

Access to Justice and COVID-19

Access to Justice Coalition and Legal Assistance Partners seek \$150,000

Vermont's legal assistance providers are playing a vital role in helping our low-income and vulnerable neighbors address critical legal problems during the pandemic. Despite the fact that courts are operating at reduced capacity under the Declaration of a Judicial Emergency, calls to the statewide helpline and to local offices by those seeking legal help have **increased 150%** and visits to our website have doubled in the past few weeks. Low-income Vermonters are trying to figure how to ensure that they have a roof over their heads and food on the table after losing their jobs or access to services.

As dire as the present situation is for so many, we need to start planning and acting for what will happen when the emergency conditions are relaxed or expire. In a month and a half, the courts are expected to resume normal operations and state and federal agencies will begin addressing the backlog of applications, while also trying to respond to new benefit applications and terminations. We can expect a significant, additional surge of calls from Vermonters looking for help with:

- **Housing**

Not only will the courts begin scheduling all of the eviction and foreclosure cases that have been on hold and issue writs of possession in cases already decided, there will be an unprecedented number of Vermonters out of work and likely unable to pay rent or make mortgage payments.

- **Family Law**

There are already signs that there will be a sharp increase in the number of Relief from Abuse cases filed. Similarly, since many of the children subject to custody orders have been residing with only one parent for the duration of the State of Emergency, we anticipate a large increase in almost every type of family law case.

- **Unemployment Compensation**

There has already been an extraordinary increase in the number of new unemployment compensation applications. With that increase will come an unprecedented number of UC denials, application problems, and a myriad of other employment claims for which clients will look to us for help.

- **Other Government Benefits Programs**

With such a large number of Vermonters out of work, the demand for legal assistance from those seeking help from other benefit programs will also explode, from food stamps and Reach Up, to social security disability, general assistance, and emergency housing.

- **Debt Collection and Bankruptcy**

There will inevitably be a large increase in consumer law cases, particularly unpaid debt collection and people needing to file for bankruptcy. In addition, we expect a wide range of disputes with commercial services providers based on disrupted workforce and supply chains.

- **Immigration**

Despite the fact that many non-citizens are on the front lines performing essential work, they have little access to much-needed benefits, such as healthcare, unemployment insurance, and tax relief. We expect an increase in demand for free immigration legal services while this vulnerable population navigates a very difficult situation, all without safety nets.

While Vermont's legal assistance providers will be there to try to solve these problems, we will not have the capacity to meet the coming flood of requests for help. Earlier this session, the state's Access to Justice Coalition proposed a set of initiatives aimed at renewing Vermont's commitment to Access to Justice for low-income litigants. Many of those initiatives directly target the legal problems people will begin to have as the pandemic eases. We expect to return with a request for funding when the legislature re-convenes to complete the Fiscal Year 2021 budget. At that time, we expect to be able to bring you numbers and data showing how this anticipated need has transformed into actual demands.

In the short term, we, the Access to Justice Coalition, are requesting a short-term increase in funding of \$150,000 to Legal Aid of Vermont to allow us to surge the staff attorney resources and private attorney time to meet these immediate critical legal problems. With this help, over the next four to six months, we can try to blunt some of the worst impacts of the pandemic on the low-income community. Through that work, we should be able to see the full contours of the access to justice crisis, and we can then develop a longer-term legal assistance response.

Vermont Legal Aid's existing contract with the state of Vermont, which benefits from a 50/50 federal match, would be the most efficient vehicle to quickly put these funds into action. Legal Aid would contract, as appropriate, with the other members for the Legal Assistance Partnership - Legal Services Vermont, the South Royalton Legal Clinic at Vermont Law School, and the Low Bono projects of the Vermont Bar Association. This increase will allow us to immediately focus desperately needed resources where they can do the most good, while allowing us the flexibility to respond to new challenges as they emerge.