Action Plan for Justice

SUMMARY EDITION

A Report of
The California Commission on Access to Justice

April 2007
California Commission on Access to Justice

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This Action Plan was developed at the request of Assembly Judiciary Committee Chair Dave Jones, and includes information and recommendations intended to assist all key institutions with responsibilities for ensuring a just and equitable judicial system in California – the Judicial Council, the Supreme Court, the State Bar, the Legislature itself, and other key statewide entities.

There were many organizations actively involved in the compilation of this Action Plan. The final product is a result of a significant statewide collaborative effort involving the Legal Aid Association of California (LAAC), the Public Interest Clearinghouse, the Judicial Council’s Task Force on Self-Represented Litigants, the State Bar’s Standing Committee on the Delivery of Legal Services (SCDLS) and the State Bar’s Legal Services Trust Fund Commission, as well as participants at the annual Legal Services Stakeholders Conference, held at the Administrative Office of the Courts in May of 2006.

To these institutions and individuals, we owe a tremendous debt of gratitude.
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<td>Roster of Action Plan Working Group and Advisory Panel Members (2)</td>
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</table>
Miguel is a single father of three and a CalWORKS recipient. At a legal aid outreach session held at the shelter where Miguel and his family were staying, Miguel learned that as a welfare-to-work participant he was eligible for supportive services such as child care, transportation, reimbursement for school books, and access to information in his primary language, Spanish. Armed with this information, Miguel decided to enroll in school part-time to become an electrician. When his Employment Specialist refused to grant him the child care hours necessary for him to attend class, he contacted legal aid. The advocate was able to convince the Employment Specialist to give Miguel the supportive services he needed, including child care, transportation, vouchers and food stamps. Today, Miguel has graduated from school, works as a contractor, and lives with his three children in their own apartment.
### Chart of Recommendations

**A. Funding/Additional Resources**

<table>
<thead>
<tr>
<th></th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>1.</td>
<td>Increase state funding for legal services through the Equal Access Fund.</td>
</tr>
<tr>
<td>2.</td>
<td>Pursue comparability proposals to increase the yield on IOLTA Accounts.</td>
</tr>
<tr>
<td>3.</td>
<td>Fund local pilot projects to provide a continuum of service, including full representation, for high priority needs.</td>
</tr>
<tr>
<td>4.</td>
<td>Continue efforts to seek sufficient state funding to implement the loan repayment assistance programs (LRAP) for public interest attorneys.</td>
</tr>
<tr>
<td>5.</td>
<td>Pursue strategies to create formal structure to use Cy Pres funds to support legal services statewide.</td>
</tr>
<tr>
<td>6.</td>
<td>Promote statewide funding for the delivery of legal services to seniors, including consideration of the recommendations of the AB 830 Task Force.</td>
</tr>
<tr>
<td>7.</td>
<td>Pursue increase in financial contributions by attorneys to legal aid programs and facilitate the collection and dissemination of those funds as appropriate.</td>
</tr>
</tbody>
</table>

**B. Pro Bono**

<table>
<thead>
<tr>
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<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.</td>
<td>Increase statewide support for local and regional efforts to encourage more pro bono.</td>
</tr>
<tr>
<td>9.</td>
<td>Develop ongoing judicial support for pro bono.</td>
</tr>
<tr>
<td>10.</td>
<td>The Supreme Court, the State Bar and local bar associations should pursue the goals of ABA Model Rule 6.1 that strongly encourage attorneys to engage in pro bono work as well as to contribute to legal services programs.</td>
</tr>
<tr>
<td>11.</td>
<td>Adopt ABA Model Rule 6.5 to facilitate attorney participation in advice and counsel clinics.</td>
</tr>
</tbody>
</table>

**C. Improving Delivery of Legal Services to the Poor**

**Improving Delivery of Legal Services to the Poor – Rural issues**

<table>
<thead>
<tr>
<th></th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.</td>
<td>Establish minimum access guidelines to be used as baseline for funding considerations.</td>
</tr>
<tr>
<td>13.</td>
<td>Prioritize funding of the loan repayment assistance and scholarship programs to expand the number of lawyers in rural areas.</td>
</tr>
</tbody>
</table>

**Improving Delivery of Legal Services to the Poor – Fraudulent legal aid**

<table>
<thead>
<tr>
<th></th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.</td>
<td>Consider legislation to regulate the use of the term “Legal Aid.”</td>
</tr>
</tbody>
</table>
Improving Delivery of Legal Services to the Poor – Technology

15. Strengthen the statewide technology infrastructure to facilitate broader and more effective development of new delivery mechanisms.

16. Ensure that LawHelpCalifornia.org and other websites are treated as a core component of the state’s legal services delivery system.

17. Support the expansion of the use of hotlines as an effective way to route client calls to the appropriate local legal services provider.

D. Self-Represented Litigants

18. Ensure staffed self-help centers are available in every county.

19. Pursue stable and adequate funding for self-help services.

20. Pursue strategies to remove unnecessary barriers to access for self-represented litigants.

E. Language Access

21. Guarantee qualified interpreter services in civil proceedings.

22. Develop policies and procedures to improve language access.

23. Reevaluate the system for recruitment, training, compensation and certification of court interpreters.

24. Evaluate the role of lawyers, bar associations, legal services programs, law schools and law libraries.

F. Modest Means

25. Evaluate and develop best practices for innovative delivery methods such as sliding fees and co-pays.

26. Expand and support programs and services designed to encourage and assist private lawyers to serve modest means clients.

27. Support organizations directly providing services to modest means individuals.
To maintain the strength of our state and our nation, we must ensure that we have a court system with integrity – one that is fair and objective, that hears and resolves disputes in a timely fashion, that is open and truly accessible to all, and finally that is worthy of the respect and confidence of the public we strive to serve.

Hon. Ronald M. George, Chief Justice, California Supreme Court
No principle is more essential to a well-functioning democratic society than equal access to justice. True access to justice ensures the long-term preservation of our core constitutional and common law values and fosters respect for the rule of law by all segments of society. Yet universal access remains an alluring and elusive goal rather than a contemporary reality. While the law increasingly permeates every aspect of our lives, not all members of society yet enjoy full access to the institutions in which the law is administered, interpreted, applied and enforced. This Action Plan is designed to help make that access a reality: to advance incrementally from a sound, principled but sometimes remote system of justice to a better one – more accessible, more effective and, ultimately, more just.

This Action Plan was developed by the California Commission on Access to Justice at the request of Assembymember Dave Jones, Chair of the Assembly Judiciary Committee. It contains recommendations for each of the institutions with a key role in ensuring an effective and equitable legal system – the legislature, the courts, the State Bar, the Legal Aid Association of California, law schools, and the Access to Justice Commission itself.

In the last decade, the Access to Justice Commission has successfully partnered with the Judicial Council, under the visionary leadership of California Chief Justice Ronald M. George, as well as with the State Bar, the legal services community, concerned policymakers, self-help centers, law libraries and myriad other legal, judicial, and public entities in a unified effort to achieve equal justice. This collaboration has been central to the many successes described in the report, and has resulted in the development of California’s strong infrastructure underlying the delivery of legal services.

While some recommendations in this report can be implemented immediately others are longer-term and will take extensive coordination between key stakeholders and a significant commitment to make them a reality. Given the number and scope of the recommendations, the Access Commission recognizes the need to establish priorities for their development and implementation.
These Recommendations address all components of the legal services delivery system as well as relevant components of the justice system, guided by a set of Core Principles that are described in Part I. These Core Principles lay the foundation for the recommendations that follow in Part II, which are designed as part of a comprehensive plan that addresses all major barriers to access to justice.

Central to those principles is establishing and maintaining in each of our communities a full continuum of civil legal services that takes into account cultural and linguistic as well as economic factors. These include:

- legal education and prevention;
- brief advice and assistance, and self-help services;
- legal representation where needed, both to defend and assert legal rights;
- administrative, legislative and policy advocacy;
- community economic development; and
- representation of community organizations to enable them to fulfill their potential.

A great deal of progress has been made in the last several years to enhance equal access to justice for the poor, disadvantaged or otherwise marginalized members of our society, but much remains to be done to provide true access to justice in California.

**California’s legal needs**

California has by far the largest low-income population of any state. Since 1980, California’s population has increased 40 percent while the number of Californians in poverty has increased by 60 percent.

Poverty affects vulnerable populations and women disproportionately. One of every five children in our state is poor. An even higher percentage of children live in poverty in Latino and African American communities. Poverty has also increasingly become a reality for working families, with 26 percent of California workers earning poverty-level wages.

Similarly, for those Californians living just above the poverty line even basic needs are beyond their reach. In 2000, approximately 7.5 million Californians had incomes higher than the maximum eligibility limit for federally funded legal aid and yet their incomes were lower than the state’s median income.

Growing income inequalities, the failure of wages to keep up with inflation, the escalating cost of housing, and the widening income divide between the rich and poor, keeps many basic necessities beyond the reach of many in our state, even the middle class. The result is that the majority of Californians do not have the resources to obtain legal representation for the myriad legal problems affecting them every year, such as divorce, child support, child custody, domestic violence, loss of housing and employment, and discrimination.

In addition to economic barriers, other, less obvious, factors hinder access to the courts – cultural and linguistic impediments, lack of education, unfamiliarity with the court system, distrust of authority and feelings of social alienation. While the lack of access to justice is not discrete from other socio-economic problems faced by these populations, it often compounds other difficulties and increases the
sense of isolation and disempowerment. Effectively overcoming these barriers, together with addressing other structural and economic obstacles, requires a multi-faceted approach that employs a range of legal, support, education, advocacy and outreach services.

The Justice Gap
As explained in the Commission on Access to Justice’s 2002 study “The Path to Equal Justice,” there continues to be a substantial “justice gap” between the total funding needed to truly meet the legal needs of California’s poor and the total amount of resources available for civil legal services. The gap was estimated in that report as being $384.4 million as of 2000 (or $434.4 million in 2005 dollars) with the California delivery system able to address approximately 28 percent of the legal needs of the poor.

As of 2005, with resources increased to $198,005,509, the updated “justice gap” figure is $394.1 million – the gap between total resources available and what it would take to truly meet the legal needs of California’s low-income community.

While California has made some important gains in terms of overall resources, legal aid programs are still not able to provide even a minimal level of legal advice and assistance for 67 percent of the legal needs of California’s poor. Even for the one third of the legal need that is being addressed, it is often through brief services and advice, rather than with the full representation that low-income Californians often need and deserve.

The Continuum of Services
Communities must have a continuum of services – a comprehensive, integrated system for the provision of legal services. The components of this continuum currently include:

- **Legal Representation and Related Services.** Legal services advocates and pro bono attorneys provide legal representation across the state to thousands of families facing critical legal problems. They also serve low-income clients by providing legislative advocacy, pursuing impact litigation, and conducting extensive community education.

- **Self-Help Centers.** Court-based self-help centers assist over half a million self-represented litigants navigate the court system, help the courts be more effective, and provide referrals to litigants for legal representation where appropriate.

- **Limited-Scope Legal Assistance.** The availability of limited-scope legal assistance has allowed many low and moderate-income people to access the courts by allowing individuals to have legal representation in crucial parts of their case.

- **Court/Legal Services Collaborations.** Collaborations and partnerships between courts and local legal services programs, bar associations and county law libraries have allowed for the expansion of self-help assistance.

- **County Law Libraries.** County law libraries are often the only access point to legal information resources for people whose needs may not fall within eligibility requirements for legal services and self-help centers, or who are unable to obtain representation.
Overview of Core Principles

These Core Principles provide a useful framework to examine the current state of California’s legal services delivery system and lay the foundation for recommendations to propose a comprehensive plan to address all aspects of the continuum of delivery of services.

[These Principles are based on California’s Vision and “Core Principles for Development of a Comprehensive Integrated System for the Provision of Legal Services” (“Core Principles”) developed by the Legal Services Coordinating Committee in 2001, together with the “Principles of a State System for the Delivery of Civil Legal Aid” (“ABA Principles”), adopted by the ABA in August 2006.]

**Principle A. Provide Meaningful Access to Justice for Low Income and Vulnerable Populations.**

Access to justice is a fundamental right, and achieving true access includes the provision of legal services to the low-income and vulnerable populations in the state. While California has seen a number of successful innovations in the delivery of legal services, the funding of legal services for the poor in the state has remained woefully inadequate, and California lags far behind other states in funding legal services programs. Access is not meaningful when there remain such inadequate resources to meet the need.

**Principle B. Provide a Continuum of Services in all Forums.**

A continuum of services is required to develop a comprehensive, integrated system for the provision of legal services. The components of the continuum include: legal representation and related services, self-help centers, the effective use of technology, limited-scope legal assistance, court and legal services collaborations, and county law libraries. Although these components have been strengthened and expanded in the last 10 years, much work remains to be done, especially in the critical area of legal representation.

**Principle C. Establish Innovative and Responsive Delivery Systems, Cultivating the Leaders of Tomorrow.**

Innovative delivery systems must be developed in response to the needs of the client community and informed by the particular needs of underserved clients, in a manner that is effective and cost efficient, while designed to be evaluated and replicated where appropriate. Any responsive delivery system must take into account the diversity of the clients served; legal services attorneys and program leadership should reflect this diversity.

**Principle D. Ensure Stable and Adequate Resources.**

All parts of the legal services delivery system must receive adequate funding to provide meaningful access for people without the financial resources to afford legal help.
Principle E. Provide Fully Accessible Services throughout the State.
A legal services delivery system should make legal services fully accessible and uniformly available throughout the state, particularly in rural areas, to limited-English speakers, and to other particularly vulnerable groups.

Principle F. Conduct Client-Centered Planning.
Legal aid programs engage in significant efforts to reach out to their clients to obtain their input in setting priorities for their provision of services. The judicial branch has similarly focused on the needs of court users by commissioning, in 2005, the report “Trust and Confidence in the California Courts: A Survey of the Public and Attorneys.”

Principle G. Establish Expansive Partnerships to Ensure Leadership and Increase Resources.
The system of delivery of legal services should be composed of partnerships between legal aid providers, community-based organizations, the judiciary and the courts, the private sector, all branches of government, and other stakeholders. Over the past nine years, the Access Commission, the Judicial Council, the State Bar, the legal services community, policymakers, self-help centers, law libraries and other key allies have partnered successfully to help create a strong infrastructure to support and coordinate the delivery of legal services in California.

Principle H. Coordinate Local, Regional, and Statewide Planning and Evaluate Components of the Delivery System.
The delivery system should engage in coordination of regional and statewide planning, and include the oversight and evaluation of all of the components of the system for the delivery of legal services.

At root, equal justice is simply the notion that law and the courts should be fair, even if life isn’t.

*Hon. Earl Johnson, Jr., Associate Justice, California Court of Appeal, Second Appellate District; Speech at Opening Ceremony, National Equal Justice Library, quoted in 17 Saint Louis University Law Review 265 (1998).*
Recommendations: Action Plan for Justice

These recommendations are divided into a number of areas where challenges must be faced and overcome to provide effective access to justice.

Legal Services Funding and Additional Resources
[Recommendations 1 through 7]
To come closer to our goal of providing stable, adequate funding, uniformly available throughout the state we need to: increase state funding for legal services through the Equal Access Fund; pursue comparability proposals to increase the yield on IOLTA accounts; fund local pilot projects to provide a continuum of service, including full representation for high priority legal needs; continue efforts to provide sufficient funding to implement the Loan Repayment Assistance Program for public interest attorneys; and pursue increased financial contributions by attorneys to legal aid programs.

Increasing and Supporting Pro Bono
[Recommendations 8 through 11]
To increase the depth and breadth of pro bono involvement, we should: increase statewide support for local and regional efforts to encourage more pro bono; develop ongoing judicial support for pro bono; establish the principles of ABA Model Rule 6.1 to encourage attorneys to do pro bono work; and adopt ABA Model Rule 6.5 to facilitate attorney participation in advice and counsel clinics.

Increasing Resources in Rural Areas
[Recommendations 12 and 13]
Although no area of the state has enough resources to fully serve all who need legal services, rural communities are particularly stretched for resources. To increase resources in rural areas we should: establish minimum access guidelines to be used as a baseline for funding considerations and prioritize funding of loan repayment assistance programs to encourage lawyers to practice in rural areas.

Preventing Fraud by Organizations Claiming to be “Legal Aid”
[Recommendation 14]
Too many unscrupulous people use a name containing the term “legal aid” to mislead consumers and commit fraud on our state’s most vulnerable populations. To curb these abuses, the legislature should regulate use of the term “legal aid” in a manner similar to the regulation of the terms “paralegal” and “immigration consultant.”

Technology
[Recommendations 15 through 17]
To ensure that sufficient resources are allocated to the application of technology to the delivery of legal services, we should: strengthen the statewide technology infrastructure to facilitate broader and more effective development of new delivery mechanisms; ensure that existing websites such as LawHelpCalifornia are treated as a core component of the state’s legal delivery system; and design and implement a statewide hotline to route client calls to the appropriate legal services providers.
Assistance for Self-Represented Litigants  
[Recommendations 18 through 20]

Self-help services are a key component of the continuum of legal services, and as such, we should prioritize: stable and adequate funding for self-help services, staffed self-help centers available in every county, and the pursuit of strategies for removing unnecessary barriers to access for self-represented litigants.

Expanding Language Access  
[Recommendations 21 through 24]

Barriers to access to justice associated with language difficulties pose a significant threat to the judicial system. With 20 percent of California’s population unable to speak English at the minimum level necessary for meaningful participation in a judicial proceeding, we should: guarantee the right to qualified interpreter services in civil proceedings; develop policies and procedures to improve language access; reevaluate the system for recruitment, training, compensation and certification of court interpreters; and evaluate the role of lawyers, bar associations, legal services programs, law schools and law libraries.

Improving Services to Modest-Means Clients  
[Recommendations 25 through 27]

Modest-means Californians are often unable to meaningfully access our justice system, finding legal representation to be out of their financial reach while being ineligible for assistance from existing legal service providers. To provide true access to justice, our delivery system should develop, evaluate and expand best practices for innovative delivery methods: sliding fees and co-pays; programs and services designed to assist private lawyers to serve modest-means clients, including expansion of limited scope legal assistance; and support organizations directly providing services to modest-means individuals.

Conclusion to Executive Summary

California is a national leader in innovative approaches to providing access to justice to its residents. Over the last 10 years, much has been accomplished by our legal services community. This progress is due, in great part, to the collaborative efforts of legal aid providers, local courts, the Judicial Council, the State Bar, the Access Commission, county law libraries, and many others.

However, the growth in the number of poor Californians and the decrease in the availability of basic civil legal services make the promise of equal access to justice an illusory one for far too many. Implementation of the important recommendations in this Action Plan will move California toward its mandate: achieving true access to justice for all Californians.
Addressing the justice gap is not a partisan issue. It is the promise of our Pledge of Allegiance that we are a nation of “liberty and justice for all.”

Assembly Member Dave Jones
“After the Applause, Action Needed to Close the Justice Gap in California”
California Progress Report, March 8, 2007
Tables and Charts

CHART 1
Comparison of California with Other States Civil Legal Services for the Poor Government Spending per Eligible Poor Person - FY 2005

<table>
<thead>
<tr>
<th>State</th>
<th>Govt. Spending</th>
</tr>
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<tbody>
<tr>
<td>New Jersey</td>
<td>$57.00</td>
</tr>
<tr>
<td>Minnesota</td>
<td>$43.15</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>$39.64</td>
</tr>
<tr>
<td>Connecticut</td>
<td>$38.98</td>
</tr>
<tr>
<td>Maryland</td>
<td>$35.86</td>
</tr>
<tr>
<td>Washington</td>
<td>$26.53</td>
</tr>
<tr>
<td>New York</td>
<td>$23.53</td>
</tr>
<tr>
<td>Ohio</td>
<td>$23.30</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>$20.14</td>
</tr>
<tr>
<td>California</td>
<td>$16.25</td>
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</tbody>
</table>

CHART 2
Number of Legal Aid Attorneys Compared with Total Active Attorney Population

<table>
<thead>
<tr>
<th>Total Number of Attorneys in CA</th>
<th>Total Legal Aid Attorneys in CA</th>
</tr>
</thead>
<tbody>
<tr>
<td>165,381</td>
<td>754</td>
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TABLE 3
Number of Eligible Clients Per Legal Aid Lawyer in 2005

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<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Number of Californians below 125% of Poverty</td>
<td>6,304,000</td>
</tr>
<tr>
<td>Number of Legal Aid Lawyers</td>
<td>754</td>
</tr>
<tr>
<td>Number of Eligible Clients per Legal Aid Lawyer</td>
<td>8,361</td>
</tr>
</tbody>
</table>
TABLE 5
Decrease in Core Legal Services Funding 1993 to 2005 [adjusted for inflation]

“Core Legal Services Funding” represents the basic, ongoing funding programs can rely on to pursue their core mission.

“Core Funding” includes: Legal Services Corporation (LSC), Interest on Lawyer Trust Accounts (IOLTA) and Equal Access Fund (EAF).

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Core Legal Services Funding Available (not adjusted for inflation)</th>
<th>Equivalent Amount in 2005 dollars</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>$53.8 million</td>
<td>$70.7 million</td>
</tr>
<tr>
<td>2005</td>
<td>$60.9 million</td>
<td>$60.9 million</td>
</tr>
<tr>
<td></td>
<td>Drop in Core Legal Services Funding from 1993 to 2005 (adjusted for inflation)</td>
<td>$9.8 million</td>
</tr>
</tbody>
</table>
TABLE 6
Decrease in IOLTA Funding 1993 to 2005

<table>
<thead>
<tr>
<th>In Millions</th>
<th>1993*</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>$25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td></td>
<td></td>
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<tr>
<td>10</td>
<td></td>
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<tr>
<td>5</td>
<td></td>
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<tr>
<td>0</td>
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</tbody>
</table>

59% Drop in IOLTA Funding

IOLTA Funding in 1993 ($18.9 million) adjusted for inflation as of 2005: $24.8 million
IOLTA Funding in 2005: $10.2 million
Drop in IOLTA Funding – 1993 to 2005 in real dollars: $14.6 million

In 2005 dollars.

TABLE 7
Total Revenue of Recipients of Legal Services Trust Fund Program from 1993 to 2005

<table>
<thead>
<tr>
<th></th>
<th>1993</th>
<th>1993 in 2005 dollars</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$100,900,000</td>
<td>$132,664,705</td>
<td>$198,005,509</td>
</tr>
</tbody>
</table>

1^And Justice For All
2^Legal Services Trust Fund Program, State Bar of California

CHART 8
Funding for Legal Services in California (2005)

Result: Justice Gap of $394 million

$198,000,000 Funding for Civil Legal Services
$592,000,000 Total Needed to fill the Justice Gap

CHART 9  2005 California “Unable to Serve” Data For LSC Programs

Total Funding for legal services
1996: $101,198,207
2000: $148,131,248

<table>
<thead>
<tr>
<th>Types of Legal Problem</th>
<th>Unable to Serve</th>
<th>Provided Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consumer Education</td>
<td>60000</td>
<td>50000</td>
</tr>
<tr>
<td>Employment</td>
<td>40000</td>
<td>30000</td>
</tr>
<tr>
<td>Family</td>
<td>20000</td>
<td>10000</td>
</tr>
<tr>
<td>Juvenile</td>
<td>50000</td>
<td>30000</td>
</tr>
<tr>
<td>Health</td>
<td>40000</td>
<td>30000</td>
</tr>
<tr>
<td>Housing</td>
<td>30000</td>
<td>20000</td>
</tr>
<tr>
<td>Income</td>
<td>20000</td>
<td>10000</td>
</tr>
<tr>
<td>Individual Rights</td>
<td>10000</td>
<td>5000</td>
</tr>
<tr>
<td>Other</td>
<td>5000</td>
<td>2500</td>
</tr>
</tbody>
</table>

Number of People Served in 2005
### TABLE 10

**Loan Repayment Assistance Programs**

Law students now graduate with unprecedented levels of educational debt, while legal aid attorney salaries have not kept pace with rising law school tuitions or the salaries of other public interest or private sector attorney positions.

**Law School Tuitions from 1985-2005** (not adjusted for inflation)

<table>
<thead>
<tr>
<th></th>
<th>1985</th>
<th>2005</th>
<th>Percentage Increase from 1985 - 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Median Private Law School</strong></td>
<td>$7,385</td>
<td>$28,670</td>
<td>288%</td>
</tr>
<tr>
<td><strong>Median Public Law School Tuition for Residents</strong></td>
<td>$1,792</td>
<td>$12,107</td>
<td>576%</td>
</tr>
<tr>
<td><strong>Median Public Law School Tuition for Non-residents</strong></td>
<td>$4,876</td>
<td>$23,506</td>
<td>382%</td>
</tr>
</tbody>
</table>

According to a recent National Legal Aid and Defender Association (NLADA) survey of legal aid attorneys under 35 years of age, nearly 90% graduated from law school with educational debt; of these, 46% graduated with at least $90,000 of educational debt and a startling 22% with over $120,000.

The NLADA survey also found that over half of the California respondents plan to leave their current legal services position within three years, and one third plan to leave within a year or less. 60% of the respondents cited “increase salary” and/or “loan repayment assistance” as the primary change that would cause them to stay for a long time.

**Median Legal Salary Comparisons by Years Employed**

<table>
<thead>
<tr>
<th>Years of Experience</th>
<th>Median Salary</th>
<th>Median Salary</th>
<th>Median Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>West Region Civil Legal Services</td>
<td>West Region Public Defenders</td>
<td>Private Firm Nationwide</td>
</tr>
<tr>
<td>1 year or less</td>
<td>$36,000</td>
<td>$52,510</td>
<td>$100,000</td>
</tr>
<tr>
<td>3 years</td>
<td>$43,400</td>
<td>$70,907</td>
<td>$110,000</td>
</tr>
<tr>
<td>5 years</td>
<td>$46,378</td>
<td>$75,186</td>
<td>$122,500</td>
</tr>
<tr>
<td>8-10 years</td>
<td>$50,000</td>
<td>$80,860</td>
<td>$145,000^i</td>
</tr>
</tbody>
</table>

1Based on data collected by the American Bar Association Section of Legal Education and Admissions to the Bar in its Annual Questionnaire to American Law Schools, 1985 and 2005.


3id.


5This figure represents the median salary for 8 years of experience only.
APPENDIX 1

California Commission on Access to Justice, 2007

Hon. Steven K. Austin
Co-Chair
Contra Costa Superior Court
Martinez

Kathryn Epprüfert
Co-Chair
Andre Morris & Buttery
San Luis Obispo

Tony L. Richardson
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Ramon Alvarez
Alvarez Lincoln/Mercury
Riverside

Kenneth W. Babcock
Public Law Center
Santa Ana

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San Francisco Law Library
San Francisco

Joseph L. Chairez
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Costa Mesa

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Law Office of Robin Crawford
Pacifica

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Law Offices of Douglas W. Otto
Long Beach

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Court of Appeal,
Third Appellate District
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Rose Klein & Marias
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Eric Wayne Wright
Santa Clara University
School of Law
Santa Clara

Karen Lash
Equal Justice Works
Washington, D.C.

Hon. Jan Greenberg Levine
Juvenile – Dependency Court
Monterey Park

Jack W. Londen
Morrison & Foerster LLP
San Francisco

James Meeker
School of Social Ecology,
University of California, Irvine
Irvine

James Preis
Mental Health Advocacy Service
Los Angeles

Geoffrey L. Robinson
Bingham McCutchen
Walnut Creek

Toby J. Rothschild
Legal Aid Foundation of Los Angeles
Long Beach

Harvey I. Saferstein
Mintz, Levin, Cohn, Ferris, Glovsky, Popeo
Santa Monica

Hon. Ronald L. Taylor, Ret.
Riverside County Superior Court
Riverside

Hon. Laurie D. Zelon
Court of Appeal,
Second Appellate Court
Los Angeles

Hon. Earl Johnson, Jr.
Court of Appeal,
Second Appellate District
Los Angeles

Hon. James R. Lambden
Court of Appeal,
First Appellate District
San Francisco
APPENDIX 2

Roster of Action Plan Working Group and Advisory Panel Members

Toby Rothschild**
Chair, Advisory Panel
Commission on Access to Justice
Legal Aid Foundation of Los Angeles

Hon. Steven Austin**
Chair, Task Force on Report to the Judiciary Committees
Commission on Access to Justice Judicial Council Access & Fairness Committee
Contra Costa Superior Court

David Ackerly
Standing Committee on the Delivery of Legal Services
Legal Aid Foundation of Los Angeles

Ken Babcock**
Commission on Access to Justice
Public Law Center

Marcia Bell
Commission on Access to Justice Council of California County Law Librarians
San Francisco Law Library

Stephanie Choy**
Public Interest Clearinghouse

Neal Dudovitz
Task Force on Self-Represented Litigants
Neighborhood Legal Services of Los Angeles County

Kathryn Eppright
Commission on Access to Justice
André Morris & Butler

Mary Lavery Flynn **
Director,
Legal Services Outreach
State Bar of California

Judy Garlow**
Legal Services Trust Fund Program
State Bar of California

Steven M. Gevercer**
Commission on Access to Justice Legislative Affairs
Office of the Attorney General

Bonnie Hough**
Center for Families, Children & the Courts
Administrative Office of the Courts

Mitch Kamin
Legal Aid Association of California
Bet Tzedek Legal Services

Tracy Kenny
Office of Governmental Affairs
Administrative Office of the Courts

Hon. James R. Lambden
Commission on Access to Justice; Judicial Council Access & Fairness Committee
Associate Justice, Court of Appeal, First Appellate District

Michael J. Loeb
Commission on Access to Justice
Mediator / Arbitrator
JAMS

Jack W. Londen
Commission on Access to Justice
Morrison & Foerster LLP

Associate Dean James Meeker
Commission on Access to Justice
School of Social Ecology Criminology Law & Society
University of California-Irvine

Hon. Kathleen O’Leary
Task Force on Self-Represented Litigants
Court Interpreters
Advisory Panel
California Court of Appeal, Fourth District

James Preis**
Legal Aid Association of California
Mental Health Advocacy Service

Tony L. Richardson
Commission on Access to Justice
Kirkland & Ellis

Geoffrey L. Robinson
Commission on Access to Justice
Bingham McCutchen

Chris Schneider
Legal Aid Association of California
Central California Legal Services

Gary Smith
Legal Aid Association of California
Legal Services of Northern California

Marion Standish
Legal Services Trust Fund Commission
California Endowment

Syd Whalley
Western Center on Law and Poverty, Inc.

Don Will
Center for Families, Children & the Courts
Administrative Office of the Courts

Anthony Williams
Office of Governmental Affairs
State Bar of California

June Wilson**
Legal Aid Association of California

Pantea Yashar**
Kirkland & Ellis

Hon. Erica Yew
Task Force on Self-Represented Litigants
Superior Court of Santa Clara County

Hon. Laurie Zelon
Access & Fairness Advisory Committee
Commission on Access to Justice
Court of Appeal, Second Appellate District

**Also on Action Plan Working Group