

# And Then There Were Five

by George C. Brown,  
executive director

With Governor Doyle's signing of the 2007-09 state budget bill, Wisconsin joins 44 other states that provide state funding for direct legal services for low-income people.

UNTIL GOVERNOR JIM DOYLE signed the state budget bill on Oct. 26, 2007, Wisconsin was a member of an elite group of six states that provided no state funding for direct civil legal services for low-income people. None. Zero. Zilch.

Until then, most funding for direct civil legal services for low-income people in Wisconsin was provided by the federal government, primarily through the Legal Services Corporation (LSC), and by various federal and private grants. The state has provided funding for organizations that provide information to the public about certain public benefits, like Medicare, but not for direct legal services. Banks have provided money through the Interest on Lawyers Trust Accounts (IOLTA) program, and lawyers themselves provided funding through the \$50 Wisconsin Supreme Court assessment and through donations to foundations such as the Equal Justice Fund, the United Way, Community Shares and others. The vast majority of civil legal services to poor people, however, has been provided by individual lawyers donating their time through pro bono civil legal services.


Under the budget bill, Wisconsin will provide \$1 million for direct civil legal services for poor people beginning July 1, 2008, the date on which the second half of the biennial budget cycle begins. This \$1 million falls far short of the money needed to meet the unmet civil legal needs in Wisconsin, but it is a significant step in beginning to close the justice gap that was identified in the State Bar's recently released study, "Bridging the Justice Gap: Wisconsin's Unmet Legal Needs."

This study, released in March 2007 and endorsed by the State Bar Board of Governors at its May 2007 meeting, was developed by a committee appointed

by then-president Mike Guerin and chaired by Milwaukee County Circuit Court Judge Rick Sankovitz. The study received a great deal of attention in the Wisconsin Legislature and the governor's office and made a major contribution to retention of the \$1 million in the budget during the tumultuous nine-month legislative battle over the budget.

Governor Doyle included the \$1 million for civil legal services to low-income people in his original budget proposal back in January. Through the efforts of the State Bar and a coalition of legal service providers including Legal Action of Wisconsin, the Legal Aid Society, and Disability Rights Wisconsin, the \$1 million received bipartisan approval in the Legislature's Joint Finance Committee. At one point during debate, Sen. Lena Taylor (D-Milwaukee) held up the "Bridging the Justice Gap" report as evidence of the need in Wisconsin. Several weeks before that debate, State Bar president Tom Basting and Judge Sankovitz met with Department of Administration Secretary Mike Morgan

about the findings of the report to provide further support for the administration's position. The \$1 million stayed in the compromise bill that received final approval by the Legislature and was signed into law by the governor this fall.

Even though \$1 million may seem like a lot, it pales in comparison to Minnesota's \$13.3 million, Illinois' \$3.5 million, and Iowa's \$2 million. But it is a big first step. And so a big thank you is due to the many organizations and individual lawyers who worked to get legislative support and to the state legislators of both parties who supported this provision when they voted for the state budget. And finally, a huge thank you is due to Governor Doyle for his leadership on this important step in closing the justice gap. 



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