

STATE

Lawyers: Aid gap hinders justice

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Lawyers say they cannot keep up with the growing demand for free assistance in civil cases dealing with issues such as child custody, home foreclosures and medical bills.

"It's an issue about fairness of our justice system," said Andrew F. Susko, president of the Pennsylvania Bar Association. "It's not a pocketbook or



Susko

bread-and-butter issue for lawyers, but it is an issue that the legal community is deeply concerned about."

Society pays for the failures of legal assistance through its safety-net programs, Susko said.

Anybody who watches cop shows knows that criminal defendants have the right to a government-funded lawyer, said state Rep. Kathy Manderino, D-Montgomery, Philadelphia counties. That's not true in civil cases, even though the stakes there can be just as high, she said. Manderino spoke at a May 5 event in which various legal groups called on the state to do more for legal aid.

The growing gap between the capacity of the legal-aid system and the

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GAP: Legal groups want Pa. to increase support for aid programs

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demand is also a business concern, said Samuel W. Milkes, executive director of the Pennsylvania Legal Aid Network.

Lawyers can help antagonists solve disputes without litigating, he said.

"Disputes get resolved much more readily if each side ... is getting advice, you know — 'You're being reasonable here, you're not being reasonable here,'" Milkes said.

Legal-aid organizations make contact with almost 1 million Pennsylvania residents annu-

ally, and law firms provide free services to thousands more, according to the Pennsylvania Bar Association. Some 100,000 people are represented annually by legal-aid lawyers, and the same number is turned away for lack of resources, Susko said.

More people do not even ask for help, advocates say. By some accounts, only 20 percent of the need for free legal assistance is being met, Milkes said.



Milkes

To help close the gap, legal groups are calling for the state to bump up its support for legal-aid programs by \$1 million, to \$3.6 million annually. The groups also want the state to offer student-loan repayment programs that would help more lawyers get into public service, where salaries are lower than in the private sector.

But direct state funding is only a fraction of the roughly \$70 million spent annually on legal aid in Pennsylvania, according to the groups. Other sources include the federal government and a program that collects interest

on funds that attorneys hold temporarily for their clients. The bar association sought a \$4 million increase in state funding, but Gov. Ed Rendell's administration agreed to bump the figure by only \$1 million in its budget proposal for the next fiscal year, Susko said.

The bar association is doing other things to ease the crunch. The association cooperates with other groups to run www.palawhelp.org, a self-help Web site.

The association also wants to make it easier for lawyers to provide informal assistance for as a little as a day. The idea is to create official programs through which lawyers can offer limited representation, which is otherwise difficult to do. If clients consult with a lawyer who can say how a court might act, they will navigate the system more easily, Susko said.

"That information is power," he said. The legal groups also want the state to help lawyers in public service pay off their law school loans. Chances are that more young graduates are weighing this problem.

"I see more and more students who would be candidates for large firms opt to go into government service," said Karen Durkin, director of career development at the Dauphin County campus of Widener University School of Law. That partly reflects a commitment to public service by this generation, but it is also a lifestyle choice, she said. Public-sector lawyers have steadier hours and generally work less than those who join the private sector.

"It's a life-balance question for them," Durkin said.

Gaetano D'Andrea, who graduated from Widener this year, is not working in legal aid, but he has taken a public-service job with a limited salary. D'Andrea, 27, will work for the Philadelphia district attorney at an annual salary of about \$49,000. By comparison, D'Andrea estimates he could earn between \$65,000 and \$100,000 at a private law firm, depending on the location. With the lower salary, D'Andrea said he will struggle to pay off his \$120,000 in student debt.

"It's going to literally be paycheck to paycheck," he said.

D'Andrea stretched his loan term from 10 to 30 years, dropping his monthly payments to about \$800. He plans to get rid of his 2005 Chevy Cobalt and to limit how much he spends on food and going out.

D'Andrea plans to stick around the prosecutor's office as long as he can.

"You actually see the people you help," he said. "My goal is to make a career out of it." ■

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Gaetano D'Andrea, graduate of Widener University School of Law

Gene Suchma's view: Based on the article, "Aid gap means justice denied, lawyers say," on page 23.

