



Office of the Governor

February 5, 2010

The Honorable John Hines
Senate President
State Capitol, Room 204
Cheyenne, WY 82002

The Honorable Colin Simpson
Speaker of the House
State Capitol, Room 204
Cheyenne, WY 82002

"All courts shall be open and every person for an injury done to person, reputation or property shall have justice administered without sale, denial or delay."

- Wyoming Constitution, Art 1, §8

Re: Support of Access to Justice legislation, "*Legal Services Funding*"

Dear President Hines and Speaker Simpson:

I write to you to express my support for a bill that will be introduced in the Wyoming House of Representatives and sponsored by Reps. Hales, Lockhart, Lubnau and Throne and in the Wyoming Senate sponsored by Sens. Meyer, Massie and Ross. The bill, titled *Legal Services Funding*, will help to make real a tenant of our legal system - justice for all.

Our Constitutional forefathers saw fit to ensure that the courts belonged to the people. Unfortunately our current legal system falls far short of that bedrock principle. Conservative estimates put our extremely low-income population in Wyoming at about 75,000; national figures tell us that at least 80% of the people in that group who have a civil legal issue are not able to get any help. That's simply unacceptable.

Under the leadership of Justice Jim Burke, the Wyoming Supreme Court has partnered with the Wyoming State Bar and formed a task force - the Access to Justice Commission - that has studied the issue of unmet legal need in Wyoming. This group helped develop the *Legal Services Funding* bill, which proposes to create a high-quality, state-wide, indigent civil legal services program for Wyoming.

This is a system based solution, where the Courts and the legal system are fixing the problems rather than expecting the Wyoming taxpayers to carry the burden. Specifically, the program will be funded through the Wyoming Supreme Court's budget and all funds will be subject to Legislative appropriation but there is not a general fund appropriation.

President Hines and Speaker Simpson

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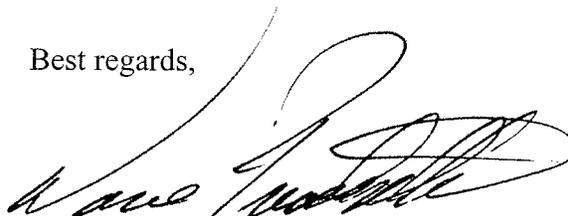
To fund indigent civil legal services the bill establishes a \$10 increase for court filing fees for the district and circuit courts; this funding model is used by 31 other states. The \$10 fee will be paid into a newly created account in the budget of the Supreme Court. This modest increase keeps Wyoming's filing fees among the lowest in the nation (48 out of 50 states for district court filing fees). While small, this filing fee increase will provide approximately \$1.5 million per year for legal services. This estimate is based on the amount of money that is currently generated by the \$10 court automation fee.

Wyoming cannot depend entirely on very limited and unreliable federal funding for these pressing needs. As described in the Access to Justice Commission's report, "Indigent Civil Legal Services in Wyoming: A report to Governor Freudenthal and the Wyoming Legislature and a Call to Action to Establish a Statewide Program," programs in other states have demonstrated that a well operated and funded civil legal services program for the indigent more than pays for itself.

The bill will establish such a statewide structure without requiring the establishment of a new state agency or enlarging an existing agency. The bill requires development of a comprehensive written plan for statewide legal services, which must be filed with the Joint Appropriations Interim Committee and Joint Judiciary Interim Committee by November 1, 2010, and again by May 1, 2011.

I commend the Commission, and particularly Sen. Tony Ross, for their commitment to indigent civil legal services, which will benefit your constituents: the elderly, children, and the disabled. I urge the Legislature to support this bill and will contribute my time and energy to assist the legislative process in any way that I can.

Best regards,

A handwritten signature in black ink, appearing to read "Dave Freudenthal", written in a cursive style.

Dave Freudenthal
Governor

DF:LM:pjb

cc: Members of the Access to Justice Commission