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TESTIMONY OF THOMAS D. GOLDBERG, CHAIR OF THE BOARD OF DIRECTORS OF CONNECTICUT LEGAL SERVICES

BEFORE THE APPROPRIATIONS COMMITTEE - December 8, 2009

Good afternoon. My name is Tom Goldberg; I am the Chair of Connecticut Legal Services and a partner at the law firm of Day Pitney. With me is Steve Eppler-Epstein, the Executive Director of Connecticut Legal Services. We are part of the coordinated network of agencies providing emergency legal help to people in dire circumstances in Connecticut; our partners include New Haven Legal Assistance and Greater Hartford Legal Aid.

This economy has resulted not only in budget problems for the state, but enormous real-life crises for thousands upon thousands of individuals and families in our state. These people seek help from the agencies and causes you are hearing from today who, in turn, send their hardest cases to legal aid for help.

We help families being evicted from buildings being foreclosed -- even though they paid all their rent.

We help families that have fallen on hard times and now desperately need disability assistance and food stamps.

We help people in need of unemployment compensation who do not know how to demonstrate their eligibility.

We help the many women facing domestic violence who have few options and need court orders to protect their safety.

We help hard-working day laborers who are underpaid, or not paid at all, by unscrupulous contractors or homeowners.

We help elderly people who suffer both because of their legal issue and because of the debilitating stress it causes them.

We help people like Pamela who after escaping an abusive marriage and raising three children on her own as a full-time working mom, was unable to work because of injuries to her hands. Pamela worked heroically to raise her children with no money; unable to afford a babysitter or car, Pamela routinely pulled her children in a red wagon to get to the grocery store. But after surgery on both hands, Pamela is still unable to return to work and has had to apply for social security disability benefits. While her disability case was pending, Pamela applied to the State for short-term cash and medical assistance but was denied. Pamela turned to legal aid. Pamela's legal aid attorney secured the temporary



assistance for her. But having lacked income for nearly ten months, Pamela also was facing eviction. Pamela's attorney stepped in again, and her landlord agreed to stop the eviction and allow her to stay until she starts receiving her disability benefits and can begin paying the full amount of the rental.

The legal aid programs work hand and hand with virtually every social service provider in the state, along with government officials, police departments, and many others. Everyone counts on us to take their most urgent referrals. But this comes in the context of a funding structure that has collapsed. 20 years ago, the legislature created IOLTA (Interest on Lawyer Trust Accounts) to fund legal aid. With interest rates plummeting and a slow real estate market, IOLTA has collapsed. Grants from IOLTA revenues have gone from \$20 million to \$4 million.

In a bi-partisan response to the IOLTA crisis, the legislature

- Increased the legal aid budget line in Judicial from \$1 million to \$1.5 million; and
- Established new court filing fee revenues estimated to bring in \$7.5 - \$8.5 million in 2010 (with a likely decline in revenue when, blessedly, the 15,000 case per year bubble of foreclosure filings declines).

This help has both been enormously appreciated, and of course not enough to balance the books. All the legal aid programs have gotten smaller, with many layoffs, and the staff at the program I chair, Connecticut Legal Services, still have two unpaid days each month. So we come to you today to ask that you not allow our funding situation to get any worse.

You know that the Judicial Branch currently does not have a way to pay the \$1.5 million allocated for legal aid in their "Other Expenses" budget. And you know that the Governor, in her deficit mitigation package, has proposed taking an unspecified amount of money from the court filing fees meant to benefit legal aid.

Please do everything in your power to ensure that legal aid to the poor does not suffer further cuts. There are people in Connecticut in crisis counting on these services every day. Please find a way to fund the \$1.5 million legal aid line in Judicial (by exempting the Judicial Other Expenses line from cuts if possible), and please do not take filing fee money away from legal aid. Connecticut's neediest residents need your protection.

Thank you for your attention. I would be happy to answer any questions.