

District of Columbia Court of Appeals

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COMMISSION NAMED TO ATTACK CRISIS IN LEGAL HELP FOR D.C. POOR

Blue Ribbon Panel to Seek More Representation For Those Who Can't Afford Legal Services

WASHINGTON, D.C. – The District of Columbia Court of Appeals announced today the 17 members of the D.C. Access to Justice Commission, a new body that will propose ways to make lawyers and access to justice more available for poor people in the District. Peter Edelman, a longtime Georgetown University law professor and government and civic leader, will chair the panel, which is comprised of judges, bar leaders, lawyers who serve low-income people, and other leaders of the community.

The Commission will reach out to all interested parties as it develops a plan to assure that all District residents who need a lawyer to protect their rights in civil cases can get one.

The Access to Justice Commission was formed following an in-depth review by the D.C. Bar Foundation. The study found that only one in 10 of the 110,000 District residents living in poverty actually get legal representation when they need it. The review underscored how low-income African Americans and Latino and Asian Pacific American immigrant communities are especially hard hit by the lack of legal representation. It called for a “bold” approach and stressed the need for structural changes.

Announcing the appointment of the Commission, D.C. Court of Appeals Chief Judge Annice Wagner said, “Equal access to justice is a fundamental principle in America. In spite of the continuing efforts of many in our legal community, we still have to work to make that principle a full reality in the District. The denial of equal justice adversely impacts individuals and our society as a whole and erodes confidence in our system of justice. We have to do more – and the Commission will lay out a path to get us there.”

Noting the devastating consequences of not having access to legal help, Professor Edelman said, “When people are already at the edge, a lawyer can make all the difference. The help of a lawyer can enable poor people to keep their families together, hold onto their home or apartment, fight back against an unscrupulous lender or merchant, protect themselves and their children against an abusive spouse or partner, or gain redress against a dishonest employer. The stakes are often at the level of basic survival.”

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Edelman added, "We also need to find ways to get the help of lawyers in answering the hard questions about why so many people live in poverty in our Nation's capital. And we need to engage lawyers in helping to teach people how to navigate those areas where a lay person's knowledge is as powerful as a lawyer's representation."

Chief Judge Wagner pointed to ongoing efforts to increase legal representation for the poor. "Legal service providers work endless hours; many D.C. lawyers give time and money; and the D.C. Courts have created self-help centers, modified rules and procedures, established a Committee on Fairness and Access, and taken many other important steps to improve access," she said. "Nevertheless, the gap continues to grow. We need to broaden our efforts beyond the legal community. All branches of government, businesses, law schools, foundations, and every segment of our community must join in this effort, if we are to solve this problem."

The September 2003 D.C. Bar Foundation report that urged formation of the Commission found that poverty in the District, always disproportionately high, had increased in recent years and become more concentrated in certain neighborhoods. At the same time, the report found that the crisis in civil legal representation had worsened, with virtually no legal services available for the poor on consumer issues, public utility problems, and probate, and woefully insufficient services in housing and family law. Compounding these deficiencies were cultural and language barriers, further obstructing meaningful access to justice for the poor.

Further, a recent study by the D.C. Fiscal Policy Institute says that the District has one of the largest economic gaps in the Nation. It says the average income of the top fifth of the population is \$186,000 and the average income of the bottom fifth is \$6,000.

"The Commission will focus on coming up with lasting solutions to assure delivery of quality civil legal services, on the broadest scale possible, to people who otherwise would not be able to afford them," Chief Judge Wagner said.

Among the wide range of issues the Commission will examine: funding for legal services; a particular focus on language access and cultural sensitivity; the legal services network and its infrastructure including technology, training, financial management, facilities, employee benefits, and coordination of planning functions; ease of participation in the work of legislative and administrative bodies; and systemic barriers including forms, scheduling practices, and rules governing filings in various courts.

The Commission's initial term is for three years, and it will file annual reports on its progress.
(Please see attached sheet for full listing of all commission members)

The Commission will seek the views of residents from throughout the city, including residents living in poverty, residents who are language minorities and residents with disabilities. It will begin its work with an initial organizational meeting early this spring.

The Commission was established after detailed discussions led by the Court of Appeals with the District of Columbia Bar, the District of Columbia Bar Foundation and the District of Columbia Consortium of Legal Service Providers.

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Recognizing the importance of the Commission, two major law firms, Akin Gump Strauss Hauer & Feld LLP and Steptoe & Johnson LLP, have taken the lead in providing funding to the D.C. Bar Foundation, for the purpose of supporting the Commission's mission. Each firm has donated \$25,000, and each firm has pledged to raise additional funds.

"We are grateful for the leadership of these firms and are confident that other law firms and the business community will join them in helping the Bar Foundation to support the vital work of this commission," said Emily Spitzer, Executive Director of the D.C. Bar Foundation.

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