CONNECTICUT VOICES FOR CHILDREN

Testimony Regarding the Judicial Branch Budget: Legal Services Programs
Sharon D. Langer, M.Ed., J.D.
Appropriations Committee
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Dear Senator Harp, Representative Geragosian and Members of the Appropriations Committee:

I am a Senior Policy Fellow with Connecticut Voices for Children, a research-based public education and advocacy organization that works statewide to promote the well-being of Connecticut's children, youth and families.

I am here today to support continued and sufficient funding for the Legal Services Programs that provide critically needed representation in civil legal matters to Connecticut's poorest children, youth and families. The Legal Aid Network cannot rely on its major funding source – IOLTA (interest on lawyer trust accounts) due to its collapse in this economic downturn.

Legal Services Programs provide a *unique* service to children with complex behavioral and medical needs, at-risk youth struggling to get out or stay out of the juvenile justice system, and low-income working families struggling to keep food on the table and a roof over their children's heads

I know of what I speak because for almost twenty years I was a staff attorney for Connecticut Legal Services, Inc. (CLS). The policy advocacy I engage in now at Connecticut Voices for Children is informed each and every day by my experiences and those of my former colleagues at CLS representing kids and families.

What do legal aid lawyers do? Let me give you just a couple of examples:

A young teen is suspended from school for fighting, and has also been referred to juvenile court. A legal services lawyer represents his mom at a special education planning and placement team meeting, and also in the juvenile court matter. The lawyer is able to help mom secure psychological testing for the child. The testing shows that the youth has severe learning and psychological problems, making basic reading and writing a tremendous challenge, and reducing the child's ability to cope with day-to-day frustrations in and out of school. With the aid of the attorney, the youth receives additional help from the school, psychological services from a child guidance clinic, and mom learns how to advocate for her son. The child's behavior improves markedly and the juvenile court case is dismissed.

Here is another example: The attorney represents a mom who has lost her hourly wage job at a small company due to juggling work and caring for a child recently diagnosed with cancer. She missed work to bring her child for treatment. Although she always called her employer well before her shift began, the company threatened to fire her if she missed one more day of work. The mother quits instead, believing erroneously, that she would be disqualified from unemployment benefits if she were fired. Mom files for unemployment and is turned down. She contacts Legal

Services. The attorney helped mom obtain the necessary documentation to prove that the child has a serious illness and that mom needs to care for her during this medical crisis.

The legal aid attorney represents the parent on appeal and successfully argues that mom qualifies for unemployment benefits under the "quit to care for a seriously ill family member" provision – an exception to the law that generally prohibits an individual who quits a job from qualifying for unemployment benefits.

Once the parent is able and available to look for and accept work, she is eligible to start receiving the benefits. The attorney explains to mom that her receipt of unemployment benefits in this situation will not affect the amount of unemployment tax her former employer pays. Therefore, the employer is unlikely to appeal the decision. The lawyer also encourages mom to apply for various social service programs to help her over this hump while she is home caring for her sick child. She later collects unemployment, is able to pay her rent and other basic necessities, and eventually finds other work.

Each example could be multiplied thousands of times to explain the reach of legal aid services in every region and community of Connecticut.

As you have heard from others today, the precipitous economic downturn has had a devastating effect on the funding for legal services programs. I know that my former colleagues, as well the Connecticut Bar Association, lawmakers and others are doing everything they can to prevent the collapse of this vital service.

I was employed by CLS during the last severe fiscal crisis when staff took furlough days, wage freezes, and watched as we lost many good lawyers. It took many years to try to repair the damage. Then - as now - my former colleagues are willing to share the financial pain in an attempt to save jobs and to maintain high quality representation of kids, youth and families. However, they urgently need the state to be a full partner in this undertaking.

Our most vulnerable families need this legal lifeline – now more than ever – when the economy is in freefall. They need qualified legal representation in family court, juvenile court, in hearings before unemployment appeals referees and special education hearing officers, and in many other venues.

Please continue adequate state funding for legal services to poor kids, youth and families in our state.

Thank you.