

# Lawyers focus on aid to poor

By Josh McCann

Advocates of legal aid to the poor estimate they meet the needs of 2 of 10 clients in need of help, and lawyers are mounting efforts to bring more resources to the cause.

Kannapolis native and president-elect of the **N.C. Bar Association** Janet Ward Black plans to focus her upcoming term on the issue, and the American Bar Association has called on governments at all levels to ensure the poor have access to counsel when matters such as shelter, sustenance and safety are at stake.

While the U.S. Supreme Court has guaranteed a right to representation in criminal cases, those involved in civil cases are often forced to represent themselves, advocates said.

Civil courts issue decisions regarding matters such as housing, family law and domestic violence, Black said, and more than 40 percent of legal aid cases involve children.

Two nonprofit groups aim to help low-income clients involved in such cases in this region: **Legal Aid of North Carolina** has a branch office in Concord that covers four counties, and Charlotte-based Legal Services of the Southern Piedmont serves some in Cabarrus.

Leaders of both groups said their staffs of lawyers come early, stay late and work hard, yet they're simply overwhelmed by demand, often taking cases on a first-come first-served basis.

Of North Carolina's 8.2 million residents, about 3 million qualify for legal assistance based on income, said George Hausen, executive director of Legal Aid of North Carolina.

While Cabarrus has been fortunate to have low levels of poverty in the past, Black said, the percentage of poor residents has risen.

According to the U.S. Census, 4.8 percent of families and 7.1 percent of individuals were below poverty level

in 2000. Those numbers rose to 7.2 and 9.6 percent respectively in 2005.

## Legal aid lawyers 'outnumbered'

Statewide, Hausen oversees 122 attorneys in 25 offices who serve between 25,000 and 30,000 people a year.

But there are about 27,000 eligible residents for each Legal Aid attorney in the state, Hausen said, compared to 460 residents in the general population for each regular attorney.

That disparity is further compounded because low-income people are disproportionately likely to need legal assistance, said Ken Schorr, executive director of Legal Services of the Southern Piedmont.

In a given year, about one in four low-income people need civil legal assistance, Schorr said.

Private lawyers also volunteer their time, but Schorr said legal aid lawyers remain "outnumbered."

As a result, low-income litigants who represent themselves often lose, even when the facts and the law are on their side, Hausen said.

While Legal Aid lawyers settle about 70 percent of cases before litigation and win 90 to 95 percent of cases that do go to trial, Hausen said, civil litigants without lawyers often consign themselves to failure.

The case of a domestic violence victim seeking protection may fall apart without representation, for example, or a resident may face premature or unjustified foreclosure.

"You really do need a lawyer to prevail in that system," Hausen said. "It's just unfair that the simple lack of a lawyer means you lose your house."

## Resources lacking

Getting more resources behind the cause has proven challenging, however.

Legal Aid of North Carolina offers starting salaries of \$37,500 that can't compete with private firms' offers of \$145,000, Hausen said.

Black's effort to bring more attention to legal aid includes a call for legislators to help with what she calls a "budgetary crisis."

She also hopes to "reinvigorate" the bar and educate both lawyers and the public to convince them to donate money and time.

She is organizing a statewide "Ask an Attorney Day,"

on which residents will be able to call for free legal assistance.

She said she hopes to reach many lawyers inspired to enter the profession by the ideal of justice for all.

"If you don't have somebody who can speak for you, you're unlikely to accomplish what you deserve to accomplish," she said. "We have the ability to help make that more of a reality, and the system is just not making that a reality."

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Janet Ward Black  
President-Elect  
NC Bar Association

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