

## Pro Bono: Committee on Civil Justice

### Civil Justice for Georgia's Most Vulnerable

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When **Haley Schwartz** arrived at the Atlanta hospice last August, it was hard to look into the woman's face. She was so young, and she was dying.

Schwartz, a lawyer, had gotten the call the day before from a social worker at the DeKalb Medical Center. The social worker told Schwartz that a patient named Janis couldn't afford a lawyer but needed her help. The 43-year-old woman was in the final stages of breast cancer and was being transferred that day to hospice. The social worker had sat with Janis, assuring her that she could let go. No, Janis said, she couldn't. She had an 11-year-old daughter, and she hadn't made arrangements for her.

Schwartz, who directs the Breast Cancer Legal Project for the *Atlanta Legal Aid Society*, arrived at the hospice armed with guardianship paperwork and a will that named Janis's sister as her child's guardian. Janis, who was clearly in pain, had held onto life weeks longer than anyone expected. Janis signed the papers, and Haley was struck by the sense of peacefulness that seemed to wash over her. Before she left, Schwartz held Janis's hand and assured her everything would now be OK; her daughter would be taken care of.

Soon after returning to her office, Schwartz got a call from Janis's sister, thanking her for putting her sister at peace. Janis had died a couple of hours after Haley left.

In recent years, the focus in Georgia has been on the need for an indigent criminal defense system. But throughout the state, a growing number of poor and working poor citizens are struggling with civil legal needs that aren't being met. They're people like Janis, sick and dying from cancer or AIDS who need help with end-of-life planning or who are seeking disability or who can't qualify for Section 8 housing because they're too sick to work. They're the mother whose child is on a ventilator but her electricity has just been cut off; they're the elderly man who, faced with mortgage foreclosure, signs over the deed to his house to a scam artist; they're the woman who's trying to protect herself and her children by getting out of her marriage to an abusive man.

"These are fundamental human rights issues," says **Chief Justice Leah Ward Sears** of the Supreme Court of Georgia.

For the last year and a half, the Committee on Civil Justice, created by the Supreme Court and chaired by the chief justice, has been working to improve access to civil justice for Georgia's most vulnerable citizens -- children, the elderly, veterans, the disabled, domestic violence victims. **Anne Lewis**, a law partner with *Strickland Brockington*, and **Teri McClure**, senior vice president and general counsel of *United Parcel Service*, share the role of vice chair over the committee of nearly two dozen attorneys, judges, legislators and a minister -- all appointed by the Supreme Court. Among their goals: to recycle law firms' used equipment and get



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**Chief Justice Leah  
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it to organizations and shelters that need it; to increase the pool of pro bono attorneys around the state; to set up kiosks in courts and forms on line to help people who choose to represent themselves; and to educate state leaders and the public on what civil legal services are available and what are still needed.

Georgia ranks in the bottom third in the amount the state spends on indigent civil justice. The Georgia legislature has provided some funding for targeted programs, including about \$140,000 for a senior citizens legal hotline, \$250,000 for legal services for grandparents who are raising their grandchildren and about \$2.2 million for legal services for the victims of domestic violence. But unlike many states, Georgia has no general fund for civil legal services for the poor.

Law firms are trying to help, but they can fund nowhere near the need. To demonstrate and prove that need, the committee has contracted with the A.L. Burruss Institute at Kennesaw State University to do a statewide needs assessment, surveying not only poor and middle-income citizens, but also judges and lawyers. The Atlanta Bar and a number of law firms have contributed to the survey's \$165,000 cost. **Charlie Lester, Jr.**, of *Sutherland Asbill & Brennan*, says he hopes the committee will have final results by June.

"I think there's a substantial number of people who could use legal services but aren't getting them," says Lester, who heads the subcommittee overseeing the assessment. "The big objective of the committee is to coordinate and increase quality services for everybody who needs them."

One piece of information Lester is hoping to learn from the assessment is why some lawyers do pro bono work and others don't, with the end goal of increasing their ranks.

Chief Justice Sears says that as she's learned more about the many legal problems people face, she's become passionate about the need for a response. She believes the Committee on Civil Justice is making strides.

"Now we're really off to the races. I feel good about the momentum," she says. "But we're not there yet. We need lawyers from all over the state to get in this race and stay in it with us."