

Legal Aid Crisis

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Two days off in ten weeks. Not weekdays. Two days off, total. That's how hard one of the state's most senior legal aid lawyers is working. The work is pouring in—foreclosure prevention cases, unemployment benefit disputes, landlord-tenant cases, family abuse cases. Here are some eye-opening statistics:

- Total caseloads at Rappahannock Legal Services are up 24% *just since last fall*. This includes a 47% increase in evictions since 2007.
- Blue Ridge Legal Services has had to refuse services to *two-thirds* of those seeking help.
- Interest on Lawyers Trust Accounts (IOLTA), a voluntary program in Virginia, has plummeted along with interest rates. Statewide, these funds - - which go to fund civil legal services for the poor—are projected to drop over \$3 million in the next year.
- In a recent *Virginia Lawyers Weekly* article, legal aid administrators predicted that the funding crisis will inevitably result in lawyers being cut from the staff.
- Nationally, it has been estimated that the current mortgage crisis will result in two million American families losing their homes to foreclosures on sub-prime loans.

The economic recession is placing huge demands on our justice system and on our legal aid communities. In addition to the foreclosures and the evictions, financial stress creates stress on families in other ways, too. According to Legal Service Corporation's 2010 budget request, "couples who faced extensive financial strain had a rate of violence more than three times that of couples with low levels of financial stress." Added to the economy is the impact on families of our nation's military personnel serving overseas, as well as those who have returned to this country to face family, financial and psychological problems which need to be addressed.

Our delivery system for legal serv-



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ices to the poor is in crisis. What can we do about it? One thing I urge all practicing lawyers to do is to contribute financial assistance to their local legal aid organization. Our legal aid lawyers do a tremendous and vitally important job. The work is not just important to the people who receive the service, it is a critical component of our justice system and the rule of law. Please contribute.

An additional way to help is to donate your time and your legal ability. Unfortunately, even with increased giving, legal aid organizations simply cannot keep up with the demand. Realistically, the only way for these important legal needs to be met is through the volunteer efforts of the bar. This has always been the case, but is even more so now. If you are interested, simply call your local legal aid office and ask how you can help. Also, many local bar associations have pro bono programs specifically designed to help match up those with needs with lawyers willing to help.

The need for additional lawyer volunteers has not been lost on Chief Justice Leroy Hassell. The Chief Justice has always been a proponent of lawyers providing free legal services when they can, and recently he has asked, both privately and publicly, for help from The Virginia Bar Association in encouraging and facilitating pro bono programs in Virginia. Indeed, in his State of the Judiciary speech at the Judicial Conference of Virginia in Roanoke in May, Chief Justice Hassell challenged all of the state's voluntary bar organizations, and, "particularly The Virginia Bar Association" to help increase the quantity of voluntary pro bono services provided by Virginia's practicing lawyers.

The VBA's response to the Chief Justice was plain and simple. Yes, we will. Yes, we will do what we can to promote pro bono service. Yes, we will collaborate with legal aid organizations and other community-based groups to give lawyers the opportunity to volunteer their time and energy in a meaningful way. And, yes, we will work with the Supreme Court to bring together those who are leading this effort from around Virginia in hopes of creating a sustained, coordinated, collaborative approach to the unmet legal needs of our fellow Virginians.

So, what exactly is the VBA doing?

To coordinate The Virginia Bar Association's efforts in response to the Chief Justice's challenge, we have created a special pro bono task force with members from around Virginia. The task force members are all lawyers who have been involved in pro bono programs before. The co-chairs are Harry ("Pete") Johnson of Richmond and Scott Oostdyk, also of Richmond. The other members of the task force are Nicole Harrell of Norfolk, Webb King and Lori Thompson of Roanoke, Robert Stoney of Fairfax, and Margaret Bacigal of the University of Richmond School of Law. The task force has begun its work and will be on the move across Virginia beginning this summer. Plans for a statewide pro bono summit next year are already in the works. On behalf of all of our members, I would like to publicly thank these lawyers for their willingness to assist in this effort.

Another initiative the VBA has underway will come to fruition on June 23, when the VBA is scheduled to host a veterans summit which will bring together people and organiza-

tions working on behalf of our veterans—especially those returning from Afghanistan and Iraq. If you attended the truly extraordinary program put on by the Committee on Special Issues of National and State Importance at the VBA Annual Meeting in January, which discussed the tremendous challenges faced by our armed forces when they return from Afghanistan and Iraq, you know that these men and women have legal, financial and psychological needs which are simply not being met. The good news is that many across Virginia have responded. There are pro bono programs for veterans underway at law schools and law firms around Virginia. Every day, more lawyers and judges are getting involved. The VBA has stepped into this arena to offer its services to help the numerous organizations involved to communicate with one another. The goal is to get those with the most knowledge of the need in the same room as those interested in helping meet those needs. In addition of a cadre of VBA leaders, expected to attend are representatives of the Lawyers Serving Warriors program, the Virginia Wounded Warrior program, the William and Mary Law School Veterans Benefits Clinic, the Judge Advocate General's office, military officers and the Virginia judiciary. This summit is the result of many hours of work by former VBA president Jim Meath and Bob Barrett, a Richmond lawyer who is a West Point graduate and a veteran of the war in Iraq. Please thank these lawyers when you see them.

In addition to these initiatives, our Young Lawyers Division has always been active in providing pro bono services. For many years, the YLD has spearheaded the Pro Bono Hotlines which have helped thousands of Virginians in several of our metropolitan areas. Similarly, our YLD members have provided legal assistance to victims of natural disasters. Just this year, the YLD has joined a collaborative effort with several law firms and the Hispanic Chamber of Commerce to help expand the provision of pro bono legal services to the growing and economically important Hispanic community in Virginia.

We cannot rest on these laurels, though. The Chief Justice has asked us for more. The bottom line is that The Virginia Bar Association is responding to the Chief Justice's challenge. Sometimes we have the luxury of picking our priorities and our projects. But, often, the priorities and projects pick us. That is the case this year, but I would not have it any other way. At this moment in our history, the VBA has been asked to help on one of the biggest issues facing our communities and our justice system. Our members, indeed all Virginia lawyers, are in a position to make a difference to a lot of people. Let's all get on with it.

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