July 7, 2011

The Honorable Harold Rogers
Chairman
Committee on Appropriations
House of Representatives
Washington, DC 20515

Dear Chairman Rogers:

On behalf of the American Bar Association and its nearly 400,000 members, I am writing to respectfully request that you restore current funding levels for the Legal Services Corporation (LSC) in the Fiscal Year 2012 Commerce Justice Science (CJS) bill.

As you know, LSC is the largest single provider of funding to civil legal assistance programs for low-income Americans. LSC distributes grants to 136 independent local programs across all 50 states, including four grantees in Kentucky (Appalachian Research and Defense Fund of Kentucky, Kentucky Legal Aid, Legal Aid of the Bluegrass, and Legal Aid Society). Last year, the Kentucky grantees closed over 19,000 civil cases.

Kentucky receives over $6.3 million in LSC grants to assist low-income Kentuckians with civil legal needs. The grantees help veterans returning from combat, those coping with the after-effects of natural disasters, domestic violence victims, individuals undergoing foreclosure or other housing issues, and families involved in child custody disputes.

The current House CJS Appropriations bill reduces funding for LSC from its current level of $404.2 million to $300 million at a time when economic difficulties have already placed a heavy burden on legal services programs. Further, more Americans than ever (63 million, including 22 million children) are now eligible for legal services. Reducing funding by $100 million would result in Kentucky LSC funding lessened by nearly $1.6 million at a time when more Americans than ever qualify for, and desperately need, legal assistance.

Other funding sources for legal aid have diminished due to the current economy. Revenue from Interest on Lawyers’ Trust Accounts (IOLTA) has drastically fallen due to low interest rates. Kentucky IOLTA programs had the fourth largest percentage decrease in the country, with
IOLTA revenues in the state shrinking by over 65 percent in the past two years; an additional reduction in LSC funding would be felt more acutely this year. Further, despite best efforts, pro bono work cannot replace LSC funding for civil legal services; LSC actually provides the infrastructure for pro bono systems. Reducing funding for legal services grantees would impede attorneys from providing pro bono assistance, increasing the negative impact on low-income Americans.

The Legal Services Corporation needs full and adequate funding to provide Kentucky’s grantees with adequate resources to serve low-income people across the Commonwealth. Funding is crucial to provide legal assistance to low-income Americans in every state, and the Appropriations Committee needs to restore current funding to this critical program.

Sincerely,

Wm. T. (Bill) Robinson III