

LEGAL SERVICES AND AN ANTI-POVERTY AGENDA: A CONFLICT OF VISIONS AND
THE NEED FOR THEIR RECONCILIATION

IN TRIBUTE TO ED SPARER

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INTRODUCTION

While American legal aid programs have existed for over a century, it was not until the Office of Economic Opportunity (OEO) waged its War on Poverty in the 1960s that legal services were envisioned as a method to challenge and end poverty. While the original legal aid programs were designed to assist the indigent in dealing with particular legal problems, the goal of the new legal services programs was to give poor people a voice and access to the justice system, thereby making structural and systemic changes that would lead to the end of poverty.¹ Unlike the British legal aid system, which paid private attorneys to handle cases for the indigent, OEO planned to create nonprofit legal services programs that would hire staff attorneys funded with government dollars.² This would allow the full time anti-poverty lawyers to develop expertise on poverty issues and advocate aggressively on their clients' behalf.³

The new legal services vision included a goal of “law reform” for the poor, and in the early days of OEO, law reform proposals were given priority in funding decisions.⁴ No longer were legal aid programs being designed to simply respond to the problems that individual poor people brought to intake offices; instead, the programs were to work with low income

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¹ ALAN W. HOUSEMAN & LINDA E. PERLE, CTR. FOR LAW & SOC. POLICY, SECURING EQUAL JUSTICE FOR ALL: A BRIEF HISTORY OF CIVIL LEGAL ASSISTANCE IN THE UNITED STATES 5 (2007).

² *Id.* at 9.

³ *Id.*

⁴ *Id.* at 11.

communities to identify needs and strategically set priorities that protected and advanced the rights of poor people and poor communities as a whole.⁵

While this new incarnation of legal services was established with funding from OEO between 1966 and 1970, legal services programs have found it challenging to maintain the OEO vision in the intervening years. The struggle between the vision of legal services providers as “systems change” agents, working on behalf of indigent client communities to end poverty and its causes, and the contrasting vision of legal services as the means for an individual client with a legal problem to access a lawyer for help with one case, has been a central and ongoing tension in the legal services community.

At some points, it was suggested that the OEO vision of legal services as anti-poverty law reform had died, sacrificed to the simpler goal of individual casework. Indeed, as early as 1976, Edward Sparer wrote, albeit somewhat facetiously, “[t]he War on Poverty suffered political defeat. . . legal services no longer appears associated with social change, but with affording a client a lawyer.”⁶ However, in truth, the vision of social change lawyering put forth by the OEO has survived with force and power. While all legal services work has not embodied that vision, it has been central to the struggles, debates, and decision-making in the legal services community throughout the last forty-five years, if only because of its conflict with the competing vision of legal services for individual case representation, and the ongoing attempt to resolve the two goals in a world of limited resources.

In 2011, four decades after the War on Poverty, many legal services programs, staff, funders, and supporters treasure and embrace the idea that their programs seek to end poverty – or, if that is unattainable, at least to address and minimize poverty.⁷ At the same time, others have the “legal aid society” goal of assisting people with whatever immediate legal problem they face. In this view, the legal services program is a law firm, not a social change agency, and provides a service: assisting clients with their custody case, their eviction, or their public benefits hearing, and then moving on to the next person who needs help.

I. POLITICS AND THE CONFLICTING VISIONS

The conflict between the two visions affects a wide range of critical decisions in legal services delivery: priority setting, resource allocations, hiring, office structures, lawyer specialization, fundraising, and management approach. And it has frequently been the unspoken story line behind the political and funding struggles of legal services. If a legal services program is to assist indigent persons in making meaningful change through law reform to improve their situation, the program is likely to challenge existing laws, through legislative or litigation strategies. Legal services programs did this early on in the OEO era, and with remarkable success. They won major cases, frequently class actions, in a variety of courts, including landmark decisions in the U.S. Supreme Court, which changed the landscape for poor people seeking justice. *Goldberg v. Kelly* is an obvious example of a seminal U.S. Supreme Court case,

⁵ *Id.* at 12.

⁶ Edward V. Sparer, *Legal Services and Social Change: The Uneasy Question and the Missing Perspective*, NLADA BRIEFCASE, Dec./Jan. 1976-77, at 58.

⁷ Florence Wagman Roisman, *Aggressive Advocacy*, MGMT. INFO. EXCHANGE J., Spring 2003, at 22 (quoting Florence Roisman, who describes this mission eloquently in a speech she delivered at a NLADA conference in 2003, saying, “We are not ordinary lawyers. We are part of a program with a noble mission. The Legal Services program was created to achieve a particular and precious goal – to end poverty.”).

establishing that a poor person's constitutional right to due process required a hearing prior to the termination of his or her welfare benefits.⁸

But success at making change on behalf of the poor challenged the existing governmental structures. Indeed, legal services lawyers were using their government funding on behalf of their clients to sue government entities, overturn legislation enacted by government bodies, and force governmental agencies to change their policies and practices.⁹ And the powers that be were not all pleased

The success of law reform work quickly garnered political opposition to legal services. While the idea of representation of the poor as an essential part of the justice system sounds basic, the actual effects of the law reform work were not popular with many politicians.¹⁰ The contrast and conflict between representing clients with individual small problems and handling cases that resulted in systemic change were already in play in the earliest years of the OEO legal services model. While President Nixon is often credited with creating our modern legal services system by proposing a bill to establish the independent Legal Services Corporation (LSC) and signing it into law, his vision did not include an anti-poverty agenda.¹¹ Nixon's version of the legislation included prohibitions on lobbying and political activities by staff attorneys.¹² The same discomfort with the anti-poverty agenda was evidenced in Congress, where a variety of restrictions designed to limit law reform activities were placed in the House legal services bill before it was passed.¹³ Thus, within years of the OEO vision of an anti-poverty movement, there was already strong pressure for a "legal aid" vision of legal services work, rather than a "law reform" vision.

The political push to avoid anti-poverty law reform work has continued since the creation of the LSC. Ronald Reagan came to the presidency with an existing antipathy to legal services, having opposed its work on behalf of migrant farmworkers as the Governor of California.¹⁴ Reagan had seen the power of legal services to push for change for farmworkers, some of the poorest paid and most exploited of America's workers, and did not believe that government should be supporting such work.¹⁵ Reagan saw a "judicare" model as an alternative; this model, like the British system, uses funds to pay private attorneys to handle individual cases.¹⁶ Paying private attorneys for representation of individual clients effectively limits legal services work to the "legal aid" model, as there are no full time staff attorneys funded to work on

⁸ *Goldberg v. Kelly*, 397 U.S. 254, 267-68 (1970).

⁹ *See also Shapiro v. Thompson*, 394 U.S. 618 (1969) (holding that welfare recipients could not be denied benefits based on the length of time they had been in the state); *Escalera v. N.Y.C. Hous. Auth.*, 425 F.2d 853 (2d Cir. 1970) (requiring adequate notice, information and some sort of hearing before public housing tenants could be evicted from public housing).

¹⁰ As discussed below, one example of a long time consistent opponent to legal services is Ronald Reagan, who, as Governor of California in the 1960s, adamantly opposed federally funded legal services for the indigent. *See HOUSEMAN & PERLE*, *supra* note 1, at 14.

¹¹ *HOUSEMAN & PERLE*, *supra* note 1, at 19.

¹² *Id.*

¹³ *Id.* at 19-20.

¹⁴ *Id.* at 14-15 (discussing then Governor Reagan's attempts to prevent California Rural Legal Assistance from receiving federal legal services money).

¹⁵ *Id.*

¹⁶ *See id.* at 24-25 (discussing efforts to increase private attorney involvement in the provision of legal services to the poor).

larger anti-poverty issues, and there is no vision of giving communities in poverty a voice in the justice system, nor of prioritizing and addressing the larger challenges or issues that affect poor people's lives.

Reagan sought to reduce or eliminate funding for LSC, and Congress eventually went along with Reagan's view, slashing the LSC appropriation by twenty-five percent in 1982.¹⁷ Along with the funding reduction, attempts were made in Congress to impose new restrictions on legal services advocacy to limit certain activities related to law reform work, and to increase bar association oversight of local programs.¹⁸ In 1982, a number of such restrictions on the use of LSC funds were imposed, including restrictions on the use of funds for lobbying and rulemaking, and procedural requirements for filing class actions.¹⁹

This political opposition clearly targeted legal representation that resulted in systemic change; work at the legislative or regulatory level and class litigation, which could assist thousands of poor people, was unacceptable; work on behalf of a single poor person regarding his or her problem could proceed. Reagan and Congress believed in access to justice as long as it did not have much impact beyond the individual clients served.

Despite the 1982 restrictions, many legal services programs continued to see their work in OEO terms. The heady accomplishments of class actions in the glory days of a sympathetic U.S. Supreme Court, together with experience in seeing the power of legal advocacy to make bureaucracies more responsive to poor clients, meant that legal services attorneys still approached their work with the goal of making larger change for their clients and client communities. Many of the programs were made up of attorneys who had been hired with this mission in mind, and had witnessed its power. Legal services support and backup centers, which had been established during OEO days, encouraged and supported local programs in identifying and pursuing law reform work, providing legal updates, technical assistance, and substantive legal training.²⁰ While the 1982 Congress may have sought to transform legal services programs into the individual services model, most programs effectively mixed individual representation, paid for with LSC dollars, with law reform work, subsidized by other sources including statutory attorneys' fees they collected for successful litigation. For many programs, the mix of individual representation with systems work was critical to their success; contact with many individual clients and their problems was the basis for informed and relevant systems change work.

This situation changed drastically in 1996. Like Ronald Reagan, Newt Gingrich came to power with a clear interest in limiting or, if possible, eliminating federal LSC funding.²¹ And like Reagan, Gingrich's concern was not individual representation of the poor, but rather legislative and regulatory advocacy and class actions, the work that sought to make broader-based change. Since the 1982 restrictions on LSC funds did not fully eradicate such work, the Gingrich Congress broadened the scope of control on legal services providers by expanding and extending the prohibitions on legislative and regulatory advocacy and class actions. Most importantly, the new restrictions applied those prohibitions to all funds received by an LSC recipient agency. No longer could an LSC law office simply segregate its federal monies and do legislative work or

¹⁷ HOUSEMAN & PERLE, *supra* note 1, at v.

¹⁸ *Id.* at 30.

¹⁹ *Id.*

²⁰ The National Senior Citizens Law Center, the National Consumer Law Center and the National Employment Law Project are examples of these legal services support and backup centers.

²¹ HOUSEMAN & PERLE, *supra* note 1, at 35-36 (noting that part of Gingrich's 1994 "Contract for America" included the elimination of the Legal Services Corporation).

class action work with foundation funds, attorneys' fees, or state grants; the work was prohibited irrespective of the funding source.²²

This development was powerful and devastating. Suddenly in 1996, programs that saw their work in OEO terms were prohibited from doing most of the activities that addressed the problems of their poor clients in a systemic way. Some programs reacted with structural changes to protect their ability to do the work which had become prohibited, setting up new organizations to receive non-LSC funds, or sending attorneys with class action and legislative experience to other non-profits to continue that work.²³ But overall, legal services programs now felt compelled to stay away from the types of impact work that traditionally resulted in broad changes for their client communities. Approaching government agencies to advocate for amendments in regulations or legislation that disadvantaged domestic violence victims was no longer permitted; suing on behalf of a class of disabled persons illegally denied Social Security benefits was prohibited; even going to talk to a roomful of low income workers about their legal rights could raise flags because of limitations on "in person solicitation."

In addition, the support centers envisioned by OEO to assist legal services providers in their anti-poverty work, which had created infrastructure for training, information, and technical assistance to local programs, were defunded by Congress in 1996.²⁴ The national organizations that specialized in health law, employment law, consumer law, elder law and other areas, and which had provided assistance, training, and support to legal services lawyers for their systems-oriented advocacy, were forced to find other funding to survive, and many lost staff and struggled to continue their work.

Despite organized efforts by bar associations and legal aid advocates to repeal the 1996 restrictions, after fifteen years, most of them remain in effect.²⁵ While there are some permissible ways to continue doing systemic work despite the restrictions, the impact on legal services practice has been huge. Simply the "chilling effect" of knowing that certain activities will bring a legal services program under scrutiny by LSC and the federal Office of Inspector General means that LSC funded programs shy away from work to create systemic change and sometimes mistakenly believe that all systemic activities are prohibited.²⁶ New lawyers and managers hired in the many years since the restrictions were imposed no longer even imagine that their agencies have the mission OEO envisioned. Thus, the 1996 Congress found a forceful way to move legal services organizations away from the OEO anti-poverty model and back towards the individual

²² See Omnibus Consolidated Rescissions and Appropriations Act, Pub. L. No. 104-134, § 504, 110 Stat. 1321 (1996). For a discussion of the breadth and specifics of the restrictions, see Alan W. Houseman, *Restrictions by Funders and the Ethical Practice of Law*, 67 FORDHAM L. REV. 2187 (1999).

²³ See e.g., Catherine Carr & Alison Hirschel, *The Transformation of Community Legal Services, Inc., of Philadelphia: One Program's Experience Since the Federal Restrictions*, 17 YALE L. & POL'Y. REV. 319 (1998) (discussing the reaction to the 1996 restrictions by Community Legal Services in Philadelphia, rejecting federal funding for itself and dividing up services with Philadelphia Legal Assistance, a new organization which would receive federal funding and be subject to the new restrictions that came along with such funding). See also HOUSEMAN & PERLE, *supra* note 1, at 41-43 (describing the "dramatic transformation" of legal services following the 1996 funding restrictions).

²⁴ See Omnibus Consolidated Rescissions and Appropriations Act, 110 Stat. at 1321 (1996) (allocating money to field programs but omitting any mention of money for support centers).

²⁵ The Consolidated Appropriations Act of 2010 repealed the prohibition on LSC grantees from claiming, collecting or receiving attorneys' fees in cases they litigate, a restriction which had been in place since the 1996 Appropriations Act was passed. Pub. L. No. 111-117, § 533 (2009).

²⁶ The Office of Inspector General has a large presence at LSC as a result of a generous Congressional appropriation for that purpose.

representation focus of the early legal aid society days.

Many legal services lawyers with the most commitment to systemic change work reacted to the restrictions by leaving LSC funded programs and finding or founding other agencies in which to work. And the restrictions impacted the ability of legal services programs to attract new lawyers. As LSC recipient organizations turned away from some of their former law reform work, their reputation as creative, aggressive anti-poverty advocacy organizations suffered. This has meant that they are less able to attract some aggressive new attorneys interested in systemic change. Even though many LSC programs continue to engage in permissible systems change work, word is out in some law schools that legal services programs are no longer exciting places to work.²⁷ Because LSC programs cannot initiate the kinds of anti-poverty work they once did, many new lawyers look to work in other public interest law agencies that focus on civil rights or constitutional law, without the federal restrictions.²⁸ The problem is circular; lawyers less committed to systems change advocacy and more interested in helping individual clients go to LSC programs, which then do less of systems advocacy work.

II. LEGAL SERVICES PROGRAMS AND THE CONFLICTING VISIONS

Even before the 1996 restrictions pushed programs receiving federal LSC funds away from class actions, legislative advocacy, and other more systemic anti-poverty work, legal services programs differed greatly in their commitment to the OEO anti-poverty vision. The tension between the two visions was visible in programs' approaches to priority setting and resource allocation. Did programs put resources into community education, legislative advocacy, and large class litigation, or did they instead see their priority as providing an attorney to every person facing domestic violence, an eviction, or a custody dispute? While larger programs could more easily balance a combination of work, providing both some individual representation and some work to address broader anti-poverty issues, programs with small staffs, or many geographically-dispersed small offices, could not always find resources for work other than handling the immediate issues presented by clients walking in the door.

Some programs faced strong local pressures to see their work as individual representation rather than anti-poverty work. Board members and local government officials often wanted program work which would not challenge the status quo, and judges wanted legal aid lawyers to help out the judiciary by representing otherwise pro se clients in contentious cases in family law or other areas. Funders who wanted to measure outcomes in numbers of people served often pushed programs away from systems advocacy, where successes may be achieved more slowly and are harder to quantify.

Of course, resource questions are central to every legal services program's work. Throughout their history, programs have suffered from an extreme lack of resources to serve all needy clients. Study after study has shown that programs can meet only about twenty percent of low-income Americans' needs for legal representation in civil matters.²⁹ As programs look at

²⁷ I have had a number of conversations with law students, new lawyers, and law school public interest coordinators and placement officers noting this perspective on legal services work.

²⁸ It is important to note that I am not suggesting that individual case work is not valuable, compelling, intellectually demanding or exciting, irrespective of the opinion of some law students. As discussed below, in my view, individual casework is an absolutely essential part of the work of an excellent legal services program; approaching that work with an anti-poverty agenda and combining it with systems work of some sort is what makes it most powerful.

²⁹ See generally LEGAL SERVS. CORP., DOCUMENTING THE JUSTICE GAP IN AMERICA, THE CURRENT

their clients' many needs and set priorities for the use of their limited resources, we would expect the value of work which will have broad impact to be strongly considered. While one attorney can only handle a small number of individual cases in mortgage foreclosure, which demand intensive document analysis and briefing, a class action to challenge a lender's illegal practices can help hundreds of homeowners, and legislative advocacy to establish a homeowners' financial assistance fund may help thousands. Assisting one child after another to find housing after they have been abandoned by the foster care system at age eighteen can take just as much time as advocacy with the child welfare agency to adjust its policies and programs to benefit dozens of such teens. A critical, reflective, and flexible approach to lawyering on behalf of the poor with stringently limited resources could easily lead programs and funders to give high priority to advocacy which addresses change to systems, as well as to work which addresses the needs of individuals. Yet, somehow this argument has rarely been raised. Indeed, the political opposition to systems work demonstrates that Congress prefers to provide more funds for individual client work than for systems work, despite the less efficient results.

Of course, while individual work may be "less efficient," it is also compelling and important. It is extremely difficult for legal services advocates who are face to face with clients in stark circumstances to turn them away from representation, even when the advocates believe that a focus on systems change work would be more effective in the long run. Understandably, legal services staff want to provide help to every woman facing domestic violence, to every family facing eviction, and to every ill senior losing health care. Because the most difficult part of legal services work can be saying "no" to desperate clients, without conscious and careful planning and strategic decision making, it is easy for a program to simply focus on the cases that "walk in the door."

A decade ago, some legal services leaders thought that the promise of technology provided an answer to limited resources, and they started advocating for "100% access" to legal services.³⁰ By moving from in-person consultations with clients to telephone "hotline" contacts and using new computer resources, they argued that every single indigent person who needed assistance could now be served.³¹ Others saw this as in direct conflict with the anti-poverty mission. If limited resources were focused on some assistance to every person in need (rather than to only the twenty percent whom legal services traditionally had assisted), they feared that work to address systemic poverty issues would fall by the wayside.³² Legal services attorneys who still carried the OEO law reform vision of their work were uncomfortable with a vision of legal services that focused on high volume telephone advice.³³

UNMET CIVIL LEGAL NEEDS OF LOW INCOME AMERICANS (June 2007), available at <http://www.lsc.gov/justicegap.pdf> (reviewing a number of studies and concluding that for every person served by a legal services organization, one is turned away, and that only a small percentage of legal problems experienced by low income persons, about one in five, are addressed with the assistance of counsel).

³⁰ For a discussion of this movement and its pros and cons, see John Arango, *A Closer Look at "Full Access"*, MGMT. INFO. EXCHANGE J., Spring 2002, at 12. See also John F. Ebbott, *Will Deep Waters Run Shallow? The Danger to High Quality Legal Services in an Era of 'Full Access'*, MGMT. INFO. EXCHANGE J., Winter 2001, at 3, 4 (discussing a "national push" towards "full access" and arguing for a high quality of representation rather than one hundred percent access to representation).

³¹ Arango, *supra* note 30, at 16.

³² Ebbott, *supra* note 30, at 4.

³³ See Ebbott, *supra* note 30, at 11 ("We must make this a campaign for justice, not merely civil legal services.").

Most recently, the ABA, judiciary, bar, and legal services leaders have joined together in a national concerted push for a Civil Gideon movement to provide a right to counsel in civil cases “in adversarial proceedings where basic human needs are at stake, such as those involving shelter, sustenance, safety, health or child custody.”³⁴ While legal services providers are strongly supportive of a civil right to counsel, in an era of economic recession and governmental budget shortfalls, some worry quietly that a push for right to counsel will become a new reason for resources to be shifted from systems change and anti-poverty work to individual representation in court proceedings.³⁵

III. CAN WE RESOLVE THE TENSION BETWEEN THE TWO VISIONS?

So what does it mean for America’s legal services programs that the vision of their work is so conflicted? Does it hurt that after forty-five years, leaders, politicians, funders, and even the staff doing the work each day carry varying goals for their work? Is it time to recognize the political difficulties of an anti-poverty agenda and return to the vision of the legal aid societies that legal services should simply provide high quality assistance to individuals in need? Or alternatively, is it time to adopt the vision of the Civil Gideon movement, and make assistance to individuals in adversarial proceedings affecting their most basic needs the priority work? Or can we somehow return to the grand OEO vision of legal services as a means to address poverty in America?

I suggest that the greatest strength of our legal services community lies in our ability to live with the two visions and the tension they produce, rather than choose one side or the other. We best serve our clients when we grapple with the conflict, identify it, and use it to their advantage. Our clients need individual attention, assistance and representation. They come to our offices with particular situations, which are often stunningly difficult and distressing. We must be there to help them deal with their immediate and individual problems, and do that zealously and well.

At the same time, we cannot ignore the bigger systemic issues, which underlie the individual problems we see. To the extent we can step back and make changes that will prevent more people from approaching us with the same problems, we must do so. If we can use our legal skills to assist our client communities so that fewer people end up facing a crisis that requires a lawyer, we must do so. If we can take on advocacy that will reduce the suffering of many hungry children seeking food stamps, or the distress of many seniors seeking medicines they need, or the anxiety of many homeless veterans seeking shelter, then that is our work. We must take it on in addition to, and in coordination with helping the individuals in front of us.

Indeed, it is the information we gather from the hundreds and thousands of clients we help that makes our systemic work so powerful. Because we are exposed to the struggles and problems our clients are facing, because we meet with them, listen to them, and work with them, we can strategically focus our reform work to make the most difference for their communities and

³⁴ ABA House of Delegates, Res. 112A (2006), *available at* <http://www.americanbar.org/content/dam/aba/migrated/legalservices/sclaid/downloads/06A112A.authcheckdam.pdf>.

³⁵ *See generally* DAVID UDELL & LAURA ABEL, NAT’L COAL. FOR A CIVIL RIGHT TO COUNSEL, INFORMATION FOR CIVIL JUSTICE SYSTEMS ABOUT CIVIL RIGHT TO COUNSEL INITIATIVES 8-10 (2009), *available at* <http://www.civilrighttocounsel.org/pdfs/NCCRC%20Informational%20Memo.pdf> (discussing anticipated questions of current civil legal services providers about the right to counsel movement including how the civil right to counsel will affect systemic advocacy).

work toward solutions that meet their needs and desires.

How do we do all this, especially with limited resources? As with most of life's struggles, the answer lies in seeking a balance. The best legal services programs will recognize the power of using the client cases they handle each day as a means to gather both information and inspiration to make larger change. They will realize that the challenge of limited resources in itself mandates an approach that seeks change for many, rather than just for a few. They will constantly and consistently struggle and evaluate their priorities and approaches in view of the two competing goals. On the one hand, they will see the need to give a voice to voiceless communities in the halls where laws are made to improve the future; but they will also understand the need to stand up for the individual who needs a roof over his head tonight. They will recognize the importance of educating and working with groups of clients, to help them work for larger change. They will see that, ultimately, the stories of their individual clients are the stories that will someday change the world. We in legal services, with our clients, can show the way; we will not accept the poverty and distress that we see each day as normal and inevitable. Instead, we must take on as our work both the individual's problem that results from poverty, and our culture's problem of accepting and perpetuating poverty. By doing both, we can effect significant, even momentous, change.

There really is no dichotomy between the needs of the clients we see, and the needs of the many more who do not make it into our offices, but whom we can still help through law reform work. As Ed Sparer wrote, "the high quality pursuit of 'more case services'" will lead "lawyer and client to the need for large social changes." The difference in the two goals is "mere illusion."³⁶

I do not pretend that this is easy. The political pressures to move away from anti-poverty work which we have experienced over the past decades will continue. The movement for Civil Gideon will help us gain support for legal aid to the poor, but will also complicate the discussion of our already complex mission. And the realities of a global fiscal downturn will impact our access to funds, even as it increases the needs of our clients. But the bottom line is that if we do our jobs well, we will bear witness to the poverty and distress we see each day as we assist our individual clients, and we will go beyond serving them individually to pushing for bigger solutions when we can.

Our "anti-poverty" work will be varied: it may be advocacy for a policy change, organizing a community educational program, advising grassroots organizations, filing litigation to enforce a law, or writing an editorial about injustice. It may simply be demonstrating how to represent a client with excellence in a system that tolerates, and indeed expects, shoddy lawyering for the poor. But it is work that holds close and communicates our conviction that our clients' daily experiences with poverty and injustice are unacceptable, and that change can and must be made.

Legal services lawyers are in an enviable position. They see the injustices of our society close up, and they have tools to address them. Our waiting rooms and computer case files are filled with stories that illustrate the failure of America to provide the opportunity to succeed for all its children, or to provide justice for its most vulnerable. We can help, through individual service and through efforts for deeper change. Let us take up both visions, struggle with them, carry them, and move forward for justice for all.

³⁶ Sparer, *supra* note 6, at 58.