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Promoting Public-Interest Law and Pro Bono Service

February 10, 2023

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Via Email

judiciary@dcccouncil.us

Councilmember Brooke Pinto, Chairperson
Committee on the Judiciary and Public Safety
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004

Re: Access to Justice Initiative Performance Oversight FY22, FY23

Dear Chairperson Pinto and members of the Committee on the Judiciary and Public Safety:

Washington Council of Lawyers submits the following testimony to express our appreciation to the Mayor, the Office of Victim Services and Justice Grants, and the D.C. Council for past support for civil legal services in the District of Columbia through the Access to Justice Initiative. Tremendous strides have been made in the legal services community in recent years with the support of this funding and that important work continues. District residents have come to rely on this program to address the profound civil justice challenges they often face. It is for these reasons that we recognize and applaud the District government's efforts to strive for equal justice under the law through its funding of civil legal services.

Thank you for the opportunity to address this important issue.

With best regards,

Christina Jackson

**Testimony of Christina Jackson,
Executive Director, Washington Council of Lawyers
to the D.C. Council Committee on the Judiciary & Public Safety
Performance Oversight Hearing: Access to Justice Initiative
February 10, 2023
Civil Legal Services in the District of Columbia**

Lack of access to civil justice is an issue that has long confronted the District. Even prior to the pandemic, in several divisions of D.C. Superior Court, on average, nearly 90% of litigants appeared without a lawyer.¹ This lack of access to legal support was a crisis then – a crisis that has only increased through the pandemic and to today. Countless District residents continue to face domestic violence, child support, divorce, custody, housing, and probate issues that require legal help, but cannot afford to pay for legal help. Their ability to protect their rights, secure their housing, or ensure their safety often hinges on having a lawyer who will advise and represent them.

Studies show that litigants with legal representation can better protect their rights than those appearing *pro se*. Access to a lawyer is an important component of access to justice. The lack of legal representation has real-world, real-life impacts for our neighbors. Often those who are most vulnerable face the greatest risks with the least assistance. And as we continue to struggle with the consequences of the public health crisis and the challenges that faced us before that time, the inequities in our system have only become more glaringly apparent.

It is for these reasons and more that the Washington Council of Lawyers² submits this testimony to express our appreciation to the Mayor, OVSJG, and the Council for past support for civil legal services in the District of Columbia through the Access to Justice Initiative. Tremendous strides have been made in the legal services community in recent years with the support of this funding and that important work continues. District residents have come to rely on this program to address the profound civil justice challenges they often face.

We recognize and applaud the District government's efforts to strive for equal justice under the law through its funding of civil legal services. Because of this support, the District's legal services lawyers are able to help more D.C. residents protect their legal rights and secure the basic necessities of food, education, shelter, and safety. The District government's continued support and adequate funding of these programs is vital to enabling District residents to assert their legal defenses and rights as set forth under DC law. One of government's most important missions is to protect society's most vulnerable citizens. The District government's support of legal services has helped to meet this mission.

We bring a unique perspective to today's hearing. Washington Council of Lawyers does not provide direct legal services. We support, train, mentor, and foster a collaborative community among the legal services, government, and private-sector lawyers who serve vulnerable D.C. residents. From our distinct vantage point, we have an overview of how our network of legal and social service providers collaborate to advance justice and support our neighbors.

One of the roles Washington Council of Lawyers plays in this collaboration is facilitating cohort trainings of eviction defense lawyers supported by the Civil Legal Counsel Projects Program – an arrangement made through partnership with the DC Bar Foundation. As you know, this leading-edge program, established in fiscal year

¹ *Delivering Justice: Addressing Civil Legal Needs in the District of Columbia*, p. 17, D.C. Access to Justice Commission. https://dcaccesstojustice.org/assets/pdf/Delivering_Justice_2019.pdf.

² Washington Council of Lawyers is a voluntary bar association whose mission is to ensure that our legal system treats everyone fairly, regardless of money, position, or power. Founded more than 50 years ago, our members represent both the private and public legal sectors. We bring together small and large law firms, local and federal government offices, corporate counsel offices, legal service providers, law schools, and policy organizations. Our organization includes over 500 dues-paying members, and we reach over 5,000 public-interest-minded lawyers, legal professionals and law school students through our programs and communications. We train, advocate, mentor and build community among public-interest-minded lawyers and law students to promote pro bono service and public-interest law.

2017, provides crucial legal representation to low-income tenants in eviction-related proceedings. We commend the Council for its leadership in creating this innovative program. Through our coordination of the eviction defense cohort, we have seen how this unified program focused on eviction defense has strengthened legal support to District residents. Our work has focused on promoting communication, collaboration, training, and professional development among two unique cohorts of eviction defense lawyers.. The commitment and drive we've observed among these lawyers, and their single-minded focus on preventing housing displacement, is incredible. With the additional support provided to them in FY22 and FY23, they've dramatically expanded their community outreach, trying to help tenants as early as possible. The coordinated nature of the program has also enabled them to leverage their unique organizational strengths and be more efficient in legal services delivery. For example, we've seen the participating legal services providers come together to establish a coordinated entry point for litigants to access services, plan together to adjust operations to both a remote and in-person settings, do affirmative outreach to litigants about available legal supports, and collaborate on policy and systemic advocacy. The support the Council provides through the Civil Legal Counsel Projects Program has been an essential foundation for this positive work together.

Our city is fortunate to have a vibrant and dedicated public-interest legal community, a community fostered by the Access to Justice Initiative. It is the result of a stable core of professional full-time civil legal service providers who work alongside dedicated pro bono volunteers from law firms, government agencies, and corporations. Our pro bono community is ready to step up and serve their neighbors, but they need the support and infrastructure that is provided by an adequately resourced cadre of legal services providers. As the District moves into the next phase of pandemic recovery, we will continue to draw upon the support of pro bono lawyers who are able to amplify the impact of our legal services lawyers. Over the last three years, the public-interest community has come together to create new ways of representing clients and better ways of working together. Public support of the Access to Justice Initiative is crucial to the city's long-term recovery. These funds support well-established programs that have been in existence for decades and allow the community to respond to new challenges through innovation and cooperation.

Despite the progress that has been made through the Access to Justice Initiative, the needs in the community are great. While we are here in a performance oversight posture, as we move into a new budget season, we renew the call for maintaining and increasing the vital funding that allows civil legal services lawyers to stand on the front lines and meet the unprecedented legal needs faced by District residents. A well-resourced civil legal aid community is essential to meeting these legal needs through their own work and the active use of pro bono volunteers, and the Council's funding is leveraged effectively in that regard.

Thank you for the opportunity to testify today about the value of the Access to Justice Initiative. We appreciate this committee's support of civil legal aid and know that it will continue to prioritize investment in civil justice as a means of creating a more equitable city.