New Needs Report Warrants Increase in LSC Funding for FY 2019

1. The 2017 Justice Gap Report revealed that, due to a lack of resources, 86% of low-income Americans receive inadequate or no legal help for their civil legal problems.

2. Funding LSC is the key federal role in ensuring equal justice under federal law.

3. The late Justice Antonin Scalia in 2014: “I’m here...to represent the support of the Supreme Court...for the LSC. … Can there be a just society when some do not have justice?”

4. LSC grants enable self-help & legal assistance so people can know their rights.

5. The Conference of Chief Justices, which represents the highest judicial officers of the state courts, supports increased funding for LSC.

Background: The Legal Services Corporation (LSC) ensures “Equal Justice under Law” by enabling access to the justice system. LSC provides the backbone for America’s civil legal aid and pro bono systems.

Polling: 82% of respondents to a 2013 poll believe that it is important for everyone to have access to civil legal help.

Federal Role in Equal Justice: The federal government is responsible for securing people’s rights under federal law. Legal aid attorneys routinely assist their clients with problems that arise under federal law. Federal funding must not be withheld since states and localities cannot fulfill an unfunded mandate to secure these rights and ensure equal justice.

 Constituent Service: Legal aid attorneys help constituents secure federal rights, taking difficult cases off the plates of congressional caseworkers. (Federal legislators don’t leave constituent casework to the states.)

Increased Need for LSC Services: Over the past decade, the number of people qualifying for assistance has increased approximately 25%. Twenty-eight percent of Americans—89.3 million people—qualified for LSC-funded services at some point during 2016, yet only about 0.5% —1.8 million people—received LSC-funded services during 2016.

Funding Down: LSC funding is down. The FY 2017 LSC appropriation is 20% lower than 2010 (inflation adjusted). LSC’s $385 million in FY 2017 is 45% less than LSC’s 1980s average of $705 million (inflation adjusted).

Key Populations Served: Despite limited resources, LSC assisted nearly 1.8 million Americans in 2016: domestic-violence survivors, veterans, aging Americans, rural residents, women (70% of clients), and natural-disaster victims.

Effective Leveraging: Federal programs commonly require a 50%-50% match with non-federal funds, but the federal expenditure for LSC amounts to only 25% of all legal aid funding in the US.

Efficient Use of Tax Dollars: Multiple clean audits show that 93% of LSC’s total budget is awarded to civil legal aid programs with nearly 900 offices nationwide. Every county has at least one LSC grantee.

Cost Benefit: Over 40 cost-benefit analyses demonstrate LSC’s valuable return on investment. In 2015, one state bar reported $11.21 of economic benefit per dollar invested. Preventing domestic violence and foreclosures are measurable public goods. Communities’ savings, direct client and family benefits, and the well-known economic-multiplier effect guarantee the federal return on investment in LSC.

THE “ASK”: The economy is rebounding, and LSC funding should as well. Based on the 2017 Justice Gap Report, Congress should restore funding at least to the inflation-adjusted Fiscal Year 2010 level of $482 million.

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