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Testimony of Nancy Lopez, Executive Director, Washington Council of Lawyers

to the D.C. Council Committee of the Whole FY21 Budget Oversight Hearings

Striving Toward Meaningful Access to Justice in Challenging Times: Civil Legal Services Are A Critical Component of An Equitable COVID-19 Recovery

Submitted on June 16, 2020

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Washington Council of Lawyers submits this testimony to express our appreciation for the Council's past support of civil legal services in the District of Columbia and to emphasize the importance of continued consistent funding to protect the legal rights of our most vulnerable residents. Protecting funding for civil legal services is especially important critical given then tsunami of civil legal needs that will District residents will face post-COVID-19.

Washington Council of Lawyers is the only voluntary bar association in the District of Columbia that is dedicated to promoting pro-bono and public-interest law. Founded in 1971, our members work across the legal industry including small and large law firms, local and federal government offices, corporate counsel offices, legal service providers, law schools, and policy organizations. They represent both the private and non-profit sectors through the participation of individuals from dozens of law firms and legal service providers. All told, our organization includes nearly 500 dues-paying members and we reach nearly 4,000 public-interest-minded lawyers legal professionals and law school students through our programs and communications.

At this time when our nation and city confront both a public-health and racial justice crisis, we cling steadfast to our mission—to ensure that our legal system treats everyone fairly, regardless of money, position, or power. In attempting to meet this mission, we act as a hub of training and mentoring, we serve as a connector of legal volunteers to those who need help, we work to develop the future leaders of the public interest community, and we serve as an advocate for those policies that expand access to justice. And now, we meet all of those challenges working remotely.

EXECUTIVE DIRECTOR

Nancy A. Lopez

We first want to thank the Council for its past support for civil legal services. We recognize the Council's work in providing vital funding to the District's legal services community. Because of this support, the district's legal services lawyers have been able to help D.C. residents protect their legal rights and secure the basic necessities of food, education, shelter, and safety. One of government's most important missions is to protect society's most vulnerable citizens. The Council's support of legal services has helped to meet this mission.

With the COVID-19 pandemic ravaging our community, the need to fund civil legal services is greater than ever. Without legal representation, there can be no meaningful access to the courts for the District's most vulnerable residents. Remote hearings, limited access to self-help centers, and new procedures make navigating the courts alone even more difficult. Funding for civil legal services advances the noble goals of protecting the vulnerable, of lending a helping hand to one another, of supporting equal justice for all.

The cost of civil legal representation, even for those who sit comfortably in the middle class, is often out of reach. For the District's low- and moderate-income residents, economic insecurity remains a significant barrier in their efforts to navigate the civil legal system. This insecurity increases the likelihood that these residents will experience civil legal problems that will make it harder for them to recover from its negative consequences. Because of the COVID-19 pandemic, larger numbers of the district's residents are experiencing this insecurity. The economic impact of the public health crisis has exacerbated existing legal problems faced by the District's low- and moderate-income residents and has created new issues in other areas, such as securing unemployment benefits, maintaining housing, and guarding against domestic violence.

Too many of us know someone who has been let go from their job, who is facing eviction, or who has gotten sick. We all know someone who needs help. The amount of new legal needs is truly staggering. These demands threaten to overwhelm the legal system and they threaten the legal services community's ability to meet its mission of providing equal justice to all.

It is incumbent on the government to mobilize resources to not only prevent the spread of COVID-19, but to also work to protect the District's citizens against the disruptions that have resulted from this fight. To do this, D.C. needs to maintain its support for legal services. The District's legal system is undergoing tremendous strain as it is forced to deal with an unprecedented number of individuals who have never had to navigate the legal or public benefits systems. These individuals include workers who now find themselves displaced by stay-at-home orders and business closings. It includes at-risk partners and children isolated in abusive homes. It includes individuals who missed rent or mortgage payments due to lost jobs and missed paychecks. This is why the public-interest bar is an essential part of our government's response to this crisis.

The legal services community has developed a variety of innovative programs and strategies to stretch our resources to provide legal help to many of the District's residents. Over the past few years, the number of D.C. residents served by legal service providers has increased substantially. We are proud of these programs and believe that they are models of how to use limited resources efficiently and strategically to provide legal services to as many people as possible.

However, in light of COVID-19 and the avalanche of needs it has unleashed, we call for critical funding to allow our lawyers to stand on the front lines and meet the legal needs that this pandemic has unleashed. Civil legal aid groups need consistent funding to tackle the new legal demand. Before the crisis, civil legal aid attorneys could only meet a fraction of the demand of those in poverty. The increase in demand resulting from the pandemic threatens to leave many within the District without legal help to meet their basic needs. Any cut in funding to this essential community would drastically reduce the amount of people who could be served. Consistent and substantial support to the civil legal aid community needs to part of the D.C. government's policy response to the COVID-19 crisis. We need to recognize that civil legal aid groups are among the first responders helping Americans to navigate the legal system during this time. Funds need to be distributed to help increase the capacity of legal service providers to meet the increased legal need. This increased funding will allow the legal services community to help guide the residents of D.C. through this challenging time.

These funds will support well-established programs that have been in existence for decades; programs that have a track record of making a difference in the lives of thousands of clients a year. Moreover, these funds will also help us to develop and extend programs designed to meet the challenges that the pandemic has created. In addition to offering legal services to the city's residents and small businesses, our legal services community has hosted trainings to help lawyers navigate the legal system remotely, has acted as clearinghouses for COVID-19 related information and resources, and have worked with other organizations to help meet the COVID-19 needs of D.C. residents during this time.

As we seek to tackle the challenges unleashed by COVID-19 we must remember that we must develop the pipeline of new lawyers who will help us tackle our future legal challenges. One program that does this is the D.C. Bar Foundation's DC Poverty Lawyer Repayment Assistance Program (DC LRAP). DC LRAP provides interest-free, forgivable loans up to \$12,000 per year to increase the number of skilled lawyers working on behalf of low-income underserved D.C. residents. These loans help lawyers with high debt and low salaries to accept positions whose salaries would not allow them to meet their living expenses and educational debt. This program enables lawyers to do the work that they are passionate about and allows more dedicated, innovative, resourceful lawyers to advocate on behalf of low-income residents. DC LRAP is supplemented by our mentoring program which connects 30 new public-interest minded lawyers with senior lawyer mentors. Through this program, we also host trainings, and networking events that connect all the different parts of our multi-faceted community.

Our city is fortunate to have a vibrant and dedicated public-interest legal community. It is the result of a stable core of professional full-time civil legal service providers who work alongside our partners in the District's law firms and corporations. Our pro bono community is ready to step up and serve their neighbors, but they need the support and infrastructure provided by our legal services providers. All parties in this partnership are passionate in their desire to provide equal justice to the District's residents. As the District moves towards a post-COVID-19 recovery, we will continue to draw upon the support of pro bono lawyers who amplify the impact of our legal services lawyers.

We again thank the Council for the support it has shown the legal services community in the past and once again we call upon you to help us meet the new challenges of today, and prepare for the challenges of the future.