



**Testimony of the District of Columbia Access to Justice Commission
Regarding Mayor Bowser's Proposed Fiscal Year 2024 Budget**

**Submission to the Council of the District of Columbia
Committee on the Judiciary and Public Safety**

April 13, 2023

The D.C. Access to Justice Commission appreciates the opportunity to submit this written testimony today in support of the Access to Justice Initiative ("Initiative"). **We respectfully request that the D.C. Council restore funding at the Initiative's FY23 level of \$31.689 million to ensure its services continue to be available to District residents. The Initiative is an important part of a continuum of community services. Cuts to the program, in concert with other proposed cuts, will prove disastrous for vulnerable District residents. Cuts to emergency rental assistance, victim services, safety net programs, and legal services are all related, and will create a perfect storm for District's residents who are already vulnerable.**

The Commission was created by the District of Columbia Court of Appeals in 2005 to address the scarcity of civil legal services for low- and moderate-income District residents and to reduce the barriers these litigants face in navigating the civil justice system. The Commission is chaired by Professor Peter B. Edelman of Georgetown University Law Center and Vice Chaired by James Sandman, President Emeritus of the Legal Services Corporation and Distinguished Lecturer at the University of Pennsylvania Law School. Its members include representatives from the D.C. Court of Appeals, D.C. Superior Court and D.C. Office of Administrative Hearings, past Presidents of the D.C. Bar and other private bar leaders, legal services organizations, law schools, community-based organizations, and other local leaders.ⁱ

The Initiative was created by the D.C. Council in fiscal year 2007 to provide public support to make civil legal services available to District residents. It is under the purview of the Office of Victim Services and Justice Grants (“OVSJG”). OVSJG works with the D.C. Bar Foundation (“DCBF”) that in turn has the responsibility to administer the program and disburse these important funds. They do so skillfully and strategically, and we are grateful for their work.

We recognize the D.C. Council for its long-standing support and in particular this Committee that has championed it from the beginning. FY22 and FY23 marked historic investments in the program, with over \$22.5 million and \$31.689 million respectively. Increased funding allowed it to meaningfully expand and develop new projects to target persistent unmet community need.

As you know, there is no right to appointed counsel in civil cases, unlike our criminal justice system. Yet, national and local data demonstrate that giving individuals greater access to legal information and opportunities for representation leads to better individual and community outcomes. Today you will hear data and examples of the real outcomes that flow from this work. And access to civil justice is a racial equity imperative where D.C. communities of color disproportionately experience civil justice challenges. For thousands of District residents who cannot afford legal help, funding the Initiative and its work at this level offers a lifeline and is a critical part of our safety net.

That is why the Commission is concerned that the proposed FY24 budget funds the Initiative at \$13.018 million, a 60% (or \$18.672 million) cut from FY23 funding. As our testimony and that of others will detail today, the need for legal services – at a crisis level *before* the pandemic – has not waned and continues to grow and outpace available resources. This makes a funding cut like this devastating to our civil justice system and the vulnerable District residents who rely on it for help.

The Commission urges the Council to restore Initiative funding to \$31.689 million. We cannot risk backsliding in our ability to meet community legal needs after two years of transformational funding. Restored funding at this level would include:

- **\$20.339 million for the Access to Justice Grants Program.** This funding would support: (1) \$16.339 million for *access to justice grants* to meet increasing demand for civil legal services in communities of highly concentrated poverty; expand representation in housing matters; and maintain a legal interpreter bank; (2) \$3 million to support efforts to *prevent eviction*; and (3) \$1 million to support the development of a *coordinated intake and referral system* to make it easier for residents to access legal services. Funds would also support evaluations to better measure the impact and effectiveness of the program in meeting community needs.

- **\$11 million for the Civil Legal Counsel Projects Program.** This program funds legal representation in eviction-related proceedings and would support eviction-related legal services at a time of increasing need, as well as the continued evaluation of the program.
- **\$350,000 for the DC Poverty Lawyers Loan Repayment Program.** This program assists grantee lawyers with student loan debt and would support the work of attorneys to deliver needed services, ensure a high quality, diverse pool of legal services professionals, and is an important retention and recruitment tool for legal services employers.

The Commission would like to emphasize four points today:

First, by eliminating FY22 and FY23 funding increases, reduced FY24 funding means cutting essential legal services District residents currently rely upon. These services matter for clients. As you will hear today, the Initiative has a profound, wide-ranging impact that must be supported through consistent funding. You will find attached a collection of statements prepared by Initiative grantees describing the expansion of their work made possible by FY22 and FY23 funding and their fears about the impact on District residents who depend on them if funding is not restored.

Second, by eliminating access to critically needed services, reduced FY24 funding would put the housing, safety, and both the family and economic stability of some of the District's most vulnerable populations at risk. This is especially concerning when community need is not waning, but is increasing. You will hear testimony today from funded programs on the needs they are currently seeing from District residents, how they are trying to meet those needs, and the threats to those residents and the Initiative's future if there are drastic funding cuts.

Third, failing to invest in these services would have long-term, community consequences. It would worsen the circumstances of those already in crisis, lead to a further burdening of government systems, and undermine the administration of justice. Access to legal help leads to better community outcomes and a fairer civil justice system. You will find attached letters of support from D.C. Court of Appeals Chief Judge Anna Blackburne-Rigsby, D.C. Superior Court Chief Judge Anita Josey-Herring, and D.C. Attorney General Brian Schwalb describing how the Initiative aids our justice system.

Fourth, a cut would also imperil resources that this funding uniquely leverages. The primary example of this is pro bono support that can only be maximized if there is a stable legal services community to support volunteers. This impact is described in a letter from D.C. Bar President Ellen Jakovic and D.C. Bar President-Elect Charles Lowery, co-signed by thirty Past Presidents of the D.C. Bar, that is also attached to our testimony.

THE INITIATIVE AND ITS IMPACT

Restoring funding to meet last year's level of \$31.689 million is critical to ensure that we maintain and build on the important work achieved through the Council's historic investments in the Initiative. Taken together, Initiative funds support an expansive array of programs that effectively address District residents' crucial need for legal services. Failing to invest in services that work would worsen the circumstances of those already in crisis and puts more District residents at risk. This work, briefly discussed below, will be further detailed by other witnesses today.

The Initiative has three components.

The first, the ***Access to Justice Grants Program***, funds access to justice grants to meet the growing demand for civil legal services in communities of highly concentrated poverty, promotes language access through support for a community legal interpreter bank, has dedicated funding to support efforts specifically targeted to *prevent* eviction filings, and supports efforts led by the DC Bar Foundation to develop a coordinated intake and referral system to make it easier for District residents to access legal services. As witnesses from the legal services community will testify today, restoring funding to FY23 levels is essential to allow these programs to continue to provide direct services to District residents at a time of growing need.

The breadth of this work is demonstrated by the range of organizational statements attached to our testimony. Areas of focus funded include: *keeping individuals and families safe* through legal services and crisis safety planning for survivors of domestic violence, gender-based violence, and sex trafficking and exploitation; *promoting family stability* through early intervention legal services for children and families at-risk of entering foster care, representation of District parents and caregivers trying to resolve family conflict or child support issues, and specialized support for custody-involved children; *managing health crises* by helping DC residents secure public benefits, gain access to housing, food, and medications, identify legal remedies to conditions like asthma, and by providing specialized services through medical-legal partnerships with DC health systems; *offering specialized support for individuals with disabilities*, including ensuring safe and healthy environments and combatting discrimination; *assisting seniors aging in place* with estate planning, public benefits support, combatting fraud and abuse, and safe-keeping inter-generational transfer of property; *stabilizing credit for low-income residents* and helping protect critically needed funds by helping

residents fight predatory lending and illegal debt collection schemes and avert negative court judgments and credit reports; *protecting wages and jobs* by helping District residents recover stolen wages, fight discrimination and harassment, and seek assistance from employment-related programs; *promoting economic security* by ensuring District residents secure benefits to which they are entitled through advocacy and legal representation involving unemployment insurance, TANF, SNAP, SSI and SSDI, rental subsidies, shelter services, and health benefits; *promoting education opportunities* for youth at risk including legal support to students and parents to prevent school exclusion and ensure access to a free and appropriate education; *providing re-entry support for returning citizens* to help them transition back to the community after incarceration and navigate legal challenges in education, custody, employment, consumer protection, and expungement matters; and *supporting the District's growing immigrant population* with legal help in combatting notario fraud, protecting unaccompanied minors, and offering culturally specific legal services to targeted populations within the immigrant community.

The District's one-of-a-kind Community Legal Interpreter Bank, operated by Ayuda, must also continue to be funded to ensure low-income residents who are limited English proficient or Deaf have language accessible legal services. Last year, the Bank performed 9,000 interpretations and arranged for the translation of more than 460 documents for 41 non-profit organizations serving District residents – an increase of 3,000 from the year prior.ⁱⁱ

Eviction Diversion funding, also funded here, allows DCBF and Initiative grantees to pursue *prevention*-based strategies to halt evictions, including more directly involving non-legal, community-based organizations as partners. Maintaining current levels of support for these efforts would allow Initiative grantees to continue work with canvassers to knock on doors and maintain additional staff that help tenants at risk of eviction be aware of the availability of services to help. Making these services available as early as possible to tenants – as opposed to waiting until a court hearing to first offer help – limits more destabilizing outcomes, another effective use of funding.

Finally, restored funding in this area would include support for an effort to bring coordinated intake and referral to the District. The vision is that there would be 'no wrong door' to accessing legal help. Instead of having to contact multiple organizations, District residents seeking help would have a single point of entry, where they'll be connected with someone who would listen to their problems and connect them with curated resources that would address their problems and facilitate a

connection with a legal services provider that may have the capacity to help. With a civil justice system as complex as the District's, this system is desperately needed. No other jurisdiction has attempted an approach at a scale the DC Bar Foundation contemplates for the District; investment in building this transformational system would serve as a national model for such programs.

The second component of the Initiative, the ***Civil Legal Counsel Projects Program*** or ***CLCPP***, was created by the Council in fiscal year 2018 to specifically target funding towards access to legal help and representation in eviction-related proceedings. This is a necessary intervention given rising community risk of eviction. Consistent CLCPP funding ensures that District tenants facing eviction matters in D.C. Courts have the legal help they need to protect their rights, assert legitimate defenses, and negotiate agreements that allow them to maintain their housing with achievable terms. The critical nature of this support is demonstrated by the work accomplished through the program, as will be outlined in greater depth in other testimony presented today and is captured in published DCBF evaluation reports.ⁱⁱⁱ Robust data collection for the CLCPP program began in August 2019. Since that time and through September 2022, CLCPP grantees have closed 6,777 eviction and voucher termination cases, providing legal assistance to 5,561 low-income DC residents.^{iv}

CLCPP grantees also jointly maintain the Landlord Tenant Legal Assistance Network ("LTLAN"), a coordinated and accessible telephone-based intake and referral system for low-income litigants to be connected with an attorney from a CLCPP grantee organization. Grantees ensure LTLAN information is widely available, including through partnerships with community organizations, in mailed court documents about upcoming hearings, and through announcements during court hearings themselves. Since its launch in June 2020 and through December 2022, LTLAN conducted over 7,200 intakes for tenants and small landlords seeking help^v and has become the primary access point for tenants to connect with the partner organizations, with over 75% of clients who came to CLCPP during late 2022 doing so through the LTLAN.^{vi}

CLCPP grantees also have a regular presence in court hearings to connect with unrepresented tenants to offer services. This includes remote hearings, where CLCPP grantees observe how the remote process is working for low-income tenants and offer suggestions for improvement. CLCPP grantees participate in D.C. Superior Court's Landlord Tenant Working Group and its Landlord Tenant Rules Committee to provide recommendations to the Court on process improvements and other

topics. Judicial officers have found the CLCPP's role in serving court users during this challenging time instrumental.

In order to leverage funds effectively, CLCPP organizations also collaborate to train pro bono attorneys, referring cases for representation whenever possible. Restoring funding to the CLCPP would allow this multifaceted approach to continue to provide vital legal assistance to District tenants.

The third component of the Initiative, the ***DC Poverty Lawyers Loan Repayment Program*** or ***LRAP***, assists grantee lawyers with student loan debt to ensure a high quality, diverse pool of legal services professionals, serving as an important retention and recruitment tool for legal services employers. With an average indebtedness of approximately \$200,000 and the average salary of enrolled participants at \$69,800, this program incentivizes attorneys to devote their skills to helping the District's vulnerable population and helps legal services employers recruit and retain high-quality, experienced staff.^{vii}

THE RISK OF REDUCED FUNDING IN LIGHT OF GROWING COMMUNITY NEED

By eliminating access to critically needed services, reduced FY24 funding would put these programs – and thus the housing, safety, and both the family and economic stability of some of the District's most vulnerable populations – at risk.

Additional FY22 and FY23 funding allowed Initiative grantees to expand support to District residents for proven projects and create new programs in areas of unmet civil legal need. District residents benefitting from these expanded and new services include District residents at risk of eviction and experiencing housing instability; survivors of domestic- and gender based- violence (particularly those in Wards 7 and 8); District families and children, including court-involved families, low-income mothers (with targeted support to Black mothers), children at the center of child custody disputes, and pregnant and post-partum individuals; District residents experiencing economic insecurity or consumer debt issues (including targeted community efforts in Wards 1, 4, 5, 7, and 8 and for those of modest means); and other vulnerable residents like older District residents and the District's immigrant population. The funds also supported expanded work by existing programs to

provide holistic, culturally specific, and trauma-informed services that sensitively and effectively magnify the long-term impact of legal services for District residents.

The waning of the pandemic has not decreased the need experienced by these District residents for legal services – instead, civil legal needs continue to grow and outpace available resources, even with the significant investments recently made. The need for representation in our courts and tribunals has long been an access to justice crisis. In our 2019 *Delivering Justice* report,^{viii} we found that rates of litigants appearing without a lawyer were as high as 75-97% in DC Courts and at the DC Office of Administrative Hearings. This trend has continued, with case filings rising and legal services providers across a wide spectrum of legal issues all encountering increased need. Despite FY22 and FY23 funding that allowed providers to hire more staff, introduce new outreach programs and areas of legal representation, expand pro bono partnerships and increase trainings, and join network projects to maximize their impact, providers continue to receive more requests for help than they can fill, turning away potential clients with meritorious claims.

These are just a few examples of the need and risk for District residents if funded is not restored:

Without legal assistance, housing instability among District residents would certainly grow. Over half of FY23 Initiative funding supports housing interventions that have been proven to be effective like the eviction prevention and eviction-related legal representation described above. New, prevention-based strategies and partnerships aimed at preventing evictions and eviction filings from occurring were made possible due to this increased funding. In the last quarter of 2022 alone, there were 818 knocks on doors to offer help to those on the brink of eviction, 382 outreach letters sent, and 16 ‘know your rights’ presentations delivered (with 255 attendees). These new interventions are at risk at a time when evictions also continue to rise. In the first few months of 2023, the monthly rate of eviction filings in D.C. Superior Court grew by 42% compared to 2022 monthly rates.^{ix} The most recent U.S. Census data reports that over 28,000 of those DC adults in rental housing surveyed said they were behind in rent and half of them felt it was “very” or “somewhat” likely that they’d have to leave their house within 2 months due to eviction.^x The current number of evictions and calls for help among tenants are also rising significantly. As stated in the recently-published 2022 CLCPP report, “As the number of eviction filings increases, so will the percentage of tenants who come to the CLCPP with an active eviction complaint. While the CLCPP should continue to offer those tenants who

do not need extensive services with easily accessible and trustworthy legal information and brief advice, meeting the needs of the community will require the CLCPP network to prepare for an increase in tenants who benefit from limited scope or full representation services.”^{xi}

Cuts to the Initiative would also impact community safety. As other witnesses will detail, domestic violence remains a chronic, growing area of need. One grantee organization handled double the number of cases in 2022 than in 2019 and was still unable to meet the need presented. The monthly rate of case filings in civil protection orders at D.C. Superior Court rose by 65% in the first few months of 2023 as compared to the monthly rate in 2022.^{xii} Another grantee who provides wraparound legal services for victims of crime reports a 90% increase in requests for service in the first quarter of 2023, as compared to that time period in 2021. Reduced funding puts programs like these and others that offer help to victims of domestic- and gender-based violence, combat recidivism, and support returning citizens at risk.

Legal services for families and children are another area of increasing need. The circumstances that create family instability have been aggravated by the rising cost of living and a heightened affordable housing crisis in the District, putting stress on DC families living below the poverty line. An Initiative grantee that provides legal services to relative caregivers of children saw a 100% increase in the number of clients in 2022 as compared to the previous year, and a 50% increase in clients in the first quarter of 2023 as compared to the first quarter of 2022. The Family Law Assistance Network has received more than 2,000 referrals for help since its launch in March 2020, and that rate is likely to grow since court activities during this time period were significantly curtailed. Reduced funding puts programs that offer help to District families and children at risk, including those that aim to keep children and families out of the foster care system and those that focus on education, child support, custody and family conflict, and specialized support for custody-involved children.

The District’s community economic stability would also be impacted by drastic funding cuts. Services that combat economic risk and inopportunity, address employment-related problems, and help District residents access vital benefit programs would also be in jeopardy. These include programs that stabilize credit for low-income residents and help protect their incomes by fighting predatory lending and illegal debt collection and averting negative judgments and credit reports; projects that help District residents recover stolen wages and fight employment-related discrimination and harassment; and programs that ensure District residents are able to secure

benefits to which they are entitled, including unemployment insurance, TANF, SNAP, SSI and SSDI, rental subsidies, shelter services, and health benefits.

And there are many other areas of unmet and new need. For example, a report issued jointly by the Council for Court Excellence and the Commission calls on the legal and philanthropic community to expand support for legal services in probate and estate administration among other reforms.^{xiii} The need for programs that help District residents manage health crises by being able to secure public benefits, gain access to housing, food, and medications, identify legal remedies to health problems like asthma, and provide specialized services through medical-legal partnerships with District health systems are also growing at a time when thousands of District residents will be recertifying or when approved services will be under renewed scrutiny.

The impact of funding cuts would fall most heavily on the most vulnerable District residents. This includes elders, individuals with disabilities, the immigrant community, and other special populations. Initiative programs support the District's growing immigrant population with legal help in combatting notario fraud, protecting unaccompanied minors, and offering culturally specific legal services to targeted populations within the immigrant community; specialized support for individuals with disabilities, including ensuring safe and healthy environments and combatting discrimination; and programs assisting seniors aging in place with estate planning, public benefits support, combatting fraud and abuse, and safe-keeping inter-generational transfer of property.

Finally, changes in the law and new protections available to District residents require legal support. District residents navigating new legal terrain will need help in understanding and vindicating new rights from legislation like the Council's Intrafamily Offenses and Anti-Stalking Orders Amendment Act, the Protecting Consumers from Unjust Debt Collection Practices Amendment Act, the local Earned Income Tax Credit Expansion Act, and the Student Fair Access to School Act.

These are just a few reasons why Initiative grantees report an increasing and more complex level of community need for civil legal help, and underscores the need to restore FY23 funding at \$31.689 million.

LONGER-TERM COMMUNITY IMPACT

Failing to invest in these services would also have long-term community consequences. Initiative programs meet District residents at moments of crisis. As such, the availability of their services can mean addressing that crisis and potentially solving it, or allowing it to fester. Not having these services available would undoubtedly worsen the circumstances of those already in crisis, as unmet legal needs cause these crises to spiral, with the government ultimately bearing the burden. For example, the costs of homelessness when a tenant could have avoided eviction; the costs of foster care when legal services are not available to help stabilize a family; government-funded healthcare costs from unaddressed health-harming housing conditions; the physical and mental costs of domestic violence; the loss of income from employment discrimination, financial fraud, or the inability to access benefits – all areas where the timely help of a lawyer can drastically change the trajectory for a District resident.

Grantee statements attached to our testimony quantify some of these savings. One Initiative funded provider who addresses consumer legal issues notes that in six years of receiving public funding, it has saved its clients over \$3.5 million. Another grantee, a medical-legal partnership serving pregnant and postpartum patients, has achieved positive financial outcomes of nearly \$200,000 for 155 clients. Yet another medical-legal partnership serving the families of pediatric patients has helped avoid \$14.1 million in Medicaid costs over a three-year period (through programs from all funding sources, including the Initiative).

LEVERAGING OTHER RESOURCES

Drastic funding cuts would also jeopardize the ability of legal services providers to efficiently build and operate networks and maximize the value of their funding. Led by the DC Bar Foundation, organizations have launched networks where they come together to collaborate, learn, and improve. These funds also promote creative community alliances such as medical-legal partnerships, which place attorneys alongside medical staff at some of the District's most high-volume providers of primary medical care. Legal services providers have developed numerous partnerships with trusted community partners to deliver legal information and better connect District residents to legal services. Maintaining these networks and fostering community connections requires dedicated financial resources.

The District government's leadership in committing these public funds has also allowed legal services organizations to maximize a range of other resources. Legal services providers magnify the impact of every public dollar invested through the recruitment, training, and support of private lawyers performing pro bono service in the District. Pro bono contributions are indispensable to meeting client needs but are only possible when there is a stable legal services network to identify cases, develop resources, and provide training and supervision.^{xiv} Without these public funds and the stable legal services infrastructure they assure, many of these important law firm resources would go untapped, and thousands more clients would be denied the assistance of counsel.

Finally, the District's commitment to civil justice also serves as a model to all segments of the community. The increase in funding from both the public and private spheres, commensurate with their joint commitment to equal access for all, is crucial. The Commission is grateful that the private bar has increasingly become a partner in funding access to justice work and that its direct contributions to legal services organizations also have increased. Each year, the Commission recognizes the contributions of the legal community through the *Raising the Bar in D.C.* campaign.^{xv} The Commission believes that this robust private-public partnership has been greatly incentivized by the District government's long-standing support.

CONCLUSION

Civil legal services make government systems more effective for residents and are part of the critical safety net for District residents living in poverty. When DC residents have greater access to justice, this means greater family stability and economic opportunity and a better overall quality of life in the community.

There is no higher function of government than to ensure that all of its residents, no matter their economic status, have equal access to justice. You and the District government have embraced this most fundamental of obligations through your support of the Initiative. **We respectfully request that you restore FY23 funding of \$31.689 million to support strategies to serve the District's most vulnerable residents and enable them to participate fully in the District's recovery and renewal.**

Thank you for the opportunity to testify today.

ⁱ To learn more about the Commission and our work, see www.dccaccesstojustice.org.

ⁱⁱ Ayuda, *Testimony Before the Judiciary Committee, OVSJG Performance Oversight* (February 10, 2023) available at <https://www.brookepintodc.com/oversight>.

ⁱⁱⁱ See [NPC Research, Civil Legal Counsel Projects Program \(CLCPP\) Annual Evaluation Report, FY2021 \(October 2021\)](#), [NPC Research, Biannual Progress Report to the Council of the District of Columbia and the Office of Victim Services and Justice Grants, Civil Legal Counsel Projects Program \(CLCPP\) \(October 2022\)](#), and [NPC Research, Civil Legal Counsel Projects Program \(CLCPP\) Annual Evaluation Report, FY2022 \(March 2023\)](#). Another good exploration of these efforts is available at [Annemarie Cuccia, "We're Trying to Make it a Level Playing Field: How a New Hotline Helped Stop Two-Thirds of Evictions in DC," The DC Line \(August 22, 2022, updated December 9, 2022\)](#).

^{iv} 2022 CLCPP Report, *supra* note ii at 12. The case volume and rate of closure was impacted by various stages of the pandemic.

^v Ellen Jakovic, D.C. Bar President, *Testimony before the Judiciary Committee, OVSJG Performance Oversight* (February 10, 2023) available at <https://www.brookepintodc.com/oversight>

^{vi} 2022 CLCPP Report, *supra* note ii at 34.

^{vii} DC Bar Foundation, *Testimony Before the Judiciary Committee, OVSJG Performance Oversight* (February 10, 2023) available at <https://www.brookepintodc.com/oversight>.

^{viii} D.C. Access to Justice Commission, [Delivering Justice: Addressing Civil Legal Needs in the District of Columbia](#) (December 2019).

^{ix} Data provided by D.C. Courts.

^x U.S. Census Bureau, Household Pulse Survey available at <https://www.census.gov/programs-surveys/household-pulse-survey/data.html#phase3.8>.

^{xi} 2022 CLCPP report, *supra* note ii at 40.

^{xii} Data provided by D.C. Courts.

^{xiii} [Council for Court Excellence and D.C. Access to Justice Commission, Strengthening Probate Administration in the District of Columbia \(February 2022\)](#).

^{xiv} Each year, the D.C. Courts, in partnership with the Commission and the D.C. Bar Pro Bono Center, recognize pro bono attorneys who provide 50 hours or more of pro bono service – or 100 hours of service or more for a higher recognition category – to help those who cannot afford counsel. <https://www.dccourts.gov/about/pro-bono-honor-roll>

^{xv} The campaign establishes revenue-based benchmarks for law firm donations to legal services organizations. <https://dccaccesstojustice.org/raising-the-bar/>



**Testimony of the District of Columbia Access to Justice Commission
Regarding Mayor Bowser's Fiscal Year 2024 Budget Request**

ATTACHED STATEMENTS

1. **D.C. Courts** (*Joint Statement from Chief Judge Anna Blackburne-Rigsby and Chief Judge Anita Josey-Herring*)
2. **D.C. Bar** (*Letter from President Ellen M. Jakovic, President-Elect Charles Lowery and Past Presidents of the D.C. Bar*)
3. **D.C. Office of the Attorney General** (*Letter from Attorney General Brian L. Schwalb*)
4. **Advocates for Justice and Education, Inc.** (*Rochanda Hiligh-Thomas, Executive Director*)
5. **Amara Legal Center** (*Caroline Ackerman, Executive Director*)
6. **Ayuda** (*Paula Fitzgerald, Executive Director*)
7. **Bread for the City** (*George A. Jones, Chief Executive Officer*)
8. **Children's Law Center** (*Judith Sandalow, Executive Director*)
9. **Christian Legal Aid** (*Whitney King, Executive Director*)
10. **D.C. Affordable Law Firm** (*Gabby Mulnick Majewski, Executive Director*)
11. **D.C. Bar Pro Bono Center** (*Kelli Neptune, Executive Director*)
12. **D.C. KinCare Alliance** (*Marla P. Spindel, Executive Director*)
13. **Disability Rights at University Legal Services** (*Sandy Bernstein, Legal Director*)
14. **First Shift Justice** (*Laura Brown, Executive Director*)
15. **Georgetown University Health Justice Alliance** (*Vicki W. Girard, Faculty Director*)
16. **Legal Aid of DC** (*Vikram Swaruup, Executive Director*)
17. **Legal Counsel for the Elderly** (*Rhonda Cunningham Holmes, Executive Director*)
18. **Mothers Outreach Network**, (*Melody Webb, Founder and Executive Director*)
19. **Neighborhood Legal Services Program** (*Karen Newton Cole, Executive Director*)
20. **Quality Trust** (*Sam Crane, Legal Director*)
21. **Rising for Justice** (*Grace M. Lopes, Executive Director*)
22. **Tzedek DC** (*Ariel Levinson-Waldman, Founding President and Director-Counsel*)
23. **Victim Legal Network of DC, a project of Network for Legal Recovery of DC** (*Bridgette Stumpf, Executive Director*)
24. **Washington Lawyers' Committee for Civil Rights and Urban Affairs** (*Jonathan Smith, Executive Director*)
25. **Whitman Walker Health** (*Amy Nelson, Legal Director*)



**Before the Council of the District of Columbia
Committee on the Judiciary and Public Safety**

**Written Statement of Hon. Anna Blackburne-Rigsby Chief Judge, D.C. Court of Appeals
and Hon. Anita Josey-Herring, Chief Judge, D.C. Superior Court**

The Access to Justice Initiative

The District of Columbia Courts are pleased to once again testify in support of the Access to Justice Initiative (“Initiative”). The D.C. Courts are confronted every day by the significant civil justice gap that persists in our community. One significant obstacle to closing this gap is the vast number of litigants who must navigate their civil cases alone in both the D.C. Court of Appeals and the D.C. Superior Court because they cannot afford counsel. The Initiative is a fundamental and essential part of any effort to provide equal justice for District residents facing significant civil legal challenges because it is a critical tool in securing legal representation for the thousands of litigants who seek redress in our tribunals each year. The Initiative increases the opportunity for residents who are in legal crisis to have an advocate at their side when the things they most value – their children, their livelihood, their safety, their homes – are at risk. That is why it is critical to maintain consistent and adequate funding to support legal services providers that offer free legal help to low-income District residents experiencing these problems in civil cases.

As judges, we see first-hand how important legal services providers are to the administration of justice. The Court partners with local legal services organizations to host court-based projects that make free legal services more readily available to court users. The assistance provided involves a range of legal help – legal information, advice, assistance in preparing legal briefs, limited representation, or full representation – provided at the time the litigant is in court with an opportunity to secure longer-term representation. We and our colleagues are grateful to be able to direct court users with questions and legal needs to these valuable resources. Each year thousands of court litigants are served through these projects.

Most importantly, the Initiative has provided a greater opportunity for court litigants to have the benefit of full, legal representation. The legal issues confronted by litigants are complex, and many struggle to understand the relevant statutes and rules, effectively raise complicated defenses, and present their evidence and arguments persuasively. For the high percentage of litigants who also struggle with other challenges like physical disabilities, low literacy, lack of internet and technology access, or histories of domestic violence or trauma, navigating the process without counsel can seem – and in practice be – impossible. For these litigants, counsel is indispensable.

We also recognize that a well-funded and stable legal services network helps advance our goal of expanding the level of other *pro bono* representation in our courts. Legal services providers ensure that the cases placed with volunteer lawyers are properly screened, and that these lawyers receive the training, mentoring, and support that they need to take on cases that may be outside their area of expertise. The Courts are pleased to recognize this community of *pro bono* lawyers each year through the *Capital Pro Bono Honor Roll*. Legal service providers are essential to harnessing this resource for the benefit of District residents.

Having access to counsel also advances the efficient operations of our courts. Because of their experience and training, legal counsel presents cases more efficiently, thereby reducing litigant wait times and freeing up judicial resources. They ensure that dispositive issues are raised early in the case, reducing time expended by parties and witnesses while also permitting judges to reach a just result in a timely manner. They also assist clients in settlement negotiations and mediation to potentially resolve matters without the need for lengthy court procedures. Efficiency is now more important to the courts than ever as we continue to reimagine operations with a combination of virtual and in-person hearings. Case volumes are increasing to pre-pandemic levels and self-represented litigants are in dire need of representation to navigate the legal system, as well as understand and affect their rights.

As court leaders, we are also charged with ensuring the fair administration of justice. Public trust and confidence in the courts is essential in our democratic system. However, no matter how much the Courts do institutionally to enhance access to justice for unrepresented litigants by providing user-friendly legal resources and information, litigants feel they are treated more fairly when they have counsel by their side.

Legal services providers have long played an instrumental role in serving court litigants in partnership with the court. Their work during the pandemic is a good example. Legal services providers worked closely with the court to ensure access to justice even during the most acute phases of the crisis.

Accessing the courts during this time presented new challenges for everyone, particularly litigants without counsel. The courts took numerous steps to ensure access to justice, including modifying operations to allow for remote access to court services and establishing six remote hearing sites throughout the District for litigants who otherwise lacked the ability to participate in virtual hearings. Legal services providers gave important feedback to court leadership on operational changes during this period, highlighting best practices for remote operations, and providing new resources to unrepresented litigants navigating the virtual court experience.

Important innovations that began during the pandemic continue to be offered to court litigants. The Court and the Bar provided remote access to court-based programs and resource centers in landlord-tenant, debt collection, small claims, child support, family law, and domestic violence cases. Legal services staff established centralized hotlines for unrepresented litigants seeking legal advice and representation in high-volume courtrooms. The courts also have partnered with legal services providers to share case information which enables attorneys to proactively reach out to litigants before hearings to offer access to civil legal services. These affirmative outreach efforts – the result of new funding made available to Initiative grantees in FY22 and FY23 – mean court litigants have access to legal support earlier in their cases.

The vision statement of the District of Columbia Courts is “Open To All, Trusted by All, Justice for All.” As judges, we are fully committed to achieving this vision. To do that, we rely on a skilled and adequately resourced legal services network to protect the rights of the District’s most vulnerable residents. The Access to Justice Initiative plays a significant role in providing that support. Thank you for the opportunity to submit our written testimony on behalf of the Access to Justice Initiative.



The Honorable Anna Blackburne-Rigsby
Chief Judge, D.C. Court of Appeals



The Honorable Anita Josey-Herring
Chief Judge, D.C. Superior Court

April 13, 2023



April 12, 2023

The Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004

RE: FY24 Access to Justice Initiative Funding

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

On behalf of the District of Columbia Bar and its past Presidents, we write to express our ardent support for the Access to Justice Initiative (the "Initiative") and the D.C. Access to Justice Commission's call for restoration of program funding to fiscal year 2023 levels. We are grateful to the District government for its support of the Initiative and recognize that it is a model for the nation.

Given the transformative nature of the Initiative funding, we were alarmed to learn that the Mayor's proposed fiscal year 2024 budget reduces by 60% the \$31.689 million allocated for the Initiative in fiscal year 2023, leaving only \$13.018 million for this critical program. These funds provide essential legal assistance to low-income District residents. Drastic cuts to this effective program will lead to catastrophic consequences for District residents that will put their safety, health, housing, and economic stability at risk, placing the District's most vulnerable populations even further in jeopardy. **We urge the Council to prioritize the restoration of Initiative funding to the fiscal 2023 level of \$31.689 million.**

Reducing investment in the Initiative will be especially damaging when community need continues to increase. Even before the pandemic, there was a staggering demand for civil legal services, as detailed in the Commission's 2019 report "[*Delivering Justice: Addressing Civil Legal Needs in the District of Columbia*](#)." The Initiative proved critical to the District's pandemic response and recovery, with District legal services providers pursuing innovative approaches to address unmet demand for legal help. FY22 and FY23 budget increases positioned the District's legal services community to expand services to address unmet legal needs. This work is at serious risk if funding is drastically cut, to the detriment of District residents. Although the pandemic is waning, demand for legal services continues to grow, especially in the areas of housing and domestic violence.

Initiative grantees leverage this funding and its capacity to help District residents when they recruit our attorney members to do pro bono work. The D.C. Bar is the largest mandatory bar in the country, with more than 110,000 members nationwide and 65,000 members in the

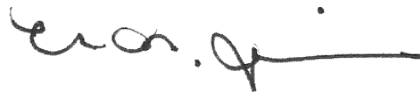
D.C. metropolitan area. Meaningful access to justice for every D.C. resident is one of the Bar's core values, and providing pro bono services is both an ethical obligation under our Rules of Professional Responsibility as well as a moral commitment for many members.

As Bar leaders, we continually encourage our D.C. Bar members to devote more time to pro bono work through volunteering with legal services organizations. But pro bono attorneys rely on the work of legal services providers in building trusting relationships with communities, screening cases, providing training, and offering mentorship, all of which take significant resources. Any cuts to funding for the Initiative's legal services grantees put at risk the multiplier effect of their capacity to support pro bono volunteers.

Access to legal assistance makes a meaningful difference. Without the civil legal aid necessary to help District residents navigate complicated issues and secure protections, our community's challenges almost certainly will increase as unaddressed legal problems spiral into additional crises. Often, the consequences of these unmet needs ultimately will be borne by the government. Having an effective program like the Initiative that can provide assistance early in the legal process is good for the community and relieves the burden on government institutions. Drastic cuts to the Initiative would place this benefit to the community and government in serious jeopardy.

We thank each of you for recognizing the importance of providing access to justice for the residents of the District of Columbia. Initiative funding is the engine that keeps our legal services provider network running and our pro bono partnerships thriving. Along with the listed Past Presidents of the D.C. Bar, we thank you for your consideration of this letter and our request that the Council again demonstrate leadership in this area by restoring funding for the Initiative to FY23 levels.

Sincerely,



Ellen M. Jakovic
President, 2022-2023



Charles R. Lowery, Jr.
President-Elect, 2022-2023

Past Presidents in Support of the Access to Justice Initiative
April 12, 2023

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
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
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
Geoffrey M. Klineberg	2020-21
Chad T. Sarchio	2021-22

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General

ATTORNEY GENERAL
BRIAN L. SCHWALB



April 10, 2023

To whom it may concern:

The Office of Attorney General supports the critical work of DC's Access to Justice Initiative (Initiative). As the District's independently-elected Attorney General, I am acutely aware of the enormity of need that far too many low-to-moderate income DC residents have for civil legal services. The Initiative plays a critical role in funding and deploying legal service providers across the city to assist DC residents facing housing instability, domestic-and-gender-based violence, and economic vulnerability, in addition to serving local at-risk populations who rely on access to programs tailored to their unique needs. OAG, in furtherance of our obligation to protect and defend the public interest, is using the law to address many of the underlying challenges and inequities that DC residents face, but we do not represent individuals in the array of civil matters that can have a huge impact on their lives. Thousands of DC residents annually rely on legal services that the non-profits under the Initiative's umbrella provide, and a stark reduction in necessary funding to continue the Initiative's work will no doubt leave many in our Nation's Capital with a catastrophic lack of access to civil justice.

On behalf of District residents who could not otherwise obtain civil legal services, we hope you will consider the vital work of DC's Access to Justice Initiative when making your budget and funding decisions. The importance of the work that the Initiative addresses every year cannot be overstated.

Sincerely,

A handwritten signature in blue ink, which appears to read "Brian L. Schwalb", is positioned above the typed name.

BRIAN L. SCHWALB
Attorney General



Advocates for Justice and Education, Inc.

The Parent Training and Information Center for the District of Columbia

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**Children with
Special Needs,
need Parents
with Special
Skills!**

April 10, 2023

Chairman Phil Mendelson and D.C. Councilmembers
City Council of the District of Columbia
350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Dear Chairman Mendelson and D.C. Councilmembers:

I am Rochanda Hiligh-Thomas, Executive Director of Advocates for Justice and Education (AJE) and I write to share the critical role the Access to Justice (ATJ) Initiative funds play in our ability to support some of DC's most vulnerable residents. AJE, founded in 1996, is the federally designated Parent Training and Information Center (PTI)¹ for the District of Columbia. Each year we assist hundreds of DC families through direct services, training, and advocacy in navigating the District's public education system (including, special education, school discipline and more), helping them to understand and protect their rights to ensure children have access to an appropriate education.² A quality education is the necessary foundation for giving DC's children and youth, particularly those with disabilities and special health care needs, the fair shot they deserve.

For over the last 11 years, AJE has received ATJ Initiative funds to provide direct legal assistance to DC families. With this funding, AJE has been able to expand our one of a kind pro bono attorney program for private attorneys to provide legal representation to DC students facing wrongful suspension or expulsion from school, increasing the number of families who have access to a lawyer to protect their rights. Also, AJE was able to establish the first advice and counsel legal clinic within the DC Office of Administrative Hearings (OAH) to provide legal assistance to unrepresented parents and students who appear for DCPS disciplinary hearings, helping them to understand the hearing process, their rights and how to defend against improper disciplinary actions. As a result, AJE has been able to provide legal assistance to hundreds of families helping to keep their children in school and ensuring they receive the special education services and supports they are entitled to and need.

The impact of COVID-19 pandemic has been devastating for DC residents. It especially challenged our education system compounding the existing inequities across race, class

¹ The White House, in a [press release](#), last year highlighted PTI's and the resources they provide to families as part of its strategy in centering equity and accessibility for individuals with disabilities in its COVID-19 response.

² "Education is a human right with immense power to transform. On its foundation rest the cornerstones of freedom, democracy and sustainable human development." Kofi Annan

and disability. With the return to in-person learning last year and this school year, the repercussions of COVID-19 are still being felt with students not receiving access to education. This school year, schools have failed to comply with the Student Fair Access to School Act of 2018 (SFASA) resorting to old patterns of simply excluding students from school with the highest needs or attempting to deny students with disabilities access to DC's specialized programs. DC's state education agency has failed provide sufficient and reliable transportation for students with disabilities to get to school. And, the number of Family's seeking our assistance this school year to date has increased by 117% over the same period last year. Because of the increased in ATJ Initiative funding in FY22 and FY23, we increased the number of lawyers from 3 to 5 to support the high demand for assistance and our capacity to collaborate with other legal services organizations on systems change.

This school year our lawyers we were able to: (1) help a student who applied for and was admitted to a DCPS specialized school program maintain his right to attend there after the school attempted to deny him access because of his disability; (2) help a student who was out of school for over two weeks for playing dice return by challenging the expulsion the charter school issued in violation of the SFASA; (3) prevent the improper involuntary transfers of students from their attending DCPS school for alleged disciplinary reasons. There has been an increase in DCPS using involuntary transfers instead of disciplinary actions to remove students from schools. This strategy circumvents the requirements of the SFASA to provide students with a hearing, which for DCPS students is a right to a hearing before an Administrative Law Judge at OAH; and (4) help parents whose children with disabilities were denied transportation to school understand their rights and in collaboration with other organization hosted a series of workshops to help parents seek reimbursement for the funds they had to expend to get their children to school. As the city continues to recover from the impact of COVID-19, especially our schools, we expect the need for our legal assistance to increase in FY24.

Legal assistance in public education is not only important but necessary to prevent further segregation by race, income-level and disability of DC's children, (which increases the achievement and wealth gaps) and to ensure that all students have equal access to educational opportunities. Without continued ATJ Initiative funds, at least at the increased level provided over the last two fiscal years, we will not be able to maintain the number of lawyers to support the needs of families for advice, direct educational support, legal assistance, advocacy and know your rights trainings, or to maintain at a functional level the programs developed to expand families access to legal assistance. Thus, the ATJ Initiative funds are critically important to the success of DC's residents and future and we ask that the Committee and Mayor Bowser view investments in AJE and in all the District's legal services as an investment in the community itself and fully fund the Access to Justice Initiative to demonstrate your commitment to equity and civil justice for all.

Sincerely,

A handwritten signature in black ink, appearing to read "Rochanda Hiligh-Thomas". The signature is fluid and cursive, with the first name being the most prominent.

Rochanda Hiligh-Thomas
Executive Director



To: Chairperson Pinto, Committee on the Judiciary & Public Safety
From: Caroline Ackerman, Executive Director
Re: Access to Justice Initiative Funding
Date: April 6, 2023

As the Executive Director for the Amara Legal Center, I am writing to express our support for the Access to Justice Initiative (ATJ) and the advocacy efforts of the DC Access to Justice Commission in securing funding for the program. The ATJ Initiative provides critical legal assistance to low-income District residents, particularly those from vulnerable populations like the majority of Amara's clients, to have access to our trauma-informed legal services.

The ATJ Initiative is one of Amara's largest funding streams. Thanks to this funding, Amara is able to provide free, high-quality, trauma-informed legal services in the DC-metro area to anyone involved in commercial sex - whether that involvement is by choice, fraud, coercion, circumstance or necessity. Our clients are sex trafficking survivors and sex workers who are marginalized in society and face complex legal issues. Since its founding in 2013, Amara has provided free legal services to over 500 clients with over 800 legal matters in the DC-metro area. Our practice areas include civil protection orders, family law, name and gender marker changes, vacatur and sealing of criminal records, and victim-witness advocacy.

Funding for the ATJ Initiative is increasingly important to the work that Amara does, especially knowing that DC is a magnet for sex trafficking because of its unique geographic location on the I-95 corridor and close proximity to a number of casinos and professional sports venues. The FBI identified DC as one of 14 cities in the United States with the highest incidents of commercial sexual exploitation of children. According to the FBI, "Black girls, compared to their racial counterparts, are more likely to be trafficked at a younger age and 57.5% of all juvenile prostitution arrests are Black children."¹ The vast majority of Amara's DC clients are Black Americans who were born and raised in the DC-metropolitan area.

In the best of situations, navigating the legal system can be challenging but this is especially true for individuals who have experienced trauma. Without access to the free legal assistance that Amara and other stakeholders provide, our clients would be further marginalized by barriers to employment, housing, education, and the opportunity to reunify their families. The ATJ funding allows us to reach individuals who otherwise would not have access to legal remedies, or would have no choice but to navigate the legal system pro se, which often results in retraumatization and poor case outcomes. With ATJ funding, we have also provided numerous trainings to increase the identification of trafficking survivors and to provide access to free, trauma-informed legal assistance for survivors and sex workers. In 2022, Amara conducted over a dozen trainings, including Know Your Rights events for at-risk youth and Human Trafficking 101 trainings for service providers, medical professionals, lawyers, and other targeted groups.

Amara strongly encourages the Committee to invest in the ATJ Initiative to support legal service providers in meeting the legal needs of low-income DC residents.

¹ <https://www.chcfinc.org/wp-content/uploads/2020/05/SexTraffickingReport3.pdf>



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April 6, 2023

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www.ayuda.com

Dear Chairperson Mendelson, Judiciary Committee Chair Pinto, and Members of the D.C. Council:

I am writing on behalf of Ayuda regarding the importance of Access to Justice Initiative support for Ayuda's services. Ayuda's mission is to advocate for low-income immigrants through direct legal, social, and language services; training; and outreach in the Washington DC metropolitan area. We envision a community where all immigrants succeed and thrive in the United States.

Community Legal Interpreter Bank

With funding from the Access to Justice Initiative, Ayuda's Community Legal Interpreter Bank provides free, professional interpretation and document translation services to approximately 40 nonprofits that provide civil legal services to D.C. residents. The language access services provided by this project have proven to be essential for our partnered nonprofit organizations in their serving limited English proficient/non-English proficient (LEP) and Deaf/Hard-of-Hearing (Deaf) individuals.

Our project helps ensure that DC residents are not deprived of vital services because of the languages that they use to communicate. Since the founding of the Access to Justice Initiative, our city has made great improvements in meeting the legal needs of low-income residents; more and more people are being helped. The only way to ensure that the expansion of services is equitable is to grow the Community Legal Interpreter Bank proportionately, so that LEP and Deaf clients are not left out.

In recent years, increased funding from the Access to Justice Initiative has been essential in allowing our program to try to keep pace with demands, even as new legal services hotlines have become available, new attorneys have been hired, new pro bono partnerships with law firms have been forged, and new organizations have emerged. Increased funding has also allowed us to offer interpreter trainings, increasing the pool of trained professionals who can work with lawyers and their clients in an out-of-court setting. However, even with increased funding, our project is underfunded. Often, we must decline to fill requests for assistance because of a lack of funding.

The DC Code establishes that one of the purposes of the Access to Justice Initiative is to provide a shared legal interpreter bank, an innovative and essential project. As a result of the project, legal service providers can turn to a shared resource to meet all of their language access needs. They should be able to rely on that service. When the Bank is underfunded, requests go unfilled and legal services clients suffer. Legal services nonprofits are faced with untenable options, such as using a client's family member as an interpreter (in violation of ethical and professional standards) or using a volunteer interpreter (who may be untrained and do damage to the client's case). The Access to Justice Initiative has been imperative for our program as we work in service of the city's



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pursuit of language justice, and any decrease in the budget would do great harm to D.C. legal service providers and their LEP and Deaf clients.

Project END: Protecting Immigrants from Consumer Fraud

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Project END combats and addresses fraud uniquely harmful to low-income immigrants, such as immigration legal services scam and bail bond schemes. We combat fraud by providing consumer education and KYRs, and we address it through civil and criminal restitution efforts and rehabilitative immigration work.

Project END seeks to prevent and address consumer fraud affecting immigrants through four methods: 1) Direct representation of victims: To address consumer fraud in the District, staff represent and advocate for clients by liaising with law enforcement; assisting with filing complaints; and applying for forms of immigration relief. 2)

Community education and technical trainings: Project END distributes videos and memes via social media and to a list of area partners, as well as provides Know Your Rights presentations and trainings. In 2022, Project END collaborated with several DC-area non-profits to provide virtual KYRs. 3) Pro bono screenings: To address the confusion around changes in immigration law and the high need for consults, pro bono attorneys provide individual immigration consultations under Ayuda's mentorship. Pro Bono attorneys screen for immigration legal services fraud and Project END follows up with potential clients for in-house legal representation. 4) Client-centered advocacy: Project END liaises with DC and Federal agencies to advocate for policies that assist victims.

In 2015, Project END began representing Martin,¹ a long-time Ward 1 resident and non-citizen. He had traveled to his home county but accidentally overstayed his travel authorization period and was unable to return to the U.S. His daughter found a non-attorney, or notario, operating in the District, who held himself out as qualified to provide immigration legal services. This notario submitted an application to immigration, ostensibly to help Martin return to the US. However, this application submitted was an inappropriate application for Martin. Unknowing, Martin waited anxiously for this application to be approved, only to discover after months that they'd been misled by the notario. This prolonged Martin's separation from his family and caused him significant lost wages. He was able to return with the help of a qualified attorney, and Ayuda helped him submit a complaint with the DC Office of the Attorney General against the notario, resulting in consumer protection action and settlement. Under the settlement, the notario agreed to stop providing immigration services, preventing future victimization. Further, Martin recently received a large restitution payment, representing his months of lost wages. This work was only possible due to the support of the DC Bar Foundation's Access to Justice funding, a primary source of funding for Project END. While Martin was unavailable to provide testimony personally, he is very grateful for Ayuda and states its services are critical to the immigrant

¹ Name changed to protect client's privacy



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community in DC. He would not have been able to file the complaint without Project END's advocacy.

In 2023, we anticipate continued confusion over changes in immigration law and policy, likely resulting in increased consumer fraud by unscrupulous non attorneys, government imposters, as well as fraud against immigrants seeking a driver's license, immigration bail bonds, English language courses, or other related services. Project END is particularly concerned about the recently-arrived migrants to the District, who are uniquely vulnerable to fraud. Project END has begun providing legal orientations to recently-arrived migrants, but needs ongoing support in order to reach this population through 2023 and beyond.

Recently Arrived Immigrants Program

The Access to Justice Initiative also funds our Recently Arrived Immigrants Program, which provides comprehensive legal services, including consultations, brief services, and extended representation to recently arrived immigrants, as well as legal education events and training to local service providers. Ayuda anticipates that the number of newly arriving immigrants will continue growing as the U.S. ends of the use of Title 42 at the border and as the busing programs implemented by border states persist. Newly arrived immigrants face challenges accessing work permits because of their immigration status and lack the established community networks of other immigrants with more time living in the area. As such, many are living in economically precarious conditions, which leaves them vulnerable to food instability, homelessness, and crime victimization. The need for expert legal counsel for newly arriving migrants continues to increase, outpacing our capacity. Ayuda remains committed to helping to meet increased demand; we urge the Council to support this essential work by increasing funding for the Access to Justice Initiative.

If we can provide additional information about the importance of Access to Justice Initiative support for Ayuda's services for DC residents, please don't hesitate to contact me at Paula.Fitzgerald@ayuda.com or 202-243-7318.

Sincerely,

Paula Fitzgerald
Executive Director



JUSTICE ADVOCACY MEDICAL
SERVICE FOOD services DIGNITY
RESPECT SOCIAL serv
CLOTHING services LEGAL

Fiscal Year 2024 OVSG Budget Hearing
Before the Council for the District of Columbia
Committee on the Judiciary and Public Safety
Testimony of George A. Jones
Chief Executive Officer, Bread for the City

My name is George A. Jones, and I am the Chief Executive Officer at Bread for the City. Bread for the City is a private non-profit agency that works on behalf of and alongside D.C. residents living with low-income, predominantly people of color, as they fight for the opportunity to live and thrive in the nation's capital. Bread for the City provides food, clothing, social services, medical care, and civil legal services to reduce the burden of poverty. Bread for the City also supports District residents in developing an advocacy platform that elevates community member voices to demand a D.C. that eliminates disparities in housing, healthcare, justice, and a host of other socioeconomic disparities that people of color experience disproportionately in the District.

The Access to Justice Initiative grants have been an invaluable source of foundational support for Bread for the City's Legal Clinic. Access to Justice and the Civil Legal Counsel Projects Program (CLCPP) funding currently give a combined \$2.25 million in grants to Bread for the City, one of our largest single sources of funding and the largest source of funding for our Legal Clinic. Over the years, with this stable source of funding, Bread for the City has been able to improve access to justice by, among other things, increasing the number of attorneys available to help District residents who cannot afford an attorney in matters concerning basic human rights, including maintaining safe, affordable housing and safety for families from domestic violence. For legal services organizations like Bread for the City, a sustained commitment from the city to funding civil legal services is critical to ensuring the existence of a legal safety net for the city's most marginalized residents.

For instance, Access to Justice Initiative funds have supported Bread of the City is helping District residents like Ms. H who filed for a Civil Protection Order and Custody case against the father of her young daughter. During the course of litigation in these cases, the father grew increasingly irate, yelling at Ms. H and her attorney in the courthouse hallway. The father threatened to kill Ms. H and her new boyfriend and followed her to the metro station. A Bread for the City attorney filed an emergency motion to modify the temporary custody order. At the emergency hearing, the attorney put on evidence of the recent threats and the Judge found that the child and Ms. H were at risk of imminent risk of harm. The judge modified the order to restrict the father's visitation to the Court's Supervised Visitation Center. The additional restriction on the father's visitation helped keep Ms. H safe from further harm and gave her the security she needed to focus on herself and raising her young child.

Most recently in this past fiscal year, we used Access to Justice Initiative funds to support the creation of the Eviction Diversion Project. The project aims to prevent evictions by reaching tenants at risk of

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JUSTICE ADVOCACY MEDICAL
SERVICE FOOD services DIGNITY
RESPECT SOCIAL serv
CLOTHING services LEGAL

displacement as early as possible and connecting them with the supports and services they need to stabilize their housing. The project is a joint collaboration between the six CLCPP, or Civil Legal Counsel Projects Program Providers and six community-based organization Partners. This new project puts resources and support further up-stream, engaging in intensive outreach that educates tenants on their rights before an eviction case is filed. We offer District residents a more wholistic approach to preserving housing by providing attorneys AND tenant support advocates who assist tenants in accessing multiple different types of supports, such as financial, utility, mental health, public benefits, and moving supports. This novel approach to preserving housing stability ultimately saves the District the additional expenses that result from when families are forced into homelessness through the eviction.

Since 2018, Bread for the City's Legal Clinic has expanded its offerings to also provide representation in immigration matters. The Legal Clinic has assisted DC residents in obtaining visas to live and work lawfully in the United States, applying for permanent resident status, and ensuring the reunification of separated children and parents. For undocumented immigrants living in the District, obtaining lawful status enables them to contribute to the city's economy in measurable ways, and provides the foundation for their children and family members to build safe and healthy lives in D.C.

While much of the work of our Legal Clinic can be quantified in court case outcomes, there is a value to the work that evades data – that is the significance for our Black and brown residents to have an attorney and an organization that has their backs. From 2000 to 2020, the District saw its Black population drop from 59% to 41%. Low-income residents are being pushed out of this city at some of the fastest rates in the country. One cannot emphasize enough the impact of this loss for our city. Black families and entire communities who have lived together, supported each other for generations, and built this city have been forced out. Our clients report to us that the message our city sends to them is that they do not belong in this city, the city's leadership does not value them, and that their history does not matter. The Access to Justice Initiative is our city's commitment to stopping this forced exodus. Our attorneys serve as advocates inside and outside the courtroom, reminding all who will listen that low-income residents of the District matter. Without the meaningful access to justice this funding provides, the District risks silencing the voices of our low-income residents, limiting their ability to exercise their rights, and perpetuating racial and economic disparities. Our clients deserve a place, a home, and safety in the nation's capital and this funding is the District's promise that it will do everything it can to work with us and our colleague organizations to ensure that low-income and Black and brown families have a place in this city.

Bread for the City thanks the D.C. Council for its longstanding support of the Access to Justice Initiative, and we urge the Council to restore the funding to the amount allocated last fiscal year, \$31 million.

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Access to Justice Funding Improves Children's Health

Children's Law Center has relied on funding for our Healthy Together Medical-Legal Partnership through the Access to Justice program since its inception. Together with funding from private sources, the ATJ funding has allowed us to expand and then consistently maintain our presence in Southeast and Northeast DC.

Unsafe housing, inadequate education, exposure to violence, lack of good health care and other problems related to poverty, trauma and racism can harm children's physical and behavioral health. Through our Healthy Together program, Children's Law Center partners with pediatricians inside community health centers across DC to find and fix the root causes of a child's health problem.

This funding allows us to provide legal services to District children and families in Wards 5, 7 and 8 referred by our health clinic partners.

- Reach more than **1,000 children and families** each year;
- **Resolve problems that impact children's health** related to housing conditions, housing security, special education, school choice, developmental issues for infants and toddlers, bullying, health care access, public benefits, guardianship and custody;
- **Meet families in their own neighborhoods** by putting lawyers onsite at THEARC, the Anacostia Clinic and Unity on Minnesota Avenue;
- Give **hundreds of parents and caregivers the information they need** to advocate for their own children;
- **Train 75+ pediatricians and other medical staff each year** to solve problems related to housing, school and public benefits that are impacting a child's health – and prevent the need for a lawyer;
- **Avoid \$14.1M in Medicaid costs** over a three-year period (for entire program).

Although the funding is for direct legal services provided by Children's Law Center, the expertise, experience and relationships developed have had important ripple effects:

- Hundreds of additional children and families helped each year by **volunteer lawyers** working in the District's major law firms;
- Allows Children's Law Center to **provide its expertise to the District government, the DC Council and the DC Courts** through participation on the Medical Care Advisory Committee, the Citizen's Review Panel, at DC Council hearings, Court committees and in other similar forums.



April 6, 2023

My name is Whitney King and I serve as the executive director of Christian Legal Aid of the District of Columbia (CLADC). We believe that everyone deserves access to justice, and thank the Mayor and the City Council for investing in needed civil legal services for the District's most vulnerable residents.

Alongside legal services providers across the city, CLADC has provided legal advice and representation to hundreds of homeless and low-income residents with life-changing results, due in large part to the Access to Justice Initiative funding.

Two of CLADC's core practice areas in particular, criminal record sealing and probate administration, have far-reaching effects on the livelihoods and security of individuals and families in the District.

Through our criminal record sealing work, CLADC helps remove a significant barrier to viable employment for the 1 in 7 D.C. residents who have a publicly available criminal record.¹ Though the law allows for criminal records to be sealed under certain circumstances, it is exceedingly difficult for those in poverty to secure this right on their own. Without legal aid, thousands of residents continue to experience the collateral consequences of arrest, even if they were never convicted of a crime, in employment, housing, and other aspects of life.

Once records are sealed, however; the story changes. A recent study published in Harvard Law Review found that expungement resulted in a wage increase of 22 percent on average within one year.² An investment in legal services yields an ongoing return in the lives of D.C. residents and their families. At CLADC, we receive hundreds of referrals for record sealing services each year, and that number is growing. Without Access to Justice funding, our capacity to serve this need would be nearly halved.

With Access to Justice funding, CLADC also provides services in probate administration. We are one of only a few legal services organizations providing free probate help to low-income District residents. And yet, the demand for these services is only expected to grow. According to a 2022 report from the D.C. Estate Administration Working Group "The complexity of probate administration, coupled with an expected surge in cases and the lack of resources for self-represented individuals, creates a growing crisis..."³ CLADC's experience confirms the Working Group's findings that probate administration intersects with many basic needs for low-income D.C. families and can be part of exacerbating *or* intervening in cycles of poverty. Access to Justice funding over

¹ Duane, M., Reimal, E., and Lynch, M. Urban Institute. (July 2017). *Criminal Background Checks and Access to Jobs: A Case Study of Washington, DC*.

² Prescott, J.J. and Starr, Sonja B. *Expungement of Criminal Convictions: An Empirical Study*, 133 HARV. L. REV. 2460 (2020)

³ D.C. Estate Administration Working Group, (February 2022) Strengthening Probate Administration in the District of Columbia.

the last two years has been critical to CLADC's ability to step in before the complexities of probate cases exacerbate the cycles poverty for many District residents.

I thank the Mayor and City Council for their investments in the Access to Justice Initiative to date. This has already led to life-changing results for many of D.C.'s low-income residents, but the need is still great, and it is growing. We join the Access to Justice Commission in urging the Council to ensure that civil legal aid providers are able to meet this need head-on.

Sincerely,

A handwritten signature in black ink, reading "Whitney King". The signature is fluid and cursive, with the first name "Whitney" being more prominent and the last name "King" following in a similar style.

Whitney King
Executive Director

Access to Justice Initiative Stabilizes Families and Preserves Affordable Housing
Kelli Neptune, Executive Director

The D.C. Bar Pro Bono Center is the District's largest provider of pro bono legal services. For more than 45 years, the Pro Bono Center has assisted District residents who are least able to afford legal help to preserve their homes, stabilize their families, and access disability benefits to meet their most basic needs.

Over the past two years, Access to Justice Initiative funding has been critical to the Pro Bono Center's ability to serve low-income D.C. residents in family and housing matters, including:

Legal Information, Counseling, and Representation for Families

- Legal information, counseling, and limited scope representation for 695 individuals in divorce, child custody, child support and parentage cases. Most individuals are parents or caregivers of minor children and more than half are residents of Wards 7 and 8 with an average annual income below \$20,000. A central intake phone line and court-based office connects litigants to one of three providers in the Family Law Assistance Network, which has served more than 2,200 families since 2020.
- Pro bono representation for 38 family law cases, primarily in contested child custody matters.
- Pro bono resources and training materials to guide pro se parties and family law volunteer attorneys.

When people are driven to the court system to resolve family issues, they face a complex, unknown system that can make binding, often detrimental decisions. Lawyers help people navigate the legal system, alleviate barriers, and prevent negative outcomes.

Access to Justice Initiative funding for legal services can prevent government spending on child and family services, domestic violence services, enforcement measures, foster care, incarceration, medical and mental health care, police, substance abuse treatment, and public benefits.

Affordable Housing Preservation, Eviction Defense, Eviction Diversion, and Housing Conditions

- Legal information, advice, and/or representation for 2,425 tenants and small landlords through a central intake phone line that connects callers with one of five providers in the Landlord Tenant Legal Assistance Network. The network has assisted more than 8,000 residents since 2020.
- Pro bono representation for tenants in 300 housing cases. Lawyers help residents avoid eviction; access safe, affordable housing; and seal prior records that prevented them from securing housing and limited their job opportunities.
- Development and implementation of software that allows six nonprofit partners to conduct intake, place and manage cases, email documents to clients, and refer clients to pro bono lawyers. The system also enables community-based organizations to submit intakes on a resident's behalf from a smart phone.
- Holistic, non-legal services that divert tenants from court before an eviction case is filed. We help tenants search for housing, complete rental assistance applications, recertify their housing subsidies, and connect with social services.

With increased funding, the Pro Bono Center provides services faster, more efficiently, and through one entry point. This program saves time, resources, and reduces the likelihood that our community members will spiral deeper into poverty.

Maintaining funding will advance racial justice. Access to lawyers enables people historically left out by structural and systemic racism to assert their rights and seek legal protections they are entitled to by law. Through the Council's visionary creation of the Access to Justice Initiative, the District has led the nation in reducing barriers to justice for those most in need.

Proposed cuts in Access to Justice Initiative funding would severely jeopardize critical services, stop significant recent gains, and threaten new projects that leverage volunteer resources and technology. Let us not regress at this critical juncture when thousands of our neighbors are still struggling to recover from the devastating impacts of the pandemic.

April 6, 2023

I am the Executive Director DC KinCare Alliance, and respectfully request that the DC Council fully fund the Access to Justice (ATJ) Initiative so that DC legal services organizations can continue to serve those most in need in our community in the aftermath of the COVID-19 pandemic. DC KinCare Alliance was founded in 2017 to support the legal, financial, and related service needs of relative caregivers (predominantly grandmothers) who step up to raise DC children in their extended families in times of crisis when the children's parents are not able to care for them due to mental health and substance use disorders, incarceration, death, abuse and neglect, and deportation. Approximately 22,000 Black and Brown DC children are living in kinship care arrangements, representing about 20% of all DC children of color. The majority of these children live at or near the poverty level, have experienced trauma, and are at grave risk for poor physical, emotional, and educational outcomes. Research shows that kinship care can be a powerful stabilizing force for these children, changing the trajectory of their lives for the better.

The specific needs we address—the inability to access legal rights, economic security, housing, food, financial opportunities, health care, and other supports and services—are those faced by all low-income, under-resourced communities of color, but are exacerbated for kinship families because they are not recognized by the systems that are supposed to help and support them. Our goal is to eliminate this unequal treatment by using a threefold approach: (1) providing direct legal representation to caregivers to obtain legal rights and financial benefits; (2) furnishing information and education about these rights and benefits; and (3) using advocacy and impact litigation to break down systemic barriers.

DC KinCare Alliance is the only organization in DC focused solely on serving relative caregivers raising DC's at-risk children. DC KinCare Alliance's unique and innovative approach to helping these caregivers provides a ***one-stop-shop*** for them to receive support for all of their varied needs in one place. No other organization in the country combines education, legal services, and advocacy together as one solution for relative caregivers. Providing all of these services is the key to achieving lasting change in our clients' lives. ***Our accomplishments over the last 5 years include: serving more than 600 relative caregivers raising over 700 at-risk DC children in more than 700 legal matters; establishing a free legal helpline and court walk-in-clinic; holding more than 20 community groups to educate DC kinship caregivers, case workers and court personnel about kinship family needs, rights and available resources; and distributing more than 2,000 copies of our DC Relative Caregiver Resource Guide. Finally, we have broken down barriers for kinship caregivers to access critical supports and services.***

Commencing in our fifth year of operations in 2022, we received ATJ funding for the first time. This funding enabled us to double in size from two to four attorneys, and to provide legal services to more than 200 relatives in more than 225 legal matters, which was more than any other year in our history. In fact, we saw a **100% increase** in the number of clients we served in 2022, and a 50% increase in the number of legal matters in which we provided legal help. In the first quarter of 2023, we have already provided legal services to **50% more clients** as compared to the first quarter of 2022, with demand for our services continuing to grow.



COMMITTED TO ACCESSIBLE CIVIL JUSTICE

April 4, 2023

Dear Chairwoman Pinto and Distinguished Councilmembers,

I serve as Executive Director of DC Affordable Law Firm (“DCALF”), and offer this submission to highlight the astronomical level of community need for accessible legal services – services that hinge on the Council’s appropriation of a fully funded Access to Justice Grants Program.

At DC Affordable Law Firm, we have borne witness to the direct correlation between Access to Justice funding and organizations’ abilities to meet community demand for critical legal services that affect the safety, welfare, economic security, and stability of DC families. DCALF plays a unique role in our city’s legal services ecosystem – we deliver accessible justice to modest-income DC residents who do not qualify for traditional sources of civil legal services and cannot afford standard representation, and offer innovative programming to expand access to justice and empower community members with unmet legal needs.

Access to Justice funding is the singular reason that the Family Law Assistance Network (“FLAN”) exists today. FLAN is a single-stream point of entry for unrepresented, low-income DC residents to receive rapid-response family law assistance in life-altering child custody, visitation, divorce, and child support matters from attorneys employed by DC Affordable Law Firm, the D.C. Bar Pro Bono Center, and Legal Aid of DC. Since FLAN’s launch in March 2020, two weeks into the start of the pandemic, FLAN has been a lifeline to more than 2,200 low-income DC residents who have turned to FLAN for the rapid-response assistance we are uniquely situated to deliver. FLAN attorneys have been able to wholly change the trajectory of cases for residents who had lost hope in our legal system – they have secured the safe return of kidnapped children to their legal custodian in the District, made it possible for a disabled Veteran to achieve a legal win at trial with his attorney at his hospital bedside, and helped non-English speaking immigrants understand and affirm their legal authority to visit with children that ex-spouses prevented them from seeing for years prior. FLAN has been an indispensable resource for the overwhelmingly Black and brown families living in poverty within the District of Columbia, and the linchpin for unrepresented individuals confronting a system and legal issues too complex to navigate without a lawyer.

Three years into its operation, FLAN is now an institutionalized entity and – for many – a household name within the District of Columbia. Staff from DC Government Agencies, Judges from D.C. Superior Court of the District of Columbia, and employees of community-based organizations routinely send individuals to FLAN as the reliable source of support for their most pressing family law needs. FLAN now averages 40-50 callers per week, numbers that are *double* that which we encountered during the height of pandemic closures when the demand for assistance was at an all-time-high.

Without Access to Justice Funding, FLAN would cease to operate as it has so successfully done for the past three years. FLAN is a true three-way partnership, which each organization playing crucial roles to sustain FLAN’s existence and operation – if one entity in this the tripod were no longer a part of the network, FLAN would collapse. DCALF’s involvement in FLAN is 100% funded through the Access to Justice Grants Program, and our sister FLAN organizations each receive Access to Justice Funding to sustain their involvement in FLAN. To point a finer point on the matter – FLAN is the trusted entity through which hundreds of families receive legal support each year, and it remains a question where they would turn if FLAN and our broader legal services community were unable to function as it does today.

WWW.DCAFFORDABLELAW.ORG



COMMITTED TO ACCESSIBLE CIVIL JUSTICE

Access to Justice Funding has also been the central reason that DCALF – an organization that previously only offered “low bono” representation – is now able to serve DC’s low-wage earning residents with *free* family law, probate, estate planning, and immigration legal services. The clients we serve are navigating defining legal issues, such as their ability to work in the District of Columbia and gain legal status for themselves and their children, or their ability to gain legal title to an intergenerational, family home following a loved one’s death. For clients who live on very fixed incomes averaging \$56,000/year, bear the costs of living in an expensive jurisdiction, and are navigating acute legal issues, the ability to receive free legal assistance and achieve positive legal outcomes because of Access to Justice funding is transformative – not just for themselves, but for their entire households and their descendants. Access to Justice funding has enabled these hardworking Black and brown residents to tackle their legal issues with a lawyer by their side without also jeopardizing their family’s precarious financial stability.

In her testimony regarding the FY2024 Fair Shot Budget, Mayor Muriel Bowser stated that a focus of her proposed budget was to “put more dollars and keep more dollars in the pockets of DC residents.” Access to Justice is an essential program with a proven record of accomplishment. Access to Justice funding keeps dollars in the pockets of DC residents, helps to cure critical legal issues and prevent exacerbation of others, strengthens our social safety net and families’ economic security, and makes accessible justice a reality for the 42.5% of our city’s residents living in households below 400% of the Federal Poverty Level.

On behalf of my colleagues and the nearly 400 clients we are privileged to serve at DC Affordable Law Firm each year, I implore the Council to restore Access to Justice funding to the \$31.689M, FY2023 level our city’s residents deserve. Thank you for your partnership in enhancing equity within our city.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'G. Majewski', with a long, sweeping horizontal line extending to the right.

Gabrielle Mulnick Majewski
Executive Director and Ward 5 Resident

WWW.DCAFFORDABLELAW.ORG



**Testimony of Sandy Bernstein, Legal Director
Disability Rights DC at University Legal Services
District of Columbia City Council
Committee on Judiciary and Public Safety**

As the Legal Director at Disability Rights DC (DRDC) at University Legal Services, I submit this testimony to urge the DC City Council to ensure there is adequate funding for the Access to Justice Initiative in the District of Columbia's Fiscal Year 2024 budget. DRDC receives this critical funding, administered by the DC Bar Foundation, which has allowed us to provide legal representation and advocacy to low income District residents with mental illness and intellectual and developmental disabilities who have housing-related legal needs.

With the funding DRDC receives from the Access to Justice Initiative for our Housing Advocacy for People with Psychiatric and Developmental Disabilities Project, we have been able to advocate for people with disabilities who are experiencing homelessness, living in unsafe or substandard housing placements, or are stuck in institutional placements because they lack the housing and supports they need to live safely in the community. DRDC has represented individuals facing rights violations in their Department of Behavioral Health's or Department on Disability Services' housing placements, sought reasonable accommodations for individuals with disabilities in private and public housing and represented individuals facing reduction or termination of their needed Medicaid home health aide services.

This funding has allowed DRDC to represent people with disabilities at serious risk of harm. For example, DRDC represented a young man who has a psychiatric disability and a developmental disability who was living in a dark and musty basement and not receiving the supports he needed. He would leave his home unsupervised, sometimes without shoes or a coat.

He was so upset about his living situation that he was hospitalized after trying to take his own life. DRDC represented him and successfully advocated for services from the D.C.

Developmental Disabilities Administration, providing documentation that he meets their eligibility criteria. Knowing that he could not wait months for his services and housing to be in place, DRDC then advocated for an emergency placement and services for him. He is now living in a residential placement he loves and is receiving supports 24 hours a day.

The Access to Justice Initiative allows DRDC to represent people with disabilities, like this young man, and help them obtain the housing and residential services they need and to which they are entitled. The need now is especially great, with the end of the public health emergency, which will mean possible reductions and terminations of Medicaid home health aide services for people with significant medical and clinical needs. These services allow people with disabilities to maintain their housing in the community. We also continue to receive numerous calls from people with psychiatric and developmental disabilities who are homeless or living in substandard housing and not getting the services they need from District providers. Without funding from the Access to Justice Initiative, we would not be able to provide the advocacy and representation needed to District residents with these critical needs.

DRDC appreciates the City Council's leadership and support for legal services to the District's low income residents and requests the Council secure adequate funding for the Access to Justice Initiative in the District's FY24 budget.



April 10, 2023

Dear Chairman Mendelson and Members of the Council of the District of Columbia,

As the Executive Director of First Shift Justice Project, I write to express my gratitude for the funding made available to D.C.-based legal services nonprofits through the Access to Justice Initiative and to express my support for continued funding. The Access to Justice Initiative provides funding for almost every legal services program in the District of Columbia that serves D.C.'s low-income residents, regarding legal matters from housing to education to family to consumer to employment. Access to Justice funding increases the possibility that our legal and administrative processes in the District will yield more just outcomes by contributing to leveling the playing field among the parties involved.

First Shift Justice Project was founded in 2014 with a mission to support D.C. working mothers and other family caregivers in the exercise of their workplace rights, with a goal of helping our clients maintain employment. With funding through the Access to Justice Initiative, First Shift hired its first part-time staff attorney in 2016 to staff its Latina Outreach Project. First Shift now receives funding from the Access to Justice Initiative for an additional project, to inform and assist D.C. workers who need to access paid leave benefits from D.C.'s paid family medical leave program. Access to Justice funding has been sustained funding which is critical to First Shift's growth as an organization and supported us in delivering essential services to D.C.'s working mothers and caregivers.

Access to legal services is fundamental to increasing racial equity, as a way of ensuring that all D.C. residents - not just the ones who can afford private legal counsel - can protect and maintain their employment, housing, and their own physical security. In 2022, First Shift provided individualized, employment-related legal services to 125 clients, 82% of which are people of color residing in Wards 4, 5, 7, and 8. First Shift partnered with D.C. organizations like Community of Hope, Mary's Center, Briya Public Charter School, Unity

Health Care, and Bread for the City to provide legal education and training to over 700 health professionals, pregnant people, and family caregivers.

For First Shift and for legal services providers all over the District, the Access to Justice Initiative is an essential source of funding. Among the many needs that the Council is considering during this budget season, I request that you prioritize the right of D.C. residents to exercise and enforce legal protections that safeguard their capacity to be productive, contributing members of our community.

Sincerely,

A handwritten signature in black ink, reading "Laura G. Brown". The signature is fluid and cursive, with the first name "Laura" and last name "Brown" clearly legible.

Laura Brown, Executive Director

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GEORGETOWN UNIVERSITY

HEALTH JUSTICE ALLIANCE

Perinatal LAW

The Perinatal Legal Assistance & Well-being (P-LAW) project promotes the health of pregnant and postpartum patients through legal advocacy at MedStar Women's & Infants' Services (WIS). Since January 2022, ACCESS TO JUSTICE (ATJ) funding has contributed to P-LAW's efforts to address some of the most critical unmet legal needs of WIS patients and their families.

The District, like much of the nation, is experiencing a Black maternal and infant mortality and morbidity crisis.

Between 2014 and 2018, Black birthing people accounted for approximately half of all births in DC but represented nearly all pregnancy-related deaths. (Maternal Mortality Review Commission). Black babies born in the District are 3x more likely to die than White babies in their first year of life (DC Health 2018). Many of the variables that perpetuate these disparities (e.g., issues related to housing, employment, public benefits, etc.) cannot be overcome without a lawyer's help. **ATJ funding has allowed P-LAW to increase its capacity to use the law as a tool to address legal issues that impede the health of pregnant and postpartum patients. In the process, many patients also learn more about their legal rights and increase their self-advocacy skills.**

ATJ supports innovative lawyering models like P-LAW that leverage the trusted relationships people have with their healthcare providers to identify and address unmet legal needs before they become crises. **In the last 15 months, ATJ funding has enabled P-LAW's to service 155 pregnant & postpartum clients on 226 legal issues, & achieve positive financial outcomes of nearly \$200,000.** Addressing legal needs early can avoid higher economic, social, physical, & other costs to patients & systems.



WITH SEVERE HYPEREMESIS (NAUSEA & VOMITING) DURING MY PREGNANCY I WAS UNABLE TO WORK. WITH P-LAW'S HELP I SUCCESSFULLY APPLIED FOR SHORT TERM DISABILITY OF \$1900 PER MONTH. THE LAWYER EVEN HELPED ME RECOVER \$4100 IN BACKPAY. AFTER THAT, I WAS ABLE TO PRIORITIZE MY PHYSICAL AND MENTAL HEALTH, AFFORD MY RENT, CARE FOR MY MINOR CHILD, AND PURCHASE NEEDED BABY ITEMS. - FORMER P-LAW CLIENT

WIS DEMOGRAPHICS

4	# of Common Maternal Morbidities (preterm delivery; gestational diabetes, hypertension, and preeclampsia) experienced at rates well above the national average
> 50%	Live in Wards 5, 7, & 8
85%	Black
95%	Have Public Health Insurance (the national average is 51%)

As Covid-19 related protections and supports continue to expire, eviction cases, lapses in the receipt of critical income supports, and discriminatory practices are likely to increase. **Without continued ATJ funds, P-LAW would need to reduce staffing by at least 50%; significantly decreasing P-LAW's capacity to provide legal services to pregnant and postpartum patients.**



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April 13, 2023

**Submission to the Council of the District of Columbia
Committee on the Judiciary and Public Safety**

Legal Aid of the District of Columbia urges the Council to recommit fully to funding critical legal services for District residents. The Mayor's proposed 60% cut in Access to Justice funding – from \$31 million to approximately \$13 million – would be devastating for District residents who need help preventing unlawful evictions, challenging erroneous denials of food support, staving off illegal debt collection practices, or fleeing domestic violence with their children.

Legal Aid is the largest grantee for Access to Justice funds. This support provides more than 40% of our funding, and 46 of our 93 employees are paid using these funds. Crucially, non-personnel services make up a very small part of these grants, so there is no way to absorb large cuts without cutting personnel and the services they provide.

If Legal Aid were forced to reduce services, it would coincide with a dramatic *increase* in requests for help over the past year:

- A nearly 20% increase in general calls for legal services at Legal Aid in the past year;
- Doubling in requests for help with Food Stamps, debt collection, and eviction defense;
- Skyrocketing applications for representation, as compared to 2021 and 2022, at both the Domestic Violence Intake Center (DVIC) and the Landlord Tenant Resource Center.

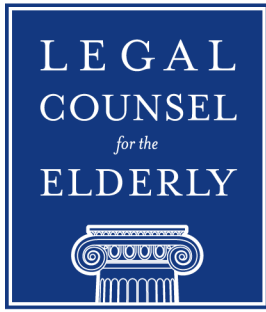
Access to Justice Funding in 2023 supports Legal Aid attorneys who are engaged in meaningful (and life changing) litigation to protect vulnerable members of the community. These include:

- At the DVIC-NW, Access to Justice funds will enable Legal Aid staff members to represent domestic violence survivors in approximately 210 cases, securing a Civil Protection Order (CPO) either by consent, default, or following a contested trial in the vast majority of cases. A CPO is a temporary safety solution, and often one of

the first steps a survivor takes before leaving an abusive relationship. Social science demonstrates the importance of [legal services](#) at this stage in breaking the cycle of violence and reducing domestic violence overall.

- ATJ funds will also enable Legal Aid's housing team to represent at least 400 individuals or families in eviction defense cases, either challenging the merits of the claim for eviction, or negotiating agreements favorable to tenants to protect their rights and resources, and minimize the disruptiveness of moving.

The Council must restore Access to Justice Funding to the 2023 level in order to prevent catastrophic outcomes for the District's most vulnerable residents. Legal services attorneys are on the front lines every day ensuring that complicated bureaucratic and legal systems work for the members of our community who need them most. Without this investment, the Council will be leaving thousands of DC residents without representation, which likely means the difference between success and failure in maintaining housing, securing custody, and getting health care.



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April 5, 2023

Legal Counsel for the Elderly (LCE) champions the dignity and rights of Washington, D.C. elders by providing free legal and social work services to those in need. The Access to Justice (ATJ) Initiative provides critical funds for our efforts to help residents age 60+ stay in their homes, improve their financial security, and plan for their futures. **A reduction in this funding – especially as COVID-19 related protections have ended with the conclusion of the Public Health Emergency – would put our older neighbors at risk of homelessness and extreme financial distress.**

Thanks to the ATJ funds, LCE has expanded the breadth and depth of our legal work. Specifically:

- LCE doubled the size of its practice that supports tenants facing eviction. In a city where 95% of landlords are represented by lawyers – and nearly 95% of tenants are not – supports from LCE and our legal services partners are essential. A recent study showed that tenants with legal representation were 5 times less likely to be ordered an eviction, and 3.5 times more likely to enter into settlement agreements. **Loss of ATJ funding would mean that more older adults will become homeless, and fewer will be connected to food, medical care, utilities supports, and other resources they need to age with dignity.**
- LCE increased supports to older adults who need help accessing public benefits, ensuring – they receive Social Security, Supplemental Security Income, Social Security Disability Income, SNAP, Medicaid, Medicare, and utility subsidies. **Loss of ATJ funds would mean that fewer clients would apply for and maintain these critical payments, resulting in economic harm and jeopardizing lives.**
- LCE provided “legal house calls” to DC’s vulnerable senior homebound population in apartment buildings, homes, and long-term care facilities. We help homebound clients with a variety of issues including public benefits, home-related issues, and preparation of life planning documents – wills, powers of attorney, and transfer on death deeds. **Loss of ATJ funds would mean that our homebound neighbors would have limited access to financial resources, lose self-determination and experience even greater isolation.**
- LCE expanded probate work, through which we represent people living in homes legally titled to a parent, grandparent, or other family member. Without the probate process, low-income residents cannot access loans, grants, and property tax supports as homeowners, putting them at risk of foreclosure. Currently LCE is the only legal services program in the DC that offers full probate services. **Loss of ATJ funds would risk loss of generational wealth, homeownership, and community stability.**

Cutting funding for this work would have a devastating impact. During the pandemic, the federal government and DC put much-needed measures in

place to safeguard our communities from its worst impacts. This included emergency SNAP benefits, continuous Medicaid coverage, eviction moratoria, and additional funding for rental assistance. Today, those benefits are being rolled back despite the continued need. SNAP emergency benefits have ended, and continuous Medicaid coverage is scheduled to end. Eviction cases continue to clog up the superior court, the Emergency Rental Assistance Program has run out of funding for this fiscal year, and DC prepares for increased housing instability with the upcoming rent increase of up to 8.9% starting this May. **As many of our older neighbors are still reeling from the financial, material, and physical impacts of the pandemic and decreasing protections, decreasing legal advocacy will exacerbate the unjust burden they carry.**

With continued ATJ and CLCPP funding, we will be able to continue the important work of serving our community, conducting outreach to difficult-to-reach populations, and adding to the safety network for those who are facing evictions, need to secure an income, and prepare for their future. To meet the vast need, we need is an increase – not a decrease – in funding. We hope that DC Council will reconsider the proposed budget. **Justice is not possible without leveling the playing field, and this funding is critical to making that happen.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Rhonda Cunningham Holmes".

Rhonda Cunningham Holmes
Executive Director
Legal Counsel for the Elderly



Mother's Outreach Network

Mother's Outreach Network (MON) is a legal services and advocacy organization that *advances* the inclusion and empowerment of Black mothers in the struggle for family preservation by transforming government income and child welfare laws, policies and practices *from punitive to empowering*. We do so, in relevant part, through our legal programs, which undergird and provide women identifying as mothers and their families with life changing legal services. This informs our advocacy, organizing and systems change for broader policy transformation.

While MON's strategies are multidisciplinary, our goals are simple: to help Black families find stable footing economically and to keep as many families together as long as possible. To this end, MON's niche practice areas in advocacy and legal services seek to make an impact on the large footprint of poverty in DC. MON pushes to fill a crucial otherwise unmet legal need on issues that impact marginalized impoverished DC residents, 10% of the city's population. Additionally, the legal work multiplies other efforts: Clients in our legal program become galvanized as change-makers, whether after attending our know-your-rights legal information sessions or receiving representation. Our efforts fall into two broad categories that mirror our organization wide focus:

- Our family defense legal program supports mothers in pursuing economic stability while navigating the child welfare system: by providing brief advice, counsel, and representation to mothers in matters at the investigation and pre-petition stage of a child welfare matter, through low-income tax advice and workshops, public benefits assistance, and in expunging their name from the child protection register.
- Second, Mother's Outreach Network provides niche tax advice legal services and does so 1) on a year-round basis and 2) in brief advice format: customized to the needs of marginalized DC residents that are often caution and hesitant to address their tax issues. Clients leave MON's clinic confident they can tackle their tax matters, and some walk away surprised they are likely owed refunds rather than owing them. MON's tax legal work aims to chip away at the information and participation gaps, as 25% of DC residents are not claiming their federal or increasingly generous local Earned Income Tax Credits. With ATJ support, MON's clinic has helped several dozen DC residents on a better path with their tax issues.

A smaller ATJ-funded program, Mother's Outreach Network lands an outsize impact that touches a portion of the population impacted by the child welfare system, many of them due to poverty-factors.

- Mother's Outreach Network advises parents on wrongful placement on the Child Protection Register, a barrier to employment, work which only one other provider in DC specializes.
- If a parent comes to MON with housing insecurity or housing code violations, MON works with them to advocate for improved conditions or housing vouchers, and thereby wards off allegations of neglect.
- In the first quarter of 2023, MON served/and or is in the process of serving 11 low-income DC households in extended representation matters before the city's child welfare agency in fair hearings, custody and/or housing conditions matters in D.C. Superior Court.
- Additionally, MON has successfully pressured CFSA to withdraw its wrongful neglect findings against parents otherwise facing employment barriers and in one case it resulted in our client reunifying with their children and celebrating one of their children's birthdays.
- Without our work in this niche area spreading awareness through dozens of community canvases and pop up legal clinics touching hundreds of individuals, many would not be served. In December 2022, through holiday events, we reached over 200 individuals raising awareness of the legal issues we address.

Finally, and noteworthy, our work is in tackling issues that the ABA has called attention to. In August 2022, the American Bar Association (ABA) adopted **Resolution 606**, which calls on all legal professionals to recognize how over-surveillance of and underinvestment in Black families has shaped the child welfare field for centuries with the prevalence of involvement of families in the child welfare system and the destabilization caused by poverty. The resolution highlights that there is a need for vigorous representation of parents. The disproportionate impact on Black families, gives this greater urgency.

MON's legal program work thereby prevents and mitigates factors that could lead to involvement in the child welfare system.



April 6, 2023

Chairman Mendelson and D.C. Councilmembers
City Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Dear Chairman Mendelson and Members of the D.C. Council:

I am writing on behalf of Neighborhood Legal Services Program to communicate stress the importance of Access to Justice Initiatives funding on the provision of legal services for DC families and those residents most in need.

Since 1964, Neighborhood Legal Services Program of the District of Columbia (NLSP) has served the legal needs of at-risk residents of the District in their neighborhoods. NLSP is the only legal service provider in the District of Columbia that has community law offices strategically located in the most underserved areas of the District, including two east of the Anacostia River.

The Access to Justice Initiative funds are instrumental in providing NLSP with resources to respond to the continuing and emerging needs of low-income residents in the District. During the eviction and small claims moratoriums, NLSP averaged 86 cases opened per month. Since the beginning of lifting of moratoriums, we have averaged 118 cases opened per month. With an increase of 137% in cases, the need in our community is as strong as ever. While the pandemic wanes, low-income residents still face economic and housing insecurity, unemployment, familial abuse, and stress at an increasing rate.

NLSP embeds attorneys in the neighborhoods where the need is greatest. With offices east of the Anacostia, our services are accessible to the District's most vulnerable people.

Initial contact with NLSP is made with our Brief Services Unit, where our attorneys provide advice and brief services. The BSU is analogous to an emergency room in a hospital -- both are designed to address a client's most pressing need as quickly as possible. If a client has legal needs that require longer term representation, the BSU attorney is able to assess whether the case is suitable for a NLSP attorney to continue service or whether another legal service organization is more appropriate.

One of the greatest needs in the District of Columbia is stabilizing and retaining safe, affordable housing for low-income residents. Since the eviction moratorium was lifted, more than half of NLSP's cases have been housing related. Through our prevention, diversion, and stabilization efforts, NLSP is able to prevent eviction and ameliorate poor housing conditions before a crisis point is reached. NLSP's community outreach touches District tenants who are victims of discrimination, disabled tenants in need of a reasonable accommodation, or a tenant association looking to exercise its rights under the Tenant Opportunity to Purchase Act as leverage to keep the building affordable.

NLSP and its sister organizations used Access to Justice funding to create a Landlord Tenant Legal Assistance Network (LTLAN) – a hotline that connects unrepresented tenants and small landlords with sorely needed legal assistance. This important initiative keeps families in homes.

Through our Family Law Practice, NLSP has played a vital role in providing more direct representation for clients involved in child custody, support, divorce, and civil protection matters. NLSP attorneys conduct thorough investigations and analyze cases to ensure that the highest quality of service is provided to clients to help achieve their goals. For cases that require in court representation, attorneys deliver high-quality litigation experience to clients and provide much needed resources to families to ensure stability and safety.

Economic Security Unit attorneys help protect income, assets, and public benefits for our clients. ESU assists people with criminal records, eviction records, and bad or no credit, to enforce their rights to participate in society and obtain safe and stable housing, employment, professional licenses so they can build better futures for their families. The unit's Barriers to Employment Project helps people seal their criminal records, gets unpaid wages for clients, and helps people who are wrongly put on the child protection register clear their names. We advocate for clients who have been denied jobs in violation of D.C.'s Ban the Box law. In our public benefits practice we appeal denials of SSI and SSDI, and unemployment benefits. We help clients whose other public benefits like SNAP or TANF have been wrongly terminated. Our consumer practice protects clients against predatory and deceptive debt collection and helps them repair their credit. We bring suits against landlords who illegally refuse to return security deposits. We help disabled and underemployed clients get student loans discharged and negotiate affordable payments.

With the drastic increase in residents seeking legal services, increases in funding since 2020 have allowed us to meet the needs of low-income families across the District. We expect the increase in cases since the lifting of the moratoriums to continue into Fiscal Year 2024. A decrease in funding would mean less staffing for LTLAN hotline coverage, attorneys stretched further to meet the increased need, and in turn, less District residents receiving vital legal services.

Thank you for your continued commitment and investment in the Access to Justice Initiatives. We are immensely grateful for the support. We ask the Council to provide sustained funding at current levels to ensure we are equipped to meet the continued needs of low-income D.C. families in the future.

Sincerely,



Karen A. Newton Cole
Executive Director

April 6, 2023

Dear Chairman Mendelson and Members of the Council of the District of Columbia,

As the Legal Director of Quality Trust for Individuals with Disabilities, I write to support continued funding of the Access to Justice Initiative (ATJ). Quality Trust is a DC-based nonprofit that operates the Jenny Hatch Justice Project (JHJP). Funded through the DC Bar Foundation's Access to Justice Initiative, JHJP helps people access alternatives to guardianship, including supported decision-making, so that they can maintain the maximum degree of autonomy possible. We provide community education about alternatives to guardianship as well as direct legal representation and short-term advice.

ATJ funding has enabled us to hire a dedicated staff attorney who works closely with clients, often over the course of several meetings, to discover individually tailored solutions that can help people meet their support needs and preserve their independence. Because our work is time intensive, without dedicated staff our ability to provide direct legal advocacy to DC residents would be significantly curtailed.

JHJP has had tremendous impact on the people we serve. We have been able to help young people aging out of the foster system create plans for continued support with finances, benefits and medical care. We have helped people escaping domestic violence to maintain access to benefits that had previously been managed – and in some cases stolen – by their abusers. And we have helped people execute formal support agreements to avoid unnecessary guardianship.

Our services are needed across all Wards of the District. This year, of those intake calls for which we currently have Ward information, 41% are from Wards 5, 7, and 8. This is in line with historical trends. The vast majority of our clients with disabilities are multiply marginalized across race, disability, and income level, and most rely on SSI as their primary or sole source of income.

This year we have seen a significant influx of new cases. In just the first three months of this year we have been contacted 45 times for legal advice and have received over six requests for trainings. If this trend continues, it is likely that we will need ATJ funding in 2024 more than ever.

In this time of unprecedented inflation, ATJ funding also helps us offer compensation that remains competitive in the DC market, where DC's high cost of living and competition with the federal sector make it additionally difficult to recruit and retain legal staff.

We thank the Council for funding Access to Justice. For more information, please contact Sam Crane, Legal Director, at scrane@dcqualitytrust.org.

Sincerely,



Sam Crane

Submission by Grace M. Lopes, on Behalf of Rising for Justice, to the Council of the District of Columbia Committee on the Judiciary and Public Safety, April 6, 2023

Executive Director

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I am the Executive Director of Rising for Justice, formerly D.C. Law Students in Court, and write in support of continued funding at FY 23 levels for the Access to Justice Initiative. This funding is vital to our organization's ability to prevent the unlawful displacement of low-income D.C. residents; maintain families in homes that are free of dangerous and unhealthy conditions; promote sustainable solutions to housing instability; remove the barriers to economic mobility experienced by our clients with criminal records; and ensure that the administration of justice in Civil Protection Order (CPO) and Anti-Stalking Order (ASO) cases is equitable.

Rising for Justice has served low-income D.C. residents in need of legal representation for over five decades. During FY 22 and FY 23, Access to Justice funding has allowed us to strengthen the quality and expand the scope of our legal services, social work, and clinical teaching programs, through:

- Initiating an intensive outreach campaign in partnership with other legal services and community organizations to identify tenants at risk of eviction so that we could offer legal and social work supports and services before eviction proceedings are filed, helping clients avoid eviction and secure a path to more durable solutions to their housing challenges.
- Introducing an impact litigation project designed to prevent displacement of low-income D.C. tenants on a high-impact basis by challenging patterns and practices likely to result in multiple evictions, self-evictions and displacement.
- Implementing, as part of our clinical teaching program, a summer legal internship program for law students from local HBCUs to promote a pipeline to public interest careers focused on enforcing the rights of low-income D.C. tenants.
- Bolstering social work staffing levels and in turn increasing the field placements available for our MSW students so that our social work team can collaborate to greater effect with our legal team to address the circumstances that may have contributed to our clients' legal problems, ultimately advancing more sustainable positive outcomes for our clients.

During 2022, thanks in large part to Access to Justice funding, we were able to provide legal and/or social work services, supports, and community training to a combined total of 4,289 of the District's most vulnerable residents. In terms of legal services alone, this represented a 40 percent increase above 2021 levels. We were able to accomplish this by leveraging the contributions of the 65 law students and six social work students who participated in our clinical teaching program last year and by training 162 pro bono attorneys.

The pandemic has had a disproportionate and devastating impact on our client community. Access to Justice funding is necessary now more than ever. Indeed, Rising for Justice will certainly need it to maintain the viability of each of the new and critically-important initiatives we launched in FY 22 and FY 23.



TZEDEK DC

Legal Help for People in Debt

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On behalf of Ariel Levinson-Waldman, President and Director-Counsel

For the Committee on Judiciary and Public Safety

April 13, 2023, Fiscal Year 2024 Budget Oversight Hearing for the Office of
Victim Services and Justice Grants

Committee Chair Pinto, Members, and Committee Staff:

Tzedek DC is an independent public interest center headquartered at the UDC David A. Clarke School of Law with the mission to safeguard the legal rights and financial health of DC residents with low incomes dealing with the often-devastating consequences of abusive debt collection practices and other consumer related issues. Tzedek DC pursues this mission through an anti-racist lens, as wealth in DC closely tracks racial lines. Typical white DC households hold net assets 81 times greater than typical African American families, with similar gaps for DC's Latino community. Further, while 43 percent of DC residents of color have a debt in collections, only 10 percent of white DC households do; unpaid debt reported to credit reporting agencies dramatically and disproportionately impacts residents of color, causing harm to their abilities to rent an apartment, secure a mortgage, get a loan, or even get a job. Tzedek DC relies on Access to Justice (ATJ) Initiative funds from the Office of Victim Services and Justice Grants (OVSJG) to assist DC residents struggling with legal debt issues, including residents with medical debt, victims of financial crimes and domestic violence, and sees in 2023 the emerging needs of the disabled community and the increase of post-pandemic debt collection against DC residents.

The Mayor proposed a 31.7% reduction in FY24 for OVSJG to \$75.5 million, with a proposed 60%, or \$18 million decrease, for the ATJ Initiative to only \$13.018 million. This could imperil the life-changing services the Initiative funds that District residents rely on for safety, health, housing, and economic stability.

ATJ Initiative funds play a critical role in Tzedek DC serving our mission. With DC Bar Foundation grant support, Tzedek DC provides free legal help, pursues court rule and administrative agency reforms, and co-leads community outreach and education efforts. Tzedek DC serves DC households that are among the 300,000 residents living at or below 400% of the federal poverty line. The Access to Justice Initiative funds two, critical Tzedek DC projects: 1) the Debt-Related Legal Services project, and 2) the Disabilities Community Project. Through these projects, we represent residents struggling with

consumer legal issues like credit report misreporting, predatory lending, and harassing debt collectors, and provide community legal education to residents in coordination with community partners. Also, Tzedek DC has directly aided over 2,500 residents since 2017, largely through ATJ programs' support. **In 2022 alone, we worked with 767 families, saving DC residents a total of \$1,435,184.60. In our 6+ years of Access to Justice funding, we have saved our DC clients \$3,545,699.05.** And as we shared in February, the Council's support for the ATJ Initiative allows the DC Bar Foundation and OVSGJ grantees, including Tzedek DC and Legal Aid in collaboration with Catholic Charities Legal Network, DC Bar Pro Bono Center, Legal Counsel for the Elderly, and Neighborhood Legal Services Program, to offer and staff the debt collection defense hotline (202-851-3387). The hotline is provided to every resident sued in a debt collection case, many of whom are without counsel; similar networks exist for landlord-tenant and family law providers.

Tzedek DC also tabled at **29 outreach events in Wards 7 & 8** alone in 2022, sharing information (in English and Spanish) focused on knowing your rights as a DC consumer with respect to debt and debt collectors, credit issues and credit rights, and as part of the Disability Community Project. We also share financial education materials from the Consumer Financial Protection Bureau (CFPB) on annual credit report review, specialty consumer reports, building your credit, paying your bills, and financial planning. Over **2000 residents attended** these events, with **Tzedek DC interacting with more than 300 individual residents. Our work with residents in Ward 7 and 8 since 2017 has directly saved them, respectively, \$427,359.56 and \$281,078.97. Further, our work responds to the financial stress of residents in all eight wards, for example, Ward 2 residents have saved \$63,896.87.**

Residents continue to recover from the financial complications of the COVID pandemic and historic inflation. The ATJ Initiative funds are vital to civil legal services in the District and for District residents, particularly for those with consumer financial needs. We urge the Council to consider increasing funding for the ATJ Initiative in FY24 to \$38 million, or in the alternative to restore funding to FY23's level of \$31 million.

Thank you for considering Tzedek DC's views.

FY2022-FY2023

In 2014, DC was chosen by U.S. DOJ's Office for Victims of Crime (OVC) as one of ten communities to participate in a demonstration project to create wraparound legal assistance networks. An initial needs assessment found that "the current issue is not that there is a lack of agencies that provide legal services to victims of crime; the issue is that these providers are setup in a disjointed patchwork across the DC area."

These challenges were echoed in The DC Access to Justice Commission's 2019 report, which states: "Individuals seeking legal services may find themselves making contact with several legal providers and undergoing multiple intake processes in various locations before securing assistance, or worse, learning that no assistance is available to them."

In FY 2022, VLNDC saw a 22% increase in clients served and a 90% increase in calls for service in quarter 1 of FY23 over the same time period of FY20. Funding this project is critical to ensure that the continued increase in coordinated access to justice is available to victims in DC.

While VLNDC services are available to any victim of crime, the majority of clients come from underserved communities and many have community-specific barriers to accessing justice, such as the elderly, individuals who have limited English proficiency, who are undocumented, who are experiencing homelessness, and individuals with disabilities.

607 

Calls for Service in FY 2022

90% 

Increase in Calls for Service
in FY23Q1 v. FY20Q1

CLIENT DEMOGRAPHICS

40%
BLACK

25%
AGES
25-34

45%
WOMEN

80%
BELOW FPL



WASHINGTON LAWYERS' COMMITTEE **FOR CIVIL RIGHTS AND URBAN AFFAIRS**

Access to Justice Funding **April 10, 2023**

There is a profound crisis in equal justice, driven far too often by the unavailability of an attorney to protect rights embedded in the law. The District of Columbia, through its Access to Justice funding, is a leader in the national movement to close the justice gap. The Washington Lawyers' Committee receives funding through the Access to Justice Program to support our work to address housing discrimination and segregation, assist low-wage workers, and to fight for the rights of prisoners and persons with a disability. Through these grants, we are able to assist thousands of low-income District residents. Despite the extraordinary commitment of the District to equal justice, the needs of low-income communities have not been fully met.

Among the cases and projects that the Committee pursued with Access to Justice funding are the following:

- The Committee operates a clinic for low-wage workers that serves hundreds of District residents each year. The client provides advice, brief serves, and referrals on a broad range of legal issues, including wage theft, discrimination, and workplace safety.
- Discrimination against persons with a record of conviction denies many people of color access to meaningful employment. The Committee represented three District of Columbia residents in a mediation that resulting in a change in policy by a national employer that opened up opportunity for hundreds of District residents and thousands of people nation-wide.
- The Committee represents tenants who are coming together to collectively resolve disputes with their landlords. In 2022, the Committee brought the first ever litigation to enforce the District's right to organize statute.
- To address housing conditions and preserve affordable housing, the Committee represents all of the tenants in litigation regarding disrepair and hazardous conditions at Meridian Heights, a building in the Columbia Heights neighborhood. The Committee also has a docket of housing cases that address source of income discrimination.
- The Committee brought litigation to ensure that COVID home testing was available for persons who are blind or have visual disabilities.
- During the height of the pandemic, the Committee secured and supported scores of pro bono lawyers who assisted District of Columbia prisoners to seek compassionate release.
- Scores of District prisoners write to the Committee each year for advice and assistance on prison issues. We provide a response to each with detailed self-help materials and for a smaller set, we provide representation.

If our funding is cut, it will severely impact our ability to pursue cases and projects that ensure housing stability and justice, secure an income to lift a family from poverty, or that protects the rights of persons who are incarcerated from abuse.



WHITMAN-WALKER HEALTH

Mailing Address:

Whitman-Walker at LIZ

1377 R Street, NW, Suite 200

Washington, DC 20009

DC Access to Justice Commission

April 11, 2023

Re: Impact of Access to Justice (ATJ) Funds on Whitman-Walker Legal Services in Wards 7 & 8

I am writing to share information about the work at Whitman-Walker Health's Legal Services Program thanks to annual funding from the Access to Justice Initiative; and specifically, to share information about the work that we do to serve residents of Wards 7 & 8.

Whitman-Walker's Max Robinson Center (MRC) legal office was established in Anacostia in 2007; since that time, the volume of legal clients has grown exponentially from 139 in 2007, to 678 cases in 2022 for clients living in Wards 7 and 8. By working in a closely-knit medical-legal partnership, staff attorneys coordinate in-person and immediate client assistance/problem-solving with nurses, doctors, therapists, medical case managers, and medical assistants to address health-harming legal needs.

- Our clients in Wards 7 & 8 are able to meet with a lawyer when they visit their doctor, therapist, or dentist - saving them time and money to resolve everyday life issues including the inaccessibility of electricity, affordable medication, Social Security income, safety at work, housing, and reliable information needed to navigate these issues.
- Clients can stay in their home and community when home health aide services are obtained.
- Clients with a reliable Social Security income and SNAP benefits have economic security and can afford to pay their rent, buy food, and pay for transportation to medical appointments.
- Clients with proper health insurance can afford to pay for and adhere to their prescribed medications, and avoid medical emergencies.
- Clients with information and counseling can balance returning to work part time and retaining Social Security benefits.
- Clients with health insurance can access mental health services.
- Clients can access to pre-exposure prophylaxis medication (PreP) to prevent infection and HIV-meds for positive clients to maintain a suppressed viral load to prevent transmission; 65% of all MRC legal clients are living with HIV making such care essential to this community.

Residents of Wards 7 & 8 remain particularly vulnerable to the struggles of the Social Security Administration (including access to Medicare) and are desperate to obtain or maintain modest disability benefits as the SSA offices begin to re-open to in-person appointments and address the backlog of cases and clients that need attention. Our attorneys work diligently to manage these needs to avoid financial emergencies for clients likely to result in eviction. Likewise, DC agencies charged with administering public benefits such as Medicaid, the EPD Waiver Program, DC Alliance, and SNAP, struggle to process applications overwhelmed as the city readjusts to post pandemic operations. In the case of EPD Waiver program administration, clients end up living in unsafe conditions and often return to a hospital based on programmatic delays. The time and energy expended by already disabled or elderly residents leads to punitive and preventable health outcomes. Public benefits lawyers are critical to addressing these problems individually and systemically. ATJ funds make this life-saving work possible.

Sincerely,

Amy E. Nelson / Director of Legal Services / Whitman-Walker Health / Anelson@whitman-walker.org