



**TO: MEMBERS OF THE JUDICIARY COMMITTEE**  
**FROM: CONNECTICUT BAR FOUNDATION**  
**DATE: FEBRUARY 26, 2010**  
**RE: SUPPORT FOR RAISED BILL NO. 5148**

**TESTIMONY OF HUGH MACGILL  
PRESIDENT, CONNECTICUT BAR FOUNDATION**

Thank you for the opportunity to appear before you today. My name is Hugh Macgill. I am President of the Connecticut Bar Foundation (the Foundation), the non-profit agency designated by the judges of the superior court to administer the Interest on Lawyers' Trust Accounts (IOLTA), the Judicial Branch Grants in Aid (JBGIA), and the Court Fees Grants in Aid (CFGIA) programs in Connecticut, all in support of the Legal Service agencies of our state.

On behalf of the Foundation, of the agencies it supports, and above all for the thousands of Connecticut residents they serve, I urge you to support Raised Bill 5148. Passage of that bill is crucially important to Chief Justice Rogers' strategic plan for the Judicial Branch, "Access to Justice," which we wholeheartedly support. Those who live in some comfort can feel easy in that comfort only so far as they know they have done everything they can to assure that everyone has a realistic opportunity to attain comfort for themselves. Citizens who lack access even to justice, will never know basic fairness, let alone comfort. Access to Justice demands not only that courts remain open, but that those for whom real access requires competent counsel can obtain it from our legal services agencies.

We support the restoration of funding in the Judicial Branch's OE budget. We also request that you restore the \$1.5 million appropriated for JBGIA and place that funding in a separate line item outside of the OE line item to ensure that these funds are transmitted to the Foundation for legal services to the indigent. There are more poor people in Connecticut now than in many years. The unemployment rate is likely to remain high for some time to come. People who are glad to have even marginal jobs now find themselves working marginal hours. These people are in trouble, and legal aid is helping them deal with crises across a broad spectrum.

IOLTA having crashed, with an 84% decline in revenues, you provided two sources of assistance last year:

- An increase in court filing fees
- Increasing the line-item for legal aid from \$1 million to \$1.5 million.

As a result of cuts to the Judicial Branch, that \$1.5 million has not been received by the Bar Foundation.

It is crucial that this funding be preserved and delivered in the context of general support for the Judicial Branch and legal aid.

What does \$1.5 million mean for poor people needing legal aid?

It will enable the agencies to hire enough lawyers - ill-paid but talented and passionate advocates for the poor - to serve 5,000 people (clients and their households) in the most vulnerable sector of our society. Based on current caseloads, the breakdown could look like this:

- 19% for households facing homelessness from foreclosure and poverty
- 17% for households seeking safety from domestic violence
- 18% for elderly and other vulnerable people facing creditor abuses and other consumer issues
- 13% cases regarding health care
- 19.5% cases for people with employment issues or seeking disability or subsistence benefits
- 12% other cases, often involving children, in crises of urgent need.

Individuals are helped back on their feet. Their families are kept together. The social service agencies of the State, already understaffed and overburdened, are spared the even greater expense of an addition to their workload.

Is this by itself "Access to Justice" for all in Connecticut who need it? Of course not. But it is a commitment we as a society need to make, just as Access to Justice is a promise that we need to keep.

Thank you for hearing me out. I will be glad to try to answer any questions you may have.