

LEGAL AID WORK IN PENNSYLVANIA

The future development of legal aid work in Pennsylvania depends in large measure upon the present status. A brief survey of the extent of the work at present shows us a strong foundation. The Philadelphia Legal Aid Society was established in 1902. In 1920, it ceased to function and its work was taken over by the Municipal Bureau of Legal Aid, one of the bureaus of the Department of Welfare of the City of Philadelphia. That organization now handles, in a single year, over 14,000 cases. At the present time an enterprise is on foot to establish legal aid service in the criminal field in Philadelphia.

The Pittsburgh Legal Aid Society was established in 1908. It sprang into National prominence in 1911 by calling the first National Convention of Legal Aid Societies. During the World War, its activities necessarily were curtailed, but at the present time it is rapidly developing under the guidance of a group of members of the Bar, and handles on an average of over 1800 cases a year. It is supported by the Community Chest.

In 1923, the Legal Aid Committee of the Pennsylvania Bar Association was established, and the reports of this Committee for the succeeding years are available in the annual reports of the Bar Association.

In 1928 an organization was established in Reading which handles about 100 cases a year. In 1929 an organization was established in Harrisburg, which also handles about 100 cases a year. It is not at all unlikely that the volume of business of these two organizations will increase considerably as individuals in the communities learn to know what sort of service may be secured. This is the present extent of the work.

We come now to the extension of the service to other parts of the state. The first question is whether such extension is necessary. The demand can hardly be estimated by observing the extent of the demand in a single law office.

District attorneys, probation officers, court clerks, and other public officials generally, indicate that many poor people apply to them for legal aid. Social service agencies report that even in rural communities there is great need for adequate legal advice from some person who can afford to engage counsel to conduct the particular case. Many social agencies hesitate to bring their legal problems to busy lawyers. This indicates the need for a legal aid lawyer who can spare the time for financially unproductive work. It is fair to assume that Pennsylvania, in this respect, is like other industrialized states.

The applications for aid in the less thickly settled communities present problems similar to those in large cities. Fifty per cent. of the applicants desire advice as to the law and nothing more. They want to know their rights. Their inquiries range over the whole field of law. Another 25 per cent. want claims adjusted. As an example, five-dollar wage claims and small loans are to be collected where a letter to the opposite party produces the result. In another 20 per cent., the applicant and the opposing party must be brought together to produce a settlement. Domestic difficulties and cases where the applicant is defendant and desires to reach an adjustment out of court are examples. Finally about 5 per cent. of all the applications are litigated matters. Of them, many are *ex parte* such as the appointment of guardians for the persons of minors.

In Illinois, Massachusetts and Michigan, the State Bar Association has faced the problem of a state-wide legal aid service, and has found need for it.

In 1923, Dean Wigmore of the Northwestern University Law School, the Secretary of the Illinois State Bar Association, and a group of social workers representing the Family Welfare Societies of the State, drafted an agreement for a co-operative approach in handling cases that arose throughout Illinois. The plan has been quite successful. Most important for our purposes is that its operation

has disclosed the existence of a considerable volume of legal aid business in the less thickly settled communities.

In Massachusetts, the State Bar Association in conjunction with the Boston Legal Aid Society has selected individual members of the legal profession in various parts of the eastern section of Massachusetts who have agreed that they will handle legal aid problems upon request. This plan also seems to be working satisfactorily.

In Michigan the Legal Aid Committee of the State Bar Association divided the State into districts and secured one or more lawyers in each district who agreed to accept charity cases without charging a fee whenever they are assigned. Of these three plans, the Illinois plan is the most detailed. It contemplates an investigation by the Family Welfare Society of applicants for aid, a reference to some member of a local Bar Association committee who will handle the case, and a report back to the Family Welfare Society as to the work done.

All three plans are based on voluntary service by members of the Bar. Therefore, they are subject to all the advantages and all the disadvantages of volunteer service. We cannot expect an unlimited amount of free aid from any lawyer.

There are several communities in Pennsylvania that, judging from the comparative figures elsewhere, are large enough and sufficiently industrialized to require definite legal aid organizations: Scranton, Wilkes-Barre, Allentown, Bethlehem, Erie, and possibly Newcastle. A simple and inexpensive form of legal aid organization with a paid secretary and a young lawyer who gives part of his time to the work and receives a moderate compensation would suffice. This is the plan that has been developed in Reading and Harrisburg.

There are other counties such as Delaware and Schuylkill, where a county-wide service would be of value. Here again it might be possible to arrange for an office with a

part-time secretary to keep the routine work moving and for a part-time young lawyer to keep certain office hours.

The important matter in connection with legal aid service is that there should be a definite place where the service is given, a definite time when applicants may come, an attorney waiting to talk to them—a definite individual who is charged with the responsibility and who is compensated so that he may devote his time to this service without feeling that he is neglecting other work of a more profitable nature. Finally, it is desirable from several viewpoints that there should be a supervisory committee of the local Bar Association.

Finally, we come to the question of where the financial support of this work is to be secured.

Throughout the country the figures indicate that it costs each year approximately \$450,000 to handle 175,000 cases, or about \$3.00 a case. Of course, in an office where only a small volume of business came in, there would be a larger cost per case but not very much larger. The difficulty lies in estimating in advance the volume. It is quite possible to start the work for a year on an initial expenditure of \$1,000 and then observe. The New York Legal Aid Society spent \$1,060 in its first year (1876).

In Philadelphia, the city pays for the legal aid bureau out of its own treasury. In Pittsburgh the community chest supports the work. The same is true in Reading and Harrisburg. Elsewhere throughout the United States, the practice has been that the Bar starts the work going by contributing enough to cover the operation expenses for the first year or two. Thereafter, the enterprise is financed often by the Community Chest or by some other special system of money-raising. Thus after a time, the enterprise is placed on a firm foundation, and while the members of the Bar continue their contributions, they do not pay all. In New York, Chicago and Boston the relationship of the contribu-

tions of the Bar to the total budget of the legal aid society is indicated by the following figures :

	Approximate Volume of Business Per Year	Total Budget	Proportion Contributed by Members of the Bar
New York . . .	35,000 Cases	\$125,000	\$48,760
Chicago	20,000 Cases	40,000	14,500
Boston	8,000 Cases	42,000	9,075

There is need for organized legal aid work in Pennsylvania, beyond the present system. Other states are already forging ahead. There is every reason that the organized Bar should carry on its responsibility to improve the administration of justice in Pennsylvania. Legal aid work is one step forward in this progress. It has become a definite responsibility and at the same time a definite professional privilege.

JOHN S. BRADWAY,
Philadelphia.

LEGISLATION OF 1931

The legislation enacted at the Session of 1931 compares favorably, both in quantity and quality, with that produced by Legislatures during the last twenty-five years. While the total number of general laws, 361, is 40 per cent. less than the number enacted in 1929, there is no decrease in bulk. In fact, if the 20,000 mile State highway law were to be printed in the Pamphlet Laws, the volume would probably exceed in size the 1974 pages found in the 1929 volume. This law includes descriptions of 4763 new State