

# United States Senate

WASHINGTON, DC 20510

February 16, 2018

The Honorable Jeff Sessions  
United States Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave., NW  
Washington, DC 20530

Dear Attorney General Sessions:

We write to express our strong opposition to reports of your decision to sideline and effectively close the Office for Access to Justice (“ATJ”) that is dedicated to promoting accessibility, ensuring fairness and increasing efficiency in our justice system.<sup>1</sup> Even more troubling is your apparent effort to circumvent Congress by moving resources away from ATJ without officially closing it as required under law.<sup>2</sup>

When former Attorney General Eric Holder formed the Office for Access to Justice in 2010, he did so with the noble and much-needed goal of improving legal resources for indigent litigants in civil, criminal and tribal courts. The Department of Justice’s own website states that the ATJ’s mission “is to help the justice system efficiently deliver outcomes that are fair and accessible to all, irrespective of wealth and status.”<sup>3</sup> It is unfortunate that you apparently do not share these laudable goals.

Huge swaths of the American public are unable to access an attorney due to lack of resources. In fact, in more than three-fourths of all civil trial cases in the United States, at least one litigant does not have a lawyer.<sup>4</sup> Many Americans do not even make it to court. Without legal counsel, Americans may be unaware of their legal rights.<sup>5</sup> This is especially burdensome in the areas of housing law, family law, and consumer law and the poor pay the biggest price. According to Legal Services Corporation’s 2017 report *The Justice Gap*, “of the estimated 1.7 million civil legal problems for which low-income Americans seek LSC-funded legal aid, between 1.0-1.2 million (62%-72%) received inadequate or no legal assistance.”<sup>6</sup> In other words, for every 100 legal problems for clients seeking assistance from Legal Services Corporation programs, between 62 and 72 of the legal problems are unable to receive guidance from an attorney due to

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<sup>1</sup> Katie Benner, *Justice Dept. Office to make Legal Aid More Accessible Is Quietly Closed*, N.Y. TIMES, Feb. 1, 2018, available at <https://www.nytimes.com/2018/02/01/us/politics/office-of-access-to-justice-department-closed.html>.

<sup>2</sup> Pub. L. No. 96-132, § 8, 93 Stat 1040, 1046 (1979)

<sup>3</sup> U.S. Department of Justice, Office for Access to Justice, <https://www.justice.gov/atj>.

<sup>4</sup> REBECCA BUCKWALTER-POZA, MAKING JUSTICE EQUAL, CENTER FOR AMERICAN PROGRESS (Dec. 8, 2016), available at <https://www.americanprogress.org/issues/criminal-justice/reports/2016/12/08/294479/making-justice-equal/>.

<sup>5</sup> *Id.*

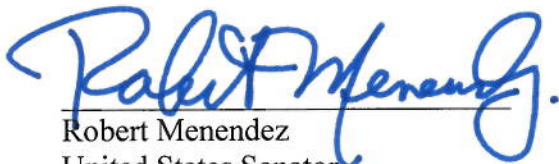
<sup>6</sup> Legal Services Corporation, <https://www.lsc.gov/what-legal-aid/unmet-need-legal-aid>.


lack of resources.<sup>7</sup> Given these jarring statistics, it is deeply troubling that you would seek to quietly marginalize ATJ. To that end we seek answers to the following questions:


- 1) Is the Office for Access to Justice open?
  - a. If the Office is open, how much money previously allocated to the ATJ has been reallocated?
  - b. If the Office is closed, please provide the official notification to Congress.
  - c. If the office is closed, did you reach out to Senate Judiciary Chairman Chuck Grassley or Ranking Member Dianne Feinstein or their staffs prior to effectively closing the office?
- 2) Who is the Acting Director for the Office for Access to Justice?
- 3) How many staffers currently work for the Office for Access to Justice?
- 4) Please provide documentation outlining the Office for Access to Justice's current policy, recent accomplishments and program initiatives.

We look forward to your timely response.

Sincerely,

  
Robert Menendez  
United States Senator


  
Cory A. Booker  
United States Senator

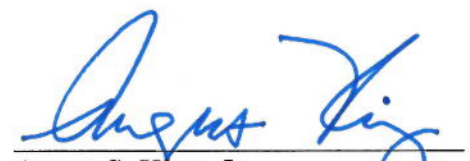
  
Sherrod Brown  
United States Senator

  
Margaret Wood Hassan  
United States Senator

  
Mazie K. Hirono  
United States Senator

  
Kirsten Gillibrand  
United States Senator

  
Robert P. Casey, Jr.  
United States Senator

  
Angus S. King, Jr.  
United States Senator

<sup>7</sup> *Id*



Tina Smith  
United States Senator



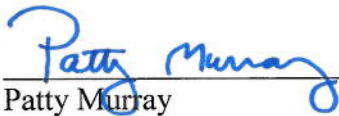
Richard J. Durbin  
United States Senator



Amy Klobuchar  
United States Senator



Elizabeth Warren  
United States Senator



Patty Murray  
United States Senator



Christopher A. Coons  
United States Senator



Benjamin L. Cardin  
United States Senator