

August 25, 2017

The Honorable Rodney Frelinghuysen
Chairman
U.S. House Committee on Appropriations
H-305, The Capitol
Washington, DC 20515
frelinghuysen.house.gov

The Honorable Thad Cochran
Chairman
U.S. Senate Committee on Appropriations
S-128, The Capitol
Washington, DC 20510
cochran.senate.gov

The Honorable Nita Lowey
Ranking Member
U.S. House Committee on Appropriations
1016 LHOB
Washington, DC 20515
lowey.house.gov

The Honorable Patrick Leahy
Vice Chairman
U.S. Senate Committee on Appropriations
S-146A, The Capitol
Washington, DC 20510
leahy.senate.gov

The Honorable John Culberson
Chairman
U.S. House Commerce, Justice, Science Appropriations
Subcommittee
H-310, The Capitol
Washington, DC 20515
culberson.house.gov

The Honorable Richard Shelby
Chairman
U.S. Senate Commerce, Justice, Science
Appropriations Subcommittee
SD-142
Washington, DC 20510
shelby.senate.gov

The Honorable Jose Serrano
Ranking Member
U.S. House Commerce, Justice, Science Appropriations
Subcommittee
H-310, The Capitol
Washington, DC 20515
serrano.house.gov

The Honorable Jeanne Shaheen
Ranking Member
U.S. Senate Commerce, Justice, Science
Appropriations Subcommittee
SD-142
Washington, DC 20510
shaheen.senate.gov

Dear Chairmen, Vice Chairman, and Ranking Members:

We write on behalf of children and in support of the Legal Services Corporation (LSC). Our organizations serve children's interests in the child welfare system. We consider the federal government to be a partner in this work given the many federal laws Congress has established to protect children's interests and provide for rights and duties within the child welfare system. For example, we rely on the Child Abuse Prevention and Treatment (CAPTA) [P.L. 93-247, 42 USC 5101], the Adoption Assistance and Child Welfare Act of 1980 (AACWA) which established Titles IV-B and IV-E of the Social Security Act [42 USC 621, 42 USC 670], the Adoption and Safe Families Act (ASFA) [P.L. 105-89] which amended Titles IV-B and IV-E of the Social Security Act, and the Indian Child Welfare Act [25 USC 1901], as federal statutes that serve and protect children's interests.

These federal laws shape how states and communities care for children who have been abused or neglected or are otherwise dependent. Through legal aid services, LSC funding directly supports implementation of these federal laws in the field and protects children's and families' rights. As Dick Thornburgh, former U.S. Attorney General under Ronald Reagan and George H.W. Bush, recently said when advocating for LSC funding "legal rights mean little without lawyers to enforce them."

Proposals from the Trump Administration and the House Republicans to eliminate or substantially decrease federal LSC funding pose a threat to the children and families we serve and to the rights that the federal government seeks to protect through its many child welfare laws. These proposals would also likely result in an increase in the number of unnecessary entries into the child welfare system for children whose families experience homelessness, domestic violence, or a loss of benefits that could have been prevented through legal assistance.

At a time when the rates of children in foster care have been steadily rising throughout the country, it is especially important to recognize and invest in methods such as legal services that work to minimize time in care and prevent unnecessary entry into the system in the first instance.

I. Cutting LSC will have negative consequences for children and families in the child welfare system

Civil legal aid directly supports children and families with cases pending in the child welfare system and helps facilitate swift exit from the system when possible. For example, in 2015 LSC funding supported 6,170 cases involving neglected, abused and dependent children, 5,968 cases involving minor guardianship, 1,638 termination of parental rights cases, and 2,271 adoptions. Representation in these cases protects each parties' rights and ensures that both state and federal laws are implemented properly in practice.

Additionally, research has shown that legal representation in child welfare cases has a positive impact on case outcomes. For example, a 2008 Chapin Hall study in Florida found that foster children with legal representation had a significantly higher rate of exit to permanent families. Reducing unnecessary time in foster care and helping children exit to permanent homes not only helps the individuals in each case, it also creates substantial social and financial benefits for state and federal taxpayers.

II. Cutting LSC could increase unnecessary entries into the child welfare system

Civil legal aid prevents crisis situations for children and families by helping them maintain stable housing, protect against domestic violence, and access benefits and supports for which they are eligible. Without legal support in such cases, families can end up in a crisis situation that may subsequently involve child welfare intervention. Averting unnecessary entry into the child welfare system is key because foster care resources should be prioritized for cases involving real safety threats to children, not threats that arise from factors such as evictions or domestic violence that could have been averted through the support of legal services.

In addition to the social benefits of keeping families together when children are safe, numerous studies have also shown substantial financial benefits from using civil legal aid as a tool to prevent crises that demand much higher cost responses. For example, in New York State civil legal aid saves \$85 Million a year in domestic violence costs by preventing public medical expenses (hospitalization, physician costs, emergency room visits, ambulance and paramedic services, physical therapy, dental visits, etc.), as well as mental healthcare costs, substance abuse treatment facilities, and other therapy costs. This number doesn't capture any of the additional costs associated with helping children who may have witnessed or otherwise been exposed to domestic violence.

Similarly, a Tennessee study found that investing in civil legal aid saved the state more than \$42.6 million in community expenditures on emergency shelter, home foreclosure, and domestic violence costs that would have otherwise arisen for families evicted from their homes or who would have lacked protection from violence. Studies in Massachusetts, Iowa, Maryland, and Florida have demonstrated similar results from combined federal and state investment in legal aid. None of these studies has captured the potential additional savings of preventing entry into the child welfare system, meaning that they likely undercount the financial benefits to both state and federal budgets as a whole.

In sum, federal investment in civil legal aid ensures implementation of federal child welfare law, protects children and families' rights, prevents prolonged stays or unnecessary entry into foster care, and produces social and financial benefits for taxpayers. The states and the private sector do their part in providing 75% of the legal aid funding in America. In seeking justice for all children, we sincerely hope that the federal government will at least continue its 25% share of funding for legal aid in America, which the federal government provides through LSC.

For the sake of our children, please abundantly fund the Legal Services Corporation.

Sincerely,

- *Alliance for Strong Families and Communities, Washington D.C.*
- *American Professional Society on the Abuse of Children (APSAC), Columbus, OH*
- *Asian Law Alliance, San Jose, CA*
- *Bridge for Youth, Minneapolis, MN*
- *California Rural Legal Assistance Foundation (CRLAF), Sacramento, CA*
- *Center for Children and Youth Justice, Seattle WA*
- *Center for Children's Advocacy, Hartford, CT*
- *Center for Family Representation, New York, NY*
- *Center for the Study of Social Policy, Washington D.C.*
- *Child Care Law Center, San Francisco, CA*
- *Children's Defense Fund, Washington D.C.*
- *Child Focus Partners, Washington D.C.*
- *Child Welfare League of America, Washington D.C.*
- *Children and Family Law Division - Committee for Public Counsel Services, Boston, MA*
- *Children's Law Center, Washington D.C.*
- *Children's Rights, New York, NY*
- *Children's Advocacy Institute and the Center for Public Interest Law, San Diego, CA*
- *Citizens Concerned for Children, Inc., Attorneys for Children, Ithaca, NY*
- *Columbia Legal Services, Seattle, WA*
- *Education Law Center, Philadelphia and Pittsburgh, PA*
- *Ethica, LLC, Quincy, FL*
- *Family Defense Center, Chicago, IL*

- *Family Focused Treatment Association, Hackensack, NJ*
- *Family Paths, Inc., Oakland, CA*
- *First Focus, Washington D.C.*
- *FosterAdopt Connect, Independence, MO*
- *Generations United, Washington D.C.*
- *Juvenile Law Center, Philadelphia, PA*
- *Kids Voice of Indiana and the Children's Law Center, Indianapolis, IN*
- *Lawyers For Children, New York, NY*
- *Legal Aid of Marin, San Rafael, CA*
- *Legal Counsel for Youth and Children, Seattle, WA*
- *Lutheran Services in America, Washington D.C.*
- *Mental Health America, Alexandria, VA*
- *National American Indian Court Judges Association, Boulder, CO*
- *National Association of Counsel for Children, Denver, CO*
- *National Center for Housing and Child Welfare, Silver Spring, MD*
- *National Center for Youth Law, Oakland, CA*
- *National Center on Adoption and Permanency, Boston, MA*
- *National Indian Child Welfare Association, Portland, OR*
- *National Juvenile Justice Network, Washington D.C.*
- *National Alliance of Children's Trust & Prevention Funds, Seattle, WA*
- *Nebraska Appleseed, Lincoln, NE*
- *Pegasus Legal Services for Children, Albuquerque, NM*
- *Public Justice Center, Baltimore, MD*
- *San Diego Volunteer Lawyer Program, Inc, San Diego, CA*
- *School House Connection, Washington D.C.*
- *StandUp For Kids, Atlanta, GA*
- *Texas Legal Services Center, Austin, TX*
- *True Colors Fund, Washington D.C.*
- *Volunteer Lawyer Program of Southwestern Indiana, Evansville, IN*
- *Washington State Office of Civil Legal Aid, WA*