

**GEORGIA LEGAL SERVICES PROGRAM  
The Case for Stable State Bar Support**

**Prepared for the Task Force on GLSP Funding  
State Bar of Georgia  
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The Georgia Legal Services Program (“GLSP”) is a statewide law firm that provides free legal services to low-income Georgians with problems in such fundamental areas as food, housing, education, and access to health care. Despite a growing low-income population, and extensive fundraising efforts, GLSP funding has decreased or remained flat over recent years. GLSP has responded by cutting attorneys and staff, consolidating operations, trimming expenses, and achieving efficiencies wherever possible. Today, however, GLSP can do no more cutting or squeezing and still meet Georgians' growing needs. GLSP needs the leadership and assistance of the State Bar of Georgia. Together we must find a way reliably and adequately to fund GLSP and ensure equal access to justice for all Georgians.

GLSP offers services to persons whose income is at or below 125% of the poverty level, or approximately \$25,000 per year for a family of four. Over one million people residing in 154 counties, outside the core metro Atlanta counties, are potentially eligible.

In 2006, GLSP directly served almost 10,000 people. Additionally, GLSP referred more than 30,000 people to private attorneys, other agencies, or other legal service providers, and GLSP maintained websites, in collaboration with others, from which more than 100,000 people obtained information. An internal analysis conducted in 2005 found that because of insufficient staff, GLSP turned away an estimated 9,000, or more than 40%, of the persons seeking assistance, who had viable claims for which legal assistance would have been beneficial. This study was not repeated in 2006, but there is no reason to expect that the numbers would be substantially different. The study also does not reflect the needs of persons who do not seek assistance, for whatever reason. GLSP board and staff annually determine which legal needs are most critical in order to make

responsible decisions about which cases to accept. The priorities are typically the most urgent kinds of cases, such as protection from family violence, loss of the family home, denial of needed health care, end-of-life needs of seniors, and the like.

In 1994, a Legal Needs Study conducted by the American Bar Association found that approximately 40% of low-income households report a new legal need every year. For a population of 1,000,000 persons, that would be 400,000 with legal needs. Certainly not every one of those persons would need a lawyer to solve the problem. But more recent studies have consistently shown that legal services programs at current funding levels are meeting no more than about 20% of the needs of persons who would be benefitted by legal representation. *See*, “Documenting the Justice Gap in America, A Report of the Legal Services Corporation,” September 2005.

GLSP attorneys and staff routinely accomplish the following for the clients it does assist:

- preserve housing for families and senior citizens;
- secure health care for children, families and senior citizens;
- protect families and senior citizens from domestic violence and abuse;
- access education for all children, especially those with special needs;
- assist senior citizens with end-of-life issues;
- represent persons with limited English-speaking ability, persons who are in institutions, and persons who have disabilities;
- protect the income and assets of low-income Georgians from consumer fraud, valued at more than \$3,300,000 in 2006;
- help grassroots organizations create job training, affordable housing, and after-school programs;

- stabilize and bring dollars into communities by getting disability, Food Stamps, Temporary Assistance to Needy Families, unemployment, and other benefits annualized at more than \$4,200,000 in 2006; and
- secure over \$300,000 every month in child and spousal support payments in 2006.

With greater resources and more attorneys, even more could be accomplished to help low-income Georgians overcome the burdens of poverty. The case acceptance criteria could be broadened to encompass additional family law matters, for example.

### **The Economic Pressure on GLSP**

GLSP has previously provided funding and budget information to the Task Force as well as a chart illustrating the impact of changes in funding over the years on offices and staffing. Information comparing projected funding for 2007 compared to 2006, and the resulting budget for 2007, is attached to this paper.

With estimated funding for 2007, GLSP has eliminated one attorney position and delayed filling five others. Two vacant paralegal positions have been eliminated and hiring for two others has been delayed. Five currently filled positions may be at risk if additional funds are not found. Two paralegals and a secretary have been laid off due to loss of grants. Additionally, GLSP has been forced to place many of its employees on part-time schedules. A table comparing 2006 funding with projected 2007 funding is attached.

The simple fact is that when funding stays flat, GLSP effectively experiences an annual 6% budget cut due to inflation and increased expenses. Sometimes the budget cut is in fact real dollars: in 2006, GLSP funding totaled \$12,794,445; in 2007, absent increased state bar support, total

budgeted funding is estimated at \$12,427,289, a real drop of \$367,156. In addition to the problem of flat or decreasing budgets, the number of Georgians eligible for GLSP services constantly is increasing. Today, the number of eligible Georgians has increased to over one million people. GLSP cannot meet the demands of its growing clientele while funding declines.

### **Supporting GLSP Falls Squarely Within the State Bar's Purpose**

The purposes of the State Bar include “to foster among the members of the bar of the State the principles of duty and service to the public,” as well as “to improve the administration of justice.” Rule 1-103. Notably, the preamble to the Rules of Professional Conduct states that a lawyer is “an officer of the legal system and a citizen having *special responsibility for the quality of justice* [italics added].”

Consistent with these official exhortations, the State Bar's younger lawyers founded GLSP in 1970. Over the years, the State Bar has defended GLSP from political attacks and funding cuts, and has assisted with changing legal needs and delivery systems. The State Bar has assisted GLSP by annually asking members to financially support the organization. This request is consistent with Rule 6.1, which states that in addition to providing pro bono legal services, each lawyer “should voluntarily contribute financial support to organizations that provides legal services to persons of limited means.”

In addition to contributing funds to the organization, over 1,200 Georgia lawyers have signed up with GLSP's offices to accept *pro bono* or reduced fee cases. Roughly half of those accept one or more cases in a given year. GLSP uses a share of its limited funds to assist these volunteers by screening clients for eligibility and case merit, providing access to resources about poverty law, and recognizing their efforts. While these volunteer lawyers provide important services to clients, there

is no way that even doubled or tripled volunteer efforts could meet the needs of thousands more clients who go unserved.

The value and impact of the services provided by GLSP is well-illustrated by those in communities across the state who have received them or who have worked with GLSP attorneys. Attached to this paper are a selection of letters from clients, judges, and others, as well as information illustrating the breadth and variety of other services we provide, including Know Your Rights seminars for non-English speaking communities, legal assistance for disaster victims, and end-of-life documents for residents of hospices, just to name a few.

#### **Analysis of the Annual Campaign**

The State Bar has for many years asked members to include with their dues a contribution to support the work of GLSP. In 2006, the suggested donation was \$200 per year. Donations made in response to the State Bar's add-on request generally amount to less than half the money that GLSP ultimately collects from Georgia lawyers. Over the past seven years, Georgia lawyers have donated to GLSP the following:

<u>Year</u>	<u>Add-On Donations</u>	<u>Total Donations</u>
2000	\$105,197	\$290,143
2001	\$131,802	\$296,913
2002	\$98,221	\$297,272
2003	\$137,017	\$346,760
2004	\$166,160	\$330,354+
2005	\$745,152 (opt-out)	\$883,874
2006	\$288,136	\$447,445 (as of 1/25/07)

An analysis of the 2006 annual campaign illustrates some interesting dynamics in the State Bar's current approach to raising money for GLSP:

- as of January 2007, with only two months left, the campaign had raised \$447,445;
- this money came from 3,192 donors, representing an average donation of \$140;
- donations from the State Bar Board of Governors averaged \$202, and donations from the Executive Committee averaged \$217;
- the largest category of donors (1,962) came from Atlanta; notably, and some might say embarrassingly, the second largest category of donors (321) came from out of state; and
- averaged over the State Bar's 2006 membership of 36,694 (as of March '06), the annual campaign raised about \$12.19 per lawyer.

The State Bar provides support for the annual campaign in the form of letterhead stationery and envelopes, but GLSP expends tremendous effort and money to collect gifts. For instance, in 2005, GLSP prepared 41,894 brochures at a cost of \$3.25 per brochure. These were mailed to bar members at a cost of \$1,868 (bulk mail). GLSP also spent \$1,516 for reply envelopes. In addition, personalized letters and phone requests were sent to 3,867 "lost sheep" – people who had given significant or repeated donations in the past; 86 bar leaders; 420 GLSP alumni; 95 State Bar board of governors; numerous GLSP board of directors; and, GLSP employees. In short, each year GLSP development staff and board members must devote substantial money and valuable time to collect approximately \$450,000. These resources could be directed to other fundraising efforts, such as preparing grant proposals for special projects, if the State Bar could find a better way to generate support for GLSP from Georgia lawyers.

As shown above, in 2005-06, the State Bar Campaign raised over \$880,000 for GLSP, about \$745,000 of that through the bar dues opt-out. Just over \$500,000 of that was used to meet the

annual inflation of the GLSP budget due to salary raises and other increased expenses, enabling the firm to avoid any layoffs for 2006. Because of the uncertainty about Board of Governor action with respect to an "opt-out" for 2006, the remainder was used for one-time expenses, including replacement of an antiquated case management system, contribution to a reserve (currently less than 3% of operating expenses), and two other much smaller items.

Without increased and reliable support, however, GLSP will continue to lose ground to inflation, and with fewer attorneys will be able to assist fewer and fewer clients. With a contribution of as little as \$50 per Georgia lawyer, the State Bar could generate almost \$2,000,000, which would enable GLSP to add two new lawyers in every office across the state, and also provide a modest increase in salary to enable GLSP to be competitive with salaries being offered by other legal services organizations in Georgia and neighboring states. This would restore GLSP to the staffing levels of as recently as five years ago, and provide services to as many as 3500 additional clients.