

Ten Frequently Asked Questions – About Legal Aid

- 1.) Doesn't the court have to give you a lawyer?
No. You have a right to an attorney only in criminal cases. MidPenn handles only "civil cases". The Public Defender, not MidPenn, handles criminal matters.
- 2.) What is a civil case?
A criminal case is where the state has charged someone with a crime. A civil case is a dispute between you and someone else. Custody, foreclosures, unemployment compensation, Social Security Disability are all civil matters.
- 3.) How poor do you have to be to qualify for legal aid?
Very poor. You have to be within 125% of the poverty level. For a family of four, that is less than \$27,563 per year. An individual must make less than \$13, 538. Victims of domestic violence do not have to meet this requirement.
- 4.) Because you are funded in part by the government, don't you have all the lawyers you need?
Not nearly. While there is one private attorney in Pennsylvania for every 232 people, there is only one legal aid lawyer for every 5220 people.
- 5.) Do poor people really have legal problems?
More than most people. Lack of money means they run afoul of the system more than those with adequate resources. Family issues, getting a job, access to health care, and fighting foreclosures are critically important matters.
- 6.) If the court doesn't require it, do you really need a lawyer?
What you don't know might hurt you. Court cases are complicated matters. There is a good chance there will be an attorney on the other side. A lawyer can protect your rights.
- 7.) Does legal aid handle frivolous cases?
No, they handle only critical emergencies. There are so many requests for help that MidPenn has to turn away about 50% of qualified applicants.
- 8.) Do legal aid lawyers have to take a case?
No. Only cases with merit that are determined to be high priority are accepted.
- 9.) Do legal aid lawyers get paid more if they win?
No. Legal aid attorneys are on salary and they do not receive attorneys' fees. Fee generating cases are referred to the private bar.
- 10.) Is legal aid really free? Don't you have to pay something?
Legal aid is a free service. On rare occasions a client may have to pay some court related costs but not an attorney's fee.