

Justice for all requires funding

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Editorial Page Editor

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Our view is distorted. Most of us deal with government by paying taxes, sending children to school, driving on tax-funded pavement, or complaining about those people in Olympia or Washington, D.C. What we don't see, and often don't know, is that the machinery of a third of government is hardwired to the courts. They are not a legislature, that makes laws. They are not a governor or mayor or president, who puts the law in motion. They exist to dispense justice. They resolve our most basic conflicts, and solve problems on a most personal level. They deal with liberty, families, children, property, shelter, contracts, wages, obligations met or unmet, the sticking points in our day-to-day lives.

The courts are a civilized society's means of resolving disputes. In a free society they are governed by the rule of law, and not the whims of the powerful, where justice is dispensed equally and without regard to privilege or social standing. It has been said, freedom is not safe unless an ordinary man can walk into a courtroom and know he will get a fair shake. That's not just idealistic chatter. It's fundamental, and unwise budget cuts put that in peril.

Justice of course is meant to be dispensed without regard to wealth, but you would need a deep tint in your rose-colored glasses to believe that it is. Managing even entry-level justice requires knowledge and effort, and often representation. Just knowing your rights is difficult, without advice and guidance. That's what lawyers are for. Many cannot afford lawyers, and they can pay the price in needless loss and suffering.

So it is that the Supreme Court ruled, that those charged with crimes have a right to legal representation whether they can pay for it or not. It is not so in civil cases, where frequently the stakes are very high. For years government and private attorneys provided help. On the federal level, the Legal Services Corp. dispenses funds to states. The interest on lawyer trust accounts, IOLTA, provided substantial support. So did state appropriations. Legal Services Corp. funding has been cut, the revenue from IOLTA is slashed with interest rates near zero, and now the Legislature is pondering deep cuts to state support. This has occurred when the recession has robbed our wealth and increased the demand for courts to resolve the disputes that rise from that, said Jim Bamberger, director of the state Office of Civil Legal Aid.

The state House budget proposes a near \$1 million cut in civil legal services for the next biennium. The Senate budget first proposed a \$5.5 million cut. An amendment in the

Ways and Means Committee, co-sponsored by Sen. Linda Evans Parlette, R-Wenatchee, restored about \$2 million of that. The final appropriation is in limbo, as all are.

The appropriations pay for the work of the lawyers of the Northwest Justice Project, providing crucial aid to the poor and crucial services to courts. The Senate cuts will force closure of the Northwest Justice Project offices in Omak, Colville, Walla Walla, and more, Bamberger said. Four surviving attorneys in its Wenatchee office will take responsibility for a vast territory larger than many states. In Wenatchee, a notable effort by local attorneys to provide pro bono representation will not take up the slack.

These attorneys do not deal in courtroom glamour. Family law, domestic violence, the welfare of children, housing, debt, threats of foreclosure and eviction — basic issues of life, this they deal with, in hundreds of cases a year in North Central Washington alone.

The cuts can devastate a service and, considering the consequences, save no government money at all. But what is the reason to fund legal services when so much else is cut?

“We all recite it,” said Bamberger. “With liberty and justice for all.”

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