

Conference of Chief Justices Conference of State Court Administrators

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February 24, 2017

Mr. John Michael "Mick" Mulvaney
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Director Mulvaney:

We write on behalf of the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) in response to a recent report that the Office of Management and Budget is considering recommending to Congress the elimination of funding for the Legal Services Corporation (LSC) in fiscal year 2018. Without a doubt, the elimination or reduction of the LSC's appropriation would have tragic consequences. The LSC enables thousands of citizens across our land to obtain competent legal services in matters involving basic human needs, such as relief from natural disasters, protection from domestic violence, securing veteran benefits, and maintaining habitable housing. For reasons stated below, the Conferences urge OMB to promote stable and adequate funding of the LSC rather than a defunding.

The CCJ was founded in 1949 to provide an opportunity for the highest judicial officers of the states to meet and discuss matters of importance in improving the administration of justice, rules and methods of procedure, and the organization and operation of state courts and judicial systems. For decades the Conference has made recommendations to bring about improvements in such matters. The CCJ membership consists of the highest judicial officers of the fifty states, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories of American Samoa, Guam and the Virgin Islands.

The COSCA was founded in 1955 to assist state court administrators in the development of more just, effective, and efficient system of justice by providing a strong network for the exchange of information and methods to improve the operations of state courts. Like the CCJ, the COSCA has made many recommendations to bring about improvements in court organization and operations. Its membership consists of the top state court administrator in the states and territories noted above.

Since the great recession in 2008, the Conferences have unanimously adopted several [resolutions](#) documenting the shortfall in civil legal aid and reaffirming the importance of the Legal Services Corporation. For example,

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Census Bureau data show that nearly one in five Americans – 61.8 million people – are eligible for legal aid, a 21% increase since 2007. In 2012, we called upon all members of Congress “to fulfill our nation’s promise of ‘Equal Justice Under Law’, by restoring funding for the federal Legal Services Corporation to the level necessary to provide critically needed services to low-income and vulnerable Americans.” We have reason to believe these efforts have contributed to a stabilization and occasional modest increase in Congressional appropriations to LSC in recent fiscal years.

The Conference of Chief Justices in 2013 released a data-rich policy paper entitled, “[The Importance of Funding for the Legal Services Corporation from the Perspective of the Conference of Chief Justices and the Conference of State Court Administrators](#)”. Our research makes clear that the large number of unrepresented citizens overwhelming the nation's courts has negative consequences not only for them but also for the effectiveness and efficiency of courts striving to serve these and other segments of the community who need their disputes resolved. More staff time is required to assist unrepresented parties. In the absence of a fair presentation of relevant facts, court procedures are slowed, backlogs of other court cases occur, and judges confront the challenge of maintaining their impartiality while preventing injustice. Clearly frontline judges are telling us that the adversarial foundation of our justice system is all too often losing its effectiveness when citizens are deprived of legal counsel.

Given these facts on the ground, we hope you will support our struggle to increase the availability of legal assistance to the most-needy members of our communities lest we further compromise our nation's promise of "equal justice under law."

Thank you for your consideration.

Sincerely yours,



Honorable John D. Minton, Jr.
President
Conference of Chief Justices



Arthur W. Pepin
President
Conference of State Court Administrators