



WSBA

WASHINGTON STATE BAR ASSOCIATION BOARD OF GOVERNORS

RESOLUTION

Reaffirming a Civil Equal Justice Crisis and Calling upon the Judicial Branch to Assume a Leadership Role in its Resolution

Whereas, equal justice for all under law is fundamental to American democracy and our system of government; and

Whereas, this promise of equal justice under law rings hollow for tens of thousands of vulnerable low-income individuals and families in Washington state who have no meaningful access to the civil justice system; and

Whereas, this de facto denial of equal justice has a devastating impact on these individuals, families and society as a whole, and works to erode public trust and confidence in our system of justice; and

Whereas, both the United States and Washington State Constitutions require that the judicial branch has the primary obligation to "establish justice" and ensure that "justice in all cases" is available without delay; and

Whereas, ensuring equal access to justice is a core function of the judicial branch and the Washington State Bar Association; and

Whereas, the Supreme Court and the entire judiciary shoulder primary leadership responsibility to ensure equal access to the justice system, including access by those who face barriers and obstacles they are unable to surmount on their own; and

Whereas, the Board of Governors of the Washington State Bar Association has declared lack of meaningful access to the justice system for vulnerable low-income people as one of the most serious issues facing the justice system, and has declared the existence of a "chronic problem that has reached a crisis level" in availability of civil equal justice services; and

Whereas, the Board of Governors of the Washington State Bar Association has recognized the need to institutionalize bar support and leadership in civil equal justice in Washington state, and continues to dedicate substantial resources to efforts to help expand access to the civil justice system; and

Whereas, Washington state's civil equal justice system continues to operate at levels far below that necessary to meet the civil justice needs of poor and vulnerable individuals and

families, and continues to be in need of a substantial and immediate increase in underwriting public support; and

Whereas, the Board of Governors of the Washington State Bar Association continues to be committed to working with its membership, the Supreme Court and the state judiciary, the Governor, the Legislature and the public at large to secure an adequate level of funding for civil equal justice efforts in our state;

Now, Therefore, Be It Resolved:

That the Washington State Bar Association Board of Governors:

1. Reaffirms its determination that there exists a crisis in the availability of civil equal justice services for vulnerable low-income people in Washington state, and the WSBA's commitment to exercise leadership to expand public and private funding to levels commensurate with the need; and
2. Calls upon the Governor, the Legislature, Congress and local officials to substantially increase state, federal and local support for civil legal assistance;

Be It Further Resolved,

Recognizing that ensuring equal justice is a core function of the judicial branch and that judicial leadership and commitment are essential to ensuring equal access to the justice system and to the achievement of equal justice for all, the Washington State Bar Association Board of Governors encourages the Supreme Court, the Board for Judicial Administration and the entire judiciary to establish partnerships with the WSBA, the civil equal justice community, local bar organizations and other justice system partners to

1. Develop viable and effective plans, both short and long term, to establish or increase funding and support for civil legal services for poor and vulnerable people; and
2. Expand the types of assistance available for unrepresented consumers of the justice system; and
3. Remove impediments to access to the justice system, including physical and language barriers, rules and procedures, disparate treatment and other differences that may serve as barriers.



Richard Eymann, President
Washington State Bar Association

June 28, 2000

October 20, 2000

BOARD FOR JUDICIAL ADMINISTRATION

Civil Equal Justice

Whereas, equal justice for all under law is fundamental to our democracy, and its realization is central to the effective operation of our system of government; and

Whereas, the promise of equal justice under law rings hollow for tens of thousands of vulnerable low-income individuals and families in Washington state who have no meaningful access to our civil justice system; and

Whereas, lack of meaningful access to the civil justice system has a devastating impact on vulnerable and low-income people who are unable to assert, defend or enforce important legal rights, severely limits the judiciary's ability to dispense justice fairly and impartially, and as a result works to erode public trust and confidence in our justice system; and

Whereas, Washington state's civil equal justice system is unable to adequately meet the civil justice needs of vulnerable and low-income individuals and families, and continues to be in need of a substantial and immediate increase in underwriting public support;

Whereas, a primary purpose of the United States Constitution is to "establish justice," and that under the Washington State Constitution it is the duty of the judiciary to ensure that "justice in all cases shall be administered . . . without unnecessary delay;" and

Whereas, the judicial branch has a fundamental duty to promote and ensure equal access to the justice system; and

Whereas, the Board for Judicial Administration was established to provide effective leadership to the state judiciary and to develop policies that enhance the administration of the justice system in Washington State; and

Whereas, the Board for Judicial Administration recognizes the importance of working with the entire judiciary, the Washington State Bar Association, the Governor, the Legislature, the Congress and the public at large to secure an adequate level of funding for civil equal justice services, and address other issues that limit or inhibit access to the civil justice system for vulnerable low-income people in Washington State;

Now, Therefore, Be It Resolved:

That the Board for Judicial Administration:

1. Declares that the unavailability of civil equal justice services for vulnerable and low-income people severely limits the administration of justice in Washington state, and joins with the Washington State Bar Association and the civil equal justice community in their commitment to exercise leadership to expand public and private funding to levels commensurate with the need; and
2. Calls upon the Governor, the Legislature, Congress and local officials to substantially increase state, federal and local support for civil legal assistance;
3. Commits to work in partnership with the entire judiciary, the WSBA, the civil equal justice community, local bar organizations and other justice system partners to:
 - Develop viable and effective plans, both short and long term, to establish or increase funding and support for civil legal services for poor and vulnerable people; and
 - Expand the types of assistance available for unrepresented consumers of the justice system; and
 - Remove impediments to access to the justice system, including physical and language barriers, rules and procedures, disparate treatment and other differences that may serve as barriers.

Chief Justice Richard P. Guy, Co-Chair
Board for Judicial Administration

Judge James M. Murphy, Co-chair
Board for Judicial Administration