

**Testimony of Jonathan H. Levy
Director of the Barbara McDowell Appellate Advocacy Project
Legal Aid Society of the District of Columbia**

**Before the Committee the Judiciary and Public Safety
Council of the District of Columbia**

Performance Oversight Hearing Regarding the Office of the Attorney General

March 1, 2018

The Legal Aid Society of the District of Columbia¹ respectfully submits this testimony regarding the performance of the Office of the Attorney General (OAG). This testimony is separate from the joint testimony of Legal Aid and Bread for the City also submitted today regarding the performance of the Child Support Services Division of OAG. This testimony focuses on one episode in which a variety of individuals within OAG helped save the life of a District resident. Legal Aid wishes to highlight this episode as one demonstrating the highest level of service and commitment by OAG employees to District residents.

As the Committee is aware, Legal Aid frequently interacts with OAG as both adversary and collaborator in a variety of contexts. Although we often find ourselves on opposite sides in administrative proceedings and any resulting judicial review proceedings, Legal Aid and OAG have maintained a cordial and professional working relationship.

The example that I want to share with you today involved a Legal Aid client living in poverty with a serious chronic medical condition. This client's only medical coverage was through the District's Medicaid program. Last year, this client's condition worsened to the extent that she was going to die without a very expensive, complicated surgery. The District's Department of Health Care Finance refused to authorize the surgery, arguing that it was not covered under the Medicaid program. Legal Aid disagreed and sought judicial review, but, in the meantime, our client was at risk of dying. The Solicitor General's office within OAG defended the Department of Health Care Finance in court, as is its job. But beyond that, Legal Aid had conversations with individuals from the Solicitor General's office, which later expanded to include others within OAG, regarding our client's dire circumstances. Without compromising the court case, OAG worked with us to find a different solution, and ultimately helped convince a hospital to provide our client with the surgery without charge. Our client had the surgery and is doing well. This is an example of District employees going above and beyond the narrow definitions of their jobs to do something extraordinary and truly life-saving for a District resident. OAG deserves credit for this and other similar actions.

¹ The Legal Aid Society of the District of Columbia was formed in 1932 to "provide legal aid and counsel to indigent persons in civil law matters and to encourage measures by which the law may better protect and serve their needs." Over the last 85 years, tens of thousands of the District's neediest residents have been served by Legal Aid staff and volunteers. Legal Aid currently works in the areas of housing, family law, public benefits, and consumer protection. More information about Legal Aid can be obtained from our website, www.LegalAidDC.org, and our blog, www.MakingJusticeReal.org.