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October 16, 2007

Subject: Vote NO on Thune Amendment to cut Legal Services Corporation Funding

Dear Senator:

Senator John Thune has introduced an amendment to the Commerce, Justice, Science appropriations bill, which would significantly reduce the amount of FY 2008 funding for the Legal Services Corporation (LSC). His amendment would slash FY 2008 LSC funding by \$20 million, from \$390 million to \$370 million.

The American Bar Association, in cooperation with numerous state and local bar associations nationwide, urges you to vote "No" on the Thune amendment, or any other amendment that would reduce the FY 2008 appropriation for LSC.

Over the past several years there has been a successful and expanding bipartisan effort to restore LSC funding. More than 60 Senators have already pledged to support a significant increase in FY 2008 funding over the FY 2007 funding level of \$348 million. Even so, the \$390 million recommended by the Appropriations Committee is *still* \$25 million *less* than the \$415 appropriated for LSC FY 1995.

Even at the \$390 million level, LSC will be woefully under-funded and unable to help all the people who need and seek legal assistance. The 2005 study, "*Documenting the Justice Gap in America*," reported that 50% of the eligible people who sought legal assistance were turned away from a federally funded legal aid program because the program had inadequate resources.

This proposed amendment would hurt victims of domestic violence victims nationwide, including those who live on Indian Reservations -- the same victims that Senator Thune's amendment purports to help. Native Americans in South Dakota make up 67% of the LSC clients served; the top priority for these legal aid programs is domestic violence cases.

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.

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Soldiers and their families most often seek help with estate planning, consumer and landlord/tenant problems and family law.

We urge you to work actively to defeat the Thune amendment or any other amendment that would cut FY 2008 LSC funding.

Please contact Julie M. Strandlie, the ABA's Director of Grassroots Operations/
Legislative Counsel, at (202) 662-1764 or jstrandlie@staff.abanet.org if you wish
additional information. A copy of the ABA one-pager on LSC funding is attached.

Sincerely,

A handwritten signature in cursive script that reads "Denise A. Cardman".

Denise A. Cardman
Acting Director, ABA Governmental Affairs Office



Legal Services Corporation

ABA Urges FY 2008 Funding Increase

The Preamble to the U.S. Constitution states that the first enumerated function of government is to “establish justice.” A bipartisan Congress and the Nixon Administration in 1974 created the Legal Services Corporation (LSC) to provide low-income persons access to the justice system through civil legal services. Today, 50 million Americans qualify for federally funded legal assistance. Many of these individuals have significant legal needs and may suddenly be poor because of natural disaster, loss of a job, the break-up of their family, housing loss or uninsured medical care. While the need for civil legal services has increased, LSC funding and our ability to ensure access to the justice system falls far short.

For FY 2007, LSC is funded at \$348 million, the highest level since LSC’s funding was severely slashed in 1996 from \$415 million to \$278 million. For FY 2008, the Administration proposed a \$37 million funding cut, reducing LSC’s funding to \$310.2 million – *an amount less than LSC received in 1981*. The bipartisan LSC Board of Directors recommends that Congress fund LSC at \$430 million, an \$82 million increase over FY 2007, as an essential step toward improving access to justice for low-income persons. **The ABA urges Congress to fund LSC at no less than \$430 million because:**

- **A crisis exists for the millions of low-income persons who are unable to access the justice system.** The 2005 study, “*Documenting the Justice Gap in America*”, reports 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 1993 ABA study and recent state studies consistently report that despite the combined efforts of LSC-funded programs, state, local and private funding and pro bono efforts, between 70 and 80 percent of the legal needs of the poor are unmet.
- **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 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 11th families, flood victims, and hurricane evacuees have received legal assistance ranging from identity verification to family law issues.
- **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 have also suffered funding cuts.** People who are unable to resolve basic legal problems are more likely to experience greater hardships and require assistance from 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, 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 a woman’s access to legal aid.