

**RESOLUTION of the BOARD FOR JUDICIAL ADMINISTRATION  
of the State of Washington**

**In Support of the 2015 Civil Legal Needs Study**

WHEREAS, the Board for Judicial Administration is the principal policy making body for the judicial branch; and

WHEREAS, the Board for Judicial Administration has established Principal Policy Goals for the Judicial Branch, which include the commitment to ensure that “[l]itigants with important interests at stake in civil judicial proceedings should have meaningful access to counsel;” and

WHEREAS, access to and the ability to secure just outcomes in the civil justice system for all regardless of income, race, gender, language, age and other characteristics are core commitments of our legal system; and

WHEREAS, in September 2003, the Washington State Supreme Court’s Task Force on Civil Equal Justice Funding issued the first and then only study on the unmet civil legal needs of low-income Washington residents, and that this study served as the benchmark for developing policy and budget responses designed to address the significant gap in access to justice for low-income individuals documented in the study; and

WHEREAS, publication of the 2003 Study along with the May 2004 final recommendations offered by the Supreme Court’s Task Force on Civil Equal Justice Funding led to the Legislature’s establishment of the Office of Civil Legal Aid and substantial increases in state appropriations made available for civil legal aid services; and

WHEREAS, the basic standard for eligibility for civil legal aid is 125% of the federal poverty level by family size, and that the number of people in Washington State living at or below this level increased by more than 40% between the 2000 Census and the 2013 Census Bureau’s American Community Survey report, with the number of such persons increasing from 815,000 to nearly 1.2 million.

WHEREAS, since 2009, basic field legal aid capacity has declined by nearly 20% due to reductions in public support and increased costs of client service operations, and that the ratio of full-time legal aid attorneys to people living at or below 125% of the federal poverty level has gone from 1:9,000 in 2009 to the current level of 1:11,500. This places Washington State substantially below the federal “minimum access” level of 1:5,000.

WHEREAS, in December 2013, the Washington Supreme Court concluded that a comprehensive update of the 2003 Civil Legal Needs Study was needed and established a Civil Legal Needs Study Update Committee (Update Committee) to oversee the update; and

WHEREAS, Washington State University’s Social and Economic Sciences Research Center (WSU-SESRC) was engaged to conduct the Civil Legal Needs Study Update; and

WHEREAS, on the basis of research reports produced by WSU-SESRC, the Update Committee published its Final Report of the 2015 Washington State Civil Legal Needs Study Update on October 29, 2015 and this Final Report offers a troubling picture of the scope and prevalence of legal

problems experienced by low-income Washington residents and their limited ability to secure legal help for a wide-range of problems affecting their physical and family safety, economic security, access to essential health care, residential stability and other matters affecting basic human needs; and

WHEREAS, the Final Report also documents racial disparities of significance in the substance and prevalence of civil legal problems experienced by low-income Washington residents. In particular, low-income African American and Native American households experience a higher prevalence of legal problems across nearly every substantive problem area than the general low income population, and victims of domestic violence, persons with disabilities and youth ages 15-21 also experience higher than average rates of legal problems than the general low income population; and

WHEREAS, the Final Report further documents that more than 50% of low-income Washington residents lack the legal literacy to self-diagnose and self-refer for legal assistance with respect to many of the problems they experience, that more than 75% of those who experience civil legal problems do not get any legal help, and that more than 60% of low-income respondents expressed that they had limited or no trust and confidence that the courts and the civil justice system would help people like them solve important civil legal problems;

**NOW THEREFORE, BE IT RESOLVED** that the Board for Judicial Administration:

1. Accepts the findings of the 2015 Civil Legal Needs Study Update as an up-to-date representation of the civil legal problems experienced by low-income Washington residents in 2014, the serious lack of legal literacy among the low-income population, the disproportionate experiences of members of certain subgroups of the low-income community with regard to the problems they experience, and the systemic lack of access to necessary legal assistance to help low-income Washington residents solve important civil legal problems; and
2. Encourages the Office of Civil Legal Aid to work with the bipartisan Civil Legal Aid Oversight Committee established by RCW 2.53.010 and coordinate, as appropriate, with the Board for Judicial Administration, the Washington State Supreme Court's Access to Justice Board, the Administrative Office of the Courts, the Washington State Bar Association, the broader civil justice community and other key stakeholders to develop strategies to address the issues documented in the 2015 Civil Legal Needs Study Update.