

Will We Ever Bridge the Justice Gap? Exploring Current and Future Approaches to Providing Equal Access to Justice

June 17, 2022, 11:30 a.m.

A 2022 national study of households with low incomes found that 92% of civil legal problems received inadequate or no legal help. Full-time legal aid organizations provide the bulk of services for critical needs and are aided by pro bono attorneys fulfilling their professional responsibility to give back. Yet the justice gap remains large and persistent. This panel of attorneys will explore the need for and availability of services, the roles that full-time legal aid and pro bono attorneys play, funding challenges, trends in the way services are provided, and more. **1-hour Ethics Credit**

Speakers:

Kristine Bergstrom, Esq., Executive Director, Neighborhood Legal Services
Max Laun, Esq., Interim Executive Director, Pennsylvania Legal Aid Network, Inc.
Stephanie Libhart, Executive Director, Pennsylvania IOLTA Board
Jonathan McAnney, Esq., Tucker Arensberg

Moderator: *Barbara Griffin, Esq.*, Director, ACBF Pro Bono Center

Agenda:

- I. Introduction and Overview: The Persistent Justice Gap
- II. The Structure and Funding of Legal Aid and Pro Bono
- III. Roundtable Discussion
- IV. Questions and Answers, Closing Remarks

The Justice Gap: The Unmet Civil Legal Needs of Low-income Americans

April 2022

Low-income Americans do not get any or enough legal help for **92%** of their substantial civil legal problems.



Low-income America

About 50 million Americans have household incomes below 125% of the poverty threshold – including more than 15 million children and nearly 8 million seniors.*



Civil legal needs

Civil legal needs typically involve securing and protecting basic needs, such as housing, education, health care, income, and safety.



The justice gap

The justice gap is the difference between the civil legal needs of low-income Americans and the resources available to meet those needs.

*Data source: U.S. Census Bureau's Current Population Survey, 2021 Annual Social and Economic (ASEC) Supplement.

The 2022 Justice Gap Study

The Legal Services Corporation (LSC) is pleased to share findings from its 2022 Justice Gap Study. This study provides a fresh assessment of low-income Americans' civil legal needs and the extent to which their legal needs are met. Additionally, its timing allows an examination of the justice gap in the context of the COVID-19 pandemic, which has had disproportionate effects on this population. The study leverages LSC's "intake census" conducted among LSC-funded legal aid organizations as well as a nationally representative survey of more than 5,000 adults conducted by NORC at the University of Chicago using its AmeriSpeak® Panel.

The Prevalence of Civil Legal Problems

Most low-income households have dealt with at least one civil legal problem in the past year – and many of these problems have had substantial impacts on people’s lives.



3 in 4 (74%) low-income households experienced 1+ civil legal problems in the past year.

2 in 5 (39%) experienced 5+ problems, and 1 in 5 (20%) experienced 10+ problems.

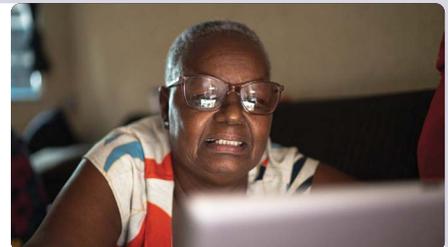
Most common types of problems: consumer issues, health care, housing, income maintenance.

1 in 2 (55%) low-income Americans who personally experienced a problem say these problems substantially impacted their lives – with the consequences affecting their finances, mental health, physical health and safety, and relationships.

Data source: 2021 Justice Gap Measurement Survey.

Seeking and Receiving Legal Help

Most low-income Americans do not get any or enough legal help for their civil legal problems – and the cost of legal help stands out as an important barrier.



1 in 4 problems: They seek legal help for only 1 out of every 4 (25%) civil legal problems that impact them substantially.

1 in 2 (46%) of those who did not seek legal help for one or more problems cite concerns about cost as a reason why.

1 in 2 (53%) does not know if they could find and afford a lawyer if they needed one.

92% = survey-based justice gap: They do not get any or enough legal help for 92% of the problems that have had a substantial impact on them.

Data source: 2021 Justice Gap Measurement Survey.

Comparing Income Groups

Compared to low-income Americans, those with higher incomes have fewer barriers to getting legal help.*



They seek help more often: People with higher incomes are more likely to seek legal help for problems with substantial impact (32% vs. 25% of problems).

Their justice gap is smaller: They are less likely to go without any or enough legal help for problems with substantial impact (78% vs. 92% of problems).

They have better access: They are more likely to be confident that they could find and afford a lawyer if they needed one (73% vs. 45%).

They believe in the system: They are more likely to believe that they can use the civil legal system to protect and enforce their rights (59% vs. 39%).

*These statements compare people at or above 400% of FPL with people at or below 125% of FPL.
Data source: 2021 Justice Gap Measurement Survey.

Reports from the Field

LSC-funded organizations do not have enough resources to meet the current demand for civil legal aid in the communities they serve.*



1.9 million requests for help: Low-income individuals approach LSC-funded organizations for help with an estimated 1.9 million civil legal problems in a year.

1 in 2 requests turned away: These organizations must turn away 1 out of every 2 (49%) requests they receive due to limited resources.

1 in 2 problems fully resolved: Even when they can provide some assistance, these organizations have the resources to fully resolve only 1 out of every 2 (56%) problems.

1.4 million problems = intake-based justice gap. All in all, LSC-funded organizations are unable to provide any or enough legal help for an estimated 1.4 million civil legal problems (or 71% of problems) that are brought to their doors in a year.

*These statements are only about problems that are eligible for legal assistance from LSC-funded organizations.
Data source: LSC's 2021 Intake Census.

Geographic Focus

● West

11.1 million people below 125% of poverty.
72% of households had 1+ civil legal problems in the past year.

● Midwest

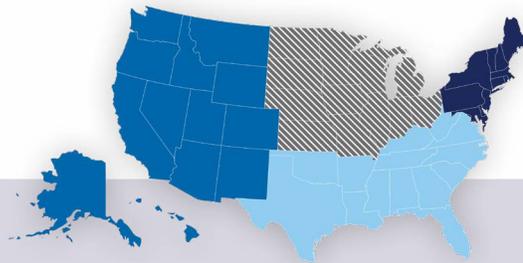
9.2 million people below 125% of poverty.
75% of households had 1+ civil legal problems in the past year.

● Northeast

7.4 million people below 125% of poverty.
74% of households had 1+ civil legal problems in the past year.

● South

22.2 million people below 125% of poverty.
75% of households had 1+ civil legal problems in the past year.



Data sources: 2021 Justice Gap Measurement Survey and the U.S. Census Bureau's Current Population Survey, 2021 Annual Social and Economic (ASEC) Supplement.

Special Focus

65+ Seniors

7.6 million seniors below 125% of poverty.
70% of senior households had 1+ problems in the past year.

Veterans

1.6 million veterans below 125% of poverty.
76% of veteran households had 1+ problems in the past year.

Children (<18 yrs)

15.2 million children below 125% of poverty.
83% of households with children had 1+ problems in the past year.

People in Rural Areas

8 million people below 125% of poverty in rural areas.
77% of rural households had 1+ problems in the past year.

People with High Housing Costs

15 million households with high housing costs have annual incomes below \$25,000.
84% of households with high housing costs had 1+ problems in the past year.

Survivors of Domestic Violence

98% of households with recent domestic violence had 1+ problems in the past year (in addition to their problems involving domestic violence).

Data sources: 2021 Justice Gap Measurement Survey and various other sources (see Section Two in full report).

Impact of the COVID-19 Pandemic

33% of low-income Americans experienced at least one civil legal problem linked to the COVID-19 pandemic in the past year.

The types of civil legal problems most likely to be attributed to the COVID-19 pandemic are those involving income maintenance, education, and housing.



Income maintenance

32% of income maintenance problems are pandemic-related.

Examples: difficulty accessing unemployment insurance or receiving COVID stimulus payments.



Education

31% of education problems are pandemic-related.

Examples: difficulty attending school or accessing technology to participate in virtual learning.



Housing

27% of housing problems are pandemic-related.

Examples: problems involving foreclosure, eviction, and safe living environments.

Additionally, the data suggest that income disparities in the justice gap between low- and higher-income Americans are exacerbated for pandemic-related civil legal problems. See Section Five in the full report for a fuller discussion of this noteworthy finding.

Data source: 2021 Justice Gap Measurement Survey.

About the Legal Services Corporation

The Legal Services Corporation (LSC) was established by Congress in 1974 to promote equal access to justice. LSC operates as an independent 501(c)(3) non-profit corporation and currently serves as the nation's single largest funder of civil legal aid for low-income individuals. More than 90% of LSC's total funding is currently distributed to 132 independent non-profit legal aid programs with 877 offices across the country. LSC's mission is to help provide high-quality civil legal aid to low-income people. To learn more about LSC, please visit www.lsc.gov.

Acknowledgments

LSC acknowledges the generous support of the William and Flora Hewlett Foundation, the John D. and Catherine T. MacArthur Foundation, the Andrew W. Mellon Foundation, and the Reynolds Family Foundation for funding for this study. Funders do not determine the research findings of LSC research projects. LSC would also like to acknowledge NORC at the University of Chicago for conducting the 2021 Justice Gap Measurement Survey using its probability-based AmeriSpeak® Panel. Finally, LSC acknowledges Sarah John of SJ Democracy for her contributions as project management and data analyst; Mary C. Slosar of Slosar Research, LLC for her contributions as writer and research consultant; and Dino Stoneking of Stoneking Studios for his contributions to report design.

Visit justicegap.lsc.gov

Visit LSC's justice gap study website to download and print the report, see videos about the justice gap and the impact of civil legal aid, learn more about the study's methodology, and access additional summaries of study findings related to the pandemic, U.S. regions, subpopulations of interest, and other topics.



Civil Legal Aid Providers funded by the Pennsylvania IOLTA Board
2022-2023

AIDS Law Project of Pennsylvania
Allegheny County Bar Foundation*
Community Justice Project*
Community Legal Services of Philadelphia
Consumer Bankruptcy Assistance Project
Disability Rights Pennsylvania*
Education Law Center*
Franklin County Legal Services
Homeless Advocacy Project
Justice at Work*
KidsVoice Pennsylvania, Inc.*
Lackawanna Pro Bono, Inc.
Laurel Legal Services, Inc.
Legal Aid of Southeastern Pennsylvania, Inc.
Legal Clinic for the Disabled, Inc.
Legal Services for Immigrants & Internationals*
MidPenn Legal Services
Neighborhood Legal Services*
North Penn Legal Services
Northwestern Legal Services
Pennsylvania Health Law Project*
Pennsylvania HIAS Indigent Immigrant Legal Services
Pennsylvania Immigration Resource Center
Pennsylvania Institutional Law Project*
Philadelphia Lawyers for Social Equity
Philadelphia Legal Assistance Center, Inc.
Philadelphia Volunteers for the Indigent Program
Pro Bono Partnerships, Inc.
Regional Housing Legal Services*
SeniorLAW Center
Southwestern Pennsylvania Legal Services, Inc.
Women Against Abuse Legal Center
Women's Center & Shelter Civil Law Project*

*Denotes grantees with an office in Pittsburgh

TUCKER ARENSBERG ATTORNEY MANUAL

Subject: Pro Bono Work
Page 1 of 2

Date: January, 1994
Revised Date: January, 2014

General

Tucker Arensberg encourages its lawyers to provide *pro bono* legal services. Rule 6.1 of the Rules of Professional Conduct adopted by the Pennsylvania Supreme Court recognizes that lawyers have an obligation to provide legal services on a *pro bono* basis. Rule 6.1 reads as follows:

A lawyer should render public interest legal service. A lawyer may discharge this responsibility by providing professional services at no fee or a reduced fee to persons of limited means or to public service or charitable groups or organizations, by service in activities for improving the law, the legal system or the legal profession, and by financial support for organizations that provide legal services to persons of limited means.

As Rule 6.1 makes clear, *pro bono* service can take a variety of forms, such as (i) offering free, or reduced-fee, legal services to individuals and organizations, (ii) services to the legal profession, and (iii) financial support to organizations that provide legal services to persons of limited means.

Pro Bono Coordinators

The Firm appoints one or more coordinators each year to spearhead the Firm's *pro bono* efforts. Currently, the lawyer in charge of this effort is Jon McAnney. He can provide information about ways in which lawyers can fulfill their ethical obligation to provide *pro bono* legal services.

Definition of Pro Bono Work

Legal work that qualifies as *pro bono* work under this policy is defined as "legal services provided to persons of limited means and those organizations that work on their behalf." Any questions as whether certain work qualifies as *pro bono* work under this policy should be directed to the *Pro Bono* Coordinators.

Pittsburgh Pro Bono Partnership

One method of getting involved in *pro bono* services is through the Pittsburgh Pro Bono Partnership. The Partnership consists of approximately 25 Pittsburgh-based law firms and corporate legal departments. These firms and businesses have agreed to support a commitment to *pro bono* work within their organizations. Tucker Arensberg has participated in the Pittsburgh Pro Bono Partnership since 2001. The coordinator of Tucker's *pro bono* efforts also participates in the Pro Bono Partnership and can provide information about the *pro bono* opportunities provided by this Partnership.

TUCKER ARENSBERG ATTORNEY MANUAL

Subject: Pro Bono Work
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Credit Toward Billable Hour Requirements

Time spent on *pro bono* work does not qualify as billable time for shareholders. For associates and paralegals, a maximum of ten hours per year of *pro bono* work will qualify toward meeting the associates' and paralegals' annual billable hour requirement.

Timekeeping; New Case Memos

Lawyers and paralegals should record all time spent on *pro bono* matters, whether or not they are receiving billable hour "credit" for that time. The appropriate ways to record this time are as follows:

- For work where a file has not been opened (for example, service on a nonprofit board of directors for an organization that is not a Firm client) - use **999999-001000**.
- For work where a new file has been opened, a New Case Memo should be prepared, using the following client number: **999999**. A new matter number will be assigned.

The matter name will be the name of the matter being handled.

Case Acceptance Procedures

Before accepting any new *pro bono* matter, the lawyer should follow all applicable Firm procedures for opening any new client/matter, including preparing a New Case Memo, indicating on the New Case Memo, in the appropriate place, that the matter is a *pro bono* matter, having the matter approved by the appropriate Department Chair, and performing a conflicts check.

Richard B. Tucker, Jr. **~Award of Distinction~**

Richard Tucker, Jr. exemplified the qualities and personal commitment which helped to build Tucker Arensberg. His outstanding professionalism and his generous contributions to the firm, the legal profession and the community continue to be an example to us all and a standard for each of us to strive to achieve.

In 2000, to help the firm celebrate its Centennial year, Tucker Arensberg established the **Richard B. Tucker, Jr. Award of Distinction**. The award is intended to recognize a Tucker lawyer who has followed in Mr. Tucker's footsteps by demonstrating his qualities and commitment.

The past recipients of this award are:

2000	Garland H. McAdoo	2009	Ralph F. Manning
2001	Stanley V. Ostrow	2010	Not awarded
2002	Lee C. Swartz	2011	Jonathan S. McAnney
2003	W. Theodore Brooks	2012	Eric M. Schumann
2004	Not awarded	2013	William C. Ries
2005	Charles J. Vater	2014	Jeffrey J. Leech
2006	Beverly Weiss Manne	2015	Richard B. Tucker III
2007	Not awarded	2016	Not awarded
2008	Gary P. Hunt	2017	Stephen M. Greecher Jr.
		2018	William T. Harvey

Nominations.

Attorneys can be nominated for the award by fellow Tucker Arensberg **attorneys, paralegals and staff members**. In order to be eligible:

- **Contributions to the Firm.** *The attorney must have demonstrated outstanding contributions to the firm on several of the following levels: legal abilities and knowledge, advancement of practice area, relationship building, client service, administrative management, mentoring and collegiality.*
- **Contributions to the Community.** *The attorney must have a record of community and civic involvement, which can be measured in several ways: board participation, volunteer service to a nonprofit organization, service on neighborhood, township or borough committees, or personal involvement or sacrifice for the betterment of others.*
- **Contributions to the Legal Profession.** *The attorney must have made contributions to the legal profession during his or her career. These contributions can consist of service to or involvement with a local, state or national legal association, the development of policies or procedures that have had a positive impact on attorneys or law students, teaching law, involvement in a case that has led to the modification of the law, or handling pro bono legal work.*

The selected attorney will be honored during our annual **Employee Appreciation Day**. The honoree will receive a plaque commemorating the award and a \$1000 contribution will be made by the firm to the organization of the honoree's choice.

Please use the attached form to make a nomination.

All nominations must be received by Pam Maxson no later than April 18th

2018 Richard B. Tucker, Jr.
Award of Distinction

Nomination Form

Attorney nominated: _____

Describe the nominee's:

Contributions to the Firm

Contributions to the Community

Contributions to the Legal Profession

Nominated by: _____



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TUCKERLAW.COM

PRO BONO AND COMMUNITY INVOLVEMENT
ANNUAL REPORT • 2016

Pro Bono & Community Service ALL STARS

Special thanks and recognition is given to the following timekeepers and community volunteers who met the goal of providing at least 10 hours of pro bono legal or community services in 2016.

Timekeepers/Community Volunteers

Tricia S. Baldrige
 Rachel Bergman
 Jordan S. Blask
 Lori Buckreis
 Linda Campbell
 Danielle L. Dietrich
 Judith K. Fitzgerald
 Stephen M. Greecher, Jr.
 Kevin L. Hall
 Mark C. Hamilton
 Gary P. Hunt
 Katherine Koop Irwin
 Cătia L. Kossovsky
 Scott R. Leah
 Jeffrey J. Leech
 William P. Lewis
 Ralph F. Manning
 Michael C. Mazack
 Jonathan S. McAnney
 P. Shane Miller
 Jo-Anne M. Mineweaser
 Constance Orient
 Patricia B. Rodella
 Lauren N. Rulli
 Theresa Schrecengost
 Stacey Sims
 Lisa Streiff
 Bradley S. Tupi
 Christopher L. Voltz
 Homer L. Walton
 Paul J. Welk



2016 Pro Bono - By the Numbers

————— 1,501 —————
 Pro bono hours performed by the attorneys,
 paralegals and support staff in 2016

————— 45 —————
 Number who performed pro bono
 legal/community services in 2016

————— 32 —————
 Number who met the goal of providing
 at least 10 hours of pro bono services

"My pro bono work involves both PFAs and legal work for the YMCA. I have never really analyzed my motivation for doing this work, but in retrospect, I think it comes from a belief that we all have a duty to do what we can for people who need the assistance. PFA work directly impacts the women and men who need help and who have nowhere else to turn. The YMCA work helps lay the foundation for providing services to thousands throughout our community."
 — Gary Hunt

"I think it's easy to forget that many people can't afford proper legal representation. At the same time, any lawyer would agree that good legal representation can make the difference in most situations. The pro bono program at TAPC has given me the opportunity to help plaintiffs with securing PFA orders and I have counseled individuals seeking to start up new businesses. It is very rewarding to be able to assist those in need who otherwise may not have been able to afford legal counsel. I have also gained invaluable experience from my pro bono work and I have created connections that are sure to be mutually beneficial in the future."
 — Mike Mazack

Executive Summary - 2016

The attorneys, paralegals, and support staff of Tucker Arensberg, P.C. demonstrated a continued commitment to providing pro bono legal and community services to a wide range of clients in 2016. Approximately 40 institutional clients and many individuals were recipients of free legal and volunteer services by this firm.

In 2016, we achieved the goal of providing at least 10 hours of pro bono services, on average, for each timekeeper (measured on a firm-wide basis).

The attorneys, paralegals and support staff were recognized at the annual Employee Appreciation Luncheon on April 27, 2017 as Pro Bono All-Stars, by achieving their goal of providing at least 10 hours of pro bono and/or community services in 2016.

Rule 6.1 of the Pennsylvania Rules of Professional Responsibility: "A lawyer should render public interest legal service."

"I have participated actively in many non-profit organizations and community service groups in order to benefit the lives of people and animals in need, including Three Rivers Center for Independent Living (helping those with disabilities live independently), Rotary Club (local, national and international corporation to promote world peace and understanding, elimination of poverty and polio, providing clean water filters worldwide, etc.), Regional Development Funding Corporation (promoting economic development to small business entities in the Pittsburgh region), Homeless Children Education Fund, Muscular Dystrophy Association, National Aviary, and the Pittsburgh Zoo. In each case I try to be passionate and enthusiastic in my participation with these non-profit organizations. I also build relationships with other people involved with these organizations, which from time to time leads to legal services for Tucker Arensberg."

– Ralph Manning

"Although I did volunteer work for the PFAs, I often found it frustrating. I rarely had a good experience while doing this, but it didn't stop me from volunteering. Now that TAPC is taking a break from that type of work, I still feel the need to help people. I recently contacted Wills for Heroes and intend to volunteer for that organization by witnessing and notarizing wills. Wills for Heroes provides free basic estate planning documents to police, fire, emergency medical personnel, first responders and military veterans. I am sure this will be fulfilling work and I look forward to helping them."

– Rachel Bergman

"Employees of Tucker Arensberg take very seriously our commitment to providing pro bono legal services and to otherwise give back to our communities. We have a long-standing reputation for being leaders in accepting pro bono legal appointments and in serving in groups and organizations whose duty it is to deliver legal services to those persons who cannot afford a lawyer. We are also very proud of our firm employees who are active in community service projects. The firm supports these employees in their efforts because it is the right thing to do."

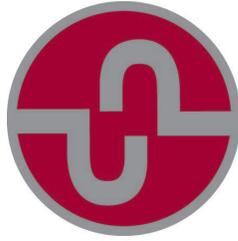
– Jonathan S. McAnney

PRO BONO/COMMUNITY SERVICE CLIENTS SERVED IN 2016

ALS Association	Northside Old Timers, Inc.
Bhutanese Community Association	PA Bar Civil Rights Committee
Big Brothers Big Sisters	PA Innocence Project
The Challenge Program	Positive Impact, Inc.
Core Net Global	Powerlink Charitable Organization
Cultural Trust	Reading Is Fundamental - Everybody Wins!
Dawn Gideon Nonprofit Foundation	Rebound 4 Ryan
Garfield Jubilee	Regional Development Funding Corporation
Geneva College	Rotary District 7300 Foundation and Finance Committee
Girl Scouts of Western PA	Small Business Legal Assistance Program (SBLAP)
Humane Action Pittsburgh	St. Joseph's House of Hospitality
The Jewish Chronicle	SCORE (Pgh. Chapter)
Leadership Pittsburgh, Inc.	Seneca Valley Cheer & Dance Booster Association
Meals on Wheels	Shoes 4 Kids
Midwife Center	Sigma Alpha Epsilon
Mifflin Twp. Historical Society	Taylor Alderdice High School
National Academy of Arbitrators	Three Rivers Center for Independent Living, Inc.
National Cemetery of the Alleghenies	Wills for Heroes
The Neighborhood Academy	Winchester Thurston School
Neighborhood Legal Services	YMCA of Southwestern PA

In addition to the clients listed, TAPC is a sponsor of the following charitable organizations, which have been supported by our employees either through financial means or generous gifts:

*ALS
Cecil Township Historical Society
Greater Pittsburgh Area Food Bank
Heart Association
Salvation Army Treasures for Children Project
The United Way of Allegheny County
Veteran's Leadership Program*



PRO BONO CENTER

Allegheny County Bar Foundation

Become a Volunteer

About Us

The Pro Bono Center is a program of the Allegheny County Bar Foundation, a 501(c)(3) non-profit organization that strives to promote justice for all and to improve the community through public service and law-related programs as the charitable arm of the Allegheny County Bar Association. The Center creates, manages, and supports legal services programs that match well-trained volunteer attorneys with individuals in poverty.

The Need

State and national studies have found that only 1 in 5 people who need legal services receives the assistance of a lawyer. And of those who seek out a legal aid office, only half of those receive legal services. The others are turned away due to lack of resources. These individuals are left on their own to deal with critical legal issues that threaten their basic human needs such as housing, employment, income maintenance, protection from domestic violence, and family structure.

What YOU Can Do

There are many opportunities to assist individuals in need. You can: Represent a victim of domestic violence seeking a protection from abuse order. Prepare a will for a senior citizen. Help someone lower barriers to employment by clearing their criminal record. Provide advice at a community legal clinic. Represent an immigrant seeking permanent legal residency or citizenship. These are just a few of the ways that you can give back.

We're Here to Help

The Pro Bono Center supports volunteer attorneys with free CLE training, online legal research, mentoring, forms and sample pleadings, and tips for best practices. Staff attorneys are available to answer questions and give guidance whenever needed.

The Allegheny County Bar Foundation also carries a malpractice insurance policy that covers attorneys when they provide free legal services to clients through our member projects and organizations. Other benefits of volunteering include opportunities to gain courtroom experience, exposure to different areas of the law, and networking with attorneys, judges, and other professionals.

Get Started Now

Interested in volunteering? Be sure to read the Pro Bono Center's monthly newsletter for information on upcoming CLE training programs and current volunteer needs. Visit www.pittsburghprobono.org and click on the "Volunteer" tab to learn more and find a program that matches your interests. Still have questions? Contact Barbara Griffin, Esq., Director of the Pro Bono Center, bgriffin@acba.org or 412-402-6622.