

3-31-2007

Comments: Symposium On Strategies To End Poverty And Inequality

Barbara Arnwine

Jo-Ann Wallace

Follow this and additional works at: <https://digitalcommons.law.udc.edu/udclr>



Part of the [Law and Society Commons](#), and the [Social Welfare Law Commons](#)

Recommended Citation

Barbara Arnwine & Jo-Ann Wallace, *Comments: Symposium On Strategies To End Poverty And Inequality*, 10 U.D.C. L. Rev. 161 (2007).

Available at: <https://digitalcommons.law.udc.edu/udclr/vol10/iss1/9>

This Article is brought to you for free and open access by Digital Commons @ UDC Law. It has been accepted for inclusion in University of the District of Columbia Law Review by an authorized editor of Digital Commons @ UDC Law. For more information, please contact lawlibraryhelp@udc.edu.

SYMPOSIUM ON STRATEGIES TO END POVERTY AND INEQUALITY

* * *

Comments of
BARBARA ARNWINE:
Executive Director
Lawyers' Committee for Civil Rights Under Law

&

JO-ANN WALLACE:
President and CEO
National Legal Aid and Defender Association

MS. ARNWINE: Thank you so much. You can always tell where the mutual admiration society resides. I am a deep and abiding friend and admirer of Dean Shelley Broderick. As we celebrate this wonderful accreditation, it is good to reflect on the many struggles of this great law school over the years to earn this accreditation. Movingly, it is also a good time to anticipate the fabulous future lawyers who will come out of this great law school in the many years to come. This is also a time to pay tribute to former Dean Bill Robinson for his tireless struggle to achieve accreditation for this law school. Yet, we owe a tremendous debt of gratitude to Dean Shelley Broderick for bringing this long quest to fruition.

DEAN BRODERICK: It took a lot of other people, a whole lot of other people.

MS. ARNWINE: To Dean Broderick, to the distinguished faculty, to the student body and all assembled guests, I am so honored to speak today. I will be brief. My subject is the interconnectivity of mass action struggle and legal advocacy as part of the strategies to end poverty and inequality. I will speak about how this interconnectivity resides at the local, the national and the international level, and how the work that we do, as public interest advocates, as poverty law advocates, as people who believe that social justice and racial justice, should be priorities within any national, local or international framework. What does this interconnectivity of mass action and legal advocacy mean for the work that we will need to do over the next several years? I want to talk about some of those challenges and our realities. I want to focus on the struggles that we are involved in at the Lawyers' Committee and how this work has a broad impact on everyone.

This has been an interesting time, the last 12 months, for our nation. It is impossible to consider this period without addressing Hurricane Katrina and the

twin dimensions of disaster resulting there from. First there was the natural disaster of the powerful winds and water that prevailed upon the Gulf Coast and the devastating damage that it caused. But far worst than the natural disaster was the disaster of humankind, of our federal government and its failure to respond to citizens in need. Martha Bergmark of the Mississippi Center Justice is one of the panelists today, and she can tell you in more detail about the human disaster than I ever could. How, even when we saw the images of this human disaster as we watched people, mostly the Black and the poor, suffering in the Convention Center, suffering in the Superdome, and even though we all said, "Those faces, why are they black and Poor?" Even as we were offended and pained by our nation's failure to respond to this emergency, there was more to the story. For Katrina ripped off the covers and exposed so clearly for the nation and the world to see the underside, this underbelly, of our nation's failure to provide economic stability and equal opportunity for so many people. Yet a year and many months later this tragedy is not behind us. Today the reality is that the same problems of poverty and neglect persist in communities both urban and rural throughout our nation. Nor has the tragedy of Hurricane Katrina passed. It may not be as obvious to all of us because we do not live everyday in Biloxi, North Gulfport, Turkey Creek, Bay St. Louis, Pass Christian, New Orleans, Slidell and the many other places where the aftermath of this storm has exacerbated the plight of the impoverished and racial minorities already reeling from isolation and blight. We don't see the grandparents who are still living in cars with their grandchildren. We don't see the families that had a decent home and are now residing under underpasses or in tents. We don't see the moldy homes that the elderly go to and stay everyday without any relief and assistance. We don't see the hunger or the other needs that have been aggravated every day because of our nation's failures.

Nor do we see the continuing consequences of the cruelty of the arbitrary and capricious decision-making by our federal government in response to the Katrina catastrophe. Some of us are aware that on April 30th of this year, more than 42,000 families, by FEMA's own estimates, will be put out into the streets and will become homeless. Because, remember, when people were evacuated out of Louisiana, in particular, and they went to Houston and so many other cities, and they said, "I need shelter." The responses by Houston, Memphis and these other cities were, "Of course, we will shelter you." And these city officials spoke to FEMA and said, "FEMA, we need a policy whereby we can provide immediate apartments and other kinds of rental assistance to these displaced and desperate families." And FEMA replied, "Oh, of course. We will give you a guarantee that we will pay the rent for these families for one year." And with that guarantee the cities signed, under what's called a 403(b) Program, leases for all of these families.

Well, two weeks ago, FEMA said, "Oops, we made a mistake. We have decided that we don't have authority under Section 403 of the Stafford Act to have

ever done what we did. So, instead we're going to immediately transition people into a private housing program called Section 408." Unfortunately, the 408 program is a reimbursement program. Therefore, if you're poor, displaced and you don't have a job, most likely, you're not able to show the economic stability to pay rent over a long term. And, if the program is one of reimbursement, where do you get the money from in the first place? So all of a sudden these landlords who were happy because they had people with guaranteed leases are saying, "Oops! If you're going to be part of this new program, then you have to provide a credit check, and if you can't pass the credit check, you cannot rent, or continue to live here, because I want a guarantee that you're going to pay my rent." These unreasonable demands are made, even though the landlords know these people are unemployed and dependent upon federal aid until there is some stabilization in their lives. So by FEMA's own estimates, by the end of this month 42,000 of those 60,000 families will become homeless.

Katrina has transformed the context of our struggle. When we talk about ending poverty, when we talk about ending racial and gender inequality, now we must think very strongly about how everything we've been working for has been reversed or jeopardized by the haunting post-Katrina extenuated poverty and virulent racism. Troubling, even as the problems of poverty and race have been exacerbated by the Katrina dilemma, there are less legal resources to fight against these injustices. For Katrina shattered the already insufficient legal services programs in the area.

Here the power of mass action has been evident. It is the private volunteer sector linking with local community activists who have brought the most relief and hope to the families and communities in need. Besides the churches, who have carried a significant load in feeding, sheltering and rebuilding, critical pro bono legal resources from throughout the nation have also been mobilized by the Lawyers' Committee and other legal groups working in conjunction with community organizations to provide legal advice and assistance throughout the Gulf Coast.

But what I really want to talk about today – because I know others will talk about Katrina in depth – is voting rights. As we sit here this afternoon, the Voting Rights Act of 1965 is in jeopardy. Three important protections, temporary provisions of the Act, are set to expire in August 2007. You may think, why does that matter? Aren't people really better off after all these years – aren't things equal now? But the reality is that voting rights for African Americans, Native Americans, Latinos, Asian Americans – including people with disabilities – are still much too often an elusive dream. And the question becomes, how do we as lawyers ensure, and as citizens who care about our democracy, how do we ensure that these important legal enforcement provisions of the right to vote are reenacted? The temporary provisions include Section 5, Section 203 and a variety of sections that provide the Department of Justice with the power to monitor di-

rectly and seek immediate injunctive relief when there is wrongdoing at the polls or injustices being perpetuated at the polls.

When I think about the Voting Rights Act, it's not a technical document to me. All of us, as members of the legal profession, everyday, we take rules, statutes and laws, and we dissect them by provisions and by words, and we look at how we can utilize those words to give meaning to various rights and protections. But what I always think about when I see the Voting Rights Act is that it's more than just a law – it actually is a sacred covenant. It is a law that never would have happened but for the sacrifices in blood of people who walked across the Pettus Bridge and were beaten senselessly on March 7th, 1964. It embodies the sacrifice of Medgar Evers who was assassinated in his driveway in Jackson, Mississippi as he got out of his car coming home from a voter registration drive. It enshrines the sacrifices of Viola Liuzzo, of Jimmy Lee Jackson and people whose names you'll never know because the bodies will never be found, people who went missing during that period. It is a covenant with people who to this day, suffer injuries because of the beatings and the other brutalities during the marches to get this Act. So this Act stands alone in its unique origins, it is so very special to our democracy.

But I want you to think about this: that Rosa Parks, whom we lost this past year – all of us know her tremendous reputation because of the Montgomery Bus Boycott. When you think about Rosa Parks, the first image that comes to your mind is one of this demure woman who sat down on a bus because she “was tired.” That is the popular perception. But what we forget is that Rosa Parks was a steeled, trained, intelligent advocate, and that indeed her first sit-down was not on a bus. Her first protest was at the Register of Voters Office for Montgomery County when she took the literacy test for the third time, and according to records she had the highest score ever of anybody who ever took the literacy exam, and they refused to give her a voting card. And she sat down and said, “I won't leave until I have my voting card in my hand.” And instead of arresting her, they decided it was too much of a hassle, and they gave her voting card. That was her first act of confronting and defying injustice. She was steeled for that moment because of her interactions with Claudette Colvin, the 15-year-old, young lady who was arrested first for sitting down on a Montgomery bus but deemed unacceptable as a heroine by the civil rights establishment because of her status as an unwed mother. She studied what happened to Claudette. She actually was Claudette's personal counselor. From these experiences, Rosa Parks evolved in her advocacy and became a worldwide inspiration to fight injustice. But we must always remember that she cut her teeth and established her fighting spirit in the advocacy for voting rights.

As we look at these provisions that are set to expire, Section 5, the pre-clearance provision; Section 203, the language assistance provision; and the DOJ monitoring provisions, I want to remind you that the struggles that created the Voting

Rights Act in the street, the legal struggles that lawyers engaged in the creation of the Act, that that interconnection with the struggle is still with us at the local and the national arenas. We will not win a reenactment, a reauthorization without everybody in this room, all of your colleagues, all of your friends, and untold others taking direct action to make it known that this act must be reauthorized. As it expires in August 2007, we need to make sure it is reauthorized this year and not allow this reenactment to become a political football after the campaign.

I also want to emphasize the criticality of this fight because everybody knows, we think, what happened in 2000 and 2004. In contradiction to our recollections, the United States just filed its report to the United Nation's Human Rights Committee a couple of months ago concerning the International Convention for Civil and Political Rights. And, guess what they said about the 2000 election? They said all evidence on the 2000 election showed there were no problems. No problems! They put it in writing and said there were no problems, that indeed the conduct of the elections had been exonerated. The U.S. government made these representations while purposely failing to mention its own U.S. Civil Rights Commission Report that found widespread election irregularities in 2000 and possible violations of the Voting Rights Act. They don't mention the lawsuit that the Lawyers' Committee for Civil Rights Under Law, the NAACP, the NAACP LDF and others brought against the State of Florida officials and thirteen counties. They don't mention the success of that litigation which through a consent decree agreed to rectify the unlawful purging of tens of thousands of voters, primarily African Americans, and other election irregularities. The U.S. government didn't mention any of that because it is caught in a web of denial and propaganda. They wrote statements in the ICCPR Report, to the effect, "There were rumors that they were happy to dispel about irregularities in the 2004 Presidential election. Of course, these did not happen. The troubles people reported were just misperceptions. And, finally, the United States is still the leading democracy in the world."

It is amazing the delta between how our nation perceives itself, how it represents itself internationally, and how those of us who fight every day for the enforcement of our civil rights law and for equal opportunity for the impoverished, how we perceive our government's failure to enforce its civil rights laws and comply with international treaties. So what the Lawyers' Committee has done in conjunction with many other nongovernmental organizations (NGO's) is to unify by working on a shadow report that will respond to our government's inaccurate and evasive representations. We are going to Geneva in July to testify directly before the UN Human Rights Committee. We've already given some testimony at the United Nations three weeks ago, and we're going to testify about what our government needs to do to live up to its international obligations and the need for honesty and to actually, through international examination, make transparent the realities of racial discrimination in our country.

Following the 2004 elections, you would have thought that the first thing that would have happened is that states would have gone back and said, "Oh we've got to do law reform. We need to make it so that there are not these long lines. We need to make it so that more people come out to vote." Sadly, this did not happen. Among western democracies the United States is way behind in voter turnout. We think that if we get 53 percent of the electorate out, we've done a great job. Other countries that are democracies have 85 percent, 95 percent voter turnout. Why? Because they make the voting process accessible. They have same day election registration and early voting. They make it clear that they want people to participate in the democracy.

Two generations after the passage of the Voting Rights Act of 1965, we should have surpassed the area of literacy tests, poll taxes and grandfather clauses. However, recent efforts by state legislatures have resurrected poll taxes and imposed newer and more insidious obstacles to the voting rights of racial minorities.

Instead of instituting the models of inclusive and accessible voting reforms which other Western democracies embrace, too many of our state legislatures have headed down a different and more disturbing path – case in point, the State of Georgia. After the 2000 election, the State of Georgia said, "Well, we learned about the problems from the last election. We're going to pass a photo ID law that's going to make it harder for people to vote." Nationwide and in Georgia 35 percent of all African Americans do not own a car. What you saw at the Superdome and the Convention Center after Hurricane Katrina was, in part, a reflection of that reality. Ignorant of these facts a lot of the media reported, "Oh, those people did not want to go. They didn't listen to the warnings to evacuate." But guess what. In New Orleans, 35 percent of all African Americans did not own a car prior to Katrina. In Detroit, the number is 35 to 45 percent. So when we talk about a driver's license, photo identification as the only – the primary identification required to cast a ballot, we know immediately the impact is to disempower over a third of all potential African American voters in many states.

But let me point out this. One thing about systemic racism I've never been able to get over – it always intrigues me in any case I deal with – no matter how much defendants try to hide what they're doing and make it look race neutral, at some point they become so wrapped up in the wrongdoing that they just forget to maintain the façade. And so on the floor of the Georgia State Legislature before the Black Caucus walked out of that legislature, some of the legislators made statements like, "We're tired of blacks." They also said, "We think blacks have too much political power." You know, that makes a great court record! In fact Georgia leads the country in the number of African American congressmen and it is the only state in the South, and really virtually in our country, where you can find minority leaders who are elected statewide. They have two statewide elected officials. So when they came up with this law, it wasn't because they were trying to further voting rights. Here we saw the emergence of a new vote suppression

scheme – the use of allegations of voter fraud to erect barriers to the voting rights of racial minorities.

The U.S. Department of Justice wouldn't do anything about this discriminatory legislation even though under Section 5 of the Voting Rights Act preclearance was required. They publicly said, "Oh this legislation looks good to us. We'll pre-clear it." Of note, since then, press articles have been published showing that the career staff of the DOJ had recommended that this legislation be found in violation of Section 5 given its disproportionate adverse impact on African American voters. Inexcusably, they were overruled by the political officials at the Justice Department.

Given this abdication by DOJ of its responsibilities, the Lawyers' Committee and other groups sued the State of Georgia. In court the State justified its passage of the legislation by saying, "Well, we had to do this because of voter fraud at the polls." And the judge said, "Present your evidence of voter fraud." And what they introduced was evidence of absentee balloting fraud. And the judge just said, as all of us in this room understand, "where is the nexus between the voter identification law and the harm you're trying to remedy?" The court found the voter identification law to be an unconstitutional poll tax.

So there was no surprise in the fact that we won that case, and no surprise in the fact that the Georgia State legislature has not yet passed a new photo identification law. Still even if it should, we and our allies will be there to have it declared unconstitutional again. Despite our success in Georgia, photo identification laws are popping up all over the country. And it is not just the African American vote that is at jeopardy. Photo identification requirements disproportionately hurts Latinos, disproportionately hurts Asians, disproportionately hurts the elderly, disproportionately hurts the youth and people with disabilities. All of those groups voting rights are at risk when a photo identification law is enacted.

Therefore, how do we purport to be the world's leading democracy when everything that we're doing on the legislative front is imposing barriers to the ballot box.

I am sure Ted Shaw during his keynote address mentioned the terrible reality of what we are all seeing right now with the Orleans Parrish elections. On April 22nd, there is an election, a primary scheduled for mayor, twenty-four candidates, for City Council, for Clerk of Court, for many offices, and over 100 candidates for various offices. Yet, imagine this – out of the 295,000 registered voters in Orleans Parrish – which is a huge number – it is estimated conservatively that over 100,000 of those registered voters are now displaced outside of the State of Louisiana in over forty-seven states. They have to use a complex absentee voter ballot request system in order to participate in the election. Guess how many have requested a ballot to this date out of 100,000 – we say the number is really, 140,000, as our best estimate. Only 12,000. It's horrible. It's inexcusable. Every bar associ-

ation, every lawyer, every family member of anyone who's displaced needs to be reaching out and telling people, you have the right to vote. You need to request an absentee ballot form. And if you need to know what your right is to vote – because the Louisiana legislature again has made it difficult for people to vote—the reason why we have sued them repeatedly over the years – call the national hotline, the 1-866-OUR-VOTE election protection hotline, which is again up, serving the Election Protection Coalition, Unity '06 and all other organizations to make sure that people can be informed of their rights. So, make sure displaced voters are not sitting there trying to decipher these complicated rules. I'm so proud to say that so many volunteers from the D.C. Bar, from our local legal community, are participating and staffing that hotline. Next week, early voting starts throughout the State of Louisiana.

Lastly, before I close, I wanted to speak briefly on the issue of immigration reform. On this coming Monday, it is estimated that more than a million people will take to the streets to protest the venal, evil, downright ugly legislation passed by the House, the Immigration Reform Act, which of course felonizes so many activities including assistance to those who are newcomers to the United States illegally. And what I found amazing was two weeks ago after the marches in Los Angeles and Denver and other places – when I walked through the halls of Congress, the Monday after those marches on Friday and Saturday, it was amazing because every conversation in the House was about the march. All of a sudden, people were saying, “Did we make a political miscalculation when we voted for this legislation? Is this going to turn out to hurt us?” I reflected how all of the advocates in the world were up there before the marches, all the legal organizations, saying “Don't pass it. Don't pass it.” Yet we couldn't get traction and were ignored. But the people take to the streets, and it's a different universe. It's a reminder that the mass political action at the local level, grassroots organizations that turned out people, Catholic church and others who turned out all of those incredible people, who stood up and said, “You may think I'm too much of a coward to speak, but I will speak for my rights. I will not be downtrodden any longer.” And when they took to the street and did that, how it created momentum for those of us who are fighting, not only for real positive immigration reform that will give people the needed right to reside here, but it also, helps us on the Voting Rights Act fight. Once again, a powerful reminder of the interdependence of justice struggles. Not surprisingly, Section 203 of the Voting Rights Act, which is the language assistance provision, has drawn the same virulent opponents in Congress. These opponents see Section 203 as another un-American perpetuation of the rights of immigrants who refuse to assimilate. In their determined zeal, these congresspersons had decided that they should try to kill that provision of the Act. They openly contended “I'm not going to vote for the reauthorization, because if people can't speak English they shouldn't vote.” And

that was their position then. But what is fascinating is that now all of a sudden they are openly rethinking their positions because of the advocacy in the streets.

So I just want to point out as I close, that our struggle no matter how local it may appear, no matter how regional it may appear, no matter how national it may appear, or even international, that the real reality is that the struggle for social justice, the struggle for racial justice does not reside in any one sector, any one silo or geography. Indeed, these imperatives reside in the human desire for dignity, for equality, and for justice!

Thank You.

* * *

MS. WALLACE: Thank you very much for those kind words. I have to tell you that the quality of the Dean's leadership is evident by the fact that she convinced me to speak after Barbara Arnwine.

First of all, I want to congratulate you, Dean Broderick, faculty and students for your fabulous accomplishment. Congratulations, UDC, on your accreditation! It is very well deserved.

I have been so fortunate in my career to have had wonderful jobs, and I continue to have one of the very best jobs in the world. I have the good fortune of leading an organization whose members are advocates who have chosen to do work that places doing good above doing well; who want to make our communities a better place; who have dedicated their lives to promoting justice and fairness. To those of you who aren't familiar with the National Legal Aid & Defender Association (NLADA), let me tell you that we were founded in 1911. So yes, we are looking forward to celebrating our 100th year anniversary in the not too distant future. We have more than 15,000 members across the country. Most of our members are civil legal aid and public defender programs or individual advocates, but our membership also includes many other professionals and individuals who care about justice, including students.

Our mission is to secure equal justice by supporting excellence in the delivery of civil legal aid and indigent defense services. NLADA is working to create coordinated, consistently well-funded civil legal aid and public defense delivery systems that provide quality representation in every state and territory in this country – representation that leads to justice not only in our courtrooms but also in our communities. Don't get me wrong; as a public defender for many years I understand that "courtroom" justice is critical. But if we are going to be successful at addressing structural issues of racial and economic inequality, we have to think about justice as going beyond one's day in court. We have to also think about access to justice as access to the arenas of opportunity that can change life outcomes, like decent and affordable housing, competent health care, quality ed-

ucation and worthwhile employment. Civil legal aid provides a gateway to those arenas of opportunity.

When Dean Broderick invited me to give some remarks today she said, “Now that UDC has secured its accreditation, our next goal is going to be to end poverty.” I told her “I know your accreditation battles seemed long, but I think ending poverty may take just a little longer – but we can do it!”

If we’re going to tackle poverty successfully, if we’re going to end poverty, we have to talk a little less about “poverty” and a little more about “people”. We have to be sure that America understands that when we talk about “poverty,” we are really talking about people – people with voices and faces and stories and names.

Names like Elsie Williams. Elsie Williams is a 69-year-old retired faculty worker who lived on the \$530 a month that she received from social security. When the sofa bed that she slept on couldn’t hold her weight any longer, she couldn’t afford a new one. And as a cancer survivor, she couldn’t afford the prosthetics that she needed. So for the first time in her life, Ms. Williams took out a loan. Now, Ms. Williams couldn’t read the fine print on the contract. She didn’t know that she had agreed to sign over her monthly social security check – her total income – to a loan company, and to let them charge her a *95 percent* interest rate, and to tack on every other legal or illegal charge that they could think up. So when she went to the bank the next month, she didn’t understand why there was no money in her account – why her check wasn’t there. But Ms. Williams was lucky because she found Adrienne Ashby. Ms. Ashby had recently given up a lucrative law career as a real estate lawyer making over \$100,000 per year to follow her dream to help people. Ms. Ashby knew a diverse group of people who could band together for a common cause, and she wasn’t afraid to use litigation as a powerful tool for persuasion. With Ms. Ashby’s assistance, Ms. Williams got her Social Security check back.

When we talk about poverty, we have to talk about people like Bobby Mott. Bobby Mott was arrested in South Carolina and brought before a judge – without a lawyer. He was taken to jail. He never saw a lawyer. Now, if Bobby Mott had been assigned counsel, his counsel would have figured out very quickly that Bobby Mott was a person with a mental illness and could have taken steps to get him appropriate services. But instead, when Bobby Mott developed a problem with the circulation in his legs and the jail authorities inserted a metal splint in his leg, he pulled it out. Bobby Mott bled to death in a South Carolina jail without ever seeing a lawyer.

Those of us who care about justice find ourselves facing extraordinary times. We’re facing circumstances that pose both enormous challenges and enormous opportunities. It’s almost impossible to talk about poverty without talking about the hurricanes that ripped through the Gulf Coast. But really, the reality there is that the terrible devastation only showed what those of us in equal justice already

knew. Sadly, we already knew that far too often factors like race and poverty do affect the quality of justice a person receives, starting with whether you are given a presumption of innocence as a “forager” or presumed guilty as a “looter.” Even before the storms hit we knew that the Louisiana Public Defense System, like many others in this country, was broken. It has been more than forty years since the Supreme Court said that you have a right to an attorney if you are charged with a crime and facing the loss of liberty. Yet, we know that everyday people in this country are convicted without ever talking to a lawyer, and if they talk to a lawyer, far too often they get one who doesn’t have the time or the training or the tools to represent them competently.

Hurricanes Katrina and Rita also shed light on the fact that we are in a growth industry when it comes to demand and a recession when it comes to resources. Recent studies tell us that poverty is up. If you listen to the hurricane dialogue, it certainly suggests that racism is up. And of course the federal deficit is climbing, which means that the programs that help poor and low-income people are at risk. It has been more than thirty years since our government created the Legal Services Corporation, thereby recognizing that in civil matters, too, you have to have a lawyer to access justice. Yet a study released just a few months ago by the Legal Services Corporation confirms that most low-income people who need attorneys still, still do not get them.

In short, life in America continues to be very different for those who are marginalized by poverty. But I believe that we can change the Third World-like images that are forever emblazoned in our memories. At NLADA, we believe we have the opportunity, and indeed the responsibility, to ensure that the plight of low-income individuals remains in the forefront of our national consciousness. We are positioned to challenge America to address issues of poverty in a manner consistent with the fundamental values, like justice, upon which our democracy was founded. But lawyers alone can’t make justice a reality. We need allies. We have to enlist the clients and communities that we serve as full partners. And we have to do it in a new way.

Also, if equal justice requires more than lawyers can do alone, we have to make our work function as a catalyst that unleashes the capacity of clients and communities to help us make a better world. Bottom line, if we’re going to eradicate poverty, we have to enlist our clients in the struggle.

How do we do that? First, when we talk about our clients, the people who can’t afford counsel, we have to tell the whole story. We shouldn’t talk just about their problems. We have to talk about their accomplishments. So, if Elsie Williams is a mother, who against the odds of poverty raised children to become successful members of the community, if she is a leader in her church, if she has done other things in her community that have been productive and helpful, we have to talk about those things too. We need to change the fact that too often we define our clients only by their problems and by their needs. We have to recog-

nize the fact that our clients are important and powerful allies in the cause of justice.

I wasn't involved when the Legal Services Corporation (LSC) was created, but there are others in the room that were. You'll be hearing from them later. But I've read about the creation of LSC and I've talked to the people who were involved so I know that the Welfare Rights Movement was a critical factor. But for the fact that there were "boots on the ground" – grassroots movements the Legal Services Corporation would not have been created. The fact of the matter is that our clients are important partners; they are assets.

I am fully aware that times have changed, and we have these things called "restrictions." But while the Legal Services Corporation is a critical equal justice partner as the single largest funder of legal services, the fact of the matter is that LSC dollars no longer represent the majority of dollars coming into the community to support legal aid. What that means is that there are many programs (and many clients of many programs) which are not funded by restricted dollars.

Second, we have to replicate the work of those programs that have found ways to make their work catalytic, to make their clients true partners in ways that don't violate their restrictions. Through NLADA's Equal Justice Leadership Institute, we are initiating a community-wide dialogue to highlight and support the development of a broad range of initiatives that demonstrate the power and effectiveness of attorney-client partnerships in changing the life circumstances for people living in poverty. We support those initiatives through leadership training, technical assistance and information. One of the lynchpins of our work is to train and support the development of attorneys and clients to be effective leaders for social justice as well as effective advocates. There are many different definitions of leadership. If you go on the web and type that word in, you'll see you can't read all of the different definitions in your lifetime. But the way we define leadership, "it is a pattern of behavior that anyone can use to mobilize others to achieve extraordinary results." It's a pattern of behavior that can be taught and that can be learned. Our leadership work includes training our clients so that they can co-labor with us to co-produce justice.

At NLADA, we're committed to strengthening existing partnerships and forming new ones; to expanding our amicus capacity so that we are proactively setting the poverty agenda instead of reacting to an agenda that is at odds with the interests of our clients and communities. We are rethinking our grassroots network so we can tap fully the assets that our clients' voices bring to the table once again. We're rethinking the dividing lines between the civil and defender communities. After all, our clients come from the same communities. And their needs don't always fit neatly into the dividing lines that represent how we as lawyers have classified the world of legal representation. Often when our clients come to us seeking legal representation, they don't know, nor do they care, whether their problems are civil or criminal. In fact, more often than not, at bot-

tom, they are problems that were created or exacerbated by the fact that they are poor.

Several years ago, NLADA initiated a communications campaign called “Bringing Justice Home.” In fact, one of the leaders of the campaign is here; at least I think I saw Martha Bergmark walking in the room. The project provided information, tools and technical assistance to help legal aid programs educate their communities about the realities that our clients face and the important role that legal aid plays in assisting individuals and communities. We are now working to bring that project to a national level; to join together to change the way that America views and treats the millions of people who live in poverty in this country. People who are assets, people who we cannot give up on. I suspect that before the year is out, we’ll be asking you to join us in this effort.

Without a doubt, ending poverty is not going to be easy. But I truly believe that it is an issue that can bring our country together. A recent poll found that more than 80 percent – I think it was 84 percent – of Americans say that in the past year, they’ve done something to help someone who is poor. Now, I don’t know if the research accounted for truthfulness or not, but true or not, the fact that people think that it is a good thing to say is important.

I believe that we can create a future that is shaped by what unifies us and not by what divides us; a future that recognizes that justice and fairness and human dignity is not a red or a blue issue. It’s not a black or a white issue. It’s not a rich or a poor issue. I believe that we can create a future in which the quality of justice that people receive in our courtrooms and in our communities isn’t determined by the amount of money they have.

Thank you.

