

March 10, 2017

Mick Mulvaney  
Director, Office of Management and Budget  
725 17th Street, NW  
Washington, DC 20503

Dear Mr. Mulvaney:

We write as deans of Catholic law schools in the United States to urge you to maintain funding for the Legal Services Corporation (LSC), the largest funder of civil legal aid in our nation.

The LSC's 43-year history reflects a bipartisan commitment to address our nation's glaring access to justice problem. LSC-funded providers have provided a voice to millions of low-income Americans who could not otherwise have afforded legal representation in the midst of some of life's most harrowing circumstances. The most frequent cases involve family law (e.g., protecting victims of domestic violence, guardianship proceedings), housing (e.g., landlord-tenant disputes, renegotiating loans to prevent foreclosure), helping military families with a variety of legal needs, and consumer issues (e.g., protecting the elderly and vulnerable from being victimized by unscrupulous lenders). These providers help people who live in households with annual incomes at or below 125% of the federal poverty guidelines, a category that includes almost one in five Americans.

We recognize the need for difficult fiscal decisions, and the LSC has already worked creatively and diligently to do more with less. From 2007 to 2016, funding per eligible person decreased from \$7.54 to \$5.85. In 2016, Americans spent millions more on Halloween costumes for pets than on LSC grants.

Further cuts to the LSC would exacerbate a justice gap that remains deeply problematic for a nation committed to the rule of law. According to the World Justice Project's survey data, the United States ranks dead last (36<sup>th</sup> out of 36) among high-income countries on the question of whether people can access and afford civil justice. Though LSC-funded programs helped 1.8 million people in 2015, recent studies indicate that 80 percent of the civil legal needs of the eligible population are not being met.

The justice gap should concern all Americans, but we take a special interest in the problem as leaders of our nation's Catholic law schools. Though we represent law schools of various sizes, with unique histories, serving distinct communities in different regions of the country, we share a commitment to make the justice system more accessible to the poor. This is not just a matter of good citizenship or professional duty, but Catholic identity. As Saint John Paul II explained, "Love for others, and in the first place love for the poor, in whom the Church sees Christ himself, is made concrete in the promotion of justice." (Centesimus annus ¶ 58) Our legal aid clinics, pro bono programs, and many other school-specific initiatives bear witness to this commitment. Closing the justice gap also relies on support from state and local governments, law firms, foundations, and a broad spectrum of private philanthropy.

The LSC's support, however, is irreplaceable, not just as a matter of practical reality, but as an affirmation of our political community's core commitments. The Church teaches that the state is responsible to cultivate the conditions by which "the common good may be attained by the contribution

of every citizen.” (Compendium of the Social Doctrine of the Church ¶168) By helping ensure access to our justice system for citizens who could otherwise not afford legal representation, the LSC empowers individuals and families to contribute to the common good by giving them more control over their own lives. The LSC promotes justice by leveling the playing field for all Americans.

A growing body of research demonstrates that investment in civil legal aid yields significant economic benefits for state and local governments. To cite just three of the conclusions supported by recent research:

- Civil legal aid reduces repeat incidences of domestic violence, thus reducing public spending on medical care, special education and counseling for affected children, and police resources.
- Through representation in child welfare proceedings, civil legal aid saves public money by helping children leave foster care more quickly.
- Housing court representation by civil legal aid attorneys saves public money by reducing evictions, unjust foreclosures, and homelessness.

It also bears noting that our support for the LSC does not emanate from our agreement about politics. Over its history, the LSC has been the subject of debates that have led Congress to restrict the permissible scope and aim of funded programs. Included among the activities that the LSC may not fund are lobbying, criminal cases, habeas corpus actions, labor organizing activities, abortion-related litigation, the representation of non-citizens (subject to limited exceptions), class actions, prisoner litigation, welfare reform, and redistricting. While we may not agree with each other on the prudence of these limitations, LSC’s remaining statutory charge lies largely beyond partisan reproach.

Each one of us could share stories of how LSC-funded organizations in our communities have changed lives for the better, not by government handout, but by equipping a trained advocate to come alongside those whose interests are too frequently disregarded and act as their voice, their counselor, and their champion. The LSC’s work provides a daily reminder of government’s capacity to affirm the dignity and worth of every American.

As the late Justice Antonin Scalia stated in his remarks celebrating the organization’s 40<sup>th</sup> anniversary, the LSC “pursues the most fundamental of American ideals,” for “without access to quality representation there is no justice.”

We appreciate your consideration of our request.

Sincerely,

Mark C. Alexander  
Villanova University Charles Widger School of Law

Daniel F. Attridge  
The Catholic University of America Columbus School of Law

Kathleen M. Boozang  
Seton Hall University Law School

Kevin Cieply  
Ave Maria School of Law

Annette E. Clark  
Seattle University School of Law

Phyllis L. Crocker  
University of Detroit Mercy School of Law

Matthew Diller  
Fordham University School of Law

Stephen C. Ferruolo  
University of San Diego School of Law

Jose Frontera  
Pontifical Catholic University of Puerto Rico Law School

Alfredo Garcia  
St. Thomas University School of Law (FL)

William P. Johnson  
Saint Louis University School of Law

Michael J. Kaufman  
Loyola University Chicago School of Law

Lisa A. Kloppenberg  
Santa Clara University School of Law

Jane Korn  
Gonzaga University School of Law

Maureen Lally-Green  
Duquesne University School of Law

Paul McGreal  
Creighton University School of Law

Rev. Lawrence W. Moore, S.J.  
Loyola University New Orleans College of Law

Nell Jessup Newton  
Notre Dame Law School

Vincent D. Rougeau  
Boston College Law School

Stephen M. Sheppard  
St. Mary's University School of Law

Andrew L. Strauss  
University of Dayton School of Law

John Trasviña  
University of San Francisco Law School

William Treanor  
Georgetown University Law Center

Robert K. Vischer  
University of St. Thomas School of Law (MN)

Michael Waterstone  
Loyola Law School, Los Angeles

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