

California Project Directors Association

Bay Area Legal Aid · California Indian Legal Services · California Rural Legal Assistance
Central California Legal Services · Greater Bakersfield Legal Assistance · Inland Counties Legal Services
Legal Aid Foundation of Los Angeles · Legal Aid Society of Orange County · Legal Aid Society of San Diego
Legal Services of Northern California · Neighborhood Legal Services of Los Angeles County

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May 25, 2016

Elizabeth R. Parker
Executive Director
The State Bar of California
180 Howard Street
San Francisco, CA 94105

Sent via email to kelli.evans@calbar.ca.gov

Re: Response to invitation to comment on proposals before the State Bar Governance in the Public Interest Task Force

Dear Ms. Parker,

Thank you for this opportunity to provide information about how items currently before the State Bar Governance in the Public Interest Task Force might affect California's low- and moderate-income residents. We are very concerned that the item titled "Proposal for De-Unification/Reform of the California State Bar", dated March 31, 2016, fails to articulate the State Bar's access to justice work as one of its core public protection functions. Overall, this proposal ignores the most vulnerable members of the public—those who need, but cannot access, civil legal services to preserve life's necessities.

The California Project Directors Association ("PDA") is an association of the eleven legal aid programs in California that receive basic field grants from the federal Legal Services Corporation. Together, PDA members provide civil legal services to well over 200,000 low-income people each year in California's fifty-eight counties and one hundred and two Native American Reservations. Each organization serves Californians who live at or below 125% of federal poverty measures, which in 2016 is just \$14,850 per year for an individual. PDA also serves Californians with disabilities and seniors with fixed incomes who experience the greatest social and economic need. Some of these clients are frail or isolated elderly persons with incomes marginally above the 125% guidelines. These residents desperately require access to legal aid to stop financial or physical elder abuse or to collect income that pays for necessities outside of their Social Security and Medicare coverage. Justice is an empty concept without such access.

The March 2016 proposal fails to articulate the State Bar's access to justice work as one of its core measures for protecting the public. The proponents declined to seek input from the legal aid community when designing their plan to isolate the Bar's public protection functions. As a result, their proposal limits these functions to those activities that promote the quality of legal services—i.e. admissions, discipline, law school accreditation, etc.—rather than the quality **and accessibility** of legal services. The proposal's narrow conception of public protection misses that our legal system vastly fails to provide an attorney to every member of the public who needs one. Many of these individuals face the loss of necessities such as housing, income, health care, and safety. Historically, the State Bar has strived to connect such members of the public with effective representation. It raises funds to expand legal aid, evaluates providers, convenes stakeholders, and promulgates innovative law reform. Disrupting this access to justice work would actually undermine the proponents' goal of enhancing public protection.

The March 2016 proposal is so concerned with how the State Bar regulates the practice of law that it ignores the millions of Californians who cannot access legal services at all. Neglecting civil legal services will have a detrimental ripple effect on these people's lives. For example, California's justice gap might widen if the public loses the Access Commission's innovative proposals for connecting moderate-income Californians with legal services. Millions more Californians would struggle without an attorney to escape domestic violence, protect their family unity, achieve safety from foreign persecution, and assert their civil rights.

The proposal dangerously disregards the State Bar's access to justice work and therefore a pillar of its public protection function. Decision-makers should carefully consider the effects of this and other reforms on the legal community's ability to serve at the outset the most vulnerable members of the public.

On behalf of the California Project Directors Association, thank you for this opportunity to provide comments.

Sincerely,

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