



The Role of Civil Legal Aid Organizations in the Justice Index Attorney Count 2019-2020

The Count. In 2019-2020, the National Center for Access to Justice (NCAJ) at Fordham Law School is working with the civil legal aid community in the United States and Puerto Rico to update the “Attorney Count” in the Justice Index, justiceindex.org. Last updated in 2016, the Count is a national resource for data on the number of civil legal aid organizations and attorneys in each state.

The Importance. By listing civil legal aid organizations and counting civil legal aid attorneys in each state, and by comparing the states to one another, the Justice Index helps reformers advocate for civil legal aid in each state and nationally. In its most recent findings, the Justice Index reported that there are on average less than 1 civil legal aid lawyer per every 10,000 low income people in the US, and that all but seven states had fewer than 1 civil legal aid attorney per 10,000. The Justice Index sets as a goal for each state the ratio of 10 civil legal aid attorneys per every 10,000 low income people, treating this ratio as reasonable given that on average there are 40 attorneys per 10,000 people in the general population.

The Role of Civil Legal Aid Organizations. Across the country, NCAJ is asking civil legal aid leaders, along with leaders in the American Bar Association, Access to Justice Commissions, the Legal Services Corporation, the National Association of IOLTA Programs, the National Legal Aid & Defender Association, and other organizations to pitch in with the Count. We will be circulating a survey that every civil legal aid organization can complete, available (when released) on the NCAJ web site, ncforaj.org. NCAJ is receiving pro bono help from Pfizer Inc.

Specific Definitions and Other Frequently Asked Questions. If you or your organization is able to help with the Count, please note following definitions that include (or, exclude) organizations and lawyers in the final Count:

- a. *Diverse organizations, even small ones, in diverse settings* – **Yes.** We include the organization if it has more than one legal aid attorney. We want to count civil legal aid attorneys in diverse settings, including legal aid lawyers in food pantries, health care centers, homeless outreach centers, special practice areas, re-entry advocacy projects, and/or other civil legal aid settings.
- b. *Immigrant rights organizations and lawyers* – **Yes.**
- c. *Criminal justice organizations providing civil legal aid* – **Yes.** We include the civil legal aid lawyers.
- d. *Law reform and backup organizations* – **Yes.** We include state based organizations that directly support civil legal aid providers, or that pursue policy reform goals linked with concerns of civil legal aid clients. (We do not include other national law reform organizations such as ACLU or Appleaseed offices, unless they specifically focus on these concerns).

- e. *Attorneys in administrative roles* – **Yes.**
- f. *Attorneys who are part-time* – **Yes.** Please also add part-time attorney roles to create an overall figure for full-time equivalent attorneys using decimals.
- g. *Attorneys in duration-limited roles* – **Yes.**
- h. *Organizations using differing financial eligibility standards* – **Yes.** Please complete our survey forms (available here, or distributed in your state), showing the following categories (if more than one, use the one that applies to the majority of client intakes):
 - income beneath 125% of the federal poverty standard
 - income between 125% and 200% of the federal poverty standard
 - presume individuals seeking assistance are low income but do not inquire
 - no presumption or standard regarding income
- i. *Organizations Funded by the Legal Services Corporation* – **No.** We will ultimately include these, but no need to report this information now since NCAJ has access to LSC’s publicly available data.
- j. *Pro bono Attorneys and Law Students* – **No.** But do include organizations and civil legal aid lawyers whose roles involve supporting or supervising volunteer attorneys, law students, or other volunteers.

More on the Justice Index. In 2020, NCAJ will be updating the criteria and findings in all Justice Index categories, and will be adding to the Justice Index a new category of selected best policies for curbing excessive reliance on government imposed “fines and fees”. An overview of the Justice Index is [here](https://ncforaj.org/wp-content/uploads/2019/07/Introduction-to-the-Justice-Index-7-25-19-pdf.pdf).ⁱ Since initial publication online in 2014, and republication in 2016, the Justice Index has been an important tool for justice system reformers, and for all who are working to make our society more just. In addition to promoting expansion of the number of civil legal aid attorneys per poor person, the Justice Index supports state adoption of selected best access to justice policies for self-represented litigants, people with limited English proficiency, and people with disabilities. NCAJ created the Justice Index with help from six law firms, four corporations, and three law schools, all [honored](https://ncforaj.org/wp-content/uploads/2019/05/ABA-Pro-Bono-The-Justice-Index-Team.mp4)ⁱⁱ by the American Bar Association in 2017 with the [Pro Bono Publico 2017 Award](https://www.americanbar.org/groups/probono_public_service/projects_awards/pro_bono_publico_award/past_recipients).ⁱⁱⁱ

More on NCAJ. NCAJ is a nonprofit organization that relies on data and advocacy to increase access to justice, improve the justice system, and build a more just and equitable society. Please contact David Udell, Executive Director, with questions and suggestions, dudell@fordham.edu.

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ⁱ <https://ncforaj.org/wp-content/uploads/2019/07/Introduction-to-the-Justice-Index-7-25-19-pdf.pdf>

ⁱⁱ <https://ncforaj.org/wp-content/uploads/2019/05/ABA-Pro-Bono-The-Justice-Index-Team.mp4>

ⁱⁱⁱ https://www.americanbar.org/groups/probono_public_service/projects_awards/pro_bono_publico_award/past_recipients