

## LEGAL ISOLATION—IS THE LAW TOO FAR AWAY TO HELP?

The bumper sticker says, "Support Your Local Police!". Politicians and commentators deplore and discuss the decline in respect for the law of the land. The qualifications and attitudes of persons nominated to the Supreme Court become dinner table conversation pieces across the land. The catch phrase "Law and Order" turns elections into small crusades: Surely this hazy monolith, The Law, is central to the thoughts of America in the seventies.

We sit in a classroom and hear students heatedly claim the Constitutional right of high school girls to wear slacks to English class, and their parents despair that criminals go unpunished because the courts are too soft on the obviously guilty. And policemen, harrassed and sometimes bitter, read aloud in crowded streets the formula demanded to protect a criminal defendant's right to due process.

Everybody has a theory, a concept, an image of what The Law is. To far too many The Law begins and ends with an armed man in blue who catches people. The scope of law as a balancing of civil remedies, of wills, of taxes, of consumer protection, of real estate transactions, rarely if ever, enters their picture. To others the Law is simple confusing and expensive; confusing in the strange language, the unfamiliar atmosphere of courtrooms whose ritual pattern leaves the uninitiated helpless in the hands of strangers while his fate is ground out slowly according to rules he does not know. The expense seems unfair to clients who see only a man in a tastefully decorated office, who asks questions and then perhaps says only a little in court. They never see the hours of work and study, or the conversations that, conducted skillfully, may lead to settlement outside the courtroom door.

Most of those who go to law are people in trouble; angry, confused, trapped. To most the lawyer's office is reached only at the point of no return, "when all else fails". For the majority of the population there is no actual experience of the law at all, except in the 'mail-in' parking ticket, or the occasional appearance in traffic courts, usually without a lawyer, and resulting in a hasty and shamed plea of guilty, followed by a resented fine. Realistically, it is no wonder that the Law has image problems.

Our system of government is built on the cornerstone of the Law. If the conflicts among our citizens—from borrowed lawnmower to the great Constitutional issues—are to be peacefully resolved, those who have chosen to make the Law their primary interest, lawyers, judges, and the lawmakers, must move to change the layman's image; to inform, to educate, to clarify, and to make real the dignity, and the usefulness of our centuries-old system.

The layman needs information which will enable him to foresee possible legal difficulties and act in such a way as to either prevent the problem from arising, or to insure the working out of the problem in the least expensive and fairest manner. The young, the minimally educated, the low income groups, all generally less sophisticated in legal matters than the average layman, are candidates for a program which would distribute information on simple legal problems and the ordinary measures which will set them within the Law's protection.

PREVENTIVE LAW which could foresee the crisis and find early solutions, depends upon drawing the legal profession into contact with the community, making

guidelines available, extending legal assistance at lower cost to those who cannot afford it otherwise, and educating the public to see the lawyer not as a courtroom orator—Perry Mason to the contrary—but as informed *counsel* in the solution of day to day problems. And, at the very base of this effort, legislators must remain in contact with the people they represent, and act to give protection and aid where necessary by the wise exercise of their creative legal roles.

We are, of course, not the only group, or the earliest, to recognize this problem. Hard-working and dedicated members of the legal profession throughout the country have applied their efforts to the needed change. Legal aid societies staffed by volunteers are growing into important parts of most urban and many rural communities. Governmental agencies, federal, state, and local, which deal with the disadvantaged are introducing legal advice to those for whom they are responsible, either by the use of volunteer attorneys, or by employing a legal staff. Local and state bar associations finance and staff programs of public education, such as Norfolk's "Rap Clinic" reported in this issue.

The recent recommendation by the Virginia Bar Association that Virginia permit some law students to appear as counsel may add to the number of volunteers available to help the disadvantaged at a low cost, while providing an "internship" in the preparation of students for full practice. The early exposure of budding lawyers to the problems that find their way into the Legal Aid societies may also show the additional benefit of creating a generation of professionals who are aware at first hand of the communications gap between professional and the legally unsophisticated.

Much more remains to be done. The ideas are many; the force to implement them is lacking. Civic clubs, garden clubs, many organizations, as well as the legal profession itself can be the starting place for programs of education. This is the age of television. Public service announcements are freely available on most stations. Could the Law avail itself of the thirty second spot announcement, as does medicine and dentistry? What of the formation of Bar Association speaker's bureaus, to fill the constant demand for programs in a multitude of clubs? (And perhaps provide a forum for all those hopeful politicians).

The challenge of the program may be long standing, but the need for its solution is today peculiarly pressing. It is our hope that in the seventies, the Law will not be judged "too far away to help".