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# Legal Clinics Bite the Dust

*Legal Aid*

Five years ago, Santa Cruz became the site of an unprecedented legal experiment when the Community Legal Clinic opened its doors in downtown Santa Cruz. This December, the Community Legal Clinic and a similar organization—the Santa Cruz Law Center—shut down in anticipation of their final demise.

The Legal Clinic, brainchild of attorney Jack Jacobson, adopted a set of principles designed to provide legal services for low-income people. Furthermore, it challenged the conventional idea of legal service as a product by making the Legal Clinic a non-profit corporation. The Clinic, which preceded the founding of the Law Center two years

poor. Thus the Clinic took on a hybrid character; it provided not only cut-rate services to lower-middle income people, but free services to clients whose incomes fell under poverty-level guidelines.

Both clinics functioned as legal-aid clearinghouses. Their doors opened to anyone seeking a legal perspective on a personal

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later, used a paralegal staff to offer inexpensive legal help to people who normally have no access to the legal system.

Though both centers shut down last month, the two closures resulted from very different forces. The Law Center, which kept a minimal staff and made heavy use of volunteer help, had tried to survive on client fees alone. The Legal Clinic, after opening with one attorney and two paralegals, expanded its staff to as many as ten positions, most of them CETA funded.

In November 1977 the Clinic was awarded a \$50,000 grant from the federal Legal Services Corporation that allowed them to provide free legal aid to the

dilemma—what Clinic attorney Timothy Eagan called “life-coming-apart-at-the-seams” situations. A full hour with an attorney never cost more than \$25 at either clinic, compared to fees as high as \$70 for a private attorney. The two clinics provided a number of fairly simple legal services—dissolutions, wills, and adoptions—at set fees. They also referred many people to other agencies after first providing a legal interpretation of a question involving consumer, tenant, psychiatric, marital, or medical problems. Paralegal Gail Williamson, who trained at the Legal Clinic and helped the Law Center, said that as a result of the closure

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Operating out of their Ocean Street office, the Law Center fielded four or five hundred phone calls and handled as many as a fifty-client caseload each month. The tiny staff of paralegals and lawyers, including director Candice Clarke and attorney Michael Mehr, developed a strong training program for a sizeable volunteer staff. “They were a huge help,” says Clarke. “We had a great deal of interns from UCSC and Project Aware, most of whom stayed for a long time.” The paid staff made decisions collectively and divided salaries equally.

Asked if the Law Center ever tried to seek outside funding in order to bolster the skimpy client-fee funds, Williamson and Clarke listed the problems encountered by direct-service agencies who try to secure federal or private-foundation grants. The Law Center hired a grant writer to conduct a money search, but found that foundations tend to fund short-term programs which provide new services. In providing direct, “bread and butter” services, the Law Center had no appeal. “Foundations like something splashy to show the Board of Directors,” said Clarke, adding that “currently, legal aid is a particularly unfashionable item amongst funding sources.”

The single largest source of monetary aid for legal-service providers—the federally funded Legal Services Corporation—has just sustained an 80% budget cut. This cut led directly to the closure of the Community

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# Law Center / Legal Clinic

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Legal Clinic, which had relied on a sizeable LSC grant for the past two years.

The LSC grant, intended to provide completely free services to low-income people, compelled the Legal Clinic to serve two sectors simultaneously: those who could pay and those who couldn't. The Clinic no longer attempted to survive on cut-rate fees charged to lower-middle income clients: the grant eliminated any cost incentive for operating solely on client fees.

The Clinic discovered last November that the grant was not to be renewed. "I was surprised," says Jacobson. "LSC maintained that they would never leave a previously funded area without adequate legal services, and Legal Aid Society in Watsonville is just too small to handle the entire county." LSC gave no reason for the cutoff rather than citing their own budget cut and declaring that they could only fund a fifth of their applicants.

Timothy Eagan, an attorney with the Clinic who served on the Board of Directors until the end, was not so surprised. "It was a classic case of institutions depending too heavily on government," says Eagan. "The Legal Clinic never really functioned independently."

Jacobson agrees, noting that "within a year of opening our office, I realized that client fees couldn't carry the operation." Raising fees was never a possibility, as that would run counter to the intent of the Clinic—putting legal aid out of the reach of the poor.

Did the Legal Clinic staff think the grant would be renewed indefinitely? A former Clinic paralegal explained the LSC grant was "a pilot program—we were part of a demonstration project intended to study cost-effective methods of providing legal aid." She had not expected the grant to be renewed after two years. Eagan agrees, saying "I was aware of our

dependence for some time but there didn't seem to be any alternative."

Both Clinic worker Eagan and Center employee Williamson dismissed the possibility of increasing their offices' client caseload in order to strengthen the budget. "The waiting list to see an attorney was two to three weeks," recalls Eagan. The staff in both clinics worked long hours, with a high client-caseload turnover.

Profit-making legal clinics providing cut-rate services can survive by limiting themselves to simple legal matters that can be processed quickly on standardized forms. "We were a financial failure," says Jacobson, "but a great success as far as the community was concerned." The Legal Clinic law-years lent their legal expertise to other non-profit agencies such as *Matrix* newspaper and KUSP radio. And Williamson acclaims the Law Center's strong record of public service and outreach with jail inmates, seniors, and patients at the county acute psychiatric ward.

A former paralegal with the Legal Clinic, while confirming

the Clinic's record of community service, named internal problems as a strong contributing factor in the Clinic's shutdown. The paralegal, one of a staff heavily subsidized by CETA, said that job descriptions had little to do with actual tasks. She added that the lack of an organized training program forced her to largely train herself. Turnover at the Legal Clinic was high, with firings, quitings, and short-term CETA jobs; morale was low. The CETA-funded Administrative Assistant position, a crucial element in smooth operations, was usually taken on by low-skilled and frequently changing employees. "We did a good job representing clients," says Eagan, "but office administration was definitely a weak point. We were always training key positions."

What will be the impact on Santa Cruz now that the Legal Clinic and the Law Center have closed down? One group particularly affected will be women plagued by domestic violence. Both legal groups worked extensively with battered women, going to judges for restraining orders to protect women in vola-

tile domestic life situations. Both agencies provided an essential legal arm to Women's Crisis Support and the Mariposa House women's shelter. "It's really important to have someone who's both a woman and a legal expert for these situations," notes Williamson. Jacobson added that he is trying to transfer a Clinic paralegal funded through CETA to Women's Crisis Support, but is still worried that local women facing domestic violence will be denied adequate legal recourse.

The only remaining source of legal help for low-income persons is the tiny Legal Aid Society office in Watsonville, funded through the Legal Services Corporation, and providers of free aid to the truly indigent only. Jacobson noted that Legal Aid's purpose is different—they concentrate on broad-based class-action matters and legal advocacy for the poor—what Jacobson calls "impact work"—rather than direct legal services. At present, middle-income persons unable to include legal costs in their budgets will have nowhere to go. ■

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