

# Justice For All

***“...with liberty and justice for all.”***

Pledge of Allegiance  
to the United States  
of America



**2001** will be remembered for the tragedies of September 11. The impact was felt deeply in the loss of so many innocent lives and also in the reaffirmation by Americans of the significance of living in a country which prizes “liberty and justice for all,” the rule of law and equal justice for everyone regardless of economic status. Many work every day to advance these ideals of our democracy, including legal aid programs that help low-income families receive access to our justice system.

In 2001, the Michigan State Bar Foundation gave a modest grant from general funds to Legal Services of New York City as a way that we in Michigan could help in that time of extraordinary trouble. The funds were used by this respected provider to help indigent victims affected by the attacks in New York with legal needs flowing from or exacerbated by the tragedy.

Here in Michigan in 2001, legal aid programs also made a difference for thousands of poor persons faced with critical legal needs in some of life’s most key areas: housing, family, safety and health. In these pages are stories of mothers, seniors, children and others who needed protection from family violence, access to medical care, recourse from unscrupulous contractors, support for children and other problems sometimes affecting survival itself.

Supporting civil legal aid for the poor is the Foundation’s largest grant program. The Foundation administers the IOLTA (Interest on Lawyers Trust Accounts) program adopted by the Michigan Supreme Court in 1990 and also manages bids and contracts under Public Act 189 of 1993 which targets some court filing fees to support civil legal aid for the poor.

Annual legal services grants or subgrants from 2001 IOLTA and filing fees funds totaled \$7,588,596. They were awarded to the three statewide programs and nine regional programs listed on page 30. The Foundation supplemented this funding with additional grants exceeding \$175,000 to support an additional regional legal aid program, Michigan Legal Services, and a statewide entity, Elder Law of Michigan. Together, these fourteen programs closed over 55,000 cases in 2001.

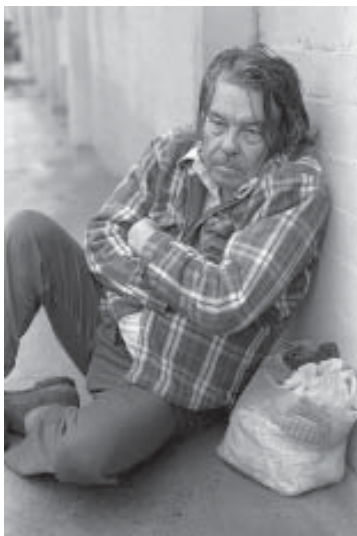
Clients in 62% of the cases benefited from legal advice and counsel from trained legal advocates regarding legal problems that can be solved through informing clients of their legal rights and responsibilities, thus helping them function well as parents, employees, tenants or citizens. Frequently, this type of service prevents the legal problem from growing more serious.

Another 15% received brief legal services which may involve help filling out forms, calling a contractor or a landlord, reviewing documents or settlements, often solving disputes without the need for going to court. However, a court or other

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*“Justice for some  
is no justice at all.”*

State Bar of Michigan  
Access to Justice  
Development Campaign



forum can be necessary to protect low-income people's legal rights as citizens in matters affecting such basic needs as food, shelter, employment, personal safety, family security and access to health care. In 2001, 6.5% of those helped benefited from representation through litigation, 5% from negotiated settlements, and 1.5% from an administrative agency decision.

Finally, 10% of persons who contacted legal aid were referred to other sources of assistance after help analyzing their problems and identifying what other community service provider could assist. Legal aid programs work closely with community agencies who also refer clients to them and who often work with legal aid programs to find efficient solutions for repeat problems.

Legal aid programs also worked to expand the help available through developing efficiencies and innovations. They implemented effective telephone hotlines which increase prompt access to advice, brief service and quick referrals. They ran clinics to provide training and assistance for pro se litigants. They published educational materials about clients' rights and responsibilities and facilitated access to those over the Internet. They joined in referral networks and helped to create court-based legal assistance centers. They worked through the state planning process to develop state strategies for fundraising, coordinating law firm pro bono help for special needs cases, designing technology innovations and assuring state support for training advocates in substantive law and skills development. And, with local bar associations, they recruited and supported pro bono attorneys who gave more than 27,500 hours of free legal help in 2001 to low-income families.

The Foundation helped to fund a number of these innovations, including the Grand Rapids Legal Assistance Center in the new Kent County Courthouse. This is a project of the Grand Rapids Bar Association in cooperation with Western Michigan Legal Services, many community organizations and others. In 2001, it prepared to open to the public to provide assistance to citizens via telephone, in person or through the Internet at [www.legalassistancecenter.org](http://www.legalassistancecenter.org). The Center screens clients for direct referral to legal aid, private bar lawyer referral or community human services assistance, and it has computer and other resources to assist with forms and other aspects of competent self-representation and educating citizens about their rights and responsibilities. The Center is dedicated to the leadership, service and example of one of the Foundation's Trustees, John W. Cumiskey.

The Foundation has financially supported state planning over the years to help leverage limited resources, assure a range of client services, encourage local/state innovations and coordinate efforts toward shared goals. In 2001, Foundation grants helped the planning process assess reconfiguration of geographical service areas. A new State Planning Body was formed with an initial goal of recommending a reconfiguration plan to the federal funder of legal aid programs, the Legal Services Corporation (LSC). The

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***“Access to justice is a dream. We must make it a reality.”***

John W. Cummiskey  
Chair, Legal Services  
Grants Committee



membership of the new State Planning Body includes judges, private lawyers, client interest groups and many human service representatives, with in-depth experience regarding clients' needs and a history of work with legal services programs. The planning body received input from many, studied the issues and submitted a plan to LSC. LSC accepted part of that plan and rejected part. See [www.msbf.org/lscmap](http://www.msbf.org/lscmap) for a map showing the final LSC service areas. Now, the State Planning Body will meet to consider its future role.

Another milestone in 2001 was the success of the Access to Justice Campaign. The Campaign continues the historic partnership between the Foundation and the State Bar of Michigan in areas supporting the legal profession's obligation to ensure access to justice for all. The Campaign is a private fund-raising effort led by the State Bar of Michigan to support civil legal aid to the poor. The Foundation receives and manages the donations and distributions through the Access to Justice Fund; last year, over \$50,000 was awarded in the first ever grants from the Fund and \$305,735 was distributed in contributions designated by donors for a specific legal aid program's current operations needs. Only a few years old, the Campaign has raised \$2.5 million in donations and pledges to date, with more than \$1 million in donations now growing in an endowment. Foundation and State Bar leaders met during 2001 to discuss additional strategies for continued success. See [www.atjfund.org](http://www.atjfund.org) for more information on grants awarded and how to donate.

Michigan banks also make significant contributions to the IOLTA program, waiving all fees on 92% of IOLTA accounts to increase the funds available for grants. (See the "Honor Roll" listing these banks at [www.msbf.org](http://www.msbf.org).) Declining interest rates on IOLTA accounts in recent months are reducing IOLTA revenue, decreasing the funds available for future grants. The Foundation is working with banks on this issue, calling on them to continue their tradition of support by paying as high a yield as possible.

Even with the generosity of many banks and private donors and the indispensable help of IOLTA and filing fees, estimates are that no more than 20% of the legal needs of the poor are being met. More than one million persons in Michigan qualify for legal aid because they live at or below 125% of the federal poverty guideline (\$18,100 per year for a family of four). That these low-income families can receive the kind of assistance illustrated in this report honors our democratic ideals. That the need still far outstrips available resources calls on all of us — pro bono lawyers, ATJ Fund donors, bar leaders, bankers and others — to continue and even increase our support so the dream of access to justice can become a reality for all Americans.