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Lay Advocacy and "Legal Services to Youth": Summaries on the Use of Para-legal Aides

HENRY W. MCGEE, JR.*

Advocate, v. To speak in favor of; defend by argument.
. . . . To support, vindicate, or recommend publicly.

-Black's Law Dictionary

Identification of the "legal" problem at times is for the expert. But even a "lay" person can often perform that function and mark the path that leads to the school board, the school principal, the welfare agency, the Veterans' Administration, the police review board, or the urban renewal agency. If he neither solicits nor obtains a fee for his services, why should he not be free to act?

-Justice William O. Douglas

INTRODUCTION

With depressing regularity, ghetto residents face an onslaught of problems they cannot solve unassisted. Omnipresent welfare agencies, police, landlords, school administrators and other instruments of control and domination daily confront the poor in an unequal contest. Proponents and progenitors of neighborhood legal services have argued that as problem centers and command posts, more than any other organizational scheme thus far developed, these programs offer the "last best hope" for peaceful resolution of issues and problems facing America's massive underclass. Unlike the prototype legal services organization described in the literature,¹ or funded by the government,² Legal Services to Youth sponsored by the University of Chicago Law School's Center for Studies in Criminal Justice, under a

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The author was Legal Director of Legal Services to Youth, an action-research project of the University of Chicago Law School's Center for Studies in Criminal Justice. Since June 1, 1968, the office has been operated by the Cook County Bar Association, Chicago's predominately black bar organization, partly with a grant made by the Center when the gathering of research data was terminated.

1. See e.g., Cahn & Cahn, *The War on Poverty: A Civilian Perspective*, 73 YALE L.J. 1317 (1964); *Symposium; Justice and the Poor*, 41 NOTRE DAME LAWYER 843 (1966).

2. Community Action Program, GUIDELINES FOR LEGAL SERVICES PROGRAM, Office of Economic Opportunity, Washington, D.C. (1966). During fiscal year 1968, OEO had funded 250 programs at a cost of \$38,884,398.

Ford Foundation grant, was directed to a specialized consumer group—boys under 17 and girls under 18, the jurisdictional age ceiling in the Cook County, Illinois Juvenile Court. So far as it provided legal services, the office brought to bear on the needs and interests of youth in the neighborhood, the case-directed energies of lawyers.

The program's impetus was the growing realization of the importance of advocates in the juvenile courts, in the letter as well as the spirit of Supreme Court pronouncements,³ and the recommendations of the President's Commission on Law Enforcement and Administration of Justice which called for the provision of counsel whenever coercive action against a youth was a possibility.⁴ While there had been instances of public defenders in juvenile court proceedings, (in Cook County the Chicago Legal Aid Bureau opened an office directly across the street from the Juvenile Court building in 1966,) there had never been an organization at the "grass roots" designed to serve youth alone.⁵

Unique in focus, the project was also singular in its wide and experimental use of non-professionals, and to the degree that the project achieved a measure of success, the non-professionals were largely responsible. The representation of young people is an area particularly suited for the use of para-legal aides, for the legal problems of youth are often fought in a legal no man's land. Negotiation with public agencies such as the housing authority, representation in school disciplinary proceedings, resolution of personal disputes between neighbors, as well as debtor and other employment and income related problems are areas in which the spirit of advocacy is important, but in which the intervention of the legal process is not always required. It is arguable that over-formalizing or undue structuring of an otherwise fluid situation can result in a hardening of positions with a consequent failure to resolve the dispute.⁶ Indeed, lawyers are at times a red flag to administrators who are more comfortable with and less suspicious of non-lawyer advocates for the poor.

3. *In re Gault*, 387 U.S. 1 (1967); *Kent v. U.S.*, 383 U.S. 541 (1966).

4. *THE CHALLENGE OF CRIME IN A FREE SOCIETY*, 86 (1967).

5. To be sure, there had been efforts made by projects with a larger concern to also specialize in the problems of youth—among the more notable, Mobilization for Youth on Manhattan's lower east side. Legal Services to Youth was clearly the first effort in Chicago and Cook County to exclusively service juveniles by stressing legal rather than social problems. Of course, there had been a variety of organizations of the more traditional (and some not so traditional, such as detached workers with street gangs) social services agency type.

6. Of course, there is no substitute for hard thinking or for careful separation of the consequential from the irrelevant. Lawyers are trained to make such distinctions. But the point is that "winning" may require tenacity and perseverance as much as analysis.

As in many experiments, the use of legal assistants was partly mothered by the exigencies of the problem—in this case creating a legal services project in a ghetto without a pre-existing organizational base. When the door of the law office was opened March 13, 1967, in a Chicago ghetto there were two realities that commanded attention. First, the project had a short planned life-span of 18 months,⁷ which compressed into a very short space of time the normally extended process of acquainting the community with a new service. Legal assistants were, therefore, necessary as links in a chain connecting the project to the community, not only in a symbolic sense, but also as mediums of information about the existence of the office. Second, it was difficult to recruit lawyers for a project of such short duration and for a while there was only one attorney in the office. This raised the spectre of a critical manpower shortage unless the legal assistants could in some way support the work of the attorney. As they tended to uncover the need for legal services, they became in part necessary to meet the demand for assistance. Legal assistants thus not only legitimated the project, they also expanded the clientele that could reasonably be serviced.

Legal assistants were recruited in the area served, and while there was no age barrier, an effort was made to hire persons 21 to 35 years of age. An attempt was also made to locate persons who were by background and experience likely to be sympathetic to youth “in trouble.” Thus four of the seven non-professionals who at one time or another worked for Legal Services to Youth had arrest and conviction records (two had been convicted of felony narcotics violations).

The history of LSY suggests a role for the non-professional in a law office serving the poor. In terms of the development of careers, the project demonstrated the possibility of an expansion of legal services generally by the use of lay advocates. With additional formal training on the job or part-time in the evenings, an even more effective use might be made of indigenous personnel. With characteristic foresight, Mr. Justice Douglas aptly summarized the potential of non-professionals in a neighborhood law office:

The so-called “legal” problem of the poor is often an unidentified strand in a complex of social, economic, psychological, and psychiatric problems. Identification of the

7. As it turned out, the project lasted exactly a year as a full-time, fully-staffed effort, closing March 15, 1968. From March 18 to May 31, a skeleton force phased out the service, which on June 1 was re-opened under the auspices of the Cook County Bar Association with an expanded scope of clientele. The bar association is an organization of black lawyers formed years ago when membership in the Chicago Bar Association was not encouraged for Negroes.

“legal” problem at time is for the expert. But even a “lay” person can often perform that function and mark the path that leads to the school board, or the urban renewal agency. If he neither solicits nor obtains a fee for his services, why should he not be free to act? Full-fledged representation in a battle before a court or agency requires professional skills that laymen lack; and therefore the client suffers, perhaps grievously, if he is not represented by a lawyer. But in the intermediate zone where the local pastor, the social worker, or best friend commonly operate, is there not room for accommodation?⁸

CLERICAL SKILLS AND OFFICE MANAGEMENT

From the project's first days, some of the tasks essential to running a law office were accomplished without directly using a lawyer. While this has long been the practice in large and prosperous law firms, it was especially meaningful in an office serving indigent youth because it made feasible the employment of neighborhood residents. Aside from filing and typing, the non-professionals were ideal for pre-interviewing or initial intake work because of their ability to create a climate of confidence between potential clients and the staff. Legal assistants met clients when they first entered the office or at their homes, which helped to allay their fears about lawyers. These interviews were also valuable to the lawyers because they oriented them to the problems and the special circumstances of clients.

The exchange of ideas between staff lawyers and nonprofessionals was invaluable in keeping the project in touch with the actuality of the street as well as that of the courtroom. In many cases the legal assistants were able to relate the client's legal problem to some larger issue in the community, a knowledge of which was essential to the problem's solution.

Finally, the legal assistants were important in determining the direction of office activity. When the project commenced the non-professionals' activity followed as nearly as possible patterns suggested by the project legal director. But as both authority in the office and the decisional process were decentralized, the legal assistants began to play an independent role in policy formation. Weekly staff meetings were held to strengthen participation in office activity and to stress the cooperative and team aspects of the organization. During the peak months of October, November and December of 1967,⁹ staff functions

8. *Dissenting in Hackin v. Arizona*, 389 U.S. 143 (1967).

9. The 8th, 9th and 10th months of the project. During November, there were 58 applications for legal services on behalf of area youth, the highest of any of the 12 months and a significant increase over the 24 requests for aid during the third month.

and activity were determined democratically after full discussion and debate. Sharing in the decision-making process and assuming responsibility for the outcome of the project were critical factors in the development of initiative and imagination in the staff.

In the operation of the office, the legal assistants played an important role. They provided the manpower to keep the office functioning and supplied the link to the community which was necessary to make the office a viable instrument of advocacy for those who needed the services. Basic clerical skills were important too, and with additional training the staff could have been even more effective, but the link to the neighborhood was all important and made the staff and neighborhood much more accessible to each other.

INVESTIGATION

It was often impossible to assist clients with just the information gleaned from the initial interview. Usually the youths either inadvertently or purposely omitted crucial information which was vital to the defense of a delinquency charge, or to adequate representation in a non-judicial or administrative forum. It was often a case of having most of the pieces of the puzzle, but not all. The legal assistants provided significant assistance in the investigation and gathering of the missing information.

Among the many cases in which a legal assistant's investigation proved of crucial importance was that of an 11-year-old charged with throwing a switch on the Rock Island railroad and derailing freight cars belonging to the New York Central Railroad Company, causing, according to a railroad detective, "thousands of dollars of damage." After the initial intake, an immediate investigation was commenced and with the help of the child's mother, a legal assistant located a youth who had given the police the name of the LSY client as the child who threw the switch derailing the freight cars. Finding the witness was no easy matter and required countless conversations with neighborhood residents, many who would have been afraid and unwilling to speak with an "outsider," black or white.

Careful questioning of the witness revealed that he had given the police the wrong name in the belief that that the boy he had seen on the tracks bore the name of the LSY client. The legal assistant subpoenaed the witness. The LSY attorney then assisted the mother of the client in locating a youth who heard the boy who actually had sabotaged the train admit his guilt. When the case was heard in court, the judge dismissed the delinquency petition without formal hearing after an admission by the railroad detective that no eyewitness was present in court who had seen the respondent throw the switch, and

after the court learned of the witnesses uncovered by the defense investigation.

The legal assistants found witnesses and gathered information that would have been impossible for anyone who was not from the neighborhood. While they often had to be reminded of the need for tenacity in going after witnesses,¹⁰ they were for the most part quite effective, and many times turned up witnesses who were unknown and unavailable to the police. Occasionally, project investigators even helped the police and prosecutor's office clear up major cases by turning up eyewitnesses to gang violence in the course of their efforts to clear office clients.

The value of non-professionals in gathering information in an office serving the poor is critical because of the widespread reluctance to become involved with courts or lawyers. Invariably, LSY staff found that clients even had difficulty in getting friends or neighbors to testify, even where the testimony would mean almost certain exoneration for the client. There was even reluctance on the part of clients to solicit help from their neighbors. In the parlance of correctional institutions, "the poor do their own time."¹¹ However, having someone from the neighborhood acting in the client's behalf broke down the fear and reluctance to testify, a result that would have been impossible without the legal assistants.

But despite the use of indigenous legal aids, there remained a marked reluctance by clients and area residents alike to confront courts or lawyers—even where the lawyer had been vouched for by friends or legal assistants. To a significant degree, trust and confidence are irrelevant concepts in assessing the relationships between professionals, who are *per se* "outsiders," and indigent clients. But the use of neighborhood legal assistants provided at least some link between the lawyer and the people he was trying to serve.

COMMUNITY EDUCATION AND INFORMATION

The structure of the legal profession is middle class in its assumptions. We assume that the lawyer can sit quietly in his office awaiting the knock on the door by a client who has discovered that he has a legal problem and has found the way to the lawyer's office. . . . This assumption is not valid for the great mass of people who live in poverty in the

10. Legal assistants of course acquiesced in the prevalent values of their community, and often sympathized with the reluctance of witnesses to testify.

11. It goes without saying that the poor are not alone in their reluctance to testify in lawsuits. But the nature of the difficulties the poor encounter and their relative helplessness makes the failure of their neighbors and friends to cooperate especially frustrating.

United States. . . . The ways in which this structure can be changed open exciting and interesting prospects.¹²

-Charles E. Ares

Because the research project had a pre-determined longevity of not more than 18 months, it was crucial to the venture's success that area residents learn of the office as quickly as possible. Here again the legal assistants played a special and vital role. By the fourth month of the project, it became apparent that despite a relatively active schedule there were many potential clients not being reached by the office. Accordingly, efforts to acquaint the community with Legal Services to Youth were intensified by a plan called Operation Rap.¹³ Operation Rap consisted of apartment to apartment visits by legal assistants in the Robert Taylor Homes housing project—LSY's prime target area. Located within a block of the LSY law office, the housing project is the largest in the world under one management, and for purposes of Operation 'Rap had to be divided into three zones.¹⁴ All the buildings in each zone were visited by a legal assistant who saw, or at least attempted to see, the tenants in every apartment. During the visits, the services and goals of the project were described and a card bearing the address and telephone number of the office was left for ready reference.¹⁵

The housing project consisted of 28 buildings, each 16 stories tall with 10 units per floor. It would have taken a legal assistant forty hours to cover each structure if he limited each visit to 15 minutes. But due to interruptions caused by other assignments, it took an average of two weeks to see all the families in a building. Eventually, the staff wearied of the routine of visits, and by the end of the summer the operation was abandoned because of the staff's agreement that the maximum impact had been made. Also, an increased case load and

12. *Poverty, Civil Liberties, and Civil Rights: A Symposim*, 41 N.Y.U. L. Rev. 328, 346 (1966). Mr. Ares was then Dean of New York University's Law School. The passage was quoted by Mr. Justice Douglas in his dissent from the Supreme Court's dismissal of *Hackin v. Arizona*, 389 U.S. 143 (1967).

13. "Rap" was used to denote knocking on a door, but it also has a much wider colloquial connotation for area residents. In the latter sense, it means to make a spiel, to persuade or convince, to engage in a burst of engaging or witty rhetoric.

14. A 1965 publication of the Chicago Housing Authority put the number of families *officially* living in the project at more than 28,000. Some 21,000 of these residents were under 21. The 28 buildings of the project cover two and one-half square miles.

15. From time to time, security considerations led to "rapping" in pairs, especially where one of the legal assistants who lived in one of the zones in the project, had to rap in a zone within "turf" that was for him forbidden. "Turf" is an indigenous colloquialism reflecting the territorial domains which exist in the minds of area youth about their neighborhoods. The concept is a fluid one and while for some purposes the legal assistant had access to the entire housing complex, he actually regarded as safe territory his own building and those immediately adjacent.

office activity required the diversion of staff elsewhere. Operation Rap indicated, however, that the success of the program depended largely upon the ability of the legal assistants to establish rapport with the persons visited. It is unlikely that lawyers or other professionals could have undertaken the effort with similar success.¹⁶

Another project undertaken to acquaint the community with LSY was called Operation "Read 'n 'Rite" and was begun in October. As originally conceived, the plan called for the use of the two youngest male legal assistants to visit the classrooms of all of the schools in the project target area and explain to the students the services offered by LSY. Actually, Operation "Read 'n 'Rite" was Operation "Rap" in another field, which, as it turned out, was an inhospitable one. The Chicago Board of Education district superintendent for most of the schools in the project target area did not greet the activity with enthusiasm. Permission for distribution of project materials by LSY staff or for classroom talks was refused by the superintendent. He did, however, accept a quantity of handbills for distribution by the school staff. Denied direct access to classrooms, the legal assistants restricted their activity to handing out literature about the project outside school buildings and to informal conversations with students outside of the schools. The project was, therefore not as successful as it might have been had the legal assistants been able to reach all of the students.

Mention should also be made of the extensive postering and handbill distribution carried out during the first months of the project. Despite their widespread use, not one of LSY's clients ever declared that they sought help as a result of viewing written material about the project. After the first six months of the project, it was clear that in a milieu in which verbal interplay counts for more than the printed word, posters and handbills are not as effective as personal encounters, pointing out once again the importance of the legal assistants.

LAY ADVOCACY

Experiments in lay advocacy commenced with the opening of the office door. A former gang leader and convicted felon was hired to

16. Success was measured partly by an assessment of the rapport between legal assistant and tenant visited. An excerpt from a field report by one of the nonprofessionals may serve to render the flavor of some of the house calls: "On July 21, 1967, I rapped in the building at 4022 South State Street. . . . One family in particular stands out in my memory. In apartment _____. I visited with Mrs. _____. She is about 20 years old. Our conversation started off about teenagers. She wanted to know too if I enjoyed my work. Of course I said yes. Later, she wanted to know whether LSY has gotten many rape cases. Oh, three or four, I said. 'Is that all?' she

accompany youths to hearings held at the Juvenile Court complaint division which, until dispensed with by the court's presiding judge,¹⁷ screened complaints about juveniles and then either settled the disputes or referred the case to court.

When attending complaint division hearings, non-professionals always declared they were not lawyers, and were present to help a youth explain "his side of the story." To paraphrase a statement ascribed to Monrad Paulsen, the greatest value of the legal assistant in these hearings was simply his presence. Thus in a backfence feud that erupted into a fist fight between girls in neighboring families, a legal assistant accompanied one of the families and his presence resulted in the quarrel being temporarily mediated without the filing of a delinquency petition.

In a variant of the presence-deterrence approach, legal assistants were used to monitor the police station adjustment process, the process in which youth officers settle or "adjust" disputes involving youth. In a majority of cases, disputes and charges against youth are resolved without referral to court or without detention. In the other cases the juvenile was released with instructions to appear before the Complaint Division.¹⁸ Since the change in procedure, youths are directed to appear in court to respond to a petition. In a minority of cases, youth are detained at the station and transported to the Arthur J. Audy Home, the Cook County detention facility for juveniles. As required by statute,¹⁹ within 48 hours custody hearings are held by a Juvenile Court judge to determine if the child should be detained or released until a trial can be held.

One of Legal Services to Youth's prime policy objectives was to reach and help youth as early as possible. The location of the law office less than two blocks from the neighborhood police station was important in realizing this goal. It was apparent, however, that

wanted to know. 'Should we have more than that?' She paused then and said she had been raped twice in one year. To myself I said, "You're sure you were raped?" I closed our conversation by saying that perhaps we could get together one night and go out for dinner, etc."

17. Prior to December 31, 1967, all petitions filed in the Juvenile Court emanating from the police department youth division (the overwhelming majority of cases heard in the court) were pre-screened by the Complaint Division, which involved a conference between a staff member of the division and the accused youth and his parents. In most cases, the responsibility rested with the division to determine which cases were referred for formal hearing before a judge, and which were disposed of out of court. General dissatisfaction with the operation of the division, particularly the inordinate delays that parents and attorneys had to endure before a case was heard, and the increasing appearance of lawyers in the Juvenile Court were at least partly responsible for the change in the system in January wherein police officers filed petitions directly with the court clerk without any reference to the Complaint Division.

18. This was the procedure followed before the complaint division was dispensed with.

19. ILL. REV. STAT., ch. 37, 703-5 (1967).

proximity to the police station was not enough. So as to reap maximum advantage from the location, legal assistants were assigned to the station in order to make LSY's resources available at the earliest opportunity.

Station adjustments were observed during the months of October and November, on Mondays, Thursdays, Fridays and Saturdays during hours in which most of the contacts are made with youth by the police, i.e., 7 p.m. until midnight. Staff lawyers participated in the process by alternately working until 8 p.m. in the office and thereafter by making themselves available at home until midnight to respond to telephone calls from the station. Upon receiving the call, the lawyer then made a determination as to whether the situation required his immediate presence at the station, or whether his services could be deferred until the following day.

LSY non-professionals monitoring the adjustments took no active role at the station. After a youth officer concluded his interrogation, the legal assistant would speak with the youth or his parents, and advise them of the project and invite them to use the office's services. At all times they were careful to make it clear that they were not lawyers and were unable to make legal judgments or give advice.

To make the monitoring as palatable to the police as possible, and to protect the participating officers from criticism by department administrators, project attorneys did not participate in the surveillance of the station proceedings. Among the factors that influenced the policy of having the lawyers avoid direct contact with the officers prior to a request for help from a youth were the problems inherent in any agreement with police officers not to directly intervene in the adjustment process until it was concluded. Such an agreement was necessary for the police because their procedures are not designed to take into account any stresses that an advocate would necessarily place on the processing of an accused youth. On the other hand, the lawyers could not agree in advance not to interfere, because to do so might compromise their duty to protect the rights of the client. To avoid any conflicts of interest, staff lawyers appeared at the station only when requested to do so by a youth or his parents. After pursuing the monitoring for two to three months, the number and frequency of visits to the station was reduced. Only rarely did a youth or family contacted by a legal assistant actually seek help from project attorneys, and the number of persons assisted by the operation did not justify the staff and time invested.

Neither the station adjustment nor the complaint division

experiments were unqualified successes. The latter was rendered prohibitive by the cavalier treatment of lawyers, non-professionals and clients alike by the administrators of the division. The time consumed waiting to be heard was so excessive that LSY eventually by-passed the hearings and defended petitions filed as a result of the hearings in court. Ultimately, a merciful Juvenile Court presiding judge liquidated most of the functions of the division. The station adjustment process suggested that the advantage gained by being present during police questioning and processing of youthful offenders was outweighed by undue identification of the project with the police by youths and their families. The lack of response to the activity indicates that the line between cooperation and co-option may be difficult for those under arrest to discern.

While much of the work of the non-professionals was supportive, there were times when the legal assistants actually fulfilled the expectation that para-legal aides could perform as independent advocates. On the last Saturday in September, one of the legal assistants who served as office manager was assigned to meet the parent of a child held in custody at the Juvenile Court, and to assist the parent in having the case delayed until an LSY lawyer arrived at the complaint division. When the attorney arrived, the legal assistant had mediated the dispute between the victim and the accused youth. When the case was called, the victim and her family advised the complaint division hearing officers they did not wish to proceed in the matter and the case was dismissed.

On another occasion, the same legal assistant made an "end run" around the welfare bureaucracy and obtained food and clothing for a 16 year old unwed mother and child. The 16 year old's guardian and aunt had been receiving funds from the Veterans Administration and the Social Security Administration on behalf of the girl, but had refused to give her any money and was not properly feeding her. When the girl came to LSY, she and her baby were starving. A collection was taken among LSY staff and money was given to the client so that she could buy food for herself and her baby. The legal assistant then contacted a private welfare agency, and both LSY and the agency were able to stop all government funds from being paid to the aunt who was withholding food from the client. The private agency then made emergency payments to the girl until regular county welfare assistance and government funds could be paid directly to the client or to a new guardian. Eventually, another relative of the youth agreed to assume responsibility for her and government and county payments were made to the relative on behalf of the girl.

Sometimes the role of the non-professional as advocate and

representative was extended to actually becoming involved in the court proceeding without actually practicing law. During Christmas, 1967, the project sought to have its clients who were in custody released during the holidays so that they could be with their families. In one case, an LSY legal assistant served as petitioner because the mother and the youth were estranged and the staff attorney was unable to reach the mother in time to have the necessary petition for the child's release sworn to by the parent. Imprisoned pending a hearing to decide whether she was a "minor in need of supervision,"²⁰ the girl was a repeated run-away in custody partly because her mother refused to permit her return home. The mother was subpoenaed by LSY to the hearing, and at its conclusion, the judge dismissed the entire case after a tearful reconciliation between mother and daughter in open court.

Though not by design, there were instances in which legal assistants lent assistance to clients in court without in any way operating as an attorney. In one situation, a case was transferred from the Municipal Court of Chicago (which hears misdemeanors) to Juvenile Court as a result of the work of a legal assistant. Arrested and charged with disorderly conduct, the youth was charged with a misdemeanor instead of delinquency because he gave the police the wrong age. The legal assistant, appearing in court with a parent of the arrested youth, produced the birth certificate which indicated that the boy was under 17 and hence should be brought before the Juvenile Court. The case was then transferred and the youth was released from custody in the interim. The boy was saved the risk of a conviction record and imprisonment.

In a non-support action, a legal assistant accompanied a client to court because the youth involved was emotionally upset and physically ill. When the hearing commenced, the judge found that the 15-year-old girl was unable to express herself and that it was far easier to obtain information about her situation from the legal assistant. In accordance with project rules, the legal assistant advised the court that she was not a lawyer and was in court merely to give aid and moral support, but the court allowed the legal assistant to sketch for the court enough of the background of the case to make it possible to reach a decision. After an admission by the defendant that he was the girl's husband, the judge ordered him to pay child support for the infant in the custody of the mother and to assume responsibility for support and payment of medical bills incurred when the girl's baby with which she was pregnant was born.

20. ILL. REV. STAT., ch. 37, 702-3 (1967).

Legal assistants attended court only when the staff lawyers were engaged elsewhere, or when directly assisting one of the attorneys. But it became clear that even in the absence of an attorney, they could play a decisive role in helping the client in court. As a matter of fact, it was sometimes easier for them to function in the free-wheeling, informal atmosphere of the city's misdemeanor courts than in the highly ritualized informality of the Juvenile Court. There legal assistants found frequent resistance to their attendance at hearings barred to all but lawyers, parents, witnesses and repondents.

Obviously the role of the non-professional in the courtroom will be a restricted and limited one. Certainly even college trained non-professionals lack the skills and orientation to make anything near an effective presentation of a client's case. And a discussion of the legal issues is all but out of the question. They can, however, fulfill a supportive and informational role.

CONCLUSION

Given the present organization of the American legal system, para-legal personnel will necessarily make their most meaningful impact in those areas in which an advocate is required outside the courtroom. The organized bar is hardly likely to embrace with enthusiasm any adjustment or dilution of its guild status. But certainly, in the provision of social work services and in the dreary interstitial labor required to lighten the daily burdens of the poor, it is reasonable to expect that as lawyers perceive that compromise on the issue will cost them nothing, there may be some acceptance of lay advocates and the way in which they can provide representation where lawyers are not available.

LSY's experience in providing social service and legal service has been related in part, the role of advocate and social worker being often conjoint. The experiments with social services were expressed partly in the Youth Services Division established in the project's fourth month. The Youth Services Division represented yet another LSY response to the Crime Commission Report, which had suggested that "communities . . . establish neighborhood youth-serving agencies—Youth Services Bureaus—located if possible in comprehensive neighborhood community centers and receiving juveniles (delinquent and non-delinquent) referred by the police, the juvenile court, parents, schools and other sources."²¹

The project's financial resources were not such as to permit a full-blown experiment with the Crime Commission idea. The original goal,

21. *Supra* note 4, at 83.

therefore, of the LSY version of a Youth Services Bureau was the identification, description and compilation of social services resources in the area served by the project. Within a short time, the division had compiled a descriptive list of all the significant social work agencies in LSY's area and on several occasions, the Youth Services Coordinator²² suggested child care and shelter plans to staff lawyers for proposal to Juvenile Court judges as alternatives to detention.

The President's Commission called for "individually tailored work with troublemaking youths. The work might include group and individual counseling, placement in foster homes, work and recreation programs, employment counseling, and special education."²³ Much of the work of the Youth Services Division fell within the scope of this mandate. During the first weeks of the establishment of the division, its coordinator sought a job for a youth who needed work in order to enhance his chance for probation, looked for a new home for a ten-year-old facing a serious charge and whose mother, a woman with 11 children, was unable to properly supervise his activity, and arranged for a youth to join the Office of Economic Opportunity Job Corps, which was an alternative to the boy's commitment to the Illinois Youth Commission.

Frequently the legal assistants in the Youth Services Division helped youths gain readmittance to school or obtain employment, both employment or school attendance being conditions of probation in Juvenile Court cases. Often school transfers were arranged so that a youth would be out of the reach of a neighborhood gang or so that a better adjustment could be made to some other aspect of the school environment. Sometimes the work involved helping a youth and family obtain food or clothing.

Another key aspect of the Youth Services Division was to maintain liaison with other social services agencies, bringing to their attention Legal Services to Youth and in turn creating a relationship in which LSY could help youths obtain maximum advantage from the more traditional social services organizations. More often than not, this entailed "riding herd" on the personnel of some of the agencies, or knowing which worker in an organization was likely to be most helpful and steering an LSY client to that person.

22. The coordinator had more formal education than any of the other legal assistants except his consultant, a masterate candidate at the University of Chicago's School of Social Service Administration, and the second year University of Chicago law student who served as law clerk and researcher. He earned college credits while serving a 10-to-25-year sentence in the Illinois State Penitentiary for the sale of narcotics. He was available for employment as a result of Illinois Governor Otto Kerner's commutation of his sentence. He also had two other felony convictions and had served other prison sentences.

23. *Supra* note 4, at 83.

It should not be thought strange that much of the work of Legal Services to Youth and its non-professionals were consumed in solving personal and social rather than purely legal problems. As is true for most of the oppressed who "live" in inner city ghettos, LSY's clients had problems with roots in economic disadvantage and social injustice. No effective legal services organization could have operated successfully without recognition of this bleak but recurrent reality. Surely legal advice and representation and advocacy are sorely needed in the ghetto. But in the long run only substantial adjustment and reconciliation between the gross economic and political disparity that separates the deprived and affluent can bring meaningful change in the lot of the poor. The legal problems that the poor youths represented by the project faced were often the most visible part of a seamless web of educational, occupational, political and social factors operating to cement them permanently into exploitation. Clearly, whether rendering social or legal services, the staff was treating symptoms—in many ways operating a first aid station. Under the embattled conditions of ghetto life, those who seek help are not likely to be concerned with the description of the service performed. The need is for help—and fast. Withal, a law office and lawyers have a special place in the daily struggle to combat the conditions which grind the poor. And the poor themselves have a special place and can bring very special talents to such an office and to the struggle.

