Introduction: 2008 ABA Section of Litigation Access to Justice Symposium

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Abstract

The 2008 ABA Section of Litigation conducted a symposium designed to explore the challenges inherent in creation of a civil right to counsel and to generate critical though, dialogue, and scholarship on the subject.

KEYWORDS: access to justice, civil law
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In August 2006, more than 500 members of the American Bar Association House of Delegates—the organization’s governing body—voted unanimously to adopt a groundbreaking resolution calling on federal, state, and territorial governments to create a right to counsel at public expense, for poor individuals faced with civil adversary proceedings involving basic human needs such as health, shelter, sustenance, safety, and child custody. On December 4-5, 2008, the ABA Section of Litigation conducted a symposium designed to explore the challenges inherent in creation of a civil right to counsel and to generate critical thought, dialogue, and scholarship on the subject.

Led by Professor Stephan Landsman, who holds the Robert A. Clifford Chair in Tort Law and Social Policy at the DePaul University College of Law, the symposium brought together academics, judges, practitioners from the legal services and private law firm communities, legislators, and other interested persons to explore the real world challenges inherent in development of a civil right to counsel. Among the participants were some of the most distinguished empirical scholars in the nation, each of whom agreed to examine an aspect of these issues and to present findings at the symposium, to be followed by the papers’ publication in this issue of the Fordham Urban Law Journal.

The ABA Section of Litigation wishes to express its gratitude to each of the symposium participants for their thoughtful and incisive scholarship, to Professor Landsman for his leadership in developing, organizing, and conducting the symposium, and to the Fordham Urban Law Journal for publishing these important papers that address many of the challenges that must be faced if our judicial system is to provide meaningful access to civil justice for those urgently in need of, but unable to afford, the services of a lawyer.

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