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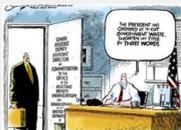
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#### JACK OHMAN

The Oregonian's award-winning political cartoonist



Cartoon: Entitlement... Caption contest!

## Legal Aid: equal access to justice

by Helaine Barnett, guest opinion

Thursday April 23, 2009, 8:30 AM

Washington, D.C. -- Because of severe learning disabilities, he had never been employed and lived in his parents' house for his whole life. When his parents died, the home was in their names with debts against the property of more than \$100,000. Their son was at risk of losing the only home he had ever known.

Fortunately, he found his way to Legal Aid Services of Oregon for help. There, a staff attorney helped him find the legal documents to settle his parents' estate and convey the title, negotiated with creditors to settle the debts, and helped him qualify for a property tax deferral provided disabled senior citizens.

Like this client, the people who come to legal aid programs are the most vulnerable among us. They are women seeking protection from abuse, parents trying to obtain child support, and families facing unlawful evictions or foreclosures that could leave them homeless.

To help low-income Americans with pressing civil legal problems, Congress established the Legal Services Corporation in 1974, and the corporation provides federal grants each year to 137 nonprofit programs, including Legal Aid Services of Oregon. Congress created LSC to promote equal access to justice and to provide high-quality civil legal assistance to low-income individuals and families.

The nation, however, faces a "justice gap," and the recession is widening the gap. Nearly 51 million Americans, including almost 700,000 Oregonians, qualify for civil legal aid from LSC-funded programs. That means they have an income of less than 125 percent of the federal poverty guideline (for a family of four, \$27,563 a year).

With the downward shift in the economy, millions more Americans for the first time are or will be finding themselves facing poverty. Less than 20 percent of low-income Oregonians with pressing civil legal problems are able to obtain the assistance of a lawyer, according to current estimates. In a 2005 nationwide study, LSC documented that for every eligible client LSC-funded programs were able to assist, one eligible applicant was turned away because of a lack of resources.

Oregon has not ignored the challenge of providing civil legal aid to the poor. Individual attorneys and law firms, the Campaign for Equal Justice, the state and local bar associations, the Oregon Law Foundation, the state legislature and local governments and many private foundations donate time and money on behalf of civil legal aid.

Still, in Oregon and elsewhere, funding and resources do not keep pace with requests for help. Legal Aid Services of Oregon, for example, has an office in Pendleton with only three full-time attorneys and two part-time attorneys to serve six counties, to cover an area of 14,011 square miles -- making it

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#### MEMORIAL COLISEUM DEBATE



Join The Oregonian's David Sarasohn and Barry Johnson on April 20 at 1:30 p.m. for a live chat about the pros and cons of the proposed demolition of Memorial Coliseum.

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virtually impossible to fulfill the promise of "Equal Justice Under Law," the bedrock legal principle inscribed on the U.S. Supreme Court building.

I have worked in legal aid for more than 40 years and when I reflect on what motivated me to be a legal aid lawyer, it is my belief that providing civil legal services to the poor is central to fundamental fairness, due process, and equal protection under law.

But the fact is that the majority of poor Americans do not have access to justice. At a time of economic hardship, federal, state and local governments must step up their efforts to provide high-quality legal assistance to the poor.

Helaine Barnett is in her sixth year as president of the Legal Services Corporation. The LSC Board of Directors meets in Portland on April 24-25.

See more in oped

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COMMENTS (4) Post a comment

Posted by grossmeyer on 04/23/09 at 9:51AM

Well, nothing against Legal Aid or anything, but posing a specious argument like: "Legal Aid Services of Oregon, for example, has an office in Pendleton with only three full-time attorneys and two part-time attorneys to serve six counties, to cover an area of 14,011 square miles" doesn't serve anyone.

I hope Barnett makes better arguments in Court than she does in the newspaper.

Inappropriate? Alert us. Post a comment

Posted by taxed on 04/23/09 at 10:47AM

Legal Aid helps some people, but does more damage than good.

Inappropriate? Alert us. Post a comment

Posted by snufalupagus on 04/23/09 at 12:11PM

That is absurd! More damage than good. Legal Aid serves a population that is otherwise without resources. This is generally an undereducated population as well.

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Posted by lennyp on 04/23/09 at 12:38PM

Legal Aid is at the foundation of a democracy. Unless all have equal access to courts, there is no democracy -- only the powerful enforcing their laws over the powerless.

We have seen first hand the results of people using our court system to bury their opponents simply because they have the money to do so.

Johnson: A bad idea inside a bad plan Chat live April 20 @ 1:30 p.m.

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unless s/he pleads guilty regardless of innocence. The majority of people Legal Aid helps are those whom our society chooses to punish because they are poor. One needs to simply glance at the disparity between socio-economic groups in arrests, convictions, sentences, prosecutions, etc. to clearly see how having \$\$\$ make one less of criminal; Legal Aid attorneys are no better or worse at what they do than private attorneys they just don't have the \$\$\$ available that a Madoff or OJ (or Exxon or Intel or RJ Reynolds Tobacco Company) has to fight in the criminal/civil justice system.

Either there is equal justice or there is no justice.

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