

Leveraging Justice with the Justice Gap Fund

MORE THAN SIX MILLION INDIGENT CALIFORNIANS face serious legal problems. There's the domestic violence survivor who is afraid to go to her minimum wage job without the protection of a restraining order. There's the slumlord's tenant who cannot get rid of the roaches and rats that threaten his children's health and safety. And there's the family struggling to care for an incapacitated grandparent whose medical care and daily needs have exhausted its energies and its savings. These are true stories, and there are many more like them. The people behind these stories desperately need legal help, and they will never be able to afford it on their own.

Pro bono service provides a key lifeline for some people, and legal volunteers serve a crucial role in our justice system. But there is another way to assist every indigent Californian in legal need, from Del Norte to El Centro, with a simple, sweeping gesture of immeasurable impact: contributing to the Justice Gap Fund.

The Justice Gap Fund supports critical services to those most in need, helping them to resolve their legal issues directly through self-help and community education, as well as through advice and counsel, courtroom representation, and even impact advocacy. These services enhance independence and stability for every person they touch, and they bring new vitality to depressed communities.

Across California, nearly 100 nonprofit legal aid organizations work tirelessly to help the disenfranchised, powerless, and poor. They participate in every aspect of the legal process, from intakes to appeals. Their wages do not begin to compete with the private sector, and they have about 8,000 potential clients for every attorney on the payroll, but the job does have one great compensation: The attorneys know they truly make a difference in their clients' lives. They are protecting families, livelihoods, and communities—as well as conserving judicial and social service resources that are stretched to the breaking point. Put plainly, legal aid saves money and lives.

Legal aid in California is largely supported by private contributions, government grants, and IOLTA (Interest on Lawyers' Trust Accounts) funding. Since 1982, the IOLTA program has leveraged the tiny bits of interest earned on small and short-term client trust deposits into millions of dollars of legal aid funding. In the last three years, however, interest rates on these accounts have dropped lower than we have ever seen them, greatly reducing the flow of funding. Despite the key efforts of "leadership banks" that voluntarily pay higher rates, this revenue has plummeted almost 70 percent since 2008.

At the same time, the economic crisis is putting unprecedented pressure on legal aid organizations. Requests for assistance have skyrocketed, while funding reductions have forced service providers to furlough or even lay off staff. These are conditions that just cannot be sustained. The resources are inadequate for the work that must be done. And that is where you come in.

The Justice Gap Fund was enacted to create a new way to enhance

funding for legal aid programs. It authorizes the State Bar to "facilitate the professional responsibilities of members by collecting...voluntary financial support for nonprofit organizations that provide free legal services to persons of limited means." Programs qualify for funding through detailed annual applications and on-site monitoring visits every three years that ensure that operations are efficient, services are effective, and priorities reflect community concerns. By piggybacking on the existing IOLTA infrastructure, every penny donated through the Justice Gap Fund goes directly to nonprofit legal aid organizations. The catch is, it only works if you contribute to it.

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reductions have forced service providers to furlough or lay off staff.

Sadly, that is where this great system has yet to reach its full potential. Due to the recession, last year only a small percentage of California attorneys donated to the Justice Gap Fund. We need your help to reverse this trend. The Justice Gap Fund allows us all to stand behind our justice system. Only through the engagement and participation of individual attorneys can the fund achieve its goal of improving access to justice throughout California.

California attorneys enjoy unrivaled resources and opportunities. The Justice Gap Fund is one opportunity that California's entire legal community can embrace and that brings resources to every one of our 58 counties. Skilled legal guidance is desperately needed to defend the rights and protect the health and well-being of the voiceless among us. Your contribution will advance the administration of justice while relieving the logjams clogging our courthouses.

We urge you to make a generous contribution to the Justice Gap Fund. Contributions can be made as an add-on to your annual State Bar dues by completing the appropriate line on the statement (either in hard copy or online). The new State Bar Web site is also equipped to accept online donations apart from the dues payment process, at <http://calbar.org/justicegapfund>. You may also send a check payable to the State Bar of California to the attention of the Justice Gap Fund at 180 Howard Street, San Francisco, California 94105. Staff are ready to answer your questions at (415) 538-2098. ■

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