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**Testimony of Livia DeFilippis Barndollar
President of the Connecticut Bar Association
House Bill 6365, An Act Concerning the State Budget for the Biennium Ending June
30, 2011, and Making Appropriations Therefore
Appropriation Committee
February 23, 2009**

Senator Handley, Representative McCrory and members of the Appropriations Subcommittee on Judicial and Corrections, thank you for the opportunity to appear before the committee to comment on House Bill 6365, An Act Concerning the State Budget for the Biennium Ending June 30, 2011, and Making Appropriations Therefore. My name is Livia DeFilippis Barndollar. I am a Partner with the law firm Marvin, Ferro, Barndollar & Roberts LLC, in New Canaan. I am also the current President of the Connecticut Bar Association, the preeminent voluntary association of attorneys in Connecticut with over 9,000 members who practice in every, diverse area of the law.

The CBA has a great interest in appropriate funding for the Judicial Branch in general and for legal aid providers in particular. The CBA urges the Appropriations Committee to increase funding for legal aid providers in the biennium budget ending June 30, 2011 over the \$1 million that has been appropriated in the last two fiscal years.

The State's legal aid programs are facing their worst fiscal crisis in decades. I will leave it to others to testify about the specifics of that crisis. In summary, IOLTA, which has been the source of about 60% of legal aid funding in this State, is being hit by both the reduction in interest rates and economic activity. The 2007 the IOLTA program generated over \$20 million but this year it may be about \$4 million or less. The consequences are staggering: Legal aid attorneys and staff have already sacrificed by voluntarily accepting salary and benefits reductions. Layoffs of attorneys and support staff have been unavoidable and unless there is a solution, additional terminations of attorneys and staff and reduction of salary and benefits to the surviving work force are inevitable. I will also leave it to others to describe more precisely to this Committee how essential legal aid is to low income residents of Connecticut and to our state and society more generally. Our very system of justice is at risk without a sustainable civil legal aid system.

Delivery of legal services to the poor of this State at no fee should be a concern of each of us as citizens of Connecticut. Members of the bar of the State and of the CBA in particular have focused on ways to fill that need. Every year hundreds of low income families receive free legal services from CBA members. Lawyers and law firms in Connecticut contributed about \$800,000 in 2008, an increase over previous years. Lawyers donate their time to service on the boards of legal aid programs, to train legal aid lawyers, and to offer advice and assistance in areas outside the expertise of legal aid lawyers. The CBA has a standing Pro Bono Committee, chaired by the Vice President of the voluntary leadership each year and composed of judges, attorneys, academics from our area law schools and officers of nonprofit organizations involved in the delivery of legal services to the needy. In the past 18 months, that Committee has spawned a foreclosure prevention assistance program and a veterans assistance program.

I wish that it were possible for me to identify for the Committee a concrete source of funding that could help solve this crisis. Unfortunately I cannot do so tonight. As CBA President, I appointed in January a special committee to work with Connecticut legal aid programs to assist them in this crisis and to study and make recommendations to the CBA House of Delegates on any policy positions or rule changes that we might adopt or sponsor that would help. Our House next meets on March 9 and I will certainly report to the Committee if we adopt positions that will aid this Committee in its work.

We fully understand the harsh fiscal reality facing the State of Connecticut, yet we still urge additional legal aid funding because it is such a critical need of the citizens of the State of Connecticut and to the functioning of the judicial system. The legal aid network in Connecticut does much more than confirm our society's commitment to equal access to justice...as important as that principle is. The services provided by legal aid attorneys mean that families will not unfairly lose their housing, that children, the disabled and the elderly will receive the benefits that are intended for them, that poor consumers will not be taken advantage of and that women and children will be protected from domestic abuse. Even in hard times, it is essential that we as a State guarantee these rights.