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June 26, 2006

Dear Representative:

On Tuesday, June 27, the House of Representatives will consider the Science, State, Justice, and Commerce (SSJC) funding bill. Representative David Obey (D-WI), ranking member on the Appropriations Committee, plans to offer an amendment to restore \$25 million in funding for the Legal Services Corporation.

The American Bar Association urges you to support the Legal Services Corporation amendment during floor consideration.

As you know, the Committee cut LSC's funding by \$13 million from the FY 06 level of \$326 million to \$313 million. The amendment would merely bring LSC's funding back up to the \$338 million LSC received in FY 2003. The offsets are from non-controversial administrative accounts from agencies funded in the bill.

There is widespread, bipartisan support and an overwhelming need for adequate funding for LSC. More than 160 Members of the House of Representatives wrote the SSJC Subcommittee to request a funding increase for LSC. In addition, the entire Oregon Delegation submitted its own letter, and other Members sent individual letters. Copies of the Delahunt/Ramstad bipartisan letter and ABA President Michael S. Greco's letter to the Subcommittee in support of LSC funding are attached. Also attached is a chart showing the effect of the \$13 million funding cut included in the draft SSJC bill. States are slated to lose hundreds of thousands of dollars in much-needed funding. Hurricane-ravaged Louisiana alone is slated to lose \$261,509.

Thank you very much for your consideration. Please contact Julie Strandlie at (202) 662-1764 or jstrandlie@staff.abanet.org in the ABA's Governmental Affairs Office should you have any questions or need additional information.

Sincerely,



Robert D. Evans

June 12, 2006

The Honorable Frank R. Wolf, Chairman
House Appropriations Committee
Subcommittee on Science, State, Justice and Commerce
H-309, the Capitol
Washington, DC 20515

The Honorable Alan B. Mollohan, Ranking Member
House Appropriations Committee
Subcommittee on Science, State, Justice and Commerce
1016 Longworth House Office Building
Washington, DC 20515

Re: FY 2007 Funding for the Legal Services Corporation

Dear Mr. Chairman and Ranking Member Mollohan:

As president of the American Bar Association, which represents more than 400,000 lawyers, judges and law students nationwide, I write to thank you for your commitment to ensure access to the justice system for all Americans through adequate funding for the Legal Services Corporation (LSC).

Soon your Subcommittee will mark up the Science, State, Justice and Commerce and Related Agencies (SSJC) appropriations bill for FY 2007. Low-income individuals and families, and hundreds of thousands of Americans who are suddenly poor as the result of Hurricane Katrina, desperately need your help. On their behalf, the ABA urges you to fund LSC at \$411 million for FY 07, the amount requested by the bipartisan LSC Board of Directors.

The Preamble of the U.S. Constitution states that the first enumerated function of government is to "establish justice." In 1974 a bipartisan Congress and the Nixon Administration created the Legal Services Corporation (LSC) to provide low-income persons access to civil legal services. Today, 50 million Americans qualify for federally funded legal assistance. However, a 2005 study approved by the bipartisan LSC Board of Directors, "*Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans*," reports that between 70 and 80 percent of the legal needs of the poor are unmet each year. The *Justice Gap* report also confirms that one in every two eligible clients who seeks assistance from a federally funded legal aid program is turned away because of lack of resources.

A real crisis exists for the millions of low-income persons who are unable to access the justice system; many of these individuals have expanded legal needs or are suddenly poor because of natural or other disaster. While the need for legal services has increased, LSC's annual funding has decreased in recent years as a result of government-wide rescissions. For FY 2006, LSC's

annual appropriation was \$330.8 million; that amount was reduced to \$326.5 million by two across-the-board rescissions. Most regrettably, the \$8 million designated in the Senate-passed FY 2006 appropriations bill for hurricane assistance was deleted in conference. LSC also did not receive any of the requested \$34 million in emergency supplemental funding to assist legal aid programs around the country address the needs of the newly poor, displaced former residents of the Gulf Coast states. This lack of funding has further increased LSC funded programs' inability to provide much-needed legal assistance, not just along the Gulf Coast, but nationwide.

For FY 2007, the Administration proposed a \$20 million funding cut, reducing LSC's funding to \$310.2 million – *an amount less than LSC received in 1981*. The LSC Board, led by Frank Strickland of Georgia and Lillian BeVier of Virginia, believes that a substantial increase in funding is essential to improve access to justice for low-income persons; the Board asked Congress for an \$81 million increase, to \$411 million. The ABA urges Congress to fund LSC at no less than \$411 million for these additional reasons:

- **LSC-funded programs provide basic legal services for low-income persons in every Congressional District in the country.** LSC disburses 95 percent of its annual federal appropriation to 138 local legal aid programs nationwide. 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 civil legal services to the poor.
- **LSC-funded programs provide assistance to those who suddenly qualify for and need legal assistance, such as when natural or national disaster strikes.** September 11 families, flood victims, and hurricane evacuees have received legal assistance ranging from identity verification to family law issues. Most recently, legal aid programs across the country have struggled to provide assistance to the victims of Hurricanes Katrina, Rita, and Wilma.
- **LSC-funded legal aid lawyers preserve and protect American families; many low-income military families qualify for legal aid.** 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. Soldiers and their families most often seek help with estate planning, consumer and landlord/tenant problems and family law.
- **LSC-funded programs prevent a long-term reliance on other government programs, many of which are also slated for funding cuts.** People who are unable to resolve basic legal problems are more likely to experience greater hardships and require public social services programs. LSC-funded programs, for example, assist parents by enforcing child support payments, reducing reliance on public assistance programs while waiting to receive support payments.
- **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,

Letter to Chairman Wolf and Ranking Member Mollohan
June 12, 2006
Page 3

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 Administration, the Congress and the American people support the LSC.** President Bush recognizes that “[f]or millions of Americans, LSC-funded legal services is the only resource available to access the justice system.” Attorney General Alberto Gonzales is a strong supporter of the program. More than 160 Representatives and 54 Senators signed letters this month requesting adequate funding for LSC; the Senate letter specifically asked for the \$358 million approved by the Senate in FY 2006. A national poll in 2000 reported that 82 percent of the American public supported government-funded legal aid.

The American Bar Association, state, local, and specialty bar associations and lawyers, judges and law students throughout the nation join your House colleagues in urging the Subcommittee to provide necessary funding for LSC.

We urge strongly that the Subcommittee approve funding of the Legal Services Corporation in the amount of \$411 million.

Thank you for your consideration.

Sincerely,



Michael S. Greco

cc: Members, SSJC Subcommittee

Robert J. Grey, Jr., Immediate Past President, ABA, Richmond, Virginia

Thomas A. Edmonds, Executive Director, Virginia State Bar

Thomas R. Tinder, Executive Director, The West Virginia State Bar

LEGAL SERVICES CORPORATION					
OFFICE OF INFORMATION MANAGEMENT					
State by State Comparison of 2006 Basic Field with Projected 2007 Basic Field under					
(1) LSC 's 2006 Budget (2) LSC 2007 Budget Request and (3) FY 2007 House Approp. Comm. Markup					
		2006	LSC 2007	Est. FY 07	FY 2006
		Basic Field	Budget Request	House Approp. Comm.	v.
		Basic Field	Basic Field	Basic Field	House Approp. 2007 Markup
	State	(\$)	(\$)	(\$)	(\$)
1	Alabama	5,804,716	7,280,709	5,590,222	-214,494
2	Alaska	1,155,788	1,449,676	1,113,080	-42,708
3	American Samoa	288,907	362,368	278,231	-10,676
4	Arizona	8,734,548	10,955,524	8,411,792	-322,756
5	Arkansas	3,423,948	4,294,573	3,297,427	-126,521
6	California	39,927,657	50,080,260	38,452,264	-1,475,393
7	Colorado	3,320,675	4,165,040	3,197,971	-122,704
8	Connecticut	2,157,002	2,705,473	2,077,297	-79,705
9	Delaware	581,231	729,023	559,754	-21,477
10	District of Columbia	910,499	1,142,016	876,855	-33,644
11	Florida	16,236,220	20,364,682	15,636,265	-599,955
12	Georgia	8,596,047	10,781,805	8,278,409	-317,638
13	Guam	289,297	362,858	278,607	-10,690
14	Hawaii	1,457,273	1,827,822	1,403,424	-53,849
15	Idaho	1,295,244	1,624,592	1,247,383	-47,861
16	Illinois	10,742,702	13,474,302	10,345,741	-396,961
17	Indiana	4,652,141	5,835,063	4,480,237	-171,904
18	Iowa	2,145,351	2,690,860	2,066,077	-79,274
19	Kansas	2,143,863	2,688,993	2,064,644	-79,219
20	Kentucky	5,164,448	6,477,637	4,973,613	-190,835
21	Louisiana	7,077,052	8,876,569	6,815,543	-261,509
22	Maine	1,232,510	1,545,906	1,186,967	-45,543
23	Maryland	3,647,616	4,575,112	3,512,831	-134,785
24	Massachusetts	4,753,068	5,961,655	4,577,434	-175,634
25	Michigan	8,643,003	10,840,702	8,323,630	-319,373
26	Micronesia	1,482,716	1,859,733	1,427,927	-54,789
27	Minnesota	3,378,974	4,238,162	3,254,115	-124,859
28	Mississippi	4,632,196	5,810,046	4,461,029	-171,167
29	Missouri	5,304,100	6,652,798	5,108,105	-195,995
30	Montana	1,210,725	1,518,582	1,165,987	-44,738
31	Nebraska	1,370,740	1,719,284	1,320,089	-50,651
32	Nevada	1,830,078	2,295,420	1,762,454	-67,624
33	New Hampshire	644,043	807,807	620,245	-23,798
34	New Jersey	5,817,778	7,297,093	5,602,802	-214,976
35	New Mexico	3,174,152	3,981,259	3,056,862	-117,290
36	New York	22,385,810	28,077,959	21,558,617	-827,193
37	North Carolina	8,167,985	10,244,899	7,866,165	-301,820
38	North Dakota	853,474	1,070,491	821,937	-31,537
39	Ohio	9,734,419	12,209,637	9,374,716	-359,703
40	Oklahoma	4,822,285	6,048,471	4,644,094	-178,191

LEGAL SERVICES CORPORATION					
OFFICE OF INFORMATION MANAGEMENT					
<i>State by State Comparison of 2006 Basic Field with Projected 2007 Basic Field under</i>					
<i>(1) LSC 's 2006 Budget (2) LSC 2007 Budget Request and (3) FY 2007 House Approp. Comm. Markup</i>					
		2006	LSC 2007	Est. FY 07	FY 2006
		Basic Field	Budget Request	House Approp. Comm.	v.
		Basic Field	Basic Field	Basic Field	House Approp. 2007 Markup
	State	(\$)	(\$)	(\$)	(\$)
41	Oregon	3,398,700	4,262,904	3,273,112	-125,588
42	Pennsylvania	10,843,804	13,601,113	10,443,108	-400,696
43	Puerto Rico	15,122,484	18,967,752	14,563,683	-558,801
44	Rhode Island	1,000,775	1,255,247	963,795	-36,980
45	South Carolina	4,555,561	5,713,926	4,387,226	-168,335
46	South Dakota	1,638,576	2,055,226	1,578,028	-60,548
47	Tennessee	6,209,592	7,788,535	5,980,137	-229,455
48	Texas	25,951,286	32,550,048	24,992,343	-958,943
49	Utah	1,789,744	2,244,832	1,723,610	-66,134
50	Vermont	454,251	569,756	437,466	-16,785
51	Virgin Islands	290,453	364,308	279,720	-10,733
52	Virginia	5,460,007	6,848,349	5,258,251	-201,756
53	Washington	5,348,525	6,708,521	5,150,888	-197,637
54	West Virginia	2,625,845	3,293,531	2,528,816	-97,029
55	Wisconsin	3,894,312	4,884,537	3,750,411	-143,901
56	Wyoming	611,150	766,551	588,567	-22,583
Subtotal: Basic Field		308,385,346	386,800,000	296,990,000	-11,395,346