

LAWYERS JOURNAL

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Chief Justice welcomes recommendation for legal aid funding

by Art Heinz

Chief Justice of Pennsylvania Ronald D. Castille praised the PA Legal Aid Network for the positive performance audit received from the Legislative Budget and Finance Committee yesterday on its oversight of Access to Justice funds. He also strongly agreed with the audit's finding that the funding sources for legal aid for the state's most vulnerable citizens, those who don't have the financial means to access the courts, should be made permanent.

"The Pennsylvania Legal Aid Network provides legal assistance and access to the courts for Pennsylvanians whose family income is less than 125 percent of poverty level, those who don't have the financial means to access the courts in these difficult economic times, but for whom that access is now more critical than ever," Chief Justice Castille said. "Even with the assistance of Legal Aid, approximately 50 percent of eligible Pennsylvanians seeking services are turned away due to resource constraints."

Pennsylvania Legal Aid Network, Inc. Board President Gerald A. McHugh, Esq. commented, "We are truly gratified that the performance audit confirms the superior quality and high level of legal services provided to clients across the Commonwealth. The audit's findings are indeed a tribute to the important work undertaken by

the attorneys and other dedicated professionals of the local legal aid programs working to ensure equal access to justice for those who have nowhere else to turn."

In 2002, the legislature passed the Access to Justice Act imposing a \$10 fee on filings in state courts with \$2 of that fee dedicated to direct funding of civil legal service organizations. That law is scheduled to expire in November 2012 unless reauthorized by the General Assembly.

Another temporary surcharge of \$1 on filing fees that goes to fund legal services is slated to expire in January 2012. The LBFC report recommends the General Assembly consider making both fees a permanent source of funds for the legal aid program.

Chief Justice Castille has been urging that the legislature and governor continue funding of these services in budget hearings and meetings over the past year.

Approximately 24 percent of the federal and state funds received by the legal services program are from the Access to Justice fund and have averaged more than \$8 million a year.

The Access to Justice Act filing fees are collected by county row officers and court officials. Each year the fees are awarded through a grants process to the Pennsylvania Legal Aid Network, Inc. under the stewardship of the Pennsylvania Interest on Lawyers Trust Account (IOLTA) Board, an

organization operating under the jurisdiction of the Supreme Court of Pennsylvania.

"This performance audit is a terrific report card; it documents what we as members of the IOLTA Board know and see each day," said IOLTA Board Chair William T. Hanglely, Esq. "The well-managed legal aid programs funded by the IOLTA Board provide high quality, meaningful legal assistance in an efficient manner and are worthy of additional investment by the General Assembly.

"We applauded the leadership and staff of the legal aid programs for their tireless efforts, and congratulate them on a job well done. We thank the legislature, governor, and the Supreme Court for making our critically important work possible."

The LBFC report found that Legal Services programs are important to low-income residents; that they are effective with client satisfaction rates of 80-100 percent; and that they are well monitored, with few problems with the collection and use of the funds.

"This audit provides ample evidence of the success and value of funding legal services through the Access to Justice Act. In addition to addressing overall court funding issues, I encourage the legislature to make these filing fees a permanent, stable funding stream for legal aid," Chief Justice Castille said. ■