

State of the Judiciary
Chief Justice Kimberly S. Budd, Massachusetts Supreme Judicial Court
Delivered Virtually
January 27, 2021

Thank you, Lynne, for that kind introduction.

I would also like to thank the Equal Justice Coalition for all the work that has gone into preparing for this event and, especially, for presenting that wonderful video of Chief Justice Gants. He cared so deeply about improving access to justice. And in the work that we are undertaking today, we honor his commitment to that cause and his legacy.

And finally, thank you to all of you in the audience who are taking time today to talk with your legislators about the urgency of funding legal aid for people who cannot afford an attorney for their essential civil legal needs.

The tragic events of the past year have focused our attention on the many inequities in our society. The pandemic has created unprecedented disruptions in employment, education, childcare, and everyday life. And the resulting hardships have fallen most heavily on those who can least afford them.

Recent events have also forced us to confront the painful, persistent reality of racial and ethnic disparities in our society. As my colleagues and I, the Justices of the Supreme Judicial Court, stated in an open letter last June, we are constantly reminded that "too often, by too many, black lives are not treated with the dignity and respect accorded to white lives,"

And if all that were not enough, this month we witnessed violence in the halls of our nation's Capitol.

We cannot solve all of these problems today. But together, as lawyers and judges, we can at least pledge to maintain a safe space where the rule of law is enforced and our problems can be addressed fairly and equitably. We can try to "create in our courtrooms, our corner of the world, a place where all are truly equal," as the Justices said in that June letter.

To do that, we must not only have laws that treat all people fairly. We must also give everyone the tools they need to understand those laws and to protect their legal rights.

According to data from the federal Legal Services Corporation, over half of the clients served by Massachusetts legal services organizations receiving LSC grants are people of color.¹ If we are truly committed to eliminating racial and ethnic disparities in our society, one of the simplest steps that we can take toward that goal is to make it possible for more people to receive legal aid.

We are very fortunate to live in a state where the Governor and the Legislature understand these issues. In recent years, the Legislature has provided steady increases in funding for legal

¹ See <https://www.lsc.gov/state-data-grantee-client-characteristics> (<https://www.lsc.gov/state-data-grantee-client-characteristics>), Legal Services Corporation 2019 data for Massachusetts grantees.

services. As a result, we have seen significant improvements in the percentages of people receiving assistance.

But legal services organizations still must turn away well over half of those who ask for their help. They do not have the resources to meet everyone's needs. And as you all know, those needs are especially great right now, with all the problems caused by the pandemic. Employment, housing, family law, domestic violence, consumer debt, and immigration are all areas of particular concern.

To meet these needs, the Massachusetts Legal Assistance Corporation is asking the Legislature for a \$6 million increase in funding for the next fiscal year. That's less than one dollar per Massachusetts resident. Or, as Chief Justice Gants might have said, it's less than the cost of a soda at McDonald's. Who would not spare an extra soda to extend legal aid to a single parent and children facing eviction, a veteran who needs help obtaining benefits, a senior struggling with debt suits, or a spouse seeking protection from domestic violence?

It's a worthwhile investment, that additional dollar. For every dollar spent on civil legal aid, MLAC tells us, we reap roughly two dollars in economic benefits for the Commonwealth and its residents. But more importantly, the additional legal assistance that dollar provides may be the difference for someone between having a home and losing it, making ends meet or going without heat, staying safe or living in fear.

Your legislators know this. They have constituents who have benefited from civil legal aid. And they also know how many people are hurting today and need help. You will not have to convince them. You will only need to remind them. Because like you, they are dedicated to making our society function fairly for everyone.

This is the mission of civil legal aid – to promote equal justice for all. Your support for that mission, and the support of your legislators, will bring us closer to our common goal of building a fair and just society.