



**DATE:** December 9, 2009

**TO:** Sen. Toni N. Harp, Co-Chair, Appropriations Committee  
Rep. John C. Geragosian, Co-Chair, Appropriations Committee  
Members of the Appropriations Committee

**FROM:** Hugh C. Macgill, President, Connecticut Bar Foundation

**RE:** Hearing of the Appropriations Committee on Deficit Mitigation

Dear Senator Harp, Representative Geragosian, and Members of the Committee,

I write as President of the Connecticut Bar Foundation (CBF), the non-profit entity which administers the Interest on Lawyers' Trust Accounts (IOLTA) and the Interest on Trust Accounts (IOTA) program pursuant to Connecticut General Statutes § 51-81c. For many years, CBF has by these means provided the bulk of funding for the delivery of civil legal services for the poor in Connecticut.

As you know, those means have now failed us. IOLTA revenues, \$20 million in 2007, are projected to be approximately \$4 million in 2009, with desperate reductions in staff, hours, and salary among our state's legal services programs. The economic conditions responsible for this catastrophic decline have also brought fresh and unprecedented levels of misery into the lives of that part of our population, already marginalized, whose need for legal services has never been greater.

The Legislature, with the firm support of an unprecedented coalition of stakeholders, succeeded in approving a package of fee increases earmarked for legal services support that promises to close \$8 million of the \$16 million gap created by the evaporation of IOLTA revenue. As a result, no legal services program has been compelled to close its doors to your constituents, and we are all deeply grateful.

We urge you to defend and preserve your achievement in the special session this month, even in the face of the myriad of competing fiscal demands that you must address. The package you approved was understood to be so urgent that it went through separately, instead of waiting for a complete budget, and the Governor in recognition of its urgency, signed it as a free-standing item. It is no less urgent now. Foreclosures, evictions, job losses, and a sharp need for

emergency assistance continue to plague the most vulnerable of our fellow citizens. Now to divert funds earmarked for the support of programs that directly aid and succor Connecticut's most needy, because it is now said that someone else needs the help more, would send a message, a very difficult message to choke down and hardly less difficult to live with. It must also be wondered whether the organized Bar, which acquiesced in fee increases solely for the purpose of sustaining legal services, would have been quite as acquiescent if it knew that the revenue might later be used for whatever other purposes the Governor or the Legislature happened to find more pressing.

Therefore the CBF very strongly urges the legislature not to let this dire situation worsen. Please ensure that the Judicial Branch has enough money to pay the legal aid funding line, and that there is no diversion of the desperately-needed filing fee funding.

We thank you for your consideration.

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