



Legal Aid Work Furthers American Ideals

WITH ALL THE CAREER OPTIONS available to lawyers, it is no surprise that I am occasionally asked why I chose to become an attorney representing poor people for free in civil cases for a nonprofit law firm. The longer answer involves the variety and quality of the cases, the independence, the satisfaction in always helping the underdog, and the fact that I really like the other people who are attracted to legal aid. My short answer, however, is that I chose this path because it fits with my personal political beliefs.

These beliefs are not of the left or right variety, although I certainly have those. Instead they are beliefs in American principles and our country's positive traditions of freedom and equality.

As a legal aid attorney, I have seen the best and worst of our American systems through the view of the most vulnerable in our society. I am happy and proud when these systems work toward our ideals, but there are many times when they have certainly fallen short of the truths that we hold to be "self-evident."

An easy example is the promise of "equal justice for all," which is as American as the Fourth of July.

"Establishing Justice" was the first thing our Founding Fathers listed to form a more perfect union in the preamble of the Constitution. Before ensuring domestic tranquility or providing for the common defense, they stated the new nation's primary responsibility was to create a system to ensure justice.

American justice is also invoked by school children every morning in the last lines of the pledge of allegiance when they describe our nation as one of "liberty and justice for all."

Despite these constant reminders, the concept of equal justice under the law is a far cry from reality in America today. For Americans who must face legal problems alone because they cannot afford the benefit of legal representation, justice is often denied.

As Bobby Kennedy said 54 years ago, for the poor, "Unasserted, unknown, or unavailable rights are no rights at all."

Studies across the country illustrate this by showing that those who are represented by an attorney are two to ten times more likely to obtain a favorable result as opposed to those who go into court alone. The takeaway is that a lawyer's representation is essential to having meaningful access to our justice system.

Being a legal aid lawyer or performing real pro bono work helps us move toward this American ideal. Despite this, study after study shows that in Virginia and around the country our efforts meet less than 20 percent of the need. There is only one legal aid lawyer for every 7,100 low income persons in Virginia compared with one lawyer for every 350 citizens across the Commonwealth.

I also find it shocking, when explaining this to friends, how many wrongly believe that it is their right to be provided with an attorney when they cannot afford one. It is a bitter surprise to learn that in America if a victim of domestic violence is seeking a protective order, or a veteran has his benefits withheld, or an employer fails to pay wages, or a family faces eviction from their home; there is no right to an attorney, unless you can afford one.

Not surprisingly, justice for all is not the only American ideal that fails low income people. A free and

fair marketplace, equal opportunities, protection of civil rights, limited government interference in people's lives, and equal protection and application under law are also applied unfairly. In many of legal aid's cases, these principles, and others, are at the heart of the remedy for our clients.

The Rev. Martin Luther King Jr. stated that America has a "schizophrenic personality, tragically divided against herself." But we are redeemed, he argued, by an American dream, which manages "to forever challenge us; to forever give us a sense of urgency; to forever stand in the midst of the 'is-ness' of our terrible injustices; to remind us of the 'ought-ness' of our noble capacity for justice and love and brotherhood." That even when we stumble, these ideals would bring "our nation back to those great wells of democracy which were dug deep by the founding fathers in their formulation of the Constitution and the Declaration of Independence."

It is an important mission to live up to our American ideals and I believe that we should honor those who take this mission seriously. I believe those in our military who fight for the liberty of strangers are noble. I believe those first responders who risk much to help others are heroic. I believe those who work against poverty and injustice in America are patriots — because patriotism does not require one to live in denial, only to live in hope. And that, I think, is a pretty good reason to come to work every day as well. To help, please visit: www.vsb.org/site/pro_bono

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