

Mr. DENT. If the gentleman will yield, I would like to ask the Chair to invite our colleague.

Chairman PERKINS. Come on up Bill. He authored the act of 1965.

Mr. DENT. I would like them to know that he is slowly ebbing away from here.

Mr. JOHNSON. As I was pointing out, our projects would undertake to represent someone in a divorce, separation or annulment under the same circumstances they would in any other kind of case. But I also want to point out that the statistics reveal that in the vast majority of cases where people have come seeking divorce, separation or annulment, the legal services program along with family help service agencies have been able to work out a different solution to the problem.

Mr. DANIELS. Would you initiate a divorce proceeding or a separation proceeding on behalf of a person?

Mr. JOHNSON. Yes; we would, if that person was eligible financially for the services.

Mr. DANIELS. What is the justification for such action on your part? How is it justified under this poverty program?

Mr. JOHNSON. We feel that the major purpose of our program, as stated in the statute, is to promote justice among people living in poverty, and that this entails offering to them the same scope of legal services as is available to a rich man. If a State statute sets up a right to obtain a divorce if certain grounds are present, then the legal services program should afford an attorney to a poor man to obtain that divorce in the same sense that a rich man has that opportunity.

Mr. MEEDS. Will the gentleman from New Jersey yield?

Mr. DANIELS. I yield.

Mr. MEEDS. Mr. Johnson, is it not true that in some instances that a divorce or a legal separation is the best instrument to keep a person from going into poverty or to enable a person to get out of poverty?

Mr. JOHNSON. Yes; there is a very good example from southern Illinois, one of our projects there. A woman came to them who had for several years been beaten by her husband and he had not been supplying any support to her. She had someone else that she would have liked to have married, but she had not been able to afford a divorce. The legal services program obtained the divorce for her. She then married the second man, and not only did they benefit, but the society benefited because she had been on welfare before and now the second man was supporting her.

Mr. MEEDS. Are you aware, Mr. Johnson, that the community property laws in some States—as for instance my own State of Washington—provide, when a couple are separated, that the husband can incur obligations which the wife could be responsible for. In many instances that I have seen personally where a wife was trying to make a living for herself after being separated from her husband, but not legally, or divorced. Her wages were subject to garnishment for debts incurred by the husband because they were still a community and as such she lost her job.

Mr. JOHNSON. There are scores of these instances from California, for instance.