



July 24, 2020

The Honorable Jim McGovern
 Chairman, House Committee on Rules
 U.S. House of Representatives
 Washington, DC 20515

The Honorable Tom Cole
 Ranking Member, House Committee on Rules
 U.S. House of Representatives
 Washington, DC 20515

The Honorable José Serrano
 Chairman, Subcommittee on Commerce,
 Justice, and Science
 House Appropriations Committee
 U.S House of Representatives
 Washington, DC 20515

The Honorable Robert Aderholt
 Ranking Member, Subcommittee on
 Commerce, Justice, and Science
 House Appropriations Committee
 U.S House of Representatives
 Washington, DC 20515

Re: Proposal to Reestablish the U.S. Department of Justice’s Office for Access to Justice

Dear Chairman McGovern, Chairman Serrano, Congressman Cole, and Congressman Aderholt,

We write to ask you to support amendment number 57 to Division B of H.R. 7617 in the Rules Committee. Congresswoman Scanlon’s amendment would establish and fund the Office for Access to Justice within the existing appropriation for the General Administration account at the Department of Justice.

The U.S. Department of Justice’s Office (DOJ) for Access to Justice (ATJ) – an initiative of the Obama Administration launched in 2010 that was closed by the current administration in 2018 – had an ambitious mission to help the justice system efficiently deliver outcomes that are fair and accessible to all, irrespective of wealth, race, or status. As the voice of access to justice in the executive branch, ATJ’s many accomplishments included: a robust statement of interest and amicus brief practice, weighing in on cases implicating the Sixth Amendment right to counsel and criminalization of poverty; launching and staffing the White House Legal Aid Interagency Roundtable to raise federal agencies’ awareness of how civil legal aid helps advance a wide range of federal objectives including improved access to health care and housing, education and employment, family stability and public safety; providing expertise on the right to counsel to Tribes and Tribal Public Defender Offices implementing special domestic violence criminal jurisdiction recognized in the Violence Against Women Reauthorization Act of 2013; and ensuring the United States served as a leader in the global access to justice movement.

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The lack of an access to justice focal point in the executive branch has been harmful to the effectiveness of government programs and policies. Just a few examples help illustrate this: new limits on DOJ grantees giving victims of human trafficking needed legal help; vanished guidance to states about supporting public defenders, not just police and prosecutors, with federal formula funds, and eliminating unconstitutionally excessive fees and fines; disappearance of "know your rights" programs for immigrant children and their families; and the breakdown of interagency collaboration to address the civil legal needs of homeless veterans and remove obstacles to employment for people with a criminal record.

Federal leadership is needed now more than ever:

- We need a coordinated executive branch federal response to the tsunami of pandemic-related civil and criminal justice issues. The reestablished office would resurrect its interagency work within DOJ and across federal agencies to address pandemic-related civil justice problems for millions of Americans, such as escalating domestic and elder abuse, housing instability from evictions and foreclosures, debt collection, and access to health care, unemployment insurance, and other government benefits and social services, as well as in our prison and jail populations — incarceration must not be a death sentence.
- Overall trust in the justice system is at an all-time low, especially among low-income people and people of color.
- We need government programs to work as effectively as possible, which often means including legal help alongside other supportive services.

That is why we ask you to support Congresswoman Scanlon's amendment that would reestablish the U.S. Department of Justice Office for Access to Justice to reassume its functions as the Executive Branch's expert on civil and criminal legal services for people who are low-income and otherwise underserved as laid out in 28 CFR §0.33 and staff the White House Legal Aid Interagency Roundtable established by President Obama in a 2015 Presidential Memorandum.

Thank you for your consideration.

Sincerely,

Center for American Progress
Fair and Just Prosecution
Fines and Fees Justice Center
The International Legal Foundation
Human Rights Watch
Juvenile Law Center
Kids in Need of Defense
Leadership Conference Education Fund
National Association of Criminal Defense
Lawyers
National Center for Access to Justice at
Fordham Law School

The National Center for Medical-Legal
Partnership
National Juvenile Defender Center
National Law Center on Homelessness
and Poverty
Policy Advocacy Clinic, UC Berkeley
School of Law
Voices for Civil Justice
Youth Collaboratory

cc: The Honorable Mary Gay Scanlon, Member, House Committee on Rules