

is, taking test cases, working in the area of not just the day-to-day legal services, but accepting the responsibility of moving ahead on trying to get landmark decisions and test cases?

Mr. JOHNSON. Yes, as I stated in my opening statement, one of the three major functions of the legal services program is to attempt to make the legal system fair for poor people, and our legal services programs do take to the appellate level cases which have some potential for raising many times for the first time basic issues that affect the lives of the poor.

Mr. ESCH. Then you envision this as a proper function of the services?

Mr. JOHNSON. I think it is the proper function of a lawyer. In fact, it is almost the duty of a lawyer representing any client to attempt to make the legal system function better for his client and these as lawyers for the poor have the duty, I think, to attempt to make the legal system fair for their clients.

Mr. ESCH. Right. This would all be on the basis of an individual justice rather than in terms of moving ahead on the social problems? This is what I am trying to determine. I accept the other responsibility of a lawyer to his client.

Mr. JOHNSON. I don't know if you can separate the individual client who shares the problems of the group, the economic group from which he comes. If you take a so-called test case, and change the law for that individual, you are necessarily changing the law and the system as it affects the group of which he is a member.

Mr. ESCH. We will go on for just a moment more. Do you see any inherent danger in about one-sixth of the population or citizens of this country being dependent upon such a service pertaining to their legal rights?

Mr. JOHNSON. I don't see any danger in it, no. I think that it's wholly appropriate, a fundamental role for Government, to attempt to seek justice and especially justice for poor people.

Mr. ESCH. You think justice's role would be to relate to other Government agencies, that is, would there be a Government role relating to other Government agencies, in this case representing a given economic group against a Government agency?

Mr. JOHNSON. No, I don't see any more danger in that than a State-funded public defender defending a defendant against charges being advanced by a publicly supported prosecutor.

Mr. ESCH. This is an area in which I have not yet made a value judgment. The public defender may be one thing, while the national program may be something else again. I share with you the concern in keeping the program at a local level.

Mr. JOHNSON. I think that is one of the essential features of this. It is basically locally operated and that is true of all OEO. It is locally operated and merely receives the funds from the Federal Government.

Mr. ESCH. Thank you very much.

Chairman PERKINS. Mr. Burton?

Mr. BURTON. Would you tell me if your program has had any ripple effect and has it had any impact on the curriculums being developed by the Nation's law schools?

Mr. JOHNSON. Yes, there has been almost a revolution, I guess.