**Public Hearing on Mayor Fenty’s Fiscal Year 2011 Budget Request**

 **for the Office of the Attorney General**

 **Before the Council of the District of Columbia**

 **Committee on Public Safety and the Judiciary**

 **Testimony of Inez Smith Reid, Associate Judge,**

 **on Behalf of Eric T. Washington, Jr., Chief Judge of the**

 **District of Columbia Court of Appeals**

 **April 30, 2010**

Mr. Chairman and Members of the Committee, I am Inez Smith Reid, Associate Judge of the District of Columbia Court of Appeals. I am here on behalf of Chief Judge Eric Washington of the D.C. Court of Appeals. He wanted very much to be present this morning with Chief Judge Satterfield and Professor Edelman to give testimony in support of the Access to Justice Commission’s FY 2011 funding request for civil legal services, but a prior out-of-town commitment precludes his presence.

I have chaired the D.C. Courts Standing Committee on Fairness and Access since its creation in 1996, in recognition of the need to improve public confidence in the D.C. Courts and to provide District residents with meaningful access to justice. Through the years much has been accomplished internally in our efforts to forge a fair and accessible judicial system for residents confronted with rather complicated civil legal problems but who cannot afford a lawyer. Early in its existence, however, the Committee realized that the task of achieving access to and fairness in the courts is much too large for the courts alone to handle. As we know, the search for meaningful justice is impacted by outside forces such as low economic status, limited English-speaking proficiency, and enormous pressures on families that spillover into deep-seated civil legal problems.

Wisely, the D.C. Courts sought collaboration with legal service providers, members of the D.C. Bar, the D.C. Bar Foundation, and others to address barriers to civil justice, and the D.C. Court of Appeals established the Access to Justice Commission in 2004. The Commission is an essential and pivotal force; it realized immediate dividends benefitting the D.C. Courts and District residents - - both through Council funding for legal service providers, and through hands on help from the D.C. Bar Pro Bono Program and attorneys in private law firms who stepped up to join the collaborative endeavor. Permit me to make the following quick points to illustrate the dividends reaped from these collaborative endeavors.

First, litigants who are not represented by counsel, for example in landlord/tenant, domestic violence and family matters, may now go to several resource centers in court buildings to gain an understanding about papers that need to be filed in court, and how to process those papers. Second, these collaborative efforts, including the Council’s funding, produced an increase in the capacity of legal service providers to represent some residents who have severely limited economic means, both at the trial court and the appeals court level. Third, District residents, who have arrived recently on American soil, with limited proficiency in English, have been able to receive understandable legal assistance prior to coming to court, due to Council funding of the Community Legal Interpreter Bank; this has resulted in vast improvements in the quality of court filings and the administration of justice. Fourth and relatedly, the quality of appeals filed by low-income residents has improved substantially, and there is a corresponding reduction in the agony of our appeals court judges because meritorious legal issues are now being raised properly in the trial court and can be considered on appeal. Fifth, the work of the Commission and the involvement of the Council in providing funding for civil legal needs has prompted more attorneys, judges, and others to embrace the goals of fair and accessible D.C. Courts and meaningful justice for District residents.

Now, however, with the possibility of enormous decreases in Council funds, cuts in the staff of legal service providers, and cutbacks by law firms, the dividends which have come after so many years of persistent work by the D.C. Courts, the D.C. Bar, legal service providers, the D.C. Bar Foundation and others are in danger of disappearing in these harsh economic times. The harshness of economic realities may be seen in two statistics that Chief Judges Washington and Satterfield highlighted in their letter of April 6, 2010, to you, Mr. Chairman: “In Ward 8, 28.3% of adults are unemployed, and in Ward 7 unemployment stands at 19.5%.” The Chief Judges noted “[t]he domino effect of the recession” as it has created “new pockets of poverty or threatened poverty” in the District, resulting in “foreclosure-induced eviction notices,” an increase in women who are subjected to severe domestic violence due to economic pressures, and bewildered residents who do not know their rights or how to tackle these new and complicated legal realities, all of which require civil legal assistance for resolution.

Mr. Chairman and Members of the Committee, let me close with a thank you. Thank you for recognizing the need for funding to help meet serious civil legal needs in the District. Please know that Council funds have made a substantial and measurable contribution and difference as the D.C. Courts attempt to achieve their goal: “Open to All, Trusted By All, Justice for All.” Thank you for allowing me to present this testimony on behalf of Eric Washington, Chief Judge of the District of Columbia Court of Appeals.