

She is still young enough and has an opportunity to make a new life for herself. She finds, however, that every time she turns around, she is classified for all purposes as a married person when, in fact, she no longer is enjoying any of the protection of her marriage state.

So, in those cases where the husband cannot be found, she is in a state of legal limbo until an action can be brought for his desertion and the relationship severed.

All too frequently this young woman seeks the protection afforded by living with another man without benefit of that divorce, and then starts to produce some children whose legitimacy is legally wrong from the beginning. Now we find that we have two generations of people being fouled up because of the presumptions that the law creates, and the only way to untangle this kind of mess is for a quick, clean, proper divorce proceeding.

I would like to also suggest that it is not the function of either your program or this committee to decide upon the public policy of the law of divorce. It has already been decided by the superior wisdom of the legislatures of every one of our 50 States, that divorce is, in fact, a proper legal remedy to sever certain legal relationships between people. I don't think that we should leave this record with the impression that this has become a primary function or a primary mission in any part of the program, and I hope before you finish that you will put enough statistical data in this record to show exactly where these cases fall, representing a portion of the total legal work done not just in terms of the number of people involved, but how much time is spent counseling people on their legal rights and responsibilities as distinguished from the actual time in preparing papers for a divorce.

So, any legal stenographer in a law office who cannot prepare a divorce proceeding from the beginning to end is not much of a legal stenographer. I am sure my legal colleagues here would agree it is one of the less troublesome and taxing types of legal work to handle.

I shouldn't want the impression to be that we are taking all of this high-powered legal talent and using it that way, because most of these divorce cases are just a filling-out-paper operation.

Mr. JOHNSON. I think we can put it in perspective.

Twice as many people are receiving representation in court in regard to consumer problems as are receiving representation in court with regard to divorce. More juveniles are being represented in juvenile court by our programs than spouses are in divorce court.

That gives you some idea of the volumes of other kinds of cases in court as compared to divorce and annulment.

Mr. FORB. Let me ask this. Suppose that an injured person comes in and the attorney in your neighborhood office determines that the person probably has a cause of action against someone that is of such a nature that many attorneys would accept that case on a contingent fee basis. Are those always referred out?

Mr. JOHNSON. Those are always referred out and in the majority of instances, the vast majority of instances, there is a lawyer referral service run by the bar association in town and the referral is made through that lawyer referral service to private attorneys.

Mr. FORB. Now, with regard to this judicare program in Wisconsin, as I understand it, the person was at complete liberty to go to any