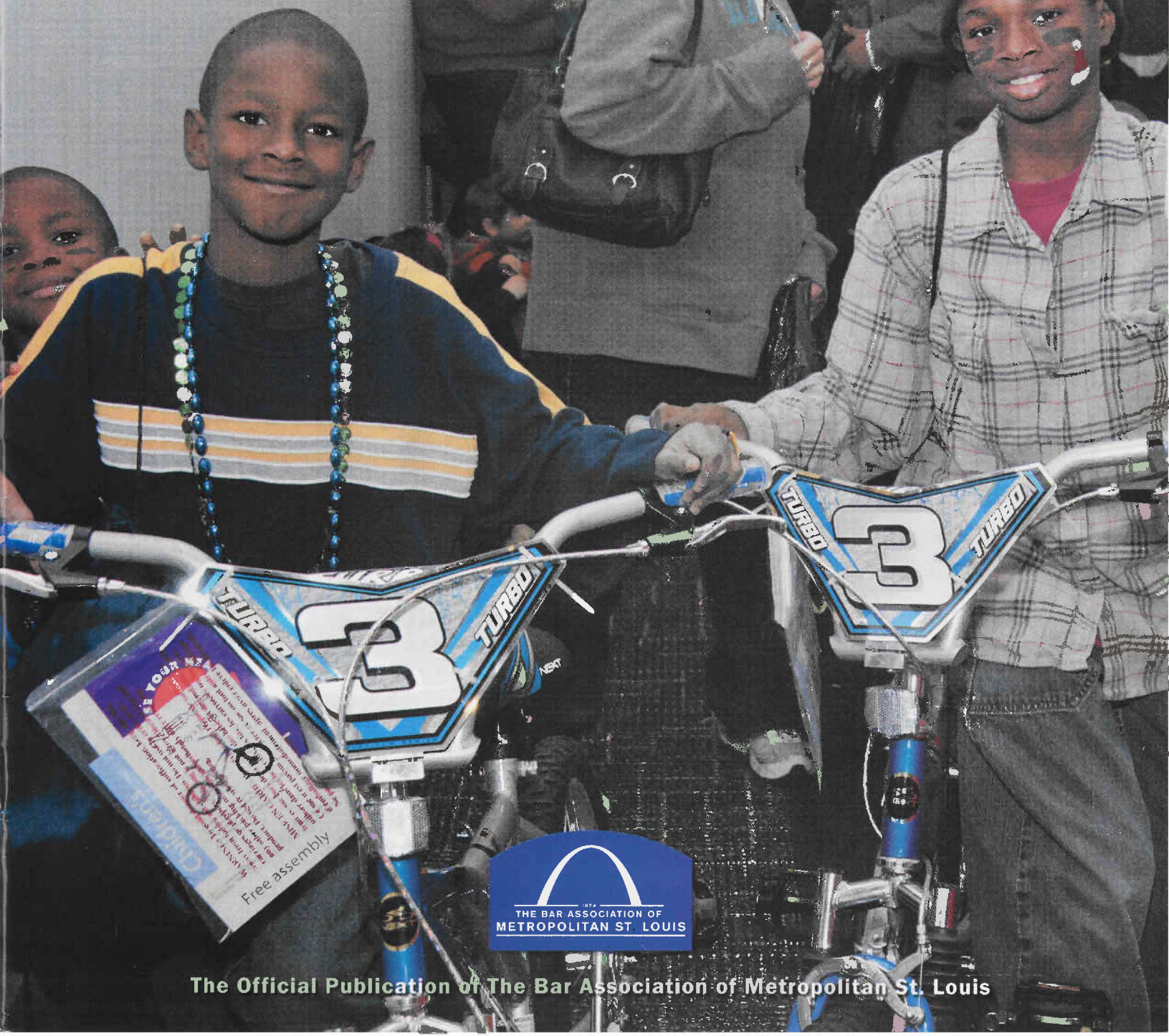


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100 years of access to justice

by Thomas G. Glick



This year will mark the 100th anniversary of BAMSL's direct involvement in the provision of legal services for equal access to justice for low and moderate income people. BAMSL's original charter in 1874 contained what today would be called a "mission statement." And that statement included aspirations for the organization to provide access to justice. However, prior to 1911, the program had been a typical bar association committee. It was organized by volunteer members and legal advice was provided by volunteer lawyers. In 1911 that would change as this organization would hire a public interest lawyer to serve the legal needs of low income people while being paid by the community and this bar association.

The idea of pro bono service to provide broad access to the justice system was not particularly novel. The United States was continuing its transition from a largely rural agrarian society to more urban industrial society, and as a result there was an increasing class of urban poor people. This combined with the closer conditions of modern cities and an increasing sophisticated economy, resulted in more need for legal services generally, including legal services for low income people specifically. At the turn of the century many metropolitan areas had formed Legal Aid Societies, but to that point St. Louis had only loosely organized volunteers.

By 1910 the members of this association had become alerted to the national trend. They focused their attention on providing more organized and professional access to justice for low and moderate income people. The first written evidence of this effort appears in the association minutes from the general membership meeting of October 24, 1910. The association's long time secretary Samuel McPheeters annexed a proposed amendment to the association's charter which included the addition of a new section as follows:

"There shall be a committee to be known as the Legal Aid Society of the Bar Association of St. Louis

whose duty it shall be to render legal aid, gratuitously if necessary, to all who may appear worthy thereof, and who are unable to procure assistance elsewhere, and to promote measures for their protection. This Society shall be composed of twenty-one members to be appointed by the President of the Bar Association....The Society shall have power to employ the services of an attorney and such other assistants as may be necessary to conduct the work of the Society."

This year marks the centennial of providing access to justice for the disadvantaged because the above language was only proposed in 1910 (although this was the first notation of the language in the associations minutes, it was typeset document annexed into the minutes). At this time the work of the law and the association was stilling being performed in handwriting and on manual typewriters. A typeset document indicates that the language of the amendment had received a substantial amount of drafting attention prior to publication. This document was not just typeset to save Secretary McPheeters, or his staff, some writing or typing, it was a procedural requirement to communicate the proposal to the members. Moreover the procedural requirements mandated such a proposal be read at multiple general meetings prior to adoption.

Consequently, the charter amendments had to be presented again at the January 23, 1911 meeting, and for a third time at the meeting on March 6, 1911. This last meeting was particularly well attended, ("about 125 members") probably because of the featured speaker Hon. John D. Lawson, Dean of the Law School at the University of Missouri. This massive assemblage went on to adopt the thrice proposed language as part of the association charter.

This inclusion of a provision for staff, including counsel, to get paid is what leads me to date the origination of a Legal Aid Society from this day. This committee of the

association would subsequently be socialized by local government, and then de-socialized some years later. This society continues its existence through the next hundred years undergoing many various organization changes. Eventually the idea becomes federalized as part of President Lyndon Johnson's Great Society Legislation. At that point the local group founded by BAMSL becomes a member agency in what would become the Legal Services Corporation. The local organization has undergone a few more name changes, but still exists to this day providing access to justice for low and moderate income people as Legal Services of Eastern Missouri.

In honor of this momentous occasion, BAMSL is going to commemorate this hundredth anniversary with a series of monthly events known as the "Access to Justice Centennial Celebration."

To start, later this month the BAMSL Pro Bono committee has organized a free CLE opportunity in areas of the law which frequently surface for participants in the LSEM volunteer lawyer program. This program is detailed on page five in the issue.

For the February installment of the celebration, BAMSL, along with Midwest Litigation Services, will host a pre-party reception for LSEM's Justice For All Ball at the Chase Park Plaza. The Justice For All Ball is a key source of funding for LSEM, and, more importantly, is a well attended and fun social event without awards or speeches.

Subsequent months will host additional events leading up to the Annual Law Day Celebration in May of 2011 when BAMSL's next officers will be sworn in.

All of the revelry for this occasion is well deserved as the organization we now know as Legal Services of Eastern Missouri does a fantastic of giving equal access to low and moderate income individuals and families. Be sure to check out all of the activities celebrating an organization of which we can all be proud. ■