

Why should you resolve to support civil legal aid in 2024?



Why should you resolve to support civil legal aid in 2024? Short answer: I work in legal aid. Selfish, huh? There's a longer answer, which ends with the immense power of your choices. But it begins with choices of mine.

I graduated from college in 1998. Unsure about law school, I enrolled for a year in the Jesuit Volunteer Corps—an AmeriCorps-like program popular with recent graduates of Jesuit colleges. The program scooped me up from an East Coast rowhouse neighborhood and plopped me down in Washington state's agricultural hub—the Yakima Valley—where sprawling farms with apples, cherries, grapes and hops flourish. In Yakima, I began a one-year term of service with the Northwest Justice Project, a civil legal aid program.

The program, one in a network of nonprofit programs spanning the U.S., delivers free legal advice and representation to people who 1) live in or near poverty and 2) face civil legal problems that threaten essential living needs: an unlawful eviction

that could leave a family homeless; an abusive marriage that a survivor must end through divorce; a bureaucratic error depriving a senior of health care benefits. The Northwest Justice Project funds itself through a mix of competitive grants and charitable donations.

My volunteer year was wondrous. I lived with seven housemates in the Pacific Northwest in the music and tech boom of the 1990s. The joke was that if you walked by the Seattle headquarters of Amazon—a growing enterprise that sold books and wares on the World Wide Web! - you got a job offer.

Beyond fun, the year profoundly changed me. I was moved every time I watched a frightened client's face resolve from panic to placidity as their lawyer assured them that now they had an ally in their corner. And I fell in love with legal aid's aspiration: ensuring that everybody in America has meaningful access to our civil justice system. That system belongs to all Americans, after all, and not just we who can afford a lawyer.

A lot of life has happened since 1998. What has not wavered—a lodestar guiding my professional course—is my commitment to legal aid's aspiration. Here is why I hope you'll support legal aid.

Too many Americans are disconnected from our civil justice system, and this weakens American democracy

The Legal Services Corp. administers federal funds as competitive grants to legal aid providers nationwide. (Disclosure: I work for Legal Aid of Western Michigan, an LSC grantee.) LSC's ongoing "justice gap" research measures the legal needs of low-income Americans and the response that our legal system provides. That response is failing lower-income Americans and perpetuating a "more money = more justice" system.

A 2021 report found that low-income Americans receive no legal help or inadequate help with their civil legal problems in nine out of 10 cases. Compounding this problem is a shocking consumer-to-legal aid lawyer ratio: for every 10,000

Americans in poverty there are fewer than three(!) legal aid lawyers to serve them in a legal crisis. (The American Bar Association's [2023 Profile of the Legal Profession report](#) explores this frightening failure of supply to meet demand.)

What's more, Americans' disconnection from justice exposes a pillar of democracy to decay. The National Center for State Courts' annual polling found in 2023 that a yearslong decline in public confidence about our civic institutions has finally halted. But an analysis concludes that "state courts are still in a relatively weak position when it comes to public assessments of their performance" across several measures.

Courts receive "net negative ratings on key attributes such as ... providing equal justice to all." Research exposes a trust gap on race and ethnicity lines too: "Black voters are also considerably less likely to say the courts are protecting rights and treating people with dignity and respect than white or Hispanic voters."

This trust gap is also wide when measured by income. LSC's justice gap research finds that people with incomes at least 400% of the federal poverty level "are more likely to believe that they can use the civil legal system to protect and enforce their rights" than those who live in or near poverty (59% vs. 39%).

These data points are pieces in an ugly mosaic forming in the United States. Cynicism and distrust among our fellow citizens breed more cynicism and distrust. They rip our social fabric and endanger democracy. We cannot afford it. And that gets me to:

We are responsible. We lawyers hold a unique and mighty position in making the justice system work. We sustain it through our advocacy. We safeguard it through our ethical conduct. If we stop caring whether Americans who don't have money still have access to justice, what happens? And anyway, what can be said of a democracy that promises equal justice but imposes a hefty gate fee, with lawyers offering meaningful access only to people who offer meaningful money to lawyers?

Legal aid transcends partisanship. Equal justice matters to:

- Thirty-seven state and territorial attorneys general who in 2023 [urged Congress to “allocate robust funding”](#) for LSC.
- Federal elected officials across the political spectrum, who know that civil legal aid [is vital to their constituents](#).
- Corporate America. In a [joint letter in May](#), “208 general counsel and chief legal officers, many of whom represent the largest corporations in America, urge[d] Congress to strengthen its investment in equal justice by increasing funding for” LSC.

Legal aid works! When we advance fairness in our justice system, we deliver an antidote to distrust. Don’t underestimate legal aid’s life-changing power:

- “It was a huge part of allowing me to escape a difficult and scary situation. I don’t know what would have happened if I had stayed married. He could have been dangerous. The attorney who was on my case made me feel heard, seen, safe and secure, and I never felt shamed.” Over 30 years ago in Texas, a legal aid attorney helped “Monica” end an abusive marriage. Now, Monica is a businesswoman who donates to legal aid.
- “I never wanted to be rich, but it’s made my life so I can tolerate it. It’s just made such a difference. ... It gave me back some of my pride.” In New Hampshire, a legal aid advocate for “Horace” made sure he got Social Security disability benefits after a back injury sustained during National Guard service effectively ended his career in construction and trucking.

You and your support change lives. You hold that power.

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During my formative Yakima year, a lawyer named Don Kinney ran my legal aid office. I can still see a poem, by Bonaro Overstreet, framed and hanging on his office wall:

*You say the little efforts that I make
will do no good: they never will prevail
to tip the hovering scale*

*where Justice hangs in balance.
I don't think
I ever thought they would.
But I am prejudiced beyond debate
in favor of my right to choose which side
shall feel the stubborn ounces of my weight.*

Your stubborn ounces belong to you. Every day, you exercise power by allocating them. I am asking you to entrust some of your ounces to civil legal aid. Our clients need us, we need you, and we all need each other to level the scales so that equal justice becomes an achievement, not just an aspiration. Your choice.

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