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April 2, 1981

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The Honorable Robert Kastenmeier
Chairman, Sub-committee on Civil Liberties
and Administration of Justice
House Judiciary Committee
2137 Rayburn Office Building
Washington, D. C. 20510

Re: Legal Services Corporation

Dear Mr. Kastenmeier:

I understand your sub-committee has before it the reauthorization for the Legal Services Corporation. I am writing to express my support for the Corporation and for its continued adequate funding.

This office regularly represents state agencies and departments in litigation against legal services attorneys representing the opposing parties. These cases range from appeals of unemployment compensation denials to suits for access to parent-child records, to systemic challenges to youth and adult correctional systems. Through all of this we and the legal services attorneys on the other side certainly have had disagreements about legal issues, procedural matters, and trial tactics; but nevertheless, I believe it is important that legal services has been there to represent people who otherwise would not have been represented in their complaints against the state.

It is important to our constitutional form of government that people, regardless of wealth or station, have meaningful access to decision-makers, including the courts. In most cases, certainly in those involving disputes over government rules and regulations or constitutional issues, that means having a lawyer. The private bar cannot do it alone. In most of the cases we have had against legal services lawyers, no private lawyer and few law firms could have afforded to provide the service free, or even at a reduced rate. It is, in my opinion,

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a legitimate function of government to insure meaningful access to the courts even for the poorest of its citizens, and through Legal Services our national government can do that.

The provision of legal services for the poor is not just a social program we can do with or do without. It is an essential ingredient of a fair nation, one which insists on equal justice and a chance for its citizens to be heard.

I understand there have been several amendments proposed to the Legal Services Corporation Act which would limit the types of cases handled and the legal procedures used by legal services attorneys. As an attorney, I am opposed to restrictions on the free exercise of professional judgment by a legal services attorney or any other attorney, and I urge that there be none. The clients of a legal services attorney deserve the same independent professional judgment accorded any other person.

I urge your committee, and by copy of this letter I urge the Tennessee congressional delegation, to vote for the continued funding of the Legal Services Corporation and against any amendments to the Act which would restrict the free exercise of professional judgment by attorneys employed by legal services offices.

Sincerely yours,


WILLIAM M. LEECH, JR.
Attorney General

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