

Director
John F. O'Toole

Deputy Director
Patrick Gardner

Senior Attorneys
William L. Grimm
Admitted only in MD
Rebecca Gudeman
Michael Harris
Leecia Welch

Attorneys
Bryn Martyna
Fiza Quraishi
Kathy Sher
Patricia Soung

Of Counsel
Edward Opton

Equal Justice Works Fellow
Katherine Walker

Director, FosterEd Initiative
Jesse Hahnel

FosterEd Manager
Rachel Velcoff Hults

**Foster Youth Educ. Liaison
FosterEd Initiative**
Anita Silverman

Development Director
Nancy Berger

**Director of Finance
& Administration**
Hayden Lilien

Director of Communications
Tracy Schroth

Assistant Administrator
Larry Nguyen

Administrative Staff
Ethel L. Oden-Brown

January 18, 2012

Members of the California State Assembly
State Capitol
Sacramento, California 95814

Re: Assembly Bill 1208 (Calderon), as amended May 18, 2011 – OPPOSE

Dear Assembly Members:

I write you today to express my strong opposition to Assembly Bill 1208. I am writing in my capacity as Director of the National Center for Youth Law and as an attorney who has devoted over 35 years to improving access to justice in California. The National Center for Youth Law (NCYL) works to ensure that low-income children have the resources, support, and opportunities they need for healthy and productive lives. AB 1208 threatens the wellbeing of our clients, and indeed all Californians, because it undermines the great strides that California has made toward making our courts, and thus justice, truly accessible to all.

Among other harmful features, AB 1208 removes from the state the responsibility for making financial and other administrative decisions for the courts. It places this responsibility, and its attendant burden, on the counties without any corresponding financial gain to the state. At the very least, this will result in inconsistent administration of our courts across counties and a loss of all the benefits of the economies of scale that exist under today's centralized, state-wide administrative system. At worst, passage of this bill would effectively mean cutting off all court access for the most vulnerable Californians among us. With greater individual costs to consider, and with the new responsibility to make these difficult decisions, counties under AB 1208 may be forced to take such drastic actions as closing self-help centers or eliminating language access services.

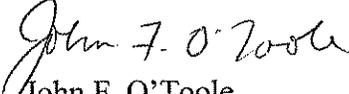
Many of NCYL's clients are children in foster care. These are children who are already vulnerable in multiple ways; they are often low-income, their parents have abused or neglected them, and the most important decisions about their lives are determined by a complete stranger in a courtroom. Under the current system, these children at least have attorneys to be their advocates and voices in court. With the passage of AB 1208, however, counties may decide to eliminate attorneys for foster children altogether. Alternatively, counties may decide to pay the attorneys lower rates, with the result that children who live in counties with

Members of the California State Assembly
State Capitol
January 18, 2012
Page 2

lower pay rates may not have attorneys to help them at all. As you are aware, our judicial branch has made recent strides toward ensuring that every county offers a basic array of the most critical services. It would be a great step backward to allow counties to make decisions—such as the elimination of funding for foster care attorneys—that would undermine this progress.

In closing, I respectfully urge that you consider this bill's potential to undo all of the gains of the California court system over the last 15 years. In particular, please consider the disparate impact that the bill is likely to wreak on vulnerable Californians—children in foster care, those with mental health needs, and the many millions of people who are too poor to afford to hire a lawyer. The current economic climate has already taken its toll on poor citizens in myriad ways, directly and indirectly. California's centralized court system today stands out as one of the remaining institutions where the vulnerable can hope for equal treatment and justice. Please do not vote to eliminate the safety net of our courts.

Sincerely yours,


John F. O'Toole
Director