

January 16, 2009

The Honorable Deval Patrick
Massachusetts State House
Office of the Governor, Room 360
Boston, MA 02133

Dear Governor Patrick:

As managing partners of some of the Boston area's leading law firms, we write regarding the unprecedented crisis threatening civil legal aid to the poor. As you know, the dramatic decline in Interest on Lawyers' Trust Accounts (IOLTA) revenue has forced the Massachusetts Legal Assistance Corporation (MLAC) to reduce its general support grants to local legal aid programs by nearly 40%. As a result, legal aid programs will receive \$8.5 million less from MLAC this fiscal year as compared to last year. It is therefore critical that the state appropriation for legal aid be maintained at its current level in FY10 despite the difficult economic circumstances facing the Commonwealth.

Law firms as well as individual attorneys contribute significant time and money on behalf of civil legal aid. In fiscal year 2008, law firm and individual donations to MLAC-funded programs amounted to \$4.1 million. In addition, MLAC-funded programs recruited and trained 659 private attorneys, who collectively donated 24,407 hours of legal advice and representation. The value of their time was \$5.5 million. Without legal aid attorneys, who provide the subject matter expertise and connection to clients, private attorneys could not effectively participate in *pro bono* work. The state's support of legal aid is the foundation that leverages this important *pro bono* contribution.

Without legal assistance, low-income litigants do not have meaningful access to the courts. As attorneys, we see these situations unfolding every day with the predictable outcome of lives being unnecessarily disrupted and sometimes ruined. Lack of access to the courts erodes confidence in the fairness of our Commonwealth. At the same time, *pro se* litigants slow the system for all users, creating inefficiencies and added expenses for everyone.

It is essential that the Commonwealth make legal advice and representation in serious civil matters available to those who need it notwithstanding their ability to pay. We urge you to protect legal aid from additional cuts this year by maintaining funding for MLAC in your fiscal year 2010 budget (line item 0321-1600) at \$11,070,424.

Thank you for considering our request. We deeply appreciate your support.

Very truly yours,

cc Ben Clements, Chief Legal Counsel

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