

United States Senate

WASHINGTON, DC 20510

April 6, 2010

The Honorable Barbara Mikulski
Chairwoman, Subcommittee on
Commerce Justice and Science
Committee on Appropriations
United States Senate
Washington, D.C. 20510

The Honorable Richard Shelby
Ranking Member, Subcommittee on
Commerce Justice and Science
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Chairwoman Mikulski and Senator Shelby:

We write in support of an increase in Legal Services Corporation (LSC) funding to at least \$440 million in the Fiscal Year 2011 Commerce, Justice, Science, and Related Agencies Appropriations Act.

Thanks to your efforts and strong bipartisan support, the FY 2010 Consolidated Appropriations Act provided LSC with \$420 million, a much needed \$30 million increase over the FY 2009 level of \$390 million. Yet, this is still far less than the amount appropriated in FY 1995, which would be about \$578 million in today's dollars, and even farther below the amount appropriated in FY 1981 – about \$765 million in today's dollars.

This year, we request that the Subcommittee provide a further increase of at least \$20 million as an additional step toward closing the “justice gap” and meeting the greater need that exists because of the economic crisis, which has increased foreclosures, unemployment and the number of families who now qualify for federally funded legal aid. We understand that the bipartisan Board of the Corporation has recommended \$516.5 million for FY 2011.

As you know, LSC funds 136 local programs in every congressional district in the country. These programs make a crucial difference to millions of low-income Americans. Recipients of LSC funding help clients secure basic human needs, such as wrongly denied Social Security, pensions and health care. Low-income Americans receive help with estate planning, consumer, housing and employment issues. LSC-funded attorneys help parents obtain and keep custody of their children, assist parents in enforcing child support payments and help women who are victims of domestic violence.

With unemployment near 10 percent, and with many Americans struggling to keep their jobs, homes, cars and basic necessities, the need for legal aid attorneys has never been greater. In fact, in 2008, more than 54 million Americans, including 18.5 million children, were eligible for federally funded financial assistance. LSC estimates that an additional 11.5 million people are eligible today.

In many parts of the country, more than 80 percent of those who need legal representation are unable to obtain it. Nationally, 50 percent of eligible applicants who request legal assistance from LSC funded programs are turned away largely because such programs lack adequate funding. For those facing foreclosure, the problem is even starker – two qualified persons are

turned away for every one served. This is unacceptable in a nation committed to equal justice under the law.

Unfortunately, with an increased demand for services, a combination of state and local budget cuts, decreased private giving and a decline in Interest on Lawyer Trust Account (IOLTA) revenue has exasperated the problem.

As a result, an increase in federal assistance to legal services is essential. Therefore, we request that the Subcommittee increase LSC funding by at least \$20 million, to \$440 million – the amount contained in the FY 2010 Commerce, Justice, Science, and Related Agencies appropriations bill which passed the House of Representatives.

Thank you for your consideration of our request. Without continued increases in federal funding, many more of our most vulnerable citizens will be denied critical legal assistance.

Sincerely,

TOM HARKIN
