

13 January 2017

His Excellency Charles D. Baker, Jr.  
Governor of the Commonwealth  
State House Room 280  
Boston, Massachusetts 01233

Re: Massachusetts Legal Assistance Corporation, line item 0321-1600  
FY18 Budget Request of \$23 million

Dear Governor Baker:

Thank you for approving an \$18 million appropriation for the Massachusetts Legal Assistance Corporation, line item 0321-1600, for FY17. As managing partners of distinguished law firms across the state, we appreciate your understanding of the need for increased funding for civil legal aid. We urge you to bolster your commitment to civil legal aid by including in your FY18 Budget Recommendations a \$5 million increase in funding for MLAC for a total appropriation of \$23 million.

All individuals are entitled to fair and equal treatment under the law. Unfortunately, for the nearly one million Massachusetts residents living below 125% of the federal poverty line—\$30,374 annually for a family of four, this right is not guaranteed in cases involving non-criminal matters. The cost of an attorney is far too much to bear, yet it is extremely difficult to navigate the intricacies of the legal system alone. Unrepresented litigants often struggle to make their case in court or abandon their civil claims before even entering a courthouse. These residents are denied justice simply because they cannot afford it.

Lack of representation not only harms low-income individuals, it delays justice for all those who use Massachusetts courts. A survey published in the BBA Task Force Report *Investing in Justice* (<http://www.bostonbar.org/docs/default-document-library/statewide-task-force-to-expand-civil-legal-aid-in-ma---investing-in-justice.pdf>) demonstrated that the high number of *pro se* litigants in Massachusetts negatively impacts court functioning; it slows down courtroom procedures, consumes court staff time, and leads to increases in repeat appearances and repeat filings. **By providing adequate representation to individuals who cannot afford an attorney, civil legal aid programs create a more efficient court system for litigants at every income level.**

While MLAC-funded programs assisted approximately 88,601 clients and their family members in FY16, programs continue to turn away a far greater number of low-income individuals that seek legal help. *Investing in Justice* found that lack of funding prohibited programs from assisting 64% of eligible clients that requested legal assistance in 2014. In family law cases, 80% of those seeking assistance with issues such as child abuse and domestic violence were turned away. We should not tolerate the denial of such vital services to so many people in need.

Recognizing that access to legal assistance is the bedrock of a sound justice system, the private bar in Massachusetts has long prioritized *pro bono* service to help low-income civil litigants. MLAC-funded programs recruited and trained 681 private attorneys in FY16, resulting in 36,403 hours of donated

service at an estimated value of \$8.2 million. Affinity and county bar associations run numerous programs to provide further legal assistance free of charge, such as the Boston Bar Association's Lawyer for the Day in the Boston Housing Court Program, through which attorneys have helped over 17,000 unrepresented tenants and landlords since 1999. Most recently, the private bar partnered with legal aid organizations to launch Mass Legal Answers Online, a new website to which low-income residents can post civil legal questions and receive free answers from volunteer lawyers. These initiatives supplement the work of committed legal aid attorneys and advocates, **but they are nowhere near enough to meet the staggering need for civil legal assistance in Massachusetts.**

The efficient and equitable administration of justice hinges on the sufficient provision of civil legal aid. As leaders of the private bar, we are dedicated to this important cause and we will continue to coordinate and promote the *pro bono* service of lawyers at our firms. We urge you to match these efforts by funding MLAC at \$23 million in FY18.

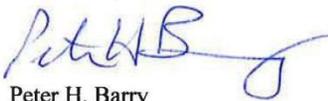
Thank you for your leadership of the Commonwealth.

Sincerely,

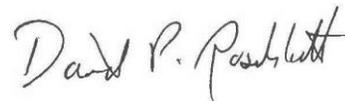


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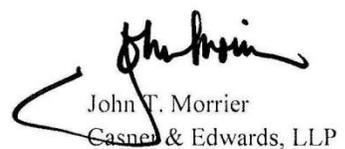
Bowditch & Dewey LLP



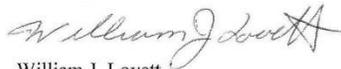
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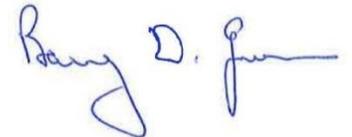
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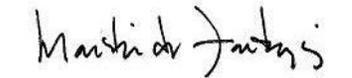
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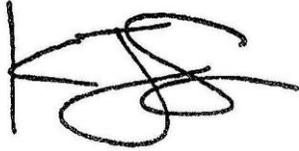
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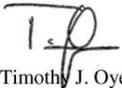
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