



D.C. Represents Civil Justice for our Neighbors



What is D.C. Represents?

D.C. Represents is a campaign mobilizing law firms and individual practices, government attorneys, corporations, associations, law schools and public interest organizations to enhance their existing pro bono commitment to confront the influx of COVID-19 related legal needs in the District.

The campaign is organized by a coalition of representatives from D.C.'s legal service providers, law firms, and the D.C. Access to Justice Commission.

Before the COVID-19 pandemic, one in six D.C. residents lived in poverty and the poverty rate in the District's poorest Ward (which is 90% Black) was 35.7%. When faced with legal issues threatening their stability, 75% to 97% of D.C. residents appeared in Superior Court without a lawyer.

Since the pandemic struck, the health crisis and the resulting economic downturn have created a wave of evolving COVID-19 related legal needs that have made this crisis even more acute.

To confront pandemic-related legal needs, legal service providers are seeking increased pro bono assistance in areas such as eviction, domestic violence, debt, children and families, wills and probate, and access to public benefits and unemployment insurance through opportunities large, small, and remote – from intakes and brief advice, to full representation.

Enhanced pro bono commitments are a crucial component to ensuring District residents have access to civil legal services, which are a critical safety net, a racial justice issue, and essential to an equitable pandemic recovery.

Joining D.C. Represents is an opportunity to publicly announce through D.C. Represents media and publications that you have made a commitment to expand your pro bono commitment – no reporting or details about your specific commitment are required!

To share that you are making a commitment
SIGN ON at the D.C. Represents website

Find more information and background about the campaign attached and at www.dcccesstojustice.org/dcrepresents

Expand Your Commitment
Explore ideas for how you can enhance your existing commitments to meet pandemic legal needs

The District's Civil Legal Needs Crisis
Learn more about pro bono's crucial role in an equitable pandemic recovery

The Legal Community's Response
Explore a listing of existing pro bono opportunities and trainings available to be prepared to help as more legal needs emerge

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The District's Civil Legal Needs Crisis

Access to Civil Legal Services is a Critical Part of the District's Safety Net

- **Poverty is a significant concern in D.C.** Pre-pandemic, about 111,000 D.C. residents (1 in 6) lived in poverty (including 32,000 children); almost 195,000 residents lived within 200% of the poverty level.
- **Low-income individuals experience higher rates of civil legal problems** and it is far more difficult for them to recover from the negative effects of losing housing, health insurance, or employment.
- **Many of the District's low- and moderate-income residents face additional obstacles to navigating the legal system and accessing legal help**, such as disability and limited English proficiency.
- **Pre-pandemic, a staggering number of District residents navigated high-stakes cases without legal representation:**
 - 88% of tenants facing evictions (vs. 95% of landlords who are represented)
 - 75% of housing conditions petitioners
 - 88% of petitioners and 95% of respondents in domestic violence cases
 - 83-93% of litigants in family law cases and 97% of respondents in child support cases
 - 86% of public benefits appeals claimants and 91% of unemployment appeals claimants
 - 97% of plaintiffs in small estate probate matters.ⁱ
- **Access to legal services makes a difference:** In evictions, for example, parties with counsel are more likely to raise legitimate defenses, less likely to have a writ of eviction issued against them (8% represented vs. 31% unrepresented), and are more likely to reach settlements (73% vs. 20%).ⁱⁱ

Access to Civil Legal Services in the District is a Racial Justice Issue

- **Wards 7 and 8 (which are 90+% Black) had the highest pre-pandemic poverty rates** (27% and 36%) compared with 17% District-wide. These numbers have no doubt increased since the pandemic, and many more who live just above the poverty line are financially at risk.
- **DC had the highest rate of Black unemployment in the nation at the start of 2020 at 11.3%.** In the most recently available post-pandemic data, that rate has risen to 18.2%.^{iv}
- **The COVID-19 pandemic has only heightened economic stress and racial disparities in the District, further limiting access to civil legal services.**

Impact of the Pandemic



1 in 4 adults with children in D.C. say they can't afford enough food for their children



1 in 10 adults in rental housing are behind on rentⁱⁱⁱ

D.C. has the largest racial disparity in death rates from COVID-19 in the nation.^v

Black people, 46% of the population, account for 74% of deaths and 51% of positive tests. Latinx people, 11% of the population, account for 26% of positive tests.^{vi}



Expanded Access to Civil Legal Services is Essential for an Equitable Recovery

Due to the COVID-19 pandemic, thousands of District residents are already seeking, or will seek, legal help in the coming months. Areas of high need include the following areas:



Housing (Evictions Defense, Housing Conditions)

- Though a current eviction moratorium is limiting immediate need, an estimated 39,000 potential evictions may be filed in D.C. when the public health emergency is lifted, with 57,000 at risk of eviction (36.5% of total rented households in D.C.).
- 81.2% of white tenants are confident they can pay next month's rent, but 43.1% of Black tenants and 63.8% of Latinx tenants have little or no confidence they can pay their rent.^{vii}
- Legal services providers are fielding more calls from tenants whose landlords are not making needed health and safety repairs to rental units during the pandemic.



Children and Families (Custody, Child Support, Special Education)

- Parents need legal help with custody and child support due to pandemic-related issues such as parental illness, loss of employment, and disagreements about social distancing, with guardians ad litem needed to represent the best interests of children in these new, complex situations.
- Even when they do have access to remote technology,^{viii} children who receive special education services are more at risk of falling behind.



Unemployment Insurance and Worker Protections

- Over 150,00 people applied for unemployment insurance in the District between March 13 and October 19, 2020 – compared to 37,720 total claims in 2019.^{ix}
- Issues with application processing have made applying extremely difficult.
- The D.C. Office of Administrative Hearings is experiencing 4 times the typical number of unemployment appeals.



Domestic Violence

- The DC SAFE hotline had 3,000 calls to its DV hotline during a 2-month period, and the DC Volunteer Lawyers Project has had a 300% increase in calls for assistance since the pandemic.
- There were over 1,200 petitions for protection filed with the DC Superior Court between March and September 2020.



Wills/Powers of Attorney/Probate

- Low-income, Black and Latino populations (the most at-risk populations for COVID-19) are less likely to have wills and estate plans, leading to complex probate proceedings after a death in the family and threatening intergenerational transfer of wealth. Unfortunately, there is only one D.C. legal service provider currently able to serve low-income residents in estate administration.



Public Benefits (SNAP, TANF, Medicaid, Disability)

- Many qualified applicants for crucial safety net programs lack the ability to complete online benefits applications or SNAP recertifications, and may face improper benefits terminations or denials due to unfamiliarity or system errors as an overwhelming number of new applications are processed.



Debt/Consumer Protection

- Legal services providers expect to see a tsunami of cases related to unpaid credit cards, auto loans, medical bills, and student loans once current debt collection moratoria expire. Bankruptcies are also expected to markedly increase.
- Providers are also expecting an increase in COVID-19-related fraud targeting vulnerable populations, especially undocumented populations ineligible for federal financial assistance.

Go to <https://dcaccessjustice.org/dcrepresents> to get involved!

i. Data for 2017. See The District of Columbia Access to Justice Commission. *Delivering Justice: Addressing Civil Legal Needs in the District of Columbia* (2019), at 83, available https://www.dcaccessjustice.org/assets/pdf/Delivering_Justice_2019.pdf.
ii. Data collected by the D.C. Right to Housing Initiative and Housing Right to Counsel Project through 2017. *Id.* at 54.
iii. Center on Budget and Policy Priorities' analysis of Census Bureau Pulse Survey data collected July 9-21 (August 21, 2020), available <https://www.cbpp.org/research/poverty-and-inequality/tracking-the-covid-19-recessions-effects-on-food-housing-and>
iv. Economic Policy Institute, State unemployment by race and ethnicity (updated August 2020), available <https://www.epi.org/indicators/state-unemployment-race-ethnicity/>
v. Jenny Gatrigh, Study Points To Significant Racial Disparities In COVID-19 Among Children. (August 6, 2020), DCist, available <http://www.dcist.com/story/20/08/06/dc-study-coronavirus-test-children-race-disparities/>.
vi. For D.C. poverty data, see *Delivering Justice* Report (D.C. Access to Justice Commission), at 18.
vii. DC Coronavirus Data as of September 15, 2020, available <https://coronavirus.dc.gov/data>
viii. StoutAdvisory, data available <https://t.co/UKvplO4FV?amp=1>. Figures are of July 29, 2020.
ix. Perry Stein, D.C had a summer to connect with students and close the digital divide. Did it? (August 24, 2020), Washington Post, available https://www.washingtonpost.com/local/education/dc-had-a-summer-to-connect-with-students-and-close-the-digital-divide-did-it-2020/08/24/3b533112-de22-11ea-8051-d5f887d73381_story.html
x. D.C. Department of Economic Security, available <https://does.dc.gov/publication/unemployment-compensation-claims-data>

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Expand your Commitment

The pandemic has made the longstanding civil legal crisis in the District of Columbia even more acute. Before the pandemic struck, one in six D.C. residents lived in poverty and the poverty rate in the District's poorest Ward (which is 90% Black) was 35.7%. When faced with legal issues threatening their stability, 75% to 97% of D.C. residents appeared in Superior Court without a lawyer. Access to civil legal services is a critical safety net, a racial justice issue, and essential to an equitable recovery. Now is the time to come together to support our D.C. neighbors. First, commit to **DO MORE** to help those in need. Second, find ways to **LEARN MORE** to be prepared to help as courts reopen and needs grow.

DO MORE

- **Create a Signature Project or New Initiative** – Create an office-wide signature project focused on serving D.C. residents that targets a specific area of prominent need; team with a D.C. legal services organization on a new initiative to meet an under-served area of need (e.g., debt collection hotline, staffing a virtual clinic)
- **Design D.C.-Focused Pro Bono Teams** – Establish case teams focused on a prominent need to staff individual representation cases, policy initiatives, and related projects; staff multiple cases and encourage attorneys to check in with other teams to share wins, tips and strategies
- **Start an Attorney Hours Challenge** – Establish an attorney hours challenge to increase pro bono hours devoted to D.C. residents in cases of prominent need – increase your local pro bono hours by 3-20% over the next 6 months or year
- **Increase Individual Case Representation** – Commit your organization to take a certain number of cases serving D.C. residents in targeted areas of greatest need (e.g., take 5-10 more pro bono cases over the next 3 months)

LEARN MORE

- **Commit to a Culture of Pro Bono Learning and Host and Promote Training Opportunities** – Actively promote training opportunities for lawyers and staff in one or more areas of prominent need in D.C. so that volunteers are ready to take cases as need rises
- **Get to Know our Neighbors/Sponsor a Discussion** – Offer discussion opportunities on societal and legal issues that profoundly affect our community (e.g., eviction, economic injustice, racial injustice)
- **Promote Education** – Provide opportunities for your lawyers and staff to learn more about the life circumstances of our D.C. neighbors and the civil justice crisis
- **Highlight Your Pro Bono Client Stories** – Establish avenues for your attorneys and staff to talk about and publicize their D.C. pro bono work and its impact on individual lives

To commit
SIGN ON

OUR NEIGHBORS' GREATEST NEEDS:*



Housing
(eviction defense,
housing conditions)



**Debt/Consumer
Protection**



Domestic Violence



**Unemployment
Insurance**



Children and Families
(custody, child
support, education)



**Wills/Powers of
Attorney/Probate**



Public Benefits
(SNAP, TANF,
Medicaid, Disability)

*may evolve as the public health situation and court operations change