Despite being diagnosed with mental retardation and a severe seizure disorder, 11-year old Melissa was placed in a regular classroom by her local school system. Unable to deal with her severe special needs, Melissa’s teachers resorted to strapping her to a chair. Not only did she fail to make progress in the classroom, she didn’t want to do anything and was measurably regressing.

LEGAL AID solves legal problems like these every day, for people who can’t afford a lawyer.

Services are free.

Eugenia is being evicted because her son cries all night if he doesn’t get his medicine. The health insurance was supposed to pay, but it denied her claim.

But Melissa, Eugenia and Robyn won’t get legal help this year.

Robyn lived in an emotionally abusive marriage, always afraid to do or say the wrong thing. But the day her husband held a gun to his head in front of their young son, she knew it was time to take her three sons and leave. Even though Robyn actually owned the home, her estranged husband refused to leave and refused to pay the mortgage, and the house was going into foreclosure.

Legal Aid is in a funding crisis, laying off lawyers and turning needy people away.

Fifty years ago the Supreme Court unanimously ruled, in Gideon v. Wainwright, that “those accused of a crime have a constitutional right to a lawyer whether or not they can afford one.” But on this milestone anniversary of what is widely considered one of the most significant judicial declarations of equality under law in criminal cases, there is still no right to counsel in non-criminal cases.

Civil matters — including legal issues such as home foreclosure, job loss, domestic abuse and parental custody — were not covered by the Supreme Court decision. States, including Massachusetts, that attempt to provide Legal Aid to the poor in significant civil disputes are finding that more and more people qualify for such help, making it impossible to keep up with the need. Even at a time when many law school graduates are without work, an overwhelming number of low-income residents of Massachusetts are without the Legal Aid they urgently need.
Studies of the ability of poor people to use the legal system to obtain basic fairness – to resolve the basic problems that affect their lives – show that 80% of the time they proceed without legal help. People are unable to maintain a place to live, keep their family intact, or keep food on their tables.

**What is Legal Aid?**
Legal Aid services provide free legal advice and representation in civil cases to nearly 50,000 low-income clients (affecting about 150,000 household members) in Massachusetts each year. These services are provided by a long-standing partnership between a statewide network of not-for-profit Legal Aid programs staffed by lawyers, paralegals and other professionals, and nearly 2,000 private attorneys who donate their time. The programs are funded by the federal government, the Commonwealth of Massachusetts and the Massachusetts Interest on Lawyers’ Trust Accounts (IOLTA) program, and private lawyers, law firms, and numerous charitable foundations.

**Who is eligible for Legal Aid services?**
Families and individuals who are at the lowest income level are eligible for Legal Aid services. To qualify, a family’s income must fall below 125 percent of the poverty level. For a family of four, that means an income of no more than $566 per week ($29,432 per year). In Massachusetts today, nearly one million people live in eligible households.

*More than half of the families seeking help from Legal Aid in our state are turned away. They have few, if any, alternatives for getting the legal help they need.*

The long-term outlook is no brighter. There is little likelihood that this situation will improve unless financial support is significantly expanded.

**Legal Aid is a smart investment**
Representation of families in need has a profound impact on the quality of life of every community in Massachusetts. Legal Aid allows neighborhoods to be safer and more stable by preventing the perpetual stream of foreclosures and evictions. It also reduces the frequency of domestic abuse and the numbers of elderly people who populate hospital emergency rooms, then later require follow-up by mental health and social services. Legal Aid brings federal dollars into the state through successful assertion of disability claims. Legal Aid reduces the Commonwealth’s expenditures on costly social services, such as emergency shelter programs. Legal Aid saves jobs and helps families obtain the proper services for their children. Legal Aid provides Massachusetts residents of various ethnic backgrounds with a dignified way to address their legal needs.

*In short, Legal Aid is a critical driver in making Massachusetts an attractive place to live and work.*

**The Case for a Bold Campaign**

*Despite being diagnosed with mental retardation and a severe seizure disorder, 11-year old Melissa was placed in a regular classroom by her local school system. Unable to deal with her severe special needs, Melissa’s teachers resorted to strapping her to a chair. Not only did she*
fail to make progress in the classroom, she didn’t want to do anything and was measurably regressing.

The Children’s Law Center demanded a team meeting at Melissa’s school. Despite agreeing with her evaluation, the school district refused to change Melissa’s placement. When the Law Center requested an emergency hearing before the state Bureau of Special Education Appeals, the district quickly reversed course and Melissa was placed in a school that was the right fit for her learning needs. She immediately thrived in this environment, and has learned to eat and dress on her own and write her name with magnets. “Everything is different now,” says Melissa’s mother. “The best thing I’ve ever done is find legal services. They worked so hard to make things right for her.”

_Eugenia is being evicted because her son cries all night if he doesn’t get his medicine. The health insurance was supposed to pay, but it denied her claim._

Eugenia’s Legal Aid lawyer negotiated an agreement with her landlord that stopped the eviction and then got the insurance company to honor its policy and provide the needed medicine. As a result Eugenia and her son did not need to enter a homeless shelter.

_Robyn lived in an emotionally abusive marriage, always afraid to do or say the wrong thing. But the day her husband held a gun to his head in front of their young son, she knew it was time to take her three sons and leave. Even though Robyn actually owned the home, her estranged husband refused to leave and refused to pay the mortgage, and the house was going into foreclosure._

Out of money and rapidly losing hope, Robyn got in touch with Western Massachusetts Legal Services. Within nine months, the legalities were ironed out, the house was sold, and the ex-husband had agreed to give up custody of the children. “My WMLS lawyer gave me and my children our lives back,” Robyn said.

**Now it is time for bold action.** We want nothing less than to significantly improve the reach and impact of the Legal Aid services provided in Massachusetts, so that more citizens are able to resolve the basic legal problems that are profoundly impacting their lives. Because Legal Aid makes our society more fair, more stable and less costly for taxpayers, we need to redouble our efforts to ensure that more families are given access to it.

Adding to the urgency of our mission, we are pursuing these goals at a time when funding for Legal Aid programs has declined precipitously over a period of several years, resulting in Legal Aid lawyers losing their jobs and even fewer people able to get the help they need.

To achieve our ambition we will strive to raise $25 million in a multi-year campaign, seeking the support of individuals and businesses statewide. This campaign will call upon the full measure of our capacity, resources and innovation to address four critical areas.
Expansion of Services: Keeping Faith with our Veterans ~ Preventing Domestic Violence and Alleviating its Effects

Veterans have been a forgotten population for Legal Aid in Massachusetts. More dramatic and family-preserving causes such as domestic violence and homelessness through eviction have received the high priority they deserve. However, for the 400,000 Massachusetts veterans, despite the sacrifices they have made and the physical and emotional toll that service has taken on them, there is no government program to provide the legal help that many need. Beyond the health issues often resulting from their service, many veterans have legal needs in areas such as housing, benefits, employment and education. To effectively deliver legal services to veterans, we need to reach them in the communities in which they live, communicate with them through the Veterans Administration and the other programs they have contact with, and expand the Veterans Assistance Project to provide comprehensive services. A team of eight attorneys and eight case-workers will make a significant impact with a deserving Veteran’s community.

Every abuser has a right to counsel if caught and charged with a crime, but many victims of domestic violence must go without counsel. The consequences of going without help can be debilitating. According to one account, more Americans have died from domestic violence since the turn of the century than from terrorism and the wars in Iraq and Afghanistan combined. Legal Aid lawyers not only obtain protective orders but also provide a full range of services for housing and employment problems, education issues involving children affected by domestic violence, and help to obtain divorces and child support. Through this help, victims of domestic violence reestablish themselves and their families as stable, productive members of society, and Massachusetts saves the costs of medical care and additional expenses that have been proven to reoccur as a result of further violence – an estimated $3.8 million in FY12.

Legal Aid programs funded by the Massachusetts Legal Assistance Corporation handled over 4,000 domestic violence cases in 2012. But the demand for these services was so great that during that same year they were forced to turn away more than half of those who came seeking assistance. $1 million a year will add ten advocates to this critical work and can provide help to over 1,000 additional families each year.

Expansion of Services projected cost: $6 million
The Innovation Project: Bringing 21st Century Technology and Management Practices to improve the impact of Legal Aid services

Built on an 18th century concept of justice and due process, a 19th century model of education and a 20th century method of retail sales, the legal profession is often characterized as continually surprised by the changes taking place in modern business. Legal Aid in Massachusetts is surrounded by world leaders in medicine, technology and scientific research, and the solid structures of the premier academic laboratories in the country, yet it makes scant use of these resources and has not been able to devote its limited funds to analyzing smarter ways to do business.

To enlist those resources in expanding access to justice, the Innovation Project will begin by partnering Legal Aid service providers with one or more leading management schools in the Boston area. It will engage entrepreneurs with proven track records to re-examine the Legal Aid delivery system and create new methods of delivery. It will establish statewide approaches to issues of intake and to providing useful and usable, distilled advice and counsel to the thousands of low-income people with legal problems who do not succeed in obtaining further representation.

In addition, there is an urgent need for increasing access to the legal system through new web-based technology. This includes optimizing web resources for display on mobile devices, to maximize accessibility and ease of use, since a significant percent of people who qualify for legal aid resources rely on their mobile devices to access the internet. Presently, one website attempts to provide answers to legal questions for Massachusetts legal services’ clients as well as to social workers, mental health workers and other professionals in need of this information. The website provides useful, important information, but has fallen behind: a small amount of funding will pay significant dividends by enabling timely information updates, coordination with other websites in the state which provide complementary information, and development of a comprehensive portal linking all of the relevant websites in the Commonwealth.

The Innovation Project projected cost: $3 million

Community Lawyer Fellowship Program

The Community Lawyer Fellowship Program is an innovative initiative to search the country and infuse Legal Aid in Massachusetts with the vigor of the best new lawyers and the seasoned skills and judgment of the most effective mid-level advocates who are willing to commit themselves to careers in legal services for the poor. The carefully chosen Fellows will be introduced to the program through an intensive training process, learning the most advanced theory and practice tools from advocates for low-income communities. The training program will be available to and will benefit the entire legal assistance community in Massachusetts. The
Fellows will devote their talents to systemic advocacy, seeking remedies for challenging community conditions and solving legal problems and correcting injustices affecting large populations.

The Fellows will be employed by a single agency, which will contract with Legal Aid programs statewide to place Fellows locally under terms and conditions of supervision and practice that will further the goals of the Fellowship. Each placement will come complete with salary, overhead, benefits and an allowance for support costs. There will be an emphasis on recruiting minority lawyers as Fellows consistent with the prime objective – recruiting the best talent available nationally. The first five-year phase of the program brings 30 new lawyers to provide Legal Aid services in Massachusetts and provides an ambitious training and development platform for Legal Aid lawyers nationwide.

**Community Lawyer Fellowship Program projected cost: $10 million**

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**The Stabilization Fund**

The Stabilization Fund will support the sustainability of the new initiatives described above as well as other Legal Aid service needs deemed urgent by the governing board of The Fund for Legal Services. The Fund will adopt criteria for the use of the stabilization reserves and will retain broad discretion to make informed decisions regarding the use of funds for critical funding shortfalls. Funding decisions will consider factors such as geographical need, changes in demographics, and confidence in the administration of a particular program, among others.

**The Stabilization Fund projected cost: $6 million**

These funds will be administered by The Fund for Legal Services, a new, not-for-profit tax exempt corporation created for this sole purpose, with a broadly based board of directors that will include members of the legal community, the business community and the public at large.

**No Limits on the Future**

This fundraising campaign, and these essential new programs, will significantly and measurably improve access to critically needed Legal Aid services in Massachusetts for many years to come. In order to achieve this ambitious goal, the Fund for Legal Services intends to execute a multi-year fundraising campaign aimed at securing the necessary resources to achieve its program and financial goals and improve the lives of so many residents of our state. Broad based private sector support will be required to achieve this goal. We welcome your ideas, your questions, and your participation in this exciting next step in our mission.