

Bridging the Justice Gap: What Does That Mean? What's a Justice Gap? Why Do We Have One and What Can We Do?



By Janice Chiaretto

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The following is a reprint of the speech presented by Janice Chiaretto at the Summer Pro Bono Fair: Legal Assistance, Access & Action Campaign kickoff event.

As we gather on this festive occasion and have listened to our distinguished speakers reflect upon how happy we are to have the opportunity to bring you together, to talk about pro bono, and why it is so important, I can only add my concurring voice. The truth is that right now as of today, our justice system is filled to the brim with low-income people who simply do not have the means to pay for a lawyer to resolve important life affecting legal problems.

This is a national phenomenon but certainly no different right here where we stand; in 2008, a Civil Legal Needs study conducted in Connecticut revealed that 42 percent or more of low-income households face at least two serious legal problems in the course of a year. That amounts to at least 307,000 cases. We have no reason to believe the numbers are lower today.

The federal Legal Services Corporation (my principle funder) published its own justice gap survey this year. It reveals that in the past year, 86 percent of the civil legal problems reported by low-income Americans received inadequate or no legal

help. Seventy-one percent of low-income households experienced at least one civil legal problem in the last year, including problems with health care, housing conditions, disability access, veterans' benefits, and domestic violence. In this year, low-income Americans will approach civil legal aid organizations for help with an estimated 1.7 million problems. They will receive only limited or no legal help for more than half of these problems due to a lack of resources.

By 2018 nearly 18 percent of the entire population would be eligible for free legal aid. On the other hand, by LSC's estimation, 50 percent or more of people seeking free or affordable legal help will be turned away—in every state of the union.

To put that in perspective, more than 60 million Americans have family incomes below 125 percent of the Federal Poverty Level. (That is especially sobering when you realize a family of four will make 30K per year—or less—to qualify.)

For these reasons, and because there are not enough free or very low cost legal resources to meet this need—not for lack of trying, I might add—**we have taken to referring to this this dilemma as the “justice gap.”**

It is more than a dilemma—it is a *bona fide* crisis. These are problems of real needs

percent—not wants. Legal problems that can mean the difference between a home and homelessness, safety or abuse, children or no children, income or no income, medical attention or none. Legal problems that materially undermine the health safety and welfare of seniors, veterans, rural communities, urban centers, marginalized populations, children and victims of domestic violence. As you realize by now, publically funded legal aid programs cannot bridge the justice gap alone—but we must find a way. *We must!*

But take heart! I am not here to bring you down. I bring good tidings!

I am here to tell you that *you* can help—you can be part of the solution. That you are going to join the cadre of wonderful pro bono attorneys—indeed a mighty army—who are pitching in to build that bridge and to close the justice gap every day. Who are these wonderful attorneys? Well, it's hard to tell sometimes. They work under the radar, without fanfare or want of recognition. Most often they are just hiding in plain sight. (Look around you today—you are probably standing next to one.) But they're everywhere—large and small law firms, solo practitioners, for profit and non-profit organizations, major corporations, and they all share one goal: To close

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