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Promoting Public Interest and Pro Bono Service

August 24, 2016

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VIA Electronic Mail

Kenyon R. McDuffie
Council Chairperson
Committee on the Judiciary
John A. Wilson Building, Suite 5
Washington, DC 20004

Dear Councilman McDuffie:

We are writing to urge the DC Council to expand the right to court-appointed counsel to civil cases. Adoption of a “civil *Gideon*” standard in D.C. would ensure that all litigants have access to the Declaration of Independence principle of “liberty and justice for all.” It would also increase court efficiency, preserve use of public services, and ensure the safety and welfare of the District’s most vulnerable residents.

The Washington Council of Lawyers is a voluntary bar association devoted to ensuring that our justice system serves everyone, including those who are poor or marginalized. We promote pro bono and public-interest law through a variety of means, including supporting policies that expand access to justice.

Improving access to justice is a priority for the Washington Council of Lawyers and its members. As the District’s only bar association dedicated exclusively to promoting public interest and pro bono law, we are concerned for the well-being of our community and the integrity of our civil and constitutional rights. We have consistently supported efforts to increase funding for legal services programs, because the experience of our members has shown the critical role that these programs play in assuring that low-income residents have access to the justice that would otherwise be unavailable.

Without representation, the challenge of court often overwhelms these individuals. Whether it is the terror of facing an abuser in family court without any knowledge of how to get a domestic violence protective order, or the stress of defending against an unfair eviction without the knowledge of how to articulate a proper defense, the pressure can be high.

Appointing lawyers to help indigent D.C. residents in civil matters promotes a better community outcome. For example, counsel in domestic violence cases can help prevent violence perpetrated by an abuser by ensuring that protective orders are prepared appropriately, avoiding the need for additional use of police and medical care for injured family members.

By representing parents in custody matters, attorneys promote the reunification of families and reduce the likelihood that judges will terminate parental rights and place children in foster care.

Appointing lawyers in civil matters also assures the proper administration of justice. The ABA's Coalition for Justice surveyed trial judges from 37 states, Puerto Rico, and one Native American court and produced the "Report on the Survey of Judges on the Impact of the Economic Downturn on Representation in the Courts" (2010). The study found that these judges agree that providing representation for unrepresented litigants increases the efficiency of the Court process. Representation reduces the time Court personnel spend explaining the process to unrepresented litigants and ultimately results in more cases being decided on the merits.

In sum, lawyers in civil matters bring real and meaningful change to residents' lives. We strongly support the provision of counsel to all indigent litigants in civil cases.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul S. Lee". The signature is fluid and cursive, with a long horizontal stroke at the end.

Paul S. Lee
President
Washington Council of Lawyers