Our Mission

The District of Columbia Court of Appeals, in an Order dated February 28, 2004, recognized the unmet civil legal needs of low and moderate income District residents and established the D.C. Access to Justice Commission. That Order, excerpted below, forms the Commission’s mission:

[The] Court recognizes the importance of responding to the unmet legal needs of low and moderate income people in the District of Columbia and others who suffer disparate access barriers, the increasing complexity of civil legal services delivery, the importance of civil equal justice to the proper functioning of our democracy, and the need for leadership and effective coordination of civil equal justice efforts in the District of Columbia.

The District of Columbia Access to Justice Commission is hereby established and is charged with responsibility of assuring high quality access for low and moderate income residents and others in the District of Columbia, who suffer disparate access barriers to the civil justice system, and with raising the profile in our community of the need for equal access to justice.

_D.C. Court of Appeals, Order M-220-04, Feb. 28, 2004_
Dear Colleagues,

In 2010 the District of Columbia Access to Justice Commission undertook two substantial new initiatives in addition to continuing its longstanding efforts to enhance access to justice for all members of the D.C. community.

As always, the headline activity of the Commission was its role in defending the public funding of civil legal services that it first succeeded in obtaining five years ago. These funds brought about a significant and sorely needed expansion of legal services, with particular emphasis on locating lawyers in underserved areas of the city and increasing the number of lawyers representing tenants in Landlord-Tenant Court.

Because of continuing pressure on the city’s budget, and despite the spike in the need of low-income people for legal representation, the Commission was forced to defend this vital public funding not once, but twice in 2010. The Mayor’s proposed budget for FY 2011 included a deep cut for the Access to Justice funds, which the City Council rejected following a coordinated effort led by the Commission. Late in the year the Mayor again proposed a substantial cut in the program as part of his suggested response to revenue shortfalls. After the Commission once more marshaled vocal support from the broader legal community and others in support of preserving the funding, the Council again rejected the cut.

Also in 2010 the Commission, in partnership with the D.C. Bar Pro Bono Program and Marc Fleischaker, Chair Emeritus of Arent Fox, established the Senior Attorneys Initiative for Legal Services (SAILS) Project. This new initiative, which recruits senior lawyers to undertake substantial pro bono projects, found willing ears in the community. SAILS is premised on involving firms on an institutional basis to organize projects that will operate on a substantial scale in partnership with legal services providers. Nearly a dozen firms have signed up and are developing their projects. Arent Fox and McDermott, Will & Emery collaborated to launch the first project, working with the Legal Aid Society of D.C. and the Washington Legal Clinic for the Homeless to assist veterans with legal problems.

The second new initiative of 2010 is the Raising the Bar in D.C. Campaign, which sets benchmarks for annual law firm contributions to the civil legal services network. Eight firms signed up as founding participants and others have joined since the inception of the project.

The Annual Report that follows details the Commission’s activities for the year.

Sincerely,

Peter Edelman
Chair
I. INTRODUCTION

The hints of economic recovery that are being felt across the nation have yet to materialize in poor communities in the District of Columbia. For too many residents, 2010 was a year characterized by meager employment prospects, a protracted foreclosure crisis, strained social services agencies, and economic despair. According to an October 2010 *Washington Post* report, more than one in four District children – and more than one in three residents who reside east of the Anacostia River – now live in poverty. Moreover, more than one in ten District residents – over 60,000 people – now have incomes below half the poverty line, which is just under $11,000 for a family of four. And due to dramatic revenue shortfalls, the District’s safety net falls far short of meeting the need for services.

For families reeling from the impact of the recession, access to the civil justice system can mean the difference between stability and crisis. Legal services lawyers protect individuals from wrongful foreclosures and evictions, help domestic violence victims and their children escape violent homes, protect low-wage workers from exploitative employment practices, ensure that children have access to health care, and help indigent families access essential food and income security programs. Unfortunately, economic conditions have significantly undermined the capacity of the legal services network to meet the vital legal needs of indigent residents, just as the need for those services has soared.

In response, the Commission worked intensively last year to infuse resources into the fragile legal services network. This included launching two groundbreaking initiatives to significantly increase both financial and pro bono support for legal services and continuing its leading role in securing public funds. It also worked in close partnership with the judiciary, the Bar, the legal services community, and other institutions to fulfill its mandate of increasing access to justice for low- and moderate-income residents across the city.

II. INITIATIVES

A. Public Funding for Legal Services

When the Commission was created in 2005, the District was in a small minority of jurisdictions that did not provide public funds to address the civil legal needs of indigent residents. The Commission made its first priority the creation of a public funding stream for legal services, and in 2006 persuaded the D.C. Council to establish a landmark annual appropriation of public funds entitled the Access to Justice Program. Over the last five years, that program has infused...
over $15 million of urgently needed funds into the legal services network. Those funds have supported more than 30 lawyers who provide direct services to residents with acute legal issues. The program has enabled several legal services providers to establish or expand offices in the most underserved areas of the city, and more than doubled the number of attorneys working east of the Anacostia River.

The District's recent financial challenges have imperiled these vital funds. Before the economic downturn, funding for the Access to Justice Program had climbed to $3.6 million for the fiscal year. In 2010, the program was twice slotted for severe funding cuts that would have undermined the important progress we had made in closing the justice gap. Mayor Fenty's proposed budget for fiscal year 2011 slashed the program to 50% of its fiscal year 2009 level. In response, the Commission mounted a community-wide campaign to preserve the funding. Because of these efforts, the Chief Judges of the D.C. Court of Appeals and the Superior Court, the President of the District of Columbia Bar, and twenty-five former Presidents of the District of Columbia Bar submitted letters urging the Council to preserve the funds. Group and individual letters were also submitted by nearly sixty different legal and non-legal organizations. In addition, the Litigation Section of the Bar, joined by nine other Bar sections, issued a public statement urging the Council to protect the program. Under the Commission's leadership, the District's legal community demonstrated its broad support for equal access to justice. This led the Committee on Public Safety and the Judiciary to take the unprecedented step of issuing a separate Committee Report on the importance of the Access to Justice Program. Most important, the Council restored the funding level to $3.5 million.

The Access to Justice Program was again threatened with drastic cuts in December 2010 when Mayor Fenty's Budget Gap Closing Plan proposed to cut the already-appropriated funding by more than 50%. The Commission again mobilized the legal community, persuading leaders in many legal spheres – including Stephen Zack, the President of the American Bar Association – to urge the Council to restore the funding. Again, as a result of these efforts, the Council restored most of the funding, to a level of $3.1 million for fiscal year 2011.

Attachment I provides a description of the projects funded through the Access to Justice Program in 2010. This work includes the Court Based Legal Services Project, through which lawyers from three different legal services providers – the Legal Aid Society of D.C., Bread for the City, and D.C. Law Students in Court – provide same-day representation to tenants facing eviction in Landlord-Tenant Court. These attorneys play a

Access to Justice Funds enable Whitman-Walker Clinic (WWC) to operate a legal services office at the Max Robinson Center (MRC) in Ward 8, thereby greatly increasing its profile East of the River. The number of Ward 7 and 8 residents served at WWC's Ward 1 and Ward 8 sites has more than tripled between 2007 and 2010. One of the critical services provided at MRC is a walk-in clinic during the annual open enrollment period for Medicare Part D prescription drug plans. This expert assistance ensures that low-income residents are enrolled in plans that save them hundreds or even thousands of dollars in out-of-pocket drug costs and cover all of their medications.

University Legal Services’ Jail Advocacy Project provides holistic legal advocacy to address the unique needs of youth and adults with psychiatric disabilities navigating the criminal and mental health systems. Since its inception, the Project has addressed abuse and neglect behind bars and advocated for access to quality care and treatment alternatives to unnecessary incarceration for over 250 District residents with psychiatric disabilities. Over 5000 clients, attorneys, providers and correctional administrators have participated in the Project's public education initiatives.
In 2010, the Southeast Health Access Project of the Children's Law Center (CLC) joined the Children's National Medical Center Asthma Management Team. Now, when a child suffers from uncontrolled asthma, pediatricians ask about their family's housing conditions and refer them to the Project. CLC files and wins housing conditions lawsuits, ridding apartments of roaches, rats and mice and bringing children's asthma under control.

pivotal role in preventing homelessness, correcting egregious housing code violations, and keeping a roof over the heads of poor families.

Access to Justice funds also support a nationally acclaimed **Community Legal Interpreter Bank** which provides free interpretation services to clients who are not proficient in English or who are deaf or hearing impaired. Although these residents are entitled to interpretation services in court, without this crucial language access resource they would not be able to communicate effectively with legal services attorneys to solicit help and to prepare their cases.

Finally, the funds support a **Loan Repayment Assistance Program** which helps legal services lawyers who live and work in the District to repay crushing law school debts. Without this program, many passionate and dedicated advocates would be unable to sustain public interest careers. It also ensures that legal services providers can attract and retain diverse and talented staff.

**B. Raising the Bar in D.C.: A Funding Campaign for Legal Services**

To address the serious shortage of funding for legal services, the Commission joined with eight leading law firms to launch **Raising the Bar in D.C.: A Funding Campaign for Legal Services.** The Campaign’s goal is to substantially increase financial support for the legal services network by establishing revenue-based benchmarks for law firm donations. Firms that donate to local legal services providers at benchmark levels – .11% of D.C. office revenue for platinum, .09 % for gold, .075% for silver – will be recognized for their generosity. The eight Leadership Circle firms that launched the initiative – **Akin Gump Strauss Hauer & Feld LLP, Covington & Burling LLP, Crowell & Moring LLP, DLA Piper LLP, Jenner & Block LLP, Sidley & Austin LLP, Steptoe & Johnson LLP, and Sutherland Asbill & Brennan LLP** – have each pledged to meet the silver level or higher in 2011 and have worked closely with the Commission to urge other firms to participate.

This groundbreaking new initiative, which has been endorsed by both the District of Columbia Bar and the District of Columbia Bar Foundation, is unique in the nation in setting benchmarks based on law firm office revenue. Although a number of other jurisdictions have funding drives that set per-lawyer or per-profit targets, to our knowledge no other jurisdiction has established a revenue-based approach. This paradigm encourages broad participation by the private Bar by making the benchmark levels achievable by firms of all sizes.

The Commission and the Leadership Circle Firms launched the Campaign in December 2010 by sending letters to the Managing Partners of almost 400 District law firms urging them to join the Campaign. Concurrently, the **National Law Journal**, which is the Campaign’s official media sponsor, published an article...
about the Campaign and started to run a monthly half-page advertisement urging participation. The appeal letter and project description can be found at Attachment II.

The Commission recognizes that District law firms have long been integral partners in ensuring access to justice for our city’s most vulnerable residents. Through contributions of pro bono and financial support, District firms have provided vital resources to meet the civil legal needs of thousands of indigent clients. Despite this generous support, the economic downturn has propelled the legal services community toward a funding crisis and more resources are essential to prevent serious harm to fragile District families. The Commission greatly lauds the private Bar’s willingness to step up in this time of dire need.

C. The SAILS (Senior Attorneys Initiative for Legal Services) Project

In October 2010, the Commission and the D.C. Bar Pro Bono Program joined with eleven leading law firms to launch the SAILS (Senior Attorneys Initiative for Legal Services) Project. This innovative new project, which is chaired by Marc Fleischaker, Chair Emeritus of Arent Fox LLP, will infuse critical pro bono resources into the public interest legal community by harnessing the vast experience of the many talented senior lawyers in the District. The eleven Founding Partners – Arent Fox LLP, Arnold & Porter LLP, Covington & Burling LLP, Crowell & Moring LLP, Dickstein Shapiro LLP, DLA Piper LLP, Hogan Lovells US LLP; McDermott Will & Emery, Skadden, Arps, Slate, Meagher & Flom LLP, Steptoe & Johnson LLP, and Zuckerman Spaeder LLP – have agreed to institutionalize a senior lawyers program at their firms through which senior attorneys will undertake substantial pro bono work as a next phase of their careers or as a component of their retirement.

The SAILS Project emerged from a meeting of law firm and legal services leaders convened by the Commission in January 2010 to examine how law firm business model changes might impact the provision of pro bono and monetary support to the legal services network. Participating leaders identified senior attorneys as a significant underutilized resource that could greatly enhance the capacity of the legal services community. They also sought to create a path for the scores of senior attorneys transitioning from billable work to continue to engage in challenging and valuable projects. In response, the Commission and the Pro Bono Program researched innovative programs underway in other jurisdictions and determined that an institutional approach to senior lawyer pro bono efforts, which focuses on law firm engagement rather than matching lawyers with individual pro bono opportunities, was the most promising way to bring an expansive and sustained senior lawyers program to scale in the District.

WEAVE attorneys placed at The Lighthouse Center for Healing in Fort Totten host weekly walk-in clinics for unrepresented survivors of domestic violence, sexual assault and stalking who are seeking legal advice regarding civil protective orders, domestic relations and immigration matters. The Lighthouse houses six other victim-service agencies so that a victim of domestic violence or sexual assault can get an array of needs met including counseling, medical services and access to crime victims compensation funds.
With Arent Fox’s leadership, the Commission and the Pro Bono Program are working closely with participating law firms to examine firm policies that will reduce barriers and create incentives for senior lawyers to engage in this work. The Project regularly convenes meetings of the eleven Founding Partners to provide technical assistance and facilitate the sharing of information among firms. Working closely with the local legal services providers, we have created a list of potential pro bono opportunities and are in the process of creating a website that will include an online database of projects, testimonials of senior attorneys engaged in pro bono efforts, and sample law firm policies. Two law firms already have established a substantial project with two legal services organizations to provide targeted services to homeless veterans. A project description can be found at Attachment III.

D. The Courts and the Office of Administrative Hearings

The Commission is extremely fortunate to have the partnership of the Chief Judges of the District of Columbia Court of Appeals, the Superior Court, and the Office of Administrative Hearings in our collective work to enhance equal access to the courts and to remove barriers for the far too many pro se litigants who must proceed without the assistance of counsel. The Commission meets regularly with Chief Judge Satterfield and with OAH’s Pro Bono Committee to identify areas for reform and to work on joint initiatives. Our work this year has included the following:

- Commission representatives worked closely with the court to develop the new housing conditions calendar that was launched on April 28, 2010. Previously, tenants did not have a mechanism to easily seek redress for even the most egregious housing code violations and typically had to tolerate terrible conditions while waiting for the landlord to bring a case for possession in the Landlord and Tenant Branch. Now tenants have a “fast-track” mechanism for affirmatively raising housing conditions issues. A DCRA housing inspector is present when the calendar is called so that the court and the parties have direct access to conditions-related information and violations can be resolved expeditiously. Of the 141 cases disposed of in the last year, 51% were resolved within 45 days and 81% were resolved within 90 days. The Commission is working with the legal services community to increase awareness of the calendar.

- At the Commission’s urging, the Superior Court and Court of Appeals provided training for judges and court personnel on the use of the
Language Line. The Commission continues to highlight the importance of translating court orders and other relevant documents into other languages and improving signage for limited-English proficient individuals.

• The Commission brought to the Court’s attention difficulties with the in forma pauperis (IFP) application and review process. In March 2010 the Court promulgated a new court-wide IFP application for the Civil Division and Family Court. This change has improved consistency in the merit evaluation of IFP applications and made it easier for low-income litigants to seek and obtain fee waivers. The Commission continues to work with the provider community to identify instances when the new review process is not properly followed and relay that information to the Court for additional training. The Commission is also working with the Court of Appeals to try to make its IFP rule and practices consistent with those in Superior Court.

• Representatives of the Commission worked with the Court to promulgate a rule change that eliminated the notarization requirement in Civil Division cases. Previously, litigants were required to sign certain pleadings in front of a notary. This requirement created an unnecessary burden, especially on low-income litigants because of the cost associated with notarization, the dearth of notaries in low-income neighborhoods, and the need to miss work or other obligations to travel to a notary. This change brings the Civil Division in line with other parts of Superior Court, as well as the Court of Appeals, the federal courts and a number of District agencies, which permit litigants to sign under penalty of perjury without notarization.

• Following the serial snow-related court closures in early 2010, the Commission successfully urged the Court to articulate new policies related to weather and other emergencies. This included improving the dissemination of information to affected litigants by placing case re-calendaring information on the Court’s website and audio recording.

• The Commission worked with the Court to prominently feature links to LawHelp on its website and kiosks.

• The Commission is working with the Court to examine data on the number and percentage of pro se litigants navigating the court system each year. This data will help to gauge the impact of the Access to Justice funding, as well as the effect of the economic downturn on the number of low-income individuals proceeding without counsel.

The Commission’s Courts Committee is also working to identify new areas for reform. Earlier this year, the Commission researched best practices in other jurisdictions for assisting pro se litigants and produced an extensive memorandum detailing those innovations. As a result of that work, the Commission is examining the expansion of limited scope representation to other areas of the Court. It is also exploring the use of allocution-type interchanges between judges and pro se litigants so that judges have a mechanism to verify that a pro se litigant fully understands the terms and consequences of a settlement before the Court approves it.

Bread for the City’s Community Lawyering Project was able to secure the necessary signatures on preliminary agreements to settle the Marbury Plaza rent strike and have the landlords begin substantial repairs on that 600+ unit complex. It has also filed settlement agreements in over 40 of the cases.
In addition, the Courts Committee is working closely with legal services providers to address areas of unmet need. In collaboration with the D.C. Consortium of Legal Services Providers, it recently facilitated the formation of a Consumer Law Working Group that is examining practices in the Small Claims Branch and Debt Collection Calendar. The Commission will work in concert with the working group to implement its recommendations once they are finalized.

The Commission has continued to work with the Office of Administrative Hearings to improve services to pro se litigants. This has included the following:

- For the last several years, the Commission has strongly urged OAH to amend its rules to make them more user-friendly for pro se litigants. After the proposed rules were published in fall 2010, the Commission met with OAH representatives to discuss comments submitted by the provider community and offer assistance.

- The Commission is working closely with OAH to explore models and resources for its new pro se resource center and to provide training for OAH judges with respect to DCCA opinions that affect OAH cases. In addition to providing input on the physical plans for the space, the Commission has provided information about community resources.

- The Commission also helped OAH to update its legal services referral lists.

During the last fiscal year, the Neighborhood Legal Services Program (NLSP) provided neighborhood-based legal services to 624 individual clients in a broad spectrum of cases including consumer, public benefits, housing, family, education, employment and wills and estates matters. These services were provided using public funds. NLSP continues to make a difference in the community as the only legal services provider with an office located in Ward 7.

E. Outreach

The Commission continues to work closely with the D.C. Consortium of Legal Services Providers, the private Bar, and community-based organizations to disseminate information about the availability of legal services and to raise awareness of access to justice issues. This has included the following:

- The Commission co-sponsored and helped to organize the Opening Reception and Pro Bono Fair for Pro Bono Week. The Fair was staffed by approximately 30 legal services organizations and attended by more than 100 potential volunteers.

- The Commission created and distributed “Winter Emergencies” and “Summer Emergencies” flyers that provide information about hypothermia shelters, cooling centers, utility assistance, and other important emergency and community resources. The Commission worked with the Interpreter Bank and the UDC David A. Clarke School of Law to have the flyer translated into other languages and with the Consortium of Legal Services Providers to assure wide dissemination.

- The Commission is in the process of working with the public libraries to arrange trainings for reference librarians and provide electronic access to materials about the availability of legal services.

- The Commission made presentations at two Voluntary Bar Leadership meetings to raise awareness of access to justice issues and solicit
help preserving the Access to Justice Program and publicizing the Raising the Bar in D.C. Campaign.

- The Commission arranges presentations by Access to Justice grantees at Commission meetings to educate both the Commission and the larger public interest community about the crucial work supported by the public funds.

F. National

The Commission is actively involved in the national access to justice community. Commissioners made a presentation about the Commission’s work at the ABA Commission on IOLTA Meeting and discussed access to justice partnerships with the judiciary and the private Bar at the NLADA Conference. The Commission also makes regular submissions to the ABA Resource Center on Access to Justice Initiatives for its reports to the Conference of Chief Justices and its library of access to justice developments.

The Commission also facilitated a first-ever regional meeting with the Maryland Access to Justice Commission. The Commissions shared information about their respective projects and identified trends impacting low-income residents in both jurisdictions.

The Commission is proud that a number of its initiatives have been featured in both national and local publications this year and that the SAILS and Raising the Bar in D.C. Projects have been included in the Legal Services Corporation’s compilation of innovative practices. Those articles can be found on the Commission’s website, www.dcaccessstojustice.org.

III. Commission Support

Financial support for the Commission is provided through the District of Columbia Access to Justice Foundation, a 501(c)(3) created for the purpose of raising and receiving funds for the Commission. The Commission is extremely grateful to the Foundation’s Board members for their dedication to the Commission’s mission and their efforts to secure the funds necessary to support its work. Foundation Board members are listed at Attachment IV. Neither the Foundation nor the Commission receives any public funds and therefore relies entirely on local law firms and individuals for donations. The Commission is fortunate to have the generous and steadfast support of a number of leading law firms and other donors. The initiatives described within this Annual Report would not be possible without their generosity. A list of donors is included at Attachment V.

The Commission is also profoundly grateful for vital in-kind support provided by a number of leading law firms and other entities. Venable LLP provides the Commission with free office space, equipment, and office services. DLA Piper is the Commission’s pro bono research counsel. Steptoe & Johnson LLP is the Foundation’s pro bono general counsel and also produced this Annual Report. Goodwin Procter LLP provides space for the Commission’s general meetings. The Raben Group provides invaluable counseling.

APALRC’s Housing & Community Justice Project deepened its engagement with hard-to-reach Asian immigrant tenant populations in the District by presenting regular workshops on tenants’ rights in three languages, providing services and representation to individual tenants, advising and working with informal and formalized tenant groups, and focusing on policy issues such as language access in subsidized programs throughout the District.
Public funds support a full-time attorney in D.C. Law Students in Court’s Attorney-of-the-Day Project (AOD) who represents low-income tenants facing eviction. In 2010, this attorney assisted 172 individuals who would otherwise have faced eviction without counsel. The Project has also expanded LSIC’s capacity to ensure that tenants learn about their rights through outreach presentations in the client community.

IV. CONCLUSION

Although the Commission is proud of its accomplishments this year, much hard work lies ahead. There is no doubt that the effort we are making together as a legal community is improving the lives of our city’s most vulnerable residents. The pivotal individual interventions made by legal services and pro bono attorneys, the institutional commitments made by leading law firms, the innovations made by the courts, and the broader changes effectuated by Access to Justice grantees all play a vital role in closing what has become an appalling justice gap. More than ever, the broader legal community is manifesting its shared commitment to equal justice by joining with the Commission to secure public support for legal services and by taking a leadership role in Commission efforts to make equal justice for all a reality.

The Commission is fortunate to have the courts, the legal services network, Bar leadership, and the law firm community standing shoulder to shoulder in this crucial endeavor. We greatly value those partnerships and recognize the integral role of each of those institutions in helping those most in need. We look forward to working together to identify new partners, fill existing gaps, and redouble our efforts to avert those crises that are within our power to address. Together we can change lives.
DISTRICT OF COLUMBIA ACCESS TO JUSTICE
COMMISSIONERS 2010

Peter Edelman
Georgetown University Law Center
Chair

Hon. Inez Smith Reid
D.C. Court of Appeals
Vice-Chair

Rawle Andrews
AARP of Maryland

Patty Mullahy Fugere
Washington Legal Clinic for the Homeless

Shirley Massey
Injured Workers Advocate (Lay Member)

Jon Bouker
Arent Fox LLP

Nathalie Gilfoyle
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Mary’s Center for Maternal & Child Care

Hon. Hiram Puig-Lugo
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Hon. Stephanie Duncan-Peters
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STAFF

Jessica Rosenbaum
Executive Director

Susan D. Gilbert
Deputy Director
FY 2010 PUBLICLY-FUNDED LEGAL SERVICES GRANTS

The DC Bar Foundation awarded in April 2010 thirteen grants to eleven organizations. The funds provide continued support for the shared legal interpreter bank, and expanded housing legal services and neighborhood/community-based services.

COMMUNITY LEGAL INTERPRETER BANK

Ayuda was funded to continue the legal interpreter bank. This project, funded since FY2007, has emerged as a national model for providing interpreters to people needing legal services. The project developed a curriculum, trains and deploys interpreters, and trains and supports legal services organizations.

LEGAL SERVICES GRANTS

Asian Pacific American Legal Resource Center — Housing and Community Justice Project: The Asian Pacific American Legal Resource Center is the Washington metropolitan area’s legal advocate for the legal and civil rights of Asian Americans. APALRC’s Housing and Community Justice Project provides a critical bridge between low income and LEP Asian immigrant families and communities in the District, and provides both housing and community development legal services. The project provides legal services, education materials, and other activities to protect affordable housing, and language access for Asian immigrants, largely clustered in Ward 1 neighborhoods. Public funding provides continued partial support for a staff lawyer.

Bread for the City — Community Lawyering Project: Bread for the City received continued funding for its innovative community lawyering work, which has added legal services to the other services it provides at its facility on Good Hope Road, SE (border of Wards 7 and 8). Community lawyering in civil legal services is based on the same successful premise implemented by the Community Prosecution model of the DC US Attorney’s Office: lawyers who engage the community in problem-solving, using tools including but not limited to traditional direct representation, develop long-term solutions to otherwise chronic problems. The public grant continues to fund one of the lawyers on this project, who works directly with the community, helps identify options to address concerns, and provides substantial direct representation to individuals in the community.
Children’s Law Center — Southeast Health Access Project: Children’s Law Center received continued funding for the expansion of the Health Access Project (HAP) into Southeast DC. HAP is a partnership project with the Children’s National Medical Center. In this innovative medical-legal collaboration, lawyers funded in the HAP SE project provide services through the three SE Clinic offices of the Children’s National Medical Center (CNMC). The lawyers work with families of CNMC patients to identify and resolve non-medical solutions to children’s health issues. The HAP SE project will continue to expand its SE pro bono program, leveraging additional private legal resources for the community.

Court Based Legal Services Project: A collaborative project including the Legal Aid Society of D.C. and Bread for the City received continued funding to maintain lawyers in the Landlord Tenant Court to provide legal services to low income DC tenants through an “attorney-of-the-day” project that enjoys strong support from the Superior Court judges serving in Landlord-Tenant Court. Tenants receive same-day representation in matters they have in court, and long-term help on housing matters. By increasing representation in Landlord Tenant Court, lawyers help keep families in housing, address code violations, and keep housing affordable. The partners each provide 4 lawyers for the project. One of the lawyers from Legal Aid Society coordinates the project. The service providers have launched a pro bono component to the project, securing pro bono assistance in selected long-term matters.

DC Law Students In Court: DC Law Students in Court received continued public funding to support an attorney to work at the Landlord Tenant Court in collaboration with the Court Based Legal Services Program. This grant leverages additional legal assistance from law students on matters residents bring to Landlord-Tenant Court.

Legal Aid Society—Southeast Neighborhood Access Project: Legal Aid Society received continued public funding to support lawyers to work with clients from offices co-located with other service organizations in Wards 7 and 8. Lawyers work out of the Domestic Violence Intake Center in Southeast, the Children’s Health Project located at THEARC, and Advocates for Justice and Education in Anacostia, and provide a range of civil legal services.

Legal Counsel for the Elderly—Project HELP: Legal Counsel for the Elderly was awarded continued public funding for an attorney to assist low income homebound elders in need of wills, advance directives, and public benefits audits, as well as those affected by consumer scams, and experiencing housing related issues. The attorney brings legal services directly to those low-income seniors who cannot get out to meet with an attorney. The Project HELP lawyer also
Attaches and support a growing pool of pro bono lawyers and other volunteer professionals to provide increased legal services to homebound seniors.

**Neighborhood Legal Services Program—Expansion:** Neighborhood Legal Services Program (NLSP) received continued funding to provide neighborhood based legal services in housing, family law, public benefits, consumer, employment, education, guardianship, and wills/estates. As a result of this funding, NLSP has expanded legal services in Wards 5 and 8, including opening a neighborhood legal services office on Nannie Helen Burroughs Ave., NE.

**University Legal Services—Jail Advocacy Project:** University Legal Services (ULS) serves as DC’s federally mandated protection and advocacy organization, charged with working for the rights of people with disabilities. ULS, with technical assistance from the DC Prisoners Project of the Washington Lawyers Committee, received continued funding to support a staff attorney to provide legal services and direct advocacy for inmates with mental disabilities in the DC Jail and other correctional facilities housing DC inmates. The staff attorney has established good relationships, and works closely, with DC Department of Corrections, DC Department of Mental Health and the Federal Bureau of Prisons regarding DC prisoners.

**WEAVE—Lighthouse Center for Healing:** Women Empowered Against Violence (WEAVE) received continued funding to provide legal services to low income DC victims of domestic violence through co-located services in Fort Totten at the Lighthouse Center for Healing, which opened in the spring of 2008, on the border of Wards 4 and 5. This funding supports the work of three lawyers and a paralegal. The Center provides “one-stop” services for victims of sexual assault and domestic violence, and survivors of homicide, by co-locating an office of the MPD, US Attorney, Victim Services, and counseling and relevant legal services.

**Whitman Walker—Max Robinson Center, Southeast DC:** Whitman Walker Legal Clinic received continued funding to provide legal representation, counseling and outreach to people living with HIV/AIDS through lawyers based at its Max Robinson Clinic to individuals living in Wards 7 and 8. This grant adds legal services to the medical services provided at the Max Robinson Clinic.
RAISING THE BAR IN D.C.

A Funding Campaign for Legal Services
District of Columbia Access to Justice Commission

District law firms are among the most generous in the nation in providing pro bono and financial support for legal services. Because of this tradition of engagement, law firms are a crucial part of the legal services delivery system and valued partners in access to justice efforts. Despite this commitment, too many vulnerable District residents are forced to navigate the legal system alone, even when those things they most value are in jeopardy. There is no doubt that the recession has widened the justice gap. Funding for legal services dropped an alarming 25% in 2009 while requests for legal services increased by approximately 20%. Even before the recession, the legal services network was able to meet only a fraction of the need. Even in good economic times, the legal services network is chronically underfunded and lacks the capacity to meet the critical legal needs of the District’s indigent residents.

To meet the urgent need for increased funding for legal services, the D.C. Access to Justice Commission formally launched the **Raising the Bar in D.C. Campaign** in December 2010, with the endorsement of the D.C. Bar Foundation and the D.C. Bar. The Campaign’s goal is to substantially increase financial support to the District’s legal services community by establishing benchmarks for law firm giving and annually recognizing and celebrating those firms that have donated at benchmark levels. A Leadership Circle of eight leading law firms – Akin Gump Strauss Hauer & Feld LLP, Covington & Burling LLP, Crowell & Moring LLP, DLA Piper LLP, Jenner & Block LLP, Sidley & Austin LLP, Steptoe & Johnson LLP, and Sutherland Asbill & Brennan LLP – joined in the launch of the Campaign by pledging to donate funds to local legal services providers at a benchmark level in 2011 and by joining the Commission in an appeal to the law firm community.

The Campaign urges all law firms in the District, regardless of their size, to give generously to local legal services providers at one of three levels:

- **Platinum**: .11% of D.C. office revenue
- **Gold**: .09% of D.C. office revenue
- **Silver**: .075% of D.C. office revenue

Because the benchmark is set as a percentage of revenue, the tiers are equally accessible by firms of all sizes. Cash donations, donated attorney’s fees, and payments for fellowships sponsored by the firm are all included. Because the Campaign is focused on the local crisis in legal services, only contributions to organizations that are located in D.C. and have as a core mission the provision of civil legal services to low-income or underserved District residents are considered in meeting the base benchmark level. The Commission recognizes that law firms make critical contributions to a range of other organizations and urges them to sustain funding to those entities at traditional levels. However, this initiative is intended to reflect the unique obligation that lawyers have to ensure equal access to justice for low-income individuals, and to encourage firms to support the local communities in which they are located.

For more information, or to join the Campaign, contact Jess Rosenbaum, Executive Director of the D.C. Access to Justice Commission, 202.344.4441, jess.rosenbaum@dcaccesstojustice.org.
Dear Law Firm Leader:

We are writing to ask that you join us as leaders in a critically important new initiative. District law firms have long been integral partners in ensuring access to justice for our city’s most vulnerable residents. Through contributions of pro bono and financial support, District firms have provided vital resources to meet the civil legal needs of thousands of indigent District residents who cannot afford counsel. Despite this generous support, the justice gap in the District is widening further. The recession has had a severe impact on communities living in poverty and has affected all of the funding sources for the legal services network. Too many indigent individuals are being forced to navigate the courts alone, even when their very well-being is in jeopardy.

In response, the undersigned firms are joining with the D.C. Access to Justice Commission to launch *Raising the Bar in D.C.: A Funding Campaign for Legal Services*. The Campaign, which has been endorsed by the D.C. Bar and the D.C. Bar Foundation, urges District firms to pledge to meet one of three revenue-based giving levels in their annual donations to local legal services providers.

We hope you will join us in the Leadership Circle for the *Raising the Bar in D.C. Campaign* by pledging to meet a benchmark level of giving to local legal services organizations in 2011. Similar campaigns in other jurisdictions have infused urgently needed resources into the legal services network. A fact sheet that explains the details of our initiative is enclosed.

These funds are crucial. A report released last year by the Access to Justice Commission and the D.C. Consortium of Legal Services Providers found that legal services funding dropped an alarming 25% in 2009 alone, causing the network to lose approximately 12% of its attorneys and nearly 40% of critical non-attorney staff. By all indications this year will be worse. The loss in funding and staff coincided with a 20% increase in requests for representation. Even before the recession, the legal services network was able to meet only a fraction of the need in our community. The superb pro bono commitment of our law-firm community does not suffice. Increased financial support is essential.
As lawyers, we share a unique obligation to ensure equal access to justice. For most of us, this commitment is more than a matter of ethical obligation. We understand the perilous situation faced by indigent litigants who try to navigate the courts alone when their children, their homes or their jobs are on the line. As law firm leaders, we also understand the importance of visible leadership from the top management of firms in encouraging attorneys to support access to justice efforts.

With your leadership, we can reaffirm our community’s commitment to ensuring that the unmet legal needs of the District’s indigent communities are met. Your firm’s generosity is more important than ever.

R. Bruce McLean
Akin Gump Strauss Hauer & Feld LLP

Kent Gardiner
Crowell & Moring LLP

Paul M. Smith
Jenner & Block LLP

Roger E. Warin
Steptoe & Johnson LLP

Timothy C. Hester
Covington & Burling LLP

Frank M. Conner, III
DLA Piper LLP

Carter G. Phillips
Sidley Austin LLP

Mark D. Wasserman
Sutherland Asbill & Brennan LLP

Peter Edelman
Chair, D.C. Access to Justice Commission
The SAILS (the Senior Attorney Initiative for Legal Services) Project, a joint initiative of the D.C. Bar Pro Bono Program the D.C. Access to Justice Commission and the participating law firms, was formally launched on October 20, 2010, to infuse much needed resources into the public interest legal community by harnessing the vast experience of the many talented senior lawyers at D.C. law firms, government agencies and corporate legal departments.

A large number of the lawyers in the District are or will soon be approaching a transitional phase in their careers as they begin to wind down their law practices. The Pro Bono Program, the Commission and the participating law firms believe that tapping this underutilized resource can help significantly narrow the justice gap that has only expanded with the downturn in the economy.

Participating law firms will institutionalize a senior lawyers project at their firms to build a structure and culture that encourages and supports senior lawyers to undertake pro bono work as a central focus of the next phase of their careers. Though the firms will each establish a paradigm that is appropriate to their individual setting, the goal is to reduce barriers and create incentives for senior lawyers to consider a “pro bono path” as they transition from full-time billable work. The Project has learned from the experiences of similar efforts in other major cities that the following criteria are essential to the success and sustainability of any firm’s senior lawyers project:

- ensuring that senior lawyers remain connected with their firms and have access to the firm’s resources to support their pro bono projects (including office space, administrative support and legal support);
- reviewing, and refining as appropriate, firm compensation, retirement and other policies to ensure that senior lawyers who choose this path are supported; and
- working in partnership with the legal services and/or public interest organizations to address urgent legal needs.

Law firms in the District of Columbia have long led the nation in their commitment to pro bono work and their support of the public interest legal community and the clients they serve. This initiative has the potential to become a national model, produce best practices, and create thought leaders on how to marshal this extraordinary resource. It assuredly will significantly expand urgently needed resources into the public interest community and make a rapid and palpable impact on the availability of legal help for the most vulnerable members of our community.

For more information, please contact Marc Fleischaker, Chair of the SAILS Project at Fleischaker.Marc@ArentFox.com; Maureen Syracuse, Executive Director, D.C. Bar Pro Bono Program at msyracuse@dcbar.org; Mark Herzog, Associate Director, D.C. Bar Pro Bono Program at mherzog@dcbar.org; or Jess Rosenbaum, Executive Director, D.C. Access to Justice Commission at jess.rosenbaum@dcaccesstojustice.org.

**Founding Partners**

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D.C. ACCESS TO JUSTICE COMMISSION

ANNUAL REPORT

ATTACHMENT IV

DISTRICT OF COLUMBIA
ACCESS TO JUSTICE FOUNDATION

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(as of February 28, 2011)

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W. Mark Smith
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President, D.C. Bar Foundation
# Law Firm & Individual Donations

## (2010)

### $12,500 and Above

- Akin Gump Strauss Hauer & Feld LLP
- Covington & Burling LLP
- DLA Piper LLP*
- Steptoe & Johnson LLP*
- Venable LLP*

### $10,000 – $12,499

- Arent Fox LLP
- Arnold & Porter LLP
- Boies, Schiller & Flexner LLP
- Gilbert LLP
- Williams & Connolly LLP

### $5,000 – $9,999

- Crowell & Moring LLP
- D.C. Bar Litigation Section
- Skadden, Arps, Slate, Meagher & Flom LLP

### Up to $5,000

- Baach Robinson & Lewis PLLC
- Jim Bierman, Esq.
- Hogan Lovells US LLP
- Joseph Sellers, Esq.
- McDermott Will & Emery**

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* Law firms that provided substantial in-kind contributions

** Includes individual donations from David Rogers, Harry Collier, Arthur J. DeCelle, Linda Johnson, Phillip Levine, Eileen O’Connor, Blake Rubin, T. Reed Stephens, and Mae Taylor.