

Legal Services for the Poor: What Each of Us Can Do

By Joe Nagy, President

Throughout the United States there is an urgent need for professionals to contribute their services to the poor. Texas is no different than the rest of the country. Many of the more than two million poor people in our state have legal problems that could be resolved with a lawyer's advice and guidance. Poor Texans' legal problems usually revolve around survival issues such as family relationships (including child or spouse abuse), income maintenance, housing, health, utilities, and financial problems.

Lawyers volunteering their services for the good of the community help indigent Texans while improving the image of the Bar. A recent poll by the Public Policy Resources Laboratory at Texas A & M shows that only 39 percent of Texans rate the ethical standards of lawyers as very high or high. This is almost 40 percentage points less than the rating of medical doctors and 20 percentage points less than the rating of bankers. Lawyers' ratings have dropped 11 percentage points since 1984.

Texas lawyers can and must do things to improve the profession's image with the public. Massive participation in programs that benefit the community, like IOLTA (Interest on Lawyers' Trust Accounts) and pro bono, can have a positive effect. An editorial in the *Austin American-Statesman* recently had this to say following the creation of a legalization pro bono program by Austin Lawyers Care:

"Lawyers are perceived by many as being in the game only for the big bucks. Of course that is a gross exaggeration, as evidenced by this example. More than 100 Austin area lawyers have offered free legal representation to illegal aliens whose applications for amnesty have been denied by immigration authorities. That probably adds up to anywhere from \$500 to \$1,000 or more in free legal services per lawyer. And it lends meaning to the Latin term used for such donated work: pro bono publico—for the public good."

Both the American Bar Association and the American Medical Association have challenged their members to contribute 50 hours a year for the public good. Every Texas attorney can do his or her part. Attorneys in private practice do not have to bear the

brunt of the effort. Corporate and government attorneys are staffing evening legal clinics and legal hotlines. Judges are taking their courts to legal clinics, holding lunch hour dockets and assisting in recruitment. Law professors are representing pro bono clients and volunteering their expertise to conduct training sessions for pro bono attorneys. The State Bar of Texas is now contributing by providing partial funding for Texas Lawyers Care, the statewide pro bono activation program.

Poor citizens need access to the justice system, yet federal funding for legal services to the poor, never adequate to meet the need, has been cut drastically. Individually, Texas lawyers are responding to these cutbacks in two ways: by participating in IOLTA and pro bono activities. IOLTA and pro bono activities are voluntary and effective tools for helping poor Texans. Nationally, 15 percent of attorneys volunteer their time. More than \$100 million has been remitted to 44 IOLTA programs. In Texas, 20 percent of the bar participates in IOLTA and an increasing number of attorneys handle pro bono cases through organized pro bono programs. I wish to congratulate those lawyers who already volunteer their time for the poor and participate in IOLTA. A special plea goes out to the remaining Texas attorneys, who as of yet, are not involved in donating their legal expertise to the poor for the good of the community.

I feel assured that Texas attorneys will take up the challenge and volunteer their professional services. If every Texas lawyer volunteers 50 hours a year for the public good, approximately two million valuable hours of legal expertise would be available to low-income Texans who would otherwise be denied access to our legal system.

I frequently hear, "Why should I donate my services to the poor? Other professions don't."

Attorneys historically have been the leaders of this country. Attorneys set the standards that other professions strive to meet. Let us be an example to other professions. Let other professional organizations say, "Attorneys are making their contribution; so can we." **TBJ**