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June 17, 2004

The Honorable Judd Gregg, Chairman  
Subcommittee on Commerce, Justice,  
State, the Judiciary and Related Agencies  
Committee on Appropriations  
United States Senate  
S-146A Capitol Building  
Washington, DC 20510

The Honorable Ernest F. Hollings  
Subcommittee on Commerce, Justice,  
State, the Judiciary and Related Agencies  
Committee on Appropriations  
United States Senate  
SH-123 Hart Senate Office Building  
Washington, DC 20510

Subject: FY2005 Funding for the Legal Services Corporation

Dear Chairman Gregg and Senator Hollings:

The American Bar Association, representing more than 400,000 lawyers nationwide, is very grateful for your strong support for the Legal Services Corporation (LSC). At this time, the ABA respectfully recommends that your Subcommittee increase funding for the LSC from \$338.8 million to \$396.1 million for FY 2005. However, recognizing existing budget constraints, the ABA urges Congress, at a minimum, to fund LSC's FY 2005 budget request of \$352.4 million.

Due to past budget cuts and previously inadequate funding, the 143 LSC-funded legal aid programs, in your states and throughout the country, are forced to turn away tens of thousands of individuals and families who need assistance with basic legal problems. The FY 2004 appropriation of \$338.8 million is less than half the funding, in constant dollars, than LSC received in 1980.

Since 1990, there has been a 5.74 percent increase in the national poverty level. More than 43 million Americans now qualify for federal legal assistance, making one in five eligible for LSC-funded services. The ABA, therefore, urges Congress to restore funding for LSC to \$510.8 million, the FY 96 level plus inflation, over a three-year period starting with a \$57.3 million increase for FY 2005.

Various credible studies - state and national - continue to show that despite the combined efforts of legal aid programs and private bar *pro bono* attorneys, as many as 80% of those in poverty need legal help but cannot obtain it. These people are substantially the "working poor" who encounter legal problems relating to family relationships, domestic violence, health, employment, housing and other basic life issues. The local programs funded through the Corporation provide the only hope that these people can resolve such serious problems and continue to lead productive lives.

The ABA is also particularly concerned about attracting and retaining high-quality lawyers to legal services careers. For that reason, the ABA, through its Commission on Loan Repayment and Forgiveness, has focused attention on the impact of educational debt burdens on the ability of young lawyers to enter and remain in public service. One of the Commission's many recommendations includes developing a loan repayment program through the LSC. If you are able to provide a significant funding increase to LSC this year, the ABA urges you to consider allocating a meaningful portion of LSC's budgetary resources to supporting grant recipients in their efforts to develop and maintain loan repayment assistance efforts. While the ABA strongly supports this effort, our priority within the LSC budget remains with funding basic field programs. We would welcome the opportunity to discuss the findings of the Loan Repayment Commission with you, and to work with you to implement other Commission recommendations that would increase opportunities for public service.

We understand that your Subcommittee faces many difficult choices right now. However, assuring access to our justice system for low-income individuals, including low-income military personnel, to resolve their every day legal problems peacefully is essential to preserving the rule of law.

Your support for adequate funding for the Legal Services Corporation would be most appreciated.

Sincerely,

Dennis W. Archer

Attachments: "The Final Report of the ABA Commission on Loan Repayment and Forgiveness", August 2003.

cc: Members of the Appropriations Committee