

# Wisconsin Access to Justice Commission

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March 29, 2011

Sen. Alberta Darling  
Co-Chair  
Joint Committee on Finance  
Room 317 East  
State Capitol  
P.O. Box 7882  
Madison, WI 53707

Rep. Robin Vos  
Co-Chair  
Joint Committee on Finance  
Room 309 East  
State Capitol  
P.O. Box 8953  
Madison, WI 53708

Dear Sen. Darling and Rep. Vos:

The Wisconsin Access to Justice Commission urges the Joint Finance Committee to maintain the state's commitment to fund civil legal services for Wisconsin's poorest and most vulnerable residents by restoring funding for civil legal services in the budget and thereby continuing Wisconsin's investment in equal justice.

Every state faces budget challenges but Wisconsin is the only state proposing a complete elimination of state funding for civil legal aid services at a time when demand for help with issues like foreclosure, bankruptcy, abuse, hunger and homelessness is increasing.

Wisconsin currently provides about \$2.6 million per year in state funding for civil legal aid services for Wisconsin residents who are unable to obtain legal assistance any other way because they have little or no income, are elderly, or are victims of abuse. The funding for the program comes from the "Justice Information Surcharge" (\$4.00 of the \$21.50 fee). The proposed budget redirects that \$4.00 to other programs, eliminating all state funding for civil legal services.

The impact of this sudden and complete cut-off of state funding will be severe. It will quickly affect residents in every city, town and village in Wisconsin:

- At least 40 legal services staff positions will be lost, leaving at least 3,376 clients to face critical legal problems alone.
- These and other low-income families and individuals, senior citizens, and disabled persons will have no legal assistance when facing illegal eviction, foreclosure, threats of family violence or neglect, bankruptcy, consumer fraud, or wrongful denials of state or federal benefits such as food stamps, health insurance, or unemployment compensation.
- An already overburdened justice system will experience more unrepresented parties, more delays and more civil problems that spiral into even more expensive criminal issues.

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The **Wisconsin Access to Justice Commission** was established by an order of the Wisconsin Supreme Court. Its mission is to develop and encourage means of expanding access to the civil justice system for unrepresented, low-income Wisconsin residents. Learn more at <http://wisatj.org/>

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Therefore, the Commission respectfully urges the Legislature to restore this vital funding so that Wisconsin's legal services providers can continue to offer these critically important services for our state's most disadvantaged residents. **A meaningful opportunity to obtain equal justice must be available and accessible to all.**

Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregg M. Moore". The signature is fluid and cursive, with the first name "Gregg" being the most prominent.

Gregg M. Moore  
President

cc: Members of the Joint Committee on Finance

# Wisconsin Access to Justice Commission

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April 15, 2011

Sen. Alberta Darling, Co-Chair  
Joint Committee on Finance  
Room 317 East  
State Capitol  
P.O. Box 7882  
Madison, WI 53707

Rep. Robin Vos, Co-Chair  
Joint Committee on Finance  
Room 309 East  
State Capitol  
P.O. Box 8953  
Madison, WI 53708

## **Re: Clarification of position on civil legal services funding**

Dear Sen. Darling and Rep. Vos:

As we noted in our March 29 letter to you, the Wisconsin Access to Justice Commission strongly supports restoring funding for civil legal services in the budget as a way of continuing Wisconsin's investment in equal justice for all. The purpose of today's letter is to urge you to continue not just Wisconsin's financial support for civil legal services but also the means by which that funding is distributed.

Currently, \$4 from every \$21.50 generated by the Justice Information Surcharge is distributed by the Department of Administration (DOA) to the Wisconsin Trust Account Foundation (WisTAF) which then makes grants to fund civil legal services to the indigent in Wisconsin. WisTAF is a nonprofit foundation that was created by an order of the Wisconsin Supreme Court and its grants of state funds are made subject to the terms of a contract between WisTAF and DOA.

WisTAF is the most efficient grant-making mechanism for distributing legal services funding provided by the State of Wisconsin. That efficiency comes from WisTAF's experience in grantmaking, its low overhead costs and the efficiency that comes from its role as the organization charged by the Supreme Court with distributing civil legal services funding for the indigent from two other court orders: (1) an annual \$50 fee paid by every active Wisconsin lawyer and judge; and (2) the interest on lawyers' trust accounts.

With 25 years of experience in reviewing and making grants to civil legal services in Wisconsin, WisTAF also works efficiently with a small staff and very low overhead. Two items in WisTAF's most recent annual report to the Department of Administration for 2009-2010 illustrate the value of its role:

1. WisTAF absorbs all the costs of administering the program, so the full amount of the state appropriation goes to fund legal services to the indigent; and

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2. “In 2009-2010, for every dollar of state civil legal services appropriation funding, Wisconsin's civil legal services providers received or recovered \$11.36 for their clients (a net gain for the state of more than ten dollars for every dollar invested).”

Restoring funding for civil legal services to the indigent with WisTAF as the administrator for the program is a cost-effective investment for Wisconsin. Therefore, the Commission respectfully urges the Legislature to restore this vital appropriation so that Wisconsin’s most disadvantaged residents can continue to receive critically important civil legal services supported by these funds.

Thank you again for your attention.

Sincerely,



Gregg M. Moore  
President

cc: Members of the Joint Committee on Finance