

RESULTS
of the
PENNSYLVANIA
ACCESS *to* JUSTICE ACT



Executive Summary of the Five-Year Report on the Filing-Fee Surcharge Law, FY 2004-2008



February 2009

Executive Summary of the Five-Year Report on Results of the Pennsylvania Access to Justice Act

In July 2002, the Access to Justice Act (AJA) was enacted with strong bipartisan support by the Pennsylvania legislature and signed into law by Governor Schweiker. The statute established a \$2 surcharge on filings in state courts. The funds from the surcharge were designated to provide civil legal assistance to low-income Pennsylvanians without charge. In 2006, the AJA was extended for a second five-year period; it is now scheduled to sunset November 1, 2012.

This Executive Summary provides highlights from a longer report sponsored by the Pennsylvania IOLTA Board on the results of the Access to Justice Act. *For a copy of the full report, see "For More Information" on the back page of this Executive Summary.*

The report finds that the AJA has had a significant, positive impact on low-income families and their communities across the state, especially upon some of the most vulnerable Pennsylvanians: children, seniors, people with disabilities, and veterans. In addition, legal aid offices and the civil court system have been made more efficient and effective as a result of the AJA funding.

The AJA has provided a stable, predictable funding stream totaling \$36.5 million from fiscal years 2004-2008, providing on average about 18 percent of the total support received by Legal Aid providers in Pennsylvania. As a result, it has enabled Legal Aid advocates to begin narrowing the "justice gap" between the overwhelming legal needs people face every day and the resources available to meet them.

Perhaps even more significant are the intangible results that have been achieved. AJA-supported Legal Aid stabilizes families, maintains communities, and makes society safer. It saves taxpayers money and helps prevent legal problems that would otherwise further clog the court system. Legal Aid helps people to become self-sufficient and participate effectively in society.

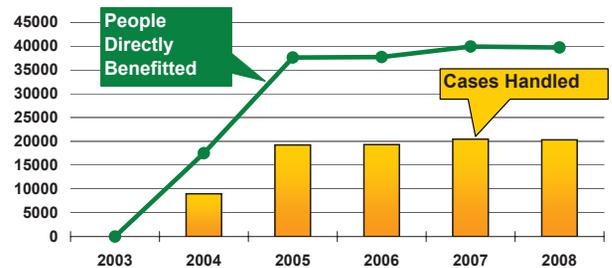
Passage of the Access to Justice Act in 2002 was a major milestone; its extension to 2012 confirmed the Commonwealth's commitment to Equal Justice. The remaining period of funding under the Act presents an opportunity to solidify the gains already made, achieve even greater productivity and effectiveness, and continue providing legal assistance that improves the lives of the poorest and most vulnerable Pennsylvanians. Those efforts will bring the day closer when everyone, regardless of income, can obtain the legal assistance he or she needs to function as a full participant, not a victim, in our society.

The Access to Justice Act at a Glance

The Access to Justice Act attaches a \$2 surcharge on various courthouse filings and designates this funding to help support Pennsylvania's civil legal aid programs. The small charge is a user fee that enables those who access the court system to share in providing legal help to the poorest and most vulnerable Pennsylvanians facing critical legal problems affecting their homes, families, jobs, safety and health.

■ Year statute first enacted	2002
■ Statute renewed	2006
■ Statute expires	2012
■ Amount generated, FY2007-08	\$9.7 M
■ Percentage of Legal Aid's total funding from AJA	18%
■ Five-year cumulative through June 2008	\$36.5 Million
■ Five-year cumulative total of legal cases handled	70,700
■ Five-year cumulative total of people directly benefitted	138,100

AJA-Funded Cases and People Benefitted



Each year's "Cases Handled" figure includes all cases completed in that year, and all cases that were still active at the end of that year. The cumulative total over the five years of AJA funding was 70,700 cases, the sum of cases completed during the five years, and the active cases carried into 2009. The cumulative total of people directly benefitted was 138,100.

Legal Aid in Pennsylvania

Pennsylvania IOLTA – the Lawyers Trust Account Board is an entity created by the Supreme Court of Pennsylvania to help provide equal access to legal representation for low-income Pennsylvanians. PA IOLTA distributes grants from a collection of funding sources including Interest on Lawyers Trust Accounts (IOLTA), Access to Justice Act filing-fee surcharge revenues, the Magisterial District Judges Interest on Trust Accounts Program, and other sources.



Pennsylvania Legal Aid Network, Inc. (PLAN, Inc.) administers state appropriated funds and IOLTA Board grants, and provides strategic leadership and coordination for eight independent regional legal aid programs and five specialized legal resource programs that together, with two non-PLAN, Inc. funded programs, comprise the Pennsylvania Legal Aid Network. The Network's

principal funding sources include PA IOLTA, the federal Legal Services Corporation, the Pennsylvania Department of Public Welfare and an array of other federal, state, local and private agencies.

Snapshot of AJA-Funded Legal Assistance

With funding from the AJA filing-fee surcharge, IOLTA and other sources, the Pennsylvania Legal Aid Network handles approximately 90,000 legal cases each year, directly benefitting more than 138,000 low-income Pennsylvanians each year.

Total Legal Aid Cases Handled
FY 2007-08: 94,400



Funded by AJA: 20,300 Cases

Please see Appendices VIII and IX for a breakdown of this total by legislative districts.

Family - 29%

Family: 5,800 cases.

Legal problems include domestic abuse, divorce and child custody.

Snapshot: Hearing-Impaired Father Reunited with Daughter.

"Miguel," who was deaf, was devastated when his infant daughter was placed in foster care as the result of her mother's drug use. A Community Legal Services advocate intervened with the Department of Human Services to provide Miguel with a sign language interpreter so he could attend an intensive parenting program. He was reunited with his daughter, and the case has been discharged from dependency court.

Housing - 20%

Housing: 4,100 cases.

Legal problems include landlord/tenant, mortgage foreclosure and subsidized housing rights.

Snapshot: Affordable Housing Expanded in Pittsburgh.

Regional Housing Legal Services helped create rental housing for five low-income families. It represented a community housing group in acquiring and financing a two-story mixed use project for low-income families and ground floor commercial space on a vacant lot in Pittsburgh. This work involved the acquisition of six adjacent parcels from two separate sources, negotiating financing with four separate sources, and obtaining the variances necessary to move forward with the project.

Public Benefits - 12%

Public Benefits: 2,400 cases.

Legal problems include TANF/Other Welfare, Social Security and veterans benefits.

Snapshot: Restoring Crucial Income Benefits.

An advocate from Southwestern Pennsylvania Legal Services represented "Joshua," a disabled veteran with cancer who received notice that his medical benefits were about to be terminated. When he was faced with having to delay crucial surgery, he turned to Legal Aid. The attorney immediately met with a caseworker at the County Assistance office. Together, they determined that Joshua qualified for Medical Assistance for Workers with Disabilities. His benefits were restored, and he was able to have the surgery and resume his cancer treatments.

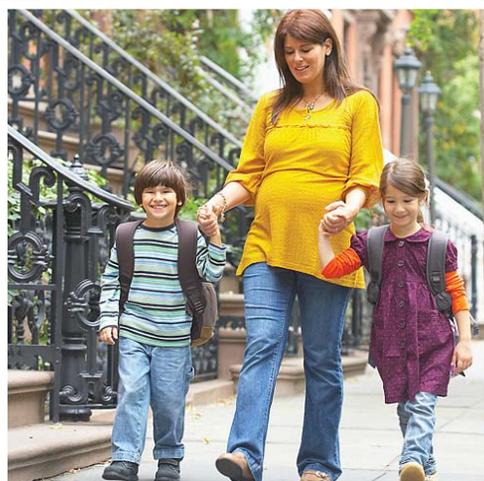
Consumer - 11%

Consumer: 2,200 cases.

Legal problems include bankruptcy, debt collection, public utilities and unfair sales practices.

Snapshot: Resolving an Elderly Woman's Debt Crisis.

An advocate with North Penn Legal Services helped an elderly woman avoid collection of a six-year-old, \$4,000 alleged debt on her credit card. When the creditor could not document the charges, the District Justice dismissed the complaint, greatly relieving the client's anxiety about an overwhelming debt she was in no position to pay.



Economic Impacts of AJA-funded Legal Aid

The total economic impact of legal assistance supported by AJA funds between fiscal years 2004 and 2008 was \$154 million, more than four times the amount of AJA funds invested. The impacts include:

- **\$68 million** in economic activity in local communities. Each dollar of federal benefits for clients circulated 1.86 times through local economies. The result: sales for local businesses and 1,710 jobs for working Pennsylvanians.
- **\$37 million** in direct-dollar benefits for clients (included in the \$68 million figure above). These benefits secured for clients by AJA-funded Legal Aid advocates provided critically needed financial support and reduced the burden of such assistance on state taxpayers.
- **\$8 million** savings in emergency shelter costs. In 2004-08, 670 low-income families successfully avoided homelessness thanks to legal help by AJA-funded Legal Aid advocates. Studies show an average savings of \$11,550 per family for Pennsylvania taxpayers.
- **\$23 million** savings in costs of domestic abuse. Legal Aid advocates funded by AJA protected 7,700 families from domestic violence in 2004-08. Studies indicate an average savings of \$3,000 per family in the costs of medical care for injured victims, targeted education and counseling for affected children, police resources and incarceration of abusers.
- **\$55 million** savings for low-income utility customers. In 2007, the PA Utility Law Project represented low-income customers in negotiating an agreement with the gas company that eliminates security deposits and initial enrollment payments and provides significant discounts for low-income customers.

Additional economic impacts (not quantified):

- Savings from crime prevention and law enforcement assistance.
- Savings from keeping children in school whose attendance would otherwise have been interrupted by homelessness and/or domestic abuse.
- Efficiencies in Pennsylvania courts made possible by Legal Aid assistance to clients and self-represented litigants, such as materials and training on how to follow court procedures.
- Additional tax revenues from jobs preserved as a result of Legal Aid employment cases.



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For More Information

- This report, related to funding received as a result of the Access to Justice Statute (42 Pa. C. S. Section 4901 et. seq.), was sponsored by the Pennsylvania IOLTA Board, with data provided by Pennsylvania Legal Aid Network, Inc. (PLAN, Inc.). The report was produced for PA IOLTA by The Resource for Great Programs, Inc.
- See "Results of the Pennsylvania Access to Justice Act," the full report summarized in this Executive Summary. The report is available from the Pennsylvania IOLTA Board -- see below -- or may be downloaded from the PA IOLTA web site, www.paiolta.org/ajareport/ajareport.htm.
- Data appendices and endnotes that provide additional information about data calculations used in the report are available on www.paiolta.org/ajareport/ajareport.htm.

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