

**Public Hearing on Proposed PCA
2022-23 Budget**

June 1, 2022

Testimony of

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SeniorLAW Center

Seeking Justice for Older People

Good morning. It is a pleasure to have the opportunity to be here today to provide the perspective from the legal services community serving older people on PCA's budget.

I have the privilege of serving as the Executive Director of SeniorLAW Center, which seeks justice for older people using the power of the law, educating the community and advocating on local, state and national levels. We are nonprofit attorneys and advocates who serve and promote the rights of the most vulnerable older Philadelphians, the low-income, the disabled and frail, minorities, and those facing language and cultural isolation. Like many of our colleagues in the aging network, we do this work because we are passionate about public service and about changing and improving lives and communities. We do this work because it is a calling, not just a job or a paycheck. We do this work because we believe in justice. All of us could make much, much more money in the private sector; instead, we choose lives of service in the nonprofit world. I stress this point because when we talk budget, we are talking about organizations and staffs which already sacrifice much to do work which is essential, and often thankless, and always pays less than it should and less than our stellar staffs deserve. When we talk about budget, we are talking about investment in lives, of those who do this important work, and of those we serve.

SeniorLAW Center provides legal representation, advice, education, information, referral, and advocacy for approximately 10,000 older Pennsylvanians each year, serving older people in their own homes, communities and languages, and addressing critical needs of housing, domestic violence, abuse and exploitation, family law, guardianship, advance planning, economic security and consumer protection. We have been serving older people for 44 years.

We would first like to thank PCA for its continuing support of our work and for holding this hearing today. In preparing for this testimony, I looked back at that of prior years. I have been doing this work for a while now, celebrating my 25th anniversary last month. It is indeed a labor of love. And while SeniorLAW Center has grown enormously during that time, increasing our staff and budget ten-fold, our PCA funding simply has not. In fact, it is almost exactly the same as when I began 25 years ago, in 1997. And I know that is true of our sister legal services organization, Community Legal Services. Over these past 25 years through 3 PCA administrations, the investment in justice in the PCA budget has actually *decreased*. And this is simply not fair to older Philadelphians or to the legal services organizations who must fund justice themselves.

The critical legal needs of older Philadelphians are simply not being met by PCA at this time, and again, will not be met by the proposed 2022-23 PCA budget.

The law affects our lives in profound ways. And it affects the lives of older people and low-income people and communities more profoundly and more frequently than any of us, as many are facing the loss of basic daily needs – their home, their safety, their health care, their income, their families. Having an attorney – a free attorney – for an older person means providing him or her with these basic necessities: safe shelter, the right to live free from violence and exploitation, access to health care, economic security,

and access to public benefits to afford food and medicine, to preserve autonomy, independence and dignity. To plan for the rest of their lives and the end of their lives. To pass on generational wealth and provide a home for their families for the future.

In alarming numbers, older Philadelphians are facing legal crises, which affect their safety, health, autonomy, and indeed, their very survival. Our clients are the older homeowners who face, in growing numbers today, foreclosure and the loss of the roof over their heads; they are victims of physical abuse and domestic violence, often at the hands of their own families or caregivers; they are targets of devastating financial exploitation, and home repair contractor fraud; they are grandmothers seeking custody of their grandchildren who have been neglected, abused or abandoned by a drug-addicted parent; they are at risk of losing their health care or basic income, and long term care recipients facing termination of critically-needed in-home services or eviction from their nursing homes. At present, well over 200 older adults contact us *each week* for help. We are proud to partner with well over 100 colleague organizations in this work, including the extraordinary Philadelphia aging network, the courts, law schools and law firms of every ilk, as well as partners throughout the City, Commonwealth and the nation.

Funding for legal services is funding for *essential human needs*. Congress has recognized and mandated this; yet the PCA budget again this year fails to do so. Congress has recognized that legal services affect quality of life and indeed often very survival, and thus **requires** AAAs to make legal services a **priority funding area** – one of only 3 identified in the Older Americans Act (access, in-home, and legal services). The proposed allocation for providing legal representation and assistance to the entire senior population in Philadelphia is \$436,000 – well less than even *1%* -- of PCA's total budget of almost \$83 million and actually less in dollars than budgeted 10 years ago! This year's actual PCA line item for legal services, not adjusting at all for inflation, is smaller than that budgeted *10 years ago*. It is also well less than *1%* of the Aging Block Grant. This is not priority funding. PCA's allocation of just over \$400,000 of an almost \$83,000,000 ignores real crises of Philadelphia's elders, and places the burden of funding justice on the shoulders of legal services agencies. Indeed, we are providing **95%** of the cost of protecting the rights of Philadelphia seniors. Impoverishing legal services further impoverishes the clients who most need our help. And is simply unfair.

Congress has also recognized that the mandated investment in legal services enables other funded services to work and be effective **and cost-effective**. Just one example is the relationship between our work in housing law and emphasis on home and community-based services. Last year alone, we handled over 500 housing cases, saving homes from foreclosure and enabling elderly tenants to contest wrongful eviction, fighting for fair housing and against discrimination based on age and disability. Without a home, the provision of home and community-based services is relatively meaningless. **There will be no point to “aging in place” if there is no place, no home.** Or if that home is uninhabitable. Or stolen by the filing of a fraudulent deed. Or sold at sheriff sale due to foreclosure. Or left to deteriorate due to an unscrupulous repair contractor. We address each of these issues every day.

We urge PCA to provide older Philadelphians with the access to justice that they are entitled to receive. At minimum, PCA should treat older Philadelphians as do AAAs in our neighboring metropolitan communities, who recognize the critical needs that a lawyer can make in the life of a poor elder, and who fund legal services at percentage levels nearly *7 times* that included in this budget. **Justice** should not be denied or allocated dependent on where you live. We ask PCA to do its part to make Philadelphia a city that values justice for our elders.

We know these are difficult times for the clients we serve and for many of our organizations. But proposing a budget which simply reflects the past does not recognize the realities of today. Every service provider and leader at this hearing knows that flat funding is *less* funding. Each provider knows well the hardships of flat funding while the costs of almost every budget item continues to rise, along with demand of the needs of those we serve. We all are intimately aware of the enormous challenges of continuing to try to stretch a nonprofit budget beyond its means and to continually ask more of our staffs and of ourselves. But we cannot always do more with less.

We recognize that the American Rescue Plan will have injected almost \$3.4 million in additional funding into PCA's coffers. At the same time we are mourning the loss and defunding of the In-Home Support Program, with which we have worked for many years to help older people age in their beloved communities, and the elimination of the Research Department at PCA, which provided cutting-edge data and analysis demonstrating the poverty, demographics and unmet needs and challenges of the richly diverse older communities in our City.

As the keeper of the keys to the treasure chest, we ask that PCA be as transparent as it asks its subcontractors to be in its expenditures, including what PCA pays private counsel in comparison to what it pays legal services providers to represent older people in greatest need.

I continue to have the highest hopes for the present administration led by President Orr, and hopeful that there will indeed be a new day, a new way of looking at how we pursue justice and how we fund organizations which have demonstrated excellence, cost-effectiveness and powerful impact. That the status quo of years past will no longer be acceptable. I am always, always optimistic. One cannot do this work otherwise. We deeply appreciate the support and partnership of PCA leadership and staff and its advocacy for those we serve together as we pursue our synergistic missions. Thank you for this opportunity to comment and participate in this process. Let's do even better and greater things in this new year, together.