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***Testimony of Vikram Swaruup
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***Before the Committee on the Judiciary and Public Safety
Council of the District of Columbia***

***Budget Oversight Hearing Regarding the Office of Victim Services and Justice Grants
FY 2024 Budget***

April 13, 2023

Good afternoon, Chairperson Pinto. I am Vikram Swaruup, and I work as Executive Director of Legal Aid of the District of Columbia. It's an honor to be before you and your Committee, although I wish I were here under better circumstances. I'm here to testify regarding the Access to Justice funding in the Mayor's proposed FY 2024 budget for the Office of Victims Services and Justice Grants.

Legal Aid is the oldest and largest general civil legal services program in the District of Columbia. Over the last 90 years, we have represented and counseled District residents living in poverty through potentially life-changing legal issues. The lion's share of our work is individual representation in housing, domestic violence, family, public benefits, and consumer law. We also work on immigration law matters and help individuals with the collateral consequences of their involvement with the criminal legal system. From the experiences of our clients, we identify opportunities for court and law reform, public policy advocacy, and systemic litigation.

Our direct representation work is funded in substantial part thanks to this Council's investments in robust civil legal services.

Simply put: the budget proposal before you is a calamity for the District's most vulnerable residents. Legal Aid urges the Committee to adequately fund the critically needed services.

The FY 2023 budget included approximately \$31 million for civil legal services. This proposed FY 2024 budget reduces that to approximately \$13 million. That represents a 60% cut to these services.

These funds are appropriated to the Office of Victims Services and Justice Grants and then passed to the D.C. Bar Foundation, which issues competitive grants to legal service providers. This makes it hard to determine precisely the impact that a 60% cut would have on Legal Aid and the clients we serve, but we know the effects will be profound.

That is because Legal Aid is the largest grantee of the Bar Foundation, and the Access to Justice funds are Legal Aid's single largest source of funding. More than 40% of Legal Aid's funding flows from this appropriation, and approximately 46 of our 93 employees are paid through these funds. Crucially, non-personnel services make up a very small portion of these grants, so there is no way to absorb substantial cuts without cutting personnel and the services they provide.

In every single one of our most significant practice areas, we will need to make significant cuts if Access to Justice Funding were to be reduced.

- Our housing practice, through which we represent District residents in eviction proceedings, as well as other important efforts to preserve affordable housing, like helping tenants fight unlawful rent increases and improve housing conditions, receives \$2.5 million in District funding, which pays for 24 staff.
- Our consumer practice, through which we represent District residents who are facing debt collection or foreclosure, is funded by more than \$250,000 in Access to Justice Funds, which pays for three staff.
- Our domestic violence and family law practice, through which we represent District residents who are survivors of domestic violence to get civil protection orders and ensure access to counsel in divorce, custody, and child support proceedings, is funded by nearly \$850,000 in Access to Justice Funds, which pays for eight staff.
- Our public benefits practice, which represents District residents secure a range of benefits to which they are entitled – from nutritional assistance to healthcare – before administrative agencies and courts, is funded by more than \$1 million in Access to Justice Funds, which pays for 11 staff.

All told, thanks to this funding, Legal Aid will be able to serve nearly 5,000 District residents in 2023 – real people facing real issues. Let me tell you about a couple of the clients we have served in years past because of these funds.

- A housing attorney represented a tenant who was facing imminent eviction after, unbeknownst to her, her landlord had taken her to court and the court issued a default judgment against her. Within days, we filed an application to stop the eviction and move to undo the default judgment. Because of Legal Aid's involvement, the tenant could prove that she had, in fact, paid all the rent the landlord claimed she owed. Not only was the scheduled eviction canceled and our client's housing preserved, but the entire eviction case against the tenant was dismissed.
- One of our Family Law attorneys represented a client, who asked a relative to care for her daughter for a few days after a bullet was shot into her home. The relative refused to return the child and was then awarded emergency custody by the court. Once Legal Aid got involved and presented evidence to show that our client was not responsible for the violence that occurred near her home, the court to grant our client primary custody and returned her daughter to her care.

Which of those two clients should have gone without a lawyer by their side? That's the question we face with the Mayor's proposed budget.

The premise of the Mayor's budget is that the pandemic is over and that we are merely returning to normal funding levels. But for Legal Aid's clients, there's nothing normal about this year. Inflation has been devastating for our poorest residents. Food prices are up 10%, while federal food stamp benefits have fallen and the Council's boost to supplemental nutritional assistance is unfunded in the Mayor's budget. Tenants in rent-controlled properties are facing 8.9% increases in rent, while the Mayor's budget slashes emergency rental assistance.

On top of that, other government interventions that protected our clients during the pandemic have ended – protections like the eviction, foreclosure, and debt collection moratoria. Cases that would have been filed in these areas over the last several years are being filed now and will only increase in the next year.

The data shows that the need for our work is high. Compared to this time in 2022, calls for Legal Aid's services are up 18%. New clients in need of help with evictions, food stamps, and debt collection have doubled compared to a year ago.

Slashing this funding not only flies in the face of the economic reality our client community faces, it also represents a massive disinvestment in communities east of the River. Well over 40% of the residents we serve live in Wards 7 and 8.

Funding for legal services was insufficient before the pandemic to address the displacement and inequality in our city. And with the economic circumstances our client community now faces, that funding is certainly insufficient now. I urge this Committee and the Council to invest in legal services and invest in our client community.