EMBARGOED FOR 1 P.M. CST
February 1, 2001

Please Note Release Time

CHIEF JUSTICE ASKS ALL ILLINOIS LAWYERS TO PROVIDE LEGAL SERVICES TO DISADVANTAGED

CHICAGO -- Chief Justice Moses W. Harrison II of the Supreme Court of Illinois called on all Illinois lawyers Thursday to devote some part of every day to do legal work for those who cannot afford an attorney.

Chief Justice Harrison debunked the popular claim that the United States is overpopulated by lawyers and said that the promise of justice eludes those who need it the most. He said despite the economic boom of the past decade, nearly 1.3 million Illinoisans continue to live at poverty levels; and he noted there are fewer than 200 full-time legal aid lawyers to serve this population.

"That is only one lawyer for every 6,500 poor people," Chief Justice Harrison said in prepared remarks. "By any standard, one lawyer for 6,500 people is not a glut. It is a scandal."

Chief Justice Harrison made his remarks at a luncheon where he received the 2001 "Access to Justice" Award from the Illinois State Bar Association.

"Think of the elderly nursing home resident whose medical assistance is in jeopardy," the Chief Justice said, "or the abused spouse in need of an order of protection. Think of the impoverished single mother facing the shutoff of her utilities because she could not afford to pay for groceries and still cover her skyrocketing heating bills. Think of the immigrant family overcharged for their used car because their English is not good enough to understand the terms of their purchase contract, or the homeless family struggling to find shelter and stability for their children. There are no legions of lawyers to help these people."

He said the myth that America is facing ruin at the hands of lawyers stigmatizes litigants and the claims they advance and fills the system with cynicism.

"Verdicts become harder to achieve. Meritorious claims are compromised or abandoned.

As a result, the blameworthy escape blame and the unscrupulous are able to evade responsibility for their actions."

Chief Justice Harrison said that universal access to lawyers and courts "is a social and political imperative.

"American society is premised on the promise that each of us is equal under the law. Such equality is impossible if people do not have a voice to speak for them in the courts of law. Attorneys are that voice . . . If ordinary people cannot enlist the aid of lawyers when they need to, if the judiciary becomes a tool available only to the wealthy and powerful, the courts will become a source of oppression instead of what they should be: a sanctuary for the oppressed."

Chief Justice Harrison said it is important for lawyers not to consider pro bono (free) legal services as a form of charity, but rather a necessity.

"The problem with regarding legal assistance as charity is that charity implies an act of grace that can be bestowed or withheld at the benefactor's whim, an act that need not necessarily be repeated. When it comes to legal access, that will not do.

"If we are ever to realize the promise of equal justice under the law, access to the judicial system cannot depend on the vagaries of personal benevolence. It must be certain and automatic, available to whomever needs it, whenever they need it, as a matter of course."

Chief Justice Harrison noted that there are more than 76,000 men and women who hold law licenses to practice in Illinois, and that each of them has a moral and professional duty to help those who don't have the resources to afford needed legal services.

He said when he was a practicing lawyer, he tried to do some pro bono work every single day.

"I have never mentioned this fact publicly before," Chief Justice Harrison said, "but I do so now because I challenge all Illinois lawyers to do the same. Then, we truly will have access to justice in this state."

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