



# NEW JERSEY STATE BAR ASSOCIATION

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**STATEMENT OF**  
**THE NEW JERSEY STATE BAR ASSOCIATION**  
**TO THE SENATE BUDGET AND APPROPRIATIONS COMMITTEE**

**Presented by:**

**Thomas H. Prol**  
**NJSBA President**

**April 13, 2017**

Good afternoon Chairman Sarlo, members of the Senate Budget and Appropriations Committee. Thank you for the opportunity to speak to you today about an issue of great importance to the legal community and to our underserved residents in need of legal services.

I am Thomas H. Prol, president of the New Jersey State Bar Association.

The New Jersey State Bar Association is deeply concerned about the proposal to cut \$5 million in funding for New Jersey Legal Services from the state's budget.

Our government was founded on the concept of justice for all, and the state government has a critical role in providing justice for all. New Jersey Legal Services provides vital legal aid to a wide range of residents in our state – over 120,000 alone last year.

In New Jersey, Legal Services has just completed its 50<sup>th</sup> year of proud service, providing representation in well over 2.4 million cases and helping more than 7 million clients. Sadly, poverty in New Jersey remains at 50-year record levels, nearly a decade after the declared end of the Great Recession. More people need LSNJ's help for their overwhelming legal problems – which are quite literally life and death matters – than any time since the beginning of the 1960s.

The proposed cut of \$5 million from LSNJ's budget would be devastating. It cannot sustain another reduction. The justice gap among New Jersey's neediest families is already yawning and threatens to be an uncrossable chasm. And this comes at a time when funding for Legal Services Corporation, the federal organization that provides critical financial support to agencies including LSNJ, is on the chopping block in Washington and could be eliminated altogether.

Legal Services provides free legal aid in civil legal matters to the state's poorest, most vulnerable residents. Now more than ever, these people need these services. There is no constitutional right to counsel in civil legal matters, so when those living in desperate poverty are facing adversity in their weakest state, LSNJ provides their most important resource. That means keeping families together and avoiding homelessness by fighting illegal evictions; maintaining senior couples in their homes in the face of imminent foreclosures based on predatory lending practices; protecting victims of domestic violence; helping recent graduates and their families deal with the crushing burden of unfair student debt; helping low income families combat unscrupulous practices of slick commercial entities and lenders; and, making sure those entitled to assistance from government programs designed to assist the state's most vulnerable people actually receive the help they need.

We know the value of LSNJ first-hand. Lawyers who are members of the association provide countless hours of pro bono legal services to individuals in desperate need of assistance. In fact, we co-hosted an event in Union City with over two dozen volunteer attorneys and the turnout was overwhelming. Over 150 Union City residents showed up to speak to our volunteers and many more were given contact information because time had simply run out. There is clearly a need, but without funding to supplement these volunteers who, despite mounting obligations, commit pro bono hours to help these constituents, those people will continue to be turned away.

Our members' volunteer service is dependent on partnership with the local legal aid organization, which screens cases for merit and eligibility, and trains and mentors our attorneys. Reducing funding for LSNJ will not only imperil the ability of civil legal aid organizations to serve New Jersey residents in need, it will also vastly diminish the private bar's capacity to help these individuals. The pro bono activity facilitated by critical legal aid funding is exactly the kind of public-private partnership the government should encourage, not eliminate.

The NJSBA urges you to provide robust funding for LSNJ.

I thank you for your time and attention to this very important matter.



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April 13, 2017

Governor Chris Christie  
Office of the Governor  
Post Office Box 001  
Trenton, New Jersey 08625

Dear Governor Christie:

The drastic \$5 Million cut to funding for Legal Services of New Jersey (LSNJ) in the state's proposed FY2018 budget will have a grave impact on that organization and will do significant harm to the thousands of New Jersey residents who utilize its services every day. On behalf of the 18,200 members of the New Jersey State Bar Association (NJSBA), I urge with you to reconsider this cut and to restore LSNJ funding so that its vital work in New Jersey can continue uninterrupted.

The work that Legal Services of New Jersey does for vulnerable residents is life-changing and reflects the goodwill and kind heart that government should have toward those who need it most. It is an investment that returns its full value and then some by interrupting dire consequences than can often result in residents turning to reliance on other government resource programs, and it promotes efficiency in the operations of the justice system by curtailing minor problems before they grow out of control and overwhelm. Moreover, the pro bono activity facilitated by legal aid funding is exactly the kind of public-private partnership the government should encourage, not eliminate; it brings forward vastly more resources with each dollar funded by way of New Jersey attorneys' pro bono involvement through LSNJ's operations.

Indeed, the NJSBA knows the value of LSNJ firsthand. Lawyers who are members of the association provide countless hours of pro bono legal services to LSNJ clients in desperate need of assistance. The association has put together opportunities for residents in underserved communities to speak to volunteer attorneys about their legal problems and the turnout has been overwhelming. Last month, in Union City, over 150 residents showed up to speak to just over two dozen attorneys and many more were given contact information because time simply had run out. There is a demonstrable need for these legal services and LSNJ is at the heart of providing them.

In its 50<sup>th</sup> year of proud service, Legal Services of New Jersey has logged representation of over 2.4 million cases and 7 million clients. Sadly, the need for these services have not reduced. Instead, nearly a decade after the Great Recession, more people need LSNJ's help with overwhelming legal problems – which are quite literally life and death matters – than any time since the beginning of the 1960s.

LSNJ has already seen extreme budget cuts to Legal Services resulting from reductions in its funding sources, including the unanticipated decrease in IOLTA (Interest on Lawyers Trust Accounts) funding, a drastic increase resulting from the recession in 2007. This year, Legal Services funding is facing a critical reduction not just in this year's state budget – a reduction of \$5 million – but threats to cut off federal funding – which makes up 12 to 14 percent of the Legal Services budget.

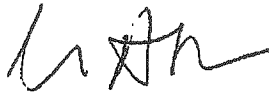
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The impact of the proposed funding cuts would be felt by thousands of New Jersey residents. In 2016, close to 47,000 cases were opened on behalf of 120,000 clients. The proposed funding cuts in New Jersey's FY2018 budget would strip 5,000 cases from next year's caseload, or 15,000 clients. The additional funding cuts proposed at the federal level would strip an additional 6,700 cases, affecting just over 20,000 more potential clients. **That's almost 30 percent of New Jersey's neediest residents who would be turned away as a result of LSNJ funding cuts from both the state and the federal government.**

As you know, there is no right to counsel in most civil legal cases. The people who turn to LSNJ have nowhere to turn to secure a lawyer on their own. Their legal matters are dire in most cases – these are people fighting homelessness against illegal evictions; senior couples who are facing foreclosures based on predatory lending practices; domestic violence victims; and people who rely on much-needed public assistance from government programs. LSNJ also provide a vital hand-up to state residents who have been ravaged by drug and alcohol dependency who depend on the agency to protect their legal rights and interests in their time of need as they rebuild their lives and return to being fully productive and functioning citizens. Funding legal services promotes better lives and reduces reliance on government subsidies.

Now is not the time to cut funding to the state's most vulnerable. New Jersey residents need LSNJ and the services it provides more than ever. We urge you not to cut LSNJ funding and to restore its funding to its current levels. Thank you for your consideration of this very important issue.

Respectfully,



Thomas H. Prol  
President

cc: Angela C. Scheck, Executive Director  
Senator Paul Sarlo, Senate Budget and Appropriations Committee  
Assemblyman Gary S. Schaer, Assembly Budget Committee