



# Alaska Legal Services Corporation

## *Amending the Civil Legal Services Fund*

This bill seeks to amend AS 37.05.590 (the statute creating the Civil Legal Services Fund) so that up to 25% of Court System filing fees can be appropriated by the Legislature to the Civil Legal Services Fund each year to provide access to civil legal aid for low-income Alaskans with critical legal needs. **Fiscal Note: \$0**

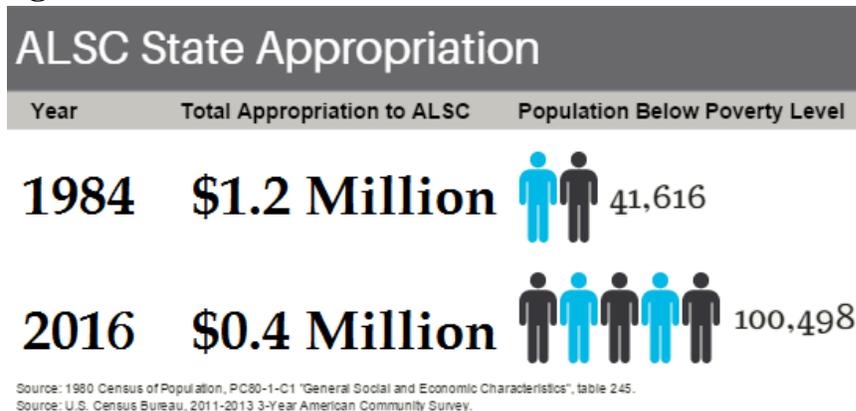
### What is the Fund?

- ◆ The Civil Legal Services Fund was created in 2007 with widespread bipartisan support to help ensure civil legal representation for Alaska's most needy population.
- ◆ At the discretion of the legislature, deposits to the fund come from Alaska's 50 percent share of civil punitive damage awards. The Legislature is authorized to appropriate these funds to organizations providing civil legal services to low-income Alaskans.

### How has the Fund been used?

- ◆ In 2011, ALSC received the first and only appropriation from the Fund in the amount of \$110,000 – this is far less than needed to address the critical unmet need for civil legal assistance.
- ◆ The amount available for appropriation into the fund depends on whether the state has collected any punitive damages. For the last four years, the Attorney's General Office reported that there has only been \$15,000 collected.

**ALSC has received a state appropriation under every administration since it was established 50 years ago.<sup>1</sup>**



- ◆ State appropriations to ALSC have declined from a high of \$1.2 million in 1984 to \$450,000 today. At current funding levels, ALSC turns away hundreds of families seeking assistance each year due to resource limitations.

### How can the Civil Legal Services Fund be more effective?

- ◆ By amending AS 37.05.590 so that 25% of Court system filing fees could be appropriated into the Civil Legal Services Fund, additional revenue will be generated and will create crucial resources for low-income Alaskans statewide.
- ◆ The court system filing fees currently go to the general fund.

<sup>1</sup> The only period that ALSC did not receive an appropriation was from FY2005 – FY2008.



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### Why is Civil Legal Aid Important?

Civil legal aid ensures fairness for all in the justice system. It provides access to legal help for people who cannot afford it otherwise, to protect their livelihood, their health or their family. Access to justice should not depend on how much money you have. **We need civil legal aid to ensure that the very principle our founding fathers envisioned remains alive: justice for all, not the few who can afford it.**

### Why the Fund is needed:

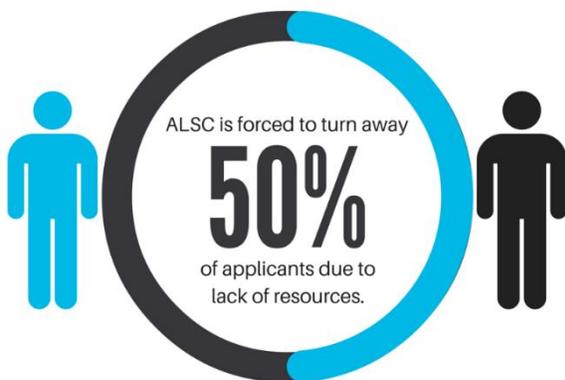
- ◆ Nearly every state in the Nation supports civil legal aid with Court Fees and Fines, and/or State Appropriations. Florida, Idaho and Wisconsin are the only states that do not receive any State funding.
- ◆ The American Bar Association Resource Center for Access to Justice Initiatives reports that **Alaska was the only state that reduced funding for a civil legal aid organization in 2015.**
- ◆ 1 in 7 Alaskans – 108,655 individuals or approximately 35,336 households – live below 125% of the federal poverty ceiling. For most of these people, access to the civil justice system is possible only with the help of a legal services attorney.
- ◆ 35,689 legal problems are experienced each year by Alaskan households potentially eligible for legal assistance from ALSC, based on a national study by the American Bar Association indicating an average incidence of 1.01 legal problems per household per year. That study, as well as legal studies in several states, show that approximately half of low-income households experience at least one legal problem each year, and many experience two or more interconnected legal problems.
- ◆ The May 2000 Alaska Supreme Court Access to Civil Justice Task Force Report recommended that ALSC be fully funded at a minimum of 1982 levels. Adjusted for inflation and increase in poverty this would be over \$10M as of 2016, that is double the amount of ALSC’s current budget.

### Who does Legal Aid Help?

Seniors  
Veterans  
Disabled Alaskans  
Children  
Low Income Workers & Consumers  
Domestic Violence Victims

### How does Legal Aid Help?

Prevents Homelessness  
Stops Domestic Violence  
Secures Child Support  
End Financial Abuse  
Secures Lawful Benefits



There is only 1.13 ALSC staff attorneys available for every



10,000 Alaskans in poverty.

Source: 2016 Justice Index, A Project of the National Center for Access to Justice

### Bridging Alaska’s Growing Justice Gap

The “justice gap” is the difference between the level of legal assistance available and the level that is necessary to meet the needs of low-income individuals. **At current funding levels, ALSC turns away hundreds of families seeking assistance each year due to resource limitations.**