

**Statement of Eric T. Washington
Chief Judge, D.C. Court of Appeals**

**Before the
Council of the District of Columbia
Committee of the Whole
April 11, 2006**

Fiscal Year 2007 Budget Support Act

Good morning, Madam Chairman and members of the council. My name is Eric T. Washington and I am here in my capacity as the Chief Judge of the D.C. Court of Appeals. Accompanying me today is my colleague Chief Judge Rufus King, III, of the D.C. Superior Court and Professor Peter Edelman, the Chair of the Access to Justice Commission. I would like to thank you, Madam Chair, for allowing me to testify first this morning so that I can return to the courthouse to attend to my other obligations.

Today, I am pleased to join with other members of the legal community in urging your support for the Access to Justice Commission's request for funding for civil justice initiatives that promise to provide much needed services for some of the District's most vulnerable residents.

The D.C. Court of Appeals established the Access to Justice Commission in December 2004 and charged it with the task of "assuring high quality access for low- and moderate- income residents and others in the District of Columbia, who suffer disparate access barriers to the civil justice system," and with "raising the profile in our community of the need for equal access to justice." As judges, we know how critically important it is for low- and moderate- income residents to have legal representation in many of the matters that come before us and how crucial that representation is to the fair administration of justice in the District of Columbia.

A D.C. Bar Foundation study found that of the 110,000 D.C. residents living in poverty, only 1 in 10 actually obtain legal representation when necessary. Legal service providers have limited resources and end up turning away significantly more people than they can help. The courts see at least 50,000 litigants each year who represent themselves, primarily because they can't afford a lawyer.

As you know, with the help of the D.C. Bar, we have established self-help centers at the courthouse. We have also made efforts to simplify our court forms and documents and have made them available on our website to anyone who has access to a computer. Our website also includes links to answers to some of the most frequently asked questions posed to us by court users and our responses are available in a variety of languages. In addition, we have worked successfully with the D.C. Bar and the D.C. Bar Foundation to increase support for the D.C. Bar's pro bono activities. Despite the fact that lawyers in the District's largest law firms are putting in more pro bono hours than ever before, my colleague Chief Judge King will tell you, as

long as we have thousands of unrepresented citizens trying to assert their rights to basic necessities, like housing, those efforts will have to be supplemented. Civil legal issues are often complex, especially in the area of housing, and it is often the case that a pro se litigant's failure to assert a defense under appropriate local or federal housing law is critical to the court's consideration of whether to grant or deny a writ of eviction. As you know, the Access to Justice Commission is focusing its attention on this issue, as well as on issues of language access for legal service providers, so that they can better serve our increasingly diverse community, and on strategic assistance to legal service providers to help them maximize their effectiveness.

The D.C. Courts' vision statement: "Open to all, trusted by all, justice for all" will never be fully realized as long as so many of our low- and moderate- income residents lack adequate civil legal representation to help protect their basic rights and liberties.

Madam Chair, council members, my colleagues and I on the Court of Appeals hope that you will look upon the Commission's request for funding favorably and join the 43 other states that have provided some level of funding for their state-wide access to justice initiatives. I want to thank you once again for inviting me to appear before you today to speak on behalf of the Access to Justice Commission's funding request and I look forward to continuing this dialogue with you in the future.