

TALKING IT OVER
BY HILLARY RODHAM CLINTON
FOR IMMEDIATE RELEASE

I was one year out of law school and about to start teaching law at the University of Arkansas. It was 1974, and President Nixon had just signed a bipartisan bill to fund legal services for the poor. The law school was looking around for someone to organize its legal aid clinic. I had already worked in legal services programs. My experience, along with the fact that I was the newest member of the faculty, marked me for the job.

There were mountains of paperwork and logistics to figure out. I didn't know where to begin. Before long, I also discovered an obstacle I hadn't imagined -- local lawyers and judges who were skeptical about any effort to provide free legal aid to the poor.

I remember going to a cocktail party where the president of the local bar took me around to meet everyone, including a senior member of the bench. "Judge," he said, "this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic."

Without taking a breath, the judge looked at me and said, "Well, I don't have any use for either lady law professors or legal aid clinics."

Over the years, as director of that clinic and as one of President Carter's appointments to the national Legal Services Corporation, which oversees local legal aid programs, I met many people like that judge. But I also met many more men and women who appreciate the importance of legal aid in helping all Americans -- not just those who can afford lawyers -- find justice.

For those of us who have seen firsthand the difference that legal aid has meant in the lives of women, children and families, it is distressing to watch Congress' current attempts to move the cause of justice backward. Not only has there been no increase in the federal commitment to legal services for many years, Congress today wants to shrink federal funding by almost one-third.

What that means is that somewhere a couple and their young children will have to sleep in an unheated car or on the street because of an unlawful eviction; a woman will be forced to cower in her bedroom, a victim of domestic violence; and a child will go to school hungry because his father refuses to pay child support.

HILLARY RODHAM CLINTON 4/23/96

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Last year, legal services programs helped 5 million of our country's neediest people resolve civil -- not criminal -- legal problems. The vast majority of cases were simple: foreclosures, divorces, evictions, child support enforcement. Often advice, a referral or a few letters or phone calls were enough to solve the problem. Most of these cases were resolved out of court. Such basic assistance can head off more complicated legal troubles and make a world of difference in the lives of clients.

While private law firms, bar associations and individual lawyers have increased their donations and pro-bono hours to make up for the lack of funds, legal aid clinics still have had to scale back dramatically on the number of cases they accept. We can only hope Congress will not make matters worse.

But right now, Congress is further trying to tie the hands of legal aid lawyers by banning them from filing class-action suits, such as those on behalf of groups of poor citizens who want to challenge unfair housing practices or consumer fraud. And even as Congress touts less federal involvement in local programs, it is trying to restrict the funds that legal aid programs are able to raise from private sources.

You may be asking yourself why the debate over the future of legal services matters to you, even if you don't think you'll ever need such help. It has to do with our society's fundamental commitment to justice, law and progress for everyone.

I believe that our society became more just and the legal profession truer to its fundamental mission with the establishment of legal services programs for the poor. The thousands of legal aid lawyers and the tens of thousands of private lawyers who donate time to legal aid work are the heart and soul of the law.

Each time a legal aid lawyer helps a mother petition for child support or forces a nursing home to live up to its contract of taking care of elderly residents, our country moves closer to its ideals.

Legal aid is a way that our country upholds the one true contract that individual citizens have with America -- the Constitution and, specifically, its promise of justice for all.

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April 23, 1996



LEGAL SERVICES CORPORATION

FAX REQUEST

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CONFIDENTIAL: _____

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DATE: 3/4/96

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NO. OF PAGES SENT: 9 (Not including Cover Page)

REMARKS: Melanne - Hope that this is what you
need - It was drafted by Niki Mitchell,
our press person. If you need anything
more contact either Niki at 336-8815,
or me at 336-8815. Thanks

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Draft LSC Speech

Sarah Buel, a battered wife and a mother, left her abusive husband and turned to a local legal services program for help. Poor, uneducated and virtually unskilled, she relied on The New Hampshire Legal Aid Society to assist her in obtaining temporary support services such as welfare, food stamps, subsidized housing and especially child support without divulging her whereabouts to her husband. In addition, the attorneys gave Buel a job as a paralegal. Within 10 years, Buel had put herself through night school and eventually won acceptance to Harvard Law School. Buel is now a lawyer and has founded a program aimed at helping others break the pattern of abuse.

If Sarah Buel needed similar help now, she would be unlikely to get it.

Across the nation, working poor and out-of-work taxpayers, the elderly, victims of domestic violence, migrant farm workers and children living in poverty are already being denied legal assistance because Congress has slashed the Legal Services Corporation (LSC) budget by one-third. In addition to the funding cuts, congressionally-proposed restrictions have had a chilling effect on the types of cases legal services attorneys can accept, further

limiting the effectiveness of legal services programs. As a result of the reduction in funds, offices have closed and some have had to layoff up to 50 percent of the staff. Others must turn away clients, ration services or re-organize.

What that means for American citizens who happen to be poor is that somewhere, right now, a family is on the street through unlawful eviction; a woman's life is in danger from an abusive spouse; a child is going hungry for lack of parental support; and a veteran who laid his life on the line for this nation has been denied life-sustaining benefits.

In 1995, LSC made grants to 323 local programs which in turn operated 1,200 independent neighborhood law offices. LSC predicts that in 1996, 300 to 400 local offices will close programs this year will turn away over 500,000 cases and as a result at least 1.3 million people will be denied help. Those who will be turned away across the country are disproportionately women and children and others who are extremely vulnerable.

Created in 1974, the Legal Services Corporation was founded at the behest of a bi-partisan Congress and was signed into law, incidentally, as one

of the last official acts of President Nixon. Its purpose, as a nonprofit, private Corporation, was to remove the program from the political arena and make it independent with a bi-partisan board which would fund local legal aid programs to be organized and operated by local communities. It worked.

In 1995, legal services programs closed 1.7 million cases and benefitted 5 million people. Legal services programs do not provide representation in criminal cases; in fact, the vast majority of cases handled by local programs are non-controversial, individual cases arising out of the everyday problems of the poor. The most common categories of cases are family, housing, income maintenance, consumer, and employment. Case types frequently encountered include evictions, foreclosures, divorces, child custody, spousal abuse, child abuse or neglect, wage claims, access to health care, and unemployment or disability claims. Although they are sometimes referred to as "routine," such cases often represent matters of crisis for individual clients and their families. The possible consequences may be as serious as the loss of a family's only source of income, homelessness, denial of health care or the break-up of a family.

In spite of the overwhelmed legal system, most legal services cases are

resolved rapidly. Often, legal advice, referral, or a few letters or phone calls are enough to solve the problem. Frequently, such brief services enable clients to avoid more serious problems. Only 8 percent of the cases closed in 1994 by legal services programs were resolved through the courts. In 1995, only 3 percent of all LSC's budget was used for the Corporation's management and administration of grants to programs, a level of efficiency which is unmatched by most government and private agencies.

In spite of their efficiency and time-proven success, legal services programs still cannot help everyone who needs it.

According to a 1994 American Bar Association study, with all the legal resources available combined---including legal services, private lawyers who donate time and others---only about 20 percent of the legal needs of the poor were being met. This lack of access to legal services was evident even before funding was cut. And the number of poor Americans is growing; there are now 39 million low-income people in the United States who are eligible for legal services and more are becoming qualified everyday.

LSC programs also come to the aid of the middle-class, who, because of sudden unemployment or other financial disaster, find themselves on the

poverty rolls.

William Figg is one case in point. Mr. Figg, who describes himself as a "staunch, pro-business Republican," at 40 years of age and with a Master of Science degree, found himself unemployed and in the midst of a divorce action. Mr. Figg has had trouble finding work in or out of his field at a decent salary and has had to rely on legal services lawyers for legal aid. In a letter of thanks to the LSC-funded Mississippi Pro Bono Project, Mr. Figg expressed his gratitude for a program that he once disparaged as "a waste of tax money."

As I mentioned, Congress has proposed a number of restrictions on programs. All class-action suits would be banned. Thus, legal aid lawyers will not be able to bring suits on behalf of a group of poor citizens for example, who want to challenge unfair housing practices or consumer fraud. Legal services lawyers also may not participate in cases involving welfare reform and are prohibited from engaging in legislative or administrative advocacy even in response to requests by legislators.

Although class-action suits actually constitute less than 1 percent of the cases that legal services programs handle, they have arguably provoked the most outrage from critics who see broad impact litigation as "social

engineering" and "promotion of a liberal agenda." LSC critics also make these charges in the area of welfare advocacy even though legal services programs' involvement in these cases in virtually every instance has been to raise a constitutional issue or redress violations of legal process.

One good example is a California case recently cited in a Los Angeles Times article, where a federal judge said that the state had acted unfairly by taking an improper view of which welfare recipients could qualify for child care funds while participating in job-training programs. Natasha Jeffrey, one of the beneficiaries of the above ruling, applied for AFDC after she lost her job at a glass factory. When Jeffrey went to apply for a job-training program she was told she was too old. In March 1995, Jeffrey did qualify for another training program, as a result of the ruling, which pays for six hours of child care five days a week while she is in school.

Contrary to the charges by LSC critics, legal services acted in this case to keep the *state itself* from prolonging welfare dependency by aiding recipients in the transition from AFDC to work and self-sufficiency. But this is the kind of case from which lawyers must withdraw by July 1 to comply with new Congressional restrictions if the prohibitions become law.

Restrictions and funding cuts may have other costly, unintended consequences, such as creating a bigger bureaucracy that makes less efficient use of sparse funds. For example, Vermont Legal Aid has been forced to split into two separate organizations---one that can receive LSC funds and one that does not accept such funding. One reason for the split, according to Legal Aid Director Eric Avildsen, is that public service lawyers in Vermont are also funded and called upon by the state to make reports to legislators on various aspects of poverty law and policy. Testifying before legislators, even in response to specific requests, is prohibited by newly proposed congressional restrictions. Now, says Avildsen, Vermont Legal Aid has double the administrative costs at a time when it must cut spending, cut services and lay off staff.

The Vermont case also illustrates how newly-proposed restrictions on the use of non-LSC funds would put severe limitations on the ability of private funders, state and local governmental agencies to ensure that the legal services they have identified as necessary to meet the full range of legal needs of poor people. While Congress should have the authority to determine how the funds it appropriates are used, it should not be permitted to impose those

determinations on the choices that private funders and other sovereign governmental entities wish to make with respect to their own funds.

Legal services experts also surmise that de-funding civil legal programs for the poor will have a costly effect on the entire legal system as more people needing a child support order or a custody hearing for example, further obstruct an already choked legal system by attempting to represent themselves in court.

The irony for legal services programs is that although Congress has made no final decision about funding and restrictions, the adverse impact of the temporary spending cut is nearly inestimable in terms of human costs. Justice is too important to be left to chance. It is and should be a compelling cause for the entire community---whether prompted by concern for our own self-interest or in response to our sense of fairness and compassion for the less fortunate. One way or another, each of us has a stake in seeing that justice is accessible to everyone and not just those who can afford to pay for it. The promise of our democracy is in danger of rapid erosion with the disintegration of the Legal Services Corporation and the programs it supports. It behooves us all to join the concerted societal effort to be true to the one authentic

contract with America---its Constitution and the promise of justice for all.

THE WHITE HOUSE

Office of the Press Secretary

(For Immediate Release)

March 24, 1995

REMARKS BY THE FIRST LADY
AT THE LEGAL AID SOCIETY DINNER

New York, NY

MRS. CLINTON: I want to thank the Legal Aid Society. I am delighted to be here among all of you who are supporters of legal aid and particularly of the Legal Aid Society. I want to thank those of you who had so much work to do to put together this dinner, and particularly acknowledge Mr. Murray (phonetic) and Mr. Brone (phonetic) for their leadership. And I am very pleased to have the opportunity to share this award with Marty Lipton (phonetic). And I especially appreciate what he had to say this evening. I also want to say a special word of thanks to all who were dinner chairs for this dinner. At least two of them have been my lawyers. Several others I admire, and appreciate greatly their contributions to this city and state, as well as to our country.

I am pleased to be here because this award means a great deal to me, coming as it does from people whose work I appreciate and respect. And coming as it does with so much support from the private bar, which has really been the backbone for the movement for Legal Services, from its inception. Over the years, as those of you who support and work with the Legal Aid Society know so well, this Society has been the true servant of justice, not only as the oldest organized provider of legal services to the poor, but also as the largest. Year after year, you have set records for the generous support that is provided for the civil and volunteer divisions. And the volunteer division itself continues to be a model for meaningful and effective pro bono involvement.

And I particularly want to thank Lane (phonetic) for her introduction, for her personal friendship and support, but also for pointing out that there is this great partnership between the Legal Services Corporation and the work that you do here every day, and particularly in support of the volunteer division. I congratulate you, particularly all of you who are currently on the staff, for the contributions you have made and are making to the cause of equal justice. And I know that the President joins me in urging you to keep up the good work you are doing in spite of the obstacles you confront as we as a nation attempt to navigate through uncharted and sometimes unfriendly waters.

I would also like to acknowledge the importance of Alex Forger to the Legal Services Corporation. While I know he is missed here in New York, we are fortunate to have his leadership and talents in Washington. And he is doing a magnificent job at perhaps the most critical moment in the life of the Legal Services Corporation. We are very grateful for that, Alex.

Coming here tonight, I was reminded of my first real involvement with legal aid when I was in law school and I worked at the New Haven Legal Service Organization, which many of you know was one of the first Ford Foundation model projects to determine whether legal aid could be delivered efficiently to the poor based on a stack model. I was immediately impressed by the commitment of the lawyers and the work that was being done struck me as what the profession at bottom was really about.

When I next was involved with legal services, it was when I began teaching at the University of Arkansas in Fayetteville, Arkansas. And I did not know that I was going to have the opportunity to teach, because at that time it was the summer of 1974 and I was engaged in another enterprise in Washington, serving on the impeachment staff of President Nixon's inquiry. (Applause) And when that ended, I was out of a job, and I called the dean of the law school, where a young man I had met during my own law school years was then teaching, and said that, "You once mentioned when I met you that if I wanted to teach, I would give you a call, so I thought maybe I'd give you a call." And he said, "Sure, you can come have a job. That's easy." And I asked, "What would I teach?" And he said, "I don't know, I'll tell you when you get here." So I showed up in late August of 1974 and he said, "Well, I want you to teach criminal law and run the legal aid clinic, and run the two prison projects for the state and federal prisons, and by the way, I want you to teach trial advocacy." That was sort of the way law schools work. I had no experience doing any of those things and immediately began trying to figure out how to start.

The very first evening I was in town ready to take on these new responsibilities, I was invited to the local County Bar Association's welcoming cocktail party for the law school faculty. The lawyer who was then the President of the local bar took me around introducing me to everyone. He introduced me to the Dean of the Chancellory Court judges, by saying, "Judge, this is the new lady law professor. She is going to teach criminal law and run the Legal Aid clinic." And the judge looked down at me and said, "Well, I don't have a use for either lady law professors or legal aid clinics." And I thought, well, I'm certainly getting off on the right foot here. I always have a little trouble getting my footing in new setting in case you haven't noticed. (Laughter and applause)

But I found as many of you who find every day, and as many of you who are veterans of the legal services efforts have found in the past, that we often encounter people like that judge who

do not believe in legal services for the poor. He found all kinds of ancient statutes, going all the way back before the Magna Carta, to point out that it was illegal, immoral, impractical, and otherwise totally un-American to provide legal services for pro bono matters for simple cases. Over time, he became used to the fact, but not accepting of it, that legal Services was to stay.

And I thought that that really was the way we could describe most of the country until the past several months. I'm reminded of my own experiences because I know that it was replicated in so many communities, and is still being lived out in courtrooms and offices all over the nation. And that now we face the greatest possible challenge to the future of the provision of legal services. It has been 21 years now since the birth of this great enterprise, the Legal Services Corporation. And the LSC grantees, including the Legal Aid Society, have assisted millions and millions of people. Mothers seeking child support from absent fathers, children without access to health care, families facing homelessness, tenants living in intolerable housing conditions, welfare recipients seeking training for child care so they can work, nursing home residents deprived of the most basic care, victims of spousal abuse...and I can, as I know you are able, go on and on.

The work of Legal Services has been amplified by the pro bono participation of the many thousands of private attorneys who consider it part of their professional obligations. Federal funding and other funding has been leveraged by charitable contributions such as yours. And I know we have to continue to urge the private bar to become even more supportive, no matter what happens on the state or federal level. Many of the people here understand that and I hope will carry that message to your compatriots in our profession.

We are going to be facing a very difficult challenge in the months ahead. And I'm hoping that we will be able to demonstrate clearly why the provision of legal services to those otherwise unable to afford them is not only the right thing to do for those individual clients, but is essential for the quality of justice available to all our citizens. I know that this is particularly important because poor children are suffering special burdens and poor people today are facing an even greater array of obstacles. And tragically, in today's political climate, poor children and their families are likely to be viewed less as objects of concern, but as culprits for everything that goes wrong with society.

I recently heard a sermon in which the minister related a story in Leviticus about the ancient Israelites who annually placed all of their miseries and sins on the head of a goat. And then sent that goat off into the wilderness. And when the goat reached the wilderness, the tribe felt cleansed of all problems, all evils, all sins. That, unfortunately, is an apt parable for

what is happening in America today. In today's society, the scapegoat is poor children and their parents. And somehow, we think we can rid ourselves of all our social problems by scapegoating children and exiling them to a wilderness of greater poverty and homelessness.

So today, we find ourselves at a crucial moment in our own history, when the very notion of what we stand for as a society is at stake. Our constitution reminds us that the twin purposes of government are to secure the blessings of liberty and to establish justice. And as the President said last year in the Proclamation for National Legal Services Week, "The very nature of justice demands that it be available to all. True justice cannot be rationed, it cannot be afforded to some while others are denied the full benefit of their rights. Our Founders understood that privilege and responsibility are inextricably linked. The words 'equal justice under the law,' inscribed over the portal of our nation's highest court, represent a sound promise made to every American." I hope all of you will be sure that your voices are heard over the next weeks and months. Because all of us need those voices, but particularly the clients and the potential clients are counting on you. I hope all of you will help remind America that Legal Services is not just about providing legal help, but about offering proof that the American Dream is a promise we are still committed to fulfilling.

Let me conclude by offering a prayer by the South African poet, Alan Payton (phonetic). It seems fitting tonight, and it seems a little sad to me that it does. Here's what he said.

"Open my eyes that I may see the needs of others.
Open my ears that I may hear their cries.
Open my heart so that they need not be without succor.
Let me not be afraid to defend the weak because of the
 anger of the strong.
Nor afraid to defend the poor because of the anger of
 the rich.
Show me where love and hope and faith are needed and
 use me to bring them to those places.
So open my eyes and my ears that I may this coming day
 be able to do some work of peace for Thee.

Protecting legal services for those who need the help of lawyers is a historic cause, and with your help we will continue America's commitment to justice, so that all of us in our own way will be servants of justice. Thank you very much. (Applause)

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draft/js

**FIRST LADY HILLARY RODHAM CLINTON
COLUMN FOR RELEASE APRIL 22
TALKING IT OVER/CREATORS SYNDICATE**

One of the most important tools our society has to make justice more accessible to all Americans is under assault.

Congress is proposing to slash funding for the Legal Services Corporation, which supports hundreds of legal aid programs for needy citizens around the country, by one-third.

What that means for American citizens who happen to be poor and cannot afford legal help is that somewhere a couple and their young children must sleep in an unheated car because of an unlawful eviction; a woman is cowering in her bedroom, trapped in a marriage to an abusive spouse; and a child is going to school hungry because his father refuses to pay child support. Under the Congressional cuts, some 1.3 million people -- most of them women and children -- will be denied legal assistance.

As someone who has been involved with legal aid since President Nixon and a bipartisan congress created the Legal Services Corporation in 1974, I am distressed that some people still insist on taking the cause of justice backward.

When LSC was created, I had just begun teaching at the University of Arkansas School of Law. One of my assignments was to help set up the school's legal aid clinic.

It was a daunting task. Not only were there piles of paperwork and logistics to worry about, but many lawyers and judges in the community did not quite support the concept of free legal aid to people who could not afford it.

The very first evening I was in town, for instance, I was invited to the county bar association's welcoming cocktail party. The President of the Bar took me around to meet everyone. He introduced me to one of the senior judges by saying, "Judge, this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic." The judge looked down at me and said, "Well, I don't have any use for either lady law professors or legal aid clinics."

In the 22 years since that cocktail party, I have met many people like that judge. But just as our society has learned to welcome the talents and contributions of women lawyers, more people have come to realize the importance of helping all citizens -- not just those who can afford lawyers -- find justice under the law.

Last year, legal services programs helped 5 million of our country's neediest people -- most of them women and children -- through their legal troubles. The vast majority of cases were simple: evictions, foreclosures, divorces, child support enforcement. Often advice, a referral, a few letters or phone calls were enough to solve the problem. Very few of these cases needed to be resolved in the courts.

From my own experience, I know how such basic assistance can head off more complicated legal troubles and make a world of difference in the lives of clients. [example goes here]

Under a temporary spending measure, some of the cuts Congress is considering have already taken place. And while private law firms, bar associations, and individual lawyers have increased their donations and pro-bono hours to make up for some of the lost funds, Legal Aid societies still have had to scale back dramatically on the number of cases they accept. Many of their lawyers have been laid off.

Congress is also trying to tie the hands of legal aid lawyers by banning them from filing class action suits. Legal aid lawyers would not be able to bring suits on behalf of a group of poor citizens who want to challenge unfair housing practices or consumer fraud. Legal services lawyers also would not be able to participate in cases involving welfare reform and would be prohibited from lobbying legislatures or governments.

You may be asking how this debate over the very existence of the Legal Services Corporation affects the average American. Well, it has to do with our society's fundamental commitment to justice, to law, and to progress.

I believe that our society became more just and the law profession became truer to its fundamental mission with the founding of the Legal Services Corporation 22 years ago. The thousands of legal aid lawyers and the many more thousands of private lawyers who donate time to legal aid work are the heart and soul of the law. They are helping our country uphold the one true contract individuals have with America -- the Constitution, and specifically, its promise of justice for all.

Each time a legal aid lawyer helps a mother petition for child support, or forces a nursing home to live up to its contract of taking care of its elderly residents, this country, this society moves closer to its ideals.

In the current political climate, we cannot lose sight of the cornerstone of our democracy: justice for all.

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Notes from Conversatⁿ w/ Dean Rogers

Law School speak.

- audience of 650 people - maj. law students,
faculty. Also about
100 ^{undergrads} & 10% from a ^{conference} &

SMU Law — 25% of class - minorities

many are older than average

they're strong in internat'l law

lots of foreign students (esp. from Asia)

strong in clinical legal education

→ one of few schools to have a public service
requirement (every law student must
do 30 hrs of pro bono work for
graduation)

Dean will be out of office; call Elyse for more
info (214) 768-2080

use campaign ~~the~~

[Gerald Lunner, Pres - SMU

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Legal Times

February 5, 1996

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HEADLINE: LSC Cuts Hit Home, Nationwide

BYLINE: BY NAFTALI BENDAVID

BODY:

D.C.'s Neighborhood Legal Services Program, which is losing more than half its federal funding, is laying off 23 of its 46 staffers by the end of the month. It is closing three of its four offices. After handling 5,000 cases in 1995, it expects to handle only 2,000 this year.

"I have been in legal services for 27 years, and this is the worst thing I have seen in my life," says Willie Cook Jr., executive director of Neighborhood Legal Services. "It's like a wake around here. Even the people who are going to stay -- how can you have any morale when 50 percent of the staff is being eliminated?"

Cook's experience is being echoed nationwide. The Legal Services Corp., which funds lawyers for the poor around the country, lost a third of its funding on Jan. 1, and the agency's fate remains uncertain. The shock waves are pounding the roughly 300 programs nationwide that receive LSC money -- and the impoverished who depend on them for legal help.

In Texas, legal aid workers have volunteered to take a 12.5 percent salary cut. Greater Boston Legal Services has shut two offices, with a third expected to close soon. Georgia Legal Services has lost a quarter of its staff in the past year.

"In the last two days, I've gotten four resignations," reports Phyllis Holmen, executive director of the Georgia Legal Services Program. "It makes me feel horrible. I'm pretty depressed. Up until the new year, people were actually quite energetic. After the new year, when it looked like it was going to take longer to resolve things, it got much worse."

No figures are available on how many legal aid lawyers have departed, but the crunch is clearly being felt across the country.

"A lot of programs are closing doors and laying off people," says Douglas Eakeley, who chairs the LSC board of directors. "The uncertainty is causing major problems. We really don't know what's going to happen."

ERA OF AUSTERITY

But legal aid's fiercest adversaries have little sympathy, saying that all

government entities have to make sacrifices in an era of austerity.

"It means they will have the same financial problems as any lawyer in the real world, and they will have to prioritize," says Bryan Little, governmental relations director of the American Farm Bureau Federation, which has long battled legal aid lawyers over migrant farm-worker issues. "Most of us who work even in nonprofits have to set priorities. We at the Farm Bureau have limits. They will just have to prioritize what they think is more important and do what the rest of us do."

The LSC has been engaged in a sort of high-wire act ever since the Republicans took over Congress a year ago, with many lawmakers eager to defund the agency. While LSC supporters tend to see legal aid lawyers as scrappy, heroic fighters for the poor, conservatives often view them as radicals using tax money to push a leftist agenda.

The agency has been controversial since its birth in 1974. President Ronald Reagan attempted to kill the program, and succeeded in slashing its budget. When President Bill Clinton took office, LSC activists expected a golden era; after all, first lady Hillary Rodham Clinton chaired the agency in the late 1970s.

But now the LSC has become enmeshed in the larger fight over the federal budget. Sen. Phil Gramm (R-Texas) and Rep. George Gekas (R-Pa.) last year led a push to kill the program outright. They failed, though conservatives did manage to cut the LSC budget by one-third, from \$ 400 million to \$ 278 million.

But late last year, Clinton vetoed the spending bill for the Departments of Commerce, Justice, and State, which includes the LSC budget. So for now, the agency is being funded -- at the \$ 278 million level -- by a temporary spending measure. The money runs out June 15, and no one knows what will happen after that.

This murky situation is wreaking havoc with morale at the field offices, legal aid activists say. "The mood remains very anxious because of the uncertainty and the human toll that comes from seeing colleagues of 20 years leaving," says Julie Clark, government relations director of the National Legal Aid and Defender Association, a poverty-law advocacy group. "It is not complacent. It is not comfortable."

Rep. Bill McCollum (R-Fla.), an advocate of LSC reform, says the concerns are exaggerated. "The difficulty is not nearly so great now as if the wishes of some of my colleagues are borne out and the funding ends altogether after the next fiscal year" he says, nonetheless conceding that the current budget confusion is a less than ideal way to do business.

The Georgia program, which saw its federal funding slashed from \$ 7.5 million to \$ 5 million this year, is typical of what is taking place across the country. Anticipating the cutback, Holmen, the state legal-services director, left vacancies unfilled during 1995. But that turned out not to be enough; at year's end, she was forced to lay off 15 to 20 more staffers. In all, the staff shrank from 185 to 139 in one year.

Many are seeking other work. "I think it would be safe to assume that people are keeping their ears to the ground," says Tina Petrig, an attorney at the legal aid office in Gainesville, Ga, who is taking a job as a state

administrative law judge. "I know everyone is alert to job openings."

Petrig says she is leaving mostly because she feels burned out after 12 years with legal services. But she adds, "Certainly, the funding uncertainties did not deter me. It does feel more secure to have a job lined up in the midst of all this."

Lawyers at each of the Georgia program's 14 depleted offices are now deciding how to slash the number of cases they juggle. Some, for example, may handle only three emergency areas: housing disputes, domestic abuse, and problems of the elderly. That omits such critical areas as employment discrimination, health benefits cases, and consumer complaints.

Adding to the tenuousness of the LSC's situation, Republicans have pushed through severe restrictions on just what legal aid lawyers can do for their clients, though those restrictions are on hold until the budget fight is resolved. Class actions, for example, have been nixed. And legal aid lawyers have been forbidden to lobby legislatures or government agencies.

Significantly, these restrictions would apply not only to legal aid activities funded by the LSC, but also to the funding that legal aid offices get from other sources, such as bar associations.

Meanwhile, the LSC, at Congress' direction, has created some additional uncertainty by instituting competitive bidding. For the first time, the agency has been accepting applications from anyone interested in providing legal services to the poor in a certain area -- rather than simply funding the groups that have been in place for years.

While many legal aid programs have no competitors, the LSC has received more than one application in 42 jurisdictions, says Martha Bergmark, the agency's executive vice president. The LSC plans to award the bids in early March -- in some areas, more than one group may get the money -- with work slated to begin April 1.

Washington state's legal aid community has reacted to all these developments in especially dramatic fashion. Following the recommendations of a task force appointed by the state Supreme Court, Washington's three legal aid programs -- which between them saw their LSC funding drop from \$ 6.2 million to \$ 4 million -- merged to save on administrative costs.

The new group, Columbia Legal Services, will take no federal money, allowing it to escape the congressional restrictions, which many Washington legal aid lawyers consider onerous and unfair. But in order not to lose LSC funding altogether, a second, independent program, the Northwest Justice Project, has sprung up with the sole purpose of accepting and using LSC funds.

This tactic of splitting into groups that take LSC money and those that don't may catch on.

"It'll probably be happening around the country," says Mauricio Vivero, director of grass-roots operations for the American Bar Association. He concedes, though, that some conservatives may dislike the tactic.

"They may say, 'Here are tricky lawyers getting around the rules.' Our position is, it is lawyers using the only available method . . . to service clients. And if that includes setting up new entities, then more power to them."

Depending on the culture of each particular region, the legal aid cuts are having farreaching effects in different ways.

D.C. HIT HARDEST

D.C.'s Neighborhood Legal Services, because of a change in the formula used in deciding how the money is distributed, is taking a bigger hit than most, losing 55 percent of its federal funds.

Three offices will be closed: At 6th and L streets, N.W.; at 14th Street and Spring Road, N.W.; and at 13th and H streets, N.E. The one at Good Hope Road and Martin Luther King Jr. Ave. in Anacostia will stay open.

"People are looking for jobs; they are resigning," Cooke says. "We are conservatively going to have to cut our service to this community by at least 50 percent. As a matter of fact, it will be worse than that. We can't concentrate on serving clients during the next two months because we are closing offices, throwing furniture away, packing."

Cook adds, "I have been director for 21 years, and it has just about tapped out my patience and my resolve and my ingenuity. You spend your whole time trying to make miracles out of whole cloth."

In Boston, the legal aid program has cut its staff from 100 to 82. Two offices -- Roxbury-Dorchester and Quincy -- were closed. The Chelsea office is slated to be shut down soon. The program handled 22,000 cases last year; executive director Robert Sable expects that to drop by 10 percent to 12 percent this year.

"Basically we are operating on a triage system," Sable says. "We are taking either the most desperate people, or situations where we think that by bringing a particular type of case we can have a much broader impact."

Greater Boston Legal Services went on a major offensive to recapture its lost money. It asked money from the state, which said no. It asked money from the city; the city said no. And it asked area law firms, who had been coughing up \$ 225 per lawyer per year for legal aid, to raise that to \$ 300. Enough acquiesced to enable the program to raise an additional \$ 100,000 for this year.

"It is extremely difficult to cut back this far when we knew before these cuts that we were only filling maybe 20 percent of the need," Sable says. "But far worse than the budget cuts is the ideological message which the pending restrictions send -- and that is a clear notion that there is no longer going to be equal access to justice, that certain people are simply going to be outlaws."

As for Texas Rural Legal Aid, it has seen its federal funding drop from \$ 7 million to \$ 5.6 million, but lawmakers are threatening to cut all funding for migrant legal services. For Texas Rural Legal Aid, that would amount to an additional hit of \$ 2 million. "If we lose that funding, we're hurting bad,"

Legal Times, February 5, 1996

says the program's executive director, David Hall. "There's not much left."

During recent union talks, the Texas program's 121 workers -- lawyers and support staff alike -- agreed to take a 12.5 percent pay cut in an attempt to stave off layoffs. New lawyers had started at \$ 28,000; now they will make about \$ 24,500.

"Mostly, the morale has been all right," Hall says. "But the uncertainty is really beginning to cause a lot of strain. I've spent this week talking to people who felt like they were really on the bubble. A lot of the lawyers have started looking for other jobs, and that's the first we've seen of this."

Whatever happens during the rest of the year -- whether the funding level is ever settled and whether restrictions are put in place -- legal aid is sure to face a new battle over its 1997 budget and rules.

"To the degree we are unable to get the restrictions and management reforms we wanted, we certainly will be working to get that in fiscal '97," promises the Farm Bureau's Little.

LSC Chairman Eakeley says he will be ready. "While the cuts have been imposed and the restrictions would hurt a great deal, there is also a sense that we managed this past year to survive the most concerted effort to date to eliminate the program," says Eakeley, a partner at Lowenstein, Sandlet, Kohl, Fisher & Boylan in Roseland, N.J. "And having survived, we have lived to fight another day. Unfortunately, that day is coming soon."

GRAPHIC: Picture 1, D.C. legal services activist Willie Cook Jr. says, "It's like a wake around here." PATRICE GILBERT; Picture 2, no caption, SUSAN MCCARTER; Picture 3, LSC Chairman Douglas Eakeley says that uncertainty is causing major problems.

LANGUAGE: ENGLISH

LOAD-DATE: February 14, 1996

7TH STORY of Level 1 printed in FULL format.

Copyright 1996 The Des Moines Register, Inc.
The Des Moines Register

February 22, 1996, Thursday

SECTION: Main News Pg.10

LENGTH: 507 words

HEADLINE: Good deed by lawyers

BYLINE: Staff

SOURCE: Register Editorial Writer

BODY:

Their generosity will help sustain legal service for poor Iowans.

Forget the sleazy lawyer jokes. In Iowa, it's going to be attorneys to the rescue - giving their own money to keep the legal system financially accessible.

As TV watchers know, criminal defendants can request a public defender. But in civil cases it's the Legal Services Corp. that offers free counsel to low-income people.

Only now Legal Services needs to defend itself against sharp federal budget cuts.

While America talks tough about "justice for all," the country has sputtered and stumbled over paying for this ideal.

As a result, Legal Services can only meet 20 percent of the demand for its services. For poorer people, the ideal boils down to a lottery slogan: justice for the lucky.

But Legal Services Corp. of Iowa is coming to its own rescue by diversifying its funding sources. That's where Iowa's lawyers come in.

In the spring, hundreds of Iowa lawyers will call thousands of their colleagues and ask for donations.

The suggested contribution: one billable hour of earnings on a private case, roughly \$ 50 to \$ 150.

The conditions: A donation is in addition to, not instead of volunteer legal work, and lawyers should expect the fund-raisers to return next year, and, probably, the year after that.

The campaign - modeled on the efforts of over 30 other states - is the impressive work of four organizations: Friends of Legal Services, the Iowa State Bar Association, the Polk County Legal Aid Society and Legal Services Corp. of Iowa.

The Des Moines Register, February 22, 1996

Ironically, this group might set a precedent that could have lawyers permanently financing legal aid. But Bob Downer - Iowa's bar association president - isn't worried. He sees the federal cuts as a challenge that lawyers can and should meet.

The campaign goal is to raise \$ 150,000. That's just a \$ 50 gift from half of the roughly 6,000 lawyers practicing in Iowa, but only part of the \$ 980, 300 in 1996 federal cuts.

Make the lawyers pay more, some may shout. But equal legal access also needs strong public financial support. Iowa justice should not have to rely too heavily on the kindness of strangers.

LANGUAGE: English

LOAD-DATE: February 23, 1996

3RD STORY of Level 1 printed in FULL format.

Copyright 1996 American Lawyer Newspapers Group, Inc.
Texas Lawyer

February 26, 1996

SECTION: Pg. 1

LENGTH: 2814 words

HEADLINE: FREW AND FAR BETWEEN; CRUSADER BRINGS POOR KIDS HEALTHY CHANGE

BYLINE: WALT BORGES

BODY:

The idea for the class action lawsuit gradually worked its way into Susan F. Zinn's head as she traveled around the state listening to poor parents gripe about keeping their children home from school with common medical problems. Much of the time, she recalls, the culprit was a toothache.

"Hey," she would say, "you can get that toothache taken care of under Medicaid." And then came the stares and the pregnant pauses as realization set in.

"Medicaid covers dental care for the kids?" the upset parents would ask.

Because of the work by Zinn, health law project director for Texas Rural Legal Aid, and several other legal services lawyers, an estimated 1.5 million Texas children with Medicaid coverage now may get the medical and dental benefits they are entitled to -- benefits Texas state agencies did little to publicize until Zinn sued them in 1993.

In a consent agreement approved Jan. 25 by U.S. District Judge William Wayne Justice in Linda Frew, et al. v. Michael McKinney, et al., No. 3:93CV65, the Texas Department of Health agreed to sweeping changes in the way the state handles a program designed to provide comprehensive treatment and preventive health care to Medicaid recipients under 21.

The program is known by an acronym only a bureaucrat could love -- EPSDT. It stands for Early and Periodic Screening, Diagnosis and Treatment. It is a component of the Medicaid program that is a required service for nearly all Medicaid-eligible children under 21.

The federal program provides money for the states to set up preventive health care for children that isn't available under other programs. The program's mandate also requires states to conduct "outreach" programs that identify eligible children, inform their parents of available services and help with scheduling and transporting kids to medical and dental appointments.

The consent decree includes provisions that will increase Department of Health efforts to reach Medicaid parents to remind them of upcoming or missed immunizations and dental checkups; persuade more doctors and dentists to participate in Medicaid programs; and do a better job of arranging

transportation and scheduling appointments for children who live in areas without adequate local medical facilities, or with few dentists and physicians willing to see Medicaid patients.

Add a name change to boot, although the new program moniker has yet to be chosen.

Some of the changes already have been implemented, say Zinn and her opposing counsel, Assistant Attorney General Edwin N. Horne of the AG's general litigation section.

One in Four Children

The settlement was hammered out during intense negotiations during the fall of 1994. Because of requirements that the class of plaintiffs be informed of the proposed agreement and given a chance to comment, the final version was not approved until January, although Justice indicated his approval following a hearing last Dec. 4 in Tyler.

"If this decree is properly implemented, indigent children in Texas should be in immeasurably better health than they have been in the past," Justice wrote in his order concerning the fairness of the decree.

The Texas consent agreement is the broadest and most far-reaching since Congress revised the EPSDT program in 1989, says Jane Perkins, a staff attorney for the National Health Law Program who has handled similar EPSDT litigation in West Virginia and California.

In the West Virginia case, the plaintiff class was foster children. In California, the litigation centered on the benefits that children covered under Medicaid were supposed to receive beyond those given to adults -- dental benefits, for example. Frew involved a much larger class, nearly one-quarter of the state's children, Perkins notes.

"Anytime a case is settled with good faith on the part of a state and persistence on the part of the plaintiffs, there is an impact," Perkins says. "States talk to each other. Other states will ask about this and they will listen to what Texas tells them."

Zinn gets most of the credit for the settlement from her chief co-counsel, Sharon Reynerson of East Texas Legal Services and Weslaco-based TRLA farmworker attorney Rodolfo "Rudy" Sanchez. Reynerson and Sanchez laud her persistence, her tough-mindedness in negotiations and her ability to assemble a myriad of interrelated issues into a coherent settlement.

"I was impressed by her memory," says Sanchez. "I would be sitting there taking detailed notes and she never wrote anything down. But then she would send me a summary as complete as anything I could write."

Adds Reynerson: "I would get the first draft of a document from Susan and sit down to read it and there would be the second draft coming over the fax."

Perkins, who authored a monograph on EPSDT with Zinn, tells a similar tale.

"She is scarily organized," says Perkins. "When we were writing, her part was done while I was still slogging through my part. And then she started sending her revisions."

Direct Approach

In the Frew case, Zinn also was lauded for getting what she and her clients wanted without generating the usual acrimony, a fact the judge noted in his Jan. 25 fairness order in a footnote praising the lawyers and clients on both sides.

"It has been a pleasure to watch the parties' aggressive pursuit of improved health for Texas children," Justice wrote.

Zinn's opposing counsel, assistant AG Horne, is a bit more grudging. The lack of acrimony, he explains, stems as much from the willingness of the state to improve its EPSDT program as it does from the plaintiffs' professionalism, points Justice also noted in his footnote.

"The Texas Department of Health and the plaintiffs, we all wanted the same things," says Horne. "We just might have had different ways to get there."

While Horne describes Zinn as "very thorough, well-prepared and a tough negotiator," he says she stepped on a few toes. In filing the suit, the plaintiffs named a number of lower echelon health officials as defendants, a move that Horne regards as unnecessary and that offended and embarrassed several of the officials.

"They really only needed to name the top guy at the agency, but it really didn't matter in the end," he says.

The filing of the suit on Sept. 1, 1993, also caught the Texas Department of Health off guard. That was the first day the agency took over responsibility for the program, which previously was run by the Department of Human Services, Horne says.

"There were some people who were not happy that TDH never had the opportunity to put its stamp on the program," Horne says.

That doesn't surprise James Harrington, one of the state's best known public interest lawyers. Harrington, who hired Zinn as his first law clerk when he was legal director of the American Civil Liberties Union of Texas in 1983, says, "Susan is a very direct person who goes after what she wants, not in a nasty way, but firmly. Susan's opponents will know that they've been run over. They'll feel the treadmarks on their backs."

Hatching the Suit

In 1993, when she was hatching the idea for her suit, Susan Finkelstein Zinn was 36, a New York City native raised in Connecticut and Massachusetts who had fled the North because, she says, "I don't like winter." A former VISTA volunteer in Arkansas, she attended the University of Texas School of Law, earning her J.D. in 1983.

While in law school, she worked as a law clerk for Harrington, mostly on litigation that sought to get the Jail Standards Commission to enforce its

standards on local jails. The work involved a lot of discovery, some briefing and some interviewing of prisoners, she recalls.

After passing the Bar exam and gaining her license, she served a 1 1/2 year stint as clerk to U.S. District Judge George Kazen in Laredo. She chose a non-traditional law career with an established firm, and in mid-1985 hooked up with Weslaco-based Texas Rural Legal Aid in TRLA's San Antonio office.

"I took the job because TRLA has such a reputation for taking important cases," she says.

In 1990, she was chosen director of TRLA's health law project, in part because of her experience as a medical clinic administrator and outreach worker during her VISTA hitch. She was earning \$ 50,000 a year in the job before taking a 12.5 percent pay cut in the face of federal budget cuts to the Legal Services Corp.

By 1993, Zinn knew the health law ropes and was searching for the right vehicle to challenge the Texas EPSDT program.

At that time, Texas was doing little to implement an effective EPSDT program. That fiscal year, federal statistics indicate, only 29 percent of the eligible Medicaid recipients in the state were screened -- just half of the state participation goal of 58 percent set by the Health Care Financing Administration. And while the Texas Legislature had appropriated the EPSDT \$ 16 million for a contract for outreach programs in 1991, the state still had not let the contract by late 1993.

"The numbers of reported checkups in Texas [in 1993] were horrible," Zinn says of the DHS-administered program. Advocates in Austin sought an outreach program, but when they reviewed the state's draft proposal, "we knew the problems wouldn't get better," Zinn says.

"DHS wanted a centralized operation with an 800-number," Zinn recalls. "No one from the state was going to contact the families with kids. It was up to the family to call and find out about the programs.

"It was also an obvious hardship for poor people without phones or who couldn't speak English."

At the same time, Zinn's frequent travels around the state on health law matters brought her into constant contact with Medicaid parents who knew nothing of the child screening and treatment program or who thought they should request Medicaid benefits only when in dire need.

"It's not fair to expect parents to use a program for their kids' benefit if [state health officials] don't explain the programs to them," Zinn says. "Those explanations aren't something that can come from a brochure."

With the problem identified, Zinn started casting about for the right set of clients and lawyers to bring the suit. Through Reynerson, managing attorney of the Paris office of East Texas Legal Services, she found several sets of clients. Sanchez, a farmworker attorney in TRLA's Weslaco office, brought in a poor family from the Valley.

Eventually, there were seven named plaintiff families, including Linda Frew, the mother of Carla Frew, a teen-ager with obesity and mental health problems. Carla Frew had spent three years in the temporary custody of DHS, during which time the state agency provided medical care for her. As Zinn noted in her petition, the Frews were told nothing of the EPSDT program by DHS employees even though the agency was aware of Carla's health problems.

Once the suit was filed, Zinn put pressure on the state by conducting depositions. The depositions showed the health department that "we weren't going to go away and that we knew what we were talking about," Zinn recalls.

The Food Factor

Justice granted class certification on June 17, 1994, and rejected the state's motion for dismissal two months later. That signaled the start of negotiations, which commenced in October 1994.

"We met at least one day a week in a conference room reserved for us at the attorney general's office in Austin," says Zinn. "Some days it was two or three days a week, and the sessions lasted all day long."

Although the days were long and required Reynerson and Sanchez to make long commutes, Horne and the health department obviously were acting in good faith, Zinn says. By Christmas, the parties had reached a tentative agreement on many issues.

To lighten the negotiations and soothe the stomachs of the negotiators, Horne and the AG's staff came up with a gimmick to induce agreement.

"One of the things we did was fill a liter-size jar with M&Ms and chocolates," Horne recalls. "We made a rule that none of us could go into the jar without first having reached agreement on some point."

Sanchez adds that Zinn once even "baked little cornbread muffins or something like that," making sure everyone knew she "normally wouldn't do that."

The friendliness of the Texas negotiations amazes Perkins, a veteran of more contentious discussions.

"I've worked on cases where we had to call in the mediators and where spit was the only thing flying across the table," she says. "Now I know what was missing -- the food factor."

Not all the issues were resolved by the consent agreement, Zinn and Horne say. Still to be decided, Zinn says, are questions about reimbursement rates for medical checkups, whether managed-care children can get second opinions, cost of living adjustments for some fees, unreasonably low dental fees, reimbursement for meals of Medicaid patients and their escorts, and participation goals.

A second round of negotiations will begin in March, but the future of the program, Zinn says, may depend more on what happens in Washington than what happens in Austin. After all, if White House and Congressional budget-cutters chop Medicaid appropriations, the Texas discussions may become moot.

Keeping Public Interest Suits on a Budget

WALT BORGES

Susan Zinn and other lawyers who do a lot of public interest work on limited resources say there are numerous shortcuts to keep costs down, but they primarily are focused on bringing in warm bodies to help prepare the case and on getting expensive services free of charge.

Here are a few tips on keeping suits low cost:

* Try to a judge, not to a jury: "We tend not to try to juries," says Regina Rogoff, executive director of Legal Aid of Central Texas. "That's because we're not seeking damages, we're asking for equities."

However, some cases may benefit from being heard by a jury if a popular issue is at stake. For example, lawyers who filed suit to force the State Bar and Supreme Court to establish mandatory pro bono legal services for the poor wanted their suit heard by a jury.

* Bring in co-counsel from the private sector: James Harrington, legal director of the Texas Civil Rights Project and a litigator who handles Americans With Disabilities Act cases for Advocacy Inc., says the benefits of private sector co-counsel are both immediate and long-range. With local co-counsel, the plaintiffs can avoid being "home-towned" by local defense counsel and judges. Co-counsel at the table often means having enough lawyers and support staff to match the effectiveness of opposing counsel. Many firms who work pro bono pick up not just the legal fees, but a portion of the expenses as well, Harrington notes.

Equally important is that the private sector co-counsel can often teach a thing or two to the public interest lawyers, many of whom are far less experienced. At the same time, the private sector counsel often learn about the intricacies of class-action litigation and the benefits of pro bono work, he says.

* Find intelligent, warm bodies to help prepare the case: For Harrington, that means more than using students on summer break, a common practice. He plugs into government intern programs at colleges such as the University of Texas, where government students earn credits for their work with private entities. He ropes in community groups to get well-educated volunteers who can read and summarize documents. He even recruits those doing community service as part of a criminal probation or sentence.

* Find expert witnesses who will work for free: "Our experts volunteered," Zinn explains. "Both were professors who thought they should get out of the ivory tower."

* Find cheap ways to record depositions: That may be as simple as finding a volunteer court reporter, or it could mean using an audio recorder to tape the sessions, Rogoff says.

* Regardless of resources, be better prepared than your adversary: "You always have to be better prepared, but sometimes that's not so difficult," Zinn says. "I had no one to summarize documents, so I had to read them myself. So

naturally I was better prepared."

* Avoid turf fights: Ego and personality conflicts aren't the sole province of big firm defense counsel or multimillionaire plaintiffs' lawyers, notes Zinn. But with limited financial and people resources, legal services lawyers and pro bono counsel must avoid conflicts as much as possible -- something Zinn, Sharon Reynerson and Rodolfo "Rudy" Sanchez were able to do in the Frew case. "Our only disagreements were over what was best for the class," she says.

* Win the case, then collect attorneys' fees: Zinn and her co-counsel put in nearly 1,800 hours on the Frew case through February 1995. They will collect \$ 312,500 in attorneys' fees that will be split between Texas Rural Legal Aid and East Texas Legal Services.

GRAPHIC: Picture, An estimated 1.5 million Texas children could benefit from the efforts of Susan F. Zinn and other legal services lawyers because Medicaid services will be publicized..

LANGUAGE: ENGLISH

LOAD-DATE: February 28, 1996

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THE HARTFORD COURANT

March 1, 1996 Friday, STATEWIDE

SECTION: CONNECTICUT; Pg. B9

LENGTH: 314 words

HEADLINE: CORRIDOR TALK SUMS UP FIGHT OVER LEGAL AID

BYLINE: HELEN O'NEILL; Courant Staff Writer

BODY:

Inside the committee room Thursday lawmakers spent hours debating a proposal to drastically cut funding for legal aid.

But one of the most passionate exchanges took place outside the wood-paneled doors on the second floor of the Legislative Office Building, where David Boomer, deputy chief of staff for Senate Republicans, pitched his case to two men in wheelchairs.

"In our opinion these people are paid lobbyists who receive public money to fight left-wing liberal causes," Boomer said, referring to the legal aid representatives testifying before the legislature's human services committee. "We would rather see the money go to help victims of crime or other worthy causes."

"They are not lobbyists any more than I am a lobbyist," protested Dale Nielsen of Newington, who was paralyzed in a diving accident eight years ago and since has become active in organizations for people with disabilities.

"They know the law," Nielsen said. "They show people like us how to get things done."

"They are trying to block what we are doing on welfare," Boomer retorted. "Last year they filed a class-action suit against the state that cost us \$5 million. They should be helping people, not filing class-action lawsuits."

"What you are doing with welfare is hurting poor people and working people and people with disabilities," said Don James of Norwich, who has cerebral palsy. "I would be unemployed and on welfare if these lawyers hadn't helped me."

The hallway exchange was brief. But it summed up the arguments on both sides of the debate at least as clearly as the five hours of testimony before the committee.

The public hearing drew judges, lawyers, law professors and welfare recipients, many wearing "Equal Justice For All" stickers and protesting proposed legislation that they said would halve the \$10 million budget of the state's four legal aid organizations.

THE HARTFORD COURANT, March 1, 1996

LANGUAGE: ENGLISH

LOAD-DATE: March 1, 1996

FIRST LADY HILLARY RODHAM CLINTON
REMARKS FOR SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW
~~ROY RAY LECTURE~~
DALLAS, TEXAS
MARCH 5, 1996

[Acknowledgments: Gerald Turner, SMU President; Paul Rogers, Dean of Law School; Todd Gilbert, President of Student Bar Association; Jackie Gabbidon, [Gab-bid-don] Vice-President of Student Bar Association]

Friends, colleagues, and fellow lawyers; future lawyers and teachers of the law who are here this evening: Thank-you very much for inviting me to give this eighteenth annual Roy Ray Lecture.

Being here on a law school campus and seeing so many future lawyers in this audience makes me think of my own experience as a law professor in Arkansas.

flavor
I had never thought of teaching law until the summer of 1974, when my service on ~~President Nixon's~~ impeachment committee was ending and I needed to find a new job. I decided to call the dean of the law school at the University of Arkansas -- where a young man I knew was then teaching -- and took the dean up on his long-standing offer of a professorship. When I asked him what he wanted me to teach, he answered, "I don't know. I'll tell you when you get here."

And
~~So, when~~ I showed up in Fayetteville in August 1974, he said, "Well, I want you to teach criminal law and run the legal aid clinic, and run the prison projects at the state and federal prisons, and by the way, I want you to teach trial advocacy, too." I swallowed hard and immediately began trying to figure out how to start.

The very first evening I was in town, I was invited to the county bar association's welcoming cocktail party for the law school faculty. The President of the Bar took me around to meet everyone. He introduced me to one of the senior judges by saying, "Judge, this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic." The judge looked down at me and said, "Well, I don't have any use for either lady law professors or legal aid clinics."

In the years since that cocktail party, I have met many people like that judge who do not believe in legal services for people who could not afford them. But despite those opponents, the Legal Services Corporation, which was founded by a bipartisan Congress and signed into law by President Nixon in 1974 to fund local legal aid programs, still managed to help millions of Americans.

After twenty-two years, legal aid societies have become a part of American life. ~~However imperfect, the Legal Services Corporation is one of the instruments our society has~~ to nurture and practice one of its most cherished ideals -- that of justice for all Americans.

Last year, legal services programs closed 1.7 million cases and helped 5 million people. The vast majority of cases handled are non-controversial. Often advice, referral, a few letters or phone calls are enough to solve the problem. Very few of these cases are resolved in the courts.

Such simple assistance can head off more complicated legal troubles and make a world of difference in the lives of legal services clients.

From my own experience as founder of Ozarks Legal Services in Arkansas and as a former chair of the Legal Services Corporation, I know how ~~LSC~~ ^{legal aid} lawyers have made and are making positive differences in the lives of Americans. They are helping mothers seeking child support from absent fathers; children seeking access to health care; families facing homelessness; tenants living in intolerable housing, nursing home residents deprived of basic care; victims of spousal abuse and many, many other people in need.

But today, the very survival of the Legal Services Corporation hangs in the balance. Over the past year, opponents in Congress have tried to slash ~~LSC~~ funding. Still other members are determined to kill this vital institution. As of the first of this year, funding for the Legal Services Corporation in a temporary spending measure was slashed by one-third. LSC's final fate will be determined later this year.

While private law firms, bar associations, and individual lawyers have increased their donations and pro-bono hours to make up for some of the lost funds, Legal Aid Societies still have had to scale back dramatically on the number of cases they accept. Entire offices have closed. Many lawyers have been laid-off.

What that means for American citizens who happen to be poor is that somewhere a family is on the street through unlawful eviction, a woman's life is in danger from an abusive spouse; a child is going hungry for lack of parental support; and a veteran who laid his on the line for this nation has been denied basic benefits. Under the Congressional cuts, some 1.3 million people will be denied help.

Congress is also seeking to tie the hands of legal aid lawyers even further by banning them from filing class action suits. Legal aid lawyers would not be able to bring suits on behalf of a group of poor citizens who want to challenged unfair housing practices or consumer fraud. Legal services lawyers also would not be able to participate in cases involving welfare reform and would be prohibited from lobbying legislatures or governments.

[Although class action suits represent just one percent of legal aid cases, they have provoked much criticism from people who see such efforts as "social engineering" and "promotion of a liberal agenda." But what Congress is effectively doing is cutting off access to justice for a whole group of people.]

^{our nation's}
You may be asking how this debate over the very existence of the Legal Services Corporation affects you ~~who are~~ future lawyers. Well, it has to do with our society's fundamental commitment to justice, to law, and to progress.

A famous law school dean [Roscoe Pound, Harvard] once said: "Law must be stable, and yet it cannot stand still." He meant that law must evolve with the times, offering the security of permanence and hope for change.

I believe that our society became more just and our profession became more pure with the founding of the LSC. ~~What the~~ thousands of legal aid lawyers and ~~what the~~ many more thousands of private lawyers who donate time to legal aid work do is at the heart and soul of our profession. They are making our country accountable for the one true contract with America -- the constitution, and specifically, its provision for justice for all.

Each time a legal aid lawyer helps a mother trying to make sure that a father takes responsibility for the support of his children; or forces a nursing home to live up to its contract of taking care of its elderly residents, this country becomes more just. More and more people have access to justice.

I'm not necessarily asking all of you to become legal ^{should} aid lawyers. I am only reaffirming the essence of what it means to be lawyer. It means a life of service and a commitment to justice. These ideals are embodied in the work of the Legal Services Corporation. I am asking you not to lose sight of this when you leave SMU and begin your careers in the law.

Law school is giving you not only the tools to be a good lawyer, but also the tools to become a good citizen? Being a lawyer does not simply mean acquiring a set of technical skills; it means understanding the nexus between law and society, between rights and responsibilities.

There are different ways to reach one's goals as lawyer -- to live a life of service and carry out one's commitment to justice. One can become a public advocate, a legislator, an executive, a teacher, a corporate litigator. For me, working with and for children was the best expression of my hope for the future.

I went to law school in the 1970s, during a time of great political and social ferment. To me and many aspiring lawyers of my generation, law was an avenue for positive social change. For helping the poor and disenfranchised. ~~For saving the world and the next generation.~~ *vulnerable, the weak, the poor.*

~~Now that I'm a safe distance from those early years I can say that~~ One of the most wonderful things about growing older is discovering that the struggle for progress in our society is often as important as the end result.

At some point, however idealistic we may be, we accept that the principles of fairness, justice, and equality often become flawed in their application. We accept that we will not solve all problems in our lifetimes.

But we keep striving, keep struggling for these ideals because we have to keep alive commitment and hope for the next generation. We never lose sight of greater commitment to

the

justice.

As so many of you already now, and as so many of you will learn, the cause of justice is worth a lifelong struggle.

I hope all of you will help remind America that Legal Services is not just about providing legal help, but about offering proof that the American Dream is a promise we are still committed to fulfilling.

Thank-you.

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FIRST LADY HILLARY RODHAM CLINTON
REMARKS FOR SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW
DALLAS, TEXAS
MARCH 5, 1996

[Acknowledgments: Gerald Turner, SMU President; Paul Rogers, Dean of Law School; Todd Gilbert, President of Student Bar Association; Jackie Gabbidon, [GAB-id-din] Vice-President of Student Bar Association]

Friends, colleagues, and fellow lawyers; future lawyers and teachers of the law who are here this evening: Thank-you very much for inviting me to give this eighteenth annual Roy Ray Lecture.

and a career in the law
I welcome this opportunity because it gives me a chance to reflect on what a legal education has meant in my life and could mean in the lives of the students here in this room. *It is also an opportunity to think about the ways that law can be used as an instrument of good -- a vehicle for making our society*

more tolerant, more just, more compassionate not for all of our citizens
Law school is giving you not only the tools to be good lawyers, but also the tools to become good citizens and servants of justice. Being a lawyer does not simply mean acquiring a set of technical skills; it means understanding the nexus between law and society, between rights and responsibilities.

Being here on a law school campus and seeing so many future lawyers in this audience makes me think of my own experience as a law professor in Arkansas.

I had never thought of teaching law until the summer of 1974, when my service on the House impeachment committee was ending and I needed to find a new job. I decided to call the dean of the law school at the University of Arkansas -- where a young man I knew was then teaching -- and took the dean up on his long-standing offer of a professorship. When I asked him what he wanted me to teach, he answered, "I don't know. I'll tell you when you get here."

I showed up in Fayetteville in August 1974. And he said, "Well, I want you to teach criminal law and run the legal aid clinic, and run the prison projects at the state and federal prisons, and by the way, I want you to teach trial advocacy, too." I swallowed hard and immediately began trying to figure out how to start.

The very first evening I was in town, I was invited to the county bar association's welcoming cocktail party for the law school faculty. The President of the Bar took me around to meet everyone. He introduced me to one of the senior judges by saying, "Judge, this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic." The judge looked down at me and said, "Well, I don't have any use for either lady law professors or legal aid clinics."

In the years since that cocktail party, I have met many people like that judge who do not believe in legal services for people who could not afford them. But despite those

opponents, the Legal Services Corporation, which was founded by a bipartisan Congress and signed into law by President Nixon in 1974 to fund local legal aid programs, still managed to help millions of Americans.

After twenty-two years, legal aid societies have become a part of American life. The Legal Services Corporation is one of the instruments our society has to nurture and practice one of its most cherished ideals -- that of justice for all Americans.

Last year, legal services programs closed 1.7 million cases and helped 5 million people. The vast majority of cases handled are non-controversial. Often advice, referral, a few letters or phone calls are enough to solve the problem. Very few of these cases need to be resolved in the courts.

From my own experience as founder of Ozarks Legal Services in Arkansas and as a former chair of the Legal Services Corporation, I know how such simple assistance can head off more complicated legal troubles and make a world of difference in the lives of legal services clients.

But today, the very survival of the Legal Services Corporation hangs in the balance. Over the past year, opponents in Congress have tried to slash funding. Still other members are determined to kill this vital institution. As of the first of this year, funding for the Legal Services Corporation in a temporary spending measure was slashed by one-third. LSC's final fate will be determined later this year.

While private law firms, bar associations, and individual lawyers have increased their donations and pro-bono hours to make up for some of the lost funds, Legal Aid Societies still have had to scale back dramatically on the number of cases they accept. Entire offices have closed. Many lawyers have been laid-off.

What that means for American citizens who happen to be poor is that somewhere a couple and their young children must sleep in an unheated car because of an unlawful eviction; a woman is cowering in her bedroom, trapped in a marriage to an abusive spouse; and a child is going hungry because one of his parents refuses to pay child support. Under the Congressional cuts, some 1.3 million people will be denied help.

Congress is also seeking to tie the hands of legal aid lawyers ~~even further~~ by banning them from filing class action suits. Legal aid lawyers would not be able to bring suits on behalf of a group of poor citizens who want to challenged unfair housing practices or consumer fraud. Legal services lawyers also would not be able to participate in cases involving welfare reform and would be prohibited from lobbying legislatures or governments.

You may be asking how this debate over the very existence of the Legal Services Corporation affects you -- our nation's future lawyers. Well, it has to do with our society's fundamental commitment to justice, to law, and to progress.

A famous law school dean [Roscoe Pound, Harvard] once said: "Law must be

stable, and yet it cannot stand still." He meant that law must evolve with the times, offering the security of permanence and hope for change.

True to its function mission I believe that our society became more just and our profession became ~~more~~ **complete** with the founding of the Legal Services Corporation 22 years ago. **What** the thousands of legal aid lawyers and the many more thousands of private lawyers who donate time to legal aid work do is at the heart and soul of our profession. **They are helping** our country uphold the one true contract with America -- the constitution, and specifically, its provision for justice for all. *(inner & outer citizens have a)*

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There are different ways to reach one's goals as lawyer -- to live a life of service and carry out one's commitment to justice. One can become a public advocate, a legislator, an executive, a teacher, a corporate litigator. For me, working with and for children was the best expression of my hope for the future.

I went to law school in the 1970s, during a time of great political and social ferment. To me and many aspiring lawyers of my generation, law was an avenue for positive social change. For helping the vulnerable, the weak, the poor.

One of the most wonderful things about growing older is discovering that the struggle for progress in our society is often as important as the end result.

At some point, however idealistic we may be, we accept that the principles of fairness, justice, and equality often become flawed in their application. We accept that we will not solve all problems in our lifetimes.

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I welcome this opportunity because it gives me a chance to reflect on what a legal education and a career in the law has meant in my life -- and could mean in the lives of the students here in this room. It is also an opportunity to think about the ways that a legal ^{to be} ~~career~~ ^{the law} can fulfill its fundamental purpose -- ~~to be used~~ as an instrument of good, a vehicle for making our society a more just, ~~a more tolerant and a more compassionate~~ one for all of our citizens.

I went to law school in the 1970s, during a time of great political and social ferment. To me and many aspiring lawyers of my generation, law was an avenue for positive social change. For helping the vulnerable, the weak, the poor. ^{For protecting the Constitution and the Bill of Rights.}

^{Then, as now, there were many} There are different ways to reach one's goals as lawyer -- ~~to live a life of service and carry out one's commitment to justice.~~ One ^{could} ~~can~~ become a ~~public advocate, a legislator, an executive, a teacher, a corporate litigator,~~ ^{a prosecutor or public defender.} At various stages in my life, I have travelled several of those paths.

^{I'm sure all of those choices will be reflected in the careers you choose when you leave here. I know how difficult that choice can be because I've tried a #6 nose career myself.} ~~But~~ Being here on a law school campus and seeing so many future lawyers in this audience makes me think of my own experience as a law professor in Arkansas. ^{I'm reminded mostly of my brief experience}

I had never thought of teaching law until the summer of 1974, when my service on the House impeachment committee was ending and I needed to find a new job. I decided to call the dean of the law school at the University of Arkansas -- where a young man I knew was then teaching -- and took the dean up on his long-standing offer of a professorship. When I asked him what he wanted me to teach, he answered, "I don't know. I'll tell you when you get here."

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From my own experience as founder of Ozarks Legal Services in Arkansas and as a former chair of the Legal Services Corporation, I know how such simple assistance can head off more complicated legal troubles and make a world of difference in the lives of clients.

But today, the very survival of the Legal Services Corporation hangs in the balance. Over the past year, opponents in Congress have tried to cut funding. Still other members are determined to kill this vital institution. As of the first of this year, funding for the Legal Services Corporation in a temporary spending measure was slashed by one-third. LSC's final fate will be determined later this year.

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A career in law
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Thank-you.

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FROM:

Name: Elyse Selder, Dean's Office

MESSAGE: This is background on the law school's Roy Roy Lecture, at which Mrs. Clinton is speaking. Please call me should you have questions. Also attached is info on the Women's Symposium being held during her visit.

TRANSMITTAL INFORMATION: Date: 2/29/96Total Number of Pages Transmitted (including this sheet): 10 Pages

FOREWORD

The first Roy R. Ray Lecture was delivered by Langdell Professor of Law and Associate Dean Robert E. Keeton of Harvard Law School in Karcher Auditorium at the Southern Methodist University School of Law on February 24, 1978.

Professor Keeton began his teaching career at the School of Law at Southern Methodist University and is currently one of this country's foremost experts in the areas of insurance law, torts, and trial and appellate practice. He has written several casebooks and articles in these fields and is presently the Director of the National Institute for Trial Advocacy.

The Roy R. Ray Lecture was made possible through the generosity of Professor Emeritus of Law Roy R. Ray who was appointed to the faculty of the School of Law in the fall of 1929. Except for temporary visits to other law schools and a period of leave during World War II, he served the School of Law and Southern Methodist University for 41 years. During his tenure at the School of Law, he contributed significantly to the legal literature in torts and evidence including the excellent treatise on the *Texas Law of Evidence* first coauthored with Dean Charles T. McCormick of the University of Texas at Austin. A second edition was coauthored with Professor William F. Young of the University of Texas at Austin.

Professor Ray's establishment of the fund for the lecture enables the School of Law to invite a scholar of national eminence to campus for a lecture and discussion of a legal topic of current interest and allows the faculty and students of the School of Law, as well as the local bench and bar, to share in this unique educational experience.

A. J. THOMAS, JR.

Dean Ad Interim

1995 Roy R. Ray Lecture
The Honorable Alex Kozinski
"Death: The Ultimate Run-On Sentence"

We'll introduce our speaker today. This lecture has been made possible through the generosity of Professor Roy Ray of the SMU Law faculty. It's intended purpose is to allow the Law School to invite a distinguished legal scholar or juris teacher to speak to the Law School community on a legal topic of current interest. It is one of our highlights of the academic year. As I have said this is the 17th Roy Ray Lecture. Previous Roy Ray lecturers include Judge Leon Higginbotham of the 5th Circuit, James Friedman who is now the President of Dartmouth, Justice Shirley Abramson of the Wisconsin Supreme Court, Professor Patrick Ateya of Oxford, Irving Younger of Cornell, William Wayne Justice of the Eastern District of Texas, and last year Professor Harold Cole of Yale.

Roy Ray was long an institution at SMU School of Law. He was born in 1902 in West Virginia and educated at Center College in Kentucky. He earned an LL.B. from the University of Kentucky and his SJD from the University of Michigan. He joined the faculty at SMU in 1929 which was just four years after we opened our doors and then he continued to serve at SMU with distinction as a teacher and scholar for the next 41 years. He retired in the spring of 1967 although he continued to teach and carry a full teaching load until 1970. Until about 1990 he came to the Law School almost every day. Sadly Professor Ray passed away last May in his 92nd year. During his career he was a visiting Professor at the University of Colorado, at Vanderbilt, at Michigan and was also a Fulbright exchange Professor at National Seoul University in Korea. He had an outstanding record of scholarship in torts and evidence and his book, Texas Law of Evidence which was originally published with the University of Texas Dean

these I knew Roy and was in closest association with him for the longest time, indeed, dating back to 1940.

He was a continuing source of wisdom when I was dean of the law school. He had an excellent perception of quality in professional education and what it takes to produce the fine lawyers of which SMU is surely proud.

We are here today not to mourn but to celebrate with great joy a fantastic life. Roy had his undergraduate degree from Centre College, his law degree from the University of Kentucky, and his Doctor of the Science of Law degree from the University of Michigan. Throughout his life he was dedicated to teaching and scholarship. His splendid treatise on *The Texas Law of Evidence* is on the desk or in the library of every lawyer or law firm in Texas.

He was completely and totally committed to SMU and its law school. During the depression of the 1930s Roy and other SMU professors were subject to severe cutbacks in salary—10 percent, then 50 percent, and during one year the University simply omitted the last two salary checks for the academic year. There was no money, no credit, for the well had run dry. After the Rose Bowl Game of 1936 the University made up the back pay, so it must be said that that was surely a time in which the football team served the best academic interests of the University. Yet despite these hardships Roy and his colleagues did not flinch or flag in their loyalty to the institution and its students. They continued to meet their teaching obligations and maintain excellence in their disciplines.

During World War II he served in the Office of Price Administration and then returned to SMU to continue teaching.

In later years he was especially generous to Centre College, Berea College, the University of Kentucky, and, of course, SMU. Long after retirement, Roy continued his legal research to provide annual supplements to his treatise on evidence.

Roy was a long-time member of the Highland Park Methodist Church, a great religious institution of this city. He knew all the pastors: Umphrey Lee, Marshall Steele, Bill Dickinson, and Leighton Farrell, all of whom have given leadership to the church and an inspiration to SMU.

Roy as a Christian was a believer. In the Latin Requiem Mass for the dead in the Catholic liturgy there is the Latin phrase: *vita mutatur non tollitur*; that is, life is changed, not taken away. Roy believed that, and so do I.

I am sure that I will see Roy again and when I do, he will greet me with several thousand well chosen words of criticism of all the things I did wrong and, maybe, just maybe, a thousand words of comment on something I did right. And he'll be right on both counts.

I come back to the beginning. This is not a day of sadness but a day of rejoicing about a life full to overflowing, a life of service to countless hundreds of students who as lawyers are really an extension of the training and discipline of fine teachers, scholars like Roy. Roy would insist that on this day we rejoice in his life and in his success, and I am indeed privileged to be part of this celebration in his honor.

Charles O. Galvin
Law Faculty, 1952-1982
Dean, 1963-1978

I came to the SMU law school as a young law professor right after World War II in 1946. Since that year and until his death I was Professor Roy R. Ray's colleague and good friend. I had continuous opportunity to observe his work, his ways, and his relationship with family and associates.

I want to speak of Roy's outstanding qualities, which all of his friends and associates recognized. In a sentence, Roy was scholarly, an able advocate, had judicial temperament, was loyal to his family and friends, and was dedicated to the institutions he loved and served.

Roy received his LL.B. degree from the University of Kentucky in 1928 with honors. The following year he spent at the University of Michigan Law School on a fellowship. In 1929, at the invitation of Dean C.S. Potts, he came to the SMU School of Law as a young teacher. He brought with him his new bride, Virginia. Roy told me of the struggle he had had in deciding whether to come to SMU or to accept a position with a fine law firm in Alabama. Eventually the choice was SMU, and the

course of his professional life was set in Academe. In 1930 he finished his thesis—in record time—and received the S.J.D. degree from the University of Michigan.

Roy remained with the SMU law school until he retired in 1970. His service was continuous except for four years with the Office of Price Administration during World War II and two years of teaching at Vanderbilt University. Part of one year he had a Fulbright Professorship in Korea. His scholarship as a law professor was manifested in both teaching and writing. His main courses were Torts and Evidence, and he was meticulous and demanding in both.

Roy's writing met high standards of scholarship. In the 1930s he and the late Charles T. McCormick, dean of the University of Texas Law School, produced a thick text, *The Texas Law of Evidence*. A second edition came out in the 1950s. In 1980 a three-volume set was published with Roy Ray shown as the author. I can see Roy now, sitting in his office in the 80s, working with his 3" x 5" cards in keeping up the pocket parts for the treatise.

Roy was disciplined in setting his schedule for work. Besides the work on the treatise, he wrote articles dealing with improvement of the law of evidence and related matters. His writing style was articulate, clear, and uncomplicated.

Roy was an able and fluent advocate. This was manifested in our faculty meetings. Sometimes we grumbled that he was effective because we could not get a word in edgewise. He was analytical and readily identified critical issues. Roy was a good man to have on your side. There comes to mind an occasion in the 1950s when two of us younger faculty moved and seconded that the course in Common Law Pleading be abolished. (Later generations of students have us to thank for this.) There was a conservative sentiment in our faculty, but Roy Ray helped us carry the day.

Roy had good judicial temperament. This came into play during his years with the OPA, when he frequently served as a hearing officer. In his retirement years he was put on rosters of acceptable arbitrators and decided literally hundreds of labor disputes.

Roy Ray loved his family. He was completely loyal and supportive of his wife Virginia, his daughter Pat, and his grandchildren.

Roy had a large following of admiring alumni. He had extensive correspondence with them, particularly foreign students who came to our law school. As the person deputed to look after Roy's mail when he became ill four years ago, I was fascinated that by courtesy of a former student he continued to receive a Bangladesh newspaper reporting political events in that country.

Roy was generous to the schools that nurtured or were served by him. He and Virginia have made large gifts to Centre College, Berea College, the University of Kentucky Law School, and to the SMU School of Law. During his professional life, he dedicated himself to the upbuilding of the faculty, the student body, and physical properties of the SMU law school.

Roy's last four years were spent in the Presbyterian North Nursing Facility. He was disabled by strokes, but his mind remained sharp to the end. It was sad that his eyesight failed so that he could not read. He could, however, make out television programs, and he enjoyed political talk shows and sports events. He liked to be given advance notice of visitors, and we always found him neatly dressed and alert.

I am honored to have been asked to make this statement about Professor Roy Ray. Thank you.

Lennart V. Larson
Professor Emeritus of Law

Roy Ray was one of the first people I met from SMU. He was one of the three who interviewed me for a teaching position in January 1967. I quickly grew to respect Roy as a distinguished evidence scholar and I will always remember him, of course, as a highly valued colleague and teacher. But he was more—he became a mentor and a father-figure for me. And now, perhaps ironically, I think I will remember Roy most for what I learned about him and from him during the last four years of his life—after he left his office at the law school and began to live at Presbyterian Village.

Roy loved to talk. And so, when I visited him, we talked a lot. You learn what people love when they talk, and Roy talked with me about the things he loved.

Naturally, we talked a lot about SMU, particularly the

law school of course, and all the people there—the old timers and old times. But he was also eager to know what was going on now. “What’s new at school?” he would ask. So, I would tell him, and frequently he would have an opinion about what I told him. When I told him about changes in the first year curriculum: “Well, I’m not sure that’ll work.” Or when I told him who would be giving the annual Roy Ray lecture: “Sounds like probably a good choice.” He also wanted to know as much as I could tell him about all of our new faculty. It was an annual question about August or September: “Now, who are the new faculty this year? Tell me about them.” He was genuinely interested.

We talked about sports, especially SMU sports. On this subject, Roy stayed up to date on his own. In fact, he sometimes brought me up to speed based on what he had just read in the newspaper or heard on television. I think I first realized he was really failing when he apparently was unaware that SMU was probably going to be a part of an expanded Western Athletic Conference.

Roy talked about the people he loved. He talked about Virginia—sometimes about their life together in the old days—good memories of vacations they took together. Sometimes about their life at Presbyterian Village—the special Thanksgiving dinner they shared in his room—how well Virginia was progressing—how far she was walking each day.

He talked about his daughter, Pat, and her family, and kept me posted on their activities. I knew when Pat was visiting her daughters who lived in Georgia, or when she and her husband, Hoyt, were spending a few days in North Carolina. He would show me the cards Pat had sent with pictures of the beautiful North Carolina mountains. But I knew what he liked to tell me most was that Pat was making the trip from Tennessee again to see him.

Roy talked about the people I love. Virtually every time I visited him, he asked about every member of my family. He remembered things I had told him a year or so earlier about my children. Several times he caught me in a mistake about things I was trying to remember about my own children.

Roy could sound gruff at times, but it was so obvious to me that this was a man who truly cared. He cared

about the University and the law school he had been with for so long. He cared about the people there—those he had known for years, but also those he had never even met. He cared about his friends and their families. He loved hearing good news about my children. And he cared—deeply—for Virginia and for Pat and her family. He wanted all to be well, and he worried and suffered when all was not well.

We sometimes talked about what was not well. Mostly I remember conversations about his own situation—his failing health and all the other problems that come with aging. He didn’t like them! But Roy never really lost his perspective, and he certainly never lost his sense of humor. Sometimes when it seemed he was most down, he suddenly cracked a great joke. And once, as he talked about getting too old—“Well, I didn’t intend to live this long”—he began to recite his version of an Edna St. Vincent Millay poem:

My candle burns at both ends,
It will not last the night.
But, oh, my friends, and, ah, my foes—
It makes a bright, bright light!¹

But Roy, we were so fortunate that your candle lasted many nights and many days. It lit the way for thousands of new attorneys into the profession. And those last four years? I know they were hard, but your candle still made a bright light. For me, personally, what I learned from you and about you during those years—I was blessed. Thank you, Roy. May God speed your way to his side.

Harvey Wingo
Professor of Law

¹Edna St. Vincent Millay’s poem is as follows:

My candle burns at both ends;
It will not last the night;
But, ah, my foes, and, oh, my friends—
It gives a lovely light!

A Few Figs from Thistles. First Fig (1920).

I think it particularly noteworthy that Roy preferred to remember his friends first!

SMU NEWS RELEASE

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February 6, 1996

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SMU WOMEN'S SYMPOSIUM TO EXAMINE RESPONSIBILITIES OF LEADERSHIP

DALLAS (SMU) — Women can be proud of the lengthy strides they have made in business, politics and the community during recent decades, but part of the price of individual success is responsibility — specifically the responsibility to help the younger people who follow. This "each one help one" philosophy is the central theme of Southern Methodist University's 31st annual Symposium on the Education of Women for Social and Political Leadership.

Titled "Lifting as We Climb," the two-day program will be held March 5 and 6 in SMU's Hughes-Trigg Student Center.

The symposium's keynote speaker is Stephanie Coontz, author of *The Way We Never Were: American Families and the Nostalgia Trap* and *Women's Work, Men's Property: On the Origins of Class and Gender*. A professor at Evergreen State College in Olympia, Wash., Coontz has testified before the House Select Committee on Children, Youth and Families and is the 1995 recipient of the Dale Richmond Award from the American Academy of Pediatrics. Her speech, titled "Separating Fact From Fiction," begins at 2 p.m. March 5 in the Hughes-Trigg Theater.

Other featured speakers at the symposium include:

- Senfronia Thompson — The longest-serving woman in the Texas House of Representatives. She is a three-time chair of the House Judicial Affairs Committee, which oversees the state courts, the attorney general and various judicial agencies. Thompson was selected as the 1995 Woman of the Year by the Texas Women's Political Caucus and received the Mary Polk Award for Legislative Leadership from the Texas

Council on Domestic Violence. Her speech, titled "When Politics Hit Home," begins at 7 p.m. March 5 in the Hughes-Trigg Ballroom.

- Sara Martinez Tucker — Former vice president of global business communications systems for AT&T and a native of Laredo. During her 16 years with AT&T, Tucker became the first Hispanic woman to reach the company's executive level. She helped guide the company through organizational changes brought about by the evolution of the telecommunications industry. She is chair-elect of the National Hispanic Scholarship Fund and a member of the University of Texas College of Natural Sciences Advisory Council. Tucker's speech, titled "The Changing Nature of the Workplace," begins at 9 a.m. March 6 in the Hughes-Trigg Theater.

- Helen Zia — A contributing editor of *Ms.* magazine, where she formerly was executive editor. A second-generation Chinese American, she has been a feminist activist for more than two decades and is a founder of the Asian American civil rights movement against anti-Asian violence. Her leadership is documented in the movie "Who Killed Vincent Chin?" Zia's speech, titled "Taking Responsibility for the Future," begins at 1 p.m. March 6 in the Hughes-Trigg Ballroom.

The SMU Women's Symposium is the longest-running multigenerational symposium on women's issues in the nation. Special funding for this year's program has been provided by J.C. Penney Co. Inc. and the Florence Lewis Memorial Symposium Scholarships.

Individual lectures during the symposium are free and open to non-participants on a space-available basis. Full participation in the symposium, including the lectures, workshops, dinner, lunch and program materials, is \$65. For details about the symposium schedule, or to register, call the Women's Symposium office at (214) 768-4792.

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*Lissa**called
Katherine
& made
changes**4/23**5 P-m*THE WHITE HOUSE
WASHINGTON

OFFICE OF THE FIRST LADY

*gs.
(They're sending it
out now)*

TO

LISSA

FROM

PAM

FAX #

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PHONE #

OF PAGES (including cover)

5

COMMENTS

HRC changes

draft #3

FIRST LADY HILLARY RODHAM CLINTON
COLUMN FOR RELEASE APRIL 15
TALKING IT OVER/CREATORS SYNDICATE

I was one year out of law school and about to start teaching law at the University of Arkansas. It was 1974 and President Nixon had just signed a bipartisan bill to fund legal services for the poor. The law school was looking around for someone to organize its legal aid clinic. I had already worked in legal services programs. My experience, along with being the newest member of the faculty, marked me for the job.

There were mountains of paperwork and logistics to figure out. I didn't know where to begin. Before long, I also discovered an obstacle I hadn't imagined -- local lawyers and judges who were skeptical about any effort to provide free legal aid to the poor.

I remember going to a cocktail party where the President of the local bar took me around to meet everyone, including a senior member of the bench. "Judge," he said, "this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic."

Without taking a breath, the judge looked at me and said,

Last year, legal services programs helped five million of our country's neediest people resolve civil -- not criminal -- legal problems. The vast majority of cases were simple: foreclosures, divorces, evictions, child support enforcement. Often advice, a referral or a few letters or phone calls were enough to solve the problem. Most of these cases were resolved out of the courts. Such basic assistance can head off more complicated legal troubles and make a world of difference in the lives of clients.

While private law firms, bar associations, and individual lawyers have increased their donations and pro-bono hours to make up for the lack of funds, legal aid clinics still have had to scale back dramatically on the number of cases they accept. We can only hope Congress will not make matters worse.

But right now Congress is further trying to tie the hands of legal aid lawyers by banning them from filing class action suits, such as those on behalf of groups of poor citizens who want to challenge unfair housing practices or consumer fraud. And even as Congress touts less federal involvement in local programs, it is trying to restrict funds that legal aid programs are able to raise from private sources.

You may be asking yourself why the debate over the legal services programs matters to ^{you even} the average person. It has to do

if you don't think you'll need such help

"Well, I don't have any use for either lady law professors or legal aid clinics."

Over the years, as director of that clinic and as ^{man} President Carter's appointment, to ~~over~~ the national Legal Services Corporation that oversees local legal aid programs, I met many people like that judge. But I also met many more men and women who appreciate the importance of legal aid in helping all Americans -- not just those who can afford lawyers -- find justice.

For those of us who have seen firsthand the difference that legal aid has meant in the lives of women, children, and families, it is distressing to watch Congress's current attempts to move the cause of justice backward. Not only has there been no increase in the federal commitment to legal services for many years, Congress today wants to shrink federal funding by almost one-third.

What that means is that somewhere a couple and their young children will have to sleep in an unheated car or on the street because of an unlawful eviction; a woman will be forced to cower in her bedroom, a victim of domestic violence and a child will go to school hungry because his father refuses to pay child support.

with our society's fundamental commitment to justice, law, and progress for everyone.

I believe that our society became more just and the legal profession truer to its fundamental mission with the establishment of legal services programs for the poor. The thousands of legal aid lawyers and the tens of thousands of private lawyers who donate time to legal aid work are the heart and soul of the law.

Each time a legal aid lawyer helps a mother petition for child support or forces a nursing home to live up to its contract of taking care of elderly residents, our country moves closer to its ideals.

Legal aid is a way that our country upholds the one true contract that individual citizens have with America -- the Constitution, and specifically, its promise of justice for all.

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draft

770 words

CREATORS
Edits

FIRST LADY HILLARY RODHAM CLINTON
COLUMN FOR RELEASE APRIL 22
TALKING IT OVER/CREATORS SYNDICATE

I was one year out of law school and about to start teaching law at the University of Arkansas. It was 1974 and President Nixon had just signed a bipartisan bill to fund legal services for the poor, and the law school was looking around for someone to organize its legal aid clinic. I had already worked in legal services programs, so my experience, along with being the newest member of the faculty, marked me for the job.

I didn't know where to begin. There were mountains of paperwork and logistics to figure out. Before long, I also discovered ^{as} obstacles I hadn't imagined -- local lawyers and judges who were skeptical about any efforts to provide free legal aid to the poor.

I remember going to a cocktail party where the President of the local bar took me around to meet everyone, including a senior member of the bench. "Judge," he said, "this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic."

Without taking a breath, the judge looked at me and said,

"Well, I don't have any use for either lady law professors or legal aid clinics."

Over the years, as director of that clinic and as President Carter's appointment to chair the national Legal Services Corporation that oversees local legal aid programs, I met many people like that judge. But I also met many more men and women who appreciate the importance of legal aid ~~and its potential~~ ⁱⁿ for helping all ~~citizens~~ ^{Americans} -- not just those who can afford lawyers -- find justice ~~under the law~~.

For those of us who have seen firsthand the difference that legal aid has meant in the lives of women, children, and families, it is distressing to watch Congress's ~~attempts~~ ^{current} to move the cause of justice backward. Not only has there been no increase in the federal commitment to legal services for many years, Congress today wants to shrink federal funding by almost one-third.

What that means is that somewhere a couple and their young children will have to sleep in an unheated car or on the street because of an unlawful eviction; a woman will be forced to cower in her bedroom, a victim of domestic violence; and a child will go to school hungry because his father refuses to pay child support.

Last year, legal services programs helped five million of our country's neediest people resolve civil -- not criminal -- legal problems. The vast majority of cases were simple: evictions, foreclosures, divorces, child support enforcement. Often advice, a referral, ^{or} a few letters or phone calls were enough to solve the problem. ^{Most} Very few of these cases ^{were} ~~needed to~~ be resolved ~~in the courts~~ ^{out of}. Such basic assistance can head off ^{more} ~~more~~ complicated legal troubles and make a world of difference in the lives of clients.

While private law firms, bar associations, and individual lawyers have increased their donations and pro-bono hours to make up for ~~some of the funds already cut~~ ^{The lack of funds}, legal aid clinics still have had to scale back dramatically on the number of cases they accept. ~~That's because the number of people who need legal assistance is increasing at a time when the dollars are diminishing.~~ We can only hope Congress will not make matters worse.

But right now Congress is further trying to tie the hands of legal aid lawyers by banning them from filing class action suits, such as those on behalf of a ^{group} of poor citizens who want to challenge unfair housing practices or consumer fraud. And even as Congress touts less federal involvement in local programs, it is trying to restrict ~~the limited~~ the funds that legal aid programs are able to raise from private sources.

You may be asking yourself why this debate over the Legal Services Corporation matters to the average American. It has to do with our society's fundamental commitment to justice, law, and progress. *for everyone.*

I believe that our society became more just and the legal profession truer to its fundamental mission with the *establishment of* ~~the Legal Services Corporation~~ *legal services programs for the poor.* The thousands of legal aid lawyers and the tens of thousands of private lawyers who donate time to legal aid work are the heart and soul of the law.

Each time a legal aid lawyer helps a mother petition for child support or forces a nursing home to live up to its contract of taking care of ~~its~~ *its* elderly residents, our country moves closer to its ideals.

Legal aid is ~~one~~ *a* way that our country upholds the ~~one~~ *only* true contract that individual citizens have with America -- the Constitution, and specifically, its promise of justice for all.

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draft #1

FIRST LADY HILLARY RODHAM CLINTON
COLUMN FOR RELEASE APRIL 22
TALKING IT OVER/CREATORS SYNDICATE

I was one year out of law school and about to start teaching law at the University of Arkansas. ^{It was 1974 and} President Nixon had just signed a bipartisan bill to fund legal services for the poor and the law school was looking around for someone to organize its ^{new} legal aid clinic. Being the newest member of the faculty, the task fell to me. *I had already worked at legal services programs so my experience, ability*

I didn't know where to begin. There were mountains of paperwork and logistics to figure out. Before long, I also discovered obstacles I hadn't imagined -- local lawyers and judges who were skeptical about any efforts to provide free legal aid to the poor. *never met the family, wanted me for the job.*

I remember going to a cocktail party where the President of the local bar took me around to meet everyone, including a senior member of the bench. "Judge," he said, "this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic."

Without taking a breath, the judge looked at me and said, "Well, I don't have any use for either lady law professors or

legal aid clinics."

civil legal aid not criminal
national
Over the years, as director of that clinic and later as chair of the Legal Services Corporation that oversees local legal aid programs, I have met many people like that judge. But I have also met many more men and women who appreciate the importance of legal aid and its potential for helping all citizens -- not just those who can afford lawyers -- find justice under the law.

For those of us who have seen firsthand the difference that legal aid has meant in the lives of women, children, and families, it is distressing to watch Congress's attempts to move the cause of justice backward. Under the current budget plan, Legal Services Corporation stands to lose \$122 million of its funding. *No increase in federal commitment since I was on board.*

What that means is that somewhere a couple and their young children will have to sleep in an unheated car or on the street because of an unlawful eviction; a woman will be forced to cower in her bedroom, a victim of domestic violence; and a child will go to school hungry because his father refuses to pay child support.

civil
Last year, legal services programs helped five million of our country's neediest people through their legal troubles. The vast majority of cases were simple: evictions, foreclosures,

divorces, child support enforcement. Often advice, a referral, a few letters or phone calls were enough to solve the problem. Very few of these cases needed to be resolved in the courts. Such basic assistance can head off more complicated legal troubles and make a world of difference in the lives of clients.

While private law firms, bar associations, and individual lawyers have increased their donations and pro-bono hours to make up for some of the funds already cut, legal aid clinics still have had to scale back dramatically on the number of cases they accept.

As the number of people who need legal assistance is increasing, the dollars are diminishing. We can only hope Congress will not make matters worse.

But right now Congress is further trying to tie the hands of legal aid lawyers by banning them from filing class action suits, such as those on behalf of a group of poor citizens who want to challenge unfair housing practices or consumer fraud. And even as Congress touts less federal involvement in local programs, it is trying to restrict the limited the funds that legal aid programs are able to raise from private sources.

You may be asking yourself why this debate over the Legal Services Corporation matters to the average American. It has to

do with our society's fundamental commitment to justice, law, and progress.

I believe that our society became more just and the legal profession truer to its fundamental mission with the founding of the Legal Services Corporation. The thousands of legal aid lawyers and the tens of thousands of private lawyers who donate time to legal aid work are the heart and soul of the law.

Each time a legal aid lawyer helps a mother petition for child support or forces a nursing home to live up to its contract of taking care of its elderly residents, our country moves closer to its ideals.

Legal aid is one way that our country upholds the one true contract that individual citizens have with America -- the Constitution, and specifically, its promise of justice for all.

###

FIRST LADY HILLARY RODHAM CLINTON
COLUMN FOR RELEASE APRIL 22
TALKING IT OVER/CREATORS SYNDICATE

I was one year out of law school and about to start teaching law at the University of Arkansas. President Nixon had just signed a bipartisan bill to fund legal services for the poor and the law school was looking around for someone to organize its new legal aid clinic. Being the newest member of the faculty, the task fell to me.

I didn't know where to begin. Not only were there mountains of paperwork and logistics to worry about, but many lawyers and judges in town weren't exactly enthusiastic about the concept of giving free legal aid ~~to~~ people who could not afford it.

I remember attending a bar association cocktail party shortly before school started. The President of the Bar took me around to meet everyone. He introduced me to one senior judge by saying, "Judge, this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic." Without taking a breath, the judge looked down at me and said, "Well, I don't have any use for either lady law professors or legal aid clinics."

Over the years, as director of that clinic and later as chair of the Legal Services Corporation which oversees and distributes federal funding to the clinics, I have met many people like that judge. But I have also met many more people who appreciate the importance of legal aid and its potential for helping all citizens -- not just those who can afford lawyers -- find justice under the law.

For those of us who have seen firsthand how legal aid has helped millions of Americans, it is distressing to watch ~~a~~ Congress ~~insist on~~ taking the cause of justice backward. In the latest budget, the Legal Services Corporation stands to lose one-third -- \$122 million -- of its funding.

What that means for American citizens who happen to be poor and cannot afford legal help is this: Somewhere a couple and their young children will have to sleep in an unheated car because of an unlawful eviction; a woman will be forced to cower in her bedroom, trapped in a marriage to an abusive spouse; and a child will go to school hungry because his father refuses to pay child support. Under the cuts, proposed by many who also claim to support families and family values, more than one million people -- children and troubled families among them -- will be denied legal assistance.

Last year, legal services programs helped five million of

our country's neediest people through their legal troubles. The vast majority of cases were simple: evictions, foreclosures, divorces, child support enforcement. Often advice, a referral, a few letters or phone calls were enough to solve the problem. Very few of these cases needed to be resolved in the courts. Such basic assistance can head off more complicated legal troubles and make a world of difference in the lives of clients. [personal example goes here]

While private law firms, bar associations, and individual lawyers have increased their donations and pro-bono hours to make up for some of the funds already cut, legal aid clinics still have had to scale back dramatically on the number of cases they accept. Many lawyers have been laid off.

Congress is also trying to tie the hands of legal aid lawyers by banning them from filing class action suits, such as those on behalf of a group of poor citizens who want to challenge unfair housing practices or consumer fraud. Legal services representatives also would not be able to participate in cases involving welfare reform nor could they lobby governments.

You may be asking how this debate over the Legal Services Corporation affects the average American. It has to do with our society's fundamental commitment to justice, to law, and to progress.

I believe that our society became more just and the legal profession truer to its fundamental mission with the founding of the Legal Services Corporation. The thousands of legal aid lawyers and the many more thousands of private lawyers who donate time to legal aid work are the heart and soul of the law. They are helping our country uphold the one true contract individuals have with America -- the Constitution, and specifically, its promise of justice for all.

Each time a legal aid lawyer helps a mother petition for child support or forces a nursing home to live up to its contract of taking care of its elderly residents, this country, this society moves closer to its ideals.

This is no time to move away from them.

###

draft #1

**FIRST LADY HILLARY RODHAM CLINTON
COLUMN FOR RELEASE APRIL 22
TALKING IT OVER/CREATORS SYNDICATE**

I was one year out of law school and about to start teaching law at the University of Arkansas. President Nixon had just signed a bipartisan bill to fund legal services for the poor and the law school was looking around for someone to organize its new legal aid clinic. Being the newest member of the faculty, the task fell to me.

I didn't know where to begin. There were mountains of paperwork and logistics to figure out. And before long, I also discovered obstacles I hadn't imagined -- that a lot of local lawyers and judges were skeptical about efforts to provide free legal aid to the poor.

I remember attending one cocktail party shortly before classes started where the President of the local bar took me around to me^{et} everyone, including an important senior judge. "Judge," he said, "this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic."

Without taking a breath, the judge looked at me and said, "Well, I don't have any use for either lady law professors or

legal aid clinics."

Over the years, as director of that clinic and later as chair of the Legal Services Corporation that oversees and distributes federal funding to ^{local legal aid programs} ~~the clinics~~, I have met many people like that judge. But I have also met many more men and women who appreciate the importance of legal aid and its potential for helping all citizens -- not just those who can afford lawyers -- find justice under the law.

For those of us who have seen firsthand the difference that legal aid has meant in the lives of women, children, and families, it is distressing to watch Congress's attempts to move the cause of justice backward. Under the current budget plan, Legal Services Corporation stands to lose one-third -- \$122 million -- of its funding.

What that means is that somewhere a couple and their young children will have to sleep in an unheated car or on the street because of an unlawful eviction; a woman will be forced to cower in her bedroom, ^{a victim of domestic violence} ~~trapped in a marriage to an abusive spouse~~; and a child will go to school hungry because his father refuses to pay child support.

Last year, legal services programs helped five million of our country's neediest people through their legal troubles. The

profession truer to its fundamental mission with the founding of the Legal Services Corporation. The thousands of legal aid lawyers and the tens of thousands of private lawyers who donate time to legal aid work are the heart and soul of the law.

Each time a legal aid lawyer helps a mother petition for child support or forces a nursing home to live up to its contract of taking care of its elderly residents, our country moves closer to its ideals.

Legal aid is one way that our country upholds the one true contract that individual citizens have with America -- the Constitution, and specifically, its promise of justice for all,

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draft/js

FIRST LADY HILLARY RODHAM CLINTON
COLUMN FOR RELEASE APRIL 22
TALKING IT OVER/CREATORS SYNDICATE

I was one year out of law school and had just arrived at the University of Arkansas School to teach law, ~~(and to be near my boyfriend)~~.

It was 1974 and President Nixon had just signed a bipartisan bill to fund legal services for the poor. The law school was looking around for someone to organize its ~~own~~ new legal aid clinic. Being the new ~~kid on the faculty~~, the task fell to me.

I didn't know where to begin. Not only were there mountains of paperwork and logistics to worry about, but many lawyers and judges in town ~~didn't quite support~~ the concept of free legal aid to people who could not afford it. *when I exactly enthusiastic about*

without taking a month, →
For instance, *shortly after I arrived*, I remember attending a bar association cocktail party ~~that fall~~. The President of the Bar took me around to meet everyone. He introduced me to one of ~~the~~ senior judges by saying, "Judge, this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic." The judge looked down at me and said, "Well, I don't have any use for either lady law professors or legal aid clinics."

if that clinic
Over the years, in my capacity as a ~~legal aid clinic~~ director and as chair of the Legal Services Corporation which oversees and distributes funding to the clinics, I have met many people like that judge. But despite these opponents, many more people have ~~come to realize~~ the importance of legal aid and its potential for helping all citizens -- not just those who can afford lawyers -- find justice under the law. *I have also met many more*

For those of us who have seen first hand the, it is disturbing to watch as
That's why I am so distressed that some in Congress are insisting on taking the cause of justice backward. ~~Congress is proposing to slash funding for the Legal Services Corporation by one-third.~~

will have to
What that means for American citizens who happen to be poor and cannot afford legal help is that somewhere a couple and their young children ~~must~~ sleep in an unheated car because of an unlawful eviction; a woman ~~is~~ cowering in her bedroom, trapped in a marriage to an abusive spouse; and a child ~~is~~ going to school hungry because his father refuses to pay child support. Under the Congressional cuts, some 1.3 million people will be denied legal assistance. *This:*

proposed
Last year, legal services programs helped 5 million of our country's neediest people -- most of them women and children --

through their legal troubles. The vast majority of cases were simple: evictions, foreclosures, divorces, child support enforcement. Often advice, a referral, a few letters or phone calls were enough to solve the problem. Very few of these cases needed to be resolved in the courts.

From my own experience, I know how such basic assistance can head off more complicated legal troubles and make a world of difference in the lives of clients. [example goes here]

Under a temporary spending measure, some of the cuts Congress is considering have already taken place. And while private law firms, bar associations, and individual lawyers have increased their donations and pro-bono hours to make up for some of the lost funds, Legal Aid societies still have had to scale back dramatically on the number of cases they accept. Many of ~~their~~ lawyers have been laid off.

legal
and
clinics

Congress is also trying to tie the hands of legal aid lawyers by banning them from filing class action suits. Legal aid lawyers would not be able to bring suits on behalf of a group of poor citizens who want to challenge unfair housing practices or consumer fraud. Legal services lawyers also would not be able to participate in cases involving welfare reform and would be prohibited from lobbying legislatures or governments.

You may be asking how this debate over the very existence of the Legal Services Corporation affects the average American. Well, ~~it~~ ^{it} has to do with our society's fundamental commitment to justice, to law, and to progress.

I believe that our society became more just and the ~~law~~ ^{legal} profession ~~became~~ truer to its fundamental mission with the founding of the Legal Services Corporation. The thousands of legal aid lawyers and the many more thousands of private lawyers who donate time to legal aid work are the heart and soul of the law. They are helping our country uphold the one true contract individuals have with America -- the Constitution, and specifically, its promise of justice for all.

Each time a legal aid lawyer helps a mother petition for child support, or forces a nursing home to live up to its contract of taking care of its elderly residents, this country, this society moves closer to its ideals.

In this current political climate, we cannot lose sight of the cornerstone of our democracy: justice for all.

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draft/js

**FIRST LADY HILLARY RODHAM CLINTON
COLUMN FOR RELEASE APRIL 22
TALKING IT OVER/CREATORS SYNDICATE**

One of the first things I did when I moved to Arkansas to be with my soon-to-be husband was to help set up a legal aid clinic at the University of Arkansas School of Law.

It was 1974 and President Nixon had just signed into law a bipartisan bill to fund legal services for the poor.

When arrived in Arkansas that summer, the dean of the school asked me to get the school's own legal aid clinic up and running. It was tough. Not only were there piles of paperwork and logistics to worry about, but many lawyers and judges in the community did not quite support the concept of free legal aid to people who could not afford it.

The very first evening I was in town, I was invited to the county bar association's welcoming cocktail party for the law school faculty. The President of the Bar took me around to meet everyone. He introduced me to one of the senior judges by saying, "Judge, this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic." The judge looked down at me and said, "Well, I don't have any use for either lady law professors or legal aid clinics."

In the years since that cocktail party, I have met many people like that judge. But despite such opponents, many more people realized the importance of helping all citizens -- not just those who can afford lawyers -- find justice under the law.

Last year, legal services programs helped 5 million of our country's neediest people -- most of them women and children -- through their legal troubles. The vast majority of cases were simple: evictions, foreclosures, divorces, child support enforcement. Often advice, a referral, a few letters or phone calls were enough to solve the problem. Very few of these cases needed to be resolved in the courts.

From my own experience, I know how such basic assistance can head off more complicated legal troubles and make a world of difference in the lives of clients. [example goes here]

But today, the very survival of the Legal Services Corporation, which funds local legal aid clinics, hangs in the balance. Congress has proposed that funding for the Legal Services Corporation be slashed by one-third. LSC's final fate will be determined in the weeks to come.

through their legal troubles. ^{and} The vast majority of cases were simple: evictions, ~~foreclosures~~, divorces, child support enforcement. Often advice, a referral, a few letters or phone calls were enough to solve the problem. Very few of these cases needed to be resolved in the courts. Such basic assistance can head off more complicated legal troubles and make a world of difference in the lives of clients. [personal example goes here]

^{Conveniently scheduled cuts,} Under a temporary spending measure, some of the cuts Congress is considering have already taken place. And while private law firms, bar associations, and individual lawyers have increased their donations and pro-bono hours to make up for some of the ~~lost~~ funds, legal aid societies still have had to scale back dramatically on the number of cases they accept. Many legal aid clinic lawyers have been laid off.

Congress is also trying to tie the hands of legal aid lawyers by banning them from filing class action suits. Legal aid lawyers would not be able to bring suits on behalf of a group of poor citizens who want to challenge unfair housing practices or consumer fraud. Legal services lawyers also would not be able to participate in cases involving welfare reform and would be prohibited from lobbying legislatures or governments.

You may be asking how this debate over the ~~very existence of~~ the Legal Services Corporation affects the average American. It has to do with our society's fundamental commitment to justice, to law, and to progress.

I believe that our society became more just and the legal profession truer to its fundamental mission with the founding of the Legal Services Corporation. The thousands of legal aid lawyers and the many more thousands of private lawyers who donate time to legal aid work are the heart and soul of the law. They are helping our country uphold the one true contract individuals have with America -- the Constitution, and specifically, its promise of justice for all. X X X

22 Each time a legal aid lawyer helps a mother petition for child support or forces a nursing home to live up to its contract of taking care of its elderly residents, this country, this society moves closer to its ideals.

In this current political climate, we must not turn away from them.

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FIRST LADY HILLARY RODHAM CLINTON
COLUMN FOR RELEASE APRIL 22
TALKING IT OVER/CREATORS SYNDICATE

I was one year out of law school and had just arrived at the University of Arkansas to teach law.

It was 1974 and President Nixon had just signed a bipartisan bill to fund legal services for the poor. The law school was looking around for someone to organize its new legal aid clinic. Being the newest member of the faculty, the task fell to me.

I didn't know where to begin. Not only were there mountains of paperwork and logistics to worry about, but many lawyers and judges in town weren't exactly enthusiastic about the concept of free legal aid to people who could not afford it.

I remember attending a bar association cocktail party shortly after I arrived. The President of the Bar took me around to meet everyone. He introduced me to one senior judge by saying, "Judge, this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic." Without taking a breath, the judge looked down at me and said, "Well, I don't have any use for either lady law professors or legal aid clinics."

Over the years, as director of that clinic and later as chair of the Legal Services Corporation which oversees and distributes federal funding to the clinics, I have met many people like that judge. But I have also met many more people who appreciate the importance of legal aid and its potential for helping all citizens -- not just those who can afford lawyers -- find justice under the law.

For those of us who have seen firsthand the positive effect legal aid has had on the lives of many Americans, it is distressing to watch as Congress insists on taking the cause of justice backward. Congress is proposing to slash funding for the Legal Services Corporation by one third.

What that means for American citizens who happen to be poor and cannot afford legal help is this: Somewhere a couple and their young children will have to sleep in an unheated car or on the streets because of an unlawful eviction; a woman will be forced to cower in her bedroom, trapped in a marriage to an abusive spouse; and a child will go to school hungry because his father refuses to pay child support. Under the proposed Congressional cuts, some 1.3 million people will be denied legal assistance.

Last year, legal services programs helped 5 million of our country's neediest people -- most of them women and children --

While private law firms, bar associations, and individual lawyers have increased their donations and pro-bono hours to make up for some of the lost funds, Legal Aid societies still have had to scale back dramatically on the number of cases they accept. Entire offices have closed. Many lawyers have been laid-off.

What that means for American citizens who happen to be poor is that somewhere a couple and their young children must sleep in an unheated car because of an unlawful eviction; a woman is cowering in her bedroom, trapped in a marriage to an abusive spouse; and a child is going to school hungry because his father refuses to pay child support. Under the Congressional cuts, some 1.3 million people will be denied help.

Congress is also trying to tie the hands of legal aid lawyers by banning them from filing class action suits. Legal aid lawyers would not be able to bring suits on behalf of a group of poor citizens who want to challenge unfair housing practices or consumer fraud. Legal services lawyers also would not be able to participate in cases involving welfare reform and would be prohibited from lobbying legislatures or governments.

You may be asking how this debate over the very existence of the Legal Services Corporation affects the average American. Well, it has to do with our society's fundamental commitment to justice, to law, and to progress.

I believe that our society became more just and the law profession became truer to its fundamental mission with the founding of the Legal Services Corporation 22 years ago. The thousands of legal aid lawyers and the many more thousands of private lawyers who donate time to legal aid work are the heart and soul of the law. They are helping our country uphold the one true contract individuals have with America -- the Constitution, and specifically, its promise of justice for all.

Each time a legal aid lawyer helps a mother petition for child support, or forces a nursing home to live up to its contract of taking care of its elderly residents, this country, this society moves closer to its ideals.

In the current political climate, we cannot lose sight of these ideals nor can we lose sight of justice.

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Sacramento Bee

March 30, 1996, METRO FINAL

SECTION: EDITORIALS; Pg. B6

LENGTH: 1040 words

HEADLINE: FORGOTTEN PROMISE OF EQUAL JUSTICE

BYLINE: Anthony Lewis

DATELINE: BOSTON

BODY:

In the American dream, law is the great equalizer. Rich and poor alike can seek their rights in court -- and obtain what the motto inscribed on the pediment of the Supreme Court building promises: Equal Justice Under Law.

That promise would be undermined by legislation near passage in Congress. It would savagely cut the funds and restrict the work of the Legal Services Corporation, which finances legal representation for those who need it but who cannot afford it.

President Nixon signed the Legal Services bill into law in 1974. The nonprofit corporation it created gives funds to local programs all over the country, helping 5 million people last year. Now the radical Republicans in Congress are working to destroy it. And President Clinton has not spoken out to defend its great purpose.

The Legal Services budget for this year has already been cut from \$ 400 million to \$ 278 million under the temporary spending measures repeatedly passed by Congress. The further assaults on the program are in an appropriation bill that awaits resolution of the overall funding conflict between Congress and the president.

RESTRICTIONS IN the appropriation bill would prohibit legal services from:

- * Bringing class actions. Such cases are a tiny part of Legal Services' work, but they may solve significant problems -- for instance, the illegal cutoff of Social Security disability payments to thousands of people.

- * Handling cases that involve political redistricting.

- * Representing anyone who claims to have been treated illegally after a change in state welfare rules.

- * Representing prisoners, such as those who claim they have been systematically assaulted or sexually abused, or aliens such as those seeking political asylum.

FIRST LADY HILLARY RODHAM CLINTON
REMARKS FOR SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW
DALLAS, TEXAS
MARCH 5, 1996

[Acknowledgments: Gerald Turner, SMU President; Paul Rogers, Dean of Law School; Todd Gilbert, President of Student Bar Association; Jackie Gabbidon, [GAB-id-din] Vice-President of Student Bar Association]

Friends, colleagues, and fellow lawyers; future lawyers and teachers of the law who are here this evening: Thank-you very much for inviting me to give this eighteenth annual Roy Ray Lecture.

I welcome this opportunity because it gives me a chance to reflect on what a legal education and a career in the law has meant in my life -- and could mean in the lives of the students here in this room. It is also an opportunity to think about the ways a legal career can fulfill its most important purpose -- to be an instrument of good, a vehicle for making our society a more just one for all citizens.

I went to law school in the early 1970s, during a time of great political and social ferment. To me and many aspiring lawyers of my generation, law was an avenue for positive social change. For helping the vulnerable, the weak, the poor. For protecting the Constitution and the Bill of Rights.

Then, as now, there were many ways to reach one's goals as a lawyer. One could become an advocate, a legislator, a teacher, a corporate litigator, a prosecutor, or a public defender. I'm sure all of those choices will be reflected in the careers you choose when you leave here. And I know how difficult that choice can be because I've tried a number of those careers myself.

But being here on a law school campus, I'm reminded mostly of my experiences as a law professor in Arkansas.

I had never thought of teaching law until the summer of 1974, when my service on the House impeachment committee was ending and I needed to find a new job. I decided to call the dean of the law school at the University of Arkansas -- where a young man I knew was then teaching -- and took the dean up on his long-standing offer of a professorship. When I asked him what he wanted me to teach, he answered, "I don't know. I'll tell you when you get here."

I showed up in Fayetteville in August 1974. And he said, "Well, I want you to teach criminal law and run the legal aid clinic, and run the prison

projects at the state and federal prisons, and by the way, I want you to teach trial/advocacy, too." I swallowed hard and immediately began trying to figure out how to start.

The very first evening I was in town, I was invited to the county bar association's welcoming cocktail party for the law school faculty. The President of the Bar took me around to meet everyone. He introduced me to one of the senior judges by saying, "Judge, this is the new lady law professor. She is going to teach criminal law and run the legal aid clinic." The judge looked down at me and said, "Well, I don't have any use for either lady law professors or legal aid clinics."

In the years since that cocktail party, I have met many people like that judge who do not believe in legal services for people who could not afford them. But despite those opponents, the Legal Services Corporation, which was founded by bipartisan Congress and signed into law by President Nixon to fund local legal aid programs, still managed to help millions of Americans.

After twenty-two years, legal aid societies have become a part of

American life. The Legal Services Corporation is one of the instruments our society has to nurture and practice one of its most cherished ideals -- that of justice for all Americans.

Last year, legal services programs helped 5 million people who otherwise could not afford legal assistance. The vast majority of cases handled were non-controversial: evictions, foreclosures, divorces. Often advice, a referral, a few letters or phone calls were enough to solve the problem. Very few of these cases needed to be resolved in the courts.

From my own experience as founder of Ozarks Legal Services in Arkansas and as a former chair of the Legal Services Corporation, I know how such simple assistance can head off more complicated legal troubles and make a world of difference in the lives of clients.

But today, the very survival of the Legal Services Corporation hangs in the balance. Over the past year, opponents in Congress have tried to cut funding. Still other members are determined to kill this vital institution. As of the first of this year, funding for the Legal Services Corporation in a temporary

spending measure was slashed by one-third. LSC's final fate will be determined later this year.

While private law firms, bar associations, and individual lawyers have increased their donations and pro-bono hours to make up for some of the lost funds, Legal Aid societies still have had to scale back dramatically on the number of cases they accept. Entire offices have closed. Many lawyers have been laid-off.

What that means for American citizens who happen to be poor is that somewhere a couple and their young children must sleep in an unheated car because of an unlawful eviction; a woman is cowering in her bedroom, trapped in a marriage to an abusive spouse; and a child is going to school hungry because his father refuses to pay child support. Under the Congressional cuts, some 1.3 million people will be denied help.

Congress is also trying to tie the hands of legal aid lawyers by banning them from filing class action suits. Legal aid lawyers would not be able to bring suits on behalf of a group of poor citizens who want to challenge unfair

housing practices or consumer fraud. Legal services lawyers also would not be able to participate in cases involving welfare reform and would be prohibited from lobbying legislatures or governments.

You may be asking how this debate over the very existence of the Legal Services Corporation affects you -- our nation's future lawyers. Well, it has to do with our society's fundamental commitment to justice, to law, and to progress.

A famous law school dean [Roscoe Pound, Harvard] once said: "Law must be stable, and yet it cannot stand still." He meant that law must evolve with the times, offering the security of permanence and hope for change.

I believe that our society became more just and our profession became truer to its fundamental mission with the founding of the Legal Services Corporation 22 years ago. The thousands of legal aid lawyers and the many more thousands of private lawyers who donate time to legal aid work are the heart and soul of our profession. They are helping our country uphold the one true contract individuals have with America -- the Constitution, and

specifically, its promise of justice for all.

Each time a legal aid lawyer helps a mother petition for child support, or forces a nursing home to live up to its contract of taking care of its elderly residents, this country, this society moves closer to its ideals.

I'm not asking all of you to become legal aid lawyers. I'm just asking you to consider how the law can and does affect the daily lives of people at every level of society. A career in the law should mean a life of service and a commitment to justice. These ideals are embodied in the work of the Legal Services Corporation, which in the current political climate needs your support more than ever.

One of the most wonderful things about growing older is discovering that the struggle for progress in our society is often as important as the end result.

At some point, however idealistic we may be, we accept that the principles of fairness, justice, and equality often become flawed in their application. We accept that we will not solve all problems in our lifetimes.

But we keep striving, keep struggling for these ideals because we have to keep alive commitment and hope for the next generation.

As so many of you already now, and as so many of you will learn, the cause of justice is worth a lifelong struggle. Thank-you.

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Sacramento Bee, March 30, 1996

Another provision forbids Legal Services from getting attorneys' fees when it wins a case, even if a statute requires payment. Still another says that no one working for an organization funded by Legal Services may appear as a witness on legislative matters, even in response to a congressional request for testimony.

One more clause provides that all the restrictions apply to any local law office that gets even a small part of its money from Legal Services. So an organization supported by a local bar association gives up its freedom to choose cases if it takes \$ 1 in federal funds.

The restrictions and severe budget cut reflect a deep animosity to the corporation. Why should there be such hatred of an enterprise promoting a profoundly American ideal, equal justice under law?

Some of the opposition comes from the Christian Coalition. It says Legal Services is "anti-family" because it represents poor women in divorce cases. Most of those cases involve domestic violence, child abuse and the like. Is the Christian Coalition in favor of family violence and incest? Or does it think women should be bound to continue suffering such lawlessness?

In 52,000 cases it handled last year, Legal Services pursued fathers delinquent in child-support payments. Is that "anti-family"?

But something else must be involved in the attacks. It is resentment: resentment by those who have power in this country when, occasionally, they are held legally accountable for injuries to the weak.

AGRIBUSINESS HAS complained bitterly about Legal Services, for example -- because lawsuits have made farmers provide minimum decencies such as sanitation, required by law, to seasonal workers. In other words, like so much else done by the radical congressional Republicans, it is a case of the haves against the have-nots.

Alexander Forger, the distinguished New York lawyer who is president of Legal Services, said he was puzzled by the onslaught. "We have a stake in a civil community," he said. "I cannot understand the objection to people solving their problems through the system."

Clinton's silence in the face of all this is puzzling. Hillary Rodham Clinton was chairwoman of the Legal Services Corporation from 1979 to 1981. Are she and her husband really going to sit by while it is destroyed?

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SHOW: Morning Edition (NPR 6:00 am ET)

March 26, 1996

Transcript # 1832-11

TYPE: Package

SECTION: News; Domestic

LENGTH: 1373 words

HEADLINE: Legal-Aid Programs Face Budget Cuts by Congress

GUESTS: ANDREA PONJWONI, Legal-Aid Attorney;PATRICIA REESE;Rep. CHARLES TAYLOR (R-NC);Rep. BILL MCCOLLUM (R-FL);

BYLINE: DEREK REVERON

HIGHLIGHT:

The Legal Services Corporation, which distributes federal funds to legal-aid programs across the country, is facing budget cuts. Conservatives feel the programs promote a liberal agenda.

BODY:

BOB EDWARDS, Host: Legal aid for the poor is under attack in Congress. The Legal Services Corporation, a quasi-private entity that distributes federal funds to legal-aid programs, has seen its budget cut by 30 percent, part of a continuing resolution that trims funding for all federal agencies. Up next, Congress is proposing tough, new restrictions on the scope of legal-aid lawyers. For example, they will no longer be able to file class-action lawsuits. Critics say Legal Services are just a tool for combating conservative political reforms, and while supporters say they grant the poor the same legal representation as people who can afford lawyers. NPR's Derek Revereon reports on one program in Miami that, like legal-aid programs nationwide, is fighting to stay alive.

DEREK REVERON: At Legal Services of Greater Miami, public-housing tenant Patricia Reese is counseled by lawyer Andrea Ponjwoni [sp].

ANDREA PONJWONI, Legal-Aid Attorney: Ms. Reese, I notice the writ of possession has already been posted on your door.

PATRICIA REESE: Posted yesterday.

DEREK REVERON: Reese received an eviction notice after failing to pay her rent for two months, she says, because someone stole her money while she was in the hospital for a few days. Ponjwoni explains that Reese now has two options.

ANDREA PONJWONI: The one that I hope will work is that I'll just be able to

Morning Edition (NPR), March 26, 1996

reach an agreement for you by talking with the attorney for the country, OK? So we'll try to work something out. If we can't, the fall-back would be we could probably save your apartment through filing a bankruptcy, OK? OK, so I'm going to call you as soon as I have some further news, OK?

PATRICIA REESE: OK. Thank you.

ANDREA PONJWONI: You're welcome.

DEREK REVERON: Patricia Reese is typical of legal-aid clients nationwide - poor people involved in civil cases, mostly housing, divorce and child custody. While the poor charged with crimes automatically get a court-appointed attorney, those involved in civil cases aren't legally entitled to a lawyer, and they can't afford to hire one, so they seek the free help offered by Legal Services.

But a bill proposed by Republicans in Congress threatens to deny help to hundreds of thousands of poor people. The 1996 federal funding for the Legal Services Corporation, which distributes money to more than 300 legal-aid programs, was slashed from \$410 million to \$278 million. The cuts have hit legal-aid offices hard. In Miami, for example, the legal staff has been cut from 55 to 26. And it's poor people like Patricia Reese who will be hurt most by the cutbacks, says legal-aid lawyer Ponjwoni.

ANDREA PONJWONI: Thousands of similar cases come in every year, and we've got - I mean, there's a very small pool of attorneys, and I just don't think we're going to be able to represent nearly as many of the people in need that we used to, and I think homelessness will certainly be the most obvious manifestation of that.

DEREK REVERON: Conservatives have been gunning for the Legal Services Corporation ever since it was born. The program was created during the war on poverty in the mid-'60s to give the poor access to legal representation. Legal aid began to score victories in the areas of housing, welfare reform and voting rights. And in the early-'80s, President Reagan tried to wipe out federal funding for the Legal Services Corporation, but he was thwarted by a Democratically-controlled Congress.

Now with Republicans in power, the future of the program looks bleak. Buried in an appropriations bill are provisions that would prohibit legal-aid lawyers from handling cases involving class-action suits, welfare reform, and voter redistricting. Congress could deny funds to programs that violate the provisions. Opponents of legal aid insist that the restraints are needed to reel in out-of-control lawyers who use the program to push their own liberal causes.

Rep. CHARLES TAYLOR (R-NC): It's get into a variety of very left-wing causes with the general taxpayer's money under the guise of helping the poor. It's get into areas that most communities would not support.

DEREK REVERON: Charles Taylor is a Republican congressman from North Carolina who argues that federal funding for the Legal Services Corporation should be abolished immediately. The government can no longer afford to pay for the program, says Taylor. And besides, he says, legal-aid lawyers do more harm than good for the poor by taking their liberal crusading too far. For example, says

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Taylor, in many communities, including Miami, legal aid has represented convicted drug dealers that local governments have tried to evict from public housing.

Rep. CHARLES TAYLOR: It gets into keeping drug pushers in public housing, taking the side of the drug pusher and using the taxpayer's money to beat down efforts of local governments to try to rid those convicted drug pushers from public housing. When they try to hide behind the poor for what are very radical- very radical positions, they are not helping the poor. They're joining with those who prey upon the poor.

DEREK REVERON: Legal-aid attorneys contend that they don't actually represent convicted drug dealers but people who are being evicted because one of their children or visiting relatives sold drugs without their knowledge.

But this is the kind of exaggerated claim, legal-aid lawyers says, that conservatives make because they've long resented the clout that Legal Services grants the poor, especially through the use of class-action suits. In Florida, for example, last year Legal Services sued the state's welfare agency. The suit charged that child support payments made to the agency by estranged parents were passed onto welfare recipients late and sometimes not at all. The court ruled that the payments should be made on time each month. Florida Legal Services have also helped blacks win greater representation in several Florida counties. Because of victories like this, says Sipon [sp], opponents are out for revenge.

SIPON: I get the feeling that it's payback time and that there is mean-spiritedness and that it's almost a knee-jerk reaction. 'Legal Services sued the Housing Authority. Legal Services did this. Legal Services did that. So now we're going to get rid of them because they're too much trouble.' And they just get into 'the wild-eyed crazies out there pushing the liberal agenda,' which really isn't true.

DEREK REVERON: But even many supporters of legal aid believe that its activities should be curbed, making it clear that even if Legal Services survives it will be in a scaled-down form. Congressman Bill McCollum of Florida, who considers himself a defender of the program, proposed the new restrictions on Legal Aid because he feels that it doesn't have any business fighting poverty with class-action suits.

Rep. BILL MCCOLLUM (R-FL): The Legal Services program needs to be focused on those things which are most important bread-and-butter issues to the poor, the issues of everyday things such as landlord-tenant problems and domestic relations and things that would be normal to somebody finding a need for a lawyer in a poverty situation. I think the problems of the broader question of poverty itself and the conditions of society are really and truly political questions, and they should be dealt with in the political arena.

DEREK REVERON: But McCollum believes that some federal funding for basic legal services should continue until the program can find other sources of financial support. In Miami, Legal-Aid attorneys already have begun to make the transition to a private enterprise. They've stepped up efforts to raise money from corporations, foundations and the public, and they're shifting class-action suits to legal advocates to the poor who don't receive federal funds. In Miami, I'm Derek Reveron reporting.

Morning Edition (NPR), March 26, 1996

The preceding text has been professionally transcribed. However, although the text has been checked against an audio track, in order to meet rigid distribution and transmission deadlines, it may not have been proofread

against tape.

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April 15, 1996, Monday, Final Edition

SECTION: A SECTION; Pg. A01

LENGTH: 1722 words

HEADLINE: GOP Hill Revolution Yields to Compromise; Once Facing Ax, Programs
Survive With Trims

BYLINE: Dan Morgan, Washington Post Staff Writer

BODY:

A year ago, it looked as if AmeriCorps was going to close after opening night.

Just months after President Clinton launched it in September 1994, to provide community service work for thousands of volunteers in return for help with college tuition, GOP budget cutters made it a symbol of their crusade to pare government. One senior Republican bragged that Congress would gut AmeriCorps and "get even" with Clinton.

But as Congress returns today, the status of AmeriCorps in the budget battle reflects the GOP's broader frustrations as well as its achievements.

"The Republican Congress has not accomplished a revolution. It has accomplished restraint," said a senior administration official who agreed to be interviewed only on condition that his name not be used.

Because of relentless Republican congressional pressure, the administration has accepted a deal on AmeriCorps that basically involves a 15 percent cut in the program's budget from \$ 470 million in 1995 to \$ 400.5 million this year, greater cost-sharing by businesses and nonprofit organizations, and reduced overhead.

But AmeriCorps lives. "It's not going to be shot down, and it will get a third year to prove itself while the thunder and lightning goes on in Washington," said former senator Harris Wofford (D-Pa.), who rallied former GOP colleagues and governors behind it after he was appointed to oversee the program last October. Wofford believes that under the deal he worked out with Sen. Charles E. Grassley (R-Iowa), with whom he still attends Senate prayer breakfasts, it should be possible to keep the number of AmeriCorps volunteers level this year, at around 25,000.

For conservative Republican purists, that is hardly a revolution. But when Congress reconvenes, House and Senate GOP leaders nonetheless will try to wrap up negotiations with the White House and among themselves on a long-delayed \$ 166 billion spending bill incorporating the money for AmeriCorps.

A number of sticking points remain to be resolved in the huge bill, which

The Washington Post, April 15, 1996

funds nine government departments and hundreds of programs through September. But it already reflects a more pragmatic GOP bent than was evident last year. Congress and the president must finish the huge measure by April 26, when short-term spending authority runs out. Clinton has threatened to veto any further interim spending measures.

"It's time to declare victory," said House Appropriations Committee Chairman Bob Livingston (R-La.).

Indeed, Republicans can point to major successes.

In many ways, the bill that is emerging, together with eight other 1996 appropriations bills enacted into law, represents the GOP's major legislative accomplishment. While Republicans have nothing to show for their bold plans to reform welfare, Medicaid and Medicare, they have reined in the growth of the federal establishment.

Not since 1981, the first year of Ronald Reagan's presidency, has the lid been clamped down so hard, through cuts in federal activities funded through the annual bargaining process between Congress and the White House. This "discretionary" part of the budget covers most of the activities Americans associate with government, from the Commerce Department and Amtrak to the space shuttle and repairing the C&O Canal.

The pending measure and the other annual appropriations bills eliminate or consolidate dozens of marginal or duplicative programs, halt the growth of huge departments, and dramatically cut some well-established federal activities, such as legal assistance to the poor through the Legal Services Corp. and the National Endowment for the Arts.

Through the appropriations process, the Republican Congress has succeeded in reordering old priorities and establishing new ones.

There will be more money to build highways, but less to help some cities and towns pay for public bus service. There will be fewer federal dollars to develop renewable energy and conservation technologies, but more for medical research and law enforcement.

"If you look at the way we've held the line, I think we've got a tremendous success story," said Elizabeth Morra, spokeswoman of the House Appropriations Committee. "We've saved American taxpayers billions and we're going to go at it again next year."

But when measured against the rhetoric of the "the Republican revolution," the spending cuts seem less drastic.

To win support from the White House, Republicans over the last few weeks have added back some \$ 5 billion to \$ 6 billion in spending that they had eliminated earlier, and Clinton administration officials said they will continue to press for more. The Republicans are staying within their deficit reduction targets by offsetting the spending with the sale of federal assets and other one-time maneuvers. But the additional spending undercuts the GOP goal of downsizing federal programs.

The Washington Post, April 15, 1996

Last year's House initiatives to cut the National Labor Relations Board's budget by 20 percent, eliminate funding for summer youth job programs and do away with the home heating subsidy for poor people have been abandoned.

The Environmental Protection Agency is emerging relatively unscathed despite an initial proposal in the House to cut its funding by about 25 percent. GOP conservatives charged repeatedly last year that EPA was "out of control." But Republicans have now agreed to give it \$ 6.4 billion for the 1996 fiscal year, just shy of what was allowed for 1995.

Republicans have also agreed to fund at last year's level the Chapter 1 education program that is the main federal vehicle for aiding public schools. The House last year had voted to slash the program by more than \$ 1 billion.

While dozens of programs will be terminated, many of them are tiny or little known: Christa McAuliffe Scholarships (\$ 1.9 million), the Coast Guard HH-65 helicopter gearbox upgrade (\$ 2.5 million) and the Microenterprise Grants (\$ 2.25 million). Meanwhile, the Commerce Department and AmeriCorps, which were targeted for elimination by last year's congressional budget resolution, appear to have survived for now.

The big numbers also suggest that the GOP's real accomplishment has been to restrain the growth of government rather than reshape it radically.

Congress has agreed to let the federal government make new spending commitments for non-defense programs this year totaling \$ 228 billion, \$ 18 billion less than was approved by the last Democratic Congress.

But the effect of that will be more to put a brake on the growth of annual federal outlays than to reduce the size of the federal government. That is because annual appropriations cover billions of dollars of spending commitments that run beyond the end of the fiscal year, such as long-term contracts and research grants.

Even with this year's \$ 18 billion in cuts, the federal government in 1996 will lay out about as much cash for domestic programs as in 1995, because it will be drawing on billions of dollars appropriated by previous Congresses.

Thus, the most severe pain from this year's budget cuts will begin to be felt next year, or later, when the actions of this Congress begin to pinch.

For example, about \$ 6 billion of the 1996 cuts -- about a third of the total -- is a reduction in future funding for subsidized housing for low-income families. Congress and the White House agree that, in this fiscal climate, the reductions are the only way to prevent runaway costs of housing programs over the next 20 to 30 years.

But whether Congress will back away from these and other results of its handiwork when confronted with protests from lobbyists and pressure groups remains to be seen. The annual bargaining process by which appropriations bills are written will lend itself to tinkering with the long-term ceilings on domestic spending established by Republicans this year.

With little fanfare, Clinton last month presented a 1997 budget that departs radically from the GOP spending plan, by providing substantially larger outlays

The Washington Post, April 15, 1996

for education, the environment and the poor.

Here and there, the appropriators have resorted to bookkeeping maneuvers that may exaggerate the magnitude of the cuts they have made. There have been "savings" of \$ 700 million resulting from rescinding funds in an illusory airport trust.

Republicans claimed another \$ 1 billion of savings by rescinding money appropriated to help communities clean up drinking water. The rationale was that the money could not be spent since the Safe Drinking Water Act has not been authorized. But that could happen as early as this year, in which case funds will have to be found.

Nonetheless, there is no doubt that the Republican tenure in Congress has imposed real cuts on some selected agencies.

An example is the Legal Services Corp., which is facing a 30 percent cut in its budget and an array of restrictions that will bar legal aid attorneys from representing prisoners or illegal aliens, and prevent them from participating in class action suits.

Under the omnibus 1996 spending bill on which final action is near, Legal Services would receive \$ 283.5 million, down from around \$ 400 million in 1995.

Using 1,200 neighborhood law offices around the country, Legal Services lawyers last year handled 1.7 million cases involving spousal abuse, child support, evictions, denial of medical benefits and disaster relief. But Phyllis Holmen, executive director of the Atlanta-based Georgia Legal Services Program, said her operation has been laying off lawyers and staff.

"We are turning away situations where there is not an immediate crisis," she said. "We have always triaged cases. Now we're at a much lower level of triage."

Some class action cases have been transferred to private attorneys and for those lawyers who are left, the priority will go to cases involving domestic violence, the elderly, and housing, Holmen said.

"There is zero political mileage in being on the side of access to justice for the poor," said Alexander D. Forger, president of Legal Services Corp. Forger said he appreciates the fact that the White House has mentioned insufficient money for legal services in messages to Congress.

But he added: "I don't think the president has used the press conference or the microphone to argue on behalf of representation for poor people."

GRAPHIC: Chart, SURVIVING THE REVOLUTION Although the House Republicans fell short of their goal of radically reshaping the federal government, they did sharply restrict the growth of government. Below are key targets of House GOP budget cutters and their current status in the fiscal 1996 budget: In millions

'96 House Current	Program '95 spending	proposal status	Chapter 1 (Low-income education aid)
\$7,228	\$6,014	\$7,228	Environmental Protection Agency
6,641*	4,892	6,400	Head Start
3,534	3,397	3,570	Low-income heating subsidy
1,474	0	975	Summer

The Washington Post, April 15, 1996

youth jobs 867 0 625 AmeriCorps 470 0 400 Drug-free schools 465 200 400 Legal
Services 400 283 283 Goals 2000 371 0 350 Occupational Safety and Health
Administration 311 263 289 National Endowment for the Arts 162 99 99 * Reflects
\$600 million rescission. SOURCES: House Appropriations Committee
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April 15, 1996, Monday

SECTION: EDITORIALS; Pg. 20

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HEADLINE: Legal Aid's Last Stand?

BODY:

PUBLICLY funded legal aid for the poor has been a facet of American life for more than 20 years. Depending on one's perspective, it has either been a bulwark of equal justice, or a vehicle for crusading liberals.

In practice, legal aid may have had elements of both. But its day-to-day work concentrates on such matters as tenant-landlord relations, consumer fraud, marital problems, and, inevitably considering the clientele, government benefits. Politics may sometimes cling to disputes in these areas, but politics is not the purpose.

Yet the political-crusader perspective dominates in today's Republican-led Congress. Congressional opponents of legal aid have launched their own crusade to rein in the 323 programs, and 1,200 neighborhood law offices, that last year drew on federal dollars dispensed by the nonprofit Legal Services Corporation (LSC).

Like most organizations funded by the government, the LSC has been living on continuing resolutions in 1996. But its budget has effectively been sliced from \$ 400 million to the House-approved figure of \$ 278 million, a one-third cut.

In tandem with the budget blow, legal-services programs face a set of tight restrictions on their activities - including bans on class-action suits, on challenges to state welfare reforms, and on lobbying by legal-aid staff. These rules haven't yet been signed into law, but probably soon will be. President Clinton opposes them, but isn't likely to withhold his signature from a budget bill because of them. In budget terms, legal services is very small potatoes.

Neither does LSC loom very large in terms of the need it attempts to meet. Experts estimate that all the resources devoted to legal aid for the poor - pro bono work by private lawyers, state and private programs, as well as federal funding at last year's level - address only about 20 percent of the demand. A kind of triage is required. Divorce cases handled by legal-aid offices typically involve extreme cases of spousal abuse. Eviction cases often involve people on the verge of homelessness.

Sharp funding cuts were bound to come this year. But a crucial question is whether anti-legal-aid forces will be able to carry their campaign forward next year and wipe out the program.

Political motives may sometimes figure in the work of lawyers helping the

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poor; some tightening of guidelines may be needed. But helping impoverished people through legal tangles is more public service than politics. It gives "equal justice" added meaning.

That was recognized in 1974 when Congress and President Nixon established the LSC. It shouldn't be forgotten today.

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Nigeria's Waiting Game

Nigeria's military rulers seem to assume that their country's oil and other investment opportunities will give the United States and Europe pause about protesting the suppression of democracy and civil liberties in Nigeria. Regrettably, their strategy is working.

Six months after Ken Saro-Wiwa and eight other minority-rights activists were hanged in Nigeria after a farcical trial, the Clinton Administration says it is still consulting with other countries on long-promised sanctions. It hints at a decision next month, but there is no deadline, which suits Lagos fine.

The Administration's unseemly hesitation leaves Senator Nancy Kassebaum, a Kansas Republican, as Washington's conscience on Nigeria. Hearings are set for May 15 on her Nigeria Democracy Act, which has 22 co-sponsors. The measure would codify existing sanctions against Nigeria, freeze the assets of the military regime's leaders and, most potently, prohibit new American investment there. Hearings can serve the double purpose of refocusing attention on Lagos, and ventilating the arguments about a unilateral investment ban.

The trumped-up trial of the Ogoni activists last November is what Nigeria has learned to expect under its self-enthroned President, Gen. Sani Abacha. A new World Bank report says that despite Nigeria's oil riches, half the population is sinking below the poverty line, and one of five children dies before turning 5. Dissenters risk jail or worse, as in

the case of Moshood Abiola, the front-runner in an annulled 1993 election who still awaits trial for supposed treason.

This is the record that caused President Nelson Mandela of South Africa to call for an embargo on Nigerian oil, and ought to lead other countries to take diplomatic and economic action against Lagos. Last week the British Commonwealth, having suspended Nigeria's membership, joined in supporting sanctions already imposed by the United States, such as prohibiting arm sales to Nigeria or travel visas for Nigerian leaders and their families.

But these are annoyances; and the freezing of assets could be readily evaded. An oil embargo, however deserved, is unlikely. What could truly hurt is a ban on new American investments in a country where Americans have already sunk some \$54 billion, mostly in the oil industry. While European and Japanese businesses might benefit from a United States embargo, there are times when the defense of American principles should take precedence over the expansion of American commerce. Nigeria, like South Africa at an earlier time, is such a case.

International sanctions against Nigeria would be preferable, and the Clinton Administration should press reluctant Europeans, notably the British, to cooperate. But if that effort fails, Washington should not hesitate to act alone. The world, especially the United States, should not condone the brutal policies of the Nigerian dictatorship.

Legal Services Survives, Barely

The budget bill signed by President Clinton last week after months of bargaining between the White House and Congressional Republicans deals two blows to the American ideal of equal justice. It slashes funding for the Legal Services Corporation — the 21-year-old federally financed program that helps poor people with their civil legal problems. It also imposes restrictions that will further impede the program's effectiveness.

President Clinton cited his opposition to the gutting of Legal Services when he vetoed an earlier version of the budget bill last December. But the Republicans were not moved to rethink their approach. In the end, Mr. Clinton — apparently satisfied that he had won important concessions elsewhere in the bill — swallowed a 30 percent cut in Legal Service's budget, from \$400 million to \$278 million.

These cold figures need to be understood in human terms, as First Lady Hillary Rodham Clinton, a former chairwoman of the Legal Services Corporation, noted recently in her syndicated newspaper column. "What that means," she wrote, "is that somewhere a couple and their young children will have to sleep in an unheated car or on the street because of an unlawful eviction; a woman will be forced to cower in her bedroom, a victim of domestic violence; and a child will go to school hungry

because his father refuses to pay child support."

The number of cases handled by the already underfunded program may fall by as many as 500,000, even as the number of poor people in America eligible to receive help is growing. Increased pro bono work by private lawyers, though welcome, is not a realistic way to fill the gap.

Congress also insisted on provisions that weaken the ability of Legal Services lawyers to adequately represent their clients. Among other things, they would be barred from filing class-action lawsuits. Such suits are a tiny part of Legal Services' work. But they are a practical way to resolve significant issues that affect large numbers of poor people, like rules governing eligibility for Medicaid, housing and disability benefits. Other legislative restrictions prohibit Legal Services attorneys from challenging illegal or unconstitutional changes in state welfare rules, and severely limit the freedom to represent client interests before legislative bodies and in administrative rule-making proceedings.

These sad defeats amount to a victory of sorts. The bill stops short of the outright abolition of Legal Services pressed by some Republicans in the first flush of their party's takeover of Congress. Unfortunately, to the many impoverished Americans who will now be shut out of the legal system, that will not provide much comfort.

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