

Justice For All

“ . . . there can be no equal justice where the kind of trial . . . [one] enjoys depends on the amount of money [one] has.”

Hon. Hugo Black

Griffin v. Illinois
351 US 12 (1956)

Although we live in a time of economic prosperity, nearly 1.5 million people in Michigan live below 125% of the federal poverty guideline, or \$20,875 per year for a family of four. The legal aid organizations highlighted in this report provide important services for these low-income citizens whose legal needs are pressing and sometimes affect safety or survival itself.

One of the areas where this legal assistance is essential is in family violence. Legal services programs are the primary source of legal help for low-income people who are victims of family violence, with more than one out of every six legal aid cases in our nation directed to keeping families safe. In addition to urgent assistance to protect them, family violence victims often also need other legal help, such as addressing their marital status or establishing themselves and their children in a non-threatening and stable environment.

Other legal aid clients also encounter critical legal problems. They may include the disabled woman who needs medical care, the man wrongly denied disability assistance, the elderly person victimized by a dishonest home repair contractor, or the family that is threatened with the loss of its home. Legal aid programs help clients every day with these and other difficulties associated with poverty. In fact, they assisted more than 76,000 low-income individuals and families in Michigan in 1998. This report tries to “put a face” on those services by relaying stories of real people whose lives were improved because they had access to a legal aid attorney.

Michigan’s legal aid lawyers are recognized experts in poverty law and in many other legal issues; they often have 10 or more years of experience as legal aid attorneys. This not only helps to assure that the same high quality services are available for low-income clients as for others who are able to pay private lawyers, it often means that these advocates have learned how to effectively prevent or solve problems before they get to court. Only 7% of all legal aid cases were resolved by court decisions last year, and most of those because the law requires some court involvement such as custody, support or protective orders.

IOLTA (Interest on Lawyers Trust Accounts) and Filing Fees funds are not only essential in providing more than a third of revenues for legal services agencies, but they also

Building Resources

“There is one lawyer for every 340 people in Michigan, but there is only one civil legal aid lawyer for every 6,500 low-income citizens in our state.”

State Bar of Michigan
Access to Justice
Development Campaign
Case for Support

help these programs attract and maintain other local and private funds. In addition, IOLTA and Filing Fees grants have been a foundation for keeping the level of services as high as possible in light of severe federal funding cuts to legal service agencies in recent years. In 1998, these grants reached all counties in Michigan. Despite these important resources, the unmet need remains great; most estimates are that no more than 20% of the legal needs of the poor are met each year.

In response, legal aid programs worked with the private bar to provide additional services to clients. Volunteer attorneys gave a record amount of pro bono assistance in 1998, donating some 40,000 hours of their time to handle more than 7,300 of the cases reported by the programs profiled in this report. Lawyers and others also increased their financial contributions to support legal aid during the last year. Michigan's banks made significant annual contributions, with nearly 82 percent waiving all fees on IOLTA accounts. This results in more funds for IOLTA grants, and the generosity of these banks is acknowledged in the “IOLTA Honor Roll,” published regularly in the *Michigan Bar Journal*.

An important new effort to increase resources is the Access to Justice Campaign, which is being led by the State Bar to raise substantial funds for operations and a long-term endowment for legal services in Michigan. The providers and the Foundation are working with the State Bar on this historic effort to supplement existing legal aid funding. The Foundation receives donations from the Campaign; these funds will support grants for civil legal services to low-income families. Anyone wishing to contribute may request a pledge form from the State Bar's Development Director, Candace Crowley, at 1-800-968-1442.

The Foundation also has continued as a partner with Michigan's legal aid programs and the State Bar in ongoing planning for the future of legal services delivery. During the last year, efforts focused on increasing innovations and effectiveness in legal services, including better use of technology and electronic networks, development of telephone hotline services and other efforts to expand the service delivery system. One example is the Service Delivery Subcommittee of the State Bar's Access to Justice for All Task Force, which has representatives from the Foundation and the providers and oversees 14 work groups examining many options for the future. These groups involve many others from the courts,

Looking Ahead

“About half of all low-income households have at least one serious legal problem each year.”

Findings of the
Comprehensive Legal Needs
Study (1993)

American Bar Association

local bars, and human services agencies. Assisted by Foundation funding, the Subcommittee also sent a survey to 1,900 recipients to begin a data base of all those organizations providing some legal information or service to low-income people in our state.

Other projects included evaluations of technology and hotline pilot projects. The Legal Services Computer Committee completed a review of the pilot projects funded by the Foundation for statewide e-mail, case management systems and Internet access and has begun efforts to expand the use of this technology statewide. National experts in the provision of hotline telephone services assisted in assessing five hotline projects, including four pilot projects funded by the Foundation. The resulting report showed that hotlines increased the total number of people served and also provided faster access to advice and brief services (such as letters or phone calls on the client’s behalf, review of legal documents, or assistance with completing forms). Many of Michigan’s legal aid programs now include hotline-type assistance among their services to clients.

The Foundation also began peer review site visits of legal aid grant recipients with the assistance of experienced poverty-law professionals from outside Michigan. Site visits are conducted to learn about each program’s operations first hand. Relevant data is reviewed, and program staff and board members are interviewed as are local judges, bar leaders, other funders, client groups and local agencies serving the indigent. A comprehensive exit interview and report offer observations and suggestions on the program’s strengths and challenges in areas such as client service, vision, quality assurance, outreach, staffing, and administration. The legal aid providers worked with the Foundation to develop this assessment model to enhance the quality of legal services in Michigan.

The strides made in the last year were important, but the challenges ahead remain great. Michigan is fortunate to have many talented legal aid advocates and a tremendous commitment on the part of the private bar to help move forward our ongoing efforts to enhance justice. The future will require that we all continue to work together toward equal justice in our state. The Foundation is pleased to present this report to illustrate the impact of this work toward enhancing justice for all in Michigan.