

An overlooked crisis: Not enough legal aid for the poor

By John Wester

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Each morning this week, I read a front-page Observer story relating how families in this region deal with poverty this Christmas season. As a lawyer, I see that a significant legal issue is often central. There was, for example, an account of the family forced to live in a motel room following foreclosure against their landlord.

If the Observer ran these stories every day, it would only begin to illustrate the plight of poor people. The need for legal assistance does not secure the same attention as homelessness and hunger; yet it can rise to the same level of crisis. The protection available to the poor in this context is virtually unknown beyond those on the front lines providing it.

Mold, eviction, legal help

A mother of four rented an apartment off West Boulevard. While she was at work, the sewer in the complex backed up, sending raw waste into her home. Her landlord eventually stopped the overflow but refused to fix the stench in the carpet and the mold that followed. The mold aggravated one child's asthma and ruined much of the family's furniture and clothing. The mother called the city housing inspector for help with the mold. The landlord retaliated with an eviction notice, and the mother sought help from Legal Aid of NC (LANC) in Charlotte.

A LANC attorney convinced the court to deny the eviction and to make the landlord compensate the family for their losses resulting from the mold. If this mother had not been defended by LANC, she would have been evicted and forced to seek refuge for herself and her children in our community's crowded homeless shelters.

We believe that our legal system is fair - equal justice under the law. But it is not fair when someone untrained in the law must go into court alone.

And the stakes are often so high. Will a mother secure the safety of a domestic violence protective order? Will an elderly citizen be denied a deserved government benefit? Can a family avoid foreclosure on their home? The answers to all of these questions - and many more - should not depend in America on whether those in need can afford an attorney.

Civil legal assistance to low-income people has been available here since 1967 but always with shoestring resources. Successful legal assistance can ensure that families can meet basic needs of food, shelter and safety.

Today this work is being done in Charlotte by 19 attorneys at LANC and Legal Services of Southern Piedmont (LSSP), one for every 15,000 people in our community eligible for their services.

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With this ratio, LANC and LSSP focus on people in legal emergencies like an emergency room addresses medical traumas. Their clients are all in crisis, with an imminent threat of violence, or loss of shelter or income, or in need of medical care. This legal assistance keeps people safe, and in their homes, with their families intact, and with medical care.

The mission of LANC and LSSP is "Access to Justice." The economic downturn has hit beyond the families that legal aid organizations serve - it has also struck a severe blow to the organizations themselves and the funding they must have to do their work.

On Nov. 15, Congress cut \$56 million from the federal Legal Services Corporation for 2012. This cut is as plain as it is severe: federal support specifically for the provision of legal services to low-income people will drop by 15 percent next year. In North Carolina, these cuts will directly reduce funding by about \$1.5 million.

The full picture is worse. Federal legal services funds for North Carolina were cut by \$700,000 this year. Our state legislature sliced 25 percent from legal aid budgets this year. These cuts forced LANC to shut down four offices across the state and eliminate 30 staff positions. The 2012 cuts will likely cause more reductions in staff and services next year.

Lawyers donating counsel

To offset these reductions and minimize their impact on low-income clients, lawyers are stepping forward to donate both money and time as volunteer counsel. For 22 years, lawyers in Mecklenburg County have contributed to continue this critical work through the Access to Justice Campaign.

More than ever, this year's Access to Justice Campaign is vital to replace core financial resources for legal aid. Even with the significant increase in gifts that we ask lawyers to provide, we cannot begin to catch up with funding cuts for legal services. So I ask you here, please, to consider making a tax-deductible gift to Access to Justice online at www.lssp.org, or by mail to 1431 Elizabeth Avenue, Charlotte 28204.

No one needs to be an attorney to recognize the crisis at hand and to understand the value of legal assistance to our community. The lawyers of LANC and LSSP do heroic work for those who need it most, but they cannot do it without our support. Please give if you can.

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