



The Civil Legal Aid Attorney Count Justice Index Update 2020

The Count. The National Center for Access to Justice (NCAJ) at Fordham Law School is updating the “Civil Legal Aid Attorney Count” in the Justice Index, justiceindex.org. Last updated in 2016, the Attorney Count is a national resource for data on the number of civil legal aid organizations and lawyers in each state.

The Paucity of Civil Legal Aid Lawyers. The Justice Index found in 2016 that only seven states had more than a single civil legal aid lawyer per 10,000 poor people. The Justice Index sets a goal for each state of at least 10 civil legal aid lawyers per 10,000 poor people, since on average each state has at least 40 lawyers per 10,000 people in the general population.

The Importance in Time of Covid. By providing the number of civil legal aid lawyers in every state and allowing comparison of one state to the next, the Attorney Count empowers legal aid leaders and other reformers to advocate for increased civil legal aid lawyers at a time when legal aid has never been more important. Economic disruption caused by the coronavirus pandemic is projected to push millions of people into legal crises and into the courts. Although 2020 is a difficult time, the Count is critically important to civil legal aid organizations and communities.

The Role of Civil Legal Aid Organizations. Across the country, NCAJ is inviting civil legal aid organizations to participate in and to support the Attorney Count. NCAJ will be emailing a Survey to every civil legal aid executive director asking for the number of civil legal aid lawyers the organization employs. NCAJ intends to distribute the Survey in Summer 2020, and will also post the Survey on the NCAJ web site, ncforaj.org.

NCAJ is Receiving Pro Bono Support. NCAJ is receiving pro bono support for the Attorney Count from participants at Pfizer Inc., Deloitte, and DLA Piper. NCAJ is also consulting on the Count with leaders in the American Bar Association, Access to Justice Commissions, the Legal Services Corporation, the National Legal Aid & Defender Association, and other organizations.

The Survey Seeks Data on Civil Legal Aid Lawyers in These Roles and Settings:

- a. *Lawyers providing direct legal services, or supporting such services* – The Count focuses on civil legal aid lawyers providing direct assistance to people, and includes lawyers in back-up and law reform roles if they are supporting the provision of direct civil legal services.
- b. *Lawyers in diverse organizations, including small ones* –The Count includes civil legal aid lawyers (except as noted below) in diverse settings such as food pantries, health care centers, homeless outreach centers, special practice areas, re-entry advocacy projects, and/or other settings.
- c. *Civil legal aid lawyers working in criminal defense organizations*
- d. *Immigrant rights lawyers*

- e. *Lawyers in administrative roles*
- f. *Lawyers who are part-time*
- g. *Lawyers in time-limited roles*
- h. *Lawyers in organizations using differing financial eligibility standards* – The Count includes lawyers in organizations that provide free service recipients with income in the following categories:
 - beneath 125% of the federal poverty standard
 - between 125% and 200% of the federal poverty standard
 - presumed to be low, but not made the subject of any inquiry
 - not presumed to be low or otherwise.

The Survey Does Not Seek Data on Civil Legal Aid Lawyers in these Roles and Settings:

- a. *Lawyers in organizations that receive funds from the Legal Services Corporation (LSC)* – The Survey does not seek data on the number of legal aid lawyers in organizations that receive funding from the LSC. Instead, NCAJ will request this publicly available data from the LSC.
- b. *Pro Bono Lawyers and Law Students* – The Survey does not seek data on the number of pro bono lawyers and law students, but does seek data on the number of civil legal aid lawyers who supervise and/or support volunteer lawyers and law students.

More on the Justice Index. Since 2014 the Justice Index has been an important tool 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 replication of selected best access to justice state policies for a civil right to counsel and for pro bono service, as well as for people who are self-represented, people who have limited English proficiency, and people with disabilities. NCAJ created the Justice Index with teams from six law firms, four corporations, and three law schools, all [honored](#)ⁱ by the American Bar Association with the [Pro Bono Publico 2017 Award](#).ⁱⁱ An overview of the Justice Index is [here](#)ⁱⁱⁱ and of the Justice Index 2020 Update Project is [here](#).^{iv}

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.

[dated May 22, 2020]

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

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

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

^{iv} <https://ncforaj.org/2020/04/29/next-steps-for-the-justice-index-launch-of-the-2020-update-survey>