

FUNDING FOR LEGAL SERVICES

ISSUE - State funding of a Legal Services Grants Program to ensure access to the judicial system for low-income lowans for assistance in civil cases – not criminal.

ISBA POSITION - The Iowa State Bar Association supports state funding in the amount of \$2.9 million for the Legal Services Grants Program, which provides money to Iowa Legal Aid. Additionally, the Iowa State Bar Association supports establishment of a mechanism to provide for a consistent and assured “revenue stream.”

BACKGROUND – Iowa Legal Aid provides legal services in civil matters to low-income residents of Iowa from offices in ten cities. Offices are located in Cedar Rapids, Council Bluffs, Davenport, Des Moines, Dubuque, Iowa City, Mason City, Ottumwa, Sioux City and Waterloo. In 2016, Iowa Legal Aid handled over 13,350 cases and helped over 38,000 lowans. Nearly 3,400 Iowa lawyers participate in Volunteer Lawyers Projects. These lawyers handle cases through the Iowa Legal Aid Volunteer Lawyers Project, the Polk County Bar Association Volunteer Lawyers Project and the Scott County Pro Bono Project. In 2016, volunteer lawyers contributed over \$2 million in donated services.

The primary sources of funding for legal services programs are appropriations made by the federal government, grants from the IOLTA (the Interest on Lawyers Trust Account) program administered by the Iowa Supreme Court, and other private donations. Federal funding continues to decline in the area of legal services leaving a shortfall that state and private dollars struggle to fill. Additionally, the number of eligible lowans has increased. The result is a strain on the budgets for legal services programs trying to provide assistance as they have in the past.

Iowa Legal Aid handles the following types of cases:

1. Nearly one-third of all cases are in the area of family law, most of which involve domestic abuse;
2. Approximately 72 percent of the cases involved women as the primary client;
3. More than 24 percent of the clients served were senior citizens;
4. Legal Services also provides assistance to:
 - Protect victims of domestic violence
 - Prevent illegal evictions and unsafe housing
 - Securing income support such as SSI, Medicaid and disability benefits
 - Preventing consumer fraud and abusive debt collection practices
5. Legal Services programs serve as an integral part of Iowa’s justice system and have and will continue to play a role in serving the needs of low-income people in emergency situations such as the flooding in 1993 and 2008, as well as local legal emergencies caused by fire, job displacement and natural disasters.

Over 499,000 lowans live on incomes that are below 125% of the federal poverty level, \$30,750 for a family of four, which is the income level that qualifies individuals for legal services. These individuals may need access to the justice system to secure adequate housing, obtain protection from abuse, maintain healthy families, obtain disability benefits, and to overcome the barriers they may confront as they move from public assistance to paid employment. Without legal assistance to these individuals provided through Iowa Legal Aid, many families will not be able to protect their individual rights.

Last Updated 9/29/2017