

# THE JUSTICE GAP IN MONTANA: AS VAST AS BIG SKY COUNTRY

## ACCESS TO JUSTICE COMMISSION OF THE MONTANA SUPREME COURT

**167,000 Montanans with low and moderate income\* have at least one civil legal problem per year that impacts their basic legal needs for safety, health, shelter, food, education, and work.**

*\*Defined as less than \$16,100 per year for a family of one and less than \$32,910 per year for a family of four.*

### WHAT PREVENTS PEOPLE FROM SECURING LEGAL ASSISTANCE?

- \* Cost of services.
  - \* Lack of free and reduced fee legal assistance.
  - \* Lack of full representation, advice, mediation, and pro se assistance available.
  - \* Shortage of in-person services, intensified by long distances.
  - \* Lack of access to information about services.
  - \* Difficulty using phone and Internet services.
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- ◆ **Many Montanans simply cannot afford to hire an attorney.** This fact, coupled with a severe shortage of free and reduced cost legal assistance, is the major reason tens of thousands of low and moderate income persons throughout the state cannot obtain the legal help they need.
  - ◆ Currently in Montana there are a total of 20 to 25 attorneys employed to help the 167,000 citizens needing assistance with significant legal problems. These attorneys are **able to assist less than one in ten of the Montanans who need** help with their legal problems.
  - ◆ The Montana Legal Services Association (MLSA) is Montana's only statewide non-profit law firm for low-income people. Federal funding for civil legal aid has been greatly reduced in recent years and MLSA has been forced to lay off staff as a result. **Although the majority of states provide direct state funding for general civil legal aid, Montana does not.**

Montana populations with the greatest need for legal services include domestic violence victims, persons with mental illness, Native Americans, older Montanans, and veterans.

### GOALS FOR ADDRESSING GAPS AND BARRIERS

- ◆ Increase availability and types of free legal assistance in rural areas.
- ◆ Increase the subject areas in which legal assistance is available.
- ◆ Increase the amount of in-person services available.
- ◆ Increase the awareness of services for eligible individuals and service providers.
- ◆ Increase the collaboration between legal providers and other service providers.
- ◆ Recognize that additional staff and pro bono attorneys, staff and volunteer mediators, and other staff that can provide and coordinate legal assistance are essential to improve access to justice for low and moderate income Montanans.

See the full report at [courts.mt.gov/content/supreme/boards/a2j/docs/justicegap-mt.pdf](https://courts.mt.gov/content/supreme/boards/a2j/docs/justicegap-mt.pdf)

Contact the Access to Justice Commission  
C/O Kate Kuykendall  
(406) 523-3920, [kkuykendall@mtjustice.org](mailto:kkuykendall@mtjustice.org)

