

Justice For All

***“The first duty
of society
is Justice.”***

Alexander Hamilton

Table of Contents

Justice For All	1
Collaboration	2
Commitment	3
Michigan Programs	
Geographically-Based	4-27
Statewide	28-33
Legal Services 1996 Statistics	
Revenues	34
Cases	35
Filing Fees & IOLTA Funding....	36

Filing Fees and IOLTA (Interest on Lawyers Trust Accounts) funding for civil legal services to the poor became even more important in 1996 when federal grants for our state’s legal aid programs were cut by 27%. In light of this loss of nearly \$4 million annually for Michigan, Filing Fees and IOLTA funds provided a stable base which encouraged additional local contributions in response to the crisis. This helped the programs to maintain 91% of their previous year’s caseload while operating on only 84% of their former revenue.

Private lawyers also stepped up to the challenge and handled more pro bono cases than ever, representing 6,753 of the more than 80,000 individuals and families served by Michigan’s legal aid programs in 1996. In addition, 75% of Michigan’s financial institutions make significant ongoing contributions by waiving all IOLTA account fees to make more dollars available for grants. An Honor Roll listing these banks appears regularly in the Michigan Bar Journal.

Despite these efforts, the need far outpaces available resources. Even before the funding reductions, estimates showed that no more than 20% of the legal needs of the poor were being met. Michigan has more than 1.5 million persons eligible for legal aid because they live at or below 125% of the federal poverty guidelines (\$16,050 annually for a family of four). While there is an overall ratio of one Michigan lawyer for each 340 citizens in our state, there is only one legal aid lawyer for each 9,000 persons living in poverty.

These statistics help illustrate the increased importance of filing fees and IOLTA funds to the provision of civil legal services for the poor. Each day, they make it possible for legal aid lawyers working at the regional nonprofit organizations noted in this report to assist people in all of Michigan’s 83 counties with the legal difficulties that often accompany living in poverty. Family violence is prevented by assuring that Personal Protection Orders are obtained; senior citizens are protected from abusive relatives or dishonest contractors; parents are assisted with obtaining custody and support orders, and families are helped to keep their homes or get needed medical care. The real-life stories of persons assisted with such legal problems appear throughout this report. Without filing fees and IOLTA funds in 1996, some 15,000 fewer of these families and individuals might have received much-needed legal aid in 1996.

Collaboration

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

John W. Cummiskey, 1997

In response to the funding crisis, efforts were also intensified in 1996 to begin implementation of the 57 recommendations from The Michigan Plan: A State-Based Plan for the Delivery of Civil Legal Services to the Poor. This plan was produced through a statewide process undertaken by the legal aid programs, the State Bar and the Foundation working together. Dozens of experts, including other nonprofit organizations serving indigent families, were consulted in nine topic areas. One of the most important outcomes from that plan was the formation of the State Bar of Michigan’s Task Force on Access to Justice for All. It serves as an “umbrella” for access to justice activities in the areas of pro bono, technology, resource development and service delivery. The Task Force also works with the Integration and Merger Committee to determine ways Michigan’s existing programs can work together to share expertise and avoid duplication.

Due to these efforts, a number of innovative steps have begun. A statewide computer project has connected programs via E-mail to permit sharing of forms, briefs, pleadings and other information. Five legal aid programs are also serving as pilot projects for a case management system which will further facilitate sharing of work and more efficient and uniform information management; a statewide expansion is planned using lessons learned from the pilot projects. Three programs also received special funding to develop differing centralized telephone intake (“hotline”) models, including a joint project by two separate legal services organizations. The hotline projects are designed to increase the number of persons receiving brief advice (which now accounts for about two thirds of all assistance provided), while retaining resources for extended service, such as administrative or court representation, when needed.

A study is underway to see if integration of selected functions or sharing costs, such as bulk purchasing of supplies or coordination of audits, can reduce expenses or provide guidance regarding merger possibilities. Also, the State Bar Task Force began exploring options to expand resource development for legal services and worked with the State Bar’s long range planning process on identifying access to justice strategies for the State Bar. The Task Force’s efforts in 1996 also resulted in the establishment of a State Bar Access to Justice Department and hiring of a director to strengthen staff support and leadership for legal services and other access to justice issues within the bar.

Commitment

***“Justice, sir, is
the great cause
of man on this
earth.”***

Daniel Webster, 1851

The federal funding changes also eliminated grants for previously-funded state support programs and restricted some of the work legal aid programs could do. In light of expectations for less staff and fewer specialists in the field programs, the need for state support services to provide training and assistance to the other direct service programs was even greater. Therefore, the Foundation solicited input from providers and others regarding what state support functions were essential in the new service environment and invited competitive proposals. The Michigan Poverty Law Program, (MPLP), a collaboration between the University of Michigan Law School and two legal services providers, was selected. MPLP will help assure a full range of litigation and advocacy services and provide in-depth assistance for programs with substantive law information, training and technology support. A major component is a joint project with the State Bar to develop a system involving large law firms and corporate legal departments in pro bono assistance with complex litigation which field programs may no longer have the resources or ability to handle.

The efforts of Michigan’s legal aid providers in 1996 to increase efficiencies and effectiveness in the face of funding losses posed a difficult challenge. Even those programs which maintained case service levels did so largely by increasing already heavy caseloads for staff and performing brief consultation rather than extended representation (a trend borne out statewide in 1996). However, Filing Fees and IOLTA funds helped the programs to continue critical services while planning for ways in which to provide high quality legal services in the future. The year of 1996 was a volatile one for legal services, but it was also a time of transition and transformation, generating many important efforts to enhance partnerships among state and local providers, bars and others in light of a reduced federal role.

The Michigan State Bar Foundation is pleased to present this report on legal services Filing Fees contracts and IOLTA grants to illustrate the important work that these programs provide and the significant cooperative efforts that are underway to help assure these much-needed services will continue in the future. Questions and comments are welcomed at 1-800-968-6723.