

# Missouri Legal Services

Legal aid programs providing free legal help to the low-income and disadvantaged in Missouri

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What is Civil Legal

## What is Civil Legal Aid? A General Explanation

**Civil legal aid is a combination of services and resources that helps Americans of all backgrounds – including those who face the toughest legal challenges: children, veterans, seniors, ill or disabled people, and victims of domestic violence – to effectively navigate the justice system.**

Civil legal aid helps ensure fairness for all in the justice system, regardless of how much money you have.

It provides access to legal help for people to protect their livelihoods, their health, and their families. Civil legal aid makes it easier to access information — whether through easy-to-understand forms, including online forms; legal assistance or representation; and legal self-help centers — so people can know their rights.

Civil legal aid also helps streamline the court system and cuts down on court costs. When we say the Pledge of Allegiance we close with “justice for all.” We need programs like civil legal aid to ensure that the very principle our founding fathers envisioned remains alive: justice for all, not the few who can afford it.

Civil legal aid connects Americans with a range of services—including legal assistance and representation; self-help centers and other court-based services, free legal clinics and pro-bono assistance, and access to web-based information and forms—that help guide them through complicated legal proceedings. In doing so, civil legal aid helps Americans protect their livelihoods, their health, and their families.

### **What are examples of civil legal aid?**

Civil legal aid provides:

- Easy-to-understand forms, including online forms, that people can use in civil legal proceedings.
- Legal assistance, including legal self-help centers, so people can know their rights.
- Legal representation to those who cannot afford it — because justice should not depend on how much money you have.

## **Isn't everyone who can't afford a lawyer entitled to have one appointed, like they say on TV?**

"Most Americans don't realize that you can have your home taken away, your children taken away and you can be a victim of domestic violence but you have no constitutional right to a lawyer to protect you." – James J. Sandman, president of the Legal Services Corporation. While most people facing criminal charges have a constitutional right to an attorney, there is no right to counsel in civil cases. In a domestic violence case, for example, the abuser charged with a crime is entitled to legal assistance, but the victim seeking a restraining order or other protection through the civil justice system is not. In fact, most low-income people facing pressing legal problems that threaten their livelihoods, their health, or their families must do so alone, without even basic assistance.

## **What kinds of people are helped by civil legal aid?**

Americans of all backgrounds and ages, including families, children, veterans, seniors, and ill or disabled people.

## **What kinds of issues are typically involved in civil legal aid?**

Civil legal aid provides access to legal help for people to protect their livelihoods, health, housing and families.

## **Does civil legal aid just help the poor?**

Civil legal aid provides a range of services, some of which are available regardless of income. Because of very limited resources, civil legal aid providers typically can only represent the poorest of the poor – people who live in households with annual income at or below 125% of the **federal poverty guidelines**. Certain types of civil legal aid, such as online resources or self-help kiosks in courts, are available to all without regard to income.

## **What about self-help?**

Civil legal aid providers often provide access to information, online forms and other DIY tools through websites and self-help centers at court houses, libraries, and other community locations.

## **How does civil legal aid help?**

Civil legal aid helps ensure fairness for all in the justice system, regardless of how much money one has. Equal justice under law is a fundamental American value, engraved on the Supreme Court building and taught in classrooms across the country. Civil legal aid helps to fulfill this promise of justice for all, not just for the few who can afford it.

## **How is civil legal aid funded?**

Civil legal aid is funded by a variety of sources. Public funding comes from a congressional appropriation to the **Legal Services Corporation**, as well as grants from federal agencies. Some states and local governments also provide funding for civil legal aid. Private support comes from charitable donations and foundation grants as well as from the volunteer services of private lawyers, law students, and others. Still, study after study shows that funding for civil legal aid meets only 20% of the need.

Wherever funds originate, civil legal aid is an investment with a good return for taxpayers, businesses and communities. For example, businesses and investors save money from the

restoration of home values resulting from foreclosure prevention. Health care providers also save money when civil legal aid helps eligible families obtain insurance coverage or Medicaid to pay for their services.

Civil legal aid also helps reduce—not increase—costs to taxpayers. Taxpayers save money from legal aid's success in reducing homelessness for children, veterans, seniors, people with disabilities, and others, and the incidence of domestic violence. Civil legal aid also helps streamline the court system by reducing the number of unnecessary lawsuits and cutting down on court costs and staff overtime.

### **Many middle-class families cannot afford a lawyer. How does civil legal aid help them?**

Civil legal aid can help ensure that everyone is treated fairly in the justice system, regardless of how much money one has. Civil legal aid serves Americans of all backgrounds and ages, including those who face the toughest legal challenges: children, veterans, seniors, ill or disabled people, and victims of domestic violence. Civil legal aid takes many forms, and middle-class families can access many resources such as online information and forms and court-based self-help centers.

Still, despite progress made, we are facing a crisis of access to these services. To help ensure fairness in the justice system, it is critical that we expand access to these services for Americans of all backgrounds.

### **What is the Legal Services Corporation (LSC)? How does it fit into the bigger picture of civil legal aid?**

LSC administers the federal government's investment in civil legal aid. It is the largest single funder of civil legal aid, but it provides less than one-quarter of the total funding nationwide. LSC funds 134 independent nonprofit law firms. Every U.S. county and territory is included in an LSC-funded service area. These 134 LSC grantees are part of a larger set of several hundred nonprofit law firms, medical-legal partnerships, pro bono programs, court-based self-help centers, and others that comprise the civil legal aid sector.

### **How does pro bono work by lawyers fit into the picture?**

Pro bono legal representation is a critical component of civil legal aid and plays an important role in providing access to the civil justice system, but it is only part of the solution. Despite the essential work of pro-bono attorneys, our nation faces an enormous justice gap. The demand for legal aid far outstrips the resources available, and as a result, many are navigating high-stakes legal situations—in which their families, homes, and livelihoods are on the line—on their own. Closing this gap will require both an expansion of pro bono services and a variety of other measures, including increased funding from all sources and continued implementation of innovative solutions such as self-help centers, medical-legal partnerships, and access to web-based information and forms.

### **How does civil legal aid help the court system?**

Civil legal aid helps streamline the court system, reducing the number of unnecessary lawsuits and cutting down on court costs and staff overtime. Legal representation helps improve the efficiency of civil legal proceedings in the courts, while self-help centers and online legal forms can help parties navigate the system more effectively.

**Civil Legal Aid Animated Video Explainer** from **Voices for Civil Justice** on **Vimeo**.

Reprinted from Voices for Justice Website - July 1, 2019

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Printed: September 21, 2019

<http://www.lsmo.org/node/826/what-civil-legal-aid-general-explanation>

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