A STEP FORWARD

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The Pennsylvania Bar Association has always been noted for its interest in the public welfare;[1] but at the 1947 meeting it took another long step forward. To meet the emergency of war, the special Committee on War Work[2] under the able leadership of Walter B. Gibbons of Philadelphia had rendered conspicuous legal service to men in the armed forces and their dependents.[3] Many of them were entitled to free legal aid. The Committee had a representative in each county and acted as a liaison between Pennsylvania, similar committees in other states, and the armed forces. Last summer it requested that it be discharged, and that action with appropriate recognition was taken. The Committee on Legal Aid Work[4] was directed to carry on as a peacetime enterprise. This direction has repercussions in the field of legal aid and public relations and reflects credit upon the Association for a statesmanlike decision.

The Legal Aid Committee has grown from a small group of interested persons in 1923 to the point where it has a representative from each zone in the State. By the 1947 action, it became statewide with a functioning member in each county.[5] During its existence, it has seen the organized legal aid movement spread from populous Philadelphia and Allegheny Counties to a substantial number of less

1. Pennsylvania Bar Association By Laws, Art. I. Sec. 1, provides: "This association is formed . . . to promote the administration of justice . . . "

2. This committee came into being in 1941 with Joseph W. Henderson as Chairman.

3. For a summary of its work, see 52 Report Penna. B. A. 246 (1946).

4. This committee was created in 1923.

5. The 1947 report indicates the initial steps in enlarging the committee.

thickly settled areas.[6] Concurrently, approval of the movement by the profession[7] has reached the point at which legal aid work is spoken of as the humanitarian plank in the public relations program of the organized bar.

The significance of a statewide service in Pennsylvania deserves comment for several reasons. It is in accord with the American Bar Association program. Since 1920 the American Bar Association has been urging all bar associations, state and local, to establish legal aid committees.[8] Pennsylvania has given a good account of herself[9] in implementing this injunction. Some other states have sought the aid of the Legislature to accomplish the coverage,[10] but we have continued to regard legal aid work as a part of the function of the judicial department of government, and, in particular, as one of the professional privileges of the organized bar.[11] This assumption on our part of responsi-

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6. Examples of agencies performing this work are found in such counties as Berks, Dauphin, Erie. Examples of Bar Association committees are found in such counties as Lancaster, Montgomery, and Northampton. This is not intended to be exclusive.

7. *The late Chief Justice Taft has said:*

"Something must be devised by which everyone however lowly and however poor, however unable by his means to employ a lawyer and to pay court costs, shall be furnished the opportunity to set this fixed machinery of justice going."

Mr. Chief Justice Hughes has said:

"It (legal aid work) is the performance of a duty which the legal profession owes to the public in assuring competent legal assistance to those who otherwise might not be able to obtain it and thus helps to make more secure the foundations of justice in this country."

The Late Chief Justice Stone and Mr. Chief Justice Vinson have made favorable comments.

In 1945 the American Bar Association authorized its committee "to expend during the next three years a sum not in excess of $10,000 in any one year to promote legal aid in such manner as may seem advisable . . . "

8. The Standing Committee on Legal Aid Work of the American Bar Association has stated its position a number of times, for example: 46 Rep. A.B.A. 493 (1921); 65 Rep. A.B.A. 187 (1940).

9. For a general description of the development in the various states, see "The Work of Legal Aid Committees of Bar Associations" published in 1938 by the Standing Committee on Legal Aid Work of the American Bar Association.

10. For example, California and Connecticut.

11. For example, Michigan and North Carolina.

bility involves leadership and not necessarily financial support. The analogy is to a practice of the medical profession where the physician is respected for offering his personal services in free clinics and dispensaries, but where the cost of maintenance is borne by foundations, community chests, and similar agencies. The public as a whole contributes to them as civic enterprises.

In addition to adjusting ourselves to a national professional program, we have taken another significant step. Today the subject of socialized law,[12] like socialized medicine, is receiving attention. Most lawyers honestly believe that such a revolutionary step would cause more harm than benefit. The best practical answer to date to those demanding such a change is the standing offer of the organized bar to see that no man because of *poverty* is denied justice according to law. It is part of the prevailing position taken by the bar of Pennsylvania to see that no man *for any reason* is denied justice according to law.[13]

Those of us who engage in the task of advising and aiding our fellow citizens in their efforts to obtain this prized justice according to law can hardly realize how much it means to some poor person to be able to sit down in a law office—especially a legal aid office—and talk out his problems with a lawyer. Even if no advice or assistance were given, or even asked, the knowledge that there is a friendly professional ear readily available nearby gives a sense of security out of all proportion, as we see it, to the legal weigh of the problem. The fundamentals are within reach of everyone. To the lawyer the recital may be tedious, routine, insignificant. But to the client it is, at the moment, the most important fact in his life. Now that, officially,

12. The situation is foreshadowed ominously for Great Britain in Gower, "The Future of the Legal Profession", 9 Mod. L.R. 211 (1946). Comment on the situation in this country is made in Smith, "Legal Service Bureaus for Persons of Moderate Means," 31 Jour. Am. Jud. Soc. 37, 45 (1945).

13. Pennsylvania Bar Association By Laws, Art. I, Sec. 1, provides: "This Association is formed . . . to see that no one, on account of poverty, is denied his legal rights . . . "

the organized bar has endorsed a statewide development of such a service the action should be a matter of pride to us all. Multiply the single client and lawyer by the various counties, or by the numbers of persons justly entitled to free legal aid in our State and the scope of the work is seen to assume dignified, impressive proportions. Truly a Republic may make good its promise of the "equal protection of the law."

The 1947 step is therefore significant: because it advances the American Bar Association program; because it answers a criticism rightly or wrongly directed against the profession; because it brings confidence in our fundamental institutions to all our fellow citizens in a most practical way. These results more than outweigh the efforts involved in developing the agencies for service and maintaining them.

The future development of the Pennsylvania system of organized legal aid under bar association auspices remains to be worked out. In those counties where formal legal aid agencies are already in existence, a gradual process of integration between state and local services should occur with all credit to the existing organizations. In counties where, for whatever reason, no organized aid is as yet available, the state committee will on request be available to help to establish whatever type of simple or complex agency local experience indicates as desirable. In the meantime, wherever a legally meritorious request for aid arises, there is at least one lawyer in each county in a position to listen and to do something about it.

Pennsylvania has reason for dignified pride in its bar association for making permanent, in peacetime, a form of professional, humanitarian service which in the past had been undertaken on a small scale and in the emergency of war had been enlarged. Behind the movement itself are the impulses of idealism and enlightened self interest, which have taken this practical form of application to individual needs. It is the possession of these very motives for which our critics do not always give us credit. They are not

merely the promptings of conscience of a good citizen or a man who desires to contribute to the prestige of the profession of which he is a part. The late M. W. Acheson, Jr., of Pittsburgh, long a member of our Legal Aid Committee, gave us the concept of legal aid work as "applied Christianity." Long before that St. Yves, the patron saint of lawyers, had been in effect a medieval legal aid society. St. Yves would surely be interested in what we did last summer.