

STATE CAPITOL ROTUNDA NEWS CONFERENCE

Legal Services Funding

Remarks by Andrew F. Susko, President, Pennsylvania Bar Association

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Today, lawyers from across the Commonwealth have joined together here in Harrisburg to bring to the General Assembly issues and concerns of the legal profession. Principal among the issues we will be addressing at PBA on the Hill is the accessibility of our justice system to hardworking, low-income Pennsylvanians.

Every year, one-million low income Pennsylvanians benefit from the services of Legal Aid; thousands more receive free legal services from volunteer Pennsylvania attorneys. Yet, estimates from a national study of unmet legal needs commissioned by Legal Services Corporation entitled, "Documenting the Justice Gap," reveal the depth of the challenge that still remains and that has been identified as the "Justice Gap" in America. Eighty percent of low-income Americans see their legal needs go unmet. One in every two people who actually present to a legal aid office with a legal problem did not receive representation because the resources are not sufficient to make a lawyer's services available to them. In Pennsylvania, these national statistics have been confirmed: for nearly every person who is helped by a legal aid entity, one is turned away.

Our justice system is only as fair as it is accessible to all. A justice system that is only available to those that have the means undermines the integrity, the legitimacy, and the fundamental fairness of the system. There are landmark legal decisions that set forth critically important legal rights, like *Brown v Board of Education*; holding that separate educational facilities were inherently unequal. Although this landmark decision – along with other significant decisions – create important rights for our citizens, these important legal rights do not have full meaning and their promise cannot be fully realized when ordinary citizens do not have effective access to our justice system because they cannot meaningfully access a lawyer's services.

So today, lawyers have joined with me and the Pennsylvania Bar Association to take our case to the Hill; we seek legislative support of increased state funding for legal services. Because the need is great and state funding has been flat in modern times, current shortfalls in legal services funding undermine the fundamental fairness of our justice system. Martin Luther King Jr. wrote from a jail cell in Birmingham, Alabama that "injustice anywhere threatens justice everywhere." Every time justice is denied, the fabric of the justice system is damaged; every time justice is reached in a case for a legal aid client, even in one case, the justice system is greatly enhanced.

Our nation is dedicated to the principle that our justice system is for everyone and what we as lawyers know is that access to a lawyer's services often makes the difference between justice and injustice, between heartache and happiness. In the context of protecting a woman from abuse, protecting against the loss of one's housing or providing representation on behalf of children whose safety and welfare are at risk, the legal system must be fair and accessible to all. Indeed, this is the principle upon which our very government was founded, and the principle that

is embodied in the words concluding our pledge of allegiance to our flag: “with liberty and justice for all.”

That is why lawyers and legal aid clients are here today; that is why we rally on the hill in support of increased funding for legal services. Lawyers across this state are deeply committed to the justice system and to its fairness and to the principle that equal justice under the law must be for everyone. This is the promise of our nation’s founders – a promise we must as a legal community stand up and fight for every day.

In a few moments, you will hear from Sam Milkes, the executive director of Pennsylvania Legal Aid Network. Along with Sam, you will also hear from legal aid client, Dorchina Urrutia, Representative Kathy Manderino, Senator Andrew Dinnimen and Senator Stewart Greenleaf.

Before I call on Sam, I want to share a story with you that provides a powerful illustration that legal services can be a positive sum gain, not only for those Pennsylvanians who are directly benefitting from the program, but also for all Pennsylvanians.

Legal aid client Susan F., a single mother of three small children, ages 7, 3, and 1, applied for a job driving a bus. The job offered the prospect and hope of working perfectly with her schedule and children’s schedules and the resulting income would have allowed her family to live on her income instead of public assistance. But, she had been charged, not convicted, of an offense as a juvenile. She needed her record expunged to be able to drive the bus. Although Neighborhood Legal Services filed a petition to expunge her record, the district attorney’s office initially objected. Legal Services had the client provide the letter of hire from her new employer stating that she would not be able to work unless her record was cleared. As a result of the work of Neighborhood Legal Services, the DA’s office withdrew their objection, the court, on petition, agreed to expunge Susan’s record, and she is now happily able to support her three children. This is one of hundreds of success stories that vividly demonstrates that legal aid benefits not only the client, but in many cases every Pennsylvanian. Our justice system is only as fair as it is accessible to everyone, and these stories and many others dramatically demonstrate that increased funding for legal services is both necessary and justified.

And now, it is my pleasure to call on Sam Milkes, the executive director of Pennsylvania Legal Aid Network, who will document the legal services funding needs here in Pennsylvania. Sam Milkes is responsible for coordinating and making effective the legal aid program in Pennsylvania. He, along with eight regional legal aid program directors and six special program directors, provide individualized legal services to nearly 100,000 clients annually. Sam has been a tremendously effective executive director and is a proven and spirited advocate for legal services and legal services funding here Pennsylvania.