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Panel to Study Ways to Improve Legal Help for Poor

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If you're poor and accused of a crime, the courts will assign you a lawyer, for free.

But if you're poor and about to be evicted, or need help getting child-support payments, finding representation in this lawyer-rich city is much more difficult, if not impossible.

The Legal Aid Society, the Children's Law Center and Legal Counsel for the Elderly often can afford to take only the most desperate of cases, leaving many more people to fend for themselves. It is not a new problem, here or elsewhere. But in the District, especially, it is a worsening problem, lawyers say, stoked by a growing gap between rich and poor and by the squeeze of gentrification.

A study by the D.C. Bar Foundation in 2003 found that only one in 10 people living in poverty in the District had access to necessary legal services.

Now, after more than a year of planning, the D.C. Court of Appeals has taken a step toward addressing the problem, by establishing the District of Columbia Access to Justice Commission.

Peter B. Edelman, a professor at Georgetown University Law Center and a former assistant secretary at the U.S. Department of Health and Human Services who has been an outspoken advocate for the poor for much of his career, will chair the 17-member panel.

The commission, Edelman said, is about expanding access to the legal system for those who can't afford to hire an attorney.

"There ought to be a place that they can go to get advice, to get representation, to get help with the problems they're facing," Edelman said.

Those problems span many areas of the law, such as disputes over custody and child support and claims of employment discrimination. Many clients require specialized help.

But in a city with more than 30,000 local members of the bar, only about 100 lawyers work full time providing legal services for the poor, primarily through a couple of dozen core organizations, according to the D.C. Bar Foundation.

Local law and pre-law students and professional lawyers working pro bono supplement the work of the organizations.

The need has continued to outpace the resources available as federal money for indigent legal services has declined over the last two decades, Edelman said.

"The bottom line," he said, "is there's less money in the system than there was 20 years ago, and it never got anywhere near being adequate in the first place."

The commission, which was sworn in Monday by D.C. Appeals Court Chief Judge Annice M. Wagner, includes four judges, as well as representatives from legal advocacy organizations such as Legal Aid, the Washington Legal Clinic for the Homeless and the Asian Pacific American Legal Resource Center.

Akin Gump Strauss Hauer & Field and Steptoe & Johnson, two law firms with active pro bono programs, each contributed \$25,000 to support the commission and pledged to raise money from other firms.

Jonathan Smith, the executive director of Legal Aid in D.C., said the last thing the commission wants to do is simply turn out another study. "We know what the problems are, we even know what some of the solutions are," he said. "Now it's time to get it done."

Until now, Smith said, the improvements that have been undertaken in legal services for the poor, such as Landlord-Tenant Court, have been specific to particular problems. What the commission wants to do, Smith said, is look at the whole range of legal services for the poor and make sure the services reach as many people as possible.

"It's not going to be another report that's going to sit and collect dust on a shelf; at least that is what I hope," he said. "The idea is to put people in the room who can make changes and have those changes occur."

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