

## Legal lifeline for needy cut short

### Guest column

**When more people than ever are losing their jobs, their homes and their benefits, the need for civil legal aid is skyrocketing.**

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**T**he Damon family of Uxbridge thought they had exhausted all of their options in trying to save their home. Then they called legal aid.

Spc. Michael Damon, his wife Lisa and their two young children were close to being evicted after the mortgage company foreclosed on their home. Damon had returned injured after an 18-month tour of duty in Iraq and was unable to work, just as the couple's adjustable rate mortgage jumped to almost 11 percent.

The Damons were unable to afford the inflated payments, and the mortgage company was unwilling to negotiate. Then, their legal aid attorney stepped in and got the mortgage company to dismiss the eviction. Now, more than

a year later, the Damons are working with their attorney to renegotiate the terms of their loan, with the goal of buying back their home. Spc. Damon is healthy again and preparing to leave for his second tour of duty in Iraq.

The Damons' story ends well; most Massachusetts residents are not so fortunate. Even in strong economic times, civil legal aid programs routinely turn away almost half of eligible low-income and elderly individuals seeking assistance with civil legal problems threatening their safety, housing, health care and employment. Today, calls to some legal aid programs are up 30 percent.

### Grants slashed

Unlike in criminal cases, you do not have the right to an attorney for a civil legal problem — such as tenant evictions due to landlord foreclosure, denial of health care benefits and custody disputes in cases of domestic violence.

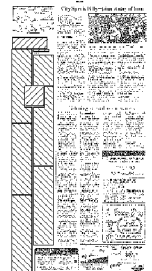
Those whom legal aid programs cannot help must navigate the complex court system alone.

The Massachusetts Legal Assistance Corporation, the largest funding source for civil legal aid in the commonwealth, has slashed grants to local legal aid programs by 40 percent, forcing them to lay off attorneys and paralegals, institute furloughs and leave positions unfilled. In Bristol County, South Coastal Counties Legal Services is losing 22 percent of its budget.

These drastic cuts result from a 54 percent decrease this fiscal year in the income MLAC receives from one of its two funding sources, interest-generating accounts set up by attorneys to hold short-term or modest client funds. As a result of the federal interest rate drop and slow real estate market, the revenue from these accounts has plummeted.

This funding shortfall is causing devastating consequences for families and communities in these challenging times. MLAC anticipates an additional 20,000 low-income individuals and family members will be without the legal help they need this year.

And it now appears that further cuts may be on the horizon. MLAC also relies on an appropriation from the Legislature for support, currently in the amount of \$11 million. However, the governor has recommended a 6.3 percent reduction of MLAC funding in the FY10 budget. If



the Legislature adopts this reduction in its budget, even more families will be denied the legal help they need.

The irony is that any reduction to the legislative appropriation for legal aid would be fiscally counterproductive. Research has shown that providing low-income individuals with civil legal aid ultimately saves the commonwealth money by, for example, keeping them out of expensive homeless shelters and reducing their need for state-funded social services.

The advocacy efforts of legal aid programs also unlock federal funds. As one example, in FY08 the Legislature allocated \$1.2 million to MLAC's Disability Benefits Project, which yielded \$8.6 million in new federal revenue for the commonwealth.

While private attorneys donate innumerable hours advising and repre-

senting low-income individuals on a volunteer basis, this service cannot replace the need for publicly funded legal aid. Law firms and corporate law departments, traditional supporters of local legal aid programs, are facing their own economic challenges. Other funding sources, such as local foundations, are cutting back their support as well.

In this bleak economy, when more people than ever are losing their jobs, their homes and their benefits, the need for civil legal aid is skyrocketing. Maintaining level funding for the MLAC appropriation in the state budget is a critical investment for the commonwealth in the best of times. In the worst of times, it is an essential life-line for families like the Damons who have nowhere else to turn.

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