

TESTIMONY OF DEBORAH R. GROSS,  
CHANCELLOR OF THE PHILADELPHIA BAR ASSOCIATION  
BEFORE CITY OF PHILADELPHIA CITY COUNCIL COMMITTEE ON  
LICENSES AND INSPECTIONS AND THE COMMITTEE ON PUBLIC HEALTH AND  
HUMAN SERVICES

Monday, March 20, 2017

Philadelphia, PA

Chair Quinones-Sanchez, Chair Bass, and Members of the Committee on Licenses and Inspections and Committee on Public Health and Human Services:

Good afternoon. I am Deborah R. Gross, Chancellor of the Philadelphia Bar Association. On behalf of the 12,000 members of the oldest association of lawyers in the United States, I wish to commend City Council for holding a hearing on the eviction crisis. I am honored to be here today to provide an overview of the unmet need for civil legal aid facing low-income renters in Philadelphia.

From my role as serving as a trustee, officer and President of the Board of Trustees of the Philadelphia Bar Foundation for more than 12 years, I know that the resources at hand in the Philadelphia legal aid community are shockingly below the level needed to meet the demand for services by low-income Philadelphians who are facing a loss of shelter through court eviction or displacement from unsafe and unstable housing. There were more than 24,000 landlord-tenant cases filed in Municipal Court last year, but only the equivalent of six and a half full time legal aid attorneys were available to provide court representation to low-income renters in these cases. It is estimated that only 8.2 % of all tenants involved in eviction cases filed in the Municipal Court last year were represented by counsel, and only 1.45 % of those tenants were represented by a Philadelphia legal aid provider.

The Philadelphia Bar Association has a long history of promoting access to justice for low-income people and in partnering with legal aid programs, courts and other key stakeholders to launch successful initiatives that have made a profound difference in the City. In 2009, we officially declared through a resolution of our Board of Governors that representation by counsel should exist as a matter of right and at public expense to low-income persons in those categories of adversarial proceedings where basic human needs are at stake, such as shelter, safety, child custody, health and sustenance. We formed a Task Force to develop and implement strategies to address the civil justice gap crisis and improve access to justice in the short term, working toward the implementation of a civil right to counsel in the long-term for low-income people in cases where critical human needs are at stake.

One of the priorities that our Civil Gideon and Access to Justice Task Force focused on was addressing the unmet need for legal aid by low-income tenants facing a loss of shelter through

court eviction. A Housing Work Group was formed to explore innovative solutions to improve access to justice for thousands of unrepresented low-income renters. This group envisioned and created the Philadelphia Landlord/Tenant Legal Help Center, a court-based, independent collaborative project that was launched in conjunction with Municipal Court leadership. The Help Center is now managed collaboratively by several legal aid providers and other key stakeholders. The Help Center provides limited representation, brief advice, referral and information to tenants for only 10 hours each week and is staffed by a part-time attorney who is funded by modest grants from private foundations. With a limited pool of legal aid attorneys available to represent low-income renters facing court eviction, the supplemental services provided by the Help Center and pro bono volunteer attorneys have provided some limited assistance to address the eviction crisis in Philadelphia, and these contributions are to be commended. However, the eviction crisis cannot be resolved unless the crisis in access to legal aid is also addressed. Increased funding is needed to bolster this limited continuum of services by providing more full time legal aid attorneys. Pro bono alone will not solve this crisis.

The Philadelphia Bar Association stands ready to partner with the City to address this crisis and work toward the creation of a right to counsel for low-income renters facing the loss of shelter. Thank you for the opportunity to provide testimony on this critical matter.

Respectfully,

Deborah R. Gross

Chancellor  
Philadelphia Bar Association