

The first enumerated function of government in the U.S. Constitution's preamble is to "establish justice." For millions of poor Americans, the Legal Services Corporation (LSC) provides access to legal assistance so they can peacefully resolve disputes and obtain justice. Without an adequately funded national legal services program, those denied access to our justice system will inevitably lose respect for and confidence in the rule of law.

Today, despite the combined efforts of LSC-funded programs, private attorneys and bar associations, more than 80 percent of the basic civil legal needs of the poor are not being met. Each year, tens of thousands of low-income individuals and families are denied access to justice because of inadequate federal funding. LSC's funding was cut by more than one third in 1996, from \$415 million to \$278 million. The appropriation has increased modestly to \$338.8 million for FY 2004, but this amount is less than half the funding, in constant dollars, that LSC received in 1980. In addition, between 1990 to 2000, the number of people living in poverty has increased by 5.74 percent and today, more than 43 million people are eligible for federally funded legal assistance. Concurrently, supplemental funding provided by state legislatures and Interest on Lawyer Trust Accounts income has declined. 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. However, recognizing existing budget constraints, the ABA asks Congress to, at a minimum, fund LSC's FY 2005 budget request of \$352.4 million. The national legal aid program merits strong Congressional support because:

- **LSC-funded programs provide basic legal services for poor Americans in every Congressional District in the country.** LSC disburses 96 percent of its annual federal appropriation to 143 local legal aid programs serving low-income individuals and families in every county and Congressional District in the country. Boards consisting of leaders in the local business and legal communities set the priorities for and oversee these programs, which are required by law to provide basic legal services to the poor.
- **LSC-funded legal aid lawyers save and protect American families.** Local legal aid programs make a real difference in the lives of millions of low-income American families by helping them resolve everyday legal matters, including family law, housing, and consumer issues, and by helping them obtain wrongly denied benefits such as social security and veterans' pensions. LSC-funded programs often provide assistance to those who suddenly qualify and need legal assistance, such as when natural or national disaster strikes; LSC-funded programs were instrumental in assisting September 11 victims and families. Many low-income military families qualify for legal aid, and seek help with such matters as estate planning, consumer and landlord/tenant problems and family law.
- **LSC-funded programs are the nation's primary source of legal assistance for women who are victims of domestic violence.** Legal aid programs identify domestic violence as one of the top priorities in their caseloads. While domestic violence occurs at all income levels, low-income women are significantly more likely to experience violence than other women, according to the U.S. Bureau of Justice Statistics. Recent studies also show that the only public service that reduces domestic abuse in the long term is women's access to legal aid.
- **The White House, the Congress and the American people support the LSC.** President Bush supports funding for the LSC, recognizing that "[f]or millions of Americans, LSC-funded legal services is the only resource available to access the justice system." A bipartisan majority in Congress supports LSC; the Harkin-Smith-Domenici amendment ultimately added \$9.5 million to LSC's FY 2003 budget at a time when other domestic programs were being cut or flat-funded. The American public agrees that federal tax dollars should fund LSC: a national poll reported in 2000 that 82 percent of those surveyed supported government-funded legal aid.
- **The private bar cannot replace the services provided by LSC-funded programs.** The private bar actively encourages and organizes its members to provide *pro bono* legal services. However, a well-funded federal legal services program is essential to leverage other resources -- human and financial -- to help meet the legal needs of the poor. Without adequate federal funding, these non-LSC resources would be both less abundant and less effectively utilized --and, in many cases, would not exist.