

CAN YOU AFFORD YOU?

By Heidi C. Potter, Legal Aid Foundation of Colorado Trustee

Have you ever wondered if you could afford to hire yourself if you needed a lawyer? For many of us, the answer to that question is either, “No, I couldn’t afford to hire me” or “Yes, but not for very long.” Now imagine that you are living at the poverty level, have kidney disease and are in desperate need of the Medicaid certifications required for a life-saving kidney transplant. Or maybe you are elderly, retired and living on a fixed income when your social security card is stolen and you can’t get your retirement benefits because someone is fraudulently using your identity to obtain what is rightfully yours. These individuals definitely can’t afford your help, but they are in dire need of your help.

Legal needs studies have consistently found that fewer than 20 percent of low-income individuals get the civil legal assistance they need. These include many who face serious and potentially life-threatening consequences if they don’t receive the help they need – victims of domestic violence and their children, families at risk of losing their homes, seniors in need of protection or medical care, and veterans entitled to benefits. Of those Coloradans who actually make their way to Colorado Legal Services (CLS) to ask for help, more than half are turned away because of inadequate resources. That’s the bad news.

The good news is you can help! As lawyers, we know first-hand the value and necessity of quality legal representation. We understand the serious repercussions of leaving legal problems unresolved and see every day how good advocacy makes a difference in people’s lives. As lawyers we are in the business of providing meaningful access to justice. Making a contribution to the Legal Aid Foundation (which raises money for CLS) allows us to provide meaningful access, not just for our clients, but for some of the least fortunate and most vulnerable members of our society.

Our contributions help assure fairness in our civil justice system, regardless of individual economic circumstances. Our contributions provide access to justice and avenues out of poverty for those who, without legal aid, have nowhere else to turn. There are also ongoing efforts to encourage more *pro bono* work and to provide more assistance for the growing number of unrepresented litigants in state court. But these initiatives cannot replace—and indeed, they rely on—an adequately-funded, staffed legal aid program, with expertise and experience in responding to the legal needs of low-income people.

Our support and leadership are critical to the success of the Legal Aid Foundation’s annual Campaign for Justice, and critical to the financial stability of CLS. CLS is the only agency in the state that provides free legal services in civil cases to indigent clients in every Colorado county. With few exceptions, CLS clients are living at or below 125% of the federal poverty guideline, which means an annual income ceiling of \$14,588 for an individual and \$29,813 for a family of four.

CLS operates like a legal emergency room. In conducting its triage, it gives priority to the poor and elderly in greatest economic and social need, focusing on legal issues that have an impact on basic needs, including at least minimally-adequate income, food, shelter, utilities, necessary medical care, and freedom from domestic violence and abuse. In 2013 alone, CLS

directly served nearly 12,000 low-income clients, and stretched its limited resources with technology, self-help materials and clinics, and state-of-the-art interactive legal forms to provide assistance to many more.

CLS also plays a pivotal role in the development, coordination, support, and most effective use of *pro bono* resources across the state. In four of its 14 offices, including Denver, CLS houses the local *pro bono* program and provides for coordinated intake. CLS currently has 48 lawyers on staff to serve over 900,000 income-eligible Coloradans. By comparison, there are 420 public defenders in the state to serve the indigent in serious criminal matters.

Because of inadequate resources, CLS turns away at least one income-eligible person for every person it serves. Together we can change that. The Legal Aid Foundation is participating in the statewide Colorado Gives Day initiative again this year. Contributions may be made on Tuesday, Dec. 9th or scheduled beforehand at www.legalaidfoundation.org, and the value of those contributions will be increased by the \$1 Million FirstBank Incentive Fund.