

## TALKING POINTS FOR THE MAY 5 DAY ON THE HILL

### THE BUDGET:

- Request to increase funding to civil legal services in the state budget.
- Start with the good news.
  - Civil legal aid programs funded by the state through DPW and through the Pennsylvania Legal Aid Network cover every county in the state.
  - Legal aid handles about 100,000 cases per year, about 15,000 of which are domestic violence cases.
- Clients are 1) victims of domestic violence; 2) involved in disputes over children; 3) facing mortgage foreclosures, evictions, inadequate living conditions; and 4) denied healthcare. Still other clients experience consumer concerns, such as falling prey to predatory and sub-prime lending practices or being subject to improper repossession of cars. Often, clients are disabled and unable to provide for themselves.
- Legal aid programs handle hundreds of mortgage foreclosure cases and this client need has increased dramatically. While some consumers simply made bad financial decisions surrounding the financing and purchase of their homes, and there is not much that can be done for them, others were victimized by predatory and unscrupulous lenders and in fact have legitimate defenses. Legal aid is seeking out additional ways in which the current year's and next year's budget can support this additional work.
- Of 17,600 eligible people **who presented themselves to ask for help at legal aid offices in Pennsylvania** during a recent study by the federal Legal Services Corporation, about 50% had to be turned away; about 30% were provided brief services, referrals, or advice; and about 20% were provided extended representation. **90% of turn-aways were outside Philadelphia or Pittsburgh.**
- Twenty years ago, funding supported 358 PLAN lawyers; today there are 264.
- Next year will be an unprecedented year of cuts in IOLTA funding, due to interest rate cuts, amounting to a one-third cut, or a total cut of over \$6 million statewide.
- Legal services supporters had made the case to the Governor for a \$4 million increase (as justified in the one-pager on the budget). The Governor agreed to budget for an increase of \$1 million, which is in his proposed budget.
- Legal aid programs receive funding and support from the federal Legal Services Corporation ("LSC") the Commonwealth of Pennsylvania, the Supreme Court (through the Pa. IOLTA Board), and from a host of other sources, including foundations, United Ways, local governments, private attorneys, Bar Associations, law schools and law school clinics, and lawyers' *pro bono* services.
- (If the question comes up, class actions involving the state or others, while rare, are now first reviewed by conferencing with the Governor's General Counsel and are often settled without litigation: times have changed greatly from the "old days")
- Closing: Will the legislator support us in increasing funding to legal services in the state budget?

### STUDENT LOAN REPAYMENT ASSISTANCE:

- Senate Bill 860 and House Bill 1480 would create a student loan repayment assistance program for public service lawyers, including legal aid, public defender and district attorney lawyers.
  - The Bills are now in the House Judiciary Committee and the Senate Appropriations Committee (Senate Judiciary favorably reported out its Bill).
  - The Bills Prime sponsors are Senator Greenleaf, with Senator Costa second sponsor and Rep. Manderino, with Rep. Harper second.
- A survey of current students enrolled in Pennsylvania law schools revealed that 94.7% will graduate from law school with educational debt, with the average debt among these students being \$98,324. (To put this in perspective, a 1990 PBA study expressed concern that “the typical education debt carried by a new attorney contemplating a public service position now exceeds \$30,000”).
- Starting salaries for most public service lawyers in Pennsylvania now begin in the mid-\$30,000 range. So while salaries since 1990 have not even doubled, school debt has more than tripled, making it even more difficult to enter and remain in public service.
- The Bills do not appropriate any funds but set up a framework to allow for the administration of the program by PHEAA, through funding from a variety of sources. By adopting this legislation, the state government will not have committed itself to fully funding the initiative.
- Closing: Will the legislator commit to helping move the Bill in their chamber forward? Are they on the relevant Committee where the Bill now resides?

**SHARE LEAVE-BEHIND PIECES:**

These are contained in the PLAN and PBA folders, including:

- One pager on the budget, which includes on the back a graph of state funding history.
- Two pager on loan repayment assistance.
- PBA House Resolution supporting increased funding for legal services.
- PLAN Report on legal services, which includes client stories, case statistics, and a map displaying the geographic areas of legal aid programs.
- Materials on the [www.PALawHelp.org](http://www.PALawHelp.org) site, to help constituents.