



Office of the Attorney General
Washington, D. C. 20530

May 18, 2021

MEMORANDUM FOR THE DEPUTY ATTORNEY GENERAL
THE ASSOCIATE ATTORNEY GENERAL
HEADS OF DEPARTMENT COMPONENTS

FROM: THE ATTORNEY GENERAL

A handwritten signature in black ink, appearing to read "Merrick Garland", written over the text "THE ATTORNEY GENERAL".

SUBJECT: ACCESS TO JUSTICE

Low-income communities, communities of color, and many others across our country have long faced significant barriers to accessing justice. Lack of counsel and legal resources not only negatively affect outcomes in courtrooms, but also often lead to loss of employment, housing, family stability, consumer protections, and liberty.

Over the past year, our country has faced multiple crises – from the worst economic crisis since the Great Depression to the worst pandemic in more than one hundred years. Many Americans have been pushed into poverty and lost their homes, their jobs, and even their lives. Deep and longstanding inequities in our justice system have been exposed and exacerbated.

Trust in the rule of law – the foundation of American democracy – depends upon the public's faith that government seeks equal justice for all. That is the Justice Department's core duty, and the mission upon which it was built. But without equal access to justice, the promise of equal justice under law rings hollow.

Today, the President issued a memorandum reaffirming the Justice Department's role in leading efforts across government to seek and secure meaningful access to justice and reconvening the Legal Aid Interagency Roundtable, which I will co-chair. As part of our efforts to carry out this important work, I am pleased to announce that the Justice Department will reinvestigate the Office for Access to Justice, which was formally established in 2016 to "plan, develop, and coordinate the implementation of access to justice policy initiatives of high priority to the Department and the executive branch, including in the areas of criminal indigent defense and civil legal aid." 28 C.F.R. § 0.33.

My office will immediately begin work on a review process with the offices of the Deputy Attorney General and the Associate Attorney General. That process will engage all relevant stakeholders – both within the Justice Department and beyond – to develop a detailed plan for expanding our role in leading access-to-justice policy initiatives across government that will be submitted to the President within 120 days.

As part of this review, we will begin by identifying access-to-justice policy initiatives of high priority in light of today's most pressing challenges. We will explore, among other things, how the Justice Department and partners across federal, state, territorial, and tribal governments can alleviate entrenched disparities in our criminal justice system, address barriers to access in our immigration and civil legal systems, and advance health, economic, and environmental justice efforts.

I will then ask the Deputy Attorney General, with support from the Associate Attorney General and in consultation with relevant stakeholders, to develop recommendations regarding the resources that will be required to reinvigorate the Department's Office for Access to Justice, including a staffing strategy and specific recommendations on optimal organizational placement for the office within the Department in light of its responsibilities.

I look forward to revitalizing our important efforts on this front and to ensuring that access to justice remains an enduring part of the Justice Department's work.