Lawyers can often stave off the worst impacts by defending eviction actions, helping clients obtain unemployment or other benefits, or securing access to nutrition or health care or ensuring that a family is safe from domestic violence.

Critical Legal Services Have Been Cut

The reduction in legal services has widened the justice gap. Twenty-one fewer lawyers means that approximately **1050 fewer cases** a year are handled before the courts or an administrative agency **and 2100 fewer clients** receive counseling, advice or brief services. In addition, programs have had to **reduce intake hours, restrict intake criteria, reduce provision of extended representation in favor of providing brief assistance, narrow priorities, and reduce or eliminate crucial supportive and social work services.**

Next Year Will Be Worse

Every key funding source for legal services will decrease in 2010. District funding for civil legal services has already been cut by \$700,000. Foundation funding is expected to decline due to the drop in endowment equity. Law firm and individual giving, already down by 20%, will be flat or

decrease further. Legal services organizations have used up much of their flexibility. In 2009, programs went deeply into reserves, imposed salary and hiring freezes, furloughed staff and reduced an eliminated discretionary spending. There is little room to address further funding shortfalls. This means that fewer and fewer clients will receive desperately needed legal assistance.