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February 26, 2010

### Testimony of Thomas D. Goldberg, Chair of Connecticut Legal Services On Behalf of

**Connecticut Legal Services,  
Greater Hartford Legal Aid, and  
New Haven Legal Assistance Association**

### Before the Judiciary Committee of the Connecticut Legislature Regarding H.B. 5148 Concerning Funding For The Judicial Branch

Senator McDonald, Representative Lawlor, and Members of the Committee:

Thank you for this opportunity to update you on the crisis in legal aid funding in Connecticut, in the context of the larger crisis impacting the Judicial Branch and the state as a whole. My name is Tom Goldberg; I am the Chair of Connecticut Legal Services and a partner at the law firm of Day Pitney. I am testifying on behalf of all three legal aid programs. We work together to serve the entire state. The three executive directors are behind me if you have any questions for them.

Legal aid gives very poor people crucial help that changes people's lives. They need this help now more than ever.

We strongly support the goals of House Bill 55148. We ask that you help preserve the funding allocated by the legislature last year – giving the Judicial Branch enough money to do their work and to provide the \$1.5 million that the legislature appropriated for legal aid funding, through the CT Bar Foundation, for that purpose.

In addition, we ask that you work with the Appropriations Committee to put legal aid funding in a separate line in the Judicial Budget to ensure that the funds the legislature allocates for legal aid achieve that purpose.

The non-profit legal aid agencies are an incredibly effective, coordinated network that provides legal help to very poor people in crisis. Every social service agency in the state relies on us to help their clients. Non profits and state agencies alike send us cases when their clients need a lawyer to solve their problem. Together we have been handling over 15,000 cases each year. The staff are highly skilled, perennially underpaid compared to other public service lawyers, and passionate about their work and the needs of their clients.

Last year, you took two important steps to help legal aid, because you recognize the importance and value of this work.

- First, you established a funding stream through increased court filing fees.
- Second, you increased the long standing funding through Judicial Branch from \$1 million to \$1.5 million.



**Today we are not asking for more.**

**We are only asking that these commitments be kept.**

In this environment, many programs for poor people are being cut, and legal aid is no exception. IOLTA revenues are down \$16 million per year. Legal aid programs have lost many positions, including through layoffs, and have also significantly reduced hours to cut back on costs. With two unpaid days per month, the remaining young lawyers at Connecticut Legal Services now have take-home pay barely over \$40,000/year – and still are glad to have a job and be doing work they believe in. But severe cutbacks in funding for the Judicial Branch have resulted in the Branch not paying the \$1.5 million designated in the budget for legal aid. Legal Services will have to go through another round of contraction if a solution cannot be found.

Loss of Institutional Knowledge. Obviously, losing even more staff capacity would be a bad thing for the future of legal aid. We, and you, have invested in the development of talented legal aid lawyers, and it would be a terrible long-term strategy to throw that away for short-term savings.

Harm to Poor People. Even more important would be the immediate harm to low-income people in our state. Every legal aid lawyer helps around 100 people each year. They focus their work on people who are in the most desperate need, people for whom we can make a real difference. In this economy, that means victims of domestic violence, tenants being evicted as a result of foreclosures, and children and elderly who cannot be cast aside because of a tough economy.

Burden To the State. And then there is the cost to the state. Legal aid's work for low-income people saves the state money. When people being evicted don't have lawyers, it takes up more of the court's time, and they are much more likely to end up in homeless shelters. When victims of domestic violence don't have lawyers, they too end up longer in shelters, and take longer to build safe lives, and it is harder for them to return to work.

Access to Justice. Finally, adequate funding for legal aid is part of the message of access to justice that the Judicial Branch has been bringing to you. Laws do not enforce themselves. The rights of children, disabled people, battered women, the elderly, tenants and many others depend on legal aid lawyers to apply the laws relevant to their life crises, so that they can access the court protections created by this legislature.

We thank you for having recognized the incredible work for low-income people, and for Connecticut, these legal aid programs are providing on behalf of us all. We ask you to preserve the remedy you built last year, in the face of the remarkable collapse of the IOLTA funding source and the remarkable tenacity of the underpaid lawyers struggling to help those in great need in this economic crisis.

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On behalf of the Legal Services network  
February 26, 2010  
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Our request today is simple: to work with the Appropriations Committee and the Judicial Branch to achieve these goals:

- Preserve the filing fees you enacted last year as a funding stream for Legal Aid
- Preserve the \$1.5 million already appropriated.
- And place that funding in a separate line outside of the "Other Expenses" (OE) line item to insure those funds are used to support legal aid.

Please help us to avoid shutting our doors on people in need.

Thank you. We'd be happy to answer any questions you may have.

