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COMMUNITY LAW: AN ALTERNATIVE APPROACH TO PUBLIC LEGAL SERVICES

INTRODUCTION

Public legal services are publicly subsidized legal counsel for those who cannot afford the services of a private attorney. This form of providing legal services was born of the belief that equal justice requires equal access to the system from which justice is to be obtained. It has only recently been acknowledged that legal services to the poor is a public responsibility. That responsibility demands that the legal profession provide advocates who can defend the rights of those who have been systematically deprived of the means to do so themselves because of their economic and social status.

This comment seeks to illuminate the evolution of modern public legal services from its birth in the early sixties to its current status and to suggest what might be needed to perpetuate the underlying concept and ideals of the program in the future. It does not seek to present a complex and detailed history of public legal services. Rather, it will highlight the articulated objectives of the program, various major problems which emerged over the years, the transition the program has undergone under the Legal Services Corporation Act and suggest a new approach to the delivery of public legal services in light of the lessons learned from the highly successful yet controversial history of the public legal services programs.

Although the political tenor of the seventies is very different from the activist era of the sixties, many of the basic issues in the discussion of public legal services have not changed. Heavy caseloads, high turnover of program attorneys, the debate between law reform and the extension of individual legal services, and larger client community provide the challenges for existing programs.

With these continuing problems in mind, the first section of this comment focuses upon the background, development and objectives of the legal services program under the auspices of the Office of Economic Opportunity in 1964. The second section examines some of the major problems which emerged during the evolution of the program. These include the vague-

1. M. GIRTH, POOR PEOPLE'S LAWYERS 3 (1976) [hereinafter cited as POOR PEOPLE'S LAWYERS].
ness of guidelines and lack of policy-setting, the involvement of the poor in the program, resistance to the program from segments of the legal community, and the debate over whether legal services are an appropriate instrument of social change. The third section outlines some restrictive provisions of the Legal Services Corporation Act which covers what was formerly the OEO legal services program. The last section analyzes the successes and failures of the program and points out some additional factors that must be considered in renewing the legal profession's efforts to provide equal access to justice through public legal services.

BACKGROUND

Responsibility of the Profession

Lawyers, as a profession, have traditionally defined their role in American life not only in terms of providing fidelity and professional services to a paying client but also as having the "responsibility as a guardian of due process of law, . . . responsibility to make legal service available to all, . . . responsibility for representation of unpopular causes, . . . responsibility for leadership in legal reform, and . . . responsibility to retain independence of thought and action as a citizen."2 This obligation was derived from the recognition that the monopoly to practice law carried a duty to provide services to all those in need of such services.3 The profession had to "bear the responsibility for permitting the growth and continuance of two systems of law — one for the rich, one for the poor."4 Lawyers thus have come to see themselves as having special obligations and talents to contribute to society and speak of the vital role of the law and lawyers in effecting social change.5

Legal Aid Efforts

In 1916, important steps were taken to meet this societal

3. ABA CODE OF PROFESSIONAL RESPONSIBILITY, Canon 1, ¶ 1 (1976) [hereinafter cited as ABA Code].
5. Role of Legal Services, supra note 2.
obligation through the legal aid movement. The movement sought to provide legal advice and representation for the poor through community based law offices employing attorneys. By the end of 1947, however, little progress had been made towards meeting the need for legal services. Though the movement accelerated by 1962, it was clear that a lot more was required to meet the ever increasing demand for services. Orison Marden, President of the Association of the Bar of the City of New York, observed:

On the civil side, there are still nine central cities in this county of 100,000 or more population which are without any organized Legal Aid Facilities whatsoever. Some twenty cities of 75,000 to 100,000 population have no Legal Aid Service. The existing Legal Aid Facilities in twenty-four cities of 100,000 or more population do not meet even the minimum requirements established by the American Bar Association and the National Legal Aid and Defender Association.

By 1964, it was estimated that only ten percent of persons needing legal aid were receiving services from existing organizations. Caseload pressures kept legal aid societies from publicizing their legal services or undertaking community education. In addition, the quality of services were suspect due to the danger of routinization in the handling of cases and the problems of low salaries and lack of prestige in trying to attract qualified attorneys to the program. Prior to 1964, as part of an anti-poverty or anti-delinquency demonstration program, a few legal services projects, including Community Progress, Inc. (CPI) in New Haven, Mobilization for Youth (MFY) in New York City, and National Legal Services Project (NLSP) in Washington, D.C. began operation.

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6. For a history of legal aid in the United States, see E. Brownell, Legal Aid in the United States (1951).
7. Id. at 33.
10. Lowenstein & Waggoner, Neighborhood Law Offices: The New Wave in Legal Services for the Poor, 80 Harv. L. Rev. 807 (1967) [hereinafter cited as Neighborhood Law Offices].

The Community Progress, Inc. (CPI) was a nonprofit corporation that ran the Ford Foundation program in New Haven, Connecticut. The program was an experiment in improving the quality of life in the ghettos by establishing decentralized
The War on Poverty and Inequality in Legal Representation

In the early sixties the nation began to focus upon the multitude of problems affecting the poor. There was a general realization that poverty was more than a deprivation of the material necessities of life—it was a state of mind, an unwillingness by the poor to challenge inequities or attempt to improve due to the continual frustration and failure they experienced in dealing with the system. This sense of defeatism, lack of dignity, and alienation was partly caused by frustration with the legal system. Ignorance of legal rights and remedies, lack of representation, and fear of reprisal contributed to the pervasive feelings of powerlessness.12

The legal profession’s perception of its responsibility to provide equal access to the legal system for both the rich and the poor, along with the nation’s focus on the causes and effects of poverty on people as a class, national recognition that the poor are the least equipped to deal with legal problems, and the limited success of the legal aid movement, made public legal services one of the most important facets of the War on Poverty. Legal representation was not meant to be a “panacea for poverty, but rather, [it was emphasized] that lawyers may have a special role to play in alleviating poverty.”13

Economic Opportunity Act of 1964

One facet of former President Lyndon Johnson’s concept of the “War on Poverty” was enacted into law by the Economic Opportunity Act of 1964.14 As the “parent” source of present centers offering the assistance of social service workers, health services, etc. In 1963, law offices were added to these neighborhood multi-service centers. Id. at 21-23.

On the lower east side of New York, a counterpart to Community Progress, Inc. emerged from what began as an anti-delinquency program. Mobilization for Youth (MFY) created a legal unit which emphasized reform in the areas of public housing, housing code enforcement, unemployment insurance, and welfare. Id. at 24.

The United Planning Organization (UPO) was created by the Ford Foundation to undertake a major anti-poverty effort in northwest Washington, D.C. In 1964, UPO received funds to establish the Neighborhood Legal Services Project (NLSP) which had fourteen attorneys and three offices. In contrast to CPI and MFY, the Neighborhood Legal Services Project was dominated by establishment attorneys. It eventually contributed to a number of landmark decisions in the District of Columbia. Id. at 27-32.

13. Legal Representation, supra note 9, at 437.
legal service programs, it is ironic that it did not mention such services as part of the proposed poverty programs. However, the interrelationship between poverty, legal problems, and the ability of lawyers to advocate and deal with social organization had already become apparent upon the Act's passage.\textsuperscript{15}

Legal services were initiated under the general authority of Title II of the Act, which created the Community Action Programs coordinated by the Office of Economic Opportunity (OEO).\textsuperscript{16} Under the auspices of the Economic Office of the President, the OEO was responsible for operating some of the anti-poverty programs and for coordinating others. In 1966, the Economic Opportunity Amendments were adopted and the legal services program was mandated to the Director of the OEO under Section 222(a) of the Act.\textsuperscript{17} It authorized providing legal advice and representation to those who could not afford a private lawyer "to further the cause of justice among persons living in poverty."\textsuperscript{18}

Community action leaders initially conceived of the legal services program as simply one of the many resources to be used in the community-based war on poverty. However, the legal community balked at the suggestion of external control of the program. This controversy over the autonomy of the program resulted in reorganization in 1969. President Nixon made the Director of the Office of Legal Services an Associate Director of OEO for Legal Services thereby making him accountable directly to the Director of the OEO rather than the Assistant Director of the OEO for the Community Action Program. This organizational change established legal services as a definite separate entity within the OEO.\textsuperscript{19}

As originally conceived, the OEO program sought to eliminate the causes and effects of poverty with the help of lawyers committed to challenging the system that created the so called "cycle of poverty."\textsuperscript{20} They were to advance the interests of the

\textsuperscript{15} War on Poverty, supra note 4, at 1334-36.


\textsuperscript{18} Id. § 2809(a)(3).


\textsuperscript{20} Bamberger, The Legal Services Program of the Office of Economic Opportunity, 41 Notre Dame Law. 847 (1966) [hereinafter cited as Legal Services Program].
poor not only by representation in the courts but by assisting in the attempt to change the law in their interest.21 "The goal was not simply to get poor people out of a particular specific jam, but to get them out of poverty once and for all."22 The hope was that the poor would feel that a neighborhood lawyer was ready to defend their interests and thereby be encouraged to assert their rights. This in turn would change the apathetic attitudes which kept many of the indigent locked in poverty.23

The OEO was essentially a source of funds for existing legal aid organizations, bar associations, bar association sponsored groups, law schools and groups of private attorneys who had developed programs for the local community with OEO defined objectives in mind.24 The OEO did not promulgate a specific standard national model for the legal services programs but stressed that local communities would be expected to take the initiative to design programs to meet their special needs.25 This vagueness of policy guidelines and standards eventually led to many problems for the program.

The OEO Guidelines. The overall objectives of the national program to provide legal services to the poor were stated in the Legal Services Guidelines.26 The five overall objectives were: to allocate funds for the implementation of community programs providing legal counsel to the poor; to accumulate empirical data with respect to experimentation and innovation in legal services proposals to find the most effective method; to sponsor education and research in the areas of procedural and substantive law which affects the poor; to acquaint the bar with its essential role in combating poverty; to teach the poor and those who work with them to recognize problems which can best be resolved by the law.27

The guidelines also prescribed certain factors to be consid-


This speech was given as part of a forum on the availability of legal services at a session of the Assembly of the American Bar Association at the 1965 Annual Meeting in Miami Beach, Florida. R. Sargent Shriver was then the Director of the Office of Economic Opportunity.
24. Legal Services Program, supra note 20, at 849.
25. Id.
26. OFFICE OF ECONOMIC OPPORTUNITY, GUIDELINES FOR LEGAL SERVICES PROGRAMS (1967); see also Guidelines, 24 LEGAL AID BRIEFCASE 181 (1966) [hereinafter cited as Guidelines].
27. Id. at 181-82.
ered in accomplishing these objectives. One of the mandates of the program was the incorporation of the client community's views on the content and effectiveness of the legal services program. It was hoped that the involvement of the poor would facilitate an accurate needs assessment for the local community and would help restore a sense of dignity and self-worth to the poor. The program also stressed various avenues of law reform in order to achieve long term improvements affecting a great number of the poor. Community education was also an essential part of the program's efforts to encourage the members of the community to utilize all resources available to them and to avoid future legal problems.

Involvement of the poor. In The War on Poverty: A Civilian Perspective, Edgar and Jean Cahn wrote that in order for an agency-administered comprehensive service program to overcome its inherent limitations, it must incorporate the civilian perspective. They felt that the donor-donee type service-oriented program resulted in

enervating existing leadership, failing to develop potential leadership, undercutting incipient protest, and manipulating local organizations so that they become mere instruments of the comprehensive strategy. . . . The pattern of aid is one of a donee's unquestioning acceptance, of an expert's dictation of what is "good for the client," and of an administrator's unchecked and unreviewable authority to terminate assistance. That power defines a status of subserviency and evokes fear, resentment and resignation on the part of the donee.\(^2\)

If the target group has the means to voice its needs and dissent, it will reinforce faith in the dignity and self-worth of its members, as well as provide insights and information as to the validity of the programs being implemented.

The Economic Opportunity Act required that the community action program (from which legal services emerged) be "developed, conducted and administered with the maximum feasible participation of residents of the areas and members of the groups served."\(^3\) This meant that poor people were to serve on the policy-making boards of the legal services programs in order to give this segment of the community a voice in determining the type of services and activities which would best

\(^{28}\) War on Poverty, supra note 4, at 1321-22.
\(^{29}\) Economic Opportunity Act, supra note 14, at § 202(a)(3).
serve them. This was part of a concerted effort to enable poor people to help themselves and foster their trust and respect for the law.\textsuperscript{30} The board members representing the poor did not need to be indigent themselves but it was required that they be truly representative of the residents and groups to be served. It was also recommended that the non-legal positions within the program be filled by residents of the area or members of the groups to be served.

The Guidelines stressed accessibility as well as participation by the poor. Offices of the program were to be located so that lawyers would be visible and easily available to the target group. It was suggested that groups establishing legal services programs consider locations in neighborhood centers offering a variety of coordinated social services.

\textit{Scope of the individual services.} The OEO program emphasized that the poor must have the same kind and degree of legal assistance as the non-poor.\textsuperscript{31} Low income groups seldom sought the assistance of outside community resources in areas traditionally considered inappropriate for lawyers even though these areas were the source of many of their problems.\textsuperscript{32} These included landlord-tenant, public aid, and consumer problems.\textsuperscript{33} Lawyers seldom spent much time on these types of cases because they were the least profitable. If the indigent were to get services equivalent to those available to the non-poor, their needs had to be met, although they differed significantly from those of the latter group and were traditionally neglected by the legal profession. The legal services program was thus to cover every kind of case, including domestic difficulties, tenant problems, public housing, bankruptcy, mental incompetency, and welfare.\textsuperscript{34} The OEO programs did not provide funding for legal representation in criminal prosecutions unless the state was not meeting its responsibility in providing such services.\textsuperscript{35}

\textit{Eligibility.} Eligibility for assistance through these programs was limited to those who could not afford to pay attor-

\textsuperscript{30} Guidelines, supra note 26, at 184.
\textsuperscript{31} Legal Services Program, supra note 20, at 849.
\textsuperscript{32} Levine & Preston, Community Resource Orientation Among Low Income Groups, 1970 Wis. L. Rev. 80, 90 [hereinafter cited as Community Resource Orientation].
\textsuperscript{33} Id.
ney's fees. Flexible standards considering the client's debts and assets, income, number of dependents, basic living costs in the community, and the cost of services to be provided, were to be used. Those persons whose incomes technically exceeded the prescribed standard would still be considered if the circumstances were such that they could not afford an attorney. Those who met the eligibility standards but were somehow able to pay for services would be referred to private attorneys. The administrative discretion in determining eligibility was vested in the supervisory personnel and could be reviewed by the policy-making committee. Not surprisingly, these vague standards and subsequent problems with enforcement later plagued the program.

Law reform. As the program got underway, two approaches to the extension of legal services to the poor emerged. The first approach envisioned existing legal aid societies working in conjunction with the bar and having larger and better paid staffs, and additional organizations fashioned after the traditional model. The organization's policies would be worked out between the bar and the OEO with the primary objective to provide more and better individual legal services to the indigent. Legal aid organizations supported the proposition that a greater number of traditional legal aid societies funded by the OEO could meet the legal needs of the poor.

The second approach emphasized the creation of a new organization which would seek to effect social, economic and legal reform through the litigation of test cases, the drafting of ordinances, rules and statutes and lobbying for their passage, and the participation with other professionals or subprofessionals in the organization of neighborhood groups which would bring economic and political pressure to bear on business, the police, the courts, school boards, administrative agencies, mayors and city councils to obtain redress for real or imagined grievances and the assurance of equal or preferred treatment in the future; projects which would welcome bar support, but which were willing to regard the bar as an adversary if agreement could not be reached on issues such as indigency standards, involvement with groups engaging in

36. Legal Services Program, supra note 20, at 849.
37. See text accompanying notes 52-63 infra.
38. Role of Legal Services, supra note 2, at 222.
civil disobedience, programs advertising the availability of legal services and encouraging the assertion of legal rights, or the representation of groups and members thereof. 46

This line of thinking stressed that if poor people were to have the kind and degree of advocacy equal to that received by the non-poor, lawyers had to be able to do several things. They had to learn how to attack the legal problems of the poor on a broad scale, be able to provide a full range of work including advice, representation, litigation and appeal, and be ready to challenge statutes, regulations and administrative procedures on their client's behalf. This type of advocacy is expected and obtained by those who secure private counsel, and the hope was that they would "take the common threads of social, economic and political problems affecting large groups of people and weave the test case, remedial statute or administrative reform to solve the pervasive problems and eliminate the cause for the future." 47 Unlike legal aid it would not simply increase and improve individual services but work to change "established institutions, practices and rules, in order that social progress be made." 48

There was also a feeling that by creating an organization that differed significantly from legal aid, the stigma of a somewhat paternalistic tradition of providing help to those who could not help themselves would be dispelled. Instead, a self-help atmosphere would be created in which the poor would be enlisted to participate in the program. Offices would be decentralized with the objective of making legal services more accessible to the poor in familiar surroundings. Community education on legal rights and the availability of counsel would also be stressed to afford the poor a means of redress for grievances and the knowledge to recognize problems as legal problems. The general feeling was that this renewed effort to provide legal services to the poor deserved "new techniques, new services, and new forms of interprofessional cooperation to match [this] new interest." 49

Community education and preventive law. An essential part of the legal services program was community education to

40. Role of Legal Services, supra note 2, at 222.
41. Legal Services Program, supra note 20, at 850-51.
43. Attorney General Katzenbach, quoted in Role of Legal Services, supra note 2, at 189.
apprise people of their rights and obligations under the law." The goal was to enable the poor to recognize when legal problems are involved and be motivated to seek advice and counsel at the earliest and most advantageous time. It was felt that this would give the low income community a sense of dignity and self-sufficiency and would prove that the law was not only an instrument of the rich. A preventive law approach would also prevent or minimize future legal entanglements. This was to be accomplished by the community action program, law schools, the organized bar, individual attorneys, and others through churches, neighborhood meetings, and other community activities.

The program would involve both an information and education campaign: information as to the availability of low cost legal services, and education as to common legal problems and the advisability of legal counsel. Programs would also teach the poor techniques for coping with problems and how to utilize a wide range of resources in the community.

PROBLEMS OF THE FORMATIVE YEARS

In the years that followed the passage of the Economic Opportunity Act, the legal services programs made great progress in extending services and effecting reforms in the law which had a revolutionary impact upon social policy. However, intense criticism and various problems plagued the program.

Lack of Specific Guidelines and Policy-Setting

From the beginning of the program, the necessity for a determination of the principal objectives of the OEO-financed legal services program and the priorities among them was often reiterated. Among the glowing reports of the successes of the program grew a corresponding concern for the future evolution of these programs. The formal legal services guidelines were acknowledged as vague, and though changes were made, they were never formally revised.

44. Guidelines, supra note 26, at 189.
49. See generally Role of Legal Services, supra note 2.
50. Note, The Legal Services Corporation: Curtailing Political Interference, 81
Individual services. In a study conducted by the General Accounting Office (GAO) in which eight legal services program grantees and nineteen evaluation reports were examined, the recipients of grants were found to be generally effective in the area of delivering individualized legal services to the poor. These included cases in the areas of housing, domestic relations, administrative matters, consumer affairs, and fair employment. Some of the major problems that the GAO found were lack of policy guidelines, statistical data, eligibility standards, and objectives in the program.

Eligibility guidelines. Guidelines with respect to eligibility failed to state the exact criteria to be used by the projects. They simply required the separation of those who could afford to pay for legal services and those who could not. The Office of Legal Services neither specified who should be responsible for proposing standards at the local level nor did it provide the criteria to be used to determine those standards. Although number of dependents, income, assets and liabilities, and the estimated cost of legal services to be rendered were factors mentioned by the Guidelines, standards submitted and accepted by the Office of Legal Services never specified these exact factors. After a project attorney had made a number of attempts to refer the case to private counsel but without positive results, he was generally authorized to waive the eligibility standard and handle the case himself.

According to another study covering three different programs, individuals did not face a consistent eligibility screening procedure but were subject to the criteria and attitudes of the particular intake attorney. "Each attorney who was interviewed interpreted the guidelines in an individualized fashion and managed to justify a finding of eligibility for anyone whom he or she wished to serve."

Yale L.J. 231, 238 (1971) [hereinafter cited as Legal Services Corporation.


52. Legal Services Corporation Bill, Legislative Analysis No. 7, 93rd Cong., 1st Sess. (1973) [hereinafter cited as LSC Bill].

53. Id. at 74.

54. Guidelines, supra note 26, at 186-87.

55. Legal Services Corporation, supra note 50, at 240.

56. Id. at 240 n.31.

57. Id. at 241 n.34.

58. Poor People's Lawyers, supra note 1, at 21.

59. Id. at 19.
The GAO reported in its study that in fourteen percent of the grantees' cases the "reported annual income exceeded the grantees' income limitations; for 232 (four percent) we were unable to determine whether the income limitations had been adhered to because such necessary information as incomes and numbers of dependents had not been recorded."\(^{60}\) In addition, two of thirteen law offices kept no records on the eligibility of their clients. The rate of questionable eligibility because of over-income and lack of supporting data for the individual grantees ranged between four and twenty-five percent for the cases tested.\(^{61}\)

An OEO instruction on the limitation of services to those who were voluntarily poor also failed to define the exact standards of eligibility to be used.\(^{62}\) This vagueness led to criticism of the program and gradual erosion of support from the public.\(^{63}\)

**Scope of services rendered.** The lack of direction and vagueness of the program's policies were also cited as the reasons why individual attorney's goals were frequently pursued at the expense of the goals of the program.\(^{64}\) Attorneys were accused of becoming deeply involved in social issues and actions unrelated to the elimination of poverty. One commentator noted:

> [The] important thing to note is that [the causes in which program attorneys are becoming involved] have little or nothing to do with poverty and the problems peculiar to the poor. And equally important, while most programs now turn away individual poor clients with routine legal problems, many nevertheless find time to engage in practically every cause célèbre that comes along.\(^{65}\)

Former Vice-President Spiro Agnew raised another issue of controversy over the handling of individual cases. He felt that a law reform perspective made the attorney's concerns rather than the client's problem the focal point of a case.\(^{66}\) Program attorneys who had law reform ambitions were accused of sacrificing early and satisfactory resolutions of their clients' prob-

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60. LSC Bill, supra note 52, at 5.
61. Id.
63. LSC Bill, supra note 52, at 6.
64. Agnew, What's Wrong with the Legal Services Program, 58 A.B.A.J. 930, 932 (1972) [hereinafter cited as What's Wrong].
65. Id.
66. Id. at 931.
lems to win the legal issue at stake.\textsuperscript{67}

Data on the kinds of cases being handled by the program's lawyers were scarce or incomplete due to a lack of agreement about what constituted a "case" (for instance where nonlegal referrals were involved) and because of the time restraints on keeping up statistics in light of heavy caseloads.\textsuperscript{68} Between 1966 and 1970 only one subject-matter summary was published by national headquarters.\textsuperscript{69}

The Office of Legal Services' failure to clarify or enforce the Guidelines' prohibition of criminal representation also led to criticism and controversy. In a Kettele Corporation evaluation of Upper Peninsula Legal Services (UPLS) in Michigan, "evaluations reported that criminal litigation constituted some twenty to twenty-five percent of the caseload in both 1969 and 1970."\textsuperscript{70} The reason for the involvement in misdemeanor representation had been the shortage of lawyers in the area but it pointed out an obvious need for explicit standards in and stricter enforcement of the guidelines.\textsuperscript{71}

\textit{Involvement of the Poor}

After the 1967 OEO amendments were passed, the community action agencies were required to have one-third of their governing boards comprised of members representative of the poor.\textsuperscript{72} The Office of Legal Services also adhered to this view, requiring only that a majority of lawyers be on most governing boards.\textsuperscript{73} These lawyers formulated decision-making policies, ran meetings, directed committee work, and usually headed the boards. In a large number of the programs, bar associations chose a majority of the members of the boards. They also influenced the employment procedures, policy determinations, and the selection of a director. The client community was represented by people selected by officials or members leaving the board and included representatives of welfare departments, local charitable organizations, and religious groups.\textsuperscript{74} However, these people were not truly representative of the client com-

\begin{itemize}
\item \textsuperscript{67} Id.
\item \textsuperscript{68} \textit{Poor People's Lawyers}, supra note 1, at 17.
\item \textsuperscript{69} Id.
\item \textsuperscript{70} \textit{Legal Services Corporation}, supra note 50, at 254 n.76.
\item \textsuperscript{71} Id.
\item \textsuperscript{72} Economic Opportunity Amendments of 1967, Pub. L. No. 90-222, 81 Stat. 693 (codified at 42 U.S.C. § 2791(b) (1970)).
\item \textsuperscript{73} \textit{Legal Services Corporation}, supra note 50, at 243.
\item \textsuperscript{74} Id. at 244 n.45.
\end{itemize}
munity since they were not chosen by the poor themselves.

Problems arose between representatives of the poor who were intimidated by lawyer-dominated discussions and members of the bar who doubted that such representatives could contribute much to the policy-making decisions of the program. Although the Cahns' felt that an attorney's middle-class status need not be an impediment to the fostering of community confidence and communication, they warned that middle-class values and background could be a barrier if the attorney could not "suspend such values in judging his client's case and conduct." The bar's attitude toward the participation of uneducated, poor laymen in running a legal services program was openly acknowledged. Limited data on judicial responses indicate that activities such as assisting the poor to organize themselves and involving them in the program itself, were deemed "unworthy of practice by the bar."  

At the national level, the National Advisory Committee (NAC), an organization chaired by the director of the Office of Legal Services and designed to foster cooperation between the organized bar and OEO legal programs, had virtually no one among its members representing the client community. Legal services lawyers, who were well represented in the NAC, often were more concerned with issues other than those that were considered crucial by the client community. At times there were direct conflicts in which clients accused attorneys of exploiting them to advocate law reform actions.

Financial Threat to Private Practitioners

Criticism also arose at the anticipated financial loss to private practitioners with the advent of the legal services program. Private attorneys whose clientele came from the lower

75. Id. at 244 n.46.
76. Pye & Cochran, Legal Aid—A Proposal, 47 N.C. L. Rev. 528, 571 (1969). An attorney also has the obligation to exercise his independent professional judgment in his client's best interest and must disregard the desires of third persons. ABA Code, supra note 3, at Canon 5, ¶ 21.
77. War on Poverty, supra note 4, at 1335.
78. Role of the Federal Government, supra note 34.
79. Champagne, Lawyers and Government Funded Legal Services, 21 Vill. L. Rev. 860, 872 (1975-76) [hereinafter cited as Lawyers].
80. Legal Services Corporation, supra note 50, at 245.
81. Id. at 245 n.49.
82. Id.
83. Pye & Garraty, The Involvement of the Bar in the War Against Poverty, 41 Notre Dame Law. 860, 880 (1971). According to one study involving three counties in
social and economic strata feared that legal services programs
would have a detrimental impact on their financial security
and tended to disfavor increased legal services under the pro-
gram. This group's concern was understandable since unlike
corporate counsel or an associate of a large firm, they were not
economically insulated from the extension of public legal serv-
ices.

It was hoped that educating the members of the legal com-

munity about the goals of the program would decrease ideologi-
cal differences. Sargent Shriver, then Director of OEO, ad-
dressed this concern in pointing out that the program was not
aimed at depriving private practitioners of paying clientele by
changing indigency standards or by usurping revenue-
producing cases.

Attitudes of the Legal Community: Attorneys and Judges

The attitudes of the members of the legal community were
especially crucial in an analysis of the successes and failures of
the program because they often formulated policy through rep-

resentation on the boards of directors. At the initial stages of
the establishment of projects, the legal community expressed
concern that public legal services would bring socialism to the
profession. The OEO tried to assure the profession that it
supported an independent bar and pointed out that "[s]ocial
justice is different from socialism."

Although information on the judiciary's attitudes towards
the program's goals is limited, according to one study it ap-
ppears that a majority of the judges interviewed favored the
availability of individual legal services for the poor but were
less enthusiastic over group representation and law reform.

Another survey of San Francisco Bay Area judges indicated

New Jersey, a majority of the private practitioners interviewed indicated that the legal
services programs have had a negligible economic impact on their practices. However,
50% of the solo practitioners admitted to the bar between 1925 and 1934 from one of
the counties felt the OEO programs have hurt their practices. Much of the opposition
was essentially philosophical in nature. Poor People's Lawyers, supra note 1, at 81-83.
84. Lawyers, supra note 79, at 869.
85. Id. at 870.
86. OEO and Legal Services, supra note 22, at 1065.
87. See Pious, Policy and Public Administration: The Legal Services Program
in the War on Poverty, 1 Pol. & Soc'y 373 (1971).
88. Lawyers, supra note 79, at 861; see also, Bethel & Walker, Et Tu Brute!, 1965
Tenn. St. B.A.J. 11.
89. OEO and Legal Services, supra note 22, at 1065.
90. Lawyers, supra note 79, at 871.
that they opposed activities such as assisting the poor in organizing self-help groups, advocating the involvement of the poor in the social decision-making process and in the program itself, although they favored traditional legal aid activities.\textsuperscript{81}

\textit{Legal Services as an Instrument of Social Change}

Though governmentally financed legal services were generally favored, a fundamental philosophical disagreement developed over whether legal services were a legitimate instrument of social change. One side argued that the prevailing under-representation of the poor warranted the need for a program of zealous advocacy to circumvent injustice at the hands of an unresponsive system of government.\textsuperscript{82} They argued that the development of such a program was crucial because new laws were needed to meet the special needs of the indigent. Similarly, they contended that broad reforms were the most effective way of handling recurring problems affecting large numbers of the poor.\textsuperscript{83}

The other side maintained that the courts were not the appropriate means to effectuate social change, at least when seemingly limitless amounts of public funds were involved without a system of checks and balances to regulate their dispensation.\textsuperscript{84} Sweeping law reforms prompted by such activities as class action suits by program lawyers were seen as "efforts to legislate outside of the legislative system,"\textsuperscript{95} thereby threatening erosion of the political system.

From the outset, the very need for the program was questioned. According to one attorney

\textsuperscript{[the]} poor may well be cheated by their social positions, by their family traditions, by group prejudices, by their education or lack of education, but they are not cheated by the law or the administration of justice . . . . It is not from lawyers, but through education and social progress that the poor will become less poor and more able to protect themselves in their relationships with commercial society.\textsuperscript{86}

\begin{itemize}
  \item \textsuperscript{82} LSC Bill, \textit{supra} note 52, at 7.
  \item \textsuperscript{83} \textit{Id.} at 8.
  \item \textsuperscript{84} \textit{Id.} at 7.
  \item \textsuperscript{85} \textit{Id.} at 8.
  \item \textsuperscript{86} Freeman, \textit{How Great are the Needs?}, 41 \textit{Cal. St. B.J.} 232, 235-36 (1966).
\end{itemize}
The great weight of criticism, however, came in response to what some considered public legal services tendency to pervert the democratic process. Former Vice-President Agnew expressed such a viewpoint:

[The legal services program has gone way beyond the idea of a governmentally funded program to make legal remedies available to the indigent and now expends much of its resources on efforts to change the law on behalf of one social class—the poor. We are not discussing merely reforming the law to rectify old injustices or correcting the law where it has been allowed to be weighted against the poor. We are dealing, in large part, with a systematic effort to redistribute societal advantages and disadvantages, penalties and rewards, rights and resources . . . . What we may be on the way to creating is a federally funded system manned by ideological vigilantes, who owe their allegiance not to a client, not the citizens of a particular state or locality and not to the elected representatives of the people, but only to a concept of social reform.]

Criticism also arose over a perceived conflict in the loyalties of the legal service attorneys. These critics argued that because the community offices were funded by public funds, the conduct of the attorney would reflect the sensitivities of the elected officials responsible for funding at the expense of the attorney’s private obligation to his client.

The American Bar Association Code of Professional Responsibility requires that a lawyer “represent his client zealously within the bounds of the law . . . . [And that in] our government of laws and not of men, each member of our society is entitled to have his conduct judged and regulated in accordance with the law; to seek any lawful objective through legally permissible means; and to present for adjudication any lawful claim, issue, or defense.” Former Vice-President Agnew expressed the view that “the professional independence of the lawyer necessarily conflicts at points with the requirements of a federally funded social program that must be responsible and accountable to the public.”

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97. What’s Wrong, supra note 64, at 930-31.
98. L.S.C. Bill, supra note 52, at 10. Reprisals against programs include having the Governor veto the next grant, adding restrictions to the grant, and increasing funds allocated to avoid offending powerful interests.
99. ABA Code, supra note 3, at Canon 7, ¶ 1.
100. What’s Wrong, supra note 64, at 932.
Other charges were made contending that clients were being manipulated by radical attorneys in violation of professional ethics.\textsuperscript{101} "The legal services program . . . has become a hotbed of ideological and outright political activity . . . [It] is a prime example of the elitist attitude of those who would impose the will and convictions of a few radical activists . . . upon the Nation as a whole."\textsuperscript{102}

Partly in response to the problems which emerged in the formative years of the program and partly in response to the changing political tenor of the seventies, the OEO legal services program instituted a major change in its method of delivering services.

\textbf{THE LEGAL SERVICES CORPORATION}

As early as 1969, the President's Advisory Council on Executive Organization, also known as the Ash Council, had advocated that public legal services be conducted under the auspices of an independent non-profit corporation. In proposing this form for delivering services, the council cautioned that the legal services program must remain visible, since access to the legal system through free legal assistance helped to minimize the community's tension over racial and social issues. Additionally, the council recommended that the program be operated independently of the federal government to avoid the conflicts of interest that might arise.

In 1971 and 1972, Congress approved the creation of the Legal Services Corporation but each time it was vetoed by President Nixon who objected to the structure and composition of the board of directors.\textsuperscript{103} A long political battle ensued over this issue as well as the President's desire to eliminate the Corporation's authority to fund backup centers. These centers were small units of attorneys usually affiliated with a law school which devoted their time and efforts to initiating test cases, legislative proposals, and other law reform mechanisms.\textsuperscript{104} Their success created a great deal of controversy.

\begin{itemize}
\item \textsuperscript{101} Buck, The Legal Services Corporation: Finally Separate, But Not Quite Equal, \textit{27 Syracuse L. Rev.} 611, 615 (1976) [hereinafter cited as \textit{LSC: Finally Separate}].
\item \textsuperscript{102} \textit{118 Cong. Rec.} 19957 (1972) (remarks of Rep. Crane (R-Ill.)).
\item \textsuperscript{103} \textit{LSC: Finally Separate}, supra note 101, at 618.
\item \textsuperscript{104} \textit{Id.} at 615 n.21.
\end{itemize}
The Legal Services Corporation Act

Agreement was finally reached on the disputed issues, and the Legal Services Corporation Act LSCA was passed on July 25, 1974, establishing the Legal Services Corporation (LSC) as a private non-profit corporation of the District of Columbia.105 The basic tone of the bill retained an emphasis on the delivery of traditional individual legal services and a de-emphasis of law reform type activities.106

The LSCA begins with a statement of congressional findings and declaration of purpose, which is summarized as follows: 1) there is a need to provide equal access to the system of justice; 2) there is a need to provide legal services to those who cannot otherwise afford them and to continue the existing legal services program; 3) providing this legal assistance will best serve the ends of justice; 4) for many citizens, the provision of legal services has reaffirmed faith in the law; 5) to preserve the program's vitality, it must be free of political interference; and 6) attorneys must be free to advocate the best interests of their clients in keeping with the Code of Professional Responsibility, the Canons of Ethics, and the high standards of the legal profession.107

From this statement it appears that the shift to an independent corporate status is to ensure freedom from political interference while preserving the OEO objectives of equal access to justice. In addition, the Act set out strict standards governing the scope and delivery of representation.

Limitations on Types of Cases

Under the OEO regulations, program attorneys were prohibited from taking criminal cases unless under special circumstances an indigent defendant had not been provided with counsel.108 Fee-generating cases were also generally excluded by the legal services grantees themselves. The LSCA prohibits both of these types of cases,109 as well as habeas corpus actions,110 cases involving abortion,111 school desegregation,112 or

106. LSC: Finally Separate, supra note 101, at 621, 622.
110. Id.
Limitation on the Degree of Advocacy

A major restriction under the Act which will inevitably have a chilling effect on law reform efforts is the prohibition against or limitation of participation by program attorneys in the legislative and administrative areas. The LSC is prohibited from “[undertaking] to influence the passage or defeat of any legislation by the Congress of the United States or by any state or local legislative bodies” unless any personnel are specifically requested to testify or the matter directly pertains to the Corporation’s activities. LSC funds may not be used “to influence the issuance, amendment, or revocation of any executive order or similar promulgation by a Federal, state, or local government.”

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111. Id. at § 2996(f)(b)(8).
112. Id. at § 2996(f)(b)(7).
113. Id. at § 2996(f)(b)(9).
114. LSC: Finally Separate, supra note 101, at 629.
115. ABA Code, supra note 3, at Canon 2, ¶ 27.
116. Id. at Canon 2, ¶ 28.
117. LSC: Finally Separate, supra note 101, at 631.
118. Id. at 634.
Although an exception is made where representation of an eligible client is involved, there is an explicit prohibition against "[solicitation] of a client for the purpose of making such representation possible or to solicit a group with respect to matters of general concern to a broad class of persons as distinguished from acting on behalf of any particular client . . . ."\textsuperscript{121} The exact degree of involvement constituting solicitation is questionable and as yet undefined.

In addition, legal services attorneys also may neither support nor participate in training programs advocating "particular public policies or encouraging political activities, labor or antilabor activities, boycotts, picketing, strikes, and demonstrations . . . ."\textsuperscript{122} The exception to this provision is that attorneys may disseminate information about such policies and activities and may train other attorneys or paralegals for their jobs.\textsuperscript{123}

Program attorneys are also prohibited from encouraging or assisting the formation of "any organization, association, coalition, alliance, federation, confederation, or any similar entity, except for the provision of legal assistance to eligible clients in accordance with guidelines promulgated by the Corporation . . . ."\textsuperscript{124} Though group representation has not been barred in the eligibility guidelines, attorneys must be cautious in disseminating information or giving advice so as to avoid soliciting a group or encouraging the formation of the group in the first place.

Though attorneys are obligated to exercise their independent professional judgment,\textsuperscript{125} the Act explicitly states that "[n]o class action, suit, class action appeal, or amicus curiae action may be undertaken, directly, or through others, by a staff attorney, except with the express approval of a project director of a recipient in accordance with policies established by the governing body of such recipient."\textsuperscript{126}

These types of restrictions have raised serious questions of impermissible interference with the lawyer-client relationship by the American Bar Association Committee on Ethics and

\textsuperscript{120} Id. at § 2996f(a)(5).
\textsuperscript{121} Id. at § 2996f(a)(5)(A).
\textsuperscript{122} Id. at § 2996f(b)(5).
\textsuperscript{123} Id.
\textsuperscript{124} Id. at § 2996f(b)(6).
\textsuperscript{125} ABA Code, supra note 3, at Canon 5, ¶¶ 1, 23.
\textsuperscript{126} LSCA, supra note 105, at 42 U.S.C. § 2996e(d)(5) (Supp. IV 1974).
Professional Responsibility. Discouragement of reform through legislative advocacy and group representation may also involve equal protection issues. In any case, the effect is to encourage more traditional legal services and a very conservative approach to any other avenue of advocacy despite the potential economic and long term benefits to a large number of poor people.

THE FUTURE OF THE LEGAL SERVICES PROGRAM

Need for a Determination of Objectives and Priorities

The legal services program of the Office of Economic Opportunity was probably the most successful of the programs initiated in the War on Poverty in the early sixties. Many victories were won and objectives achieved, but not without the controversy and problems expected from any mechanism effecting major changes. The successes and inadequacies that emerged from the initial experiment with public legal services deserve close attention. They can serve as useful guidelines in the future structuring of the national legal services program under the LSCA. Only through this type of scrutiny will the profession be able to deliver the services desperately needed by the people who do not enjoy ready access to the legal system.

When the OEO legal services program got underway, many began to realize that without a clear definition of objectives and designation of priorities, limited resources and the plenitude of cases would inevitably retard this new effort to make equal access to justice a reality. It was predicted that without strong leadership at the national level to establish priorities, there would be “little difference in the personnel, attitudes, objectives or accomplishments of the old and the new [legal services program.]” Guidelines which included all types of legal services to all of the poor at all levels of representation, group representation, law reform, community education, and research without a delineation of priorities would simply not provide a workable mechanism. As one commentator predicted, objectives other than the extension of individual legal services would be sacrificed in efforts to allocate resources and “[a] decade hence we will need more funds for

127. LSC: Finally Separate, supra note 101, at 638.
128. Id. at 640.
129. Role of Legal Services, supra note 2.
130. Id. at 245.
more lawyers to provide the same services to more people with the same kinds of problems."\textsuperscript{131}

A realistic assessment of the present status of legal services programs may lend some truth to that prediction.\textsuperscript{132} Despite phenomenal changes, increases, and perfection in the delivery of legal services, it appears that the other enumerated objectives have been considerably de-emphasized.

The LSCA stresses individual legal services and restricts the achievement of any of the other articulated objectives of the OEO programs. Perhaps this was the result of adverse reactions to the excesses or inadequacies of the OEO programs and changes in the political backdrop of the seventies. In any case, legislation is always open to reform. The tenets of the LSCA need not be inflexible and unresponsive to the legal profession's reassessment of the objectives and priorities of its legal services program. The zeal and accomplishments of a very creative period in the sixties must not be followed by resignation, apathy, and minimal efforts to perpetuate the program as it exists. The emphasis on the extension of public legal services in the past need not have been simply an interesting experiment in equal access to justice; it can and must be an ongoing and systematic effort to achieve that objective.

In order for a truly meaningful analysis of the objectives, priorities, and system of delivery of public legal services, more than an altruistic commitment to eradicating the legal problems of the poor is needed. Factors such as the ever increasing number of lawyers entering the profession,\textsuperscript{133} the depressed economy and the composition of the new client community,\textsuperscript{134} and the general public demand for demystification of the law and openness in the legal profession must also be considered.

\textit{Impact of the Increase in the Number of Attorneys}

The sudden increase in the number of attorneys in recent years is both the source of concern and hope for the legal profession. Competition for clientele and for jobs has increased, which obviously is of great concern to all members of the profession. Support of the bar is essential to the success of the legal

\textsuperscript{131} Id. at 246.
\textsuperscript{134} \textit{Poor People's Lawyers}, supra note 1, at 115-16.
services program and the large number of new attorneys is important to both organizations. With changing standards of permissible advertising and increased competition, it benefits both the legal profession and the public to channel new attorneys into productive and satisfying careers rather than to allow unscrupulous tactics for attracting clientele. The increase in the number of attorneys could generate new hope for the expansion and improvement of the legal services program if the requisite changes are made.

In order to attract new attorneys who are committed and qualified to participate in the program, several concerns must be met. The term “poverty law” has symbolized a field of work that is frustrating, under-compensated, over-burdened, and short-term in nature. Experienced lawyers generally expect a three to five year commitment from young attorneys who are recruited to the program, as they inevitably grow too exhausted, physically and emotionally, to continue with the program. Perhaps it is simply the nature of the work—the endless cycle of problems affecting the poor—that discourages the majority of lawyers. Yet enthusiastic, committed, and qualified attorneys entered the OEO legal services program in force in the sixties and saw incredible reforms accomplished within the system despite controversy and criticism.

If the current program expands to incorporate the exploring of different avenues of law reform, community education, and research and needs assessments, all of which produce lasting and effective changes in addition to the service function, the personal efforts of attorneys providing individual legal services under the program would be reinforced. Stimulation of incentive and motivation is not a panacea for disillusionment but it is essential to sustaining any personal effort. What was formerly perceived as over-zealous advocacy, which prompted accusations of exploitation of clients and political harrassment, must serve as a reminder that professional responsibility demands fidelity to the individual client before anything else.

Without this opportunity to do more than make a temporary headway in achieving the program’s objectives, however, many

136. From conversations with attorneys working with Community Legal Services in San Jose, California. See also Practicing Law for Poor People, supra note 135, at 1052.
137. See generally Neighborhood Law Offices, supra note 10, at 825.
138. Legal Services Corporation, supra note 5, at 245 n.49.
attorneys will leave the program tired and disillusioned after making only a limited contribution. In 1967 just such a prediction was made:

Young and dynamic lawyers of high quality are being attracted to legal services by the promise of being in the vanguard of legal, political, and economic reforms. If this promise is not kept, if they find that all their time is required for routine matters, they will leave, and their replacements will be lawyers content to handle the routine matters. If the neighborhood law offices are manned by unimaginative lawyers, the orientation of the offices toward the routine handling of the service function will increase, and the New Wave will subside, leaving behind a vast network of federally financed Legal Aid Societies.139

Motivation, however, does not cure exhaustion and inadequate compensation. If attorneys simply use the program to gain experience for a few years and then leave, the client community's confidence in the organization is undermined and valuable expertise is never developed. A better system of resource allocation must be developed to reduce the burden on the attorneys; salaries must be competitive and there must be opportunities for advancement. An altruistic goal cannot sustain the personal needs of an attorney, and without attorneys the program comes to a standstill. If training programs for law students are developed, a system of advancement created, and better resource allocation to lessen the caseload per attorney, a career in "community law" will be a real alternative.

Heavy caseloads have always been problematical for the program.140 A clear determination of eligibility standards, enforcement of those standards, and periodic evaluations of its effectiveness may help alleviate this problem and help the program avoid future criticism. Recognition and utilization of additional resources in terms of law students, social workers, community organizations and their leaders, and others are also needed. The barriers to using paralegals and lay people in areas where legal and social problems overlap are slowly being eliminated. In the interest of lessening the program attorney's caseload, all these resources must be explored and used whenever possible.

139. Neighborhood Law Offices, supra note 10, at 825.
140. See Poor People's Lawyers, supra note 1, at 115; see generally Practicing Law for Poor People, supra note 135, at 1052-53.
The program should also be made to encourage attorneys to develop expertise in particular areas of the law and its effect on various segments of the client community he or she serves. Specialization would probably prove beneficial in the quality of services and the reduction in the amount of time required to handle a case (in comparison to an inexperienced attorney). Continuity and a good record of meeting the community's needs would also promote greater confidence and trust in the program and its personnel.

The New Client Community

The client community in the OEO legal services program was composed of the indigent as defined by national poverty guidelines. The depressed economy has now created a greater number of people who cannot afford private counsel yet are technically above the accepted poverty guidelines. Where the program could not deal with the articulated legal problems of the poor, it is unlikely that there will be adequate resources to meet increasing needs. This may indicate that the legal profession must embrace a new attitude and approach to its role in society beyond the requisite changes needed in its legal services program.

A New Attitude, A New Approach

The legal profession has long enjoyed a monopoly over the practice of law as well as knowledge of what the laws are and the techniques to assert the legal rights which depend on them. There is an increasing demand by the public for openness in both the political and commercial arenas. More people want to know how and by whom the government is run, and want to make intelligent, informed choices in even the most mundane commercial transactions.

The law should also be demystified for all people. Community education about legal rights and an awareness of the average cost of representation in a particular type of case will allow more people to make informed choices in transactions having legal ramifications, and in choosing who will handle the legal problems that do arise. If more people are aware of their

141. ABA Code, supra note 3, at Canon 3, ¶ 1.
142. The U.S. Supreme Court recently held that lawyers may constitutionally advertise the prices at which routine services will be performed. Although the court did not address advertising of the quality of legal services, it found that even limited
rights and the remedies available, complex legal entangle-
ments can be minimized.

While it might appear that this would jeopardize attor-
neys' livelihoods, it may be that more people would thus begin
to assert their rights. The type of advocacy that an attorney can
offer comes from experience and knowledge of the legal system,
and this cannot be replaced by a layman's general understand-
ing of his rights under the law. The court system is already
over-burdened, and this may provide a way to relieve the courts
of cases which should not have been litigated at all. In this way
the legal profession would avoid the charge that it perpetuates
a system of elitism at other people’s expense.

In order to facilitate this type of openness in the legal
services program, lawyers must be responsive and accessible to
the community. Need assessments and periodic evaluations of
how the program and its attorneys are meeting the special
needs of the community must be undertaken. Leaders from the
community should be encouraged to communicate their needs
and to become a part of a network of people who can mobilize
the community to support issues important to its members.
The members of the community should in turn be taught to
handle their own problems whenever possible. Although the
LSCA places limitations on organizational activities, attorneys
should not resign themselves to passive roles, since their status
in the community and sense of professional responsibility make
them an invaluable source of community leadership. Although
the LSCA has important safeguards against activist activities
which are unnecessary and detrimental to the client com-
munity, these restrictions should not be interpreted as inflexi-
ble rules. The new Legal Services Corporation must be tested
against whatever objectives are subsequently defined by those
involved in the program and changed to accommodate these
goals.

CONCLUSION

The evolution of the public legal services program has been
a learning experience in which the ultimate objective is to pro-
vide equal access to justice for the poor. From this experience
we have learned that certain avenues should be pursued, that
some excesses must be curbed and that some of the problems

information would help the consumer reach an informed decision. Bates v. State Bar
encountered in the sixties will continue to exist for a while longer.

The LSCA has predetermined the direction of the present program simply because the profession has not yet decided what its present objectives and priorities are. In light of the new client community, the increase in the number of attorneys, the proven need for community organization, and the demand for openness about the law and the profession, something new must be developed to meet the needs of the program today.

The concept of "community law" is an eclectic fusion of the old tenets of the OEO legal services program and the safeguards of the LSCA. Where poverty law focused upon a single segment of the population and is somewhat stigmatized, perhaps community law will apply and appeal to a greater number of people. Though much has been accomplished by the legal services program in the past fifteen years, the program cannot lapse into a period of dormancy if equal access to justice is to become a reality.

Joyce E. Hee