

Delivering Justice: Addressing Civil Legal Needs in the District of Columbia

The District's civil legal services network has grown and evolved over the past 10 years due to greater public and private investment, strategic partnerships, and provider innovation.

In the 10 year period that the Commission examined, legal services providers weathered the recession and experienced a growth in resources that allowed them to nearly double their staff and the number of clients they serve through full representation. The bulk of financial support came from individuals, law firms, and corporations, and the District through its ground-breaking Access to Justice Initiative. Those ten years also saw the growth of important partnerships with other community institutions such as the D.C. Courts, the D.C. Office of Administrative Hearings, medical providers and other community organizations, and important contributions by *pro bono* attorneys and District law schools. Providers have leveraged this support through innovations in practice, service delivery, and operations that have allowed them to expand their reach in each issue area covered in *Delivering Justice*: consumer; disability/health; education; employment; estate planning and probate; family and domestic violence; housing; immigration; public benefits; and small business/nonprofit. The changes in these issue areas stem from strategies detailed in *Delivering Justice*, including:

- Expansion of existing practice areas and establishment of new organizations and projects.
- Adoption of diverse and creative practice models.
- Collaboration with partners and engagement of clients.
- Emphasis on and resource allocation toward systemic advocacy.
- Staffing changes for sustainability and growth.

Providing District residents with greater access to legal information and opportunities for representation leads to better individual and community outcomes.

Addressing civil justice problems without legal help often results in negative legal and life outcomes. In contrast, studies highlighted in *Delivering Justice* show that represented tenants were more likely to avoid an eviction judgment; non-detained immigrants with legal counsel prevailed at a far greater rate; and benefits claimants were much more likely to succeed when represented by a lawyer.

In addition, *Delivering Justice* profiles systemic advocacy efforts that resulted in improvements more broadly benefiting client communities, from addressing building-wide housing code violations, to promoting justice-related policy changes, to decreasing the load on medical institutions by combatting health-harming legal barriers through medical-legal partnerships.

There remains an overwhelming need to help the thousands of District residents who face persistent and significant barriers to accessing the civil justice system.

Legal services providers report that the mounting legal needs of District residents outpace the resources available to meet them in vital areas such as accessing safe housing and needed public benefits, combatting immigration concerns, addressing consumer rights, and navigating family issues.

The over 100,000 District residents who live in poverty are more likely to experience civil legal problems like these, and poverty itself impedes their ability to address and recover from them.

The challenges of poverty are compounded by life circumstances that create additional barriers for thousands of District residents: over 70,000 District residents are 65 or older; nearly 41,000 are limited-English proficient; tens of thousands live with a disability; 15% are immigrants; and beyond.

Each year, the D.C. Courts see staggeringly high rates of litigants who appear without an attorney, and the Court's self-help and resource centers experience thousands of litigants seeking help.

Unrepresented Litigants in D.C. Superior Court 2017



97% of plaintiffs in small estate matters in the Probate Division.



88% of petitioners and 95% of respondents in the Domestic Violence Division.



83% of plaintiffs and 93% of respondents in divorce/custody/miscellaneous cases in Family Court.



97% of respondents in paternity and child support cases in Family Court.



88% of designated respondents in the Landlord and Tenant Branch of the Civil Division, in contrast to the 95% of plaintiffs who were represented.



75% of plaintiffs in Housing Conditions cases in the Civil Division.

The D.C. Access to Justice Commission's Commitment

The Commission will lead a planning effort to promote the key findings of *Delivering Justice*, including:

- Increase access to civil legal services in the District through greater financial investment and the pursuit of new service and delivery methods.
- Expand the pool of *pro bono* attorneys and prioritize the legal needs of our District neighbors.
- Educate community members and organizations about accessing the civil justice system and improve clients' experiences of intake and referral to more efficiently access the civil justice system.
- Strengthen community relationships and partnerships between legal and non-legal organizations.
- Promote continuous improvement of the District's civil justice system through simplifying processes, increased use of technology, improved self-help, and robust use of data and evaluation.
- Continue expanding the impact of civil legal services work through systemic advocacy.
- Ensure that the broader District community understands the civil justice crisis by sharing client and provider stories that illustrate the need for legal services.

Delivering Justice is a celebration of and call to action for all engaged in the provision of civil legal services in the District. Together we can take on the challenges identified in this report and move closer to achieving access to justice for all.