

The Legal Aid/Private Bar Partnership: Producing Greater Access to Justice and Millions of Dollars in Benefits for Low-Income Virginians

by Mark D. Braley

Lawyers in Virginia are continually exhorted to devote more time to pro bono work for low-income clients and make increased charitable donations to their local legal aid programs. While one hopes the exhortations and the resulting contributions continue, Virginia lawyers need to know, and the public needs to be continually reminded, that the legal profession in Virginia is second to none in giving back its expertise, its valuable time and lots of money to benefit not only low-income legal clients, but our entire communities. There is no better, measurable example of this than the unique partnership between the private bar and publicly funded legal aid programs. This partnership has evolved over the past ten years into a highly structured effort that benefits thousands of low-income Virginians substantively and financially. A tangential, yet equally significant benefit of this partnership is the positive economic impact in our communities.

For several years now, data has been collected that substantiates all of the above. As part of a comprehensive plan to increase oversight and accountability, the Legal Services Corporation of Virginia (LSCV), the principal state funding vehicle for Virginia's legal aid programs, has required its grantees to submit detailed information about the outcomes achieved for clients and the contributions of pro bono lawyers to the achievement of those beneficial outcomes.

Last year, Virginia legal aid programs closed almost 32,000 cases that ultimately benefited more than 66,000 low-income citizens. The pro bono efforts of private lawyers were involved in more than 5,000 of those cases. Private attorneys participated in organized pro bono projects coordinated by LSCV-funded programs in partnership with The Virginia Bar Association, the Virginia State Bar, the

Virginia Trial Lawyers Association and local bar associations. As a result of this partnership, 34,041 people benefited from legal advice and counsel from staff and pro bono advocates, and more than 22,000 people benefited from extended legal representation.

For the 5,160 pro bono cases, private lawyers contributed 14,603 hours. When calculated at \$150 per hour, the private bar contribution to Virginia's legal aid program clients last year was about \$2.2 million.

From a purely economic perspective, the legal aid/private bar partnership produced millions of dollars in benefits for low-income Virginians and their broader communities. For example, last year, they won an estimated \$4.5 million in direct federal and other benefits for their clients, including child support payments, Social Security Disability benefits and unemployment compensation, benefits for which clients were legally eligible but denied. Together with the \$5.6 million in federal grant funds received by legal aid programs, the legal aid-private bar partnership injected more than \$10 million into local economies last year in the form of salaries, rent and goods and services purchased from local businesses.

Every dollar spent on legal services for low-income Virginians yields a return to society far exceeding the investment. Funding for legal aid promotes fairness and equality, helps families in crisis secure access to safety net programs, saves dollars for taxpayers and brings federally supported revenue into local communities, providing income and jobs for people. The return on investment is that much greater because of the enormous contributions of the private bar.

Every year, Virginia's legal aid programs receive direct dollar contributions in the

tens of thousands of dollars from private bar campaigns and bar association donations. The Virginia Bar Association has received national recognition for its partnership with legal aid programs in operating pro bono hotlines in the most heavily populated areas of Virginia benefiting thousands of people. Still, legal aid programs turn thousands of people away every year because they lack the resources to adequately serve them.

The commitment of Virginia's private bar to the health and welfare of our communities and legal system deserves the support and recognition of every citizen. But, until the resources are found to bridge the gap between the legal needs of low-income Virginians and the capacity to meet those needs, access to justice will remain an unfulfilled promise to our most vulnerable citizens. Without the tremendous contributions of time and money to legal aid programs made by organized bars, law firms and individual attorneys all over Virginia, that gap would be even larger, and there would be little hope of fulfilling the promise of equal justice. The entire legal aid community in Virginia is grateful for the bar's help and proud to tout its partnership with the private bar.

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Pro Bono Statistics

In FY 2000–2001, volunteer lawyers participating in LSCV-funded programs achieved the following results:

Number of cases completed.....5,160
Hours contributed.....14,603
Dollar value of services.....\$2.2 million

Outcomes:

Benefits Produced for Low Income People in Virginia by LSCV-Funded Legal Aid Programs in FY 2000-2001

1. Dollar Benefits Achieved for Clients*

*See breakdown by type of benefit, next page

a. Back awards—total:	\$3,865,096
b. Monthly payments going forward—total per month:	\$501,883
c. One-year total, back awards plus 36 months' payments:**	\$21,932,884

*See breakdown by type of benefit, next page

**Assumes average life of benefit stream = 3 years (36 months)

2. Major Non-Dollar Benefits Achieved for Clients

Benefits are listed below in decreasing order by number of people directly affected.

Category	Major Benefit Achieved	# of Cases	# People Directly Affected
A. Major Benefit Was Achievement of a Legal Objective			
Family	Obtained a divorce or annulment	1,059	2,545
Consumer	Obtained federal bankruptcy protection	528	1,473
Family	Obtained or maintained custody of children	496	1,418
Family	Obtained protection from domestic violence	405	890
Income Maintenance	Obtained, preserved or increased SSI benefit/right	363	772
Family	Obtained other benefit on a Family matter	260	616
Housing	Prevented eviction from other housing	207	599
Consumer	Stopped or reduced debt collection activity	287	598
Housing	Delayed eviction providing time to seek alternative housing	202	513
Consumer	Avoided or ended garnishment or levy	205	470
Income Maintenance	Obtained other benefit on an Income Maintenance matter	221	469
Housing	Avoided, or obtained redress for, illegal or unfair charges by landlord	188	429
Housing	Obtained other benefit on a Housing matter	164	411
Family	Obtained or preserved right to visitation	167	368
Employment	Obtained wages and/or back pay due	107	364
Family	Obtained, preserved or increased child support	134	353
Consumer	Obtained other benefit on a Consumer matter	137	317
Housing	Prevented eviction from public housing	108	278
Health	Obtained, preserved or increased Medicaid benefits/rights	124	243
Income Maintenance	Obtained, preserved or increased unemployment insurance benefits/rights	96	242
B. Major Benefit Was Access to Legal Information, Advice and/or Assistance From a Lawyer or Paralegal			
All Problem Areas	Received legal advice & counsel	16,228	34,041
All Problem Areas	Received non-litigation advocacy services	1,198	2,483
All Problem Areas	Received referral to another agency	2,860	6,772
All Problem Areas	Other, none of the above	4,936	9,350
Total, All Cases:		30,680	66,014

Additional graphics on the following page and available at www.vsb.org/publications/valayer/jj02

Dollar Benefits, Breakdown by Type of Benefit

	Back Awards a	Monthly Benefits b	36 Mos' Income Stream* c = 36 x b	Total Benefits d = a + c
a. Social Security/SSI	\$2,404,670	\$310,810	\$11,189,160	\$13,593,830
b. Other Public Benefits	40,323	6,738	242,568	282,891
c. Unemployment Comp	42,270	18,523	666,828	709,098
d. Family Law				
(1) Child Support	192,499	79,024	2,844,864	3,037,363
(2) Alimony	92,248	16,319	587,484	679,732
e. All "Other" Types of Cases	1,093,086	70,469	2,536,884	3,629,970
Total:	\$3,865,096	\$501,883	\$18,067,788	\$21,932,884

*Assumes average life of benefit stream is 3 years (36 months)

A: 2,545 Persons

Obtained a divorce or annulment

B: 1,473 Persons

Obtained federal bankruptcy protection

C: 1,418 Persons

Obtained or maintained custody of children

D: 890 Persons

Obtained protection from Domestic Violence

E: 59,688 Persons—Other Benefits

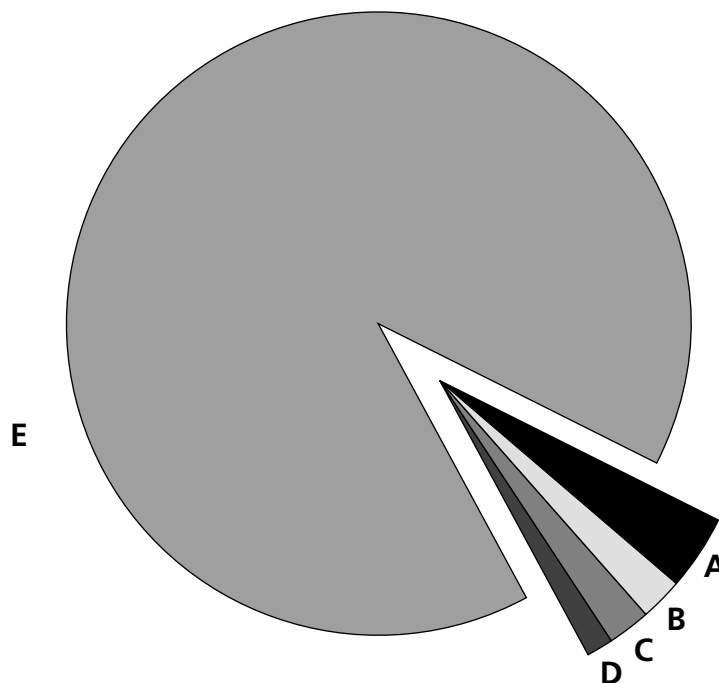
16,392 Extended representation benefits other than above, for example, Child Support

34,041 Advice & counsel on a legal matter

2,483 Non-litigation, legal advocacy services

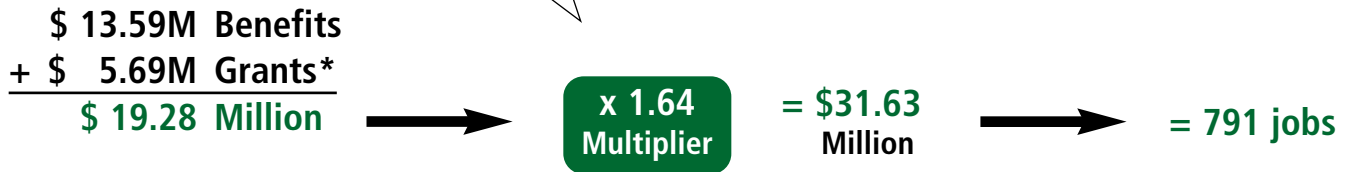
6,772 Referral to other sources of assistance

66,014 People Benefitted from Direct Representation in FY 2000–2001.



Economic Impact on Communities

Federally-supported benefits and grants brought into local communities by LSCV-funded programs provide income and jobs for working Virginians.



*\$5.69 million total includes \$5.09 million in Federal Legal Services Corporation (LSC) grants and \$605,000 in other Federal grants.

Leverage . . .

Every \$10,000 invested in LSCV-funded programs provides legal assistance benefitting 43 low income people and generating \$14,300 in direct dollar benefits to pay for such necessities as food, rent, heat, lights and health care.

