

# Justice For All

***“... for every four persons served in Michigan in 2005, three were turned away because of insufficient resources.”***

*Documenting the Justice Gap in Michigan*  
by Candace Crowley  
State Bar of Michigan



The Michigan State Bar Foundation is pleased to present this report highlighting the important work of the Foundation’s civil legal aid grantees. Every day, our State’s nonprofit legal aid organizations help low-income families who have no where else to turn. The assistance they provide with critical legal needs often results in keeping families safe in their homes, protecting the elderly from unscrupulous contractors, helping disabled persons access medical care, obtaining support for children and providing other services that make an important difference in the lives of vulnerable people.

More than 1.3 million persons in Michigan qualify for free legal assistance because their annual income is less than 125% of the federal poverty guideline. A family of four meets the federal poverty guideline with an annual income of under \$20,000. A recent State Bar of Michigan study (*Documenting the Justice Gap in Michigan*) showed that for every four persons served by civil legal aid providers in Michigan, three are turned away because the program has insufficient resources to provide services. That the need far outstrips available funding illustrates the importance of IOLTA and Filing Fees grants awarded by the Foundation to the programs profiled in this report.

Through IOLTA (Interest on Lawyer Trust Accounts), the Foundation receives interest on lawyers’ pooled trust accounts which hold client funds that are too small or held too briefly to generate net interest over costs for the client. The Michigan Supreme Court designated net IOLTA revenue for public purposes, including seventy percent (70%) allocated for civil legal aid to the poor. Banks make significant contributions to the IOLTA program, both by complying with new IOLTA provisions that require eligible financial institutions to match the interest rates they pay their own similarly situated non-IOLTA customers and by voluntarily waiving fees on 93% of IOLTA accounts (see IOLTA Honor Roll of Banks at [www.msbf.org](http://www.msbf.org)), which increases funds available for grants. The state legislature also assigned the Foundation to administer bids and contracts under Public Act 189 of 1993, which targets court Filing Fees for civil legal aid grants. See pages 26 and 28 of this report for the distribu-

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***“If we do not maintain justice, justice will not maintain us.”***

Sir Francis Bacon  
Lawyer and Philosopher  
(1561-1626)



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tion of these two important funding sources; together, they amount to more than a third of total funding from all sources for the programs noted in this report.

The program profiles in this report also show many efforts by these agencies to leverage existing resources through collaboration and innovation. That ongoing work has included: participation and leadership in state planning processes that produced two state-based plans for the effective delivery of civil legal aid for the poor in Michigan; helping to create and support the Michigan Litigation Assistance Partnership Program which recruits large law firm pro bono services for complex cases for which legal aid does not have sufficient resources; expansion of telephone hotline advice and brief services that can quickly resolve problems or keep them from growing worse; joining with local courts, bar associations and others to establish legal assistance centers which provide legal information and pro se assistance; planning and implementing technology tools that allow information and expertise to be shared across program lines; establishing the Michigan Poverty Law Program to build capacity in legal aid providers through training and support; collaborating with regional and state groups to enhance the justice system and assist the poor; and joining with the State Bar and the Foundation to raise private donations to support civil legal aid services through the Access to Justice Campaign (see [www.atjfund.org](http://www.atjfund.org)).

Volunteer private lawyers are recruited, trained and supported by legal aid programs to provide pro bono services that increase the amount of assistance available for indigent clients. In 2005, pro bono attorneys working with the programs described in this report gave nearly 32,000 hours of free legal help to low-income persons. Including this assistance, a total of nearly 52,000 cases were closed by these programs in 2005 in areas such as housing, family, income, consumer, and other areas in which low-income clients encountered legal problems.

Some 34,465 (66%) clients received legal advice and counsel. This type of assistance can prevent the legal problem from growing more serious by informing clients of their legal rights and responsibilities. It also helps clients make good decisions about issues they face as tenants, parents, employees or citizens.

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

John W. Cumiskey  
ATJ Leader (1917-2002)

Brief legal services such as reviewing documents, completing forms or making a telephone call can solve disputes without the need to go to court. In 2005, 7,773 (15%) persons were helped with brief services. In addition, 5,397 clients were represented in litigation (5%), negotiated settlements (4%) or administrative agency processes (2%), receiving legal help related to shelter, food, employment, health care and other basic needs.

Legal aid programs work closely with community agencies on referrals and to find solutions for repeat problems. Some 4,269 (8%) individuals were referred to human service providers that could assist them or to others providing the legal services they needed.

Legal aid programs also handle non-case “matters” that help clients prevent legal problems or seek community solutions through activities such as legal education sessions and brochures, self-help assistance, information about services and legal problems on program web sites, and educating other nonprofit organizations to spot legal issues and obtain help for clients before the problem becomes more serious.

This *Justice for All* report shares stories of some of the real people who receive help from our State’s civil legal aid programs every day. Many people and enti-

ties help make that possible, including pro bono lawyers, Access to Justice Fund donors, legal aid program staff and others who assist access to justice through services, support and funding, including IOLTA and Filing Fees. This report illustrates both the impact of and the continuing need for those efforts by all involved so that even more strides can be made toward turning the dream of access to justice for all into a reality.



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