



June 10, 2021

Dear Chairman Mendelson, Judiciary Committee Chair Allen, and Members of the D.C. Council:

The District of Columbia Bar and its past Presidents are writing to express their ardent support for the Access to Justice Initiative and the advocacy of the D.C. Access to Justice Commission in securing increased funding for the program. On behalf of the Bar, its leadership, and its members, we would like to express our gratitude to the District government in supporting the Access to Justice Initiative. The D.C. Council deserves special thanks for its leadership in creating this program, which provides critical legal assistance to low-income District residents. Supporting and expanding this program will be critical to the District's recovery from the COVID-19 pandemic and its aftermath.

From the moment the pandemic struck this community, our legal services providers mobilized to pursue innovative approaches to address the unmet need for legal services among the District's low-income communities. Over the past year, legal services providers were tasked with switching to remote operations while providing key services to help residents through pandemic-related challenges. This included ensuring tenants knew their rights, helping workers understand their legal protections on the job and apply for and secure unemployment benefits, keeping survivors of domestic violence safe, ensuring that health-related services remained available, and so much more. They also provided specialized services and outreach to serve the elderly, those that have disabilities, children, immigrants, and other at-risk populations. None of this work would be possible without the Access to Justice Initiative.

The need for legal services and funding for those services will be even greater as we move into the recovery phase of the pandemic. As courts resume more normal operations and moratoria are phased out, we will see more District residents subjected to eviction and foreclosure, debt collection lawsuits, garnishment of wages and attachments of bank accounts, and other civil legal challenges. Other District residents will continue to need assistance securing unemployment insurance and other public benefits due to economic hardship. Providers are already seeing an increase in consumer fraud and scams directed at low-income populations. At the same time, domestic violence survivors will continue to need help seeking protection, and families will be seeking assistance with custody matters. As residents work to recover, civil legal services providers will be critically important to help ensure continued access to unemployment benefits, protection from fraud, the sealing of criminal and eviction records, and other matters essential for economic mobility.

This increased need will be on top of the staggering civil legal need we experienced before the pandemic. According to "[\*Delivering Justice: Addressing Civil Legal Needs in the District of Columbia\*](#)," a report published by the D.C. Access to Justice Commission in December 2019,

“Despite dramatic changes in the economy over the past 10 years, poverty post-recession remains largely the same as it was pre-recession. Even though providers have significantly increased their reach and the volume of clients served, this unrelenting poverty perpetuates the need for civil legal services.” The Report further notes the staggeringly high rate of litigants appearing in our courts without a lawyer, which is as high as 97% in some branches of D.C. Superior Court. Significantly, in landlord and tenant court, where a judicial determination can mean the difference between maintaining secure housing and becoming homeless, roughly 88% of tenants were unrepresented in data highlighted in *Delivering Justice*.

In addition to funding the dedicated work of civil legal services providers, the Access to Justice Initiative funding provides loan repayment assistance to those D.C. Bar members who provide these free legal services and who live and work in the District. Access to Justice Initiative funding of the Community Legal Interpreter Bank ensures that services are delivered in the client’s native language.

Funding for the Access to Justice Initiative also increases the capacity of legal services providers to leverage our members to do *pro bono* work. The D.C. Bar is the largest mandatory bar in the country with more than 111,000 members nationwide and 65,000 members in the D.C. metropolitan area. Meaningful access to justice for every D.C. resident is a core value of the Bar and providing *pro bono* services is an ethical obligation under our Rules of Professional Responsibility, as well as a moral commitment for many members. The D.C. Bar has one of the strongest *pro bono* cultures of any Bar in the country. Indeed, last year, members of the D.C. Bar provided hundreds of thousands of hours of service to *pro bono* clients.

As Bar leaders, we persistently exhort our members to devote more time to *pro bono* work through volunteering with the D.C. Bar Pro Bono Center and other nonprofit organizations. Before the pandemic, the D.C. Bar created a Pro Bono Task Force to promote *pro bono* service among members and is now redoubling those efforts in response to the growing pandemic-related need in our community. Even with these efforts, *pro bono* alone cannot fill the need for legal services for low-income residents. Private attorneys cannot effectively serve *pro bono* clients without the help of the legal services organizations who screen clients, provide trainings, mentor, and otherwise support the *pro bono* lawyers. Civil legal service providers are thus a crucial component of *pro bono* service, and their mentoring and engagement require significant resources.

The District is facing a long economic recovery, and ensuring that the recovery is equitable for all District residents will be a monumental task. The Council will undoubtedly be considering appropriations for other important benefits for residents dealing with economic insecurity, including mental health services, housing, unemployment compensation, and other necessities. We appreciate the need for and support these direct benefit programs. However, availability of civil legal services is critical to ensuring that District residents can fully access the programs and benefits for which they qualify and benefit from pandemic and recovery-related legal protections.

Without the civil legal aid necessary to help District residents navigate these complicated issues and secure these protections, the problems we will face as a community will almost certainly multiply. An equitable recovery will require using every tool at our disposal, including funding for civil legal services as part of the safety net.

The partnership of a strong legal services provider network, the private bar, and the legal services funding appropriated by the District are all critical components that keep our legal services provider network running. The D.C. Bar is committed to helping the pandemic recovery process and supporting residents as they rebuild their lives, with the understanding that legal services are a necessary component of this process. The Access to Justice Initiative funding will be key to these efforts.

The D.C. Bar thanks the District government for its commitment to helping the communities in our city living in poverty, in recognition of the importance of providing access to justice for the residents of the District of Columbia. We current, future and past Presidents of the D.C. Bar thank you for considering this letter and our request for robust support of the Access to Justice Initiative.

Sincerely,

A handwritten signature in black ink that reads "Geoffrey M. Klineberg". The signature is written in a cursive style with a large, looping initial "G".

Geoffrey M. Klineberg  
President, 2020-2021

A handwritten signature in black ink that reads "Chad T. Sarchio". The signature is written in a cursive style with a large, looping initial "C".

Chad T. Sarchio  
President-Elect, 2020-2021

**Past Presidents in Support of the Access to Justice Initiative  
June 10, 2021**

Charles R. Work	1976-77
Stephen J. Pollak	1980-81
Marna S. Tucker	1984-85
Philip A. Lacovara	1988-89
Sara-Ann Determan	1990-91
Jamie S. Gorelick	1992-93
Mark H. Tuohey III	1993-94
Pauline A. Schneider	1994-95
Robert N. Weiner	1995-96
Myles V. Lynk	1996-97
Carolyn B. Lamm	1997-98
Andrew H. Marks	1998-99
Joan H. Strand	1999-2000
John W. Nields Jr.	2000-01
George W. Jones Jr.	2002-03
Shirley Ann Higuchi	2003-04
John (Jack) C. Keeney	2004-05
John C. Cruden	2005-06
James J. Sandman	2006-07
Melvin White	2007-08
Robert J. Spagnoletti	2008-09
Kim Michele Keenan	2009-10
Ronald S. Flagg	2010-11
Darrell G. Mottley	2011-12
Andrea Ferster	2013-14
Brigida Benitez	2014-15
Timothy K. Webster	2015-16
Annamaria Steward	2016-17
Patrick McGlone	2017-18
Esther H. Lim	2018-19
Susan M. Hoffman	2019-20