



TEXAS

ACCESS TO JUSTICE COMMISSION

CIVIL LEGAL SERVICES TO THE POOR IN TEXAS

**A Status Report presented by
the Texas Access to Justice Commission
to the Supreme Court of Texas**

September 11, 2008

VOLUME 1 – REPORT

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Executive Summary

At the request of the Supreme Court of Texas, the Texas Access to Justice Commission filed its report on the status of civil legal services to the poor in Texas for the Court's September 11, 2008, hearing on this matter. The Commission submits this summary of its report to interested parties.

The Supreme Court of Texas held its first hearing on the status of civil legal services to the poor in Texas in January 2000. That hearing marked the beginning of a series of dramatic changes in the landscape of civil legal services to the poor in Texas. In September 2004, the Court conducted a second status hearing to monitor progress in increasing legal services to poor and low-income Texans.

The Commission can report significant progress since 2004, although most of the challenges to providing access to justice for all remain. New sources of funding have been developed while others have declined. Overall funding has increased by more than 17 percent, most of which is attributable to state-based funding rather than federal funding. Texas also has experienced significant increases in its poverty population and concomitant dramatic drains on its legal services system as a result of such unexpected crises as Hurricanes Katrina and Rita, and numerous other natural disasters. Providing quality service to clients remains the first priority of the legal services providers. The frontline delivery of direct legal services to the poor continues to be provided by the dedicated staff of legal aid and pro bono programs and thousands of volunteer lawyers throughout Texas.

The major problems that impact access to the justice system in Texas are limited resources, restrictions on uses of funding, scarcity of legal services in rural areas of the state, and a rapidly increasing poverty population. Texas experienced a 27 percent increase in its poverty population from 2000 to 2007 (the most recent available data), which does not include those Texans who have fallen into poverty due to the severe economic downturn in 2008.

The Supreme Court of Texas created the Commission to develop and implement policy initiatives to expand access to, and enhance the quality of, justice in civil legal matters for low-income Texans. Although the Commission was not established to govern the work of existing legal services providers, it was given the mandate to develop remedies to address the problems of access to justice, to assist all participants in developing statewide strategic alliances to more effectively transform ideas into action, and to insure implementation statewide of programs that would enhance access to justice for the poor.

Support from the judiciary, and especially from the highest court, continues to be absolutely critical in the effort to increase access to the justice system. Texas has been extraordinarily fortunate to have that crucial and sustained support from the Supreme Court of Texas and from much of the Texas judiciary.

The State Bar of Texas has strengthened its long tradition of support for access to justice. The Bar has provided funding to and support for the Commission, as well as Texas Lawyers Care, the Bar's pro bono/legal services support department. Initiatives have included, among others, funding for the Texas Student Loan Repayment Assistance Program and online legal research for legal aid lawyers. State Bar leaders have worked with the Commission, the Court and other partners in the effort to increase funding for legal services to the poor.

Since 2004, new sources of funding for legal services have been developed or increased, while other sources, most notably federal funding from the Legal Services Corporation, have flagged, failing to keep pace with inflation. A new fee on sexually oriented businesses, while still facing court challenges, includes \$2 million, for the biennium, for legal services to sexual assault victims. Non-exempt Texas attorneys annually pay a \$65 legal services fee, half of which, approximately \$2 million annually, is devoted to civil legal services. The other half supports indigent criminal defense. That critical funding will continue, since its sunset provision was removed in the 2007 legislative session. The voluntary contributions that Texas lawyers make each year to the Access to Justice Campaign through their State Bar dues statements have generated in excess of \$2 million since 2004. These contributions have increased in the past two years, following several annual decreases attributable to the creation of the mandatory legal services fee.

The Texas Student Loan Repayment Assistance Program (SLRAP) was established to encourage lawyers to accept and remain in low paid legal aid jobs by assisting in repayment of very large student loans. The SLRAP, funded by the State Bar of Texas, the Texas Access to Justice Foundation (TAJF), and individual donors now provides financial assistance to all eligible legal aid lawyers who apply. The 2008 applicants earn an average salary of \$43,000, while carrying an average student debt of \$82,000 with monthly payments exceeding \$700. Through the SLRAP, participants receive up to \$400/month in assistance to defray repayment of the debt created by these student loans.

Undoubtedly, the most significant advance in resource development for legal services to the poor in many years, certainly since the Supreme Court hearing in 2004, is adoption of the new "comparability" rule for Interest on Lawyers' Trust Accounts (IOLTA) funds. The Supreme Court of Texas entered its order amending the existing IOLTA rule based on the unanimous recommendation of TAJF and the Commission. The rule had a significant and immediate impact on IOLTA revenue in 2007. Unfortunately, unanticipated falling interest rates have dramatically reduced this funding source, but despite the economic downturn, 2008 IOLTA funds still will double the amount collected prior to comparability. The resource problem would be devastating to legal service delivery but for the bold and decisive action of this Court in 2006. TAJF also created its Prime Partner program, which recognizes banks that agree to pay a higher rate than required on IOLTA accounts. This important program is promoting an increase in IOLTA funds even in the face of noticeable decreases in the Federal Funds Target Rate. In the absence of the comparability rule, revenue for access to justice would have substantially decreased and legal aid programs would be confronting more daunting financial decisions.

In 2004, the Commission adopted a five-year Strategic Plan, which established major specific initiatives to significantly enhance access to the justice system for low-income and poor Texans. These broad initiatives included developing a statewide endowment program; pursuing a *cy pres* strategy; establishing a corporate counsel strategy; developing a comprehensive legislative strategy; dramatically expanding technology for all legal services providers; involving law schools in collaborative access to justice programs; expanding delivery of legal services to the underserved areas of the state; establishing quality training to enhance the advocacy skills of legal aid lawyers; and expanding and refining the use of communications to inform and educate the profession and the public. The Commission completed an in-depth study of the feasibility of a statewide endowment campaign over a period of two years and, based on the results of that comprehensive study, determined that an endowment campaign was not economically feasible at this time. With that lone exception, the Commission has developed and fully implemented all other programs and remedies incorporated in its Strategic Plan.

The Court Awards Strategies Committee is a joint committee of the Commission and TAJF, which will create a statewide campaign focused on obtaining revenues for legal services to the poor through court awards, such as *cy pres*. The Committee initiated this major effort at its meeting in August.

To pursue development of its corporate strategy, the Commission requested that the Supreme Court add an additional member to the Commission designated as a corporate/business representative. Concurrently, the Commission created the Corporate Counsel Committee in 2004 pursuant to its Strategic Plan initiatives. The Committee identified three areas of focus for its work: developing strategic initiatives for the Commission related to in-house corporate counsel, increasing corporate involvement in securing funding for legal services, and increasing pro bono involvement and participation among the large number of corporate in-house counsel.

In each Texas legislative session since the Commission's creation, the Commission has undertaken an active role in monitoring and promoting legislation to increase access to justice. Among its legislative efforts, in 2007, the Commission developed an "ATJ Day at the Texas Legislature" during which a designated team visited key legislators and leaders to discuss issues critically important to access to justice for low-income Texans. These 2007 visits were patterned on ABA Day in Washington, which has proved extremely effective in efforts to protect and increase federal funding for legal services to the poor. ATJ Day likewise was very successful and helped in the passage of important bills that affected available remedies for low-income Texans.

The Commission's Technology Committee has worked diligently and successfully to improve the technological capacity of Texas legal services programs. A fundamental objective of the Committee has been to establish and provide baseline level of technology for each legal services organization. The Commission recruited key technology leaders from large Texas law firms who spearheaded this effort. After extensive research of each of the TAJF-funded legal services providers, the Committee recommended a one-time bulk purchase of equipment and software totaling \$680,000 that would provide baseline technology for every service provider. The

Committee also engaged in extensive negotiations to obtain the most cost effective vendor for the equipment. TAJF funded the purchases for its 37 grantees. The baseline technology was distributed in December 2007 and was made operational by early 2008. The Committee also concluded that delivery of legal services would be enhanced by quality technology training for legal aid staff that would improve client services through more efficient and innovative uses of technology. The Committee established a teaching and mentoring course that provided live trainings on Microsoft Word and Excel at their firms' offices in Austin, Dallas, Houston, and San Antonio, and at the University of Texas-El Paso and Texas Tech University campuses over a period of several months to accommodate legal staff located in various areas of the state.

The Commission formed the Law School Advisory Committee to address the strategic initiative to increase involvement of all law schools in access to justice issues. Comprised primarily of the deans of all nine Texas law schools, the Committee was requested to examine the law schools' role in addressing access to justice for the poor. As a result, a major achievement has been the creation of a consortium of law schools engaged in the Texas Access to Justice Internship Program. Through this program, law students from all nine Texas law schools are assigned and work in legal aid offices in underserved areas of the state in which there is no law school. The program, which just completed its third year, has been remarkably successful in providing increased legal services to the poor as well as introducing law students to the need for such public service. Also, both the University of Texas School of Law and Baylor University Law School, in cooperation with the Commission, have created Equal Justice Scholarships. These annual scholarships provide full tuition for the recipients in return for a commitment to practice with a legal services provider for at least three years upon graduation. Currently, all law schools are exploring options for increased involvement in access to justice issues.

At the Commission's request, the Supreme Court created the Task Force to Expand Legal Services Delivery to address the Strategic Plan's statewide initiative to expand delivery of legal services to the underserved areas of the state. The Task Force is made up of representatives of many State Bar Sections and its paralegal division, independent professional attorney organizations, Texas Young Lawyers Association, legal services providers, the executive director of the Office of Court Administration, and the court reporters association. The Task Force has been engaged in implementing a variety of pro bono efforts throughout the state. It plans to work with other state agencies to devise a crisis assistance plan to address the unexpected catastrophes that periodically occur with devastating consequences.

The Commission, in consultation with the directors of the largest Texas legal aid programs, embarked on a structured program to provide the highest caliber of advocacy training for legal aid lawyers to enhance their trial skills and techniques. All aspects related to participation in the advocacy program, including travel and lodging, are provided at no cost to legal aid attorneys. Volunteer trainers—predominantly Texas Fellows of the American College of Trial Lawyers—contribute their time, talent and expertise to train legal aid lawyers. The participants not only receive outstanding advocacy training but they also are encouraged and inspired by the mentoring they receive from some of the finest trial lawyers in the state.

The full report submitted to and filed with the Supreme Court of Texas includes detailed information on specific activities and initiatives of the Commission, the Supreme Court of Texas, the State Bar of Texas, the Texas Access to Justice Foundation, and the Texas Bar Foundation related to access to justice. Supporting documents and additional information are available in the Appendix, Volume 2 of the report.

It is only appropriate to conclude this summary by expressing the Commission's appreciation for the unwavering and enthusiastic support of the Court. The Court's creation and ongoing stalwart support of the Commission's initiatives and programs has significantly enhanced the justice system and has made a difference in the lives of the people of Texas.

I. Overview of Civil Legal Services to the Poor in Texas

Since the Supreme Court of Texas held its last hearing on civil legal services to the poor in Texas in September 2004, the challenges and achievements of civil legal services in Texas have changed substantially. The Texas Access to Justice Commission (“Commission”) has dramatically expanded and increased its work. New sources of funding have been developed while others have declined. Despite tremendous work in Texas, the state has moved from 42nd to 43rd in per capita spending for legal services to the poor—primarily a result of a rapidly growing poverty population. Nevertheless, the infrastructure of legal services programs has likewise grown. Texas and its legal profession can be proud of the improvement that has been made, and at the same time, recognize that Texas still has a long way to go to move out of the bottom tier of states on per capita spending for the poor. This report will highlight both the advances that have been made and the challenges still faced in attempts to increase access to justice in Texas.

The frontline delivery of direct legal services to the poor continues to be provided by the dedicated staff of nonprofit organizations and thousands of pro bono private attorneys. The nonprofit legal services programs are primarily either staff-based or volunteer-based. Many staff-based programs also operate volunteer projects, and most volunteer-based programs require, at a minimum, funding for administrative staff support.

Both the staff and volunteers of these programs perform yeoman’s service to provide access to justice for low-income Texans with critical legal needs. Pro bono attorneys volunteer willingly to represent the most vulnerable in our society because they believe that under the rule of law everyone is entitled to access to justice. Legal aid staff attorneys do their work year after year for meager salaries they could have earned without ever going to law school. Their strong commitment to justice for all reflects high honor on the entire legal profession.

A. Staff-based Programs

1. Legal Services Corporation (LSC) Programs

Each year, Congress appropriates funds for the provision of civil legal services to the poor. These funds are disbursed by the Legal Services Corporation, which sets policy and promulgates regulations for its grantees, in accordance with Congressional mandates. Support is strongly bipartisan, thanks in large measure to much effort on the part of the legal profession through the American Bar Association; state bars, including the State Bar of Texas; access to justice entities, including the Commission; and many supportive legislators.

Texas LSC-funded programs, three of the largest in the country, serve every county in the state. The LSC programs together constitute by far the largest legal services provider in the state, employing approximately 443 staff attorneys and providing about 75 percent of the legal services to the poor in Texas. The three programs provide a range of civil legal services. Priorities for accepting cases are set by the boards of directors of the programs. Nearly half the cases handled

are family law cases; most other cases are in the areas of housing, consumer law, employment, public benefits, and issues affecting the elderly.

2. Non-LSC Staff Programs

Some non-LSC staff-based programs operate in Texas. Most of these programs either serve a specific client group or limit service to a specific type of legal issue. Examples include Advocacy, Inc. (disability-related issues), Texas Civil Rights Project (civil rights & discrimination) and Catholic Charities immigration projects (immigrants & asylees).

B. Volunteer-Based Programs

Organized pro bono programs thrive throughout Texas. The website, www.TexasLawyersHelp.org, contains resources for pro bono attorneys, including a list of pro bono coordinators who can set up pro bono opportunities for lawyers. Its related site, www.TexasLawHelp.org, also lists legal services providers, county-by-county. The diversity of the programs provides a wide array of volunteer opportunities for attorneys in all types of practice.

LSC mandates that its grantees expend 12.5 percent of LSC funding on private attorney involvement. LSC programs may use the funds for in-house pro bono projects, often co-sponsored with local bar associations, such as Dallas Volunteer Attorney Project (co-sponsored by Legal Aid of NorthWest Texas and the Dallas Bar Association) and the Community Justice Program (co-sponsored by Texas RioGrande Legal Aid and the San Antonio Bar Association).

LSC programs also may subcontract with other organizations to administer pro bono legal services, as Lone Star Legal Aid does with Aid to Victims of Domestic Abuse in Houston. Finally, LSC programs may contract with individual attorneys at a substantially reduced hourly rate to provide direct legal services to eligible clients, as Texas RioGrande Legal Aid (TRLA) does in the Rio Grande Valley of South Texas.

Many Texas pro bono programs are affiliated with local bar associations, such as the Houston Volunteer Lawyers Program and the new Fort Bend Lawyers Care program. Other programs focus on specific client groups, such as children, persons with HIV/AIDS, immigrants, the elderly or victims of domestic violence. Usually, an attorney, paralegal or legal advocate staff person recruits volunteer attorneys, coordinates referrals and provides support to the attorney-volunteers. Examples include, Justice for Children, Dallas Legal Hospice, Political Asylum Project of Austin, the Houston Bar Association and Houston Volunteer Lawyer Program for the VA Veterans Justice Program, among many others.

Faith-based projects are a small but important segment of the pro bono/legal services program community. Some of the smaller projects serve only members of their congregations or immediate neighborhoods, while others make their services available to the entire community. One example is Catholic Charities immigration programs, which operate in cities throughout the state.

C. Revenue

The legal services delivery system is funded from many sources, the majority of which are from the federal government. Since 2004, however, the variety of funding sources has increased. The following chart illustrates the 2007 revenue data for grantees of the Texas Access to Justice Foundation (TAJF).

Texas Access to Justice Foundation 2007 Grantee Income Sources	
Texas Access to Justice Foundation	18,092,500
Foundations (other than TAJF)	1,591,900
Private Bar	1,149,273
United Way	901,974
Legal Services Corp (LSC)	28,205,516
State & Local Funding (other than BCLS & CVCLS)	4,806,074
Church Funding	312,603
Title III - Admin. on Aging	138,187
Federal Programs (other than LSC)	11,176,799
University or Law Schools	297,141
Court-Awarded Attorney Fees	677,001
Client Fees	1,553,086
Fundraising	1,575,316
Other	3,697,969
TOTAL	\$74,175,339

D. Gaps in Service

Gaps in the legal services delivery system remain and, for the most part, have not changed significantly since 2004. These gaps continue to result from restrictions on use of funds, inadequate resources and geographic challenges. Current economic conditions coupled with the inadequate LSC funding have imposed a severe strain on vital resources for funding legal services programs.

1. Restrictions on Use of Funds

Almost all Texas programs are limited in the services they provide due to explicit restrictions imposed by funding sources. Restrictions include prohibiting class action lawsuits, suits against the government, redistricting cases and fee generating cases, among others. LSC programs are prohibited from representing incarcerated people or undocumented immigrants (except in domestic violence cases). Unlike many states, Texas has no significant source of unrestricted funding for the provision of legal services to the poor. Almost all available funding carries restrictions, either by case type or by class of eligible client served.

LSC grantees continue to operate under an “all funds” restriction. That is, programs that receive

LSC funding are prohibited from using any funds for restricted purposes; this restriction extends to all funds received by a program, including other non-LSC public and all private funds. Some state funds also effectively carry “all funds” restrictions. Such restrictions impact other funders that do not restrict use of their funds, since one funder effectively decides the purposes for which another funder may issue grants.

A significantly limiting LSC restriction is the restriction that prohibits LSC programs from receiving, or even requesting, attorneys’ fees in any cases. This restriction eliminates a potential source of funding for legal services to the poor. It also removes an important deterrence effect because most cases brought by poor people do not involve large damage awards.

2. Inadequate Resources

Programs continue to be severely constrained by inadequate resources in 2008. Fortunately, several successful efforts have created new or increased sources of funding for legal services since 2004. Also, many private attorneys volunteer their time and expertise in pro bono cases, but these volunteer efforts, while substantial, cannot possibly satisfy the existing need. Since that need continues to grow, programs increasingly struggle to address the need of a growing poverty population.

All legal services programs are governed by client eligibility and case acceptance guidelines. Applicants for legal services must satisfy certain income limits, usually 125 percent of the federal poverty guidelines (See Tab I-1), and generally must reside in the program’s service area. However, no program is able to serve all the clients who qualify under the guidelines. LSC released a nationwide study in 2005, *Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans*, which noted that LSC programs turn away half of eligible applicants due to lack of resources.

Providers limit the types of cases they accept because of inadequate staff and volunteer resources. One common limitation, for example, is acceptance of divorce cases only where domestic violence is involved. People who need divorces for other reasons must wait for extended periods of time or more often, simply do not receive the much needed legal services. Additionally, many clients who receive only legal advice more often than not need actual representation, but do not receive it due to lack of resources. Legal representation is the key for actual access to the justice system for those in need.

3. Geographic Challenges

Texas geography presents unique challenges, particularly to the rural poor. Remote distances and lack of transportation complicate access. Although technological advances offer some hope for this problem, they come with increased costs. Currently, there are many underserved areas in the geographically diverse state, primarily in rural areas.

Several initiatives have been undertaken to begin to address underserved rural areas. In

November 2004, upon the Commission's recommendation, the Supreme Court created the Task Force to Expand Legal Services Delivery to assist the Commission in the expansion of legal services to underserved areas of Texas. The Task Force's efforts are detailed in section II of this report. The Commission's ATJ Summer Internship Program places law students in legal aid offices in areas of the state where there is no law school – usually rural communities. Importantly, TAJF is targeting a portion of Interest on Lawyers' Trust Accounts (IOLTA) funds to increase legal services in rural areas of the state.

E. Crisis Management

Texas has always experienced more than its share of natural disasters, including floods, hurricanes, and tornados. Such catastrophic disasters almost always place immense additional stress on the legal services delivery system. However, since 2004, natural disasters, as well as other unique legal crises, have had an unusually powerful impact on the delivery of legal services in Texas.

1. Hurricanes Katrina and Rita

Hurricane Katrina hit the Gulf Coast in August 2005, resulting in massive damage to New Orleans and east along the coast. Hundreds of thousands of evacuees fled to Texas in the wake of the storm. Many of the evacuees who decided to stay in Texas were the poor who had little or nothing to return to in Louisiana. Following close on the heels of Katrina, Hurricane Rita hit the Gulf Coast in East Texas and Louisiana, adding yet more destruction and devastation to the existing crisis and expanding the need for legal assistance.

Texas' legal services programs, along with many hundreds of volunteer attorneys responded to the legal needs of the overwhelming number of hurricane victims. The Houston Volunteer Lawyers Program (HVLP), Lone Star Legal Aid (LSLA), Texas RioGrande Legal Aid (TRLA), Legal Aid of NorthWest Texas (LANWT), Dallas Volunteer Attorney Program (DVAP), Advocacy, Inc. and others set up booths in area shelters to provide immediate legal advice and assistance to evacuees. Pro bono programs like HVLP and Volunteer Legal Services of Central Texas (VLS) provided free, fast and effective training and mentoring for volunteer lawyers who signed up to help. Staff and volunteer attorneys scrambled to update and create multi-state materials to answer basic legal questions related to the effects of the disaster. The Supreme Court of Texas entered a temporary order allowing attorneys from affected states to represent their clients in Texas without running afoul of rules on the unauthorized practice of law. The State Bar of Texas activated its disaster hotline, which is the FEMA legal hotline for Texas, and automatically forwarded callers to the appropriate legal aid and pro bono programs throughout the state. The State Bar of Texas sent staff to Louisiana to assist the Louisiana State Bar Association to recover from the devastating loss of its offices in New Orleans and facilitate legal services efforts. TRLA joined forces with Louisiana legal aid providers and the Louisiana State Bar to establish a call center at Louisiana State University Law Center in Baton Rouge, modeled after TRLA's Telephone Access to Justice Centers in Texas. Some legal services programs temporarily hired displaced Louisiana lawyers as local counsel to provide Texas programs with information on Louisiana law, judicial procedures, and human services programs.

At the request of the Commission, the Texas Access to Justice Foundation provided \$1 million in emergency funding for legal services providers struggling with huge new client demands. The Texas Bar Foundation likewise responded to the Commission's request and instituted an emergency grant process to get \$260,000 in funds out to programs quickly. The Commission and the State Bar asked Texas attorneys to contribute financially to the effort, in addition to doing pro bono work. ExxonMobil and Conoco contributed \$50,000 each to provide legal services to the hurricane victims. Lone Star Legal Aid assisted three rural East Texas counties with applications for federal emergency funds for the devastation caused by Hurricane Rita.

The response by Texas' legal community was inspiring, and tens of thousands of hurricane victims were helped and continue to be helped, but the effort exacted a huge toll, as well. Legal aid staff attorneys were overworked and overwhelmed endeavoring to maintain existing caseloads while at the same time handling emergency cases for hurricane victims. Many poor Texans received less assistance as programs struggled to address the emergency needs of evacuees. The financial costs continue to be a major factor, as many evacuees from Louisiana have settled permanently in Texas. While Katrina and Rita were certainly an unusual one-two punch, a scenario just as serious could happen at any time. According to FEMA, Texas has experienced more major disasters than any other state, with 82 major disasters declared since 1953. Just since 2004, Texas has experienced seven major disaster declarations, which does not include the impact of Hurricane Katrina on Texas, because the storm did not hit Texas.

2. Fundamentalist Church of Jesus Christ of Latter Day Saints (FLDS)

Although still unfolding, the legal proceedings in San Angelo arising from what has been called the largest child custody case in history continue to require free legal services from private attorneys and legal aid programs around the state. Child Protective Services (CPS) raided the FLDS ranch and took the children into custody amid allegations of abuse. Hundreds of Texas lawyers offered their assistance and more than 350 were appointed by the court to serve as attorneys-ad-litem for the more than 400 children removed from the FLDS facility in Eldorado. Legal aid groups were called upon to provide legal services to the parents of these children. In particular, attorneys with Legal Aid of NorthWest Texas, which has an office in San Angelo, along with attorneys from Texas RioGrande Legal Aid, stepped in to help ensure that those who could not afford to hire attorneys received the legal representation they needed. The Third Court of Appeals ruled that CPS did not have sufficient evidence to take the children into custody. The Supreme Court of Texas, in a *per curiam* opinion, upheld the decision.

The Texas Bar Foundation granted \$25,000 to the Texas Access to Justice Foundation to provide reimbursements to pro bono attorneys representing the children taken into custody by the State. The reimbursements were designated to help offset administrative costs, such as travel and lodging expenses. TAJF also has made up to \$100,000 available to assist legal aid organizations with costs associated with representation of the mothers.

Such large, unexpected cases stretch already severely limited resources within the state. Legal aid programs and volunteer attorneys commendably arose to the occasion in those circumstances, but there is little doubt that such a demand for services without a commensurate increase in resources likely means that other Texans with pressing legal needs are prevented from receiving the assistance they need.

II. Texas Access to Justice Commission

The Supreme Court of Texas held its last hearing on the status of civil legal services in Texas in September 2004. At that time, the Commission had just completed its transition to a new Chair. John R. Jones served as the Commission's first chair from 2001 to 2004 and completed the Commission's start-up phase. James B. Sales was appointed chair by the Supreme Court in June 2004.

A. Commission Background

On April 26, 2001, the Supreme Court, supported by resolution of the State Bar of Texas Board of Directors, created the Texas Access to Justice Commission (the Commission). (See Tabs II-1 and II-2) Its stated mission was, and continues to be, to develop and implement policy initiatives to expand access to, and enhance the quality of, justice in civil legal matters for low-income residents of Texas. The Commission was not established to govern the work of the legal services providers in Texas, but to assist all participants in developing statewide strategic alliances to more effectively develop a program to address the incredible need for significantly greater access to the justice system.

In October 2004, just a month after the last Supreme Court hearing on civil legal services, the Commission adopted a five-year Strategic Plan. (See Tab II-3) As part of the development of its Strategic Plan, the Commission invited all grantees of the Texas Access to Justice Foundation (TAJF), which includes the vast majority of the legal services providers in the state, to a meeting in Austin in July to discuss their concerns and the problems they face in providing legal services to the poor. The Commission involved other stakeholders in its planning process, including the State Bar of Texas, TAJF, and others.

The Strategic Plan, adopted by the Commission after months of planning, outlines the broad objectives and specific initiatives identified to achieve its objectives within five years. The Commission understood that nothing is static and recognized that some changes to the plan would be necessary as the Commission's work progressed. In fact, the Commission revisited its Strategic Plan in 2007. Initially, the broad objectives included:

- Develop and implement a statewide endowment program to ensure stable funding for legal aid providers
- Develop a corporate counsel strategy
- Expand delivery of legal services to the underserved areas of the state
- Develop a legislative strategy

- Develop programs with law schools
- Establish additional quality CLE and training to legal aid lawyers
- Refine a program for communications about legal aid to the legal community in consultation with legal services providers
- Develop and implement a *cy pres* strategy
- Develop a technology strategy to enhance the effectiveness and efficiency of the legal services providers.

The Commission immediately set out to accomplish these initiatives by creating new committees, including the Endowment Committee, Corporate Counsel Committee, CLE Committee and Law School Advisory Committee. Other initiatives were assigned to existing but restructured committees.

Additionally, the Commission requested the Supreme Court create a Task Force to Expand Legal Services Delivery with representatives from designated State Bar of Texas Sections, the Texas Young Lawyers Association, legal services providers and other attorney associations. Additional information regarding progress on the initiatives of the Strategic Plan is provided later in this report.

B. Commission Structure

The Commission originally consisted of fifteen regular members, eight of whom were appointed by the Supreme Court, with the remainder appointed by the State Bar. The Commission also has three ex officio members appointed by the legislative and executive branches of government. The Supreme Court has since expanded the Commission by adding a representative of the business and corporate community in 2004 (See Tab II-4) and an additional at-large attorney position in 2006. (See Tab II-5) Numerous committees and workgroups have been created to take on assigned tasks. Staff support is provided to the Commission by the Texas Lawyers Care department of the State Bar of Texas. The State Bar also provides the budget for the Commission's work.

1. Commissioners

The appointment of the commissioners was designed by the Court to provide as broad and diverse a range of representation as possible. (See Tab II-6)

Specifically, the Supreme Court appoints:

- Three judges, including one member of the Supreme Court of Texas, one judge from an urban area (county population of greater than 650,000) and one judge from a non-urban area (county population of 650,000 or less);
- One member of the TAJF Board of Directors;
- One representative of the business and corporate community;
- Two representatives (staff, board, or volunteers) of state or federally funded legal services programs (reflecting diversity among LSC and non-LSC funded programs,

- staff and pro bono based programs, and general civil legal services and specific services); and
- Three at-large members.

The State Bar of Texas appoints:

- Two members of the State Bar Board of Directors;
- One member of the Texas Bar Foundation Board of Directors;
- Two representatives (staff, board, or volunteers) of state or federally funded legal services programs (reflecting diversity among LSC and non-LSC funded programs, staff and pro bono based programs, and general civil legal services and specific service programs); and
- Two at-large members.

The Commission also includes:

- One ex-officio member appointed by the Governor of Texas;
- One ex-officio member who is a member of the Texas House of Representatives appointed by the Speaker of the House; and
- One ex-officio member who is a member of the Texas Senate appointed by the Lieutenant Governor.

The Supreme Court designates the chair of the Commission after consultation with the president of the State Bar. Currently, James B. Sales with Fulbright & Jaworski in Houston and a former State Bar President serves as chair.

A member may not be appointed to serve more than two successive full three-year terms. A member who has served two successive full terms is not eligible for reappointment until the third anniversary of the date that the member's last full term on the Commission has expired.

2. Committees

Because of the breadth and magnitude of its mission and goals, the Commission conducts much of its work through its committees. The committees are reconfigured depending on the focus and need of the Commission. Current committees include:

- The Communications Committee, a joint committee with the Texas Access to Justice Foundation, charged with identifying and producing media to increase the awareness of the need for legal services to the poor in Texas and the existing resources to help meet that need, and to educate both the profession and the public about access to justice issues;
- The Legal Training Committee, charged with creating new and enhanced training opportunities for legal aid lawyers;

- The Corporate Counsel Committee, charged with exploring and implementing ways that in-house counsel can become engaged in access to justice issues and activities, including providing pro bono legal services and participating in resource development;
- The Special Projects Committee (formerly the Legal Access Committee), charged with developing and increasing access to legal resources for traditionally underserved populations;
- The Technology Committee, charged with exploring and recommending technological solutions aimed at increasing access to justice and enhancing both the effectiveness and efficiency of legal services providers;
- The Law School Advisory Committee, made up primarily of the nine deans of Texas law schools, charged with encouraging Texas law schools to become more active in access to justice issues and promoting increased service in the public interest among their students;
- The Legislative Committee, charged with monitoring, proposing and supporting legislation to further the availability of and access to legal services to the poor; and
- The Court Awards Strategies Committee, a new joint committee of TAJF and the Commission, charged with educating the legal community about how cy pres funds can be used to increase revenue for legal services to the poor in Texas.

C. Activities and Initiatives

The Commission has implemented a myriad of programs and engaged in a wide variety of activities to further its mission and to achieve the objectives of its Strategic Plan. As required by the Supreme Court, the Commission files semi-annual reports to the Court reporting on its activities and programs. (See Commission website at www.TexasATJ.org.) Progress towards meeting the objectives of the Strategic Plan, past and current, are discussed below. A timeline of activities since the September 2004 hearing is included for chronological comparison.

1. Timeline of Texas Access to Justice Commission Activities

<u>Date</u>	<u>Actions</u>
July 2008	Annual ATJ track at Bar Leaders Conference; Hankinson Awards presented
July 2008	Col. Bryan Spencer is recognized as ATJ Pro Bono Champion
June 2008	TAJF takes over administration of Texas Student Loan Repayment Assistance Program for legal aid lawyers increasing funding; all eligible applicants receive assistance for first time
June 2008	Commission, State Bar's Corporate Counsel and Business Law Sections to co-sponsor new Corporate Counsel Award
May 2008	Commission holds third Texas Trial Academy for legal aid lawyers; Texas Fellows of American College of Trial Lawyers provide advocacy

<u>Date</u>	<u>Actions</u>
	training; MD Anderson Foundation donates \$50,000
May 2008	Commission's ATJ Internship Program enters third year, placing 20 law students in legal aid offices throughout the state; Texas Legal Protection Plan donates \$50,000 and State Bar's Corporate Counsel Section donates \$7,500 for law student stipends
April 2008	First annual Pro Bono Section Awards presented to Family Law Section, Appellate Section and Poverty Law Section
April 2008	ABA Day trip to Washington results in 31 congressional visits; both Texas senators sign letters calling for more LSC funding
April 2008	Professor Larry Spain is recognized as ATJ Pro Bono Champion
April 2008	Both UT Law School and Baylor Law School extend annual ATJ scholarship programs
March 2008	Commission Chair addresses meeting of Regional Administrative Judges
March 2008	Commission and Texas Lawyers Care publish 2008-2009 Justice for All Calendars for legal aid clients
February 2008	Commissioner Charles Matthews speaks on pro bono at Houston and Dallas annual Corporate Counsel Institutes
January 2008	Commission and Texas General Counsel Forum agree to co-sponsor new Magna Stella Pro Bono Award for corporate counsel
January 2008	Richard Tate is recognized as ATJ Pro Bono Champion
December 2007	Technology Committee completes upgrade project: equipment delivered to legal services programs
November 2007	Law School Advisory Committee unanimously decides to continue ATJ Internship Program after successful 2-year pilot
October 2007	Commission hosts Texas Lawyers Care's 25 th Anniversary celebration, which raises \$186,000 for legal services to the poor; presents Star of Justice Awards to Betty Balli Torres and Emily Jones and presents State Bar with special award for support of TLC
October 2007	Justice Harriet O'Neill is recognized as ATJ Pro Bono Champion
October 2007	Commission and TAJF retain Elizabeth Christian & Associates to create and implement public awareness campaigns on access to justice
September 2007	Chief Justice Jefferson publishes article on access to justice in Texas Bar Journal
August 2007	Commission efforts to publicize ATJ voluntary contributions results in increased contributions, reversing several years of declines
July 2007	Commission Chair addresses TAJF grantees at their annual meeting

<u>Date</u>	<u>Actions</u>
July 2007	Annual ATJ track at Bar Leaders Conference; Hankinson Awards presented
July 2007	Bill Whitehurst is recognized as ATJ Pro Bono Champion
June 2007	Author John Grisham donates his honorarium for speaking at State Bar Annual Meeting to Commission's ATJ Internship Program for law student stipends
May 2007	<i>Pro Bono: A Corporate Effort</i> video is completed
May 2007	HB 1751 passes, providing \$2 million for the biennium for legal services to victims of sexual assault
May 2007	HB 75 passes, providing state court judicial review in Medicaid and food stamps cases in Texas
May 2007	SB 168 passes, eliminating sunset provision of \$65 legal services fee
May 2007	ATJ Technology Training begins; ends in August 2007
May 2007	Commission approves new ATJ Law Student, Law School Awards to recognize extraordinary efforts for access to justice
May 2007	Commission hosts 2-day Evidence Academy at UT School of Law for legal aid lawyers; Texas Fellows of the American College of Trial Lawyers volunteer to provide training
May 2007	Commission's ATJ Internship Program enters second year, placing 14 law students in legal aid offices in South and East Texas
April 2007	Lindsey Walker is recognized as ATJ Pro Bono Champion
April 2007	ABA Day trip to Washington to discuss legal services with members of Congress sets new record of visits for Texas team, including both senators and 26 legislators and staff
February 2007	South Central Regional Conference on Pro Se Litigation sponsored by American Judicature Society held in Houston
February 2007	Chief Justice Jefferson supports reauthorization of mandatory \$65 legal services fee in State of the Judiciary address to Texas Legislature
February 2007	Commission creates first ATJ Day at the Texas Legislature and sends team to educate legislators about the need for funding for legal services to the poor
January 2007	MD Anderson donates \$100,000 over 2 years for publication of new ATJ Update newsletter.
January 2007	Honorable Deborah Hankinson is recognized as ATJ Pro Bono Champion
January 2007	Commission creates ATJ Update newsletter sent to all active Texas attorneys

<u>Date</u>	<u>Actions</u>
December 2006	Attorney General Greg Abbott issues opinion that Basic Civil Legal Services funds must be collected twice, as indicated in legislative changes
December 2006	Supreme Court modifies IOLTA rule to add “comparability” requirement, setting stage for increase of millions in IOLTA funds
November 2006	<i>Pro Bono: The Difference Is You</i> video is completed
November 2006	Commission votes to support Foundation’s request to Supreme Court to modify IOLTA rule to require attorneys to deposit funds at institutions that pay comparable interest rates
October 2006	At Commission’s request, Texas Bar Foundation eliminates income eligibility requirements for Texas Student Loan Repayment Assistance Program
October 2006	John Alexander is recognized as ATJ Pro Bono Champion
October 2006	Corporate Counsel Committee hosts Austin Pro Bono Summit
September 2006	Commission creates Awards Committee
August 2006	ABA House of Delegates adopts new Standards for the Provision of Civil Legal Aid
August 2006	Commission recommends to Court the division of ATJ voluntary contributions
July 2006	Commission Chair addresses TEAJF grantees at annual meeting
July 2006	Annual ATJ track at Bar Leaders Conference; Hankinson Awards presented
July 2006	Associate Dean Catherine Burnett is recognized as ATJ Pro Bono Champion
June 2006	16 members of Corporate Counsel Committee sign general counsel letter calling for increase in LSC funding
June 2006	Based on Ketchum report on current funding opportunities in the state, Commission decides against creation of statewide endowment at the present time
May 2006	Commission holds second Texas Trial Academy for legal aid lawyers; Texas Fellows of American College of Trial Lawyers provide advocacy training
May 2006	Commission leads Texas team to ABA Day in Washington to educate the Texas congressional delegation about need for LSC funding
May 2006	Supreme Court adds at-large attorney position to Commission and appoints Harry M. Reasoner to fill new position

<u>Date</u>	<u>Actions</u>
May 2006	Commission's Law School Advisory Committee creates 2-year pilot of ATJ Internship Program to place law students from all law schools in legal aid offices in areas without law schools
April 2006	Commission, in conjunction with the State Bar Appellate Section, holds Appellate/Motions Training for legal aid lawyers
April 2006	Kenneth Fuller is recognized as ATJ Pro Bono Champion
March 2006	Commission and Texas Lawyers Care publish 2006-2007 Justice for All Calendars for legal aid clients
January 2006	Commission presents Star of Justice Award to State Representative Sylvester Turner at Houston Bar Foundation luncheon
January 2006	Judge Lora Livingston is recognized as ATJ Pro Bono Champion
December 2005	Vietnamese Protective Order Kit introduced at press conference in Stafford with participation of Justice Harriet O'Neill, Stewart Gagnon, and Hai Nguyen
December 2005	Upon request of the Commission, Supreme Court amends TRCP 145 to eliminate hearings on indigency in cases handled by IOLTA funded programs when attorney files required certificate
November 2005	Commission presents Star of Justice Award to Senator Robert Duncan at Lubbock Bar Association meeting
November 2005	Commission hires Ketchum, a national fundraising company, to do a feasibility study on the creation of an endowment for legal aid in Texas
November 2005	Corporate Counsel Committee hosts Pro Bono Summit in Dallas
October 2005	LSC releases Justice Gap report, documenting that half of legal aid applicants are turned away for lack of resources
October 2005	Lamont Jefferson is recognized as ATJ Pro Bono Champion
September 2005	Hurricane Rita hits East Texas, causing devastation and swamping legal aid programs already overwhelmed by Katrina
August 2005	Commission recommends to Court the division of ATJ voluntary contributions
August 2005	Hurricane Katrina hits New Orleans, resulting in hundreds of thousands of evacuees in Texas stretching the state's legal aid programs to the breaking point
July 2005	Annual ATJ track at Bar Leaders Conference; Hankinson Awards presented
July 2005	Stewart Gagnon is recognized as ATJ Pro Bono Champion
May 2005	4th annual National Meeting of State Access to Justice Chairs held in Austin during 2005 ABA/NLADA Equal Justice Conference

<u>Date</u>	<u>Actions</u>
May 2005	Commission holds first Texas Trial Academy for legal aid lawyers; Texas Fellows of American College of Trial Lawyers provide week-long litigation advocacy training at UT School of Law
May 2005	Advocate website, www.TexasLawyersHelp.org is launched
May 2005	Spanish Protective Order Kit unveiled at press conference in Edinburg with Justice Harriet O’Neill, Attorney General Greg Abbott and Judge Migdalia Lopez
May 2005	Corporate Counsel Committee hosts Pro Bono Summit in Houston
April 2005	Darrell Jordan is recognized as ATJ Pro Bono Champion
April 2005	Protective Order Kit is unveiled at press conference with Justice Harriet O’Neill, Attorney General Greg Abbott and Texas First Lady Anita Perry
April 2005	Commission gives Corporate Leadership awards to Time Warner Cable and Univision-KWEX TV for contributions in the production of PSAs for Protective Order Kits
April 2005	Law School Advisory Committee creates Protocol Workgroup to develop manual of pro bono opportunities for law students
April 2005	ABA Day trip to Washington results in 20 congressional visits; both Texas senators sign letters calling for more LSC funding
March 2005	Commission creates two-day family law training in conjunction with Poverty Law Conference
January 2005	Commission creates Law School Advisory Committee, comprised primarily of the deans of all nine Texas law schools
January 2005	Commission partners with <i>Texas Bar Journal</i> to create ATJ Pro Bono Champion spotlight; Charles Matthews is first champion
December 2004	First year of mandatory \$65 legal services fee generates \$3.6 million for civil legal aid and indigent criminal defense
November 2004	Supreme Court creates Task Force to Expand Legal Services Delivery to increase legal services in underserved areas
November 2004	Commission’s Corporate Counsel Committee, chaired by Charles Matthews, holds initial meeting
October 2004	Supreme Court Protective Order Task Force receives grant from the Texas Bar Foundation for Protective Order Kits
October 2004	Commission holds joint press conference with UT School of Law and Baylor School of Law to announce creation of the Equal Justice Scholarship Program
October 2004	Commission adopts 5-year Strategic Plan
October 2004	Supreme Court adds corporate position to Commission and appoints

<u>Date</u>	<u>Actions</u>
	Charles Matthews to the position
September 2004	Commission presents former Chair John Jones with Star of Justice Award
September 2004	<i>Pro hac vice</i> fee passed by Texas legislature in 2003 generates almost twice the estimated amount in its first year
September 2004	Supreme Court of Texas holds hearing on the status of Civil Legal Services to the Poor in Texas

2. Communication

The Commission recognizes the importance of effective communication, and the Strategic Plan objective is to refine a program for communication about legal aid to the legal community in consultation with legal services providers. In order to achieve that goal, the Commission has greatly expanded its communication work to raise awareness among the public and the legal community regarding access to justice issues. The Commission's efforts are designed to reach broad audiences through various types of media including news articles, presentations and videos. In addition to members of the Commission, justices on the Supreme Court, TAJF, the State Bar, local bars and others have been involved in these efforts.

a. Media and Print Coverage

In 2004, the Committee secured extensive coverage for the Supreme Court Hearing on the Status of Legal Services to the Poor. This included a front-page article in the *Austin American Statesman* and editorials in several major dailies in Texas. (See Tab II-7)

In October 2004, the Commission conducted a joint press conference with the University of Texas School of Law and Baylor Law School to announce the establishment of the annual Equal Justice Scholarship Program for a qualified student who commits to work as a legal aid lawyer for three years. The press conference was very successful, resulting in significant media coverage throughout the state.

In April 2005, the Texas Supreme Court and the Commission held a press conference with Justice Harriet O'Neill, Attorney General Greg Abbott, and Texas First Lady Anita Perry to launch the new Pro Se Protective Order Kit. The press conference garnered extensive coverage throughout the state. In May, a similar press conference was held in Edinburg to launch the Spanish version of the kit. Finally, in December 2006, the Vietnamese version of the Pro Se Protective Order kit was announced at a press conference in Stafford, outside of Houston.

In recognition of the 2008 National Crime Victim's Rights Week, Justice O'Neill authored an opinion piece on the availability of free legal assistance for low-income Texans, including those who have been victims of crime. The article detailed the available assistance,

including a special toll-free hotline and www.TexasLawHelp.org. The piece was published widely throughout the state both in print and in electronic format.

b. Videos

In the wake of hurricanes Katrina and Rita in 2005, Justice O'Neill, on behalf of the Commission, filmed a video segment encouraging lawyers to volunteer their legal expertise on behalf of hurricane victims. The video was made available online at www.texasbar.com and was also played at all TexasBarCLE events.

In 2006, the Texas Access to Justice Commission and TAJF completed *the Pro Bono: The Difference is You video*, which encourages attorneys to provide pro bono legal services to the poor. The video features attorneys throughout Texas who handle cases pro bono and addresses concerns that attorneys might entertain about accepting such cases. Clients also are featured in the video. Justice O'Neill provided an introduction to one version of the video, which was narrated by Dan Rather, who contributed his time. The video has been presented at numerous attorney events, as well as State Bar of Texas continuing legal education seminars.

In 2007, Justice O'Neill narrated *Pro Bono: A Corporate Effort*, which features corporate attorneys and their pro bono clients. The video highlights the pro bono efforts of corporate legal departments in Texas by featuring corporate attorneys and their pro bono clients. The video was shown at the Corporate Counsel Section's 30th Annual Institutes in Houston and Dallas and has been distributed to corporate counsel.

c. Commission Newsletter

In order to increase awareness in the legal community about the Commission's initiatives and mission, a four-page newsletter, the *Update*, was launched in January 2007. Published four times a year, the newsletter was specifically designed to publicize particular programs and efforts that enhance the delivery of legal services to low-income and poor Texans.

The newsletter is sent to all active Texas attorneys and has received a favorable response throughout the legal community. The *Update* serves as a tool to inform readers of challenges confronting the profession in providing access to the justice system for low-income and poor Texans and encouraging participation in increasing access to justice.

Funding for the newsletter was provided by a generous grant from the M.D. Anderson Foundation.

d. Voluntary Access to Justice Contributions

The Commission and TAJF have worked to increase contributions through the State Bar of Texas dues statement. Funds from the Voluntary ATJ campaign go to the Texas Bar Foundation and TAJF for grants to legal services programs.

The Communications Committee developed and distributed newsletter articles to bar association publications statewide. The Voluntary Access to Justice contribution was the lead article in the April 2007 issue of the *Update* newsletter coinciding with the mailing of the State Bar dues statements on May 1. Public service announcements were also sent to *Texas Lawyer* to run May through June. As a result of these efforts, the decline in contributions that occurred during the past several years was reversed. An increase in donations in 2007 resulted in more than \$520,000 for legal services to the poor.

In an effort to continue this increase in donations, similar methods were also used in 2008 to publicize opportunities to contribute. The latest issue of the *Update* newsletter reminds attorneys to contribute to the ATJ campaign. Additionally, the Commission has published advertisements in the *Texas Bar Journal*'s 2008 April and May issues, encouraging Texas attorneys to contribute to the ATJ campaign through the dues statement.

e. Pro Bono Champions

The Commission understands that acknowledging the pro bono efforts of lawyers throughout the state encourages others to become more involved in the overall effort to provide access to justice. In the fall of 2004, the Commission and the *Texas Bar Journal* developed the "ATJ Pro Bono Champion" spotlight to appear in select issues of the journal. The ATJ Pro Bono Champion first appeared in the January 2005 issue and features Texas attorneys who have generously given of their time, talent and resources to improve access to justice for low-income Texans. Since 2005, there have been 15 ATJ Pro Bono Champion features included in the *Texas Bar Journal*. Those highlighted come from a variety of practice areas and contribute in many different ways to the access to justice effort. The contributions of the champions have had an immeasurable impact on the delivery of legal services to poor and low-income Texans. The following is a complete list of the featured ATJ Pro Bono Champions. (See Tab II-8)

- Charles W. Matthews, Jr., Irving
- Darrell E. Jordan, Dallas
- Stewart W. Gagnon, Houston
- Lamont A. Jefferson, San Antonio
- Judge Lora Livingston, Austin
- Kenneth D. Fuller, Dallas
- Associate Dean Catherine Burnett, Houston
- John Alexander, Winnsboro
- Hon. Deborah Hankinson, Dallas
- Lindsey Walker, Beaumont
- Bill Whitehurst, Austin
- Justice Harriet O'Neill, Austin
- Richard Tate, Richmond
- Larry Spain, Lubbock

- Larry Spain, Lubbock
- Col. Bryan Spencer (USA Ret.), Austin

f. Long Range Marketing Plan

The Commission and TAJF together retained the services of a public relations firm to create and implement public awareness campaigns for the two organizations. Elizabeth Christian & Associates, a well known public affairs agency, is working with the Commission and Foundation on efforts to increase awareness of and support for access to justice. The Commission also recently recruited several of the principal communications officers from large law firms for the Communications Committee. These communications specialists bring to the Committee extensive talents and expertise in communications and media relations. The involvement of these individuals will significantly enhance the Commission's efforts to inform the public, increase lawyer awareness and promote the access to justice initiatives of the Commission's Strategic Plan.

The Communications Committee created a subcommittee charged with the development of a three-year strategic, comprehensive marketing plan to increase public awareness of the Commission and the legal needs of poor citizens of Texas. The subcommittee completed the plan and presented it to the Commission at its May 2008 meeting where the Commission adopted the plan. (See Tab II-9)

g. Economic Impact Study

This year the Commission and TAJF commissioned the development of an economic impact study to examine the effect the provision of legal services to the poor produces for Texas and its communities. The study will focus on monetary benefits realized when poor and low-income Texans receive civil legal assistance and their impact on the state's economy, as well as potential negative consequences when people do not receive legal assistance. The study is scheduled to be completed in the fall of 2008.

3. Resource Development

a. Investigation of Statewide Endowment for Legal Services

The Strategic Plan focused on resource development through the objective of developing and implementing a statewide endowment program to ensure stable funding for legal aid providers. After much study by a specially appointed blue ribbon committee in 2005, the Commission hired Ketchum, a consulting firm, to conduct a statewide study to assess the feasibility of successfully conducting an endowment campaign for legal services to the poor in Texas. Ketchum presented the results of its study in an all-day session to the full Commission and the specially appointed Endowment Committee in June 2006. The study results contained a great deal of encouraging information, such as extensive support for the concept of access to the justice system for all Texans, but it also noted enough significant areas of concern for fundraising under current conditions that the Commission unanimously

deferred proceeding with an endowment campaign at the time. Nevertheless, the Commission has moved forward with significant resource development work as discussed below.

b. IOLTA Comparability Rule

Without question, the most significant advance in resource development for legal services to the poor in many years, certainly since the 2004 Supreme Court hearing, is the new “comparability” rule for Interest on Lawyers’ Trust Accounts (IOLTA) funds. On December 18, 2006, the Supreme Court of Texas issued a court order to amend the *Rules Governing the Operation of the Interest on Lawyers’ Trust Accounts (IOLTA) Program*, requiring attorneys to hold IOLTA accounts at eligible financial institutions. Eligible institutions are those that pay interest rates on IOLTA accounts which are comparable to those paid to similarly situated non-IOLTA accounts. The rule change went into effect March 1, 2007. (See Tab II-10) The Supreme Court of Texas amended the rule based on the unanimous recommendation of TAJF and the Commission. Texas was the ninth state to adopt a comparability rule.

The rule change had an immediate impact on 2007 IOLTA revenue. Without the comparability rule, revenue would have substantially decreased and legal aid programs would be facing difficult financial decisions. Regrettably, the Federal Reserve has since issued a series of drops in its Federal Funds Target Rate, which has gone from 5.25 percent to 2.00 percent since September 2007. These drops have caused TAJF to reduce its 2008 projected IOLTA revenue to \$12.5 million, less than half of the \$28 million that was originally projected when the rule was implemented. Nevertheless, the rule has precipitated a significant impact on revenue, tripling it in 2007 and doubling it in 2008.

c. Voluntary Access to Justice Contributions

The Commission works closely with the State Bar of Texas to raise funds through voluntary contributions by Texas lawyers in conjunction with the State Bar dues statement. Since 2004, contributions have totaled \$2,131,104 (as of August 12, 2008). Contributions go to direct providers of legal aid through TAJF and the Texas Bar Foundation. Since the implementation of the mandatory \$65 fee in 2003, voluntary contributions had been declining each year. However, that trend has been reversed in the past two years and the contributions have been increasing. (See Communication section above.)

d. Texas Student Loan Repayment Assistance Program

In 2002, the Commission initiated the Texas Student Loan Repayment Assistance Program (SLRAP) for lawyers who work in non-profit organizations that provide direct legal services to the poor in Texas. The SLRAP was created to alleviate some of the loan burden that can prevent young lawyers from working in legal aid. With financial support from the State Bar of Texas, the SLRAP has grown significantly. In 2004, the program was restructured as a loan forgiveness program, and the Texas Bar Foundation began administering it. In October 2006, at the Commission’s request, TBF eliminated the income eligibility requirements and began using a ratio of student loan debt to household income to rank eligible applicants. A

second change allowed attorneys licensed in states other than Texas, who work for Texas immigration legal services programs and practice only in federal court, to apply for loan repayment assistance. These changes resulted in almost doubling the number of applicants applying to the program for FY2007-2008. Unfortunately, funding for all eligible applicants was not available and only 45 applicants received assistance.

In June 2008, the Texas Access to Justice Foundation began administering the Texas SLRAP. TAJF also committed to supplement the funding contributed by the State Bar of Texas. For the first time, all eligible legal services attorneys in Texas who applied received student loan repayment assistance from the program in amounts up to \$400/month (\$1200/quarter). Ninety legal aid lawyers from 21 programs applied. The Commission is extremely grateful to the State Bar and TAJF for committing to fund this important program, which enables young lawyers to accept jobs with legal aid and allows more experienced lawyers to maintain their positions without impoverishing themselves and their families. The 2008 applicants earn an average salary of \$43,000, while carrying an average student debt of \$82,000 with monthly payments exceeding \$700.

e. Texas Lawyers Care 25th Anniversary Celebration

The Commission hosted a celebration in October 2007 to honor the 25th Anniversary of Texas Lawyers Care. The very successful event raised \$186,000, which was directed to TAJF for legal services to the poor. The Commission is currently considering the creation of a fundraising committee, which would plan and host an annual fundraiser for legal services to the poor.

Other resource development work of the Commission involved legislative activity and is discussed in the section below. Additional resource development information also is discussed in TAJF's section below.

4. Legislative Activity

In each Texas legislative session since the Commission's creation, the Commission has been active in monitoring and promoting legislation focused on increasing access to justice. This effort was formalized in the Strategic Plan with the objective of developing a legislative strategy. The support of the Supreme Court of Texas has been a critical factor for legislative success in each session. For example, in the 2007 legislative session, a key goal of the Commission was the removal of the sunset provision from the \$65 legal services fee that lawyers pay each year. Chief Justice Wallace Jefferson supported the effort in his State of the Judiciary address to the legislature, which was extremely important in the ultimate success of the effort. Justice Harriet O'Neill who serves on the Commission has shown support for legal services in many ways, from testifying for particular bills to working with the Texas Attorney General's office to support continued funding for Crime Victims Civil Legal Services to traveling to Washington as part of the ABA Day team. The Commission is grateful for all the support the Court has extended. Such support from the state's highest court is absolutely critical, and its importance cannot be over emphasized.

a. 79th Legislative Session

The goal of the Commission in the 79th Texas Legislature was to ensure that critical state funding was maintained, and that effort was successful. The Crime Victims Civil Legal Services (CVCLS) Program provides \$5,000,000 in the biennium to provide civil legal services to victims of crime. Most of the services are provided to victims of domestic violence attempting to extricate themselves from abusive situations.

The Basic Civil Legal Services (BCLS) account generates revenues from five sources: filing fee add-ons, pro hac vice fees, specialty license plate fees, the Model Courts Collection Act, and an assessment on Texas attorneys. In 2007, \$9,199,629 was generated from these revenue sources. These funds are provided to legal aid programs to provide basic civil legal services to low-income Texans.

Additionally, increased state funding for legal aid programs was approved as part of the state budget. The three Texas LSC programs, Advocacy, Inc. and the Texas Legal Services Center continued the Resource Development Project in the 79th session. The Project focuses on informing state policymakers of the severe funding shortfalls facing legal aid programs. The programs contracted with public relations attorney Anthony Haley to locate potential new funds in the state's budget process that could logically be earmarked for legal aid.

Ultimately, \$3 million in new funds was approved in the state budget as a result of last minute agreements completed in the conference committee that wrote the state budget. Speaker Pro Tem Sylvester Turner (D-Houston) proposed that general revenue funds that would be raised from improved court collections of fees would be first earmarked for the Judicial Fund for Basic Civil Legal Services. A critical element in the passage of the amendment was the bipartisan support of key conference committee members, including Robert Duncan (R-Lubbock) and Kip Averitt (R-Waco).

b. 80th Legislative Session

In 2007, the Commission, for the first time, developed an “ATJ Day at the Texas Legislature” during which a team visited key legislators to discuss the critical importance of access to justice for low-income Texans. The visits were patterned on ABA Day in Washington, which has proved extremely effective in an effort to protect and increase funding for legal services to the poor. ATJ Day also was very successful. In 2007, a number of important bills were passed that impacted legal services for low-income Texans. The Commission, its partners and many volunteer lawyers worked successfully to support the following bills:

SB 168 by Senator Ellis (sponsored by Rep. Flores in the House) eliminated the scheduled 2007 sunset of the \$65 legal services fee, half of which is allocated to civil legal services to the poor and half to indigent defense. The fee generates about \$1.9 million per year for civil legal aid and an equal amount for indigent criminal defense.

HB 75 by Representatives Naishtat, Turner and Hartnett (sponsored by Sen. Wentworth in the Senate) provided for state court judicial review, using the “substantial evidence” standard of review, of agency decisions in food stamps and Medicaid cases. Texas was the last state to adopt a review procedure for decisions in these cases. Similar bills were introduced in the previous four legislative sessions but were not passed. The success in 2007 resulted from coordinated efforts by many people and organizations. Unquestionably, the Commission’s legislative strategy proved to be very effective.

HB 1751 by Representative Cohen (sponsored by Sen. West in the Senate) provided funding authorization to establish grant programs to assist persons who have been victims of sexual assault. A \$5 per customer tax on sexually oriented businesses that provide live nude entertainment provided the funds. Studies have shown that most domestic violence cases also involve instances of sexual assault. House Bill 1751 established a \$25 million trust fund within the state Treasury to provide expanded funding for rape crisis programs and other entities that assist sexual assault victims. The fee generates approximately \$80 million in state revenues with the balance of the money to be used for Medicaid improvements. The State budget earmarked \$2 million to the Supreme Court for grants to legal aid programs to assist sexual assault victims.

c. 81st Legislative Session

The Commission is currently working on its legislative agenda for the 2009 session. Among a variety of issues, the Commission is considering ways to protect and continue the access to justice benefits and initiatives passed in earlier legislative sessions and also to identify possible new funding sources. The Commission is planning its second “ATJ Day at the Texas Legislature.”

d. Federal Legislative Activity

Each year, the Commission leads a Texas team to Washington, D.C., to participate in “ABA Day” sponsored by the American Bar Association. The purpose of the trip is to educate and inform the elected Texas congressional delegation about the continuing need for funding for the Legal Services Corporation and plans for improving access to justice in Texas. Representatives of the State Bar of Texas, the Supreme Court of Texas, the Texas Access to Justice Foundation, and other access to justice partners make up the group.

In April 2008, led by Commission Chair James B. Sales, the Texas team made 31 visits, an all-time high, to members of the Texas legislative delegation. Both Texas senators, along with numerous members of the House, have become strong proponents of increased funding for LSC as a result of the work of the Texas team each year. This committed focus on LSC funding has made a significant impact on the Texas Congressional delegation.

5. Involvement of Corporate Counsel

The Commission's Strategic Plan outlines an initiative to develop a corporate counsel strategy. Previously, this important and significantly large group of lawyers had not been sufficiently engaged by the legal services community. The Commission asked the Supreme Court to add a member to the Commission designated as a corporate/business community representative. The Court did so and appointed Charles Matthews (Vice President and General Counsel of ExxonMobil Corporation) to fill the new position. The Commission also created the Corporate Counsel Committee in 2004 with Matthews as chair. Under the leadership of Matthews, the Committee identified three areas of focus for its work: developing strategic initiatives for the Commission related to corporate counsel, increasing corporate involvement in funding issues for legal services, and increasing pro bono participation among corporate counsel. The Committee currently is composed of more than 30 general counsel members.

The Committee has hosted Pro Bono Summits in Houston, Dallas and Austin. Designed for corporate legal departments, the pro bono summit program explains the need for pro bono involvement, suggests specific ways to develop internal support for pro bono projects, and outlines a variety of opportunities for volunteers. The Committee has created a brochure describing specific resources and programs that are available to support corporate attorneys who provide legal assistance to poor and low-income pro bono clients. (See Tab II-11) In 2008, as part of the Committee's continued outreach, the chair of the Corporate Counsel Committee spoke at the 30th Annual Corporate Counsel Institute, held in Houston and Dallas. The presentation focused on the Commission's efforts to promote pro bono involvement among members of the corporate counsel community. *Pro Bono: A Corporate Effort*, a joint video of TAJF and the Commission, which is narrated by Justice Harriet O'Neill and features corporate attorneys and their pro bono clients, was shown to the attendees.

As part of the annual congressional funding process for the Legal Services Corporation, the National Legal Aid and Defender Association (NLADA) circulates a letter supported by general counsel from major corporations nationwide requesting Congress to increase funding for LSC. Since 2006, members of the Corporate Counsel Committee have signed onto the letter in such numbers that Texas always leads in the number of corporate counsel signatories to the letter.

6. Task Force to Expand Legal Services Delivery

In November 2004, at the Commission's request, the Supreme Court created the Task Force to Expand Legal Services Delivery in order to address the initiative of the Commission's Strategic Plan to expand delivery of legal services to the underserved areas of the state. The Court specifically instructed the Task Force to work with the Commission in coordinating a statewide effort to expand services to underserved populations of Texas, to respond to specific recommendations by the Commission, to develop new and innovative programs and to report its findings, recommendations and results directly to the Commission and the Court.

At the Commission's request, the Court has periodically amended its order creating the Task Force to include new members. (See Tab II-12) Members of the Task Force include representatives from many State Bar sections, the State Bar's paralegal division, the Texas Court Reporters Association, the Office of Court Administration, the Texas Young Lawyers Association, the Texas Trial Lawyers Association, the Texas Association of Defense Counsel, Texas' three LSC-funded legal aid providers and a justice from the Supreme Court of Texas. Each member's participation ensures that the Task Force achieves meaningful progress towards increasing access to justice for low-income Texans.

In January 2005, members of the Task Force convened to coordinate development of statewide efforts to expand legal services. Each of the Task Force members reported on the efforts of their section or group to formulate a program within the section that would make more lawyers available for assignment on pro bono cases. Chaired by Paul Furrh (2005-2006), Tom Vick (2006-2007) and Karin Crump (2007-present), the Task Force meets quarterly, with focused discussions on how section members can advance legal services delivery to the poor.

Some State Bar sections have actively promoted pro bono involvement within their membership for many years. Inspired by their participation on the Task Force, however, Task Force members have initiated or significantly increased their pro bono efforts. Several State Bar sections now incorporate a pro bono component in each of their annual continuing legal education courses. This component is designed to encourage attorneys to use their expertise in a specific practice area to assist low-income Texans. Other pro bono projects include mobilizing section members to provide substantive law seminars aimed at recruiting pro bono attorneys in rural communities, offering direct legal assistance in appellate cases with low-income pro se litigants, allocating funding for law students to participate in summer internships in legal aid offices, and providing direct grants to legal aid programs.

In 2007, the Task Force created the Pro Bono Section Award to encourage State Bar sections to develop or expand self-sustaining pro bono projects that motivate lawyers from specialized practice areas to provide pro bono legal assistance directly to poor Texans. (See Tab II-13) The Task Force offered a \$1,000 award to the three State Bar sections demonstrating the best statewide pro bono projects. Funding for this award was generously provided by the Texas Bar Foundation.

In 2008, the Task Force recognized the first winners of the Pro Bono Section Award for their creative approaches to expanding the delivery of legal services to poor Texans. The Family Law Section (large-sized section), Appellate Section (medium-sized section) and the Poverty Law Section (small-sized section) were each awarded \$1,000 to invest into their ongoing pro bono projects.

7. Involvement of Texas Law Schools

The Commission formed the Law School Advisory Committee in late 2004 to address the

Strategic Plan's objective to develop programs with law schools. Comprised primarily of the deans of all nine Texas law schools and the Chair of the Commission, the Committee's purpose is to examine the law schools' role in addressing the issue of legal services to the poor. The Texas Access to Justice Commission requested that each Texas law school take a leadership role and make access to justice a priority in the coming years.

The Committee created a law school consortium, in which all nine law schools work collaboratively to increase the number of access to justice-related field experiences for law students, especially in the areas of the state where there are no law schools. The Committee created the Access to Justice Internship Program, and its two-year pilot project was inaugurated in the summer of 2006 in the Rio Grande Valley where law students were assigned and worked in legal aid offices. During the summer of 2007, the project was expanded to increase the number of geographic areas served, as well as to increase the number of law students involved in the internship program. As a result of the extraordinary success of the pilot program, the Committee unanimously and enthusiastically voted to continue and to expand the program. The scope of the program for the summer of 2008 was statewide and twenty students were placed in legal aid offices in areas of the state without law schools. (See Tab II-14)

The success and expansion of the program prompted the Commission to intensify efforts to identify funding for student stipends provided in addition to the academic credit that most of the interns receive. Bestselling author John Grisham, who spoke at the State Bar of Texas Annual Meeting in 2007, donated \$20,000 of his speaker's honorarium to the program. Grisham's contribution funded stipends for the law student interns during the summer of 2007. The Commission received two very generous donations for the program in 2008, including a \$50,000 donation from the Texas Legal Protection Plan and a \$7,500 donation from the State Bar's Corporate Counsel Section. These stipends cover the costs of relocation for the students and allow participation by students who otherwise would be unable to participate.

In 2004, the Commission suggested that Texas law schools consider establishing full tuition scholarships to qualified applicants in return for a commitment that, upon graduation, the graduate lawyer would agree to practice law for a recognized provider of legal services to poor and low-income Texans. Baylor University Law School and the William Wayne Justice Center for Public Interest Law at the University of Texas School of Law responded to the proposal and established Equal Justice Scholarships. The scholarships are awarded to students with strong academic credentials as well as demonstrated commitment to public service. In exchange, upon graduation from law school, the scholarship recipients practice law at legal aid organizations for at least three years. Baylor University Law School initially committed to fund two Equal Justice Scholarships, collectively valued at \$143,000. The first scholarship began in 2005; the second began in 2007. The William Wayne Justice Center at the University of Texas School of Law committed to fund three scholarships, collectively valued at \$135,000. UT implemented one scholarship each year over a period of three years. In 2008, both the University of Texas School of Law and Baylor Law School extended their program for an annual scholarship offered to a

qualified student who commits to serve three years with a legal services provider. (See Tab II-15)

This year, the Commission collaborated with the Law Student Division of the State Bar to increase awareness among law students about the Commission and its efforts, internship opportunities available through the Commission and State Bar sections, and the Texas Student Loan Repayment Assistance Program. Presentations regarding the importance of public interest law have already been made at Texas Tech School of Law and at Texas Wesleyan University School of Law. The initiative has received very positive feedback from those who have participated. Plans are currently underway to conduct presentations at the remaining Texas law schools.

The Commission unanimously approved two annual pro bono awards designed to encourage pro bono activity early in a new lawyer's career and to urge law schools to become more involved in the pro bono delivery of legal services to low-income and poor Texans. The Supreme Court will inaugurate the awards at the November 2008 swearing-in ceremony for new attorneys, and, thereafter, will present them annually at the November swearing-in ceremonies. The Law Student Pro Bono Award will recognize a law student who has demonstrated his or her commitment to the delivery of legal services to poor and low-income Texans. The winning student also will receive a \$2,000 stipend from the Commission. The Law School Commitment to Service Award will recognize a law school that most prominently advances the delivery of legal services through clinics, public interest programs, student involvement, and other initiatives.

8. Training for Legal Aid Lawyers

After consultation with the executive directors of the largest Texas legal aid programs, the Commission embarked on an effort to provide the highest caliber of training in trial advocacy techniques and skills training for legal aid lawyers as set out in its Strategic Plan. All the trial advocacy training programs have been at no expense to legal aid attorneys, including travel and lodging. Volunteer attorneys generously conducted the programs and contributed their time, talent and expertise to enhance the skills of legal aid lawyers. The legal aid lawyers not only received outstanding advocacy training but were also inspired by the mentoring they received by some of the finest and most prominent lawyers in the state.

Since 2005, the Commission has collaborated with the Texas Fellows of the American College of Trial Lawyers (ACTL) to coordinate trial skills training. In 2005, 2006, and 2008, the Fellows of the ACTL organized and taught the Texas Trial Academy, five-day interactive seminars focused on advocacy skills, direct and cross examinations, opening statements and closing arguments and voir dire. (See Tab II-16) About thirty legal aid lawyers attended each Academy. After each skills workshop, participants received personalized critiques and mentoring from the Fellows. In addition to the practice sessions, lawyers were provided live demonstrations of trial skills and techniques by top litigators. The trainings would not have been possible without the Texas Fellows of the ACTL, who generously contributed their time and expertise; the Dean of

the University of Texas School of Law, who graciously provided free use of law school facilities; and the course directors, Otway Denny of Houston (2005); Mike McKetta of Austin (2006) and Cynthia Day Grimes of San Antonio (2008). The Commission also is extremely grateful to the MD Anderson Foundation for its generous grant in 2008, which allowed reimbursement of travel, lodging and meal expenses for legal aid attorney participants, in addition to the printing of training materials and other costs.

In 2006, the Commission and the State Bar's Appellate Section sponsored the Texas Appellate Advocacy and Motions Academy, held at the University of Texas School of Law in Austin. (See Tab II-17) The curriculum was formed and taught by appellate specialists who are members of the Appellate Section of the State Bar of Texas. This academy, organized by Bill Boyce of Houston, focused on appellate advocacy and motions practice. Twenty-four legal services lawyers attended. After the teaching session, each lawyer's brief was individually critiqued by an appellate specialist. Each participant also was individually critiqued and mentored on his or her oral argument. A generous grant from the Texas Bar Foundation supported the training program.

In 2007, the Commission again partnered with the Texas Fellows of the ACTL to present an evidence seminar for legal services lawyers at the University of Texas Law School. (See Tab II-18) Nearly sixty legal aid attorneys attended the fast-paced, two-day seminar, which featured lectures on the rules of evidence, demonstrations and interactive strategy discussions based on the demonstrations. The training enhanced both the skills and knowledge of legal aid attorneys regarding the rules of evidence, as well as techniques and strategies for presenting and challenging evidence in court. Dan Bishop of Austin served as course director. The University of Texas Law School once again graciously provided free use of trial courtrooms for the advocacy training.

9. Improved Technology for Legal Aid Providers

The Commission's Technology Committee has worked diligently and successfully to improve the technological capacity for Texas legal services programs by establishing a baseline level of technology for each organization. In 2005 and 2006, the Commission recruited technology specialists from Andrews Kurth LLP, Baker Botts LLP, Bracewell & Giuliani LLP, Fulbright & Jaworski LLP, Vinson & Elkins LLP and Lone Star Legal Aid to join the Technology Committee. These chief information/technology officers' expertise and talent broadened the Commission's efforts to significantly improve the use of technology in the delivery of legal services to poor and low-income Texans. These outstanding volunteers shared their comprehensive technological expertise to assess the technology needs of each legal services provider and to recommended viable technology solutions for each legal services provider.

In 2005, after conducting exhaustive research of all TAJF grantees statewide, the Committee compiled an inventory and report outlining the technological needs unique to each legal services program. The Committee developed a comprehensive plan to address the technological needs of the programs and to create as much uniformity and technological interactivity between the

programs as possible. Based on their plan, the Committee determined that some legal services programs lacked even the most basic computer equipment needed to serve their constituents while many others operated with hopelessly outdated equipment. The Committee recommended that each legal services provider be furnished with basic operating equipment to provide efficient delivery to its clients. Other programs possessed sophisticated equipment and software but were not necessarily utilizing the technology to its fullest capability. After extensive research the committee recommended a one-time bulk purchase of IT equipment and software totaling \$680,000. The Committee did additional research to identify the most cost effective vendor for the needed equipment.

Based on the Committee's recommendation, TAJF funded the purchases for its 37 grantees. If purchased individually, the aggregate cost would have approached \$900,000. The bulk purchase of 124 desktop computers, 181 laptops, 59 business-grade printers, 18 color printers, 4 portable printers, 29 scanners, relevant peripheral equipment, and more than 300 licenses of Microsoft Office 2007, Adobe Acrobat and Symantec software saved more than \$200,000. (See Tab II-19) The baseline technology was distributed in December 2007 and was operational by early 2008.

Part of the Committee's plan to assist the programs with their technology and to create uniformity and technological interactivity between the programs involved establishing a technology training program to improve client services through more efficient and innovative uses of technology. In 2007, the Committee provided 16 live trainings on Microsoft Word at their firms' offices in Austin, Dallas, Houston and San Antonio. The Committee developed a training program to teach legal aid providers how to effectively and efficiently use technology to better serve low-income clients. These training seminars were also offered remotely for rural providers who were unable to attend a seminar in person. Volunteers provided training to Foundation grantees on the use of Microsoft Word in a legal environment. In 2008, the Committee expanded its training curriculum to offer live training sessions on Microsoft Word and Microsoft Excel programs. These sessions were conducted in the months of May, June, July and August in Houston, Dallas, Austin, San Antonio, El Paso and Lubbock, all at no expense to the legal aid staff and attorneys. (See Tab II-20) Attendees characterized the training sessions as excellent and extremely beneficial. The Committee continues its efforts to enhance the technological proficiency of legal services providers.

D. Plans for the Future

As the work of the Commission has matured, its effectiveness and influence has grown and continues to grow. Following the Court's hearing, the Commission will initiate an in-depth review of its five-year Strategic Plan to evaluate the continued effectiveness of the present initiatives and to determine modifications and additions that need to be made to the Commission's initiatives for the future.

Particular activities already planned for the 2008-2009 fiscal year include preparations for the 81st Legislature; creating trainings for legal aid lawyers; expanding work with law schools; and beginning

the work of the new Court Awards Strategies Committee.

While acknowledging the formidable challenges ahead, the Commission is determined to make access to justice a reality for all Texans. The Commission looks forward to working with the Court, the State Bar of Texas, legal services providers and all of the other access to justice partners to continue to move forward in this endeavor. There is no greater challenge to the justice system than ensuring that every one citizen is afforded access to the justice system. Otherwise, the nobility of the rule of law is severely diminished.

III. Access to Justice Partners

The Commission was created by the Supreme Court of Texas to provide statewide leadership in access to justice issues. The community of partners committed to access to justice for all Texans is substantial. This report does not attempt to recognize, or even list, all those partners. Every attorney who takes pro bono cases is a partner, as is every legislator who supports a bill that would increase access to justice. While recognizing the importance of all contributions, this report will focus on several access to justice partners that play major roles in increasing access to justice in Texas.

A. Supreme Court of Texas

Support from the judiciary, and especially from the highest court, is critical to the effort to increase access to justice in any state. Texas has been incredibly fortunate to have the enthusiastic support of the Supreme Court of Texas and much of the Texas judiciary. When the Court held its last hearing on civil legal services, Chief Justice Tom Phillips, who had been an ardent supporter of legal services to the poor, had just left the Court. The Commission expressed its confidence that his successor would show similar support to guarantee access to justice for all. That confidence proved to be prescient.

Chief Justice Wallace Jefferson has been a strong supporter of access to justice throughout his service on the Court. Chief Justice Jefferson has continually demonstrated that unwavering support through actions such as his State of the Judiciary addresses to the Texas Legislature, most recently in 2007 when he asked the legislature to support the continuation of the \$65 legal services fee, which faced a sunset provision in that session. His support was critical to the successful effort to remove the sunset provision. When the Commission sought his help in publicizing the amendment to Rule 145 of the Texas Rules of Civil Procedure (discussed below), Chief Justice Jefferson quickly responded with an article published in the *Texas Bar Journal*, addressing not only Rule 145 but, also, other access to justice issues. (See Tab III-1) He has addressed legal aid lawyers participating in the Commission's Trial Academy, praising their work and their commitment to legal services to the poor. Currently, the Chief Justice has graciously agreed to participate in a media tour this fall to further highlight the importance of access to justice in Texas to the people of the state.

The Commission's liaison from the Court, Justice Harriet O'Neill, who serves as a member of the

Commission, is an ever present source of boundless energy in service of the Commission's myriad of activities and programs. A complete list of her many activities on behalf of the Commission would be impossible, but the following examples serve to highlight the importance of her work and her invaluable support for access to justice for all.

Each year, the Commission and the State Bar send a delegation to Washington, D.C. for the American Bar Association's annual ABA Day. The Texas team visits with members of the Texas congressional delegation to discuss funding for legal assistance by the Legal Services Corporation and to discuss the importance of the state-federal partnership in ensuring access to justice for all Texans. Almost every year, Justice O'Neill is a critical part of that team. Additionally, she has testified in the Texas Legislature in support of critical legislation for access to justice.

At the Commission's request, she graciously agreed to narrate the video *Pro Bono: A Corporate Effort*, which highlights the pro bono efforts of corporate legal departments in Texas by featuring corporate attorneys and their pro bono clients. She also agreed to tape an introduction to *Pro Bono: The Difference is You*, a video that encourages attorneys to do pro bono work. She also filmed a video segment encouraging lawyers to volunteer their legal expertise on behalf of hurricane victims in the wake of Hurricanes Katrina and Rita. Justice O'Neill has made countless presentations on behalf of the Commission and has traveled the entire state on behalf of the Commission. She serves on committees and task forces, publishes articles, and responds to every request of the Commission. Her commitment, her support, and her boundless energy to secure access to the justice system for all low-income and poor Texans is incomparable by any measure.

Each year, the Court sends a letter to Texas attorneys encouraging them to do pro bono work and to contribute to the Voluntary Access to Justice campaign when paying their annual dues to the State Bar. The letter is included with the State Bar's dues statement. (See Tab III-2)

In 2005, when the Supreme Court Protective Order Task Force completed its work on a pro se protective order kit for use by domestic violence survivors and advocates, the Supreme Court officially approved the legal forms in the kit to ensure that the forms must be accepted by all Texas courts. (See Tab III-3) Justice O'Neill assisted in publicizing the release of the new Pro Se Protective Order Kit through press conferences in April in Austin – during National Crime Victims' Rights Awareness Week – for the English version of the kit; in May in Edinburg for the Spanish version; and in December in Stafford, outside of Houston, for the Vietnamese version.

After the devastation of Hurricanes Katrina and Rita in 2005, the Court issued an emergency order permitting out-of-state lawyers displaced by the hurricanes to continue representing their clients from temporary offices in Texas. (See Tab III-4) The order was a critical part of the effort to manage the traumatic after-effects of the catastrophe visited upon those directly affected by these hurricanes.

At the request of the Commission, the Supreme Court reviewed Rule 145 of the Texas Rules of Civil Procedure after the Commission was approached by legal services attorneys who noted many courts

required lawyers to attend hearings to prove their clients' indigency after filing affidavits of indigency in litigation. Since these clients are always screened for income eligibility, the hearings unnecessarily consumed substantial time and resources that could be better used in a system already strained in serving only about twenty to twenty-five percent of the legal needs of the poor. After consideration, the Court amended Rule 145 to permit attorneys representing clients from a program that receives IOLTA funds from the Texas Access to Justice Foundation to file an IOLTA certificate confirming that the program has screened the client for income eligibility. (See Tab III-5) The Court declared that a party's affidavit of indigency accompanied by the attorney's IOLTA certificate could not be contested. The amended rule took effect on December 1, 2005.

At the Commission's request, the Court added a corporate counsel position to the Commission in 2004 and an at-large attorney position in 2006. (See Tab II-4 and Tab II-5) The new positions were critical to address the rapidly expanding work of the Commission.

Unquestionably, the most significant advance in resource development for legal services to the poor since the 2004 Supreme Court hearing was adoption of the new "comparability" rule for Interest on Lawyers' Trust Accounts (IOLTA) funds. The Court ordered the adoption of comparability for all IOLTA accounts in December 2006. (See Tab II-10) The order required attorneys to hold IOLTA accounts only at eligible financial institutions defined in the comparability order. The rule change became effective March 1, 2007, and has already generated millions of dollars for legal services to the poor.

The importance of such strong support from the state's highest court cannot be over emphasized. The work of the Commission could not be accomplished but for the always present, unrelenting, and enthusiastic support and encouragement of the Court and its individual Justices. The Commission, and by extension, the residents of the State of Texas, are deeply indebted to the Court.

B. State Bar of Texas

The State Bar of Texas (SBOT) has a long and honorable history of support for access to justice and remains committed to legal services to the poor. Since the Court's 2004 hearing, the State Bar has focused its efforts and resources on activities that support the most effective and lasting benefit to the cause of access to justice for all Texans.

Since the Commission's inception, the State Bar has provided staff for the Commission through its Texas Lawyers Care Department and has funded the Commission through its annual budget process. The State Bar appoints seven Commissioners, including representatives from its own board of directors. The State Bar and the Commission work closely together on many issues related to legal services to the poor.

At the same time, the State Bar has continued and expanded its own efforts. Access to justice is one of the key goals of the State Bar's Strategic Plan. (See Tab III-6) The efforts of the State Bar in the arena of legal services to the poor generally can be categorized as programs and initiatives it

develops and implements directly, or active support of programs and initiatives developed and implemented by other entities. Under the direction of the State Bar Board of Directors, the Bar's efforts in the first category are carried out primarily through its Texas Lawyers Care program and its Standing Committee on Legal Services to the Poor in Civil Matters, along with its efforts through the Texas Young Lawyers Association, TexasBarCLE and State Bar Sections.

1. Timeline of State Bar Initiatives

<u>Date</u>	<u>Actions</u>
June 2008	SBOT presents annual Pro Bono/Legal Services Awards
April 2008	ABA Day trip to Washington results in 31 congressional visits; both Texas senators sign letters calling for more LSC funding
March 2008	Texas Lawyers Care and the Commission publish 2-year Justice for All calendars for low-income Texans
January 2008	TexasBarCLE begins providing Case Digest subscription free to qualifying legal services programs
July 2007	TexasBarCLE begins providing free Online Library subscription to Pro Bono College members (\$295/year value)
June 2007	SBOT presents annual Pro Bono/Legal Services Awards
June 2007	John Grisham speaks at SBOT Annual Meeting and donates honorarium to ATJ Summer Internship Program
June 2007	SBOT provides funding for translation and creation of resources on www.TexasLawHelp.org
June 2007	TexasBarBooks begins providing the winners of the Frank J. Scurlock Award and the J. Chrys Dougherty Award with a free practice manual or book of their choice
June 2007	SBOT provides funding for TLC 25 th anniversary celebration to raise funds for legal services to the poor
May 2007	TexasBarCLE begins providing TLC complimentary tuition scholarships for eligible legal services staff attorneys and pro bono volunteers. TLC no longer has to pay for scholarships.
April 2007	ABA Day trip to Washington to discuss legal services with members of Congress sets new record of visits for Texas team
June 2006	SBOT presents annual Pro Bono/Legal Services Awards
May 2006	ABA Day trip to Washington to educate the Texas congressional delegation about need for LSC funding
March 2006	Texas Lawyers Care and the Commission publish 2-year Justice for All calendars for low-income Texans

<u>Date</u>	<u>Actions</u>
January 2006	TexasBarBooks begins providing up to ten free Family Law Practice Manuals for attorneys who take at least four pro bono cases through Family Law Essentials seminars
November 2005	TexasBarCLE provides free Online Classroom for staff attorneys of qualifying legal services programs
October 2005	SBOT Board votes to approve funding for medical insurance and retirement matching funds for ProBAR staff (\$36,000/year)
September 2005	SBOT approves creation of new Poverty Law Section
June 2005	SBOT presents annual Pro Bono/Legal Services Awards
June 2005	SBOT increases funding for Texas Student Loan Repayment Assistance Program for legal aid lawyers
May 2005	SBOT and Texas Lawyers Care host annual ABA/NLADA Equal Justice Conference in Austin
April 2005	ABA Day trip to Washington results in 20 congressional visits; both Texas senators sign letters calling for more LSC funding
February 2005	SBOT funds new Lexis Nexis online legal research for legal aid lawyers
January 2005	<i>Texas Bar Journal</i> partners with the Commission to create ATJ Pro Bono Champion spotlight
January 2005	SBOT Board approves Legal Services Initiatives funding of \$225,000
September 2004	Supreme Court hearing on the status of Civil Legal Services to the Poor in Texas

2. State Bar of Texas Initiatives

In FY2006, the State Bar Board of Directors approved funding for the second year for the Legal Services Initiatives package. The cost of the initiatives was \$225,000, but the benefits to legal services providers were estimated to be more than \$400,000 in savings to the programs. The initiatives included: increased funding for the Texas Student Loan Repayment Assistance Program; funding for the Texas Legal Research Network program with LexisNexis; additional TexasBarCLE scholarships for legal aid and pro bono lawyers; additional funding for malpractice insurance for legal aid and pro bono programs; and increased funding for the Commission. (See Tab III-7)

The Texas Legal Research Network provides online research capability for legal aid staff attorneys and case handling paralegals. The Bar was able to negotiate an outstanding agreement with Lexis, resulting in expanded capabilities for legal aid programs that already purchased online research, as well as freeing that funding for direct legal services to the poor. In addition, many small programs were provided with access to online research capabilities for the first time.

Praise for the new program was, and continues to be, widespread and enthusiastic.

The Bar also has emphasized access to justice efforts through increased funding for Texas Lawyers Care and the Commission, in addition to the Legal Services Initiatives package. In FY2007, the Bar increased its funding of the Texas Student Loan Repayment Assistance Program from \$80,000/year to \$130,000/year. In FY2008, the Bar provided \$30,000 for translation and creation of documents for www.TexasLawHelp.org, the website that provides legal information for low-income Texans. Also in FY2008, the State Bar provided funding for TLC's 25th Anniversary celebration and fundraiser. (See more information below.) In FY2009, the State increased funding for both the malpractice insurance network and the online legal research network, so that both programs could accommodate the increase in programs and staff attorneys.

In January 2005, the *Texas Bar Journal* partnered with the Texas Access to Justice Commission to create the "ATJ Pro Bono Champion" spotlight, which appears on the back page of the journal four times each year. The spotlight focuses on a Texas attorney, selected by the Commission, who has performed outstanding pro bono activity.

The State Bar and its Texas Lawyers Care Department, along with the Commission, hosted the 2005 ABA/NLADA Equal Justice Conference in Austin. The three-day conference, with the theme "Celebrating the Pro Bono and Legal Services Partnerships," focused on bringing together all components of the legal community to discuss equal justice issues as they relate to the delivery of legal services to the poor. Its emphasis was on strengthening partnerships among the key players in the civil justice system. Over 500 equal justice advocates attended the very successful conference, setting a new record for attendance. Attendees participated in a wide range of learning opportunities and networking opportunities. The local host committee, chaired by former State Bar presidents Bill Whitehurst and Broadus Spivey and comprised of representatives from the State Bar, the Commission, the Texas Access to Justice Foundation, the Austin Bar Association and the Travis County judiciary, ensured coordination of efforts at the local level and participated in the conference design. (See Tab III-8)

The State Bar co-sponsors, with the American Bar Association and the American Immigration Lawyers Association, the South Texas Pro Bono Asylum Representation Project (ProBAR). ProBAR provides legal assistance to immigrants in detention facilities in South Texas. In many instances, ProBAR is the only program providing such assistance to detainees. Since its inception in 1989, ProBAR has functioned as a project of the ABA, and its staff members have been considered contract workers. Because they received no employee benefits and very low pay, tenure for ProBAR workers has been very short and recruitment of attorneys very difficult.

After a trip to visit ProBAR for its fifteenth anniversary in 2004, former State Bar President Guy Harrison, in particular, took an interest in addressing this issue. Harrison was very positively impressed with the work of ProBAR and its attorneys and paralegals, who do extraordinary work

in very difficult conditions. He was particularly moved by the Children's Project, which represents unaccompanied minors as young as three-years-old, who are detained after entering the country. After consultation with the ABA and State Bar officers and board members, in October 2005, the State Bar Board of Directors voted to fund health insurance and to match contributions to IRA accounts up to six percent for ProBAR staff. For the first time, ProBAR staff received basic benefits through their employment. Since that time, and in large part because of the actions of the State Bar Board, the ABA has modified its policies to include ProBAR staff as employees of the ABA. This decision was contingent upon the State Bar's contribution to the cost of the benefits. Few actions involving a relatively small amount of funding (about \$38,000/year) have had such a positive impact.

TexasBarCLE, the State Bar's continuing legal education arm, has long provided support to legal aid and pro bono attorneys through its programs with Texas Lawyers Care. In recent years, TexasBarCLE has dramatically increased its support thanks to its director, Pat Nestor, who is a strong supporter of legal services to the poor. In 2005, TexasBarCLE began offering its outstanding OnlineLibrary free to legal aid attorneys and in 2007 began offering its Online Classroom free to legal aid attorneys. Also in 2007, TexasBarCLE began providing TLC with complimentary tuition scholarships for eligible legal aid staff attorneys and pro bono volunteers. Prior to that time, TLC paid for such scholarships and often had to reject scholarship applicants due to limited funds. This change has been very beneficial for both legal aid attorneys and pro bono volunteers and has received much justified praise in the legal services community. TexasBarCLE also began providing free Online Library subscriptions to State Bar Pro Bono College members (\$295/year value) in 2007. Attorneys must do a minimum of 75 hours of pro bono in one year in order to be eligible for membership in the College. This year, TexasBarCLE began providing its Case Digest subscription free to qualifying legal services programs.

TexasBarBooks, the publishing arm of the State Bar, also supports legal services to the poor by donating up to ten free Family Law Practice Manuals for attorneys who take at least four pro bono cases through Family Law Essentials seminars and by donating to the winners of the Frank J. Scurlock Award and the J. Chrys Dougherty Award a free practice manual or book of their choice.

In 2007, the State Bar provided funding for Texas Lawyers Care's 25th Anniversary celebration. Held in October at the Bob Bullock Texas History Museum in Austin, the event included a reception, dinner and dancing. With the theme "A Small Key Can Open Big Doors," more than 300 attorneys from firms of all sizes, members of state and federal judiciary, corporate sponsors, families and friends celebrated the work of Texas Lawyers Care and all legal aid and pro bono attorneys who serve as keys to the courthouse for poor and low-income Texans. The goals of the event were to promote awareness about the significant barriers low-income Texans face in gaining access to the civil justice system and to raise funds for legal services to the poor. All the proceeds from the event, more than \$185,000, went to the Texas Access to Justice Foundation. (See Tab III-9)

Also in 2007, the State Bar invited renowned author John Grisham to speak at the Bar's Annual Meeting. Grisham expressed a desire to donate most of his honorarium to a worthy project for law students, and the Bar facilitated his donation to stipends for law students participating in the Commission's ATJ Internship Program. (See Tab III-10)

3. Texas Lawyers Care Activities

Texas Lawyers Care (TLC), a department of the State Bar, supports the development and implementation of State Bar policies and initiatives designed to enhance the quality and quantity of legal services available to low-income Texans. Texas Lawyers Care also provides support staff to the Texas Access to Justice Commission. A summary of TLC's many diverse activities follows.

a. Training and Publications

TLC provides specialized and affordable CLE-accredited training in poverty law issues to legal services staff and volunteer attorneys and provides a number of travel expense reimbursement scholarships to legal aid staff to attend training events. TLC also publishes a newsletter and other publications related to legal services to the poor.

- **Poverty Law Conference.** This annual 3-day conference offers in-depth advanced training on core poverty law issues such as public benefits, family law, consumer law and public housing. Attendance ranges from 225-300.
- **Pro Bono Recruitment Seminars.** TLC annually co-sponsors six pro bono volunteer recruitment seminars statewide with the SBOT Family Law Section and two with the Consumer Law Section.
- **Pro Bono Coordinators Retreat.** TLC offers a two-day training retreat annually and provides Texas pro bono coordinators with training, resource materials and opportunities for networking and information sharing. Attendance ranges between 45 and 55 coordinators.
- **Bar Leaders Conference-ATJ Track.** TLC staff coordinates training for local bar leaders on matters relating to access to justice at the annual SBOT Bar Leaders Conference. The ATJ Commission and the SBOT Standing Committee on Legal Services to the Poor in Civil Matters pay for local bar leaders designated as "ATJ delegates" to attend the training.
- **Special Committee Training Events.** TLC staff coordinates trainings and seminars sponsored by the Bar Committees it staffs, such as the *Symposium on Indigent Defense in Texas* and the *Forum on Cost-Effective Indigent Defense Systems* sponsored by the SBOT Standing Committee on Legal Services to the Poor in Criminal Matters.
- **Legal Services Task Forces.** Currently, TLC staff coordinates four task forces: Housing & Consumer Law; Public Benefits & Health Law; Family Law; and Immigration Law. Task force members are primarily senior legal services staff attorneys and other nonprofit agency service providers. The task force meetings involve updates on the subject matter.

- ***LegalFront.*** TLC publishes the *LegalFront*, a quarterly newsletter that features news and innovations in the world of pro bono and legal services to the poor, as well as substantive legal articles relevant to a poverty law practice. Distribution is more than 4,000 in hardcopy. The *LegalFront* is also available in pdf format at www.texasbar.com and at www.texasatj.org.
 - ***Referral Directory.*** Annually, TLC compiles and publishes *Legal Services and Other Advocacy in Texas, A Referral Directory for Low Income Texans*. The directory includes legal aid and pro bono programs by county, lawyer referral services, resources for battered immigrant women, criminal defendants, juvenile offenders, military personnel and veterans. In 2008, more than 4000 copies of the directory were distributed.
 - ***Attorney Desk Reference (ADR).*** The ADR is a two-volume set of legal outlines on 22 selected topics relevant to a poverty law practice. The ADR is provided free of charge to legal aid staff attorneys. The Poverty Law Section is working with TLC to update the ADR.
 - ***Legal Services Personnel Directory.*** This publication is distributed only to the LSC program staff whose addresses are contained within. The purpose of this publication is to allow better coordination and cooperation between the programs serving different areas of the state.
- b. Staff Support for State Bar**
- ***Legal Services to the Poor in Civil Matters Committee.*** TLC and Don Jones staff this Committee, which develops and makes recommendations to the State Bar Board on legal services issues and works with the Access to Justice Commission on a variety of issues.
 - ***Legal Services to the Poor in Criminal Matters Committee.*** TLC supports the Committee's work with the Texas Task Force on Indigent Defense, its surveys of defense attorneys, prosecutors and judges regarding indigent defense in Texas and a variety of other efforts.
 - ***Labor and Employment Section.*** TLC staff assisted with developing, and assists with annual implementation of, this Section's annual pro bono grants and law student summer internships with legal aid programs.
 - ***Family Law Section.*** TLC and the Family Law Section co-sponsor at least four annual trainings (six were scheduled for 2007) in various small cities and towns across Texas. The family law trainings recruit pro bono attorneys for local pro bono programs. TLC staff provides preparation of materials, coordination between the local program and the Section, preparation and mailing of notices, MCLE certification and other assistance as requested by the Section.
 - ***Corporate Counsel Section.*** TLC staff assisted with developing, and assists with annual implementation of, this Section's annual pro bono grants for projects that broaden the availability of pro bono opportunities for in-house counsel.

- ***Litigation Section.*** TLC implements the distribution of scholarships to the Section's Annual Litigation Update Institute. TLC also assisted in the creation and administration of the six new summer internships for law students to work at legal aid offices.
 - ***Juvenile Law Section.*** TLC facilitates the donation of extra section-sponsored CLE materials to be distributed to legal services organizations.
 - ***Poverty Law Section.*** TLC provided assistance in the creation of the new Poverty Law Section, and the Section was a sponsor of the 2008 Poverty Law Conference. The Section is also working with TLC on updating the Attorney Desk Reference.
 - ***State Bar Board Legal Services Groups.*** TLC provides staff support to the SBOT Board of Directors legal services efforts, such as the Board Legal Services Subcommittee.
 - ***State Bar College.*** TLC applies for a grant from the College each year for scholarships and then implements the distribution of scholarships to the College's annual *Summer School* CLE program.
 - ***Reports.*** TLC staff prepares reports as needed, such as this one and the semi-annual reports from the ATJ Commission to the Supreme Court of Texas.
 - ***Presentations.*** TLC staff makes presentations related to pro bono and other access to justice issues at local bar associations, law schools, conferences, seminars and other public speaking engagements.
- c. Pro Bono/Legal Services Support**
- ***Malpractice Insurance.*** TLC administers the Texas Legal Services Network Malpractice Insurance Program, which provides basic professional liability coverage for the staff and volunteers of some 60 pro bono and legal services programs. Through this program, the State Bar pays for professional liability insurance for eligible organizations.
 - ***Texas Legal Research Network.*** TLC administers the Texas Legal Research Network, which provides online legal research through LexisNexis for legal aid attorneys and case handler paralegals. It provides Pure Lexis Flat Rate Library (a very wide variety of necessary legal resources), plus Texas Litigation and Transaction Guide.
 - ***Assistance for New and Existing Pro Bono Programs.*** TLC provides assistance on all aspects of program operations to both new and established pro bono programs, as well as members of the bar not associated with an organized program.
 - ***Information and Resource Clearinghouse.*** TLC acts as a clearinghouse to collect materials and resources and dispense to attorneys, bar associations, pro bono projects, and other constituencies.
 - ***Pro Bono CLE Scholarships.*** Free continuing legal education is provided each year to meritorious pro bono attorneys who have been nominated by their pro bono programs. TLC also administers TexasBarCLE course scholarships and scholarships to national training events for staff legal services attorneys.
 - ***CLE Videotape Library.*** In order to provide free CLE to attorneys who participate in a formal pro bono/private bar involvement program and to legal aid/legal services

attorneys, TLC maintains a library of more than 702 hours of continuing legal education (CLE) seminars, including TexasBarCLE's Custom CLE courses.

- ***Pro Bono College of the State Bar.*** TLC administers the Pro Bono College of the State Bar for Texas attorneys who provide 75 or more hours a year of pro bono services. In 2007, membership was 609. In 2005, paralegals were approved as associate members of the College, if they provide 50 or more hours of pro bono services.
- ***Emeritus Attorney Program.*** TLC administers this program, which allows inactive attorneys who have been in active practice for five of the last ten years the opportunity to do pro bono work while maintaining their inactive status.
- ***State Bar Pro Bono Mentor Program.*** TLC administers this program, which provides up to 5 hours of MCLE participatory credit to pro bono attorneys participating as a mentor or "mentee" in an eligible staff legal services/pro bono program.
- ***Advocate Website.*** TLC staff, along with the Texas Legal Services Center, and other legal services providers support www.texaslawyershelp.org, a password-controlled advocate site for legal aid staff lawyers and pro bono volunteer lawyers.

d. Staff Support for the Texas Access to Justice Commission

- ***Commission Support.*** TLC provides staff support to the Commission and its members. TLC staff, under the direction of the executive director of the Commission, provides scheduling, research, writing, materials preparation and other support for the Commission.
- ***Committee and Workgroup Support.*** TLC provides staff support for all ATJ committees and workgroups.
- ***ABA Day.*** TLC coordinates appointments with members of Congress and travel to Washington D.C. for a team of Texans, including representatives of the Supreme Court of Texas, the Texas Access to Justice Commission, the SBOT, and the Texas Access to Justice Foundation (TAJF) to visit with members of Congress about funding for the Legal Services Corporation.
- ***ATJ Day at the Texas Legislature.*** TLC provided staff support to the Commission for its first coordinated trip to visit Texas legislators in Austin (modeled on ABA Day) to discuss the Commission's legislative package in February 2007.
- ***Publications.*** TLC works with the TAJF Communications Manager to create and edit the ATJ *Update* newsletter three or four times per year.
- ***Nominations.*** TLC staff prepares any award nominations submitted by the Commission.
- ***Presentations.*** TLC staff provides scheduling, research, materials preparation and other support for presentations made by ATJ volunteers at conferences, seminars and other engagements.

- ***Texas Student Loan Repayment Assistance Program.*** Through June 2008, TLC staff administered for the Texas Bar Foundation, the Texas SLRAP that was created by the Commission and is funded by the SBOT and individual contributions. TAJF took over administration of the SLRAP in FY 2009 and will contribute additional funding for the program. The SLRAP provides student loan repayment assistance to qualifying legal aid lawyers so that they can afford to accept and remain in low paid legal aid staff attorney positions.
 - ***ATJ Internship Program.*** TLC provides staff support to the Law School Advisory Committee's project, which places law students from the nine Texas law schools with legal services providers throughout the state for summer internships in areas without law schools.
 - ***Trainings.*** TLC staff organizes Commission trainings for legal aid lawyers, including the week-long Trial Academy (2005, 2006 & 2008), the Appellate Academy (2006) and the Evidence Academy (2007).
 - ***Grants.*** TLC drafts grant applications for the Commission.
- e. Public Contact**
- ***Referrals.*** Texas Lawyers Care staff makes referrals from its extensive database to the appropriate legal services programs or government agencies. TLC made 3,570 referrals in FY07.
 - ***Websites.*** www.texasatj.org. TLC provides updates for this website. www.texaslawhelp.org. TLC staff, along with the Texas Legal Services Center and TAJF and legal aid programs, provides support for this site.
 - ***Inmate Inquiries.*** TLC answers inmate inquiries made to the State Bar, most of which seek free legal assistance. In 2007, TLC answered more than 100 written inmate inquiries.
- f. Special Projects**
- ***Pro Bono Asylum Representation Project (ProBAR).*** This joint project of the American Bar Association, the State Bar of Texas, and the American Immigration Lawyers Association provides pro bono legal assistance to asylum applicants who are detained in south Texas. In conjunction with the ABA, TLC manages a portion of the funds dedicated to ProBAR, provides periodic financial reports, and assists in other efforts for this project. The State Bar contributes funds for benefits for the staff of ProBAR through TLC's budget.
 - ***Legal Assistance to Military Personnel (Operation Enduring LAMP).*** In times of war, TLC works with the Military Law Section to recruit and train volunteer attorneys to assist active military personnel with matters relating to their deployment such as estate planning and consumer problems. TLC organizes training for volunteer attorneys throughout Texas to assist deployed soldiers and has recruited more than one hundred volunteers during the current wars in Afghanistan and Iraq. TLC supports the

work of the volunteer director of Enduring LAMP, Col. Bryan Spencer (USA Ret.), who offices at TLC.

- **TLC 25th Anniversary Celebration.** On October 4, 2007, TLC celebrated its 25th anniversary with a fundraising event at the Bob Bullock Texas History Museum in Austin. The event, hosted by the Texas Access to Justice Commission for TLC and the State Bar, raised more than \$185,000 for legal services to the poor. All funds went to the Texas Access to Justice Foundation.
- **Sign-Up Fund.** The Sign-Up Fund is a pilot project of the State Bar's Disability Issues Committee, funded by the Texas Bar Foundation, which reimburses attorneys for costs in hiring interpreters for deaf clients (or prospective clients). TLC administers the fund and Advocacy, Inc. publicizes the fund and trains attorneys about their obligations in this regard under the Americans with Disabilities Act.

4. Standing Committee on Legal Services to the Poor in Civil Matters

The State Bar's Standing Committee on Legal Services to the Poor in Civil Matters (the Committee) continues to be very active in its role as the State Bar's internal mechanism for activities and recommendations on pro bono and legal services issues.

Since the 2004 Supreme Court hearing on this topic, the Committee has continued to participate in the implementation of the State Bar's Pro Bono Survey. (See Tab III-11) Collecting data from a representative cross section of Bar members, the survey provides a scientifically valid measure of members' participation in pro bono legal services. The survey enables the Committee to identify specific groups of lawyers who are encountering barriers to engaging in pro bono representation and to compare pro bono representation across years.

In 2005, following up on Pro Bono Survey results, Committee members met with general counsel from more than a dozen state agencies to provide information and assistance in instituting pro bono policies within their agencies. The Committee also worked with the State Bar's Government Lawyers Section to encourage pro bono participation by government lawyers. Also in 2005, as part of the State Bar's legislative process, the Committee worked with State Bar Board members to generate suggestions for legislative action related to legal services to the poor. Two of those suggestions became part of the State Bar's legislative package for the 2005 session.

In 2007, the Committee requested that the Texas Bar Foundation (TBF) modify the Texas Student Loan Repayment Assistance Program's (SLRAP) guidelines to eliminate income caps for eligibility. TBF voted to remove the income limit and use, instead, a debt-to-income ratio to rank applicants. This change was implemented and was a major factor in the enhancement of the SLRAP's ability to assist legal aid lawyers in Texas—leading to nearly double the number of applicants applying to the program for the 2007-2008 year.

In 2008, the Committee recommended that the Texas Access to Justice Foundation (TAJF) administer the Student Loan Repayment Assistance Program (SLRAP) and that the State Bar

Board develop a cooperative funding approach, such as between the State Bar and TAJF, to meet the SLRAP's additional funding needs. Both recommendations have now been successfully implemented. Beginning in June 2008, TAJF started administering the SLRAP. As a result of these recommendations and TAJF's commitment to supplement the funding contributed by the State Bar, all eligible legal services attorneys in Texas who applied received student loan repayment assistance from the SLRAP.

5. Texas Young Lawyers Association – Submitted by TYLA

In recent years, the Texas Young Lawyers Association (TYLA) has produced and implemented several projects that focus on and benefit access to justice. Those resources providing a service to low-income Texans are noted below:

a. Immigration Issues

- **Law of the Land.** *Law of the Land* is a publication and a video developed by TYLA with a grant from the Texas Bar Foundation to inform new immigrants and low-income Texans about their rights and responsibilities under Texas and federal law. The program addresses eight specific topics:
 - immigration (naturalization and family-based immigration);
 - voting rights, jury duty and obtaining a U.S. passport;
 - employment rights;
 - landlord-tenant issues;
 - debtor and consumer issues;
 - tax law;
 - family law (divorce and child support); and
 - probate law (the importance of wills).

The program is available in both English and Spanish.

• TYLA/ProBAR Unaccompanied Children's Project

Each year, hundreds of unaccompanied children reach the Texas border after fleeing abuse, neglect or persecution in their home countries. Without adequate legal representation, these children remain in detention, unable to navigate the complicated immigration system and facing almost certain deportation. TYLA and the South Texas Pro Bono Asylum Representation Project (ProBAR) help train and recruit volunteer attorneys, law students and legal assistants to assist with providing legal services to immigrants, including children, who are detained in South Texas.

b. Family Law Issues

- **Pro Se Divorce Handbook.** This informative handbook provides information for those representing themselves in a simple (uncontested) divorce, along with discussions about division of marital property and issues concerning children. This handbook also provides tips on court etiquette and deadlines. A Spanish version is also available.
- **Committed to Healing: Involuntary Commitment Procedures.** These procedures provide an introduction to involuntary commitment proceedings in Texas courts,

including possible signals of mental health issues, a discussion of involuntary commitment procedures, and a comparison of involuntary commitment and guardianship.

- **Ending the Violence: How to Obtain a Texas Protective Order.** Protective orders are civil court orders designed to cease acts of violence, threatening, harassing, or stalking by abusers. The *Ending the Violence* pamphlet discusses the basics on eligibility for a protective order, the procedure for obtaining a protective order, and the manner in which a protective order operates in Texas.
 - **Protecting the Incapacitated: A Guide to Guardianship in Texas from Application to Oath.** Understanding guardianships in Texas law is made easier by this *Protecting the Incapacitated* pamphlet, which discusses alternatives to guardianship, the guardianship process, and other issues related to instituting a guardianship proceeding.
 - **What to Expect in Texas Family Law Court.** Navigating your way through a family law case can be confusing during what is often a stressful and emotional time in your life. Not knowing what to expect can make it even harder. This handout is intended to help a person understand what he/she can expect when he/she has a case in Texas family law court.
 - **Kids in the Crossfire.** "Kids in the Crossfire" is a short video designed to emphasize the impact of parents' behavior during divorce.
 - **Adoption Options.** This publication is intended to help those considering adoption make informed decisions by answering commonly asked questions and by providing a list of available resources.
- c. **Senior Issues**
- **"Safeguarding Our Seniors"** is a video prepared by the Texas Young Lawyers Association designed to heighten awareness of the signs and symptoms of elder abuse.
 - **Seniors & the Law** is a guide intended to help seniors of Texas understand the laws that affect their daily life. The resource also addresses the benefits, special services and resources available to seniors. A Spanish version of the guide is also available.
 - **Just Hang Up!** This brochure is designed to increase awareness to seniors of scams directed toward their demographic. The *Just Hang Up* brochure highlights the most common scams, provides a list of warning signs and advises seniors on how to protect themselves.
 - **Medicare, Medicaid, and SSI: A General Guide** provides an overview of federal programs. A Spanish version is also available.
 - **Living Trust Scams** describes how to avoid becoming a victim when purchasing a living trust. A Spanish version is also available.
 - **To Will or Not to Will** reviews the law on wills in Texas and how it applies to persons who die without a will. Also explains the advantages of executing a will and other legal directives.
 - **Medical Power of Attorney** helps those interested in completing a Medical Power of Attorney.

- **Directive to Physicians and Family or Surrogates** helps those interested in completing a Directive to Physicians and Family or Surrogates.
 - **Consumer Complaint Form** assists those wishing to submit a Living Trust Scam complaint to the Attorney General's office.
- d. Consumer Issues**
- **Guide to the Servicemembers Civil Relief Act.** This publication is intended to provide general information about the protections provided by the Servicemembers Civil Relief Act by outlining certain provisions of the Act and explaining their terms.
 - **How to Sue in Small Claims Court.** Small claims court is the real "People's Court." The small claims courts exist to provide an informal, uncomplicated proceeding to resolve small disputes that do not involve enough money to warrant the expense of formal litigation. The *How to Sue in Small Claims Court* publication provides an overview of the general process used to file, obtain judgment, and collect a small claims court judgment. The general overview in this guide should never be used exclusively – readers should also consult their local court for court-specific rules or procedures.
 - **Tenant's Rights Handbook.** This handbook is for residential tenants and is a public service by the Texas Young Lawyers Association. It is intended to explain many of the questions and legal issues that arise in a landlord-tenant relationship. A Spanish version is also available.
- e. Juror Issues**
- **American Juror** is a program dedicated to informing Texas citizens about jury service. It covers specific information regarding jury service, tips for reporting and serving as a juror, frequently asked questions, detailed information on the trial process, as well as a glossary containing definitions of common words used before and during jury trials. The project incorporates a 15-minute video that teaches Texans about the role of jury service in our American system of justice.
- f. Medical Issues**
- **Cancer Guide.** This 71-page pamphlet provides comprehensive information on legal issues faced by most cancer patients. Topics include Insurance, Clinical Trials, Employment Disability, Guardianship, and Estate Planning.
- g. Justice For All License Plate**
- **"Justice for All"** license plate is an innovative way to increase legal assistance to low-income Texans. Proceeds from license plate sales (\$25 of the \$30 purchase price) are used to support civil legal services to the poor. These services range from representing a client in court, to obtaining protective orders, to drafting wills.

6. State Bar Sections

Each year, sections of the State Bar of Texas create pro bono committees and involve their members in access to justice issues. Examples of the pro bono activities of State Bar Sections follow.

- **Family Law Section**

Pro Bono Seminars. Each year, the Family Law Section Pro Bono Committee holds four to six pro bono recruitment seminars entitled *Family Law Essentials for \$2000 or Free*. These seminars are provided free of charge to attorneys accepting two pro bono cases from their local pro bono program. The seminars are held in areas where pro bono efforts are needed the most. In 2008, the section has hosted seminars in Wichita Falls and Texarkana, with more planned for Seguin, Victoria, San Angelo and Tyler. ***Scholarships.*** The Section annually provides scholarships for legal aid attorneys to its Advanced Family Law Course.

- **Labor & Employment Law Section**

Law Student Internship Program. The Labor and Employment Law Section annually sponsors the Law Student Internship Program, which provides for the payment of stipends (\$4,000 each) for two Texas law students to work as interns at legal aid, pro bono or other non-profit legal services organization. The students work on projects related to the employment law needs of clients.

Pro Bono Service Grants. The Section also funds \$10,000 to \$12,000 in grants annually to legal services organizations in Texas for employment-related projects.

Donation of Extra CLE Materials. Any extra materials from Labor & Employment Law Section-sponsored CLE seminars are donated to Texas Lawyers Care for distribution for free to legal aid programs across the state.

- **Military Law Section**

Operation Enduring LAMP Program. The Military Law Section sponsors Operation Enduring LAMP (Legal Assistance for Military Personnel). This project supports local bar associations in providing pro bono legal assistance to military personnel called to active duty in support of military operations in Afghanistan and Iraq. Assistance involves counseling, phone calls, letter writing, and, in some cases, in-court representation. The project has expanded to provide pro bono Texas probate for military personnel killed in the line of duty.

Donations. The Section regularly donates to costs of TLC's Justice for All Calendar, which contains basic legal and social service information for low-income Texans.

- **Litigation Section**

Law Student Internship Program. The Litigation Section annually sponsors internships for law students, which provide for the payment of stipends (\$4,000 each) for six Texas law students to work as interns at legal aid, pro bono or other non-profit legal services organization. The students work on projects related to litigation.

Annual Litigation Update Institute Scholarships. The Litigation Section annually provides full scholarships to the Litigation Update Institute. The scholarships are available to legal services attorneys and include free tuition and reimbursement of

travel, lodging, and meal expenses.

Donations. The Section often donates to costs of TLC's Justice for All Calendar, which contains basic legal and social service information for low-income Texans.

- **Juvenile Law Section**

Donation of Extra CLE Materials. The Juvenile Law Section donates extra Section-sponsored CLE materials to be distributed to legal services organizations on a first-come, first-served basis. This year, the Juvenile Law Section donated materials from its Annual Juvenile Law Conference.

- **Appellate Section**

Pro Bono Activity. The Appellate Section partnered with the Supreme Court of Texas, the Third Court of Appeals in Austin, and with volunteer Texas attorneys who agree to serve without expectation of compensation to provide legal representation on appeal for clients who are financially unable to obtain assistance. The Section's Pro Bono Committee also often handles civil appellate cases on a pro bono basis for low-income Texans referred by legal services providers statewide.

- **Corporate Counsel Section**

Pro Bono Grants. The Corporate Counsel Section funds grants annually to legal services organizations in Texas for corporate related work. Also, the Section contributed \$7,500 in 2008 to the ATJ Internship Program.

Donations. The Section often donates to costs of TLC's Justice for All Calendar, which contains basic legal and social service information for low-income Texans.

- **Poverty Law Section**

The State Bar's Board approved the creation of the Poverty Law Section in September 2005. The Poverty Law Section's purpose is to promote and assist Texas lawyers in the study and understanding of the laws, regulations, and court decisions dealing with legal issues involving legal services to the poor.

Donations. The Section donated to TLC's 2008-09 Justice for All Calendar, which contains basic legal and social service information for low-income Texans.

- **Health Law Section**

Donations. The Section donated to TLC's 2008-09 Justice for All Calendar, which contains basic legal and social service information for low-income Texans.

- **Intellectual Property Law Section**

Donations. The Section donated to TLC's 2008-09 Justice for All Calendar, which contains basic legal and social service information for low-income Texans.

- **Alternative Dispute Resolution Section**

Donations. The Section donated to TLC's 2008-09 Justice for All Calendar, which contains basic legal and social service information for low-income Texans.

7. Conclusion

The State Bar of Texas continues to be committed to increasing access to justice for all and acts on that commitment by exploring and implementing creative and effective means to leverage its resources in support of access to justice. The State Bar looks forward to its

continuing partnership with the Texas Access to Justice Commission and all the stakeholders involved in making access to justice a reality in Texas.

C. Texas Access to Justice Foundation – Submitted by TAJF

The Texas Access to Justice Foundation (TAJF), formerly the Texas Equal Access to Justice Foundation, will be celebrating its 25th Anniversary in 2009. Since its inception, TAJF has awarded in excess of 206 million dollars in funding to Texas legal aid programs. This year, TAJF is awarding a record \$24,509,100 in funding. In July 2007, the Texas Equal Access to Justice Foundation changed its name to the Texas Access to Justice Foundation (TAJF). This name change was done in consultation and coordination with the Texas Access to Justice Commission.

1. Increasing Resources

a. Comparability Rule

On December 18, 2006, the Supreme Court of Texas issued a court order to amend the *Rules Governing the Operation of the Interest on Lawyers' Trust Accounts (IOLTA) Program*, requiring attorneys to hold IOLTA accounts at eligible financial institutions. Eligible institutions are those that pay interest rates on IOLTA accounts which are comparable to those paid to similarly situated non-IOLTA accounts. The rule change went into effect March 1, 2007. (See Tab II-10 above) The Supreme Court of Texas amended the rule based on the unanimous recommendation of TAJF and the Commission. Texas is the ninth state to adopt a comparability rule.

The need for a comparability rule was presented to the Supreme Court of Texas by a blue-ribbon committee, which included James B. Sales, Harry Reasoner, Richard L. Tate, Karen Neeley, Gib Walton, Martha Dickie and Charles Matthews.

TAJF created a system to expeditiously and efficiently implement the rule. Texas was challenged by the fact that the state has one of the highest numbers of financial institutions in the entire country. TAJF worked with the approximately 560 financial institutions that participate in the Texas IOLTA Program to advise them of the new rule and to determine eligibility.

The rule change had an immediate impact on 2007 IOLTA revenue. Regrettably, the Federal Reserve has had a series of drops in its Federal Funds Target Rate, which has gone from 5.25 percent to 2.00 percent since September 2007. These drops have caused TAJF to reduce its 2008 projected IOLTA revenue to \$12.5 million, less than half of the \$28 million that was originally projected when the rule was implemented. Nevertheless, the rule has had a significant impact on revenue, tripling it in 2007 and doubling it in 2008. Without the comparability rule, revenue would have substantially decreased and legal aid programs would be facing difficult financial decisions.

b. Creation of *Prime Partner* Program

In Spring 2007, TAJF created the *Prime Partner* Program, which consists of financial institutions that go above and beyond eligibility requirements by paying at least 70 percent of the Federal Funds Target Rate on IOLTA accounts. Their commitment generates increased funds for legal aid. Through continuous efforts of TAJF and attorneys who support this effort, TAJF now lists 31 *Prime Partners*.

TAJF, through its “Banking on Justice” campaign, works diligently to acknowledge *Prime Partners* that pay higher interest rates on IOLTA accounts. One example includes the presentation of a *Prime Partner* Award by Justice Harriet O’Neill to Amegy Bank of Texas, Citibank Texas, Comerica, Compass Bank, Sterling Bank and Washington Mutual at the Fort Bend Lawyers Care annual luncheon. Funded in part by TAJF, Fort Bend Lawyers Care (FBLC) provides legal assistance to low-income residents of Fort Bend County and promotes volunteerism among the legal community. FBLC hosted the *Justice for All Luncheon* to recognize outstanding volunteers. Justice O’Neill provided the keynote address for the luncheon meeting.

As part of its “Banking on Justice” campaign, TAJF made the determination that it would move its banking business to a *Prime Partner*. TAJF selected PlainsCapital Bank as its financial institution. TAJF retained Delta Consulting to create a request for proposal, review responses and make recommendations.

c. Waiver of Bank Fees

The IOLTA Revenue Enhancement Committee decided to focus its energies on the fees being charged by banks. Through this effort, TAJF was able to persuade almost 450 of the approximate 550 banks, including the six largest IOLTA account holders, to waive service charges on IOLTA accounts. This effort has resulted in a decrease of approximately 6.5 million dollars in service fees since the initiative started. TAJF continues these efforts.

d. Court Awards Strategies Committee

TAJF and the Commission have created a joint Court Awards Strategies committee (See Tab III-12) to educate the legal community about how cy pres funds can be used to increase revenue for legal services to the poor in Texas. The Court Awards Strategies Committee, chaired by Tom Godbold, will have its first meeting this fall.

e. Attorney General’s Opinion on Basic Civil Legal Services (BCLS) Funds

On December 4, 2006, the Attorney General of Texas issued an opinion in response to a request from Carl Reynolds, Executive Director of the Office of Court Administration, about whether the legal services filing fee add-on (BCLS fee) should be collected, as indicated in legislative changes to the statute authorizing the fee that were made in 2003 (Local Government Code, Sections 133.151 & 133.152). Most counties had not been collecting the additional fee, relying on the Comptroller’s view that the Legislature’s sole purpose in

adding Section 133.152 was to perpetuate the BCLS filing fee on counterclaims and other actions within existing cases. The Attorney General's opinion made clear that the fee should be collected as required by the clear language of the statute.

f. Development and Administration of Other Funding

TAJF has taken a leadership role in the development and/or administration of new revenue, including:

- i.** Crime Victims' Civil Legal Services Program
- ii.** Office of the Attorney General - Parenting Order Legal Clinic Program
- iii.** General Revenue of \$3,000,000 in the biennium
- iv.** Voluntary contributions from Texas attorneys on the State Bar of Texas dues statements.
- v.** *Pro hac vice* fees, which are placed in the BCLS fund, have generated almost two million dollars as of this date.
- vi.** Access to Justice Fee - the 78th Texas Legislature mandated that, beginning in 2004, Texas attorneys will pay an annual \$65.00 Access to Justice Fee, which is designated to fund civil Legal Aid and defense of indigents in criminal matters. TAJF administers one-half of the fee.
- vii.** License plate proceeds - Texas Young Lawyers Association Project
- viii.** Private donations from individuals, bar sections, attorneys and law firms

2. Administration of Grants

a. Disaster/Emergency Relief Efforts

i. Hurricanes Katrina/Rita

The TAJF Board authorized the release of one million dollars to deal with the emergency legal needs created by Hurricanes Katrina and Rita, which devastated communities, including some in East Texas. Texas legal aid programs provided legal assistance to over 12,000 low-income Texans who were impacted by the devastating hurricanes.

This allocation was possible, partly as a result of the generosity of Texas lawyers, bar sections and the corporate community. Numerous donations were received as a result of a letter requesting donations for legal services for disaster victims signed by the Commission Chair that was sent to the chairs of the State Bar sections and other attorney organizations asking them to forward it to their members. ExxonMobil, whose General Counsel/Vice President Charles Matthews serves on the Commission, and chairs the Corporate Counsel Committee, donated \$50,000 to TAJF for Katrina/Rita legal services, as did ConocoPhillips.

TAJF also worked, as part of a team, to put a disaster relief section on www.TexasLawHelp.org so that victims could access legal information and other useful information including the State Bar disaster relief number, which can direct them to the local legal aid provider.

ii. Fundamentalist Church of Latter Day Saints (FLDS)

Although still unfolding, the legal proceedings in San Angelo arising from what has been called the largest child custody case in history continue to require free legal services from private attorneys and legal aid groups around the state. Legal aid groups from around the state were called upon to provide legal services to the parents of these children. In particular, attorneys with Legal Aid of NorthWest Texas, which has an office in San Angelo, along with attorneys from Texas RioGrande Legal Aid stepped in to help ensure that all those involved who cannot afford an attorney receive the legal representation they need.

TAJF made an emergency grant of \$100,000 to Legal Aid of NorthWest Texas and Texas RioGrande Legal Aid to help defray the out of pocket expenses associated with providing legal representation to the low-income mothers in the FLDS matter. Although these funds will provide relief, they are a small portion of the anticipated expenses for providing representation.

Hundreds of Texas lawyers offered their assistance and some 350 have been appointed by the court to serve as attorneys ad litem for the 416 children removed from the Fundamentalist Church of Latter Day Saints facility in Eldorado. TAJF agreed to administer funds awarded by the Texas Bar Foundation to help defray the expenses of pro bono attorneys representing the children.

b. Fellowships

TAJF created a Fellowship Committee, which evaluated ways to establish fellowships in Texas. As a result of the committee work, TAJF has partnered with Equal Justice Works (formerly the National Association for Public Interest Law) to establish two-year fellowships in legal aid programs throughout Texas. These fellowships provide newly licensed lawyers at legal aid offices. TAJF has funded 18 fellowships since the program's inception in 2002. These fellows provide immediate legal assistance, help create projects in gap areas, and, go on to work as legal aid or public interest lawyers or engage in pro bono work.

c. TexasLawHelp.org

In 2003, the Texas legal aid community, with funding from the Legal Services Corporation, launched www.TexasLawHelp.org. The Web site features free legal information on civil matters for low-income Texans. The site also provides contact information for legal aid providers, Texas courts and other social services organizations.

TAJF hired two Outreach Coordinators to market TexasLawHelp.org to libraries, legal aid offices and the general public. The project, paid through a Texas Education Agency grant, enables low-income Texans to have access to more information about their rights and responsibilities via TexasLawHelp.org. The Travis County Law Library, through the grant, developed and identified additional resources to be posted to TexasLawHelp.org.

The Texas Education Agency grant to TexasLawHelp.org officially ended August 31, 2006. The project exceeded expectations in several areas. The grant provided funds to train 368 librarians and community advocates in the use of TexasLawHelp.org. As a result of the outreach and an increase in content on the site, the monthly unique visitors increased by 378 percent during the grant period (4,398 in February 2005 to 21,008 in August 2006). Additionally, ten media outlets agreed to run TexasLawHelp.org public service announcements at no charge. The Texas State Library and Archives Commission granted funds to TAJF to continue TexasLawHelp.org training efforts in the fall of 2006. TAJF staff trained 76 librarians in eight Texas cities as a result of that grant.

d. Office of the Attorney General (OAG) Parenting Order Legal Clinics (POLC)

TAJF and the OAG are jointly funding a statewide legal clinic program designed to improve parents' knowledge and understanding of their rights and responsibilities under parenting orders, thereby improving compliance with these court orders. POLC will be held in approximately 40 venues on a monthly basis. The goals are to expand parents' access to legal resources so they can better resolve parenting order conflicts, improve parents' understanding of legal processes and their rights, increase parents' compliance in the IV-D system with court-ordered possession/access, and measure the impact of that compliance on child support collections.

POLC is being phased in across the state with full implementation in all sites anticipated by the end of 2008. The initial clinics have been held in Lubbock, Fort Worth and Dallas. More recurring clinics are coming on-line monthly with approximately 10 more to be added before the end of September. As of August 1st, approximately 25 parents and grandparents have attended a clinic. The response to the sessions has been overwhelmingly positive with one gentleman saying, "I learned more tonight than I have learned in the past six years of trying to work with the system." More than one attendee expressed appreciation that the clinics would be held monthly so they can attend a future POLC if they have questions about their parenting rights and responsibilities.

e. American Bar Association (ABA) Standards for the Provision of Civil Legal Aid

The ABA House of Delegates adopted new standards for civil legal aid programs on August 7, 2006. The ABA Standards for the Provision of Civil Legal Aid reaffirms the important values that underlie effective legal services work and provides fresh guidance to providers. These Standards focus on both the responsibilities of legal aid providers as organizations which serve the civil legal needs of low-income persons and the role of practitioners who

represent low-income clients under the guidance of such an organization. The ABA Standards are aspirational guidelines for the operation of legal aid providers and the provision of service by their practitioners. In January 2008, the TAJF board adopted the ABA Standards as the guidelines it uses to evaluate the effectiveness of grantees' programs.

f. Grantee Meeting

TAJF has continued to hold annual statewide grantee meetings. These meetings are an opportunity to update grantees on relevant issues impacting the statewide access to justice delivery system. The agenda includes an open discussion with the Commission Chair, James B. Sales, regarding issues encountered in the field that the Commission might address, and other issues of import to the legal services community. At its last grantee meeting on July 22, 2008, executive directors and board members from 40 legal aid programs were represented.

g. Site Visits and Compliance

TAJF continues to engage in monitoring and compliance of its grantees. TAJF staff and/or peer reviewers conduct site visits of all legal aid programs on a three-year cycle. In addition, grantees are required to submit quarterly fiscal and annual programmatic reports. Grantees are also required to submit a copy of the program's annual audit.

h. IOLTA Comparability Allocation Planning

TAJF engaged in an in-depth comparability planning process to determine the best and most effective use of IOLTA funds generated as a result of the comparability rule adopted by the Supreme Court of Texas. In January, TAJF held an IOLTA Planning Forum to solicit the input of access to justice partners and legal aid programs that provided information regarding the needs in the access to justice community. Speakers at the Forum were invited to address the TAJF Board Committee. The process also has included:

- A survey of TAJF Grantees about community needs: All TAJF grantees completed an online survey that queried them about the specific needs they had as an organization that prevented them from performing at a higher level of service delivery and the needs they confronted in the client community.
- A series of conference calls with discrete groups in the grantee community: Six conference calls were conducted so that all grantees (even those not scheduled to speak at the planning forum) could learn what their counterparts intended to say and to recommend additional comments be made to the TAJF Board's Comparability Planning Committee during the Forum.
- A salary survey of grantees: Based on the initial survey of community needs and remarks made at the Forum, legal aid salaries were repeatedly noted as being a barrier to recruiting and retaining attorneys for work in legal aid. As a follow up and to aid the TAJF Board Committee in ferreting out a solution, the TAJF staff surveyed the grantees about the current state of salaries.

- A compilation of data by county on services provided throughout Texas as compared to poverty population.

All of this information was used to compile a 25-page report for the TAJF Comparability Planning Committee outlining a number of priorities for the increased revenue generated as a result of the comparability rule. (See Tab III-13) The TAJF Board Committee tasked with developing a spending plan for the increased revenue generated by the rule met on March 20 and adopted the plan set forth below for the expenditure of these funds. The TAJF Board of Directors met on April 9 and unanimously adopted the plan as follows:

i. Stabilization of Infrastructure	\$2.35 million
1. Staff Retention	
Salaries	\$1.8 million
Student Loan Repayment	\$350,000
Recruitment and Retention	\$200,000

Beginning in June 2008, TAJF is administering the Texas Student Loan Repayment Program. In addition, TAJF committed to supplement the funding contributed by the State Bar of Texas. For the first time, all eligible legal services attorneys in Texas who apply will receive student loan repayment assistance from the program. Ninety legal aid lawyers (88 accepted) from 21 programs applied this year compared to 76 applicants in 2007. Of those 76 only 45 received assistance due to limited funding. This important program enables young lawyers to accept jobs with legal aid and allows more experienced lawyers to maintain their positions without impoverishing themselves and their families. The 2008 applicants earn an average salary of \$43,000, while carrying an average student debt of \$82,000 with monthly payments exceeding \$700.

ii. Enhanced Services to Clients	\$3.75 million
1. Percentage increase for legal aid providers	\$1.5 million
2. Underserved areas of the state	\$2 million
3. Gap populations/New Projects	\$250,000

In addition, TAJF used comparability funds to fully fund a Technology Initiative for a one-time bulk purchase of IT equipment and software totaling \$680,000. Based on the Commission’s Technology Committee’s recommendation, TAJF funded the purchase for its 37 grantees. Had the legal services programs purchased the equipment individually, the aggregate cost would have approached \$900,000. The bulk purchase included 124 desktop computers, 181 laptops, 59 business-grade printers, 18 color printers, 4 portable printers, 29 scanners,

relevant peripheral equipment, and more than 300 licenses of Microsoft Office 2007, Adobe Acrobat and Symantec software. TAJF is indebted to the Commission's Technology Committee for its work on this endeavor, which provided legal aid programs with critical technology at a substantially reduced cost to TAJF.

3. Administration of IOLTA Program

a. Automation of IOLTA Compliance/Bank Reporting

In 2006, TAJF automated the IOLTA compliance process. For the first time since the inception of the Texas IOLTA Program, attorneys were able to submit their compliance information online rather than by means of a hardcopy statement. In accordance with the IOLTA rules, every licensed Texas attorney must submit a compliance statement to TAJF. The decision to proceed online was made to save on administrative costs, thereby increasing revenue available for legal services to the poor. In 2007, more than 37,000 attorneys submitted their statements online. In addition, in 2007, TAJF allowed for firm compliance, which enables firm administrators to comply on behalf of all the attorneys in the firm. TAJF also automated bank reporting which results in quicker receipt of money from the banks, which means that it spends more time in investment vehicles. In addition, it saves staff time which can be utilized in other TAJF endeavors.

b. Banking Programs Manager

TAJF hired a Banking Programs Manager to oversee and manage the success of the Texas IOLTA Program. The Banking Programs Manager is charged with monitoring banks to ensure their compliance with IOLTA eligibility rules. He is also tasked with fostering relationships with *Prime Partners* and potential *Prime Partners* to cultivate this critically important revenue stream.

4. Efforts to Support the Access to Justice Delivery System

TAJF is a critical partner in the access to justice delivery system. It works closely with the staff, chair and committees of the Commission. This partnership is seen throughout many of the activities of the Commission, most notably the communications efforts to increase the visibility of legal aid and access to justice in Texas. TAJF funds the Communications Manager position that provides primary communication support to the Commission and its Communications Committee. Much of the communications work is handled by or supervised by TAJF staff, including the creation of videos, newsletters, press releases and other media-related work.

TAJF continues to host an Annual Luncheon for the Supreme Court of Texas. The meeting is attended by partners in the access to justice delivery system including legal aid providers, Texas Access to Justice Commissioners, State Bar of Texas Board members and staff, Office of the Attorney General and legislative staff. This meeting is an opportunity to provide a status report on access to justice in Texas.

Jefferson on April 6, 2005, at the Texas Law Center. The Commission presented Corporate Leadership awards to Time Warner Cable and Univision-KWEX TV in appreciation for their contributions in the production of public service announcements to promote the new pro se Protective Order Kit. Reception attendees included representatives from the Supreme Court of Texas, the Texas Office of the Attorney General, legal aid organizations, the State Bar of Texas, the Commission and the Travis County Law Library.

5. Position in the National Access to Justice Community

The Texas IOLTA Program is prominently placed and positively viewed within the national access to justice community. Through the Supreme Court of Texas' leadership, TAJF was the 9th IOLTA Program in the country to adopt a comparability rule. TAJF has been able to provide assistance to other states engaged in this endeavor. Many of TAJF's initiatives are set as best practices in the IOLTA community. Its staff and board are seen as leaders on IOLTA and access to justice initiatives.

In addition, TAJF partners regularly with the Legal Services Corporation, the major funder of legal aid in the United States, National Legal Aid and Defender Association, American Bar Association, and other programs working on a national level to increase access to the justice system by low-income persons.

TAJF is aware that our position of national prominence would not be possible without the leadership of the Supreme Court of Texas, its Chief Justice Wallace Jefferson, and the Court's liaison, Justice Harriet O'Neill. In addition, TAJF's position is bolstered by its partnership with the Texas Access to Justice Commission, State Bar of Texas, Office of Attorney General, and the Texas Legislature.

D. Texas Bar Foundation – Submitted by TBF

The Texas Bar Foundation operates exclusively on the generosity of Texas lawyers, and their generosity created in the Texas Bar Foundation the largest charitably-funded bar foundation in the nation. The Bar Foundation mission directs our charitable work into three areas: legal assistance for the needy of Texas, education of Texans regarding their rights and responsibilities, and improvements to the legal system in Texas. Depending upon the good will and voluntary donations of Texas lawyers, the Texas Bar Foundation pursues and manages donations from more than 7,900 attorneys.

This report focuses on one subset of the Bar Foundation work for the needy of Texas, that is, the provision of civil legal services to the poor.

1. The Supreme Court and Texas Bar Foundation Work for Civil Legal Services

In the summer of 2001, the Supreme Court of Texas began a tradition of encouraging Texas attorneys to make voluntary contributions in support of civil legal services for the poor. The Court persuasively urged attorneys to make their contributions as they paid their annual dues.

attorneys to make voluntary contributions in support of civil legal services for the poor. The Court persuasively urged attorneys to make their contributions as they paid their annual dues. The Court's effort was highly successful and led to improved funding for civil legal services throughout the State.

The Texas Bar Foundation support of providing civil legal services to the poor began in 1984 when the Bar Foundation provided the State Bar of Texas with a \$25,000 grant to investigate and begin IOLTA: *Implementing IOLTA: Significant New Revenue for Civil Legal Services in Texas*. In the fall of 2001, the Texas Bar Foundation supported the creation of the Texas Access to Justice Commission (TATJC) with a start-up grant of \$44,000 to serve the Supreme Court's vision of improved civil legal services for Texans. Both projects leveraged Bar Foundation money far beyond what anyone could have foreseen at the time. These are but two examples of the Texas Bar Foundation's support of innovative solutions for age-old problems.

Cutbacks in federal funding for the Legal Services Corporation in the mid-1990's were to have a lasting influence on Foundation priorities. From 1995 to 1999, the Texas Bar Foundation awarded more than 50% of available funds, or \$1.1 million for direct civil legal services. These amounts represent grants that required a financial means test of the individuals receiving service. The fifty percent figure for 1995 - 1999 compares to 1990 - 1994, a time of substantial IOLTA and federal funding for legal services, when a much smaller percentage, 20%, of TBF grant funds were distributed for direct civil legal services for the poor.

Since the implementation of the joint dues checkoff for civil legal services, the Texas Bar Foundation has received \$856,284.07 in attorney gifts donated via the dues statement. The first checks arrived in January of 2002. Since January 2002, the Texas Bar Foundation has provided grants for civil legal services for the poor in the amount of \$1,923,897.

2. Background and Objectives

a. A Grant-Making Public Charity

The diversity among Foundations in the United States can be summarized by the source of their funds as private or family foundations, community foundations, corporate foundations, and grant-making public charities. Most people are familiar with community and corporate foundations, and the Bar Foundation does not conform to either model. Private or family foundations receive their funding from a small group of donors, which is not the case with the Bar Foundation. Neither is the Bar Foundation what is loosely called an "NGO" or Non-governmental organization. These organizations are charities that perform charitable work, and often receive the bulk of their funding from governmental or quasi-governmental agencies. The Texas Bar Foundation is a grant-making public charity because many individual contributors provide the funding.

b. Funding of Specific Projects

Grant making among foundations can be summarized as being project grants and general

operating support. The Texas Bar Foundation primarily acts as a project grantor. Funding discrete activities, or projects, simplifies the monitoring and reporting of the progress of the grant. Monitoring insures the specific terms of the grant are followed and is tightly focused on the project itself. Grant makers that provide general operating grants may monitor the operations and finances of the recipient organization, which is a broad and complex task that requires a commitment to professional, trained, evaluation. Whether foundation staff or contract evaluators do the organizational evaluations, there is a commensurate monetary cost. Making project grants tightens the focus of grant monitoring activities and avoids the broad review inherent in general operating or block grants.

The Texas Bar Foundation demonstrates a preference for projects that differ from the day-to-day activities of the sponsoring organizations. Texas Bar Foundation funding permits organizations to attempt new solutions or implement new ideas that are outside the scope of, or improve, established services. Frequently these innovations produce outstanding results.

3. Impact of Maintenance Projects

Ideally there would be new and more effective approaches enough to use all the Bar Foundation funds. Realistically, though, many organizations have not had new insights into improving their functions. With the limited funds available to the Texas Bar Foundation (our total grant making for 2007-2008 was \$1,051,270), the Bar Foundation prefers to maintain flexibility in its grant making. Consequently, the Bar Foundation makes no long-term commitments to continue subsidizing a particular organization or project. Operational, or maintenance, awards form a significant percentage of the Bar Foundation's work, and includes such items as technology upgrades and salaries.

Serving as a bridge is a traditional role of Bar Foundation grants. For example, faced with the federal cutbacks in the mid-1990's, the Texas Legal Services Center received a Core Functions Bridge Grant of \$28,500 to help keep the doors open.

Likewise, in 2004 cutbacks in university budgets threatened the Juvenile Justice Clinic at The University of Texas School of Law – a program that has assisted low-income juveniles for thirty years. A \$15,000 grant kept a licensed attorney on staff at the clinic so that low-income children charged with offenses could have legal representation. Bar Foundation grants have an important impact in this kind of situation. Allowing an organization to continue functioning as it seeks new funding is a valuable role for the Texas Bar Foundation and the legal community.

4. Grants Awarded

This report on grants for civil legal services does not include victim services, services for the mentally ill, forensic evidence gathering, or other grants that may have lacked a financial means test for the population to be served or may have served middle income individuals. This report includes only grants to provide civil legal services to poor individuals. As a result, the information is a narrow and limited review of the services funded by the Texas Bar Foundation.

5. Texas Student Loan Repayment Assistance Program

The Texas Bar Foundation has been honored to be a part of the Student Loan Repayment Assistance Program (SLRAP). The State Bar of Texas generously funds SLRAP with \$110,000 annually. The program provides forgivable loans to attorneys employed full-time by a civil legal services provider. The program follows internal revenue service guidelines so that the loans should not be a taxable event to the lawyers.

Of the dues checkoff or ATJ funds the Supreme Court directed to the Bar Foundation, the Court specified \$20,000 was to be used for student loan repayment. This is matched by Texas Lawyers Care.

Texas Lawyers Care provided staff support and substantial funding from its departmental budget for the program. Texas Lawyers Care reviewed the loan applications, established eligibility, and provided the TBF board with background information. Texas Lawyers Care also determined continuing eligibility on a quarterly basis. Since 2004, \$526,505 has been distributed to 83 attorneys serving Texas's indigent population. During fiscal year ending 2008, 46 lawyers met the eligibility requirements and were offered \$4,800 in loan repayment assistance. The total available for student loans was \$217,200. As this is the last year SLRAP will be distributed by TBF, remaining funds of \$23,200 were given to Access to Justice Foundation to be used for next year's program.

6. Appendix Report of Additional Bar Foundation Grants

An additional report is included that shows more broadly the charitable work of the Bar Foundation. The additional report is divided into program areas, and supplements this report on the Texas Bar Foundation's provision of civil legal services to the poor of Texas. (See Tab III-14)



TEXAS

ACCESS TO JUSTICE COMMISSION

CIVIL LEGAL SERVICES TO THE POOR IN TEXAS

**A Status Report presented by
the Texas Access to Justice Commission
to the Supreme Court of Texas**

September 11, 2008

VOLUME 2 – APPENDIX

CIVIL LEGAL SERVICES TO THE POOR IN TEXAS

A Status Report presented by the Texas Access to Justice Commission
to the Supreme Court of Texas
September 11, 2008

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2008 Poverty Income Guidelines

Persons in Family or Household	100%	125%	200%
1	\$10,400	\$13,000	\$20,800
2	14,000	17,500	28,000
3	17,600	22,000	35,200
4	21,200	26,500	42,400
5	24,800	31,000	49,600
6	28,400	35,500	56,800
7	32,000	40,000	64,000
8	35,600	44,500	71,200
For each additional person, add	3,600	4,500	7,200

RESOLUTION OF THE STATE BAR BOARD OF DIRECTORS
APRIL 20, 2001

WHEREAS, many gaps exist in developing a comprehensive, integrated statewide civil legal-services delivery system in Texas;

WHEREAS, many poor people in Texas are underrepresented, in that they receive limited advice from a legal-services provider when they would in fact be better served by full representation on a civil legal matter;

WHEREAS, inadequate funding and well-intentioned but uncoordinated efforts stand in the way of a fully integrated civil legal-services delivery system;

WHEREAS, a comprehensive, inclusive state planning process was initiated in Texas in 1999 to address how to create an effective, comprehensive, integrated legal services to the poor delivery system;

WHEREAS, the State Bar of Texas, through its elected leadership, its Board Legal Services Committee and Standing Committee on Legal Services to the Poor in Civil Matters Committee members, and staff, has worked closely with members of the Supreme Court of Texas, the Texas Equal Access to Justice Foundation, the Texas Bar Foundation, staff and pro bono providers of legal services to the poor, and others interested in access to justice since the state planning process was initiated in 1999;

WHEREAS, following a series of meetings around the state, the state planning group met for a two-day summit in May 2000 and determined that leadership that is accepted by the various stakeholder organizations, committed to achieving full access, and empowered to take action is essential to realizing justice in Texas;

WHEREAS, the planning group agreed that the creation of a Texas Access to Justice Commission, modeled after the Washington Access to Justice Board, would provide the kind of statewide leadership needed in Texas;

WHEREAS, the State Bar of Texas has a long-standing commitment to its core function of assuring access to justice by poor Texans, as evidenced by the work of its Board Legal Services Committee, its Legal Services to the Poor in Civil Matters Committee, its Texas Lawyers Care department, and many other State Bar groups;

WHEREAS, while the State Bar of Texas is one of many organizations that share a commitment to improving access to justice, it is uniquely positioned, along with the Supreme Court of Texas, to provide the extraordinary leadership necessary for the creation and on-going support of a successful Texas Access to Justice Commission; and

WHEREAS, the State Bar of Texas is prepared to enhance its commitment to access to justice through the creation and support of a Texas Access to Justice Commission.

THEREFORE BE IT RESOLVED, that the State Bar of Texas Board of Directors endorses the creation of the Texas Access to Justice Commission whose primary mission is to provide coordinated, unified statewide leadership on access to justice issues in Texas;

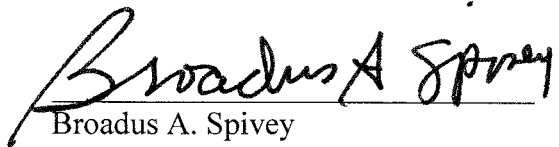
BE IT FURTHER RESOLVED, that the Texas Access to Justice Commission created by the State Bar of Texas and the Texas Supreme Court will fulfill the mission and goals and operate according to the parameters established in the attached "Proposal for the Creation of the Texas Access to Justice Commission"; and

BE IT FURTHER RESOLVED, that the State Bar of Texas will act in partnership with the Supreme Court of Texas to provide the ongoing leadership and support needed for a successful Access to Justice Commission.

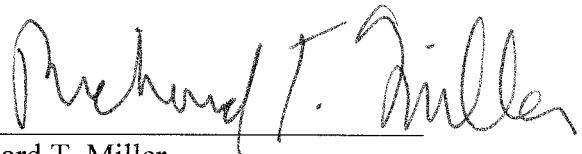
SIGNED this 20th day of April, 2001.



Lynne Liberato
President



Broadus A. Spivey
President-elect



Richard T. Miller
Chair of the Board

ATTEST:



Antonio Alvarado
Executive Director

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 01- 9065

ORDER ESTABLISHING TEXAS ACCESS TO JUSTICE COMMISSION

1. In 1999, a statewide planning process for legal services to the poor was initiated in Texas. The Texas planning group consisted of a broad range of individuals representing this Court, the State Bar of Texas, the Texas Equal Access to Justice Foundation, the Texas Bar Foundation, and the network of legal-service providers throughout the state.

2. During the statewide planning process, the following problems were identified:

- many gaps exist in developing a comprehensive, integrated statewide civil legal-services delivery system in Texas;
- many poor people in Texas are underrepresented, in that they receive limited advice from a legal-services provider when they would in fact be better served by full representation on a civil legal matter;
- inadequate funding and well-intentioned but uncoordinated efforts stand in the way of a fully integrated civil legal-services delivery system;
- achieving a committed and active justice community in Texas is essential to the effective delivery of civil legal services;
- while many organizations throughout the state share a commitment to improving access to justice, no single group is widely accepted as having ultimate responsibility for progress on the issues; and
- leadership that is accepted by the various stakeholder organizations committed to achieving full access, and empowered to take action, is essential to realizing equal justice for all in Texas.

3. At the conclusion of the statewide planning process, the planning group adopted an action plan with a broad range of goals and strategies. The cornerstone of the recommendations was that

an Access to Justice Commission be established by this Court to serve as the umbrella organization for all efforts to expand access to justice in civil matters in Texas. The organization would serve as a coordinator to assist all participants in developing strategic alliances to effectively move ideas to action. The Commission would report semi-annually on its progress to both the Court and the State Bar of Texas. The Court, having reviewed the report of the planning group and having received the endorsement of the Board of Directors of the State Bar of Texas, **HEREBY ORDERS:**

1. The Texas Access to Justice Commission is created to develop and implement policy initiatives designed to expand access to and enhance the quality of justice in civil legal matters for low-income Texas residents.

2. The Texas Access to Justice Commission will:

- identify and assess current and future needs for access to justice in civil matters by low-income Texans;
- develop and publish a strategic plan for statewide delivery of civil legal services to low-income Texans;
- foster the development of a statewide integrated civil legal-services delivery system;
- work to increase resources and funding for access to justice in civil matters and to ensure that the resources and funding are applied to the areas of greatest need;
- work to maximize the wise and efficient use of available resources, including the development of local, regional, and statewide coordination systems and systems that encourage the coordination or sharing of resources or funding;
- develop and implement initiatives designed to expand civil access to justice;
- work to reduce barriers to the justice system by addressing existing and proposed court rules, procedures, and policies that negatively affect access to justice for low-income Texans; and
- monitor the effectiveness of the statewide system and services provided and periodically evaluate the progress made by the Commission in fulfilling the civil legal needs of low-income Texans.

3. The Texas Access to Justice Commission consists of fifteen members appointed by this Court and by the State Bar of Texas. A member of the Commission serves a three-year term. The terms of the members are staggered. A member may not be appointed to serve more than two successive full three-year terms. A member who has served two successive full terms is not eligible for reappointment until the third anniversary of the date that the member's last full term on the Commission expired.

4. This Court will appoint eight members to the Texas Access to Justice Commission as follows:

- a justice of the Supreme Court of Texas;
- a judge or justice from a county with a population of 650,000 or more;
- a judge or justice from a county with a population of less than 650,000;
- a member of the Texas Equal Access to Justice Foundation Board of Directors;
- two representatives of a state or federally funded legal-services program; and
- two at-large members who have demonstrated a commitment to and familiarity with access-to-justice issues in Texas.

5. The State Bar of Texas will appoint seven members to the Texas Access to Justice Commission as follows:

- two members of the State Bar of Texas Board of Directors;
- an attorney member of the State Bar of Texas;
- a member of the Texas Bar Foundation Board of Directors;
- two representatives of a state or federally funded legal-services program; and
- an at-large member who has demonstrated a commitment to and familiarity with access-to-justice issues in Texas.

6. This Court and the State Bar of Texas will coordinate appointments to the Texas Access to Justice Commission to assure that:

- at least three members of the Commission are nonattorney public representatives;
- members of the Commission appointed to represent a state or federally funded legal-services program reflect a diversity among Legal Service Corporation funded programs and programs funded from other sources, staff and pro bono based programs, and general civil legal-services programs and specific service- or client-based programs; and
- the members of the Commission reflect the diverse ethnic, gender, legal, and geographic communities located in Texas.

7. This Court will designate the presiding officer of the Texas Access to Justice Commission, after consultation with the President of the State Bar of Texas.

8. The Governor is invited to designate a person to serve as an ex-officio member of the Commission. The Speaker of the House and the Lieutenant Governor each are invited to designate one member of that presiding officer's chamber to serve as an ex-officio member of the Texas Access to Justice Commission. A member appointed by the Governor, Speaker, or Lieutenant Governor serves at the pleasure of the appointing officer.

9. In making initial appointments to the Texas Access to Justice Commission, this Court will designate three members as having a one-year term, three members as having a two-year term, and two members as having a full three-year term.

10. In making initial appointments to the Texas Access to Justice Commission, the State Bar of Texas will designate two members as having a one-year term, two members as having a two-year term, and three members as having a full three-year term.

11. The Texas Access to Justice Commission will submit any strategic plan for statewide delivery of legal services to low-income Texans to this Court and the Executive Committee of the State Bar Board for approval.

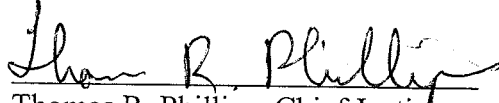
12. The State Bar of Texas has agreed to provide staff and financial support for the Texas Access to Justice Commission. Proposed budgets of the Texas Access to Justice Commission will be subject to the State Bar's annual budgetary process for presentation to the Board of Directors and ultimate approval by this Court. Supervision of the budget of the Commission is the responsibility of the State Bar of Texas. The Commission and staff supporting the Commission will comply with the fiscal policies of the State Bar of Texas.


13. The Texas Access to Justice Commission is subject to sections 81.033 and 81.034 of the Texas Government Code, and is also subject to other relevant provisions of Chapter 81 of the Texas Government Code.

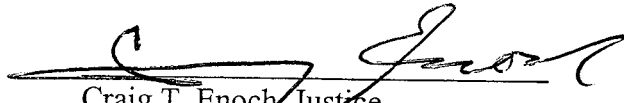
14. The Texas Access to Justice Commission may adopt rules as necessary for the performance of the Commission's duties.

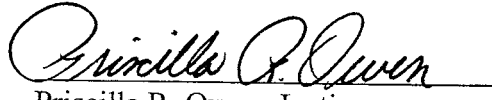
15. The Texas Access to Justice Commission will file, at least every six months, a status report on the progress of the Commission's duties. The Commission will send a copy of the report to both this Court and the State Bar of Texas. The initial progress report will be filed not later than December 1, 2001. The Commission will also provide an oral progress report at each State Bar board meeting.

BY THE COURT, IN CHAMBERS, this 26th day of April, 2001.

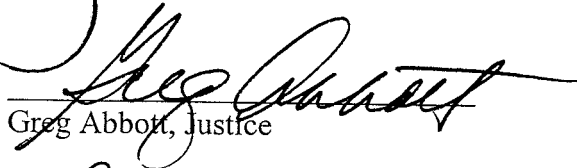

Thomas R. Phillips, Chief Justice

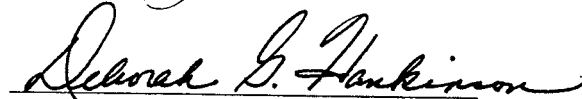

Nathan L. Hecht, Justice

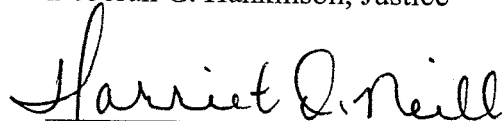

Craig T. Enoch, Justice

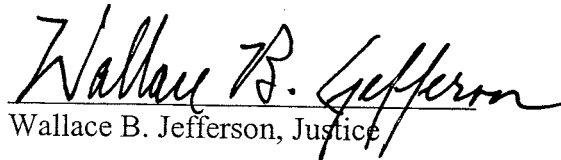

Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice


Deborah G. Hankinson, Justice


Harriet O'Neill, Justice


Wallace B. Jefferson, Justice

**FIVE YEAR STRATEGIC PLAN FOR THE
TEXAS ACCESS TO JUSTICE COMMISSION**

(adopted October 4, 2004)

- I. Develop and implement a statewide endowment program to ensure stable funding for legal aid providers.
 - A. Establish a Blue Ribbon Committee to work on the endowment campaign.
 - B. Formulate a strategy for accomplishing the endowment statewide.
 - C. Develop a marketing plan for the endowment campaign strategy.
 - D. Establish a mechanism to contact and solicit funds for the endowment campaign.
 - E. Establish appropriate lawyer recognition for significant donor contributions to the endowment.
 - F. Initiate the actual campaign to solicit funds no later than September 1, 2005.
 - G. Establish a goal for amount to be raised in five years.

- II. Develop and Implement a *Cy Pres* Strategy.
 - A. Appoint a special committee to work out a strategy for *cy pres* contributions to the endowment.
 - B. Develop a training program for educating and informing both the judiciary and the legal profession on the *cy pres* concept.
 - C. Ensure that *cy pres* awards are solicited for the statewide endowment campaign.

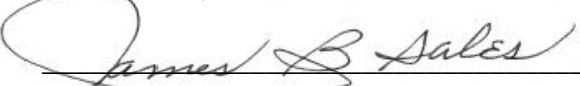
- III. Develop a corporate counsel strategy.
 - A. Petition the Supreme Court to create a permanent corporate counsel position on the Commission.
 - B. Appoint a Commission committee of corporate counsel for the purpose of developing specific programs to promote both funding for legal aid and volunteer efforts by corporate counsel staff in furtherance of the legal aid effort.
 - C. Coordinate corporate counsel efforts on behalf of the Commission with similar efforts in local communities.

- D. Establish an annual giving campaign for corporations doing business in Texas.
 - E. Provide ongoing input to the Commission for the statewide endowment campaign, expansion of volunteer legal services to the poor and the overall legislative program.
- IV. Expand delivery of legal services to the underserved areas of the state.
- A. Request Texas Supreme Court to establish a task force to facilitate expansion of legal services to the poor in underserved areas of the state. This task force will be comprised of members of key groups, such as: Texas Young Lawyers Association, Texas Trial Lawyers Association, Texas Association of Defense Counsel, Corporate Counsel Association, Litigation Section of SBOT, Family Law Section of SBOT, LSC providers, judiciary, Texas Access to Justice Commission, and others.
 - B. The Task Force will develop recommendations for the Commission designed to facilitate coordination with existing legal service providers and to provide a basis for introducing increased pro bono service in the underserved areas of the state.
- V. Develop a legislative strategy.
- A. Set up a special committee under the auspices of the Commission to develop a strategy for legislation affecting legal aid to low-income Texans.
 - B. Devise a program for better educating legislators on the needs of low-income Texans and establishing working relationships with legislators.
 - C. Formulate or assist in the formulation of legislation, in consultation with the State Bar of Texas Board of Directors, designed to enhance delivery of legal services to the poor.
 - D. Formulate methods to seek to remove impediments to, and to encourage participation of, government lawyers in the provision of pro bono services to low-income Texans.
- VI. Develop programs with law schools to provide scholarships to qualified students who will commit to a minimum of three years' service with a legal aid provider.
- A. Set up a fully funded annual law school scholarship for a very qualified applicant on the condition that the scholarship recipient commit to practice law full time for a minimum of three years with a recognized legal service provider.

- B. In conjunction with the scholarship, set up a fellowship program to fund the salary of the graduating student for at least a portion of the three (3) year legal service commitment.
 - C. Establish an advisory committee of representatives of all Texas law schools to assist the Commission in developing programs that will expand the delivery of legal services in Texas.
- VII. Establish quality CLE and training to legal aid lawyers.
- A. Establish a family law clinic at the Annual Poverty Law Conference to enhance skills of legal aid lawyers.
 - B. Set up an annual trial academy under the auspices of the American College of Trial Lawyers to provide hands-on, in-depth education, training and mentoring on trial techniques to legal aid lawyers.
 - C. Continue to develop other CLE programs that will enhance the legal knowledge and skills of legal service lawyers and thereby, further enhance the quality of legal representation.
- VIII. Refine a program for communications about legal aid to the legal community in consultation with legal services providers.
- A. Work out a program with *Texas Bar Journal* to feature a legal aid individual, program, or a particular story with a human interest appeal in each issue of the journal.
 - B. Continue to utilize press releases to focus on the efforts of local bars, local firms and local lawyers in providing legal assistance to the poor in communities throughout Texas.
 - C. Continue quarterly bulletins to all local bars and the judiciary advising of the ongoing efforts to enhance delivery of legal services throughout the state, featuring new, unique or creative programs at work in the different regions of the state.
 - D. Refine Marketing Plan to assist the Commission with the goals of the strategic plan, including the endowment campaign.
 - E. Emphasize the urgent need of the support and involvement of the judiciary in legal services matters.
- IX. Develop a go forward technology strategy

- A. Survey all legal service providers for the types of technology platforms in use and evaluate each for possible use in other areas of the state.
- B. Use technology to assist the Commission with the goals of the strategic plan.
- C. Identify alternative technology platforms for the delivery of legal services to the low-income Texans, particularly low income Texans in underserved areas, that are extremely efficient and highly leveraged.
- D. Test the best technology platform(s) and basic delivery concepts.
- E. Make recommendations to the Commission as to the design, cost, and implementation plan and deployment strategy.

This document embodies the overall strategic objectives and underlying initiatives of the Texas Access to Justice Commission for the next five years as adopted by the Commission at its meeting in Austin, Texas on October 4, 2004.



Chair, Texas Access to Justice Commission

Misc. Docket No. 04- 9227**ORDER OF THE SUPREME COURT OF TEXAS**

Membership of Texas Access to Justice Commission

In 2001, this Court created the Texas Access to Justice Commission to develop and implement policy initiatives designed to expand access to and enhance the quality of justice in civil legal matters for low-income Texas residents.

The Commission consists of fifteen members appointed for staggered three-year terms. Positions on the Commission are allocated to representatives of the judiciary, the State Bar of Texas, the Texas Equal Access to Justice Foundation, the Texas Bar Foundation, legal services provider programs, and the non-attorney public. Additionally, the Governor, Lieutenant Governor, and Speaker of the House each appoint one ex officio member.

The Commission was structured to reflect the diverse segments of the statewide access to justice partnership, as well as the diverse ethnic, legal and geographic communities in Texas.

Access to justice for all is a societal issue that must be addressed by the entire community. The Commission now seeks to broaden the involvement of the business and corporate community in access to justice issues and has recommended to the Court that a position for a representative of the corporate community be added to the Commission. The Court, having considered the Commission's recommendation, **HEREBY ORDERS:**


1. The Texas Access to Justice Commission consists of sixteen members, including fifteen previously existing positions and one new position for a representative of the business and corporate community. The new position is appointed by this Court and will serve a three-year term.
2. To the corporate position on the Texas Access to Justice Commission, the Court hereby appoints:

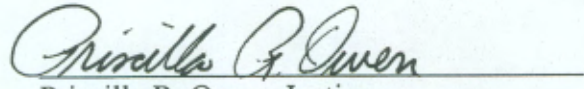
Charles W. Matthews, Irving

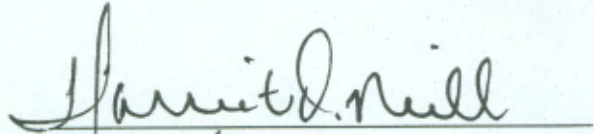
3. The appointment is for three years and is effective immediately.


In Chambers, this 11th day of October, 2004.

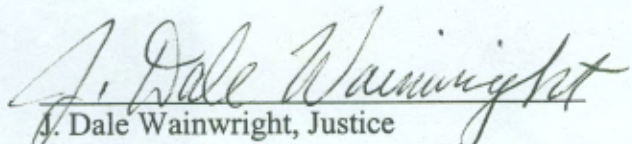
Wallace B. Jefferson
Wallace B. Jefferson, Chief Justice



Nathan Hecht, Justice


Priscilla R. Owen, Justice


Harriet O'Neill, Justice


Steven W. Smith, Justice


J. Dale Wainwright, Justice


Scott A. Brister, Justice

Misc. Docket No. 06-5120**ORDER OF THE SUPREME COURT OF TEXAS**

Membership of Texas Access to Justice Commission

In 2001, this Court created the Texas Access to Justice Commission to develop and implement policy initiatives designed to expand access to and enhance the quality of justice in civil legal matters for low-income Texas residents.

The Commission consists of sixteen members appointed for staggered three-year terms. Positions on the Commission are allocated to representatives of the judiciary, the State Bar of Texas, the Texas Equal Access to Justice Foundation, the Texas Bar Foundation, the corporate community, legal services provider programs, and the non-attorney public. Additionally, the Governor, Lieutenant Governor, and Speaker of the House each appoint one ex officio member.

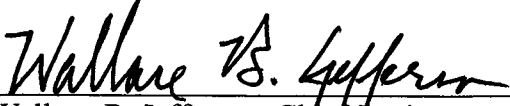
The Commission was structured to reflect the diverse segments of the statewide access to justice partnership, as well as the diverse ethnic, legal and geographic communities in Texas.

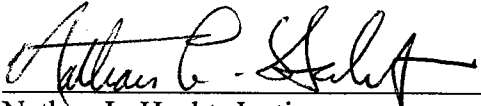
Access to justice for all is a societal issue that must be addressed by the entire community, with the legal profession providing leadership on this issue. As the Commission's efforts have dramatically increased, so has the need for an expanded Commission to lead the efforts.

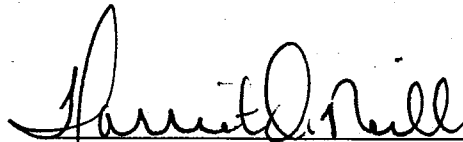
The Court, having considered the need for an expanded Commission, **HEREBY ORDERS:**

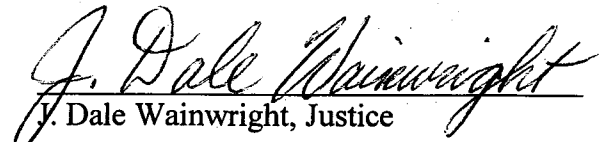
1. The Texas Access to Justice Commission consists of seventeen members, including sixteen previously existing positions and one new position for an at-large attorney representative. The new position is appointed by this Court and will serve a three-year term.
2. Harry M. Reasoner, Houston, is hereby appointed to the new at-large attorney position on the Texas Access to Justice Commission. The appointment is for three years and is effective immediately.

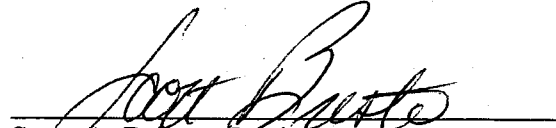
In Chambers, this 30th day of August, 2006.

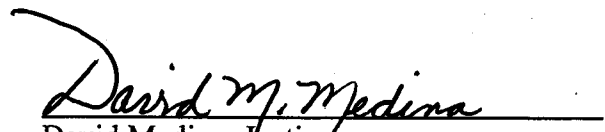

Wallace B. Jefferson, Chief Justice



Nathan L. Hecht, Justice



Harriet O'Neill, Justice

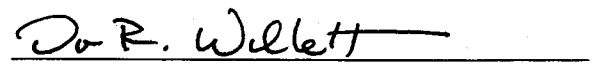

J. Dale Wainwright, Justice


Scott A. Brister, Justice


David Medina, Justice


Paul W. Green, Justice


Phil Johnson, Justice


Don R. Willett, Justice

2008-2009 TEXAS ACCESS TO JUSTICE COMMISSION
Roster – July 10, 2008

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2008-2009 TEXAS ACCESS TO JUSTICE COMMISSION
Roster – July 10, 2008

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2008-2009 TEXAS ACCESS TO JUSTICE COMMISSION
Roster – July 10, 2008

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Hon. Aaron Peña

Ex-Officio Member
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**Texas Equal Access to Justice Foundation
Media Report
Supreme Court of Texas Hearing on Legal Aid
Date: September 8, 2004**

Media Outlet	Market	Headline/Story	Date
<i>Publications</i>			
El Paso Times	El Paso	"Top Texas court of look at legal aid"	8/22/04
The Dallas Morning News	Dallas	"Help at Hand: The surprising face of legal aid"	9/03/04
Texas Lawyer	Texas	"TEAJF to Celebrate 20 Years Supporting Legal Aid in Texas"	9/06/04
Austin American-Statesman	Austin	"Texas high court to judge state of legal aid to poor"	9/07/04
The Houston Chronicle	Houston	"Legal aid – The ability to seek redress in a civil court should not be the sole province of the well-to-do."	9/07/04
The Monitor	McAllen	"Court Hearing focuses on lawyers for the poor"	9/09/04
Fort Worth Star-Telegram	Ft. Worth	"Legal Aid system is in crisis, officials say"	9/09/04
El Paso Times	El Paso	"Texas poor lack access to courts, lawyers say"	9/09/04
The Brownsville Herald	Brownsville	"Legal Aid argues for improved access to representation"	9/09/04
Valley Morning Star	Harlingen	"Legal services elusive for poor"	9/09/04
The Dallas Morning News	Dallas	"Legal aid system said to be in perpetual crisis"	9/09/04
The Daily Texan	Austin	"Scholarship would encourage legal aid"	9/10/04
Austin American-Statesman	Austin	"Helping the poor in court"	9/11/04
Texas Lawyer	Texas	"TAJC Develops Plan to Deal With Growing Need for Legal Services"	9/13/04
Fort Worth Star-Telegram	Fort Worth	"Justice Courting aid for the poor"	9/16/04
<i>Internet</i>			
KXAN-TV 36 (Austin)		"Group Helps Fund Legal Aid to the Poor"	9/08/04
WFAA-TV (Dallas)		"Legal aid system said to be in perpetual crisis"	9/09/04
KVUE-TV (Austin)		"Legal aid system said to be in perpetual crisis"	9/09/04
Hoovers Online		TEAJF Chairman Testifies at Supreme Court Hearing on Legal Aid	9/09/04
Forbes.com		TEAJF Chairman Testifies at Supreme Court Hearing on Legal Aid	9/09/04
CNN Money		TEAJF Chairman Testifies at Supreme Court of Texas Hearing on Legal Aid	9/09/04
Yahoo Finance		TEAJF Chairman Testifies at Supreme Court of Texas Hearing on Legal Aid	9/09/04

**Texas Equal Access to Justice Foundation
Media Report
Supreme Court of Texas Hearing on Legal Aid
Date: September 8, 2004**

<i>Television</i>			
KVUE	Austin	News interview	9/07/04
KXAN	Austin	Morning Show appearance	9/07/04
KTBC	Austin	Live news interview	9/07/04
<i>Radio</i>			
KLBJ-AM	Austin	News interview	9/08/04
Lone Star Radio Network	Statewide	News interview	9/08/04

Service for poor reviewed

Top Texas court to look at legal aid

By Gary Scharrer
Austin Bureau

AUSTIN — El Paso parent Amanda Hernandez faced a failing marriage and fears about losing her job and house because she could not afford a lawyer to handle her divorce.

Then she learned of free legal services to help low-income Texans, such as herself.

Hernandez credits the El Paso branch of the Texas RioGrande Legal Aid office for allowing her to keep the family home and winning child support, which preserved her independence.

About 200,000 other El Pasoans are like Hernandez, too poor to afford a lawyer to settle tenant-landlord disputes, divorces, consumer rip-offs and the like.

The Texas Supreme Court has scheduled a hearing next month to review the state's effort to provide civil legal services to the poor and how to improve the program. El Pasoans and others have until Sept. 1 to let the court know that they want to testify.

"This is a big deal," El Paso lawyer John Jones said of the legal aid program. "We're talking about basic survival legal services."

Jones recently finished his third year as chairman of the Texas Access to Justice Commission, which the state Supreme Court established in 2001 to coordinate efforts to expand noncriminal legal services to low-income Texans.

The State Bar of Texas recently honored Jones for his work.

About 3.1 million Texans who live in poverty are eligible for free legal services, including domestic violence cases, wrongful evictions and predatory lending practices.

El Paso County Attorney José Rodríguez said rules of law and access to the courthouse help dis-

Get involved

► The Texas Supreme Court will have a hearing Sept. 8 in its courtroom to review civil legal services to the poor in Texas.

► The court invites comments. Groups or individuals who want to participate should notify the court in writing by Sept. 1.

► The address: The Supreme Court of Texas, 201 W. 14th St., Austin, TX 78701.

Legal aid

Continued from 1B

tinguish the United States from Third World countries, where the inability to handle conflicts in courts of law often results in riots and revolution.

"The whole issue here is access to the courthouse," said Rodríguez, who spent 10 years as a lawyer representing low-income Texans.

"I can tell you that the problems that poor people have are no different than the rest of the country — and they are entitled to justice."

But funding is a chronic problem. President Reagan abolished the Legal Services Corp. in the 1980s, but recent administrations have slowly restored funding to help low-income people get legal representation in noncriminal matters.

Texas will get about \$30 million in federal money this year for the program, which accounts for about 60 percent of all the state's funding for legal services for the poor, Jones said.

"We are making progress, although we have a long way to go, obviously," Jones said.

Texas had lagged near the bottom in helping low-income people with their legal battles but is now considered one of the top five states, Jones said.

He credited former Supreme Court Justice Deborah Hankinson

and retiring Chief Justice Tom Phillips "for making this a cause. They went on a mission to try to make it better."

Texas Supreme Court justices will open a new session Sept. 8 with a hearing on the status of civil legal services to the poor "to signify how important it is to the court," Jones said.

El Paso legal aid lawyers helped 1,773 low-income clients last year, said Jaime Sanchez, a branch manager for one of El Paso's two offices in the Texas RioGrande Legal Aid. It's difficult to estimate how many low-income El Pasoans were denied access to the courthouse because they were unaware of the program — or because there is not enough money to help everyone with legal problems — Sanchez said.

Most of the cases involve family law, he said. Domestic abuse makes up some of the more troubling cases. Spouses who cannot afford lawyers have few options.

"She is pretty much trapped. She can run away with the kids and hide, or stay and continue to take the abuse until something happens," he said.

Hernandez, mother of two daughters, said the program helped her "get everything that I was entitled to."

"I felt like I had somebody here on my side," she said.

Hernandez said her income from her job at a day-care center gave her no opportunity to hire a divorce lawyer.

Without the free legal representation, Hernandez said, "I probably would have lost my house. I would have lost my job and probably moved in with my family back in Dallas, which is not something I wanted to do."

Because of the legal help, she said, "I feel that I am able to stand on my own two feet. I can be inde-

pendent again."

To help raise money for the civil legal services program, state lawmakers have levied a \$250-a-case fee for out-of-state lawyers who practice in Texas courts, in addition to imposing a \$65-a-lawyer occupational tax on Texas lawyers.

Gary Scharrer may be reached at gscharrer@elpasotimes.com; (512) 479-6606.



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Help at Hand

The surprising face of legal aid

Think you have a pretty good idea of what the typical recipient of legal aid looks like? Better think again. Increasingly, those who stand to benefit from free or reduced-cost legal assistance in times of trouble are women and children, victims of domestic violence, people with disabilities and the elderly. In short, people who can't defend themselves against those who would abuse, swindle or prey upon them.

In criminal cases, Americans have a right to an attorney provided by the state. But there is no such right in civil cases. When indigent folks wind up on the wrong end of a lawsuit, an eviction notice, failure to provide child support or even a scam by con artists, the state doesn't provide them a lawyer.

Thank goodness legal aid does. And in this state, it's the Texas Equal Access to Justice Foundation — created by the Texas Supreme Court — that doles out most of the help. In 2003, the foundation gave out \$11.7 million to local legal aid providers around the state.

Much of the money comes from sources such as fees imposed on those who file lawsuits

and from private donations, many from lawyers. Legal aid organizations funded by the justice foundation closed over 100,000 cases last year and helped improve countless lives. And yet, because of demand, thousands of people still had to be turned away in 2003.

We can do better. Colleges and law schools should continue to offer scholarships to students interested in doing legal aid work after graduation. Legal practitioners in the state should continue to give generously of their time, money and expertise.

And the Legislature should keep its mittens off the fees that have been specifically earmarked for legal aid. This is a rare creature: a worthwhile program that supports itself without government assistance. The least the government can do is stay out of the way and let these folks lend a hand to those in need.

The Texas Supreme Court will get an earful about the importance of legal aid to the poor at a public hearing on Wednesday. For more information about the Texas Equal Access to Justice Foundation, or — better yet — to make a donation, visit www.teajf.org.

2003 LEGAL AID CLOSED CASES

Family	47%
Individual rights	18%
Housing	10%
Miscellaneous	7%
Consumer finance	6%
Income Maintenance	6%
Employment	4%
Health	2%

Texas high court to judge state of legal aid to poor

Justices to hear how state program not keeping pace with needs in civil cases

By Andy Alford

AMERICAN-STATESMAN STAFF

When the nine justices of the state's highest civil court gather in their august courtroom Wednesday, they will be hearing not a pressing legal case but bad news about how impenetrable Texas courthouses can be for the poor.

Acting in its role as steward of the state's civil legal service programs for the indigent, the Supreme Court will receive its first formal update in three

years on how things are going: how more and more people are falling below the poverty level while money for legal services has not kept pace; how, at some of the state's largest legal service clinics, four of five people who seek help leave with no lawyer and little more than some quick advice.

Texas ranks 42nd in the nation in per capita spending for legal services for the poor, and funding for the programs remains extremely vulnerable to fiscal droughts, making it difficult for nonprofits to provide consistent services.

Only 37 percent of the 241,844 indigent Texans who got some form of assistance in 2001 actually had lawyers handle

See **A1D**, A6

AID: Legal help is in short supply for low-income Texans

Continued from A1

their cases. The rest were given legal advice and left to face the system on their own, according to the Texas Equal Access to Justice Foundation.

"We're talking about basic human needs," Texas Supreme Court Justice Harnett O'Neill said. "There are very serious consequences if you don't get help."

Unlike criminal defendants, low-income Texans who need help with civil cases are not guaranteed free lawyers. Their cases are not the stuff of headlines but the nuts and bolts of daily life that sometimes require a trip to the courthouse: immigrants applying for visa renewals, seniors needing living wills, domestic violence victims seeking protective orders and divorces.

For many of Texas' poor, however, the price of civil justice is too high.

Violence gets priority

Her husband of four years is an incredibly charming man," Jeannette Diaz says, except when he hits her, when he threatens her, when he harasses her at work.

She went to the hospital two years ago after he hit her in the face so hard that her swollen jaw wouldn't stop popping. Diaz went to the hospital again after another beating that resulted in a miscarriage. Earlier this year, he held a knife to her throat and threatened to kill her in front of their three children.

"It was getting worse, not better. And it was not going to get better," said Diaz, 38. "I waited and prayed for four years for him to stop, and it was just



Larry Kolbo/STAFF/AMERICANSTATESMAN
Jeannette Diaz says she left her violent husband with Esma, 1. The Austin office of Texas RioGrande Legal Aid helped Diaz in her divorce and child custody case.

nothing but her children, including Damien, 6, and not going to stop."

Diaz left her husband in March with nothing but her children, relying on the charity of her friends and church members for a place to sleep, clothes, food, money and emotional support.

Diaz was at risk of returning to her violent husband. Instead, she found help at a night clinic held by the Austin office of Texas RioGrande Legal Aid, the primary provider of civil legal services in Central Texas. The Westlaco-based group

serves low-income clients in 68 central and southern Texas counties. Of the 4,388 clients who came to the Austin office for assistance in 2003, RioGrande attorneys were able to represent only one of every five clients.

"If we can't take their case, we give them legal advice on the spot," said Christina Trejo, Diaz's attorney. "We have to prioritize the violent cases." Diaz's case, recorded in court documents, was urgent, Trejo

said.

Her husband wouldn't let Diaz back in their home to retrieve her or the children's clothes, medicine or other belongings. He'd removed her access to their bank accounts. Worst, he'd filed for divorce, seeking custody of the children, the youngest of whom is his biological daughter.

A protective order has won Diaz some peace of mind, as well as re-entry to their home, and it stipulated that medical benefits were to continue for the children. Diaz, who allowed the Statesman to use her name and picture for this story, now lives in hiding from her husband with her children — two daughters, 13 and 1, and a son, 6 — while her divorce is being finalized.

"It was very scary leaving," she said. "I had no place to go. I had no money. Without the help of Legal Aid, I most likely would've lost my children. Or I would've probably had to go back."

It's in the greater public's

"It was very scary leaving. I had no place to go. I had no money. Without the help of Legal Aid, I most likely would've lost my children. Or I would've probably had to go back."

Jeannette Diaz

Woman who got a protective order after leaving her husband

interest to help people like Diaz, legal experts say. Left undressed, the consequences of leaving the poor victims of such matters as domestic violence and housing discrimination cost society far more than the legal expenses to address them.

Fluctuating funds

The Texas Supreme Court created the Texas Equal Access to Justice Foundation to administer millions of federal and state dollars annually to qualified groups that provide free legal advice or court representation to the poor.

But there's no way that legal service groups can meet the demand for help from poor clients with current funding and staffing, said Betty Balli Torres, the foundation's executive director.

According to U.S. census estimates, the poor in Texas number about 3.7 million and have average household incomes of less than \$18,810 for families of four. Serving that population are 37 legal service groups, three of which handle 80 percent of the caseload.

Texas' legal service groups received about \$60.7 million in funding overall in 2003. The federal government supplied about 59 percent of the money.

The foundation administered another 18 percent, which came mainly from gathering interest from trust funds held by attorneys, court fees and levies on attorneys, and crime victim

funds handed out by the attorney general's office. The remaining 23 percent in revenue was cobbled together from public and private grants, other state and local government support and bar association donations.

However, the amount of money available to legal service groups can rise or fall by millions from year to year.

Even though the number of poor in Texas has grown — by 16 percent since 2000, according to recent census estimates — federal allocations have decreased slightly since 2000 as the government funneled money to other states. At the same time, sliding interest rates, tied to the overall sluggish economy, took a big bite out of money available from the trust accounts fund.

Legal service fees are charged to those filing lawsuits, ranging from \$2 in the lower courts to \$25 for suits taken to the Supreme Court of Texas, and to practicing attorneys. That pool of money has also ebbed and flowed from year to year. Money from the crime victims fund first tapped in 2001, must be reapproved every biennium.

"So far, we've had to react to huge drops in funding," said Justice O'Neill, a member of the Texas Equal Access to Justice Commission and the court's liaison to the foundation. "My goal is to deal with those and help establish more secure financial footing for the future."

The commission, created by the court to develop and coordinate policy initiatives that reduce barriers to the civil justice system, published a report last week recommending that the high court find stable revenue sources for indigent legal services, such as establishing an endowment.

The commission's report also called for more attorneys to donate time to pro bono work and suggested asking the state Legislature to okay so-called "cy pres" awards, which would allow unclaimed lawsuit settlement proceeds to be rolled into civil legal services grants.

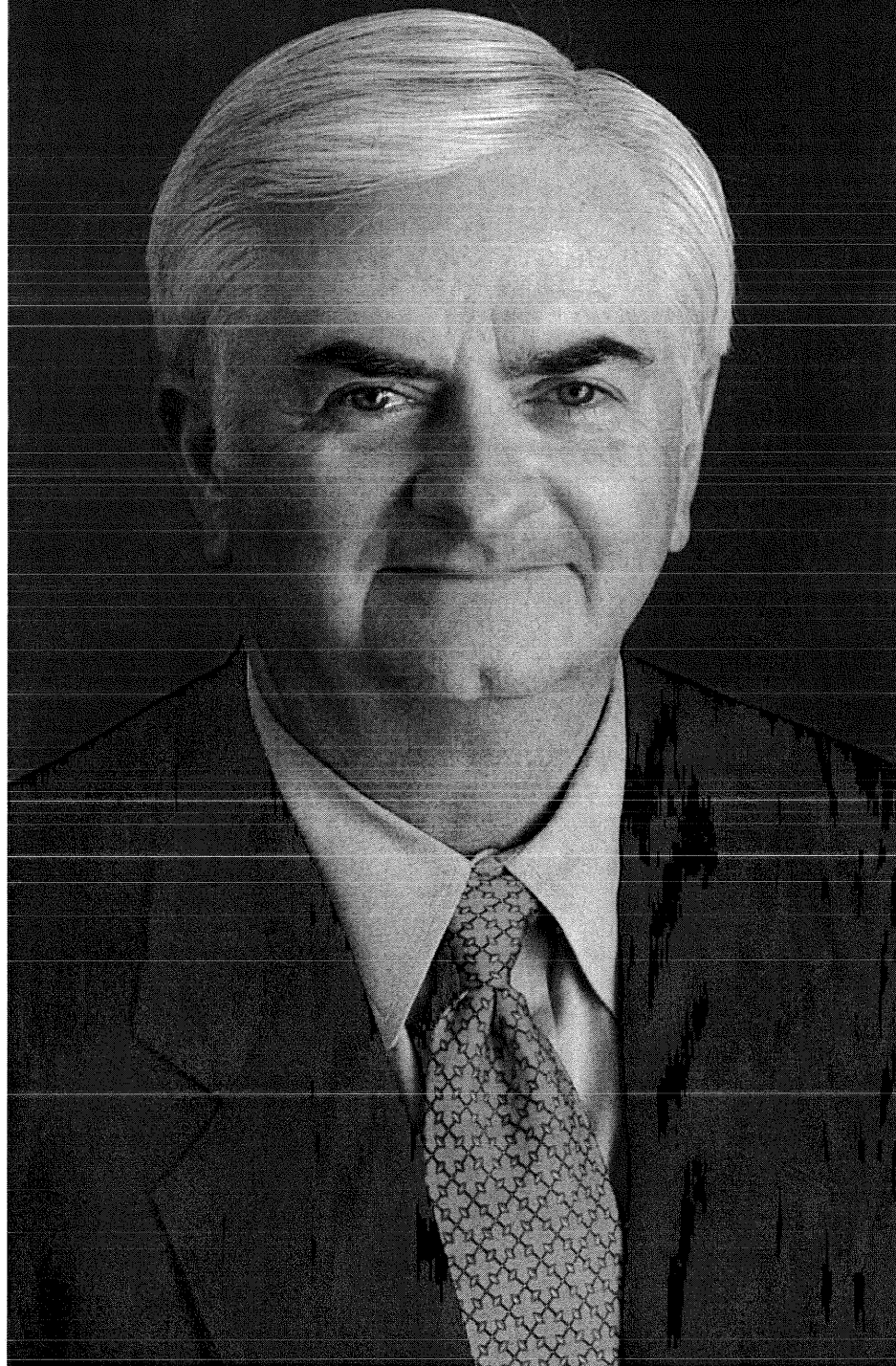
"Lawyers in Texas have provided and continue to provide a huge amount of pro bono services," O'Neill said. "But it's still not enough."

ATJ

Pro Bono Champions

“
 I don't consider
 pro bono work to
 be an obligation or
 to be mandatory. It
 is our professional
 responsibility. It's
 helpful to the rule
 of law that people
 have access to jus-
 tice. If they don't,
 it undermines the
 entire rule of law.
 It is our obligation
 to protect the
 whole concept of
 the justice system.
 ”

For more information
 about Matthews and
 access to justice, visit
www.texasbar.com
 and click on
 "Pro Bono and
 Community Service."



Charles W. Matthews, Jr.

Vice President and General Counsel / Exxon Mobil Corporation

“
I view pro bono work as an opportunity to serve. It is not what you get for doing it, but the chance you have to become something greater. Defending IOLTA was a wonderful experience for me. I argued before the U.S. Supreme Court, something I would have never had the opportunity to do otherwise.
”

For more information about Jordan and Access to Justice, visit www.texasbar.com and click on “Pro Bono and Community Service.”



Darrell E. Jordan

Managing Partner / Godwin Gruber, L.L.P., Dallas

“
You get a good feeling from doing pro bono work. For the most part, people appreciate what you do for them. The greatest reward is seeing the smiles on the faces of those you have helped — people who had been frustrated by the system.
”

For more information about Gagnon and Access to Justice, visit www.texasbar.com and click on “Pro Bono and Community Service.”

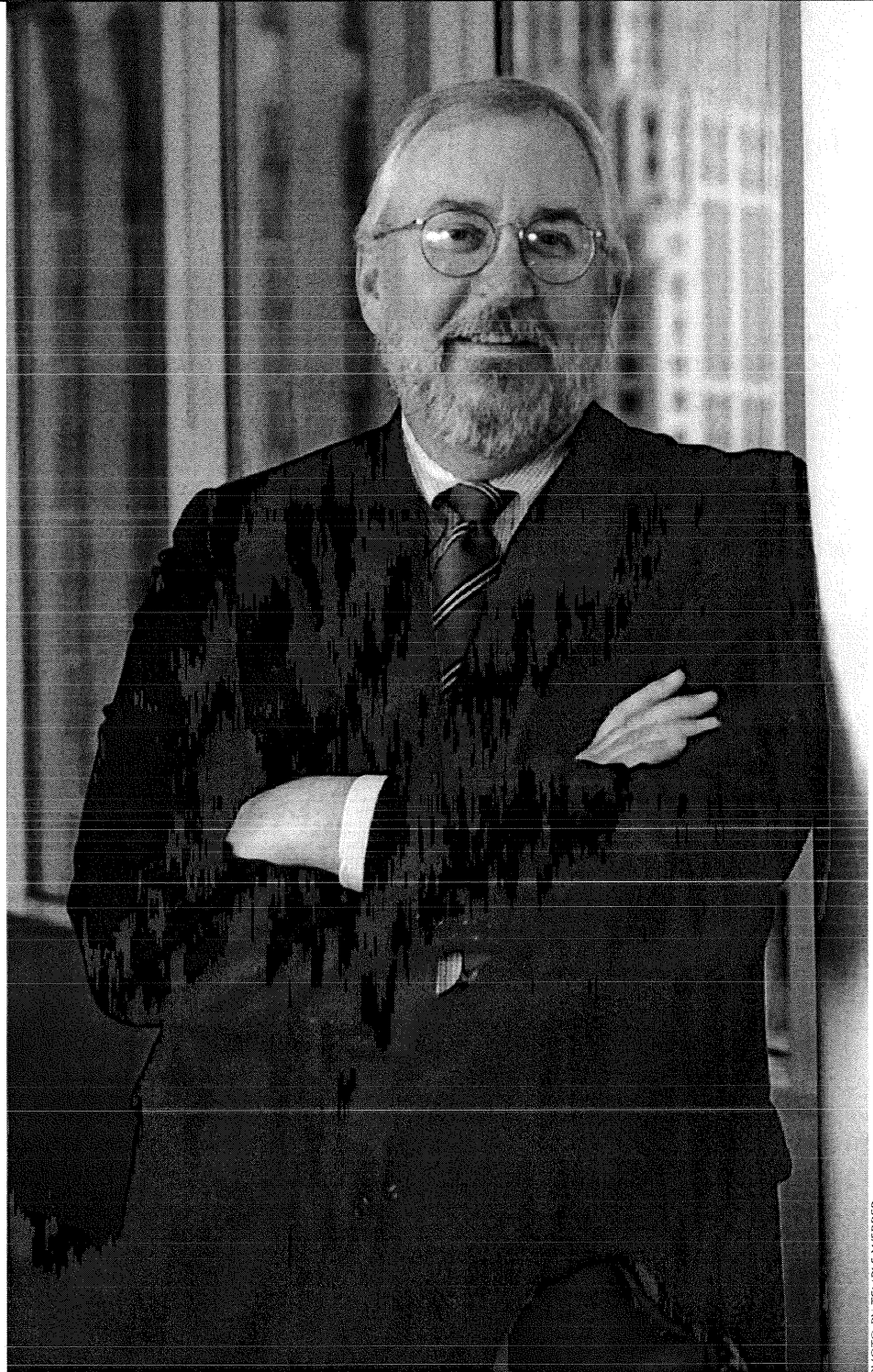


PHOTO BY TEMPLE WEBBER

Stewart W. Gagnon

Senior Partner, Houston / Fulbright & Jaworski L.L.P.

“
I truly believe that every attorney has some skill that he or she can use to help a poor person in need of legal service. I would like to see more specialties involved in pro bono work. At the Community Justice Program clinics, the greatest need is family law. However, a lot of other areas — landlord-tenant, real estate, probate, and consumer law — are underserved.
 ”

For more information about Jefferson and Access to Justice, visit www.texasbar.com and click on “Pro Bono and Community Service.”

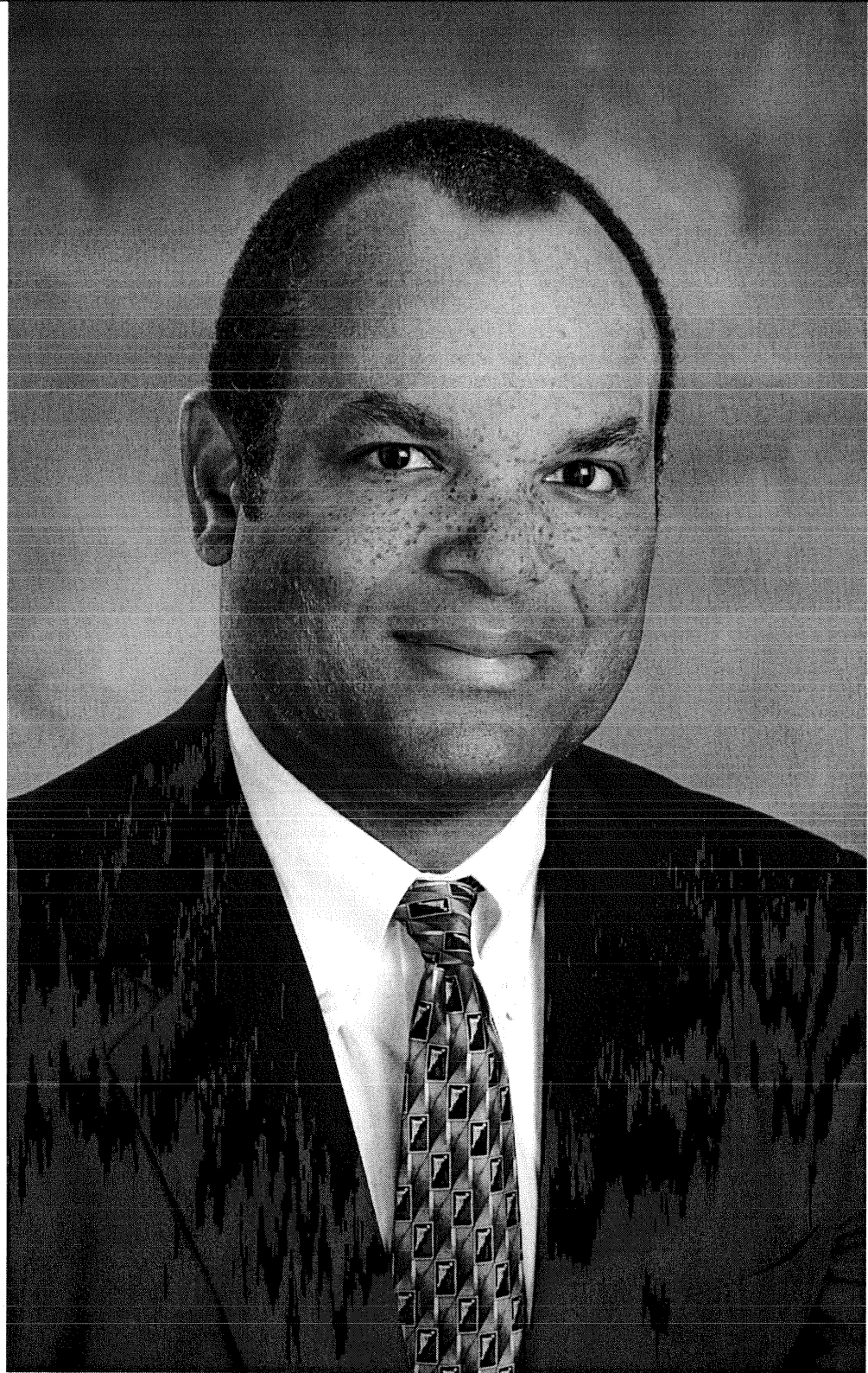


PHOTO BY OLSEN PORTRAIT DESIGN

Lamont A. Jefferson

Partner, San Antonio / Haynes and Boone, L.L.P.

“
I am a strong advocate of pro bono. The minute I went into private practice, I began taking pro bono cases. ... No matter the profession, I think we all have a responsibility to give back to the community. However, the helping professions — especially lawyers and doctors — have a heightened sense of this responsibility to do good for the public.
”

For more information about Livingston and Access to Justice, visit www.texasbar.com and click on “Pro Bono and Community Service.”



PHOTO BY AL ADCOCK

Lora J. Livingston

Judge, 261st Civil District Court / Austin

“
I always say that pro bono is the ideal law practice because you never have to worry about money or fees. ... The greatest reward is seeing the appreciation. For many people, the cases have been hanging over their head for years. It's like being let out of jail. They are very thankful.

”

For more information about Fuller and Access to Justice, visit www.texasbar.com and click on “Pro Bono and Community Service.”



Kenneth D. Fuller

Partner, Koons, Fuller, Vanden Eykel & Robertson, P.C. / Dallas

“
Doing pro bono just makes you feel good — the payoff for me personally is so high. As a teacher, I benefit by continually learning something new about the law. I also want to be a model for my students. If I get involved, it is easier to ask them to participate as well.

”

For more information about Burnett and Access to Justice, visit www.texasbar.com and click on “Pro Bono and Community Service.”



Catherine Greene Burnett

Vice President, Associate Dean, and Professor of Law
SOUTH TEXAS COLLEGE OF LAW

ATJ *Pro Bono Champion*

John W. Alexander

Partner, Alexander and Hammonds, L.L.P. / Winnsboro

What was your first pro bono experience?

In the fourth grade, one of my classmates, a slight girl with a brittle personality, was being ridiculed by an overbearing, first-year teacher for being inadequately prepared on some silly concept that our entire class had learned the year before in a way that our current teacher thought was wrong. I spoke up and told the teacher she really ought to be making fun of our third grade teacher, since that's where the trouble started. I ended up in trouble for the rest of the school year.

What pro bono work are you involved in now?

I serve on the board of directors of Lone Star Legal Aid, and I act as an unofficial pro bono reference center for Wood and three surrounding counties.

Who or what has had the greatest influence on your pro bono work and why?

My mother and father taught me by example that it is our responsibility to help other people. My mother was a nurse and spent more nights than I can count sitting up with sick neighbors. My father worked for a time as a maintenance man in a low-income housing project. I spent a lot of evenings or days on my father's pay-days delivering groceries to the residents who couldn't pay the rent and buy groceries. Often, we could have used those groceries at home, but no one complained.

My parents, and especially my mother, served others without being asked and without pay. They really believed in the inherent interconnection of people. So do I.

How do you motivate other lawyers to become more involved in pro bono work?

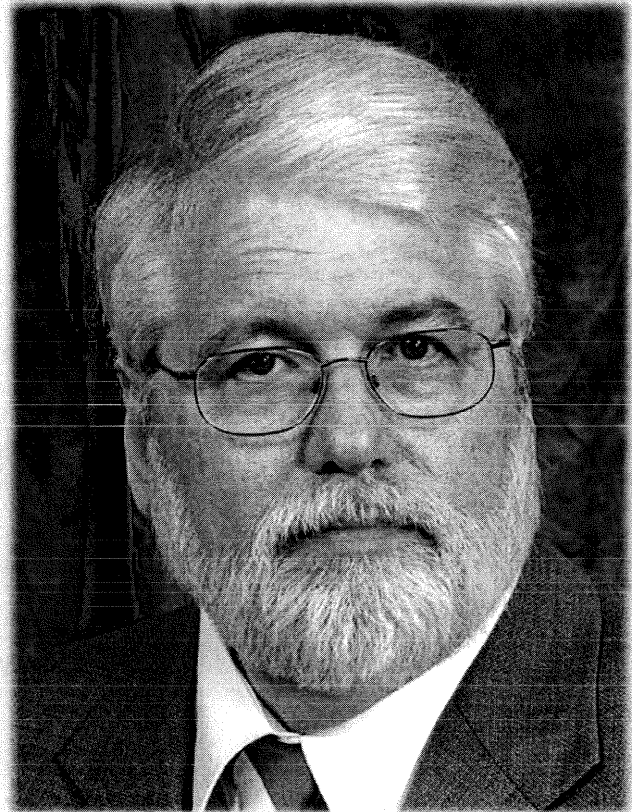
With death threats, shame, promises of future prosperity, and appeals to their vanity. But usually, all it takes is a phone call. Most people become lawyers because they want to help people.

Talk about your goal to establish regional pro bono offices across the state.

Every county has people known to other members of the bar for their pro bono work. They're the "go-to" people for the hopeless, the hapless, and the hard to help. The bar needs to recognize these resources, organize them, and fund office staff and technology so pro bono services are available just as public health services are available through local health departments. We already have the legal talent and we seem to have more people falling below the poverty level every year. We in the bar have an obligation to the legal system to assure that the words carved across the facade of the Supreme Court of the United States, "Equal Justice Under Law," mean what they say.

How do you know your pro bono efforts are making a difference?

Because it enriches my life and gives me purpose and direction. This comes from winning a case that began as a steamroller over the



client, or writing that power of attorney for a grandmother who could never afford a guardianship, or seeing a family's dignity restored after resisting a wrongful eviction. In short, I have never done any tracking to poll clients to see if they believe I made a difference, but they made a difference in my life, and that's enough to convince me that pro bono work pays off.

What are the personal rewards of pro bono?

Feeling that you have struck the chord of interconnection. In "Mediation 17," the English writer John Donne said, "No man is an island, entire unto itself. Every man is a piece of the continent." Donne spoke of the importance of involvement with mankind. That's the payoff: You are involved and you know that without your help, justice probably would have been subverted. You not only serve others, but you also serve the law.

What do you enjoy most about practicing law?

Two things come to mind, but it's hard to decide which is best. There is no high I know of that compares with the feeling you have after a cross-examination has gone right and you own the collective mind of the jury, at least for that moment.

The other thing I enjoy about practicing law is meeting and working with lawyers. That's also what I most hate about it. There are some vile, smug, mean-spirited, short-sighted, reprehensible lawyers, but, thank God, they are offset (in all but the public perception of lawyers), by honest, fun-loving, witty, interesting people who happen to be lawyers.

For more information about Access to Justice, visit www.texasbar.com and click on "Pro Bono and Community Service."

ATJ PRO BONO CHAMPION

Deborah Hankinson

Law Offices of Deborah Hankinson, P.C.

Dallas

Deborah Hankinson practices civil appellate law and mediation. She has served as a justice on the Fifth District Court of Appeals and the Supreme Court of Texas.



What pro bono work are you involved in now?

I serve as chair of the American Bar Association's Standing Committee on Legal Aid and Indigent Defendants (SLAID). I am a member of the board of the Texas Access to Justice Foundation, and I serve on the Texas Access to Justice Commission. I was involved in the planning and start-up of the Texas Access to Justice Commission and, through my work with the ABA, I am now working with other states to start similar access to justice initiatives. Also through the ABA, I work with Congress in an effort to increase funding to the Legal Services Corporation.

What did you hope to accomplish through the creation of the Texas Access to Justice Commission?

I desired to do more to meet the legal services needs of Texans who otherwise would not receive the help they desperately need.

Are other states following Texas' lead?

I have worked with about a dozen states, mostly in the Deep South, to encourage them to create access to justice initiatives. Texas was one of the first states to adopt an access to justice initiative, following the lead of Washington State. Today, there are access to justice programs in 25 states, with more in the works.

How did your time as a special education teacher shape your philosophy regarding pro bono and community service work?

I was in a position to help children and make a small difference in their lives. Now, as an attorney, it helps me to remember that I am in a position to provide services to people and give back to the community.

How did you get involved in pro bono advocacy?

In January 2000, the Texas Supreme Court spent all day hearing from bar leaders, legal aid lawyers, and



clients about the need for improving access to justice for all Texans. It was an eye-opener for me.

What has been your most rewarding pro bono experience?

I can't say there is one experience. It is rewarding just to be involved in these efforts, and it is very important to me, both personally and professionally, to stay involved.

What do you enjoy most about practicing law?

The law. I like the law, and I enjoy the professional relationships I have with the attorneys and judges with whom I work.

For more information about Access to Justice, visit www.texasbar.com and click on "Pro Bono and Community Service."

ATJ PRO BONO CHAMPION

Lindsey Walker

Beaumont

Ninety-year-old Beaumont attorney **Lindsey Walker** has practiced law for nearly seven decades and has taken pro bono cases for just as long. Law was the family profession: his father, Daniel Walker, served as chief justice and his brother, Charles Walker, served as justice of the Ninth Court of Appeals. A 1939 graduate of the University of Texas School of Law (the same year the State Bar was established), Walker was among the first lawyers required to take the bar exam for licensure. During World War II, he served in the U.S. Army Counter Intelligence Corps in the South Pacific. "He is a wonderful man who gives with his whole heart," says Cindy Torrans, coordinator of the Jefferson County Bar Association Pro Bono Program.

What kind of law do you practice?

I am what the British would call a solicitor. I have an office practice where I handle business, real estate and probate, and oil and gas matters.

What do you enjoy most about practicing law?

The people. My dad said that the best part of practicing law was that you could sit behind your desk, put your feet up, and get paid for giving your opinion.

How did you get started doing pro bono work?

UT Law Dean Ira P. Hildebrand taught us that our duty was to take care of the community. I have never turned anyone down because they didn't have any money. I see it is my duty as a lawyer to help people who need help.

What pro bono work are you involved in now?

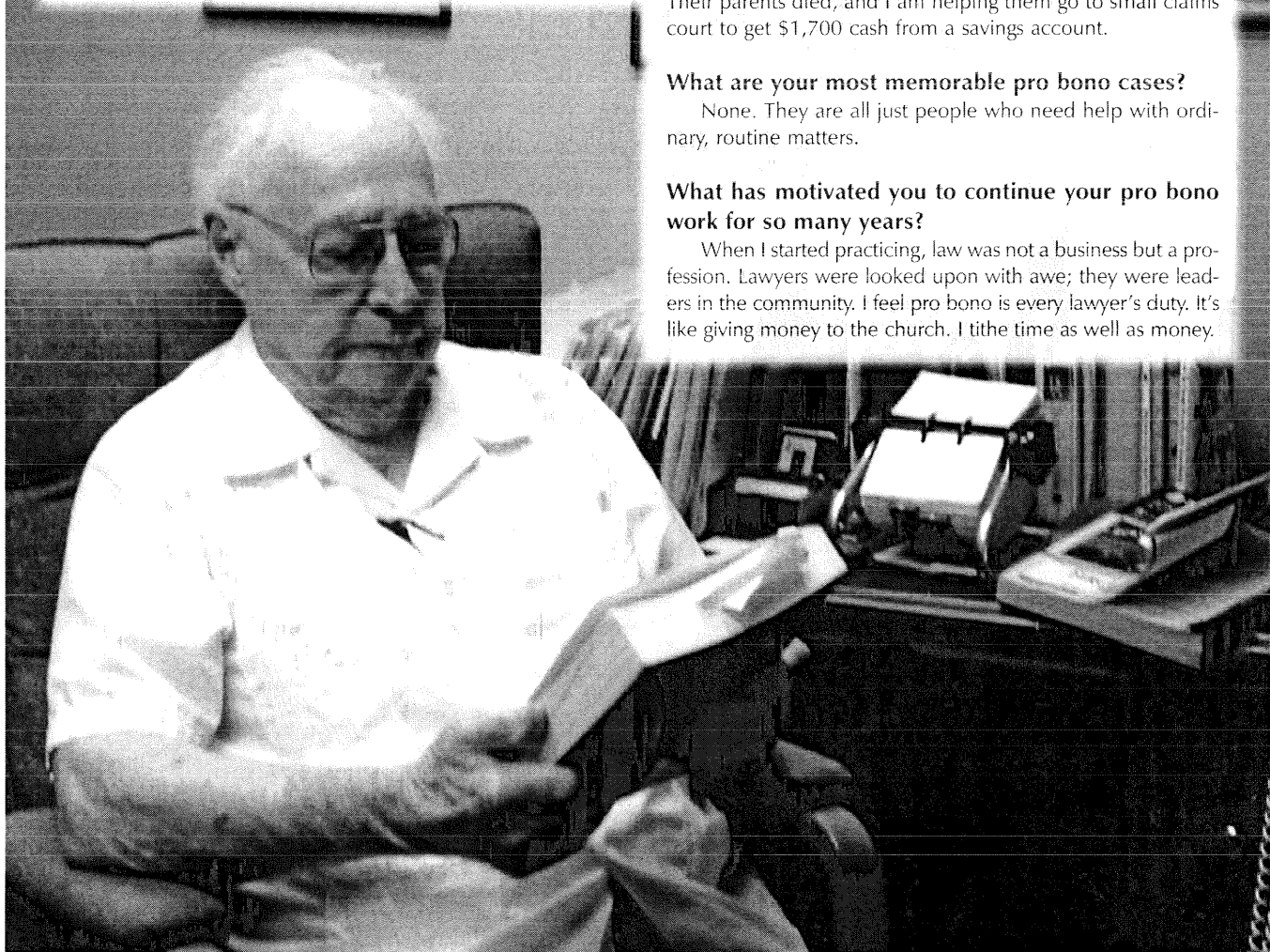
I have three probate cases open. One involves a 22-year-old girl, her 12-year-old sister, and their 6-year-old brother. Their parents died, and I am helping them go to small claims court to get \$1,700 cash from a savings account.

What are your most memorable pro bono cases?

None. They are all just people who need help with ordinary, routine matters.

What has motivated you to continue your pro bono work for so many years?

When I started practicing, law was not a business but a profession. Lawyers were looked upon with awe; they were leaders in the community. I feel pro bono is every lawyer's duty. It's like giving money to the church. I tithe time as well as money.



For more information about Access to Justice, visit www.texasbar.com and click on "Pro Bono and Community Service."

ATJ PRO BONO CHAMPION

Bill Whitehurst

Law Offices of Whitehurst, Harkness, Ozmun & Brees, P.C.

Austin

What was your first pro bono experience?

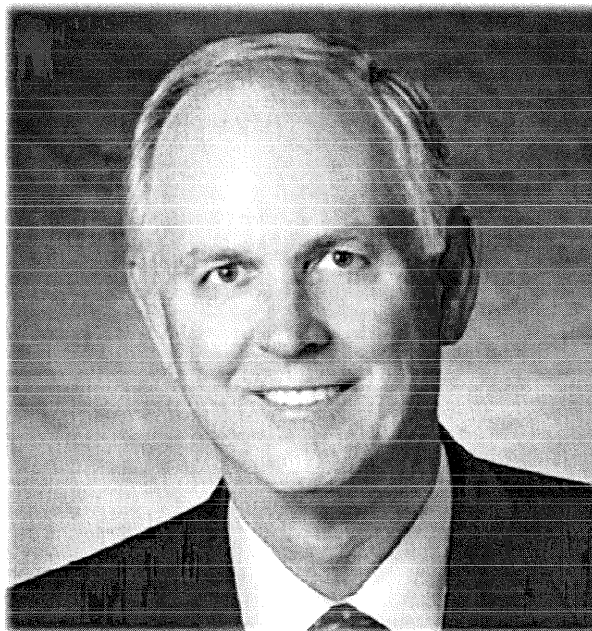
Out of law school, I went into the Air Force as a JAC officer. Although it was not strictly pro bono, it was full-time public service. When I got out of the Air Force, I returned to Texas, where I served as staff counsel for the Judicial Affairs Committee, another public service-type job. Even though I now work in the private sector, I have carried a pro bono docket for as long as I can remember. I concentrate my pro bono work on family law because it is the area of greatest need.

What inspired you to create the Bar Leaders for the Preservation of Legal Services for the Poor initiative?

While I was president-elect of the State Bar of Texas, I was asked by President Charlie Smith to go to El Paso to welcome the Legal Services Corporation board of directors to Texas. Back then, the Legal Services Corporation was almost the sole source of legal services income and it was very controversial. I sat through part of their meeting, which was an outrage because the board was opposed to meeting the very goals they were charged with doing. I was appalled with the way they treated the legal services lawyers who were present. That experience inspired me to take action. I have always believed that providing legal services to the poor is important, both for the citizens who cannot otherwise afford legal services and for the legal system as a whole. In a rule of law country, everyone must have access to the system for the system to work.

What pro bono work are you involved in now?

I just finished a case in which I represented a 20-year-old girl. When she was 13, she went to live with her husband. She had her first baby when she was 14. One night her husband got drunk and shot her in the ankle. Although the mother wanted a divorce, she believes it is important for her children to have a relationship with their father. We worked to set up a special visitation program through the mother's family, whereby the father can still visit his children under safe supervision. So far, the program is working great.



What is your most memorable pro bono experience?

Serving as the chair for the American Bar Association's Standing Committee on Legal Aid and Indigent Defendants (SCLAID). It was a major obligation and a very busy time for three years.

What is the greatest challenge of pro bono work?

The challenge is creating within every lawyer the concept that public service is a part of practicing law. Not everyone can do public service all the time, but we can all have a public service component to our practice and deliver real legal services to the poor.

What is the greatest reward?

I have been fortunate to see real progress in our country, and I am hopeful for the direction we are headed. It has been very rewarding to see the work I have done come to fruition. But, at the level closest to my heart, it is rewarding to be able to help individuals and make a difference in their lives. ✪

For more information about Access to Justice, visit www.texasbar.com and click on "Pro Bono and Community Service."

ATJ PRO BONO CHAMPION

Justice Harriet O'Neill

Supreme Court of Texas — Austin



What is your most memorable pro bono experience?

While visiting a legal-aid provider in El Paso, I spoke with a woman who had for years been the victim of terrible domestic abuse. Hearing her describe the hopelessness and fear in her life, and how a volunteer lawyer had turned it all around, really brought home to me the desperate situation faced by so many who do not have access to legal help. Since then I have had occasion to visit with many others whose lives have been profoundly impacted by lawyers willing to dedicate their time, and I am always moved by their experiences.

What do you think is the biggest challenge for lawyers wanting to provide pro bono services?

The greatest challenge is finding the time. We all struggle to balance our personal and professional lives. Providing pro bono services may involve learning new areas of the law or working with clients after traditional work hours. But there are pro bono opportunities available that fit those time constraints — lawyers just need to ask.

What are some ways the judiciary can support and participate in pro bono work?

Although we cannot represent clients, members of the judiciary can still participate in pro bono work in a number

of ways. I serve on the Texas Access to Justice Commission, which the Court created in 2001 to develop and implement initiatives designed to expand access to, and enhance the quality of, justice in civil legal matters for low-income Texans. Judges can also support pro bono work by serving on boards and committees that aim to meet the needs of low-income and poor Texans or improve the administration of justice by removing barriers to court access.

How important is the IOLTA program to helping low-income persons receive legal aid?

The Interest on Lawyers Trust Accounts (IOLTA) program is a critical source of funding for legal services to the poor and has been since it was created by the Supreme Court of Texas in 1984. The Texas Access to Justice Foundation, also created by the Court in 1984, distributes IOLTA funds to legal services programs to increase access to justice for poor Texans. The Court recently amended IOLTA Rule 7 to create a "comparability rule" that requires attorneys to place their IOLTA funds at financial institutions that pay rates comparable to those paid on non-IOLTA accounts. The banks have cooperated tremendously. Some banks — called Prime Partners — have agreed to pay even higher interest rates than required to participate in the program.

What is the Texas Supreme Court doing to support efforts to provide legal services to families and persons in need?

The Texas Supreme Court has contributed to the organizational infrastructure of the legal services community and the clients they serve by creating such entities as the Texas Access to Justice Commission, the Texas Supreme Court Taskforce to Expand Legal Services Delivery, and the Texas Access to Justice Foundation. These entities work with the Court's strong support to instill a sense of pro bono commitment throughout all practice areas and to ensure that adequate resources are available for legal aid and pro bono programs. Additionally, the Court is responsible for the promulgation of rules that affect many poor Texans. Examples include the recent amendment of the IOLTA "comparability rule" and of Rule 145 of the Texas Rules of Civil Procedure governing Affidavits of Indigency. Most significant, the Supreme Court has helped raise public awareness of how important access to our court system is and the important public service that volunteer lawyers provide every day. ♣

For more information about Access to Justice, visit www.texasbar.com and click on "Pro Bono and Community Service."

ATJ PRO BONO CHAMPION

Richard L. Tate

Tate, Moerer & King, L.L.P. — Richmond

What have been your most memorable pro bono experiences?

One was visiting a colonia in the Rio Grande Valley and seeing how one of our service programs, Texas RioGrande Legal Aid, had taken on developers and corrected drainage and other environmental issues. It was a hands-on accomplishment by a group of fine lawyers with TRLA. Another was the recent order by the Texas Supreme Court implementing the new IOLTA "comparability rule."

How does the IOLTA comparability rule help provide low-income Texans with greater access to legal aid?

It greatly enhances the amount of money that is available to provide basic civil legal needs to poor Texans. It bridges a tremendous funding gap between the amount of legal services needed by low-income Texans and the amount that can be provided. Our Supreme Court made a strong statement regarding its commitment to access to justice when it implemented the rule.

You've served on the Texas Access to Justice Foundation board since 1993 and as chair since 1999. Why did you get involved with TAJF?

Because of some experiences growing up in North Carolina, ensuring that the courthouse door is open to all who need it has long been a priority to me. ... An article I was reading in the Texas Bar Journal said volunteers were needed for various activities and TAJF was included. I wrote a letter to the court clerk stating my interest and soon received a call from Chief Justice (Thomas) Phillips saying that I would be appointed to the board.

What have been some of your proudest achievements with TAJF?

These are the accomplishments of the whole board, not just me, but some of the things I'm proudest of are keeping the IOLTA program afloat and viable



during declining interest rates, facilitating new sources of revenue, and establishing strong working relationships with our providers in the field and with the Texas Access to Justice Commission, and in particular, with Commission Chair Jim Sales. He is a bright light on the horizon for us.

What advice would you give new lawyers wanting to do pro bono work?

If they're looking for a career that allows them to come home every day and say they did something to make the world a better place, then (pro bono work) is the career for them. It is a career occupied by a number of incredibly bright lawyers who have made some incredible sacrifices (to do this work). They are the true heroes in this effort. ♡

For more information about Access to Justice, visit www.texasbar.com and click on "Pro Bono."

ATJ PRO BONO CHAMPION

Professor Larry Spain

Texas Tech University School of Law — Lubbock

What is your background in legal services programs, and how did you transition to teaching?

I started out volunteering in legal aid in law school. Then, I took a job as a staff attorney in a rural legal services program in western Nebraska and later worked for Legal Aid Society of Omaha. In the legal services programs, I worked with law students placed with us through the law schools and thought I'd enjoy working directly with students and to help instill an interest in pro bono work.

As a law professor, how do you encourage students to do pro bono work?

In several different ways. We have a clinical program here where we work directly with law students and closely with legal services. We also teach by example and by taking a leadership role. We have to encourage students that no matter what area of law you go into, whether teaching or practicing, you can still be involved.

What are ways law school faculty can get involved in pro bono work?

I try to encourage the rest of our faculty to be involved in pro bono work. We are very fortunate at Texas Tech that a number of faculty members volunteer in pro bono clinics. The faculty also put on a free CLE for pro bono attorneys. It's been very successful and it's another way for faculty to be involved. We have to be creative to use our strengths in different ways.

What has been your most memorable pro bono experience?

Every case is memorable — the fact that you're helping someone who would not be helped. It's satisfying helping domestic violence victims get out of a bad relationship or obtaining disability benefits for someone. Each case is memorable in certain respects because clients are so grateful.

Also memorable is working with law students at pro bono clinics. You see when the light clicks on and they realize how many people have no access to the legal system. It really opens their eyes.



You are a member of the ATJ Law School Advisory Committee that helped develop the ATJ Internship Program. What kind of impact is the program having on students?

The program gets law students into the direct delivery of legal services to those who need them. It exposes students to considering a career in legal services or doing pro bono work within their practice. There are a lot of side benefits to the program. It's been a very positive experience for the students. They take an evaluation of the program after they've completed it and we generally receive very positive feedback from those who have participated.

What is new for the internship program in 2008?

This year, the program is expanding to include three students from each law school, so additional placements can be made this year. There will be roughly up to 27 students participating in the program [up from 14 in 2007]. ♡

For more information about Access to Justice, visit www.texasbar.com and click on "Pro Bono."

ATJ PRO BONO CHAMPION

Col. Bryan S. Spencer

Volunteer & Director of Operation Enduring LAMP — Austin

How did Operation Enduring LAMP originate and how did you become involved with the program?

Dean Frank Newton was chair of the State Bar's pro bono committee at the start of Operation Desert Storm in 1990. He called a meeting of the committee to determine how the State Bar could help the Guard and Reserves being called to active duty and the active military. He invited the chair of the Military Law Section who asked me to attend in his stead since I lived in Austin. My chair said, "Don't agree to anything!" It was obvious we needed to have a CLE for local attorneys on military-specific laws for them to be more effective in providing legal support to the service members being called up. I suggested a four-hour CLE to accomplish this. Dean Newton said, "Can you put this program together?" Failing to adhere to my chair's direction, I said, "Yes, sir!" He got me a desk in Texas Lawyers Care and it took off from there. We called that program Operation Desert Storm. ... Fortunately, Desert Storm only lasted six months and we folded our tent and went home.

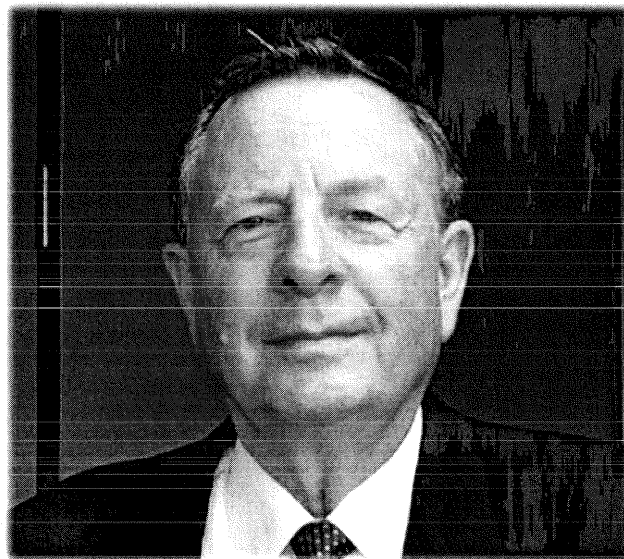
Then Operation Enduring Freedom began in Afghanistan in 2001 and Texas Lawyers Care called me and said, "You better get back here," and so I came and am still here. Grant Seabolt in Dallas came up with the name of Operation Enduring LAMP (Legal Assistance for Military Personnel), which has been adopted by the ABA Standing Committee on Legal Assistance for Military Personnel for their program.

What is your key role as LAMP director?

In the beginning, it was putting together the CLE programs and coordinating with local bars to assist service members and their families. Today, I try to find an attorney, pro bono or otherwise, for service members or their spouses who need civilian legal help. I am at Texas Lawyers Care four or five days a week from three to six hours. In addition to service members/spouses referred from legal assistance offices here in Texas, I get cases referred from Germany, Iraq, Afghanistan, Japan, Korea, and from many places in the United States. I get wonderful administrative and legal support from Texas Lawyers Care and could not operate without their help.

How many volunteer attorneys generally participate in the program?

Over the course of Operation Desert Storm and Operation Enduring LAMP, we have been fortunate to have several hundred attorneys do pro bono work for service members or their families. Many of them are members of the Military Law Section and have military experience. We also use a mentoring program for situations requiring specific military backgrounds and where the pro bono attorney needs some assistance.



Have there been any particular success stories that have stood out for you?

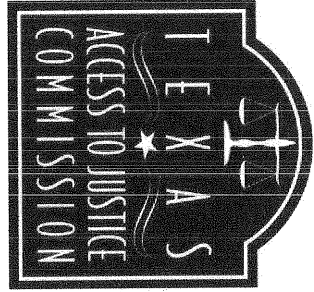
Most cases arising out of service members in a combat zone are routine divorce or custody cases, but they are not routine for them. All the cases are a success for the individual service member, thanks to his or her pro bono attorney. A few of our volunteers include Dan Corbin, a Killeen attorney who handled 14 pro bono probate cases for Fort Hood soldiers who died in combat; Jim Higdon in San Antonio, who did a pro bono guardianship for a wife whose husband suffers from a serious brain-stem injury from combat; and Melanie Cowart of Akin, Gump, Strauss, Hauer & Feld in San Antonio, who secured a guardianship appointment for the divorced wife of a soldier killed in Iraq so she could receive on behalf of their daughter, as the next of kin, the government's "death gratuity."

What are the main goals for the program in 2008-09?

Our goal for 2009 is to hopefully close down the operation because the combat will be over. Absent that, we will continue to call on the dedicated Texas Bar members to do pro bono legal work for deserving service members and their families. ☺

Col. Bryan S. Spencer was commissioned as a second lieutenant from Texas A&M in 1953 and served in Korea before returning to Austin for law school. He later served as a staff judge advocate/legal advisor with the 4th Infantry Division at Fort Carson, Colo., and with various other posts before retiring in 1988 as a colonel. In 1993, he joined the Texas State Guard, serving until his retirement in 2005.

For more information about Access to Justice, visit www.texasbar.com and click on "Pro Bono."



TEXAS | **ACCESS to JUSTICE**
FOUNDATION

Long-Range Marketing Plan
2008-2011

Revised 5/15/08

Introduction

Background: The Texas Access to Justice Commission charged a subcommittee of its Communications Committee with the task of developing a long-range marketing plan for the Texas Access to Justice Commission and the Texas Access to Justice Foundation. The marketing plan dovetails with the Commission's Five Year Plan, which was adopted in October 2004, but also includes initiatives that will help achieve the Commission's and Foundation's goals beyond the Five Year Plan.

The Marketing Subcommittee is composed of the following members: Darrin Schlegel (chair), media relations director, Fulbright & Jaworski; Mike Cinelli, associate director of public relations, Baker Botts; Kim Kimmey, professor of communications, Rice University; Mark Curriden, director of communications, Vinson & Elkins; Toby Brown, client relations manager, Fulbright & Jaworski; Meg Meo, vice president of account management, Elizabeth Christian & Associates; Roy Reynolds, business development manager, Haynes and Boone; Doug Bedell, marketing communications manager, Haynes & Boone; and Laura Figueroa, Communications Manager, Texas Access to Justice Foundation and Texas Access to Justice Commission.

Executive Summary and Goals

This marketing plan is designed to assist the Commission and Foundation in achieving their operational goals. To that end, the plan should significantly raise awareness of the Commission and Foundation among targeted audiences, including Texas lawyers, legislators, funding sources and the general public, leading to the following outcomes:

- More lawyers will provide pro bono services to those in need
- Funding will increase for the Foundation, hence legal aid
- Legislators and other elected officials will be more aware of the issues and the two organizations, and will be favorably disposed to supporting the groups' initiatives
- The general public will become more familiar with the Foundation and Commission and will have increased knowledge and support of access to justice issues

The above outcomes will be attained through the following strategies:

Goal 1: Increase Public Awareness of Texas Access to Justice Commission and Texas Access to Justice Foundation

- Publicize Supreme Court of Texas Hearing on Status of Legal Services
- Host Fundraising Event for Texas Access to Justice Foundation's 25th Anniversary
 - Implement Comprehensive Public Awareness Campaign
- Host Fundraising Event for Texas Access to Justice Commission's 10th Anniversary
 - Implement Comprehensive Media Outreach Program to Complement Project-specific Outreach
- Enhance Commission's and Foundation's Online Presence and Marketing Materials

- Implement an Access to Justice Speakers Bureau

Goal 2: Increase Pro Bono Participation among Texas Lawyers

- Implement Comprehensive Legal Community Awareness Campaign
- Implement Law Student Awareness Campaign
- Develop Marketing Strategies Aimed at Young Lawyers and Senior Lawyers
- Create or Promote Recognition for Pro Bono Participation

Goal 3: Increase Funding for Legal Aid

- Publicize IOLTA and Prime Partner Banks Program
- Implement Marketing Campaign to Increase Voluntary Contributions with State Bar of Texas Dues
- Implement Marketing Campaign to Increase Purchase of the “And Justice for All” License Plate
- Implement Education and Recognition Campaign for Cy Pres Awards
- Publicize Opportunities for General or Event-driven Donations

Goal 4: Increase Support among Elected Officials

- Commission Legal Aid Economic Impact Study
- Provide Communications Support for ATJ Day at the Texas Capitol
- Provide Communications Support for Legislative Agenda
- Conduct Off-season Outreach to Texas Legislature
- Provide Communications Support for ABA Days in Washington
- Conduct Outreach to Non-legislative Elected Officials

Goal 5: Increase Awareness of Commission and Foundation Committee Programs

- Develop Process to Request Communications Support
- Provide Collateral Development Oversight
- Develop Outreach/Marketing Mini-plans
- Publicize Programs of Commission and Foundation as needed

Major Events Timeline

2008

Economic Impact Study
Supreme Court of Texas Hearing on Legal Services

2009

Legislative Session
Texas Access to Justice Foundation 25th Anniversary
Attorney Awareness Campaign

2010

Comprehensive Public Awareness Campaign
Law and the Media Summits

2011

Legislative Session
Texas Access to Justice Commission 10th Anniversary

Goal #1: Increase Public Awareness of Texas Access Commission and Texas Access to Justice Foundation

Strategy: Publicize Supreme Court of Texas Hearing on Status of Legal Services

Timeline: June-September 2008

Tactics:

- Issue press release and op-eds on legal services in large, medium and small markets
- Schedule media tour in large and medium markets to include editorial board visits, meetings with reporters, and television and radio interviews

Strategy: Host Fundraising Event for Texas Access to Justice Foundation's 25th Anniversary

Timeline: Fall 2009

- Host a fundraising event with keynote speaker to celebrate more than \$200 million in grants over 25 years
- Hold auction (silent or live) in conjunction with event to raise money for Law School initiatives. Invite attorneys to donate art work to be auctioned off.

Strategy: Implement Comprehensive Public Awareness Campaign

Timeline: January 2010 – May 2010

Tactics:

- Press conference to announce campaign (tie to special event or announcement)

- Identify celebrity spokesperson to appear in public service announcements (broadcast and print)
- Schedule media tour in large and medium markets to include editorial board visits, meetings with reporters, and television and radio interviews
- Simultaneous legal clinics throughout state (Law Day May 1)

Strategy: Host Fundraising Event for Texas Access to Justice Commission's 10th Anniversary

Timeline: Fall 2011

TO BE DETERMINED

Strategy: Implement Comprehensive Media Outreach Program to Complement Project-specific Outreach

Timeline: Ongoing

Tactics:

- Participate in Law and the Media Summits through Texas in conjunction with local bar associations
- Issue statements, opinions or press releases statewide in response to relevant breaking news
- Seek newsworthy stories to pitch to general, business and trade press. Tie to timely news stories when possible. Look for local angles and coordinate with legal aid providers and other stakeholders
- Schedule opinion editorials and editorial board visits when appropriate and in conjunction with specific events or occurrences
- Look for opportunities to tie into awareness weeks/months: Crime Victims Awareness Week (April), Law Day (May), Domestic Violence Awareness Month (October), etc.
- Provide legal aid organizations with marketing/media outreach toolkit
- Develop crisis communications plan

Strategy: Enhance Commission's and Foundation's Online Presence and Marketing Materials

Tactics:

- Redesign and reconfigure Commission Web site
- Redesign Commission brochure to be consistent with new site
- Ensure Commission's and Foundation's Web site are up to date with relevant, current information and news
- Explore social media options, including MySpace, FaceBook, blogs, youtube, Wikipedia, LinkedIn, to raise awareness of Commission and Foundation

Strategy: Implement Access to Justice Speakers Bureau

Tactics:

- Compile database of expert spokespersons from legal aid community, access-to-justice leadership and client community to include profiles and/or areas of expertise
- Schedule speaking engagements within and outside of the legal community

Goal #2: Increase Pro Bono Participation among Texas Lawyers

Strategy: Implement Comprehensive Legal Community Awareness Campaign

Timeline: June 2009-December 2009

Tactics:

- Schedule one-on-one meetings between Commission or Foundation chairs and law firm senior partners
- Host roundtable luncheons with compelling speaker (leadership or clients) in major markets for senior law firm executives
- Target outreach to major law firms' pro bono leadership regarding legal aid volunteer opportunities
- Develop "Law Firm Packet" outlining various ways to contribute to legal services
- Develop "Pro Bono Packet" to give to attorneys with information on benefits of volunteering (include videos)
- Create "Pro Bono Toolkit" for bar associations and legal aid programs to recruit volunteers (include videos)
- Research and schedule speaking engagements within the legal community
- Publicize pro bono stars and/or need for pro bono in hometown newspapers

Strategy: Implement Law student Awareness Campaign

Timeline: Ongoing

Tactics:

- Create educational video targeted to law students highlighting access to justice efforts
- Assist with presentations to law students and pre-law students
- Publicize efforts to law student and alumni publications

- Host event to honor law school and law student award winners

Strategy: Develop Marketing Strategies Aimed at Young Lawyers and Senior Lawyers

Tactics:

- Develop formal partnership with Texas Young Lawyers Association to cross promote programs
- Create program, co-sponsored by Texas Lawyer and TYLA, to recognize young lawyer Pro Bono Rising Stars
- Create promotional materials to insert into new lawyer packets
- Explore State Bar of Texas social networking site, and other social media, to promote Commission and Foundation programs
- Create pro bono award specifically for young lawyers and/or sponsor existing awards
- Create program to engage senior lawyers in pro bono work and mentoring; name honorary chair of program
- Publicize senior lawyers in senior-focused publications and trade publications

Strategy: Create or Promote Recognition for Pro Bono Participation

Timeline: Ongoing

Tactics:

- Obtain media coverage for significant pro bono accomplishments
- Nominate pro bono attorneys for local, state and national awards
- Include pro bono spotlight in *Update*
- Bi-monthly Pro Bono Champion page in Texas Bar Journal
- Increase involvement of the judiciary in outreach efforts; ensure that major pro bono efforts are communicated to the judiciary to provide recognition for the lawyers and firms involved

Goal #3: Increase Funding for Legal Aid

Strategy: Publicize IOLTA and Prime Partner Bank Program

Timeline: Ongoing

Tactics:

- Increase awareness of decline in IOLTA funding via general market media, business publications and trade publications
- Educate financial institutions about Prime Partner Program
- Obtain media coverage for Prime Partner banks
- Distribute Prime Partner toolkit to bar associations and legal aid providers
- Recognize Prime Partner banks with awards and publicity

Strategy: Implement Marketing Campaign to Increase Voluntary Contributions with State Bar of Texas Dues

Timeline: Annually (January-June)

Tactics:

- Place public service announcements in Texas Lawyer and legal community newsletters
- Obtain media coverage for need for increased donations
- Viral e-marketing campaign requesting donations
- Feature story in *Update*
- Publicize Hankinson awards for bar association and young lawyer associations with highest percentage of attorneys donating to legal aid

Strategy: Implement Marketing Campaign to Increase Purchase of the “And Justice for All” License Plate

Timeline: Ongoing

Tactics:

- Place public service announcements in Texas Lawyer and legal community newsletters
- Submit newsletter articles to local and specialty bar associations and young lawyer associations
- Create a competition to award law schools with most license plate sales—winning school gets monetary donation for a law school pro bono project
- Publicize in law school publications
- Feature prominently on Commission and Foundation Web sites

Strategy: Implement Education and Recognition Campaign for Cy Pres Awards

Timeline: Ongoing

Tactics:

- Place public service announcements in Texas Lawyer and legal community newsletters
- Submit newsletter articles to local and specialty bar associations, young lawyer associations and judiciary publications
- Create brochure and/or packet of materials to pitch access to justice as a cy pres recipient
- Where appropriate, obtain media coverage for cy pres awards

Strategy: Publicize Opportunities for General or Event-driven Donations

Timeline: Ongoing

Tactics:

- Promote on-line donation function on Foundation and Commission Web sites
- Develop function and publicize need for donations related to specific events or crisis situations
- Add Commission/Foundation videos to YouTube with a “Donate Now” mechanism

Goal #4: Increase Support among Elected Officials

Strategy: Commission Legal Aid Economic Impact Study

Timeline: May 2008-January 2009

Tactics:

- Announce in a press conference at the Capitol at the beginning of the 2009 legislative session.
- Use data from study in handouts for legislators during the session and for 2009 ABA Days in Washington.
- Use data to pitch stories to media throughout the state. (Look for local angles, if available from study.)

Strategy: Provide Communications Support for ATJ Day at the Texas Capitol

Timeline: February (tentative)

Tactics:

- Host firm-sponsored evening reception for key legislators and staff
- Obtain media coverage for ATJ Day
- Develop packet of materials with talking points and leave-behinds
- Ensure large turn-out of supporters, including attorneys, legal service providers, etc.
- Provide large button or other identifier so contingency is highly visible walking through the halls of the Capitol

Strategy: Provide Communications Support for Legislative Agenda

Timeline: Biennially (June-end of Session in May)

Tactics:

- Support development of coalition of legal aid supporters
- Utilize Web site and e-letters to inform coalition of key votes and support needed
- Create blog feature on Commission Web site focusing on legislative issues
- Help to build relationships with other organizations that may support our bills
- Pitch stories to media regarding current issues and key votes
- Submit op-eds in support of key issues
- Provide materials and talking points for legislative visits during interim (2008).
- Pitch stories about legal aid to key legislators' hometown newspapers.
- Give awards to key legislators

Strategy: Conduct Off-season Outreach to Texas Legislators

Timeline: Ongoing

Tactics:

- Legal aid open house events (take key legislators on visits to service providers; invite local media)
- Pitch stories about legal aid to key legislators' hometown newspapers
- Add legislators to Update mailing list
- Invite legislators to events in their areas

Strategy: Provide Communications Support for ABA Days in Washington

Timeline: Annually (February-May)

Tactics:

- Provide talking points and printed materials to use for visits
- Publicize efforts to Texas legal trades

Strategy: Conduct Outreach to Non-Legislative Elected Officials

Timeline: Ongoing

Tactics:

- Send copy of economic impact study (with localized data) and listing of legal aid providers in their areas
- Invite elected officials to events or media conferences held in their areas
- Include elected officials on media releases relevant to their communities
- Identify and conduct outreach to municipality lobbyists

Goal #5: Increase Awareness of Foundation and Commission Committee Programs

Timeline: Ongoing

Tactics:

- Develop process to request communications support
- Provide collateral development oversight to ensure brand and messaging consistency
- Develop outreach/marketing mini-plans for committee programs and accomplishments
- Publicize programs of Commission and Foundation on as-needed basis

TEXAS SUPREME COURT ADVISORY

Contact: Osler McCarthy, staff attorney for public information
512.463.1441 or click for [email](#)

Monday, December 18, 2006

COURT AMENDS ACCESS TO JUSTICE RULE TO ESTABLISH 'COMPARABILITY' FOR IOLTA RATES

The Texas Supreme Court approved a “comparability rule” Monday that requires attorneys to place their IOLTA accounts at financial institutions that pay rates comparable to those paid on non-IOLTA accounts. The rule should result in increased revenue for programs that provide basic civil-legal aid to the poor in Texas.

Under the Court’s administrative order, the Texas Access to Justice Foundation will be responsible for certifying “eligible financial institutions” to hold IOLTA accounts. Created by the Court in 1984, the IOLTA program – Interest on Lawyers’ Trust Accounts – generates interest that helps finance civil-legal services for the poor.

Pooled interest on these accounts is distributed by the Texas Access to Justice Foundation to legal-aid groups statewide.

The Texas comparability rule – effective March 1, 2007 – brings the state in line with other states that require comparable rates on IOLTA funds.

“This rule change will assure that the IOLTA program will get comparable treatment by receiving the same interest rates as non-IOLTA accounts,” said Justice Harriet O’Neill, the Court’s liaison to the Access to Justice Foundation. “The revenue increase resulting from this change will allow legal-aid organizations to help many low-income Texans with their basic civil legal needs.”

The rule change requires attorneys to establish IOLTA accounts in those institutions paying comparable rates to interest they pay on non-IOLTA accounts. Average interest rates currently paid by the top 80 banks handling IOLTA funds is less than 1 percent, even on accounts of more than \$100,000.

Betty Balli Torres, executive director of the Texas Access to Justice Foundation, praised the Court for its leadership in changing the IOLTA rule.

“We commend the Court for its wisdom and dedication to ensuring more Texans have access to our civil-justice system,” Torres said. “With funding deficits requiring legal-aid organizations to turn away half of all qualified applicants, the new rule brings us closer to bridging the ‘justice gap.’”

[Order](#)



NEW IOLTA "COMPARABILITY" RULE TO INCREASE ATJ FUNDING

BY LAURA FIGUEROA

In a clear display of support for access to justice for low-income Texans, the Supreme Court of Texas signed a court order on Dec. 18 to amend IOLTA rule 7, calling for financial institutions to pay interest rates comparable to those paid to similarly situated non-IOLTA customers at that institution.

The rule change, which goes into effect March 1, 2007, requires that IOLTA accounts be held at "eligible institutions," defined as financial institutions that pay comparable interest rates.

The Texas Access to Justice Foundation is launching a large-scale effort to persuade financial institutions in Texas to become eligible institutions, which would mean attorneys who have IOLTA accounts at those banks would not be required to take any action. However, if financial institutions choose not to pursue eligibility, attorneys will be required to move their IOLTA accounts. The Foundation will advise attorneys if they will be required to make such a move.

Currently, the average interest rate paid by the top 80 Texas banks on IOLTA accounts is 0.65 percent. By con-

trast, research of the top 16 Texas banks indicates that they pay between 3.31 and 4.92 percent on non-IOLTA high-balance accounts.

The interest generated by IOLTA accounts is utilized to provide free civil legal aid to poor Texans. In the early 1990s, IOLTA revenue surpassed \$9 million annually. The fund has decreased significantly due to steep interest rate drops and is currently generating about \$5 million per year.

The Foundation worked closely with the Texas Supreme Court, the Texas Access to Justice Commission, and the State Bar of Texas to study the implications of the rule change. The amended rule should result in increased revenue for legal aid.

Beginning March 1, 2007, visit the Foundation's Web site at www.teajf.org for the list of eligible banks.

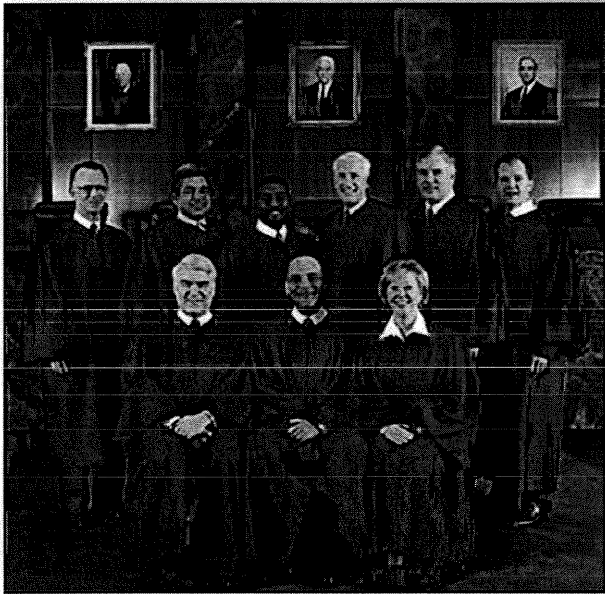
LAURA FIGUEROA

is the communications manager for the Texas Access to Justice Foundation.

LegalFront

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Texas Supreme Court Orders IOLTA "Comparability" Rule



Supreme Court of Texas

Back row (left to right): Justices Phil Johnson, David Medina, Dale Wainwright, Scott Brister, Paul Green, Don Willett

Front row (left to right): Justice Nathan Hecht, Chief Justice Wallace Jefferson, Justice Harriet O'Neill

The Supreme Court of Texas on December 18, 2006, entered a court order to amend IOLTA Rule 7, creating a "comparability rule" that requires attorneys to place their IOLTA (Interest on Lawyers Trust Accounts) funds at financial institutions that pay rates comparable to those paid on non-IOLTA accounts.

The rule change, which goes into effect March 1, requires that IOLTA accounts be held at "eligible financial institutions," defined as financial institutions that pay interest rates comparable to those paid to non-IOLTA customers at that institution. Under the Court's administrative order, the Texas Access to Justice Foundation ("Foundation") will be responsible for certifying "eligible financial institutions" to hold IOLTA accounts.

Created by the Court in 1984, the IOLTA program generates interest that helps finance civil legal services for the poor. Pooled interest on these accounts is distributed by the Foundation to legal services providers statewide. The new rule should result in increased revenue for programs that provide basic civil legal services to the poor in Texas.

The Foundation is launching a large-scale effort to persuade financial institutions in Texas to become eligible institutions, which would mean attorneys who have IOLTA accounts at those banks would not be required to take any action at all. If financial institutions choose not to pursue eligibility, attorneys will be required to move their IOLTA accounts to an eligible institution. The Foundation will advise attorneys if they will be

Continued on page 2.

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required to make such a move, but this has not been necessary in any of the states that have already adopted a comparability rule.

The new comparability rule brings Texas in line with other states that require comparable rates on IOLTA funds. Among the states that have previously made the rule change are Florida, Ohio, Michigan, Alabama, Massachusetts and Connecticut. Attorneys in those states have not had to take any action because banks elected to pay the comparable rate. Many other states are in the process of making the rule change.

Currently, the average interest rate paid by the top 80 Texas banks on IOLTA accounts is .65 percent. By contrast, research of the top 16 Texas banks indicates that they pay between 3.31 and 4.92 percent on non-IOLTA high-balance accounts. "It is really a fairness issue. IOLTA funds should be treated the same as other similar accounts. Many Texas attorneys are unaware that their IOLTA accounts do not receive comparable interest rates, because the interest goes to a third party," said Betty Ballí Torres, executive director of the Texas Access to Justice Foundation.

In the early 1990s, IOLTA revenue surpassed \$9 million annually. The fund has decreased significantly due to steep interest rate drops and is currently generating about \$5 million per year.


"This rule change will assure that the IOLTA program will get comparable treatment by receiving the same interest rates as non-IOLTA accounts," said Justice Harriet O'Neill, the Court's liaison to the Foundation. "The revenue increase resulting from this change will allow legal aid organizations to help many low-income Texans with their basic civil legal needs."

The Foundation worked closely with the Texas Supreme Court, the Texas Access to Justice Commission and the State Bar of Texas to study the implications of the rule change.


Jim Sales, chair of the Texas Access to Justice Commission, praised the Court, especially Justice O'Neill, for the decision to make the rule change. "The Supreme Court has shown a remarkably steadfast commitment to the principle that all Texans, regardless of economic circumstances, should have access to the justice system," said Sales. "We are fortunate beyond measure to have Justice O'Neill as a member of our team."

Beginning March 1, the list of eligible banks will be available on the Foundation's Web site at www.teajf.org.

For the low price of \$30, you can purchase the *And Justice for All* specialty license plate for your car, demonstrating your commitment to equal justice under the law. Proceeds from the sale of the plate (\$22) go to the Texas Equal Access to Justice Foundation to benefit civil legal aid in Texas.



The *And Justice for All* specialty plate was initiated by the Texas Young Lawyers Association through the Texas Department of Transportation. The program has been successful, generating an average of \$1800 per month for legal aid. That's an average of 81 plates being purchased each month.



EQUAL JUSTICE
For All

**For more information,
visit www.tyla.org**

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 06-9166

ORDER AMENDING RULES GOVERNING THE OPERATION OF THE TEXAS ACCESS TO JUSTICE FOUNDATION

IT IS ORDERED that the *Rules Governing the Operation of the Texas Equal Access to Justice Foundation*, hereinafter titled the *Rules Governing the Operation of the Texas Access to Justice Foundation*, are amended, effective March 1, 2007, as follows:

1. Establishment of the Texas ~~Equal~~ Access to Justice Foundation.

The Texas Equal Access to Justice Program ("the Program"), Article XI of the State Bar Rules Adopted and promulgated by the Supreme Court of Texas by Order dated April 30, 1984, shall be administered by the Texas ~~Equal~~ Access to Justice Foundation (the "Foundation"), a Texas Non-Profit Corporation.

2. Articles of Incorporation and Bylaws.

The Articles of Incorporation and Bylaws of the Foundation shall be as set forth in Attachments 1 and 2, respectively, hereto.

3. Directors of the Foundation.

Directors of the Foundation shall be appointed and their terms of office fixed as set forth in Attachment 2. The initial directors of the Foundation are named in Attachment 1.

4. Deposit of Certain Client Funds.

An attorney licensed by the Supreme Court of Texas, receiving in the course of the practice of law in this state, client funds that are nominal in amount or are reasonably anticipated to be held for a short period of time, must establish and maintain a separate interest or dividend-bearing insured depository trust account at an eligible financial institution and deposit such funds in the account. "Interest or dividend-bearing insured depository trust account" means a federally insured checking account or investment product, including a daily financial institution repurchase agreement or a money market fund at an eligible institution as defined in Rule (7). A daily

financial institution repurchase agreement must be fully collateralized by, and an open-end money market fund must consist solely of United States Government Securities. A daily financial institution repurchase agreement may be established only with an eligible institution that is deemed to be “well capitalized” or “adequately capitalized” as defined by applicable federal statutes and regulations. An open-end money market fund must hold itself out as a money market fund as defined by applicable federal statutes and regulations under the Investment Company Act of 1940 and have total assets of at least \$250,000,000.

The funds covered by this rule shall be subject to withdrawal upon request and without delay. All IOLTA-eligible client funds may be deposited in a single unsegregated account. Attorneys who practice in a law firm or for a professional corporation may utilize the interest-bearing trust account of such firm or corporation to comply with the Rule 4. No funds belonging to the attorney or law firm, except funds reasonably sufficient to pay for fees or obtain a waiver of fees or to keep the account open, may be deposited in such an account. The interest earned on the account shall be paid in accordance with and used for the purposes set forth in these Rules. The Foundation shall hold the entire beneficial interest in the interest earned. Funds to be deposited under these Rules shall not include those funds evidenced by a financial institution instrument, such as a draft, until the instrument is fully credited to the financial institution in which the account is maintained. The term "draft" as herein used is defined in Section 3.104 (b) (1) of the Texas Business and Commerce Code. A draft or similar instrument need not be treated as a collected item unless it is the type of instrument which the financial institution generally treats as a collected item. Nothing in this or any other of these Rules prohibits the deposit of client funds into a general account or changes the legal relationship between depositor and financial institution from that established by contract or by applicable state and federal law.

4A. Attorneys Who Do Not Handle Client Trust Funds.

Licensed attorneys who do not handle client trust funds are not required to establish an IOLTA account. Such attorneys must nevertheless advise the Foundation during the annual IOLTA compliance process that they do not handle client trust funds.

4B. Accounts Unable to Generate Net Interest.

Licensed attorneys who maintain client trust funds that are nominal in amount or are reasonably anticipated to be held for a short period of time must attempt in good faith to locate an interest bearing account that would generate interest greater than service charges. If such an account cannot be located, the attorney must notify the Foundation during the annual IOLTA compliance process. Such attorney is required to maintain a non-interest bearing client trust account for such funds.

5. Annual Notice to Foundation.

Licensed attorneys must advise the Foundation annually (either electronically or in writing) as to their IOLTA status as provided in Rule 24.

5A. Notice to Foundation of Change in Status.

Licensed attorneys must notify the Foundation either electronically or in writing within thirty (30) days of any change in IOLTA status.

5B. Notice to Foundation of Closed Accounts.

An attorney, law firm, or professional corporation engaged in the practice of law and maintaining accounts provided for in these Rules must notify the Foundation either electronically or in writing within thirty (30) days of the closing of such account(s).

6. Funds Eligible for the Program.

The funds of a particular client are nominal in amount or held for a short period of time, and thus eligible for use in the Program, if such funds could not reasonably be expected to earn interest for the client or if the interest which might be earned on such funds is not likely to be sufficient to offset the cost of establishing and maintaining the account, service charges, accounting costs and tax reporting costs which would be incurred in attempting to obtain interest on such funds for the client. Also to be considered are the nature of the proceeding or transaction involved and the likelihood of delay in the need for such funds in such proceeding or transaction. The attorney, law firm or professional corporation should exercise good faith judgment in determining initially whether client funds should be included in the Program and should review at reasonable intervals whether changed circumstances require further action with respect to such funds.

7. Accounts to be Maintained at Eligible Institutions.

An Account established at an eligible institution pursuant to Rule 4 shall be a trust account from which withdrawals or transfers may be made on demand (subject only to any notice period which the financial institution is required to reserve by law or regulation) established in any bank, savings bank, credit union, savings and loan association authorized by federal or state law to engage in business in Texas, which is insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund, or an investment company which is registered with the Securities & Exchange Commission and the State Securities Commission (as may be required). Such financial institution shall be selected in the exercise of ordinary prudence. The determination of whether or not an institution is an eligible institution and whether it is meeting the requirements of this rule shall be made by the Texas Equal Access to Justice Foundation, which must maintain a current list of eligible institutions on its website. Participation by banks, savings and loans associations, credit unions, and investment companies in the IOLTA Program is voluntary. Attorneys may not maintain an IOLTA trust account at a financial institution which does not meet the requirements of this rule and is therefore not an eligible institution. An eligible institution that elects to offer and maintain IOLTA accounts is one that meets the requirements of this rule, including the following:

- (a) The eligible institution shall pay no less on its IOLTA accounts than the highest interest rate or dividend generally available from the institution to its non-IOLTA customers when the IOLTA account meets or exceeds the same minimum balance or other eligibility qualifications on its non-IOLTA accounts, if any. In determining the highest interest rate or dividend generally available from the institution to its non-IOLTA customers, an eligible institution may consider, in addition to the balance in the IOLTA account, factors customarily considered by the institution when setting interest rates or dividends for its non-IOLTA customers; provided, however, that such factors shall not

discriminate between IOLTA accounts and non-IOLTA accounts, nor shall such factors include or consider the fact that the account is an IOLTA account. An eligible institution will satisfy these requirements if it pays the following rates or offers the following products on its IOLTA accounts:

- 1) The eligible institution may offer, and the attorney or law firm may request, a sweep account that provides a mechanism for the overnight investment of balances in the IOLTA account in an interest-bearing or dividend-bearing account that is a daily financial institution repurchase agreement or a money-market fund.
 - 2) An eligible institution may choose to pay the higher interest or dividend rate on an IOLTA account in lieu of establishing it as a higher rate product.
 - 3) An eligible institution may choose to offer a “safe harbor” yield rate that is equal to 60% of the Federal Funds Target Rate on high balance accounts as reported in the Wall Street Journal on the first calendar day of the month.
 - 4) A yield rate specified by the Foundation, if the Foundation so chooses, which is agreed to by the financial institution. The yield rate would be in effect for and remain unchanged during a period of no more than twelve months from the inception of the agreement between the financial institution and the Foundation.
- (b) Nothing in this rule shall preclude an eligible institution from paying a higher interest rate or dividend than described above or electing to waive any fees and service charges on an IOLTA account.
- (c) Interest and dividends shall be calculated in accordance with the eligible institution’s standard practices for non-IOLTA customers.
- (d) Allowable reasonable fees are the only fees and service charges that may be deducted by an eligible institution from interest earned on an IOLTA account. Allowable reasonable fees may be deducted from interest or dividends on an IOLTA account only at the rates and in accordance with the customary practices of the eligible institution for non-IOLTA customers. No fees or service charges other than allowable reasonable fees may be assessed against the accrued interest or dividends on an IOLTA account. Any fees and service charges other than allowable reasonable fees shall be the sole responsibility of, and may only be charged to, the attorney or law firm maintaining the IOLTA account.

8. Interest Rates:

An attorney, law firm or professional corporation establishing an account under these Rules shall attempt in good faith to obtain a rate of interest payable on the account not less than the rate paid by the depository institution to other depositors with accounts of similar size. A higher rate offered by the institution on deposits meeting certain time requirements or minimum amounts,

~~such as those offered in the form of certificate of deposit, may be obtained if there is no impairment of the right to withdraw or transfer principal immediately, other than the statutory notification requirements generally applicable to those accounts, even though interest may be lost because of the withdrawal or transfer.~~

8. Directions to ~~Depositories~~ the Eligible Institution.

The ~~depository institution~~ eligible institution shall be directed by the attorney, law firm or professional corporation establishing the account:

(a) To remit, at least quarterly, interest earned on the average daily balance in the account, ~~less reasonable service charges, net of allowable reasonable fees, if any,~~ to the Foundation. Reasonable service charges are based on the average fee banks charge customers for an interest-bearing account. “Allowable reasonable fees” for IOLTA accounts are per check charges, per deposit charges, a fee in lieu of a minimum balance, federal deposit insurance fees, sweep fees, and a reasonable IOLTA account administrative or maintenance fee. All other fees are the responsibility of, and may be charged to, the lawyer maintaining the IOLTA account. Fees or charges in excess of the interest or dividends earned on the account for any month or quarter shall not be deducted from interest or dividends earned on other IOLTA accounts or from the principal of the account.

~~The Foundation cannot be responsible for fees associated with insufficient funds (NSF), stop payments, wire transfers, balance reconciliation’s, check printing or other similar fees. These fees are the responsibility of the attorney or law firm. Service charges are deductible solely from the interest earned. The principal of the account cannot be used to offset the service charges imposed on the account.~~

(b) To transmit to the Foundation with each remittance a statement showing the name of the attorney, law firm or professional corporation with respect to which the remittance is sent, the rate or rates of interest applied attributable to each IOLTA account, the amount and type of fees and of service charges deducted, if any, and the average daily account balance for the account during the period for which the report is made and such other information as is reasonably required by the Texas Equal Access to Justice Foundation.

(c) To transmit to the depositing attorney, law firm or professional corporation at the same time a report is sent to the Foundation, a report ~~showing the amount paid to the Foundation for that period, the rate or rates of interest applied, the amount of service charges deducted, if any, and the average daily account balance for each month of the period for which the report is made in accordance with normal procedures for reporting to depositors; and~~

~~(d) Fees or charges in excess of the interest earned on the account for any month or quarter shall not be taken from interest earned on other IOLTA accounts or from the principal of the account.~~

9. Organizations Eligible for Grants.

The Foundation shall make grants to organizations, not individuals. Prior to making its first grant of funds, the Board of Directors of the Foundation shall promulgate a policy, consistent with

these Rules, which shall state the criteria to be met by an organization to qualify for a grant. Such criteria shall provide, among other criteria to be specified by the Board of Directors, that the organization must be exempt from taxation under Section 501 (c) (3) of the United States Internal Revenue Code, as amended, or corresponding provisions of any subsequent United States Internal Revenue law or laws, have as a primary purpose the delivery of legal services to low-income persons pursuant to income and type of case criteria acceptable to the Board of Directors, be current in all filings required to be made by it with any governmental authority, maintain open records and conduct open meetings (subject to reasonable limitations for an organization of its type), be an equal employment opportunity employer, and be able to demonstrate that it can utilize any funds granted to it in a manner consistent with these Rules and policies adopted by the Board of Directors of the Foundation. Nothing herein shall be deemed to impair any attorney-client relationship.

10. Persons Eligible to Benefit from Grants

Organizations receiving grants of funds from the Foundation shall use such funds to provide legal services to individual indigent persons or client groups, associations, and nonprofit organizations. Prior to the making of its first grant, and at least annually thereafter, the Board of Directors of the Foundation shall adopt criteria relating to income, assets and liabilities defining the indigent persons eligible to benefit from Foundation grants. In representing a client group, association, or nonprofit organization, the grantee must comply with all of the other provisions of these Rules and is subject to all of the prohibitions contained herein. A client group, association, or nonprofit organization is eligible if it is (1) primarily composed of individual indigent persons; or (2) the organization's primary purpose is in furtherance of the interests of indigent persons and is seeking legal assistance on a matter relating to such purpose.

11. Criteria for Grants.

Prior to making its first grant of funds, the Board of Directors of the Foundation shall promulgate a policy, consistent with these Rules, which shall state the criteria to be made for a grant from the Foundation. Such criteria shall provide, among other criteria to be specified by the Board of Directors, that the funds granted by the Foundation may not be used to duplicate a service already funded by another entity or in place of other funds available for the same purpose.

12. Use of Funds Limited to Cases Which Cannot Generate Fees.

Funds granted by the Foundation to organizations to provide legal services to the indigent in civil matters may not be used for any case or matter that, if undertaken on behalf of an indigent person by an attorney in private practice, might reasonably be expected to result in payment of a fee for legal services from an award to a client from public funds, or from the opposing party.

13. Exception to Rule 12.

The provisions of Rule 12 shall not be applicable in any case where the organization receiving funds granted by the Foundation determines in good faith that the indigent person seeking legal assistance has made reasonable efforts to obtain the services of an attorney in private practice for the particular matter (including contacting attorneys in private practice in the county of residence of the indigent person who normally accept cases of a similar nature), and has been unable to obtain such services because the potential fee is inadequate, is likely to be

uncollectible, would substantially consume any recovery by the client, or because of any other reason which the organization, acting in good faith, believes prevents the client from obtaining the services of a private attorney.

14. Funding of Certain Suits and Activities Not Permitted.

No funds shall be granted by the Foundation to directly fund class action suits, lawsuits against governmental entities, or lobbying for or against any candidate or issue. Provided, however, that funds may be granted to finance suits against governmental entities on behalf of individuals in order to secure entitlement to benefits such as, but not limited to, social security, aid to families with dependent children, food stamps, special education for the handicapped, Medicare, Medicaid, subsidized or public housing, or other economic, shelter or medical benefits provided directly to indigent individuals.

15. Records and Reports of Grantees.

The Foundation shall require, as a condition to the granting of funds to any organization or program, that adequate provision be made for reports to the Foundation as to the actual use of the funds so granted and for audit of such reports. Each such organization or program receiving funds from the Foundation shall keep its financial records in accordance with generally accepted accounting principles for organizations of its type and shall furnish reports to the Foundation in such form and containing such information as shall be reasonably requested pursuant to policies adopted by the Board of Directors of the Foundation.

16. Cessation of Funding.

The Foundation may cease funding an organization which fails to act in accordance with the requirements of the Order of the Supreme Court of Texas creating the Program, these Rules or the policies adopted by the Board of Directors of the Foundation as provided in these Rules. The Board of Directors of the Foundation shall adopt appropriate procedures to be followed when it has been determined to cease funding an organization, including reasonable notice to the organization involved, an opportunity to correct any deficiency (if reasonably possible to do so) and a hearing before the Board of Directors.

17. Administrative Costs of Foundation.

The Foundation may expend funds for administrative costs of the Program, including any costs incurred after April 30, 1984, and may provide a reasonable reserve for administrative costs.

18. Records of the Foundation.

The records of the Foundation, including applications for funds, whether or not granted, shall be open for public inspection at reasonable times and subject to reasonable restrictions dictated by the operational needs of the Foundation. The Foundation shall maintain its books of account in accordance with generally accepted accounting principles for organizations of its type and shall maintain written minutes of meetings of its Board of Directors and committees. It shall also maintain such other records as are within reasonable policies established by its Board of Directors.

19. Initial Distribution of Funds by the Foundation.

The initial distribution of funds under the Program shall be made at a time when, in the determination of the Board of Directors of the Foundation, there are sufficient funds to provide an adequate distribution.

20. Other Interest-Bearing Accounts.

Participating in the Program does not prohibit an attorney, law firm or professional corporation engaged in the practice of law from establishing one or more interest-bearing accounts or other investments permitted by the Texas Code of Professional Responsibility (Article X, Section 9, State Bar Rules) with the interest or dividends earned on the accounts or investments payable as directed by clients for whom funds are not deposited in accordance with these Rules.

21. Compliance with Code of Professional Responsibility.

Neither the Foundation nor any organization or program to which it grants funds may take an action or require an attorney to take an action in violation of the Code of Professional Responsibility (Article X, Section 9, State Bar Rules) or in violation of any other code of professional responsibility adopted by the state for attorneys.

22. Attorney Liability.

Nothing in these Rules affects the obligations of attorneys, law firms or professional corporations engaged in the practice of law with respect to client funds other than client funds reasonably determined to be "nominal in amount" or reasonably anticipated to be held for a "short period of time," as those terms are defined by these Rules. An attorney, law firm or professional corporation is not liable in determining which funds are nominal in amount or on deposit for a short period of time if the determination is made in good faith in accordance with these Rules.

23. Compliance.

(a) On or after March 1 of each year, all attorneys licensed by the Supreme Court of Texas shall report IOLTA compliance in a manner to be prescribed by the Texas Equal Access to Justice Foundation and the State Bar of Texas. Such compliance statements may require such information as is deemed reasonably necessary by the Foundation and the State Bar of Texas.

(b) An annual compliance statement must be completed and returned it to the Foundation by the date stated on the compliance statement. If the compliance statement is timely filed, indicating compliance, there will be no acknowledgement. The presumption of compliance after timely filing shall obtain, absent some evidence to the contrary.

(c) Should a compliance statement filed by an attorney fail to evidence compliance, the Foundation shall contact the attorney and attempt to resolve administratively the non-compliance.

(d) The Foundation shall furnish annually to the State Bar of Texas a list of all attorneys licensed by the Supreme Court of Texas (i) who have not timely filed a compliance statement or (ii) as to whom the Foundation has been unable administratively to resolve any impediment to the proper filing of a compliance statement. The State Bar of Texas shall send to each person so

reported, by certified mail, return receipt requested, a non-compliance notice. Should the attorney fail or refuse to file the compliance statement within thirty (30) days of such notice, the State Bar of Texas shall so notify the Clerk of The Supreme Court of Texas, and the attorney shall be immediately suspended as an attorney licensed to practice law in the State of Texas until a compliance statement is filed.

24. Review and Appeal.

(a) An attorney may file a written request based upon good cause for exemption from compliance with any of the requirements of these Rules, an extension of time for compliance, an extension of time to comply with a deficiency notice, or an extension of time to file an annual compliance statement. Such request shall be reviewed and determined by a Committee established by the State Bar or by such committee as the chairperson may, from time to time, designate. The attorney shall be promptly notified of the decision by the Committee.

(b) "Good cause" shall exist when an attorney is unable to comply with this Article because of extraordinary hardship or extenuating circumstances which were not willful on the part of the attorney and were beyond his or her control.

(c) Should the decision of the Committee be adverse to the attorney, the attorney may request the Board of Directors of the State Bar to review the decision by making such request in writing to the Executive Director of the State Bar within thirty days of notification of the decision of the Committee. The Chairman of the Board may appoint a committee of the Board to review the decision of the Committee and make a recommendation to the Board. The decision shall be made by the Board.

(d) Should the decision of the Board be adverse to the attorney, the attorney may appeal such decision by filing suit within thirty days of notification of the Board's action, failing which the decision of the Board shall be final. Such suit shall be brought against the State Bar, and shall be filed in a district court in Travis County, Texas. Trial shall be de novo, but the burden of proof shall be on the attorney appealing, the burden shall be by a preponderance of the evidence, and the attorney shall prove the existence of "good cause" as defined herein. The trial court shall proceed to hear and determine the issue without a jury. Either party shall have a right to appeal.

(e) Any suspension of an attorney shall be vacated during the administrative review process and while any suit filed is pending.

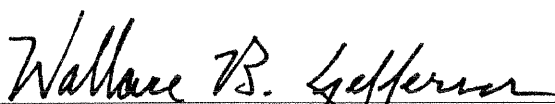
25. Return to Former Status.

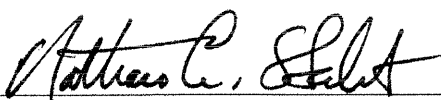
Any attorney whose license to practice law has been suspended under the terms of these Rules who after the date of suspension files a report with the Foundation showing compliance shall be entitled to have such suspension promptly terminated and be returned to former status. Return to former status shall be retroactive to the inception of suspension, but shall not affect any proceeding for discipline of the member for professional misconduct. The State Bar shall promptly notify the Clerk that an attorney formerly suspended under these Rules has now complied with these Rules.

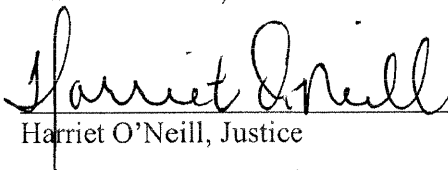
26. Confidentiality.

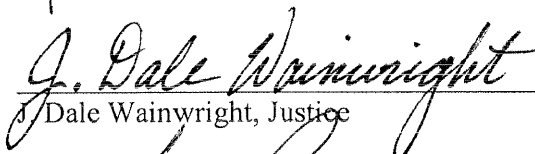
The files, records, proceedings, as they relate to the compliance or noncompliance of any attorney with the requirements of these Rules, shall be confidential and shall not be disclosed except upon consent of the attorney affected or as directed in the course of judicial proceeding by a court of competent jurisdiction.


SIGNED AND ENTERED THIS 10th day of December, 2006.

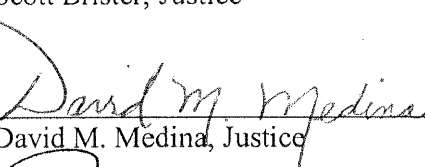

Wallace B. Jefferson, Chief Justice

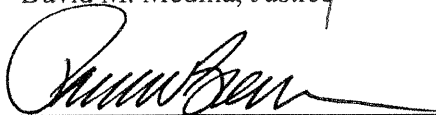

Nathan L. Hecht, Justice



Harriet O'Neill, Justice



J. Dale Wainwright, Justice


Scott Brister, Justice


David M. Medina, Justice


Paul W. Green, Justice


Phil Johnson, Justice


Don R. Willett, Justice

Corporate Counsel Doing Pro Bono – Making a Difference in Texas



**Corporate law departments of all sizes,
small or large –
from a staff of *one* to a staff of *many* –
can succeed!**

- Learn about pro bono opportunities in Texas
- Identify pro bono corporate counsel mentors/contacts in the state
- Learn about existing Corporate Law departments' pro bono policies
- Develop, maintain and expand a pro bono program in your corporate legal department

www.TexasLawyersHelp.org/corporatecounsel

Consider these 10 steps when developing a pro bono policy in the workplace.

- **Choose** - consider attorney interest, availability, and possible impediments and design your program with these in mind
- **Examine** - review the unmet legal needs and already existing legal programs specific to your community — identify new opportunities in the community, create new partnerships, expand the breadth of pro bono opportunities offered
- **Support** - secure the support of your company's chief legal and/or executive officer
- **Structure** - develop a formal structure that fosters team building and volunteer recognition
- **Partner** - establish strategic partnerships with corporate law departments and law firms and legal services agencies that provide malpractice insurance
- **Publicize** - reach out to all the attorneys AND support staff in your organization emphasizing real commitment
- **Launch** - host kick off events to generate enthusiasm, explain program goals, and introduce participants and partnerships
- **Recognize** - remember the power of positive recognition - it makes a big difference in the level of participation and commitment
- **Measure** - gauge your program's success and effectiveness through performance measures, including client & community outcomes and benefits to program participants
- **Evaluate** - regularly reassess, re-evaluate and, if necessary, restructure

Excerpt from www.CorporateProBono.org

Pro bono cases offer attorneys solid experience in:

- Honing legal skills
- Exercising corporate citizenship
- Building teamwork
- Recruiting new attorneys

“Through participation in the Texas State Bar efforts to provide equal access to justice for all citizens, attorneys from Corporate Law Departments are reinforcing the spirit of community service, a cornerstone of corporate social responsibility, while fulfilling the professional responsibility that arises from being a licensed member of the legal profession.”

Charles W. Matthews, Jr., Vice President and General Counsel of Exxon Mobil Corporation and Chair of the Texas Access to Justice Commission's Corporate Counsel Committee

Pro bono involvement by corporate legal departments:

- Enhances the corporation's reputation in the community
- Offers additional hands-on training and networking opportunities for its participants
- Encourages community awareness and involvement
- Increases familiarity with the local courts and judges, affiliate firms and organizations



MAKE A DIFFERENCE



Did you know that Texas has the second largest poverty population in the United States?

- Approximately 3.9 million people live below the federal poverty level in Texas, which means over 938,000 (14.2 %) of Texas families live in poverty.
- Only 20-25% of the civil legal needs of low-income and poor Texans are being met.

Corporate counsel and in-house attorneys are in a unique position to utilize their legal training as a means of participating in community volunteer activities by providing pro bono legal services. In turn, these pro bono efforts extend the corporation's community efforts and enhance the corporation's external reputation in the local community.

"It is a privilege to make a living practicing law. It is an even greater privilege to make a difference in the lives of many Texans currently without access to our justice system. Please consider exercising your privilege and providing legal services to those in need by affording poor and low income Texans the knowledge and expertise that only attorneys are uniquely trained and gifted to provide."

Lawrence P. Tu, Senior Vice President and General Counsel for Dell, Inc.

"If all of the in-house corporate counsel who are members of the Texas State Bar join the counsel already participating in pro bono, this group, collectively, will make a critical difference in providing legal help to the literally more than 4 million low income and poor Texans who desperately need legal assistance. This effort, in turn, would send a powerful message to the entire legal community and provide meaningful hope for the Texas Supreme Court's avowed desire to make access to justice a reality for all Texans."

James B. Sales, Chair of the Texas Access to Justice Commission

Attorneys contribute valuable, much needed legal expertise by:

- Providing legal advice at evening clinics, such as a Community Justice clinic
- Offering legal advice on transactional issues
- Drafting contracts for non-profit legal services programs serving the poor
- Assisting in the creation of employee handbooks for non-profit legal services organizations
- Filing protective orders on behalf of domestic violence survivors



What support is available for attorneys who accept pro bono cases?

- **Malpractice insurance:** The State Bar of Texas provides malpractice insurance coverage for attorneys who volunteer with an approved legal services provider. Ask your provider whether they offer malpractice insurance.
- **Free training:** Many volunteer attorney programs offer substantive law and ethics training for volunteers handling pro bono cases.
- **Paralegals:** The Paralegal Division of the State Bar of Texas offers paralegal assistance to attorneys working on pro bono cases. For more information, pro bono attorneys should contact the Paralegal Division's pro bono committee chair at www.txpd.org/default.asp.
- **Court reporters:** The Texas Court Reporters Association (TCRA) can provide court reporting services for pro bono cases. To learn more, pro bono attorneys should contact TCRA's pro bono committee chair at www.tcra-online.com.

How do I set up a pro bono program at my company?

- **TexasLawyersHelp.org:** This website contains resources for pro bono attorneys to assist in the representation of low-income clients. See www.texaslawyershelp.org/corporatecounsel.
- **Corporate Pro Bono:** This website provides information for in-house lawyers and companies interested in starting or expanding an organized pro bono program. Visit www.cpbo.org.
- **Pro Bono Institute:** This institute provides information, training and consulting to large law firms and corporations interested in pro bono. See www.probonoinst.org.
- **ABA Center for Pro Bono:** The American Bar Association (ABA) contains a library of materials for pro bono program administrators and volunteers. This website offers training resources, technical assistance. To learn more, visit www.abanet.org/legalservices/probono.

Where can I volunteer to help low-income Texans?

- **Texas C-BAR (statewide):** Texas C-BAR provides free legal assistance to Texas nonprofits working to improve the quality of life in low-income neighborhoods. Experienced transactional attorneys can help these non profit organizations with their real estate, tax, corporate, and employment law needs. To learn more, visit www.texasbar.org/attorneys.
- **Volunteer Legal Services of Central Texas (Austin):** VLS attorneys help low-income clients with issues such as wrongful evictions or foreclosures, disability benefits, wills, family law and guardianships. For more information, visit www.vlsoct.org/volunteer.
- **Dallas Volunteer Attorney Program (Dallas):** DVAP volunteer attorneys assist low-income clients with benefits, consumer, employment, family, housing, landlord-tenant, probate, real property, tax and wills matters by providing advice, brief legal services and/or full representation. To learn more, visit www.dallasbar.org/dvap.
- **Houston Volunteer Attorney Program (Houston):** HVLP offers volunteer attorneys a wide range of pro bono opportunities in both family and non-family law, such as divorce, collection and repossession, DTPA (small claims only), bankruptcy, IRS matters, estate and incapacity planning, property law and non-profit assistance. For more information, visit www.hvlp.org/volunteers.
- **San Antonio Community Justice Program (San Antonio):** The CJP accepts uncontested matters such as divorce, child custody modifications, guardianship proceedings, bankruptcy, simple landlord/tenant disputes, probate matters and wills. To learn more, visit www.sabar.org/cjp.

To inquire about pro bono opportunities in your area, contact TLCmail@texasbar.com.

IN THE SUPREME COURT OF TEXASMisc. Docket No. 04 - **9264**

**ORDER ESTABLISHING TASKFORCE
TO EXPAND LEGAL SERVICES DELIVERY**

At the request of the Court, the Texas Access to Justice Commission reported on the status of civil legal services to the poor in Texas in September 2004. In its report, the Commission identified various problems facing access to justice in Texas. Although every Texas county is served by a federally funded legal services program, some areas in the state remain chronically underserved, especially the rural counties. Remote distances, fewer satellite offices, and lack of transportation complicate access for poor people in rural counties.

The Supreme Court recognizes that access to justice requires special attention to the expansion of legal services to the underserved areas of Texas. Upon the recommendation of the Texas Access to Justice Commission, the Court agrees that a special Taskforce would assist in the successful expansion of legal services to underserved areas of Texas.

The Court **HEREBY ORDERS:**

The appointment and creation of a Supreme Court Taskforce to Expand Legal Services Delivery. The Supreme Court Taskforce to Expand Legal Services Delivery will:

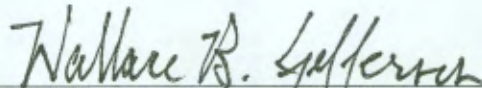
1. Coordinate a statewide effort with existing legal service providers to expand civil legal services to underserved areas of the state;
2. Report its findings, recommendations and results directly to the Texas Access to Justice Commission;
3. Draft an initial report to the Commission, due no later than six months from the creation of the Taskforce. The report should include:
 - minutes from each Taskforce meeting;
 - findings, plans and recommendations to better coordinate and expand delivery of legal services to the underserved areas of the state;
 - results of actions taken;
 - recommendation for Commission action to provide access to justice in these underserved areas; and
 - other relevant information.

4. Taskforce member Paul Furrh, Jr., will convene the first meeting and serve as temporary chair, at which time the Taskforce will select its permanent chair.
5. The following members are hereby appointed to the Taskforce:

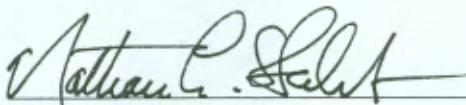
Pamela Baron, Chair, Appellate Section of the State Bar of Texas
Daniel Bishop, Chair-Elect, Litigation Section of the State Bar of Texas
J. Dennis Chambers, Texas Association of Defense Counsel, Inc.
Paul Furrh, Jr., Chief Executive Officer, Lone Star Legal Aid
Jesse L. Gaines, Chief Executive Officer, Legal Aid of NorthWest Texas
David Hall, Executive Director, Texas RioGrande Legal Aid
Steven James, Chair-Elect, Consumer Law Section of the State Bar of Texas
Mark Murdock, Chair-Elect, Corporate Counsel Section of the State Bar of Texas
Lee Ann Reno, President-Elect, Texas Young Lawyers Association
Tom Vick, Chair, Family Law Section of the State Bar of Texas
John Eddie Williams, President, Texas Trial Lawyers Association

Justice Harriet O'Neill, Supreme Court Liaison

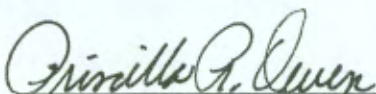
IN CHAMBERS, this 1st day of November, 2004.



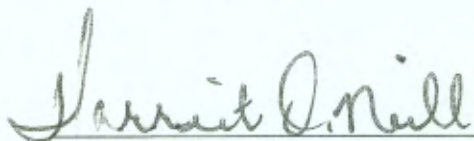
Wallace B. Jefferson, Chief Justice



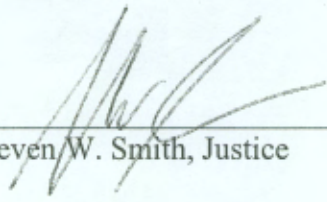
Nathan L. Hecht, Justice



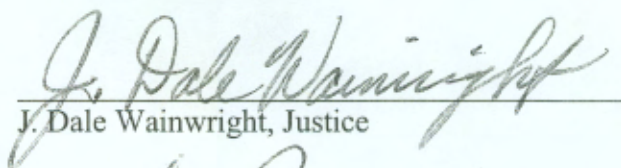
Priscilla R. Owen, Justice



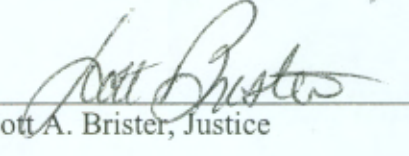
Harriet O'Neill, Justice



Steven W. Smith, Justice



J. Dale Wainwright, Justice



Scott A. Brister, Justice

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 05- 9056

**ORDER ESTABLISHING TASK FORCE
TO EXPAND LEGAL SERVICES DELIVERY**

At the request of the Court, the Texas Access to Justice Commission reported on the status of civil legal services to the poor in Texas in September 2004. In its report, the Commission identified various problems facing access to justice in Texas. Although every Texas county is served by a federally funded legal services program, some areas in the state remain chronically underserved, especially the rural counties. Remote distances, fewer satellite offices, and lack of transportation complicate access for poor people in rural counties.

The Supreme Court recognizes that access to justice requires special attention to the expansion of legal services to the underserved areas of Texas. Upon the recommendation of the Texas Access to Justice Commission, the Court agrees that a special Taskforce would assist the Commission in the successful expansion of legal services to underserved areas of Texas.

The Court HEREBY ORDERS:

The appointment and creation of a Supreme Court Taskforce to Expand Legal Services Delivery. The Supreme Court Taskforce to Expand Legal Services Delivery will:

1. Coordinate a statewide effort with existing legal service providers to expand civil legal services to underserved areas of the state;
2. Report its findings, recommendations and results directly to the Texas Access to Justice Commission and respond to specific recommendations as directed by the Commission to develop new and innovative programs;

Misc. Docket No. 05

9056

3. Draft an initial report to the Commission, due no later than six months from the creation of the Taskforce. The report should include:
 - minutes from each Taskforce meeting;
 - findings, plans and recommendations to better coordinate and expand delivery of legal services to the underserved areas of the state;
 - results of actions taken;
 - recommendation for Commission action to provide access to justice in these underserved areas; and
 - other relevant information.
4. The Taskforce will select its own chair from members appointed to the Taskforce.
5. The following members are hereby appointed to the Taskforce for terms as indicated:

Two-year terms:

Pamela Baron, Chair-Elect, Appellate Section of the State Bar of Texas
Daniel Bishop, Chair-Elect, Litigation Section of the State Bar of Texas
Tom Vick, Chair, Family Law Section of the State Bar of Texas
John Eddie Williams, President, Texas Trial Lawyers Association
Ellen Lockwood, Chair-Elect, Legal Assistants Division, State Bar of Texas

One-year terms:

J. Dennis Chambers, President, Texas Association of Defense Counsel, Inc.
Steven James, Chair-Elect, Consumer Law Section of the State Bar of Texas
Mark Murdock, Chair-Elect, Corporate Counsel Section of the State Bar of Texas
Lee Ann Reno, President-Elect, Texas Young Lawyers Association

Upon expiration of each term deemed to have commenced June 1, 2004, the member whose term expires will be replaced by the Chair-elect or President-elect, as indicated, of the member's organization. Subsequent terms will be for two years with such term to commence June 1 of the year the term begins.

The Executive Directors/CEOs of the three LSC funded programs in Texas shall serve as permanent Taskforce members. The following members who currently hold those positions are appointed to the Taskforce:


Paul Furrh, Jr., Chief Executive Officer, Lone Star Legal Aid
Jesse L. Gaines, Chief Executive Officer, Legal Aid of North West Texas
David Hall, Executive Director, Texas RioGrande Legal Aid

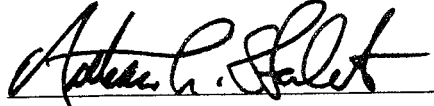
The chair of the Pro Bono Committee of the Texas Court Reporters Association shall serve as a permanent Taskforce member. The following member who currently holds that position is appointed to the Taskforce:

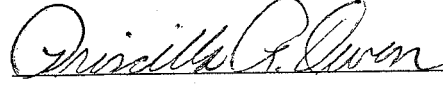
Debbie Saenz, Chair, Pro Bono Committee, Texas Court Reporters Association
Justice Harriet O'Neill, Supreme Court Liaison

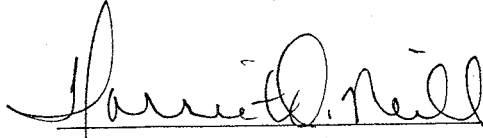
6. Miscellaneous Docket Order No. 04-9264 is hereby withdrawn.

IN CHAMBERS, this 23 day of March, 2005.

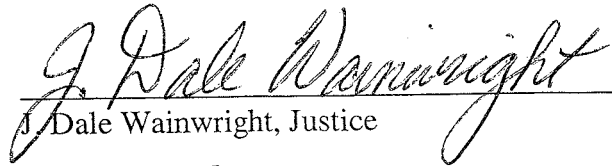

Wallace B. Jefferson, Chief Justice

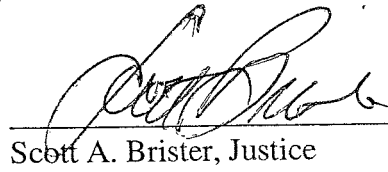

Nathan L. Hecht, Justice

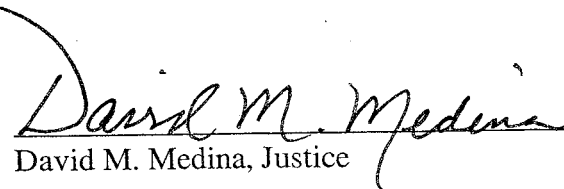

Priscilla R. Owen, Justice

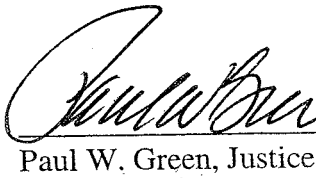

Harriet O'Neill, Justice

Misc. Docket No. 05 9056


J. Dale Wainwright, Justice


Scott A. Brister, Justice


David M. Medina, Justice


Paul W. Green, Justice

IN THE SUPREME COURT OF TEXASMisc. Docket No. 05 - **9182**

**ORDER ESTABLISHING TASK FORCE
TO EXPAND LEGAL SERVICES DELIVERY**

At the request of the Court, the Texas Access to Justice Commission reported on the status of civil legal services to the poor in Texas in September 2004. In its report, the Commission identified various problems facing access to justice in Texas. Although every Texas county is served by a federally funded legal services program, some areas in the state remain chronically underserved, especially the rural counties. Remote distances, fewer satellite offices, and lack of transportation complicate access for poor people in rural counties.

The Supreme Court recognizes that access to justice requires special attention to the expansion of legal services to the underserved areas of Texas. Upon the recommendation of the Texas Access to Justice Commission, the Court agrees that a special Taskforce would assist the Commission in the successful expansion of legal services to underserved areas of Texas.

The Court HEREBY ORDERS:

The appointment and creation of a Supreme Court Taskforce to Expand Legal Services Delivery. The Supreme Court Taskforce to Expand Legal Services Delivery will:

1. Coordinate a statewide effort with existing legal service providers to expand civil legal services to underserved areas of the state;
2. Report its findings, recommendations and results directly to the Texas Access to Justice Commission and respond to specific recommendations as directed by the Commission to develop new and innovative programs;

9182

Misc. Docket No. 05-_____

3. Draft an initial report to the Commission, due no later than six months from the creation of the Taskforce. The report should include:
 - minutes from each Taskforce meeting;
 - findings, plans and recommendations to better coordinate and expand delivery of legal services to the underserved areas of the state;
 - results of actions taken;
 - recommendation for Commission action to provide access to justice in these underserved areas; and
 - other relevant information.
4. The Taskforce will select its own chair from members appointed to the Taskforce.
5. The following members are hereby appointed to the Taskforce for terms as indicated:

Two-year terms:

Pamela Baron, Chair-Elect, Appellate Section of the State Bar of Texas
Daniel Bishop, Chair-Elect, Litigation Section of the State Bar of Texas
Tom Vick, Chair, Family Law Section of the State Bar of Texas
John Eddie Williams, President, Texas Trial Lawyers Association
Ellen Lockwood, Chair-Elect, Legal Assistants Division, State Bar of Texas

One-year terms:

J. Dennis Chambers, President, Texas Association of Defense Counsel, Inc.
Steven James, Chair-Elect, Consumer Law Section of the State Bar of Texas
Mark Murdock, Chair-Elect, Corporate Counsel Section of the State Bar of Texas
Lee Ann Reno, President-Elect, Texas Young Lawyers Association

Upon expiration of each term, such term deemed to have commenced June 1, 2004, the member whose term expires will be replaced by the Chair-elect or President-elect, as indicated, of the member's organization. Subsequent terms will be for two years with such term to commence June 1 of the year the term begins.

The following members are hereby appointed to the Taskforce for terms as indicated:

Two-year terms:

Thomas Pollan, Chair-Elect, Administrative and Public Law Section
Deborah Williamson, Vice Chair/Chair Elect, Bankruptcy Law Section

One-year terms:

Honorable Nikki DeShazo, Chair, Real Estate, Probate and Trust Law Section
Malinda Ann Gaul, Chair, Labor and Employment Law Section

Upon expiration of each term, such term deemed to have commenced June 1, 2005, the member whose term expires will be replaced by the Chair-elect or President-elect, as indicated, of the member's organization. Subsequent terms will be for two years with such term to commence June 1 of the year the term begins.

The Executive Directors/CEOs of the three LSC funded programs in Texas shall serve as permanent Taskforce members. The following members who currently hold those positions are appointed to the Taskforce:

Paul Furrh, Jr., Chief Executive Officer, Lone Star Legal Aid
Jesse L. Gaines, Chief Executive Officer, Legal Aid of NorthWest Texas
David Hall, Executive Director, Texas RioGrande Legal Aid

The chair of the Pro Bono Committee of the Texas Court Reporters Association and the chair of the Texas Access to Justice Commission shall serve as permanent Taskforce members. The following members who currently hold these positions are appointed to the Taskforce:

Debbie Saenz, Chair, Pro Bono Committee, Texas Court Reporters Association
James B. Sales, Chair, Texas Access to Justice Commission

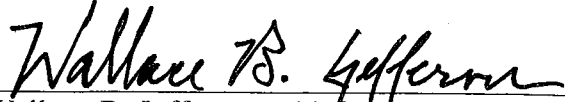
Justice Harriet O'Neill, Supreme Court Liaison


9182

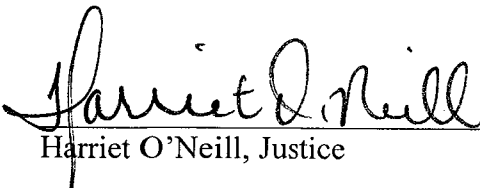
Misc. Docket No. 05-_____

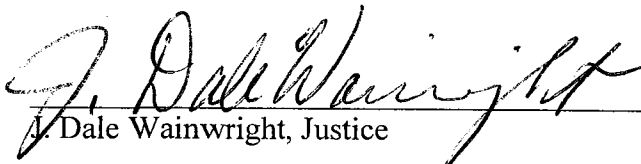
6. Miscellaneous Docket Order No. 05-9056 is hereby withdrawn.

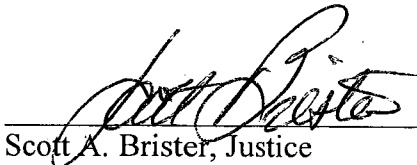
IN CHAMBERS, this 18th day of October, 2005.

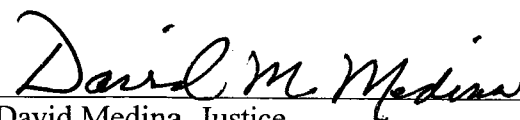

Wallace B. Jefferson, Chief Justice



Nathan L. Hecht, Justice


Harriet O'Neill, Justice


J. Dale Wainwright, Justice


Scott A. Brister, Justice


David Medina, Justice


Paul W. Green, Justice

Misc. Docket No. 05- 9182

Phil Johnson

Phil Johnson, Justice

Don R. Willett

Don R. Willett, Justice

Misc. Docket No. 05-9182

IN THE SUPREME COURT OF TEXASMisc. Docket No. 07 - 9137

**ORDER ESTABLISHING TASK FORCE
TO EXPAND LEGAL SERVICES DELIVERY**

At the request of the Court, the Texas Access to Justice Commission reported on the status of civil legal services to the poor in Texas in September 2004. In its report, the Commission identified various problems facing access to justice in Texas. Although every Texas county is served by a federally funded legal services program, some areas in the state remain chronically underserved, especially the rural counties. Remote distances, fewer satellite offices, and lack of transportation complicate access for poor people in rural counties.

The Supreme Court recognizes that access to justice requires special attention to the expansion of legal services to the underserved areas of Texas. Upon the recommendation of the Texas Access to Justice Commission, the Court agrees that a special Task Force would assist the Commission in the successful expansion of legal services to underserved areas of Texas.

The Court **HEREBY ORDERS:**

The appointment and creation of a Supreme Court Task Force to Expand Legal Services Delivery. The Supreme Court Task Force to Expand Legal Services Delivery will:

1. Coordinate a statewide effort with existing legal service providers to expand civil legal services to underserved areas of the state;
2. Report its findings, recommendations and results directly to the Texas Access to Justice Commission and respond to specific recommendations as directed by the Commission to develop new and innovative programs;
3. Draft an initial report to the Commission, which shall be due no later than December 1st of each year. The report should include:
 - Minutes from each Task Force meeting;
 - Findings, plans and recommendations of the Task Force to better coordinate and expand delivery of legal services to the underserved areas of the state;
 - Results of actions taken;
 - Recommendation for Commission action to provide access to justice in underserved areas;

- A one-year Plan of Action from each appointed member of the Task Force that details his or her section's stated intentions, plans and/or goals to assist the Access to Justice Commission; and
 - Other relevant information.
4. The Task Force will select its own chair from members appointed to the Task Force.
 5. The following members are hereby appointed to the Task Force for terms as indicated:

Permanent members:

Administrative Director, Office of Court Administration
 Chair, Texas Access to Justice Commission
 Chief Executive Officer, Lone Star Legal Aid
 Chief Executive Officer, Legal Aid of NorthWest Texas
 Commission Liaison, Supreme Court of Texas
 Executive Director, Texas RioGrande Legal Aid
 Pro Bono Committee Chair, Texas Court Reporters Association

Two-year terms, beginning each odd-numbered year:

Chair-Elect, Administrative & Public Law Section, State Bar of Texas
 Chair-Elect, Bankruptcy Law Section, State Bar of Texas
 Chair-Elect, Consumer & Commercial Law Section, State Bar of Texas
 Chair-Elect, Corporate Counsel Section, State Bar of Texas
 Chair-Elect, Military Law Section, State Bar of Texas
 Chair, Poverty Law Section, State Bar of Texas
 President-Elect, Texas Association of Defense Counsel*
 President-Elect, Texas Young Lawyers Association

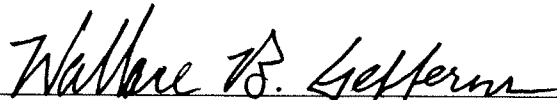
Two-year terms, beginning each even-numbered year:

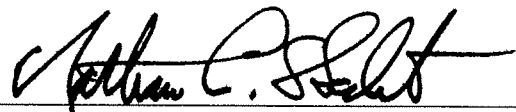
Chair-Elect, Appellate Section, State Bar of Texas*
 Chair-Elect, Family Law Section, State Bar of Texas
 Chair-Elect, Government Lawyers Section, State Bar of Texas
 Vice-Chair, Labor & Employment Law Section, State Bar of Texas
 Vice-Chair, Litigation Section, State Bar of Texas
 President-Elect, Paralegal Division, State Bar of Texas
 Vice-Chair, Real Estate, Probate & Trust Law Section, State Bar of Texas
 President-Elect, Texas Trial Lawyers Association

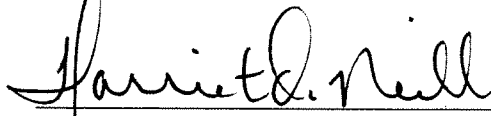
Each member of the Task Force is appointed for a two-year term commencing June 1, unless otherwise indicated. As each two-year term expires, the member is replaced by the incoming Chair-Elect, Chair, Vice-Chair or President-Elect, of their respective organization, as indicated in the order.

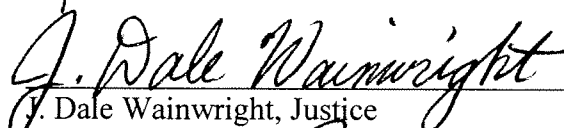
* Each member from this group or State Bar section is appointed for a two-year term commencing November 1.

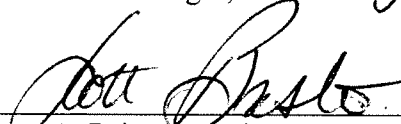
6. Miscellaneous Docket Order No. 05-9182 is hereby withdrawn.


Wallace B. Jefferson, Chief Justice

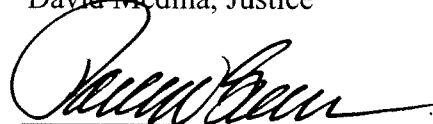

Nathan L. Hecht, Justice

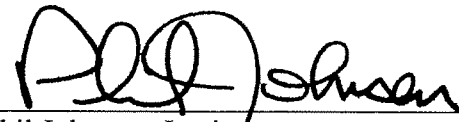

Harriet O'Neill, Justice


J. Dale Wainwright, Justice


Scott A. Brister, Justice

David Medina, Justice


Paul W. Green, Justice


Phil Johnson, Justice


Don R. Willett, Justice

LegalFront

Spring 2008 • Volume 9 No. 2

Pro Bono Section Award Winners Announced

A commitment to delivering legal services to the poor through the development of pro bono initiatives has been an integral part of many State Bar Sections. Some sections have sought to instill a lifelong devotion to pro bono by funding grants for summer interns to work directly in underserved communities. Other sections design CLE seminars directly aimed at showing attorneys how to apply expertise from a specific practice area to provide direct legal services to the poor.

In recognition of these efforts, the Supreme Court Task Force to Expand Legal Services Delivery (Task Force) sponsored the Pro Bono Section Award. The *Pro Bono Section Award* was established in 2007 to recognize State Bar Sections that develop and create innovative pro bono projects that extend services to underserved segments of the population. As identified by the State Bar, a large-, medium- and small-sized section received a \$1,000 prize to invest in their statewide pro bono project. Funding for the awards was generously provided through a grant from the Texas Bar Foundation.

At the Council of Chairs meeting on April 11, Karin Crump, Task Force Chair, congratulated the Family Law Section (large-sized section), Appellate Section (medium-sized section) and the Poverty Law Section (small-sized section) for their creative approaches to expanding the delivery of legal services to poor Texans.

Large-sized section winner: The *Family Law Section* works jointly with local legal aid programs to identify remote areas in the state where there is limited pro bono assistance available for family law cases. In select rural areas, the section hosts free CLE seminars. Through the presentation of relevant family law articles, the Family Law Section extends its expertise to attorneys living outside of metropolitan communities in exchange for the

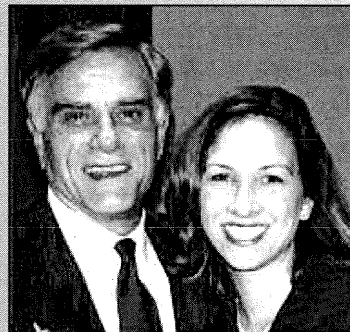
Continued on page 2.



*Eden Harrington,
on behalf of the
Poverty Law Section,
with Karin Crump*



*Marcy Hogan Greer,
on behalf of the
Appellate Section,
with Karin Crump*



*Warren Cole,
on behalf of
the Family Law Section,
with Karin Crump*

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Continued from page 1.

attorney's commitment to taking at least two pro bono cases from legal aid in the next year. With its \$1,000 award, the Family Law Section will develop a video or webcast of its CLE seminar so that the seminar can be shown in remote areas of the state.

Medium-sized section winner: In consideration of the needs of low-income clients and their Section's mission, the *Appellate Section* crafted an innovative approach to promoting pro bono among their membership. The Appellate Section partnered with the Supreme Court of Texas and the Third Court of Appeals in Austin to match clients who are financially unable to procure legal representation with volunteer Texas lawyers who agree to serve without expectation of compensation. In both of its pro bono programs, the clients obtain qualified legal counsel to help them navigate the often complex appeals process, while the attorneys gain valuable experience and exposure to the appellate courts. In the Supreme Court of Texas program, the Supreme Court refers cases to the Appellate Section's program when the Court requests full briefing on the merits and there is at least one party who is proceeding pro se because of his or her financial circumstances. Parties represented by counsel at the petition stage may also request to participate in the Appellate Section's program if the Court requests a merits briefing. In the Third Court of Appeals program, the Austin Court of Appeals has indicated it will give priority to program

cases for oral argument. A special subcommittee of the Section's Pro Bono Committee also screens, selects and finds volunteer lawyers to represent pro bono clients. The Appellate Section will use their award to enhance the program through increased publicity and also to pay for requests to expedite copies of key portions of the record, which are used to determine whether the program can place a case and provide pro bono assistance.

Small-sized section: The *Poverty Law Section* hosts a monthly CLE seminar on the "First Friday" of each month, focusing on different areas of poverty law that are current and/or requested by members. The topics have been as diverse as consumer law, family law, ethics, immigration law, landlord-tenant law and public benefits, but what truly sets the CLEs apart is their constant focus on legal services to indigent clients. The Poverty Law Section intends to use its award to expand the CLE series by webcasting future CLEs.

The Supreme Court Task Force to Expand Legal Services Delivery will seek nominations beginning next January for the second annual Pro Bono Section Award. For more information about the Supreme Court Task Force to Expand Legal Services Delivery or the Pro Bono Section Award, please contact Hong Tran at htran@texasbar.com.

In the inaugural year of the Pro Bono Section Award, the Supreme Court Task Force to Expand Legal Services Delivery (Task Force) received several impressive nominations detailing each section's efforts to expand access to justice for all Texans. The Task Force commends each nominated section (listed below) for their significant pro bono contributions.

Corporate Counsel Section
Litigation Section
Consumer and Commercial Law Section
Insurance Law Section
Paralegal Division



AMENDED VERSION REPLACES RELEASE ISSUED JULY 14TH

FOR IMMEDIATE RELEASE

July 15, 2008

Contact: Meg Meo,

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mmeo@echristianpr.com

Participation Jumps in Texas Access to Justice Commission's Summer Internship Program

Law students work in legal aid offices throughout Texas

AUSTIN, Texas — Twenty law students from around the state are participating in the Access to Justice Internship Program this summer. Student involvement has more than doubled since the program launched in 2006 as a two-year pilot project with only eight students. The program was created by the Texas Access to Justice Commission's Law School Advisory Committee, comprised primarily of the deans of all nine Texas law schools.

The Access to Justice Internship Program provides law students with an opportunity to participate in efforts that ensure more low-income Texans have access to the justice system, and it brings much-needed civil legal aid to areas outside cities with law schools. This year, 20 students are participating in 17 legal aid offices around Texas.

"The ATJ internship teaches much more than the everyday practice of law," Camille Varner, an intern assigned to the Nacogdoches Lone Star Legal Aid office, said. "It has shown the grim reality that many low-income Texans face, the necessity of balancing compassion and reason, and most importantly, the joy of making a difference in people's lives through law."

The law student interns work with legal aid attorneys in Angleton, Beaumont, Bryan, Del Rio, El Paso, Harlingen, Laredo, Longview, Nacogdoches, Paris, San Juan, Texarkana, Tyler, Waxahachie, Weslaco and Wichita Falls.

Prior to their placements, each intern attended a training and orientation session in Austin on May 29 and 30, where they learned about the basics of poverty law, interviewing and counseling clients, and professional responsibility issues. The internships, which began in June, last at least seven weeks. Each intern receives a stipend, generously provided by the Texas Bar Foundation and the Texas Legal Protection Plan, to offset living costs. Most students also receive academic credit for the internship.

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The Texas Access to Justice Commission (www.TexasATJ.org) was created in 2001 by the Supreme Court of Texas to develop and implement policy initiatives designed to expand access to and enhance the quality of justice in civil legal matters for low-income Texans. The Commission has created several initiatives to increase resources for and awareness of legal aid, including the domestic violence Protective Order Kit, the Texas Student Loan Repayment Assistance Program, and www.TexasLawHelp.org, an online resource for free legal information.

Since its inception in 1965, the Texas Bar Foundation has awarded more than \$9 million in grants to law-related programs. Supported by members of the State Bar of Texas, the Texas Bar Foundation is the nation's largest charitably-funded bar foundation.



SCHOOL OF LAW | NEWS & EVENTS

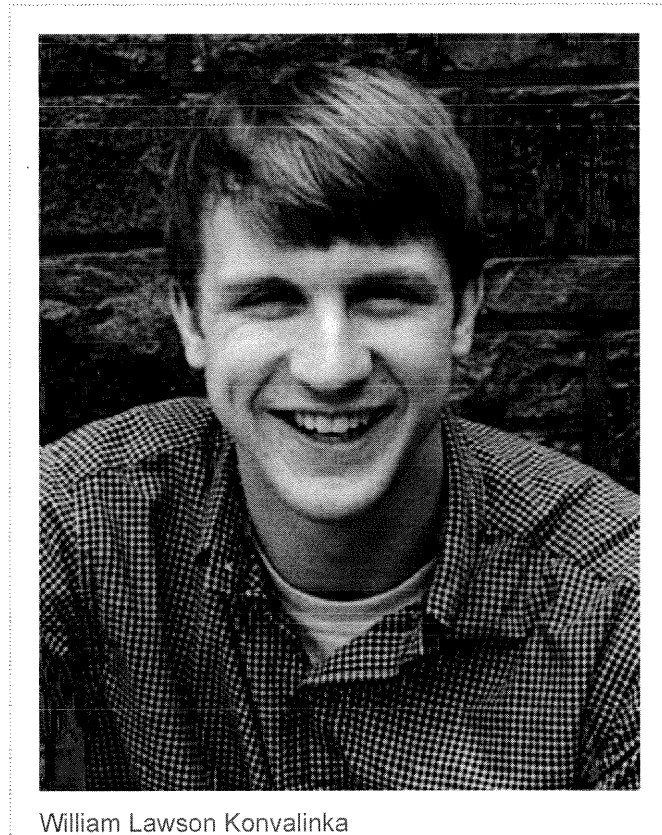
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July 28, 2008

UT Law's Fourth Equal Justice Scholarship Awarded to William Lawson Konvalinka

The University of Texas School of Law has awarded the fourth Equal Justice Scholarship to William Lawson Konvalinka, an incoming first-year law student. The scholarship covers full tuition and fees for three years of legal study.

The Equal Justice Scholarship was established to increase access to justice in Texas by supporting recipients' work in public interest during law school and after graduation. The scholarship's scope has been expanded for the Class of 2011 by permitting post-graduate work outside Texas. Konvalinka has committed to working after law school on a full-time basis for three years providing direct legal services to low-income individuals or groups at a non-profit organization in the United States.



William Lawson Konvalinka

"The Equal Justice Scholarship helps a promising new lawyer serve the public good without the burden of educational debt. It also recognizes the critical importance of increasing access to justice and the Law School's obligation to train public interest lawyers," said Eden Harrington, director of UT Law's William Wayne Justice Center for Public Interest Law, which administers the program.

The Law School developed the scholarship in partnership with the Texas Access to Justice Commission and Baylor University School of Law, which has a similar program. The Law School committed to fund three scholarships, collectively valued at \$135,000, over three years as a pilot program. The first three scholarships were awarded to Amber VanSchuyver, who graduated in May and has been awarded a prestigious two-year fellowship that will fund her work at Texas RioGrande Legal Aid in

Edinburg, Texas; Jessica Cassidy, a rising third-year law student; and Kyle Marie Stock, who is beginning her second year.

"Law is the arena in which those who have no voice are able to proclaim their basic rights," Konvalinka said. "I intend to advocate for individuals being denied their voice in our society and abroad." Konvalinka is a cum laude graduate of Vanderbilt University where he double majored in English and in Human and Organizational Development with a concentration in Community Development. After college, Konvalinka moved to Peru where he co-founded a microfinance project for women in a marginalized urban district outside Trujillo.

"Lawson has been awarded the Equal Justice Scholarship because of his demonstrated commitment to using the law to better our society," Harrington said. "He has already achieved great gains for the underserved through his work in Peru, and we are pleased to support his legal education."

The William Wayne Justice Center is dedicated to promoting equal justice for all through legal education. The Justice Center works toward this goal by educating students and attorneys about public interest issues through conferences, research projects, and clinical courses; by encouraging all students to participate in pro bono and public interest law throughout their careers; and by creating public service opportunities for students and graduates.

Related links:

[William Wayne Justice Center](#)

[UT Law's Third Equal Justice Scholarship Awarded to Kyle Marie Stock, '10](#)

[UT Law Awards Equal Justice Scholarship to Jessica Cassidy, '09](#)

[UT Law Awards Equal Justice Scholarship to Amber VanSchuyver, '08](#)

[Equal Justice Scholarships Created for Future Legal Aid Lawyers](#)

[Texas Access to Justice Commission](#)

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For Immediate Release
October 5, 2004

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**THE UNIVERSITY OF TEXAS SCHOOL OF LAW AND
BAYLOR UNIVERSITY SCHOOL OF LAW ANNOUNCE SCHOLARSHIPS
FOR FUTURE LEGAL AID LAWYERS**

AUSTIN, Texas – Just weeks after an historic Supreme Court of Texas hearing on the status of legal services for the poor, two Texas law schools have agreed to provide scholarships for students who commit to practice law with recognized legal aid organizations.

Baylor University School of Law and the William Wayne Justice Center for Public Interest Law at the University of Texas School of Law have established the Equal Justice Scholarships, which will be awarded to students with strong academic credentials as well as demonstrated commitment to public service. Upon graduation from law school, the scholarship recipients, in accordance with their commitment, will practice law at legal aid organizations for at least three years.

“It is crucial that all law students understand the need to make our legal system available to everyone,” Bill Powers, dean of the University of Texas School of Law, said. “These scholarships will underscore that message. They will also give critical support to students who plan careers in public interest law. We are delighted to work with the Access to Justice Commission to help bring this about.”

The Texas Access to Justice Commission, charged with overseeing the legal aid delivery system in Texas, has worked closely with the two law schools to implement the scholarship program. James B. Sales, chair of the Commission and a partner in the Houston office of Fulbright & Jaworski, hopes that other Texas law schools will be encouraged to create similar scholarships.

“Texas law schools have the unique and professionally important opportunity to instill in their students the importance of affording access to our justice system to all residents of Texas, regardless of their economic status,” Sales said. “Once again, UT and Baylor have assumed a leadership role in the legal profession’s service to the community and have demonstrated their commitment to equal justice under the law. The Commission is endeavoring to work with all Texas law schools to implement some form of scholarship program that will, in the long term, provide more lawyers to serve poor and low-income Texans.”

According to the American Bar Association, law school graduates carry an average of \$77,000 in school loan debt. Yet, the average entry-level salary for a legal aid attorney is approximately \$36,000 per year. The association recommends several strategies to alleviate the burden, including loan repayment or forgiveness programs and law school scholarships and fellowships for graduates who are willing to practice law with legal aid providers.

“Baylor Law School’s program instills in our students that the law, and their privilege as members of the bar, must be used to serve all the citizens of our state and nation, including most importantly, those who are marginalized,” Brad Toben, dean of Baylor Law School, said. “This scholarship program will make it possible for our graduates to serve where they are truly most needed.”

Currently in Texas, legal aid meets only 25 percent of the legal needs of poor Texans. To address this dilemma, the Texas Access to Justice Commission has undertaken a broad-based approach to increase access to the justice system for the poor. In 2002, the Commission created the Texas Student Loan Repayment Assistance Program to assist legal aid lawyers with law school loan debt. To date, the Commission has provided more than \$45,000 to legal aid lawyers in Texas. The State Bar of Texas recently committed an additional \$70,000 to the program. Despite these efforts, student loan repayment presents a major obstacle to graduates working for legal aid providers.

The Commission has also launched an ambitious five-year strategic plan, which includes the creation of an endowment fund, increasing corporate support, formulating programs to expand pro bono legal services and engaging law schools in legal aid issues.

Baylor University School of Law has committed to fund two Equal Justice Scholarships, collectively valued at \$143,000. The first scholarship will begin in 2005; the second will begin in 2007. The William Wayne Justice Center at U.T. School of Law has committed to fund three scholarships, collectively valued at \$135,000. UT will implement one scholarship each year over the next three years. Both law schools will evaluate the possibility of funding additional scholarships in the future.

*The **Texas Access to Justice Commission** (www.texasatj.org) was created by the Supreme Court of Texas to coordinate legal aid services for poor Texans. The Commission is charged with increasing resources for legal aid and developing policy initiatives to increase access to the legal system for Texas' most vulnerable residents.*

LegalFront

Summer 2005 • Volume 6 No. 3

ATJ Commission Hosts Texas Trial Academy

As part of a broad-based plan to increase the availability of legal aid for the poor, the Texas Access to Justice Commission hosted the first Texas Trial Academy to enhance the litigation skills of legal aid lawyers. The Texas Trial Academy was held May 15-19, at The University of Texas School of Law.

Members of the elite American College of Trial Lawyers donated their time to share their extensive trial knowledge and skills with the front-line lawyers who advocate for the poor. Membership in the American College of Trial Lawyers is by invitation only, extended to experienced trial lawyers who have demonstrated exceptional skill and whose careers have been marked by the highest standards of ethics and professionalism.

The Texas Trial Academy, the brainchild of Commission Chairman James B. Sales, of counsel to Fulbright & Jaworski L.L.P. in Houston, offered training sessions for legal aid lawyers from throughout Texas. The program included workshops on jury selection, direct and cross examination of witnesses, and preparation and delivery of opening and closing statements. U.T. provided its state-of-the-art courtrooms as well as staff assistance for videotaping the sessions.

"Improving the justice system for the poor is not just about raising money," Sales said. "We have to equip advocates with the

tools and training that will put them on a par with their competition. Legal aid programs could not afford to purchase this

level of training for their lawyers, but the Texas Trial Academy has empowered legal aid attorneys to provide top-quality representation to those who could not afford it otherwise. All the trainers volunteered not only their time and expertise, but paid for their own travel costs, too. We are very grateful to them."

The training, attended by 29 Texas legal aid lawyers, included live demonstrations of courtroom trial skills by experienced litigators. Following each day's demonstration, participants in the Texas Trial Academy had the opportunity to practice their skills and receive personalized professional critiques designed to develop and refine trial techniques. Attendees did not have to pay to attend the training. Scholarships covered their travel and lodging costs.

In addition to the intense trial training, participants had the opportunity to attend a dinner which featured keynote speaker Judge William Wayne Justice, a federal district judge best known for his rulings on integration, bilingual education and prison system reform in Texas.

"Improving the justice system for the poor is not just about raising money. We have to equip advocates with the tools and training that will put them on a par with their competition."

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Judge Justice Inspires Advocates

On May 18, Senior U.S. District Judge William Wayne Justice, spoke at the 2005 Texas Trial Academy dinner. The text of his speech follows.

I am very pleased to be here with you this evening and delighted to see so many lawyers devoted to legal services gathered together to sharpen their skills. As many of you know, I feel some kinship and deep respect for those lawyers who dedicate a significant proportion or all of their time to the representation of those of our citizens who would otherwise be unheard and who, without representation, would be the object of our legal system rather than its subjects. To be asked to speak to so many of you who have demonstrated a willingness to take up the challenge of such representation is, for me, a signal honor.

I have seen poor people's lawyers for a very long time now, first as a trial lawyer in the courts of East Texas, then as a U.S. attorney, and for the past 37 years, as a U.S. district judge, and I think I can make a few pertinent observations on the matter. First, being an advocate for the indigent is no way to win a popularity contest. There was a brief period, almost 40 years ago now, when scrappy young defenders of the voiceless were in fashion. Young men, and, increasingly, young women were coming from our best law schools with fire in their eyes, determined to fight the good fight. And many of them did, some for a lifetime. But fashion, even if it's a fashion for justice, is flimsy and evanescent. Those for whom representing the poor was merely the thing to do at the time have largely ceased to do it, just as they gave their Nehru

jackets and dashikis and bellbottoms to Goodwill stores long ago.

Since acclaim and riches are not your inducements, then what are? Why do you use the great talents you possess, not for self-aggrandizement, but in the service of those who otherwise have no such aid available to them? Why, in short, would anybody be a lawyer for the indigent?

Public interest advocacy, viewed as a job for the long haul, is not in fashion. Indeed, it is often a way to get people quite angry at you. Lawyers for the indigent tend to be unsettling people, disturbing the arrangements that the powerful create. They make those who wield authority feel less certain in that authority, which is a distinctly unpleasant and unwelcome sensation to them.

They remind all of us who live well of the nagging fact that, even in the most dynamic of the world's economies and the freest of its republics, there are those who do not live well, who have been cast aside, who do not enjoy the blessings of liberty the founders promised, because they are enchained by want and ignorance and fear. The task of poor people's lawyers is to bring their clients out of the shadows and into the light. There those clients stand, spectral figures of judgment at the feast. And as those of you who have read "Macbeth" and the Book of Daniel know, authority figures like Macbeth and Nebuchadnezzar do not take kindly to such presences, or to their interpreters.

If fashion and popularity do not account for what you do, dreams of wealth and place also are not the explanation. As I noted before, I have observed lawyers like yourselves for a long while, and I have noticed that few of you seem to wear Italian suits. You don't seem to get many \$100 dollar haircuts. From my



Judge Justice at the 2005 Texas Trial Academy dinner.



Congratulations to the twenty-nine attorneys who completed the 2005 Texas Trial Academy!

David Armendariz, Lawyers Committee for Civil Rights
 Julie Balovich, Texas RioGrande Legal Aid
 Steve Bartels, Texas RioGrande Legal Aid
 Amanda Chisholm, Texas RioGrande Legal Aid
 Maisha Colter, Aid to Victims of Domestic Abuse
 Tracy Figueroa, Texas RioGrande Legal Aid
 Jacquelyn Flynt, Legal Aid of NorthWest Texas
 Diana Gaston, Lone Star Legal Aid
 Jennifer Gibo, Family Haven Crisis & Resource Center
 Christina Gindratt, Lone Star Legal Aid
 Tai Ho, Legal Aid of NorthWest Texas
 Fred Krasny, Lone Star Legal Aid
 Wayne Krause, Texas Civil Rights Project
 Rachel Kunath, Lone Star Legal Aid
 Allecia Lindsey, NAACP-Houston Branch

Edwin Marino, Legal Aid of NorthWest Texas
 Rebecca Menduni, Volunteer Legal Services of Austin
 Nelson Mock, Texas RioGrande Legal Aid
 Cody Pirtle, Legal Aid of NorthWest Texas
 Danny Razo, Diocesan Migrant & Refugee Services
 Gene Rollins, Legal Aid of NorthWest Texas
 Jennifer Rosenbaum, Texas RioGrande Legal Aid
 Brent Schellhammer, Legal Aid of NorthWest Texas
 Jennifer Smith, Texas RioGrande Legal Aid
 Barbara Stalder, Lone Star Legal Aid
 Max Sukiennik, Lone Star Legal Aid
 Emily Villamar-Robbins, Legal Aid of NorthWest Texas
 Soraya Yanar, Texas RioGrande Legal Aid
 Kathryn Youker, Texas RioGrande Legal Aid

observations in courthouse parking lots, you seem a great deal more likely to drive Honda Civics than Ferraris or BMWs. I suspect that those of you who have come here from out of town are more likely staying at a Motel 6 or a Days Inn than the Driskell or the Four Seasons.

Since acclaim and riches are not your inducements, then what are? Why do you use the great talents you possess, not for self-aggrandizement, but in the service of those who otherwise have no such aid available to them? Why, in short, would anybody be a lawyer for the indigent?

The first answer, of course, is duty. The Texas Lawyer's Creed specifically states, "I am responsible to assure that all persons have access to competent representation regardless of wealth or position in life." In a society that proclaims its devotion to equal justice under law, there must be lawyers to realize that ideal. Justice is not supposed to be a consumer item available only to those with the power to purchase it. But unless there are enough lawyers willing to devote at least a portion of their professional careers to the representation of those without the power to pay, a consumer item is just what justice will be. Legal skills are, after

all, exactly like every other sort of professional skill in a market economy. Ordinarily, the better they are, the higher the price they can command.

The fine words of the lawyer's oath, however, only establish that somebody must be willing to provide such services at a discounted rate. The very next sentence after the one I read to you before fleshes out what is meant by each lawyer's responsibility to ensure access to justice for all: "I commit myself to an adequate and effective pro bono program." In short, the personal provision of such services is not a duty enjoined upon any particular lawyer. Yet, here we are, met in a room entirely filled with men and women who have made the general responsibility of indigent representation a significant part of their particular careers. Why would you do such a thing?

One answer, of course, is again duty — duty, however, conceived not in the abstract, but as a matter of personal conscience. I would not be surprised if many of you, when you pose the question to yourselves, think of your jobs as something you owe your clients, or owe American society, or owe the law. I would not be surprised if many of you feel bound, as did Presidents Franklin D. Roosevelt and John F. Kennedy, by the maxim that from those to whom much has been given, much should be expected.

Allied to that sense of obligation may, in many cases, be a belief that representing those who cannot speak for themselves has a kind of nobility to it. I think there is a lot to be said for that belief. President Kennedy, paraphrasing Aristotle, used to describe happiness as the full exercise of one's powers along lines of excellence. Certainly, the proper representation of your clients requires the full exercise of your powers. Your adversaries, whether the state or great private enterprises, will not stint in their efforts and in the full use of their resources, which are typically far greater than those at your command. So your jobs require heavy lifting. And as I learned when I started going to the gym in my 50s, a concerted program of heavy lifting, though it may be exhausting in the extreme, does nothing but good for your constitution.

While virtue and duty may be fine motivations, it is too easy to be virtuous and dutiful, but utterly lacking in joy. And that is no way to live your life or to build your career. If you spend your days grimly doing nothing but what you conceive to be your duty, your life will suffer and your clients will suffer as well. If you spend your days contemplating the nobility of your own sacrifice, what you will be telling those you represent is that they are no more than the beneficiaries of your largesse.

You will be telling them that they do not deserve your saintly self-abnegation; and you know, as well as I, just how often your clients are told, by every institution with which they come into contact, that they are the undeserving poor. Beyond the damage that joylessness will do to your client is the damage it will do to you, your friends, and your loved ones. No person who has a choice ought to spend a career trapped where he or she does not want to be. If your career is not, first and foremost, a pleasure to you, then you ought to leave it.

The most compelling reason, then, for a lawyer to take up the fight on behalf of those on the margins of life is that doing so is a positive pleasure. Now, only persons having certain traits of character find that pleasure. In a speech almost two decades old, I had occasion to refer to legal services lawyers as "burrs under the saddle." To be a burr under the saddle of society, to be a constant prick to the social conscience, requires a certain strong-willed and tough cussedness, a cussedness that may be disguised by a genteel personality, but is still there, nevertheless. It requires an unwillingness to accept the smooth lies of power and a willingness to confront those smooth lies with rough truths. That is the task of an advocate for the indigent, and it is a task which affords any number of distinct pleasures — the pleasure of exercising all your skills in a cause you believe to be just, the pleasure of combat against the most vigorous and talented of adversaries, the pleasure of knowing that even though you've been knocked down once, or twice, or 20 times, there still remain sweet victories in your future.

In one of her books, Molly Ivins tells a story about one of the great American lawyers of the 20th century, Joseph Rauh. Rauh was a man who made a lot of money; but more important, he was a man who made a lot of history, notably in the movement for civil rights for all Americans and also for representing victims of the climate of fear created by what one of his clients famously dubbed as the "scoundrel time" of McCarthyism. As Ivins tells the story, Rauh, because of a serious illness, was unable to attend a banquet held to honor his accomplishments. A friend, who had been deputized to speak for him, went to Rauh's hospital room and asked, "Joe, what do you want me to tell them?" Rauh answered, "Tell 'em how much fun it was."

I wish for each of you every success. But most of all, I hope that when you reflect on your respective careers, you, too, will be able to say, "Tell 'em how much fun it was."

The most compelling reason, then, for a lawyer to take up the fight on behalf of those on the margins of life is that doing so is a positive pleasure.



*Texas Access to Justice Commission
Resolution of Commendation
Texas Fellows of the American College of Trial Lawyers*

The Texas Access to Justice Commission, created by the Supreme Court of Texas in 2001, conceived the Texas Trial Academy for legal services staff attorneys as a part of its strategic plan to improve access to justice for low-income Texans.

The Commission requested the American College of Trial Lawyers authorize its Texas Fellows to organize, structure and conduct a comprehensive trial advocacy academy designed to enhance the advocacy skills of legal service staff lawyers and, thereby, make these staff lawyers more effective in their representation of poor and low income Texans. The leadership of the American College of Trial Lawyers promptly and generously agreed to authorize its Texas Fellows to provide the academy as requested by the Commission. This academy was conducted by the Texas Fellows at the University of Texas School of Law courtroom facilities in Austin, Texas commencing May 15 and concluding on May 19, 2005. The Texas Fellows of the ACTL who generously contributed their time, talent and effort by participating in this Trial Academy included:

<i>Orway Denny – Houston</i>	<i>Cynthia Grimes – San Antonio</i>	<i>Knox Nunnally – Houston</i>	<i>Chuck Murray – McAllen</i>	<i>Marry Jones – Amarillo</i>
<i>Jeff Wolff – Houston</i>	<i>Tom Henson – Tyler</i>	<i>Richard Griffin – Houston</i>	<i>Tommy Jacks – Austin</i>	<i>Broadus Spivey – Austin</i>
<i>Dan Bishop – Austin</i>	<i>Ed Junell – Houston</i>	<i>Larry Carlson – Dallas</i>	<i>Lewin Plunkett – San Antonio</i>	<i>Kenneth Tekell – Houston</i>
<i>Lamont Jefferson – San Antonio</i>	<i>Douglas Chaves – Corpus Christi</i>	<i>Fidel Rodriguez – San Antonio</i>	<i>George Butts – Austin</i>	<i>Larry Boyd – Houston</i>
<i>Terry Tottenham – Austin</i>	<i>John Weber – San Antonio</i>	<i>Steve McComico – Austin</i>	<i>Don Davis – Austin</i>	<i>Mike McKenna – Austin</i>
<i>Murray Fogler – Houston</i>	<i>Cliff Gunter – Houston</i>	<i>Tom Cunningham – Houston</i>	<i>R.H. Wallace – Fort Worth</i>	<i>Gerald Goldstein – San Antonio</i>
<i>Pat Leckridge – Austin</i>	<i>Jerry Clements – Dallas</i>	<i>Dicky Grigg – Austin</i>	<i>Jerry Beane – Dallas</i>	

The Commission extends its profound and heartfelt gratitude to the American College of Trial Lawyers for its generosity and farsightedness in recognizing the importance of well-trained trial lawyers to represent the poor and low income people in our society who are too often denied access to the justice system due to lack of legal representation. The Commission believes such training is critically important if access to the justice system for all is to become a reality.

The Commission acknowledges that the Trial Academy would not have been possible without the generous contributions and dedicated effort of the Texas Fellows. This endeavor required an enormous commitment of time, effort and talent in planning, coordination and cooperation among all those involved in bringing comprehensive and complex trial advocacy training program to fruition. The Commission particularly recognizes the efforts of Orway Denny who devoted significant time and effort to plan the advocacy program and to recruit Texas Fellows to participate in its presentation.

The Commission commends the American College of Trial Lawyers and, in particular, its Texas Fellows, for their diligence and tireless efforts in making this project a remarkable success. The extraordinary performance by the Texas Fellows who participated in the Trial Academy was in keeping with the highest tradition and ideals of the American College of Trial Lawyers.

Adopted this 20th day of May 2005 by the Texas Access to Justice Commission at its regular meeting at Houston, Texas.

*James B. Sales, Chair
Texas Access to Justice Commission*

Attest:

*Emily C. Jones, Executive Director
Texas Access to Justice Commission*

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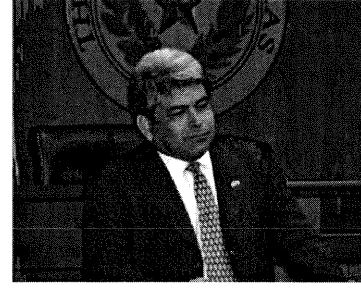
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their peers, and received immediate individualized feedback from instructors.

2006 Texas Trial Academy

For a second consecutive year, the Texas Fellows of the American College of Trial Lawyers (ACTL) partnered with the Texas Access to Justice Commission to provide an intensive five-day trial skills academy for legal aid lawyers. Thirty-two Texas Fellows of the elite ACTL donated their time and expenses to come to the law school to train and mentor the front-line advocates for the poor on trial skills. Participants benefited from watching daily courtroom demonstrations from legends such as Broadus Spivey, Lee Godfrey, and Bill Whitehurst. Chief Justice Wallace Jefferson, of the Texas Supreme Court, joined the participants for dinner on the final evening of the academy.

The University of Texas Law School donated its teaching courtrooms for both programs; the Texas Bar Foundation funded expenses for attendees.



Texas Supreme Court Justice David Medina answers questions from participants in the Appellate Advocacy Academy.



Texas Trial Academy course director Mike McKetta, Graves Dougherty Hearon & Moody, P.C. (left) and Jim Sales, chair, Texas Access to Justice Commission (right).

2006 Texas Trial Academy class, instructors, and staff with Chief Justice Wallace Jefferson.



From left to right: Chief Justice Wallace Jefferson; Texas Access to Justice Commission chair, Jim Sales; and Susman Godfrey partner Lee Godfrey visit at the trial academy dinner.



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Texas Access to Justice Commission Hosts Trial Academy for Legal Aid Lawyers



Corinna Spencer-Scheurich of the Texas Civil Rights Project in San Juan thanked Cynthia Day Grimes for her work as the Trial Academy course director.



Ludo Perez Gardini (Catholic Charities – Dallas) and Juan Angel Gomez (Texas RioGrande Legal Aid – San Antonio) prepare for their closing arguments.

The Texas Access to Justice Commission hosted its 2008 Texas Trial Academy on May 18-22, for legal aid attorneys. Held at The University of Texas School of Law in Austin, the Trial Academy provided legal aid attorneys the opportunity to enhance their litigation skills and knowledge by participating in demonstrations of various trial phases conducted by the Texas Fellows of the American College of Trial Lawyers.

Texas members of the elite American College of Trial Lawyers, along with other prominent attorneys, donated their time and shared their extensive trial expertise with the front-line lawyers who advocate for the poor in Texas. Membership in the American College of Trial Lawyers is by invitation only, extended to experienced trial lawyers who have demonstrated exceptional advocacy skills and whose careers have been marked by the highest standards of ethics and professionalism.

“We are extremely grateful to the Texas Fellows of the American College of Trial Lawyers and other faculty members for donating their time, expense and extraordinary talents to enhance the trial skills of legal aid attorneys who work every day to help the most disadvantaged members of our communities,” Jim Sales, chair of the Texas Access to Justice Commission, said. “The Trial Academy afforded attendees the opportunity to learn from some of the best litigators in the business, which has a direct and positive impact on the quality of service delivered to legal aid clients.”

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Thirty staff attorneys from legal aid organizations throughout Texas attended the five-day, interactive seminar, which included advocacy skills, direct and cross examinations, opening statements, and closing arguments, and voir dire. After each skills workshop, participants were individually critiqued by Trial Academy faculty. "For attorneys working on the front-lines of providing legal services to low-income Texans, this training was invaluable," Texas Civil Rights Project attorney Corinna Spencer-Scheurich said. "The Trial Academy provided an extraordinary opportunity to hone a variety of important skills that will help the Texas legal aid community immensely."

Cynthia Day Grimes from Ball & Weed, P.C. in San Antonio served as the course director for the Trial Academy.



Peter (Jody) Barton (Texas Civil Rights Project), Linley Boone (Texas RioGrande Legal Aid – Weslaco), Kamisha Dumas (Legal Aid of NorthWest Texas – McKinney) and Catherine Williams (South Texas College of Law) discuss the trial advocacy concepts they have learned at the Trial Academy.

TexasLawHelp.org

Free online legal resource
for low-income Texans.

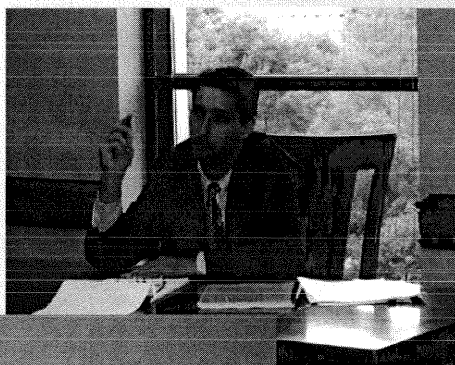
The screenshot shows the TexasLawHelp.org website. At the top, there's a navigation bar with links for 'About Us', 'Contact Us', 'News', and 'User Survey'. Below that, the main heading reads 'TexasLawHelp.org' with the tagline 'Free legal assistance for low-income Texans'. A secondary navigation bar includes 'Other States', 'Advanced Search for Help', 'About Legal Aid', and 'Legal Aid Directory'. The main content area is titled 'TexasLawHelp, your one stop, online resource for free and low-cost civil legal assistance in Texas.' and lists various legal topics with corresponding icons: Disaster Relief (FEMA Benefits, Insurance Claims, Public Benefits, ...), Family Law and Domestic Violence (Protective Orders, Divorce, Child Support, Custody), Housing (Homesownership, Landlord-Tenant, Public Housing, ...), Consumer (Bankruptcy, Debt Collection, Identity Theft, ...), Wills & Estates (Wills & Estates), Immigration (Immigration and Naturalization Problems), Disability (Rights of People with Disabilities), Civil Rights (Discrimination, Due Process, First Amendment Protections, ...), and Migrant Workers (Rights of Migrant Workers). A sidebar on the right contains a search box, 'You Are Here TX' with a dropdown for 'TX', and 'Resources in other languages' with options for 'Español' and 'Tiếng Việt'. At the bottom, there are links for 'Admin Login' and 'Disclaimer', and a note 'powered by probono.net'.

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ATJ Commission Hosts Advocacy Trainings for Legal Aid Lawyers

Bill Boyce, course director for the 2006 Motions & Appellate Advocacy Academy, comments on oral arguments given the final day of the academy.



Gregory Miller, Texas Legal Services Center (Austin), responds to questions during his oral argument, while Jennifer Smith, Texas RioGrande Legal Aid (Weslaco) listens.

From left to right: Jim Sales, chair of the Texas Access to Justice Commission, watches oral arguments with Erika Hightower, Legal Aid of NorthWest Texas; Melissa Shearer, Texas Lawyers Care; and Appellate Academy instructor Michael Truesdale of Diamond McCarthy Taylor Finley Bryant & Lee, L.L.P.



This spring, the Texas Access to Justice Commission partnered with members of the State Bar's Appellate Section and the Texas Fellows of the American College of Trial Lawyers to train and mentor fifty-two legal aid lawyers on trial and appellate advocacy skills. Bill Boyce, a partner with Fulbright & Jaworski L.L.P., directed the first training, the 2006 Motions and Appellate Advocacy Academy, April 20-21. Two weeks later, Mike McKetta, Graves, Dougherty, Hearon & Moody, P.C., led the 2006 Texas Trial Academy, May 7-11.

2006 Motions & Appellate Advocacy Academy

With the help of Warren Harris, a partner with Bracewell & Giuliani and chair of the Appellate Section, Bill Boyce developed a fictional child custody case and recruited five additional appellate specialists to lead training sessions with him. The first day of the seminar featured lively interactive sessions on "Building the Brief," oral advocacy, and one-on-one writing critiques. That evening, Supreme Court Justice David Medina, made a special trip from Houston to speak to the group and express the Court's tremendous support for the dedication of legal aid and pro bono lawyers. The final portion of the seminar was dedicated to sharpening oral advocacy skills; participants went head to head in oral arguments with

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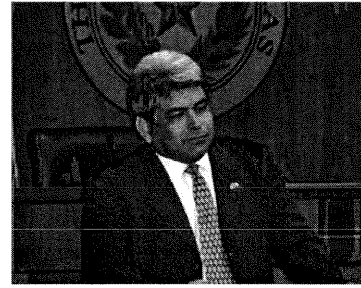
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their peers, and received immediate individualized feedback from instructors.

2006 Texas Trial Academy

For a second consecutive year, the Texas Fellows of the American College of Trial Lawyers (ACTL) partnered with the Texas Access to Justice Commission to provide an intensive five-day trial skills academy for legal aid lawyers. Thirty-two Texas Fellows of the elite ACTL donated their time and expenses to come to the law school to train and mentor the front-line advocates for the poor on trial skills. Participants benefited from watching daily courtroom demonstrations from legends such as Broadus Spivey, Lee Godfrey, and Bill Whitehurst. Chief Justice Wallace Jefferson, of the Texas Supreme Court, joined the participants for dinner on the final evening of the academy.

The University of Texas Law School donated its teaching courtrooms for both programs; the Texas Bar Foundation funded expenses for attendees.



Texas Supreme Court Justice David Medina answers questions from participants in the Appellate Advocacy Academy.



Texas Trial Academy course director Mike McKetta, Graves Dougherty Hearon & Moody, P.C. (left) and Jim Sales, chair, Texas Access to Justice Commission (right).

2006 Texas Trial Academy class, instructors, and staff with Chief Justice Wallace Jefferson.



From left to right: Chief Justice Wallace Jefferson; Texas Access to Justice Commission chair, Jim Sales; and Susman Godfrey partner Lee Godfrey visit at the trial academy dinner.



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Texas Access To Justice Commission Hosts Evidence Academy For Legal Aid Lawyers

The Texas Access to Justice Commission hosted the Evidence Academy in Austin on May 17-18 for legal aid attorneys. The Evidence Academy, held at The University of Texas Law School, provided legal aid attorneys the opportunity to enhance their skills and knowledge regarding the rules of evidence and to discover new techniques and strategies for presenting evidence in court.

Members of the elite American College of Trial Lawyers (ACTL) donated their time to share their extensive trial knowledge and skills with the front-line lawyers who advocate for the poor. Membership in the American College of Trial Lawyers is by invitation only, extended to experienced trial lawyers who have demonstrated exceptional skill and whose careers have been marked by the highest standards of ethics and professionalism.

Sixty staff attorneys from legal aid organizations throughout Texas attended the two-day, interactive seminar, which included lectures, mock court proceedings, and Q&A sessions. Evidence Academy faculty demonstrated trial skills through mock hearings and answered questions from participants about style and technique.

"The Texas Fellows of the American College of Trial Lawyers have responded each time we have asked them to share their talent and skills with legal aid lawyers. We can't thank them enough," said Jim Sales, Chair of the Commission.

Dan Bishop of Bishop London Brophy & Doods, P.C. in Austin served as the course director for the Evidence Academy. Trainers at the Academy included:

Steve Goode
University of Texas Law School, Austin

Terry Tottenham
Fulbright & Jaworski, Austin, ACTL

Steve McConnico
Scott Douglass & McConnico, Austin, ACTL

Dicky Grigg
Spivey & Grigg L.L.P., Austin, ACTL

Lynne Liberato
Haynes and Boone, LLP, Houston, ACTL

David Berg
Berg & Androphy, Houston, ACTL

Judge Darlene Byrne
126th District Court, Austin

Judge Suzanne Covington
201st District Court, Austin

Judge Jennifer Elrod
Harris County Civil Courthouse, Houston

Larry Boyd
Fisher Boyd Brown Boudreaux & Huguenard,
Houston, ACTL

Pro Bono Champion: Deborah Hankinson

Deborah Hankinson practices civil appellate law and serves as a mediator and arbitrator. She has served as a justice on the Fifth District Court of Appeals and the Supreme Court of Texas.



What pro bono work are you involved in now?

I serve as chair of the American Bar Association's Standing Committee on Legal Aid and Indigent Defendants (SCLAID). I am a member of the board of the Texas Access to Justice Foundation, and I serve on the Texas Access to Justice Commission. I was involved in the planning and start-up of the Texas Access to Justice Commission and, through my

work with the ABA, I am now working with other states to start similar access to justice initiatives. Also through the ABA, I work with Congress in an effort to increase funding to the Legal Services Corporation.

What did you hope to accomplish through the creation of the Texas Access to Justice Commission?

I desired to do more to meet the legal services needs of Texans who otherwise would not receive the help they desperately need.

Are other states following Texas' lead?

I have worked with about a dozen states, many in the South, to encourage them to create access to justice initiatives. Texas was one of the first states to adopt an access to justice initiative, following the lead of Washington State. Today, there are access to justice programs in 25 states, with more in the works.

Continued on page 4.

LegalFront

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Technology Improving Legal Aid Service Delivery

Texas faces unique challenges in the delivery of legal services to the poor. The state has almost four million people living below the federal poverty level, many of whom need or will need free legal assistance. Additionally, the sheer size of the state creates difficulties in providing services in remote or rural areas.

As the need for civil legal aid increases, technology will play a more integral role in ensuring that low-income and poor Texans are able to attain access to the justice system.

In 2003, the Texas Access to Justice Foundation and the Texas Access to Justice Commission launched TexasLawHelp.org, a Web site featuring free civil legal information, self-help forms

and a database of legal aid offices. As more and more people, including those of limited means, turn to the Internet for self-education, providing free legal resources online greatly expands the ability of poor Texans to understand and exercise their rights.

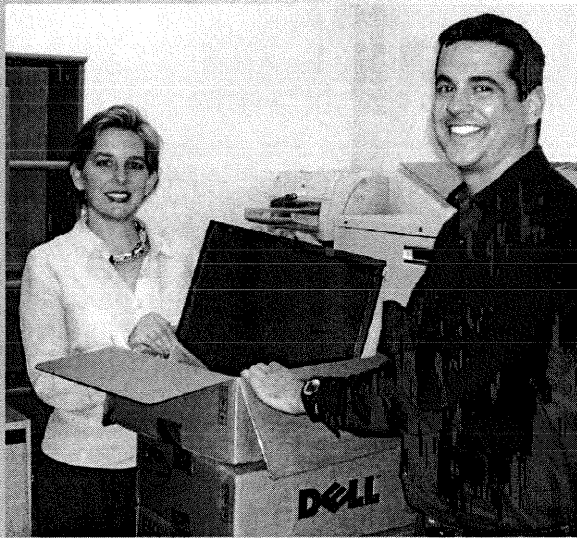
At the local level, the Lubbock office of Legal Aid of NorthWest Texas (LANWT) is utilizing a Victims of Crime Act (VOCA) grant to serve victims in remote areas. With the funding, LANWT has instituted video conferencing intake. Because attorneys are able to save the time and expense of traveling, videoconferencing is making it possible for more victims, such as those who have experienced domestic violence, to meet with attorneys.

While efforts such as these have met with great success, many legal aid offices have been operating with the most minimal and archaic of equipment. Recognizing the need to level the technological playing field, the Texas Access to Justice Commission established the Technology Committee to help legal aid offices elevate their capabilities through the use of technology.

Over the last year, the Committee analyzed the status of technology in legal aid offices throughout the state and provided recommendations on how to bring these offices up to speed with hardware and software. The Committee recognized that without adequate equipment and computer programs, legal aid providers could not reach optimal effectiveness and efficiency in the delivery of legal services.

The Committee collected and evaluated detailed information from each organization funded by the Texas Access to Justice Foundation about their technology program. After analyzing the results, the Committee developed a plan to help providers

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Andrea Sloan and Heath Riddles unpack their new technology equipment at the Texas Advocacy Project.

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maximize their technology tools to better serve their clients. The Committee realized that, because of limited funds, many providers needed updated equipment for their growing client base. As a result, the Committee examined the costs and benefits of purchasing computers, printers, scanners and software for each legal aid organization in Texas.

Upon completion of the analysis, the Texas Access to Justice Foundation’s board of directors voted to make a one-time, bulk purchase of equipment and software and donate them to the legal aid organizations. Legal aid organizations will be responsible for maintaining a baseline level of equipment in the future.

Paul Furrh, executive director of Lone Star Legal Aid, said that technology has been a priority of the organization for several years. “This grant allows us to continue to fill our needs in this important area,” Furrh stated. “We have made a decision to use this grant to allow our lawyers greater mobility in serving our clients in our rural communities, allowing these advocates to have access to all of our resources while away from their offices.”

The new equipment will enable legal aid service providers to improve efficiency through networking and information sharing, automating case management systems, and upgrading outmoded equipment. Equipment such as laptop computers will enable advocates to work on cases remotely.

David Hall, executive director of Texas RioGrande Legal Aid (TRLA), said the new equipment and software licenses will make it easier to serve clients and gain access to new resources that will help them navigate the legal system. “Texas RioGrande Legal Aid is proud to work with the Commission and Foundation to serve low-income Texans,” Hall said. “With this support, TRLA attorneys will be able to take advantage of the latest technology to provide justice for all.”

The following individuals provided pro bono services to the Texas Access to Justice Commission’s Technology Committee by helping develop the statewide technology plan: C. Lynn McGuire, chief information officer, Andrews Kurth LLP (Houston); J. Mark Hendrick, director of information technology, Baker Botts, LLP (Houston); C. Kirk Scruggs, director of information technology, Bracewell & Giuliani LLP (Houston); Scott Preston, chief technology officer, Fulbright & Jaworski LLP (Houston); and Dennis Van Metre, chief technology officer at Vinson & Elkins

(Houston). Additionally, Nick Altizer, director of information services for Lone Star Legal Aid (Houston), and Ryan Gravelle, general counsel for BSG Alliance Corp. (Austin), also serve on the committee and donated countless hours to the project. Jeff Edwards, of Whitehurst, Harkness, Ozmun & Brees in Austin, serves as the Technology Committee’s chair.

Hendrick, of Baker Botts, said the Committee’s accomplishments thus far in terms of technology and training support are exciting. “It has been proven that customer service is enhanced with the use of state-of-the-art technology,” Hendrick said. “Being able to assist in providing this kind of technology to Texas legal aid organizations through the efforts of the Commission and Foundation has been a privilege and an extremely rewarding experience. I look forward to the future as the Committee continues to focus on improving these agencies’ technology as they strive to provide the best possible aid to those in need of legal representation.”

Linda Brandmiller, executive director of Catholic Charities of San Antonio, said that prior to the donation, employees were sharing computers, and systems were crashing due to a lack of memory. She also said the new equipment will allow for greater productivity. “Combined, the new hardware and the database system will kick start our immigration program into the 21st century, with the ability to document, track and remotely access client files in ways we could hardly even dream of just a few short months ago.”

In addition to the Herculean task of analyzing and making recommendations for 37 legal aid offices, the Technology Committee has also instituted training classes for legal aid staff on utilizing Microsoft Word to better serve clients. The Committee held 16 three-hour trainings in four cities and online in 2007, and they intend to offer additional training during the summer of 2008. Attendees raved about the trainings, calling them excellent, beneficial and informative.

The Texas Access to Justice Commission’s Technology Committee is committed to helping legal aid organizations utilize technology to run their offices more effectively and better serve their clients. The Committee will continue to evaluate the status of the legal services providers’ technological programs and identify ways in which to increase their capabilities.

Bestselling Author John Grisham Donates \$20,000 To Internship Program

John Grisham, attorney and best-selling author, has donated \$20,000 to the Texas Access to Justice Commission to partially sponsor law-student interns working at legal aid organizations this summer. The law student interns are working with legal aid attorneys in Angleton, Beaumont, Corpus Christi, Edinburg, Laredo, Tyler, San Juan and Weslaco.

Grisham, a featured speaker at the State Bar of Texas Annual Meeting in June, donated his speaker's honorarium to the Texas Access to Justice Commission's Summer Law Student Internship Program. Grisham's contribution funded stipends for the law student interns participating in the program.

The internship program, a collaboration between the Commission and all nine Texas law schools, provides law students the opportunity to participate in efforts to ensure that more low-income Texans have access to the justice system. The program also brings much needed civil legal aid to areas of the

state that lack a nearby law school. This year, 14 interns from seven Texas law schools spent seven weeks learning to help low-income Texans who face serious legal problems.

"We are delighted with the success of the Summer Internship Program and very grateful to John Grisham for his generous donation which will help these young law students defray some of the costs of relocating for the summer," Jim Sales, chair of the Texas Access to Justice Commission, said. "The deans of our law schools have been extraordinarily supportive of this project, which they developed."

The interns attended a training and orientation session in Austin on May 17 and 18, where they learned about the basics of poverty law, interviewing and counseling clients, and professional responsibility issues. The internship, which began in May, will run through July.

Hands-On Technology Training for Legal Services Staff

The Texas Access to Justice Commission continues to work on initiatives to improve existing technology resources in order to maximize the delivery of legal services to the poor. The Commission recognized the importance of maximizing staff proficiency when using technology, such as word processing, to increase the delivery of legal services to poor and low-income Texans. To help achieve this goal, the Commission partnered with five prominent Texas firms to offer free introductory and advanced Microsoft Word training programs for legal services staff. These interactive sessions have allowed legal services staff to work directly with trainers on specific word processing tasks, such as formatting a document or creating a template.

Those who contributed their time, talent, effort and support to make this training program possible included training coordinators from Andrews Kurth LLP, Baker Botts LLP, Vinson & Elkins LLP, Bracewell Guiliani LLP and Fulbright & Jaworski LLP.

To facilitate the availability of the training to legal aid providers throughout the state, several Microsoft Word trainings have been conducted and are scheduled at regional sites in Austin, Dallas, Houston and San Antonio. The trainings were scheduled beginning May 3 and will continue through August 23. Additionally, online trainings have been created and are available. Participants have learned effective techniques and practices in the fundamentals of Microsoft Word. Participants who attended the first event had high praise for the training, indicating the classes were "extremely useful and relevant." One participant stated, "I learned a lot of things that I can use on a daily basis to make me a more effective worker."

The Commission appreciates the generous contributions of time, talent and dedicated effort by each of the training coordinators and the support of their respective law firms.

2008 Access to Justice Summer Training Series



Word

Word 1

Learn how to:

- Create documents from templates
- Create a legal pleading
- Open, save and view documents
- Select text and graphics
- Move, copy and format text
- Find and replace text
- Spell check
- Print and use page setup options
- Use AutoText

Word 2

Learn How to:

- Work with Headers and Footers
- Insert page numbers
- Work with Section Breaks
- Use Word styles to format text
- Use outline numbering
- Create a Table of Contents
- Insert and format Word tables
- Create envelopes and labels
- Create cross references
- Perform a mail merge



Excel

Excel 1

Learn how to:

- Explore the Excel workspace
- Enter text and numbers
- Insert/delete columns and rows
- Basic cell formatting
- Print and preview a spreadsheet
- Create Headers and Footers
- Formula and Function overview

Excel 2

Learn how to:

- Manage worksheets
- Freeze panes
- Hide columns and rows of data
- Work with cell ranges
- Excel's list management functions
- Use formulas and functions
- Copy Excel data into Word

Firm Addresses

Andrews Kurth

Dallas - 1717 Main Street, Suite 3700 Dallas, TX 75201

San Antonio - Pyramid Building, 601 N.W. Loop 410, Suite 375 & 380 San Antonio, TX 78216

Baker Botts

Austin - 1500 San Jacinto Center, 98 San Jacinto Boulevard Austin, TX 78701-4078

Bracewell Giuliani

Austin - 111 Congress Avenue, Suite 2300 Austin, TX 78701-4061

Dallas - 1445 Ross Avenue, Suite 3800 Dallas, TX 75202-2711

Fulbright & Jaworski

Dallas - 2200 Ross Avenue, Suite 2800, Dallas, TX 75201-2784

Houston - 1301 McKinney - 36th floor, Houston, TX 77010

Vinson & Elkins

Houston - 1001 Fannin (First City Tower), Suite 2500 Houston Texas 77002

Texas Tech Law School - Computer Lab

Lubbock - 1802 Hartford Lubbock, Texas 79409

University of Texas at El Paso - Kelly Hall

El Paso - 425 Kelly Hall, 2nd Floor Computer Lab, El Paso, TX 79968-0703

2008 Access to Justice Summer Training Series


- Word 1 & 2** 
- Austin
 - May 22nd - Baker Botts
 - Word 1: 9:00am – 12:30pm
 - Word 2: 1:30pm – 5:00pm
 - July 17th - Baker Botts
 - Word 1: 9:00am – 12:30pm
 - Word 2: 1:30pm – 5:00pm
 - Dallas
 - May 29th - Bracewell Giuliani
 - Word 1: 9:00am – 12:30pm
 - Word 2: 1:30pm – 5:00pm
 - July 24th - Andrews Kurth
 - Word 1: 9:00am – 12:30pm
 - Word 2: 1:30pm – 5:00pm
 - El Paso
 - Aug 14th - UTEP (Kelly Hall, 2nd Fl)
 - Word 1: 9:00am – 12:30pm
 - Word 2: 1:30pm – 5:00pm
 - Houston
 - June 19th - Fulbright & Jaworski
 - Word 1: 9:00am – 12:30pm
 - Word 2: 1:30pm – 5:00pm
 - Aug 21st - Fulbright & Jaworski
 - Word 1: 9:00am – 12:30pm
 - Word 2: 1:30pm – 5:00pm
 - Lubbock
 - June 12th - Texas Tech Law School
 - Word 1: 9:00am – 12:30pm
 - Word 2: 1:30pm – 5:00pm
- San Antonio**
- June 19th - Andrews Kurth
 - Word 1: 9:00am – 12:30pm
 - Word 2: 1:30pm – 5:00pm
 - Aug 21st - Andrews Kurth
 - Word 1: 9:00am – 12:30pm
 - Word 2: 1:30pm – 5:00pm

- Excel 1 & 2** 
- Austin
 - June 26th - Baker Botts
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
 - July 18th - Bracewell Giuliani
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
 - Aug 14th - Baker Botts
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
 - Dallas
 - May 30th - Fulbright & Jaworski
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
 - June 26th - Bracewell Giuliani
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
 - Aug 21st - Bracewell Giuliani
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
 - El Paso
 - July 10th - UTEP (Kelly Hall, 2nd Fl)
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
 - Houston
 - May 22nd - Vinson & Elkins
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
 - June 20th - Vinson & Elkins
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
 - July 24th - Vinson & Elkins
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
 - Lubbock
 - August 7th - Texas Tech Law School
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
- San Antonio**
- May 29th - Andrews Kurth
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
 - July 17th - Andrews Kurth
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm
 - Aug 22nd - Andrews Kurth
 - Excel 1: 9:00am – 12:30pm
 - Excel 2: 1:30pm – 5:00pm

Registration

From the Internet, type in:

teajf@universitysite.com

Address  <http://teajf.universitysite.com>

Login: your work email address

Password: atj2008

Register for training at teajf.universitysite.com
Need Help? Call Erica - 512-320-0099, ext. 103

Access to Justice

By Chief Justice Wallace B. Jefferson

We can do better. Texas ranks 42nd in the nation in per capita revenue for civil legal aid and 43rd in per capita funding for indigent criminal defense. We are dead last in both categories among the 10 most populous states. The Supreme Court of Texas is aware of these statistics and, for the past decade, has worked with the Legislature and the Texas Access to Justice Foundation (TAJF) to increase our commitment to those who cannot afford legal services. With help from the Legislature, innovation in our approach to IOLTA accounts, and procedural changes, we are making great strides.

MANDATORY LEGAL SERVICES FEE

The Legislature, under the leadership of Sen. Rodney Ellis and Rep. Kino Flores, reiterated its commitment to access to justice by removing the sunset provision on the \$65 legal services fee that was set to expire on Sept. 1, 2007. This small contribution is critical to the work of TAJF and the Texas Access to Justice Commission (ATJ), as well as to counties seeking to provide fair representation to indigent defendants. The legislation garnered bipartisan support in both chambers of the Legislature and was signed into law by Gov. Rick Perry.

COMPARABILITY RULE

Last year, TAJF noticed a glaring discrepancy in the interest rates IOLTA accounts received compared with other bank accounts. Working with financial institutions, lawyers, legislators, and other stakeholders, Texas' access to justice leaders, with Justice Harriet O'Neill, TAJF Chair Richard L. Tate, and ATJ Commission Chair Jim Sales at the helm, embarked on a mission to obtain interest rates for IOLTA accounts that compare favorably with those paid elsewhere. The Court endorsed those efforts by adopting a "comparability rule" that requires attorneys to place their IOLTA funds with financial institutions that pay a comparable rate.

Before the rule change, the average IOLTA interest rate paid by the top 80 Texas banks was 0.65 percent, while most non-IOLTA high-balance accounts paid between 3.31 percent and 4.92 percent. Since adoption of the new rule, revenue has increased dramatically for programs that provide basic civil legal services to poor Texans. Those increases may surpass original estimates as many Texas banks are going above and beyond the comparable rate requirement and agreeing to pay 70 percent of the federal interest rate on large IOLTA accounts. For a list of these Prime Partner banks, go to www.teajf.org.

AMENDMENTS TO TRCP 145

In 2005, the Court received reports that its rule requiring formal hearings to test a litigant's indigence status — even when

the party was represented by a recognized legal services provider and the party's indigence was uncontested — drained significant judicial resources unnecessarily. As a result, the Court amended Texas Rule of Civil Procedure 145(c) to eliminate the need for a hearing when a party represented by an attorney providing free legal services files an "IOLTA certificate" together with an affidavit for indigence. This rule change conserves courts' limited resources and eases pro bono representation. It is premised on the fact that IOLTA-funded programs carefully screen applicants for services because any violation of the strict income restrictions set by federal and state regulations would jeopardize program funding. The scrutiny of the content requirements in the application and the review of a party's income eligibility by legal services programs allow sufficient examination of a litigant's indigence without need for a hearing. Amended Rule 145 reflects a convergence of two important principles of our judicial system — conservation of judicial resources and increased access to justice for the poor. As members of the bench and bar attain familiarity with the amended rule, the Court trusts that its purpose will be fully realized.

PRO BONO VIDEO

The State Bar of Texas has joined with the Legislature and the Supreme Court to encourage lawyers to provide legal services to those unable to pay. The centerpiece of the effort is a new video, *Pro Bono: The Difference Is You*, narrated by Dan Rather. Commissioned by TAJF and the ATJ Commission, the video showcases several attorneys who regularly provide pro bono services to the poor and some of the clients who have been helped by their efforts. I hope the video will inspire you to establish or renew your commitment to pro bono work.

CONCLUSION

Although I am excited about the progress being made, we have far to go. Today, we meet only 20 to 25 percent of the legal needs of the 3.9 million Texans living below the federal poverty level and the more than 900,000 Texas families living in poverty. And while we have increased the number of indigent defendants receiving court-appointed counsel over the past five years, overall costs are rising as much as 30 percent, straining our ability to provide constitutionally guaranteed assistance of counsel. I am confident that with the support of the Legislature and the bar, we will continue to make great strides in serving those who can least afford to pay for legal services.

WALLACE B. JEFFERSON

is chief justice of the Supreme Court of Texas.



The Supreme Court of Texas

CHIEF JUSTICE
WALLACE B. JEFFERSON

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Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK
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GENERAL COUNSEL
ALICE McAFEE

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

PUBLIC INFORMATION OFFICER
OSLER McCARTHY

May 1, 2008

Dear Texas Attorney:

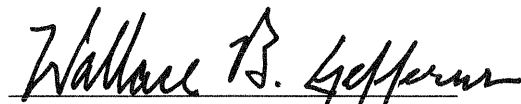
Last year, Texas attorneys voluntarily gave more than \$520,000 dollars through the Access to Justice contribution on the State Bar of Texas dues statement to provide civil legal services to the poor (those with an annual income of less than \$13,000 for an individual or \$26,500 for a family of four). Thanks to your generosity, Texans in critical need received basic legal help to free themselves and their children from domestic violence, to secure subsistence benefits when age or disabilities prevented them from working, and to secure protections for the elderly. We are proud that Texas attorneys contributed so much to those who desperately need legal aid. And we encourage your continued generosity this year.

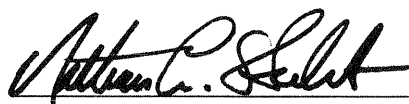
Texas attorneys are also generous with their time. A recent State Bar survey shows that 58 percent of Texas lawyers performed pro bono work in 2006, with an average of 43 hours. The Supreme Court commends your contributions of time and talent. We recognize, however, that only a fraction of the legal needs of the poor are being addressed. Therefore, we challenge every Texas attorney to contribute 50 hours of pro bono service this year.

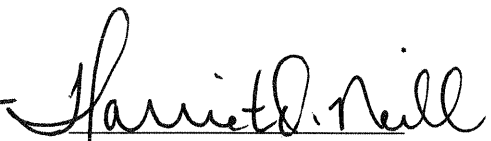
So that the State Bar may demonstrate the value of lawyers' service to the poor, we also encourage you to report your pro bono hours and financial contributions online at www.texasbar.com/reporting. If you do not have internet access, please contact Texas Lawyers Care at the State Bar at 800-204-2222, ext. 6844.

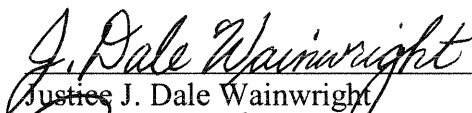
It is important for our profession to lead the way in bringing attention to this societal need and to assist in every way we can. We urge each of you to participate by contributing the suggested amount on the dues statement and by completing the online voluntary reporting so that access to justice for all can become a reality.

Sincerely,

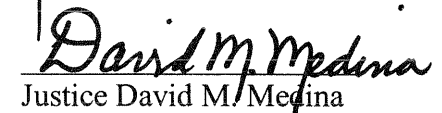

Chief Justice Wallace B. Jefferson


Justice Nathan L. Hecht

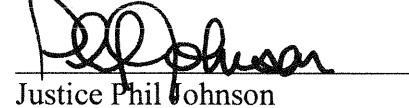

Justice Harriet O'Neill

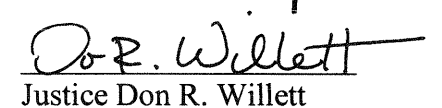

Justice J. Dale Wainwright


Justice Scott Brister


Justice David M. Medina


Justice Paul W. Green


Justice Phil Johnson


Justice Don R. Willett



TEXAS ACCESS TO JUSTICE COMMISSION

FOR IMMEDIATE RELEASE

April 12, 2005

Contact: Laura Figueroa
512.659.4750 (mobile)
512.320.0099, ext.104 (office)

SELF-HELP PROTECTIVE ORDER KIT NOW AVAILABLE FOR DOMESTIC VIOLENCE VICTIMS

Supreme Court of Texas and Texas Access to Justice Commission collaborate to provide low-income victims access to court-ordered protection.

Austin, Texas --- The Supreme Court of Texas, in collaboration with the Texas Access to Justice Commission, today unveiled a **self-help Protective Order Kit** which will enable victims of domestic violence to file their own applications for protective order. The kit, created by a Texas Supreme Court Task Force, will make it possible for victims to have access to court-ordered protection for themselves and their children, including compelling the abuser to leave the home if necessary.

The Protective Order Kit was unveiled at a press conference to commemorate National Crime Victims' Rights Awareness Week, which is observed April 10-16, 2005. Texas First Lady Anita Perry, Texas Attorney General Greg Abbott and Supreme Court Justice Harriet O'Neill spoke at the press conference in support of the Protective Order Kit. Additionally, Thomasina Olaniyi-Oke, a survivor of domestic violence, spoke about how legal aid helped her escape a violent marriage.

The free, step-by-step Protective Order Kit comes with detailed instructions for filling out the paperwork, having a temporary order signed by a judge and requesting a hearing date to grant the protective order. The temporary order and the protective order are enforceable once they are signed by a judge. The kit also provides helpful information for victims on how to prepare for the hearing. There is no cost to the victims to participate in these proceedings.

The Protective Order Kit is available at www.TexasLawHelp.org. The kit will be translated into Spanish and Vietnamese within six months.

At the press conference, Perry and Abbott praised the Supreme Court for its vision in authorizing the development of a packet that at the least may give victims peace of mind, and at most may save lives.

“Domestic violence is a tragedy that affects far too many families in our state,” Perry said. “The Protective Order Kit will give families and individuals the opportunity to begin on the path to the life everybody deserves – one free of fear and full of hope – back on the road to happiness.”

In 2003, more than 185,000 domestic violence incidents were reported in Texas. In the same year, 153 women were murdered by an intimate partner. The availability of the Protective Order Kit will be especially helpful to women who cannot afford to hire an attorney. The Protective Order Kit may be their only alternative, if they do not qualify for free legal assistance.

“Domestic violence has reached alarming levels in Texas, and often victims are too frightened or too financially strapped to get the help they need,” Abbott said. “This kit addresses both of those problems by empowering victims to file their own court papers and get out of danger as quickly as possible.”

The Protective Order Task Force, which developed the kit, is composed of experienced family law practitioners, judges and prosecutors from throughout Texas. The Texas Access to Justice Commission, with a \$26,000 grant from the Texas Bar Foundation, will distribute the kit in hard copy and on CD to law enforcement agencies (including police departments and sheriff offices), domestic violence shelters, medical facilities, court clerks and public libraries. Since its inception in 1965, the Texas Bar Foundation has awarded more than \$6 million in grants to law-related programs. Supported by members of the State Bar of Texas, the Texas Bar Foundation is the nation's largest charitably-funded bar foundation.

Time Warner Cable and KWEX-TV Univision in San Antonio donated production services for the development of English- and Spanish-language public service announcements, which will be aired statewide to publicize the kit.

“Though there is no substitute for legal representation for victims of domestic violence, the Protective Order Kit can be an invaluable tool for those who do not have access to a lawyer,” Texas Supreme Court Justice Harriet O’Neill said. “We want to let family violence victims, particularly those of limited means, know that there is a way out.”

The Protective Order Kit can be downloaded at www.TexasLawHelp.org. Individuals needing assistance with filling out the paperwork, information about their legal rights or assistance with safety planning should call the Women’s Advocacy Project’s Family Violence Legal Line at 800.374.4673.

Protective Orders

What is a protective order?

It is a court order that protects you from someone who has been violent or threatened to be violent.

How can a protective order help me?

It can order the other person to:

- Not hurt you or threaten to hurt you
- Not contact you or go near you, your children, other family relatives, your home, where you work, or your children's schools
- Not have a gun or a license to carry a gun

The police can arrest the other person for violating any of these orders.

Can I get a protective order?

You can get a protective order if:

- Someone has hurt you, or threatened to hurt you, **and**
- You have a close relationship with that person (you were or are married, dating or living together, have a child together or are close relatives), **and**
- You are afraid that person may hurt you again.

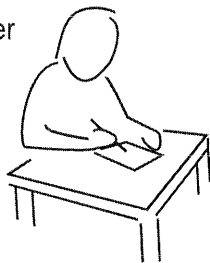
How much does it cost?

It is free for you.

How do I ask for a protective order?

Fill out the forms in this kit:

- Application for Protective Order
- Temporary Ex Parte Protective Order
- Protective Order
- Respondent Information



Where do I file the forms?

After you fill out the forms, take the forms with 2 copies to the courthouse. File them in the county where you or the other person lives. But if you have a divorce or custody case pending against the other person, file the forms in that same county or the county where you live.

What if the other person and I live together or have children together?

The judge can make orders about who gets to use the house, apartment or car.

The judge can also make other orders, like child custody, child support, visitation, and spousal support.

Can I get protection right away?

The judge may give you a temporary order that protects you until your court hearing. This order is called a "Temporary Ex Parte Protective Order".

In some cases, the judge orders the other person to leave the home right away. If you want this, you should ask the judge. Be ready to testify at a hearing when you file your Application.

Do I have to go to court?

Yes. Even if you get a Temporary Ex Parte Protective Order, you must go to the next hearing. It should be in about 2 weeks. The judge will decide if you should have protection and for how long. If you do not go, the Temporary Ex Parte Protective Order may end.

Read *Get Ready for Court* in this kit. Or get it from the court clerk or from:

www.texaslawhelp.org/protectiveorderkit

How will the other person know about the protective order?

You must have the other person "served" **before** the court hearing. This means someone—not you—will serve the other person a copy of your application for a protective order.

The clerk can arrange for law enforcement to serve the other person the court papers for FREE (for you).

Need help?

There is an instruction sheet for each form. But, if you need more help, contact:

Family Violence Legal Line: **800-374-HOPE**

Or, go to:

www.texaslawhelp.org/protectiveorderkit

Get Ready for Court



Don't miss your hearing!

If you miss it, your Temporary Ex Parte Protective Order may end and you will have to start from the beginning.

Get ready.

- Fill out a Protective Order before you go to court and bring it with you.
- Bring any evidence you have, like photographs, medical records, torn clothing. Also bring witnesses who know about the violence, like a neighbor, relative or police. The judge may ask them to testify.
- Bring proof of your and the other person's income and expenses, like bills, paycheck stubs, bank accounts, tax returns.
- If the Proof of Service was returned to you, file it with the clerk and bring a copy to court.

Get there 30 minutes early.

- Find the courtroom.
- When the courtroom opens, go in and tell the clerk or officer that you are present.
- Watch the other cases so you will know what to do.
- When your name is called, go to the front of the courtroom.

What if I don't speak English?

When you file your papers, tell the clerk you will need an interpreter.

If a court interpreter is not available, bring someone to interpret for you. Do not ask a child, a protected person, or a witness to interpret for you.

What if I am deaf?

When you file your papers, ask for an interpreter or other accommodation.

What if I need child support or visitation orders?

Call the Family Violence Legal Line before you go to court: **800-374-HOPE**

What if I am afraid?

If you don't feel safe, call your local family crisis center or the National Domestic Violence Hotline: **800-799-SAFE**

Practice what you want to say.

Make a list of the orders you want and practice saying them. Do not take more than 3 minutes to say what you want.

If you get nervous at the hearing, just read from your list. Use that list to see if the judge has made every order you asked for.

The judge may ask questions.

The other person or his or her lawyer may also ask you questions. Tell the truth. Speak slowly. Give complete answers.

If you don't understand, say, "I don't understand the question."

Speak only to the judge unless it is your turn to ask questions. When people are talking to the judge, wait for them to finish. Then you can ask questions about what they said.

What happens after the hearing?

If the judge agrees you need protection, the judge will sign your Protective Order.

Take your signed order to the court clerk. Ask for copies of your order (or make extra copies) and keep one with you at all times.

Give copies of your order to your children's day care, babysitter, or school. If the other person violates the order, call the police and show them your order.

Need help?

If you are in danger, call the police: **911**

Or call Family Violence Legal Line:
800-374-HOPE

Or go to:

www.texaslawhelp.org/protectiveorderkit

PERSONAL SAFETY PLANNING

Information provided by Texas RioGrande Legal Aid

SAFETY DURING AN EXPLOSIVE INCIDENT

- If there is an argument, try to be in a place that has an exit. Avoid the bathroom, kitchen or any room that may contain weapons.
- Practice how to get out safely. Know what doors, windows, elevators, stairwells, or fire escapes you would use.
- Keep purse and car keys readily available.
- Identify a friend or neighbor you can tell about the violence and ask them to call 911 if they hear a disturbance coming from your house.
- Arrange a code word to alert your children, friends and family that you need help.
- Plan where you will go if you have to leave home & a back-up place (even if you don't think you are going to need it).
- In a dangerous situation, appease the abuser if possible to keep him or her calm. You have the right to protect yourself until you are out of danger.

Remember: You don't deserve to be hit or threatened!

SAFETY FOR YOUR CHILDREN

- Talk to your children about a safety plan when you are not with them.
- Tell your children's school and/or daycare who has permission to pick up the children.
- Teach your children how to dial 911 for police and fire assistance.
- Practice your escape plan with the children, if appropriate.

SAFETY WHEN YOU ARE PREPARING TO LEAVE

- Abusers are more violent when they believe that the person they have abused is leaving the relationship. This is the time to be most cautious.
- Get your own post office box so that you can receive checks and mail.
- Open a checking or savings account in your own name at a different bank and try to get a credit card in your own name, to increase your independence.
- Leave money, an extra set of keys, copies of important papers, extra clothes and medicine with someone you can trust so you can leave quickly.
- Keep change for phone calls on you at all times. Using a calling card is not safe!
- You can seek shelter and help by calling 1-800-799-SAFE. Figure out who would be able to let you stay with them or lend you some money.
- If you have pets, make arrangements for them to be cared for in a safe place.
- Review your personal safety plan often.

SAFETY AND YOUR EMOTIONAL HEALTH

- The experience of being battered and verbally degraded by partners is usually exhausting and emotionally draining.
- If you are thinking about going back to your abusive partner, talk to someone you trust about your options.
- Have positive thoughts about yourself and be assertive about what you need.
- Plan to attend a support group.
- If you have to communicate with your partner, take someone with you for moral support & meet in a public place.

SAFETY IN THE HOME

- Use different banks, grocery stores and shopping malls. Shop at hours different from those you used when residing with the abuser. Change your routine!
- If you stay in your home:
 - Change the locks. Buy additional locks for the windows, and don't forget the patio door.
 - Tell your neighbors that the batterer no longer lives there, and to call the police if they see the batterer near your home.
 - Screen your calls.
- If you move:
 - Never call the abuser from your home, or tell them where you live.
 - Request an unlisted number from the phone company.

MORE ABOUT PERSONAL SAFETY PLANNING

SAFETY AT WORK OR IN PUBLIC

- Carefully decide who you will inform at work about your situation.
- Inform your supervisor, building security officers, and/or co-workers of your situation. If possible, provide them with a photograph of your abuser.
- Arrange to have someone screen your calls, whether it is the receptionist, voicemail or a co-worker.
- Have a safety plan to use when you leave work:
 - Ask someone to escort you to and from your vehicle or bus.
 - Park in a secure, well-lit area.
 - Use a variety of routes to come and go from home.
 - Think of what you would do if something happened on the way home.
 - Avoid isolated roads.

CHECKLIST: ITEMS TO TAKE WITH YOU

IDENTIFICATION

- Driver's license
- Birth Certificate
- Children's birth certificates
- Social Security cards
- Welfare Card
- Health Insurance/HMO cards

FINANCIAL

- Money/Credit/ATM cards (in your name)
- Checking/ Savings account books

LEGAL PAPERS

- Protective Order
- Lease, rental agreement, house deed
- Car registration and insurance papers
- Health and life insurance papers
- Medical records for your family
- School/vaccination records

- Work permits / Green Cards
- Income Tax / IRA's
- Passport / Visa
- Divorce and custody papers
- Marriage license
- Mortgage / Loan payment books

OTHER

- Medications
- House, car, and office keys
- Jewelry
- Address book
- Pictures of you, children & abuser
- Sentimental items
- Change of clothes
- Children's favorite toys/blankets
- Toiletries/diapers

**REMEMBER: DON'T RISK YOUR LIFE OR YOUR CHILDREN'S LIVES FOR ANY OF THESE ITEMS.
MATERIAL THINGS ARE REPLACEABLE... LIVES ARE NOT!!**

IMPORTANT PHONE NUMBERS

POLICE & SHERIFF:

Emergencies 911

HOTLINES:

First Call for Help 1-800-HELP-555
National DV Hotline 1-800-799-SAFE
Suicide Prevention 1-800-SUICIDE
Child & Elderly Abuse 1-800-252-5400
Rape Abuse & Incest National Network
1-800-656-HOPE

LEGAL SERVICES:

Women's Advocacy Project 1-800-374-HOPE
Lawyer Referral Service 1-877-9TEXBAR

COUNSELING & SUPPORT SERVICES:

TX Council on Family Violence 1-800-525-1978
Child Support Division 1-800-252-8014
Crime Victim's Compensation 1-800-983-9933

SAFETY WITH A PROTECTIVE ORDER

- If you or your children have been threatened or assaulted, you can request a Protective Order from the County Attorney.
- Always keep your protective order with you. Call the police if your abuser violates the Protective Order.
- Give copies of the order to family members, friends, schools and neighbors.

Case No.: _____

Applicant: Your name here.
You are the Applicant. § In the _____ Court
 §
 §
 §

Respondent: Name of person you want protection from.
This is the Respondent. _____ County, Texas

The clerk fills out this part

Application for Protective Order

1 Parties

Applicant: Name: Your name here County of Residence: _____
 Respondent: Name of person you want protection from _____
 Respondent's address for service: Best address to give the other person a copy of this form

Check all that apply:

- The Applicant and Respondent are or were members of the same family or household.
- The Applicant and Respondent are parents of the same child or children.
- The Applicant and Respondent used to be married.
- The Applicant and Respondent are or were dating.
- The Applicant is an adult asking for protection for the Children named below from child abuse and/or family or dating violence.

2 Children: The Applicant is asking for protection for these Children under age 18:

Name:	Is Respondent the biological parent?	County of Residence:
a. _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
b. <u>Names of children needing protection</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<u>County where each person lives</u>
c. _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
d. _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

Check all that apply:

- Other children are listed on a sheet attached to this Application.
- The Children are or were members of the Applicant's family or household.
- The Children are the subject of a court order affecting access to them or their support.

3 Other Adults: The Applicant is asking for protection for these Adults, who are or were members of the Applicant's family or household:

Name:	County of Residence:
a. <u>Names of other adults needing protection</u>	<u>County where each person lives</u>
b. _____	_____

4 Other Court Cases: Are there other court cases, like divorce, custody, support, involving the Applicant, Respondent, or the Children? Yes No

If "Yes," say what kind of case and if the case is active or completed.

If "completed," (check one): A copy of the final order is attached.
 A copy of the final order will be filed before the hearing on this Application.

5 Grounds: Why is the Applicant asking for this Protective Order? Read and check one or both

- The Respondent committed family violence and is likely to commit one or both in the future.
- The Respondent violated a prior Protective Order that expired, or will expire in 30 days or less. A copy of the Order is (check one): Attached, or Not available now but will be filed before the hearing on this Application.

Sample Only – Do Not File

The Applicant requests a Protective Order and asks the Check all the orders you want the judge to make with a check

6 Orders to Prevent Family Violence

The Applicant asks the Court to order the Respondent to *(Check all that apply):*

- a. Not commit family violence against any person named on page 1 of this form.
- b. Not communicate in a threatening or harassing manner with any person named on page 1 of this form.
- c. Not communicate a threat through any person to any person named on page 1 of this form.
- d. Not communicate or attempt to communicate in any manner with *(Check all that apply):*
 Applicant Children Other Adults named on page 1 of this form.
The Respondent may communicate through: _____ or other person the Court appoints.
Good cause exists for prohibiting the Respondent's direct communications.
- e. Not go within 200 yards of the *(Check all that apply):*
 Applicant Children Other Adults named on page 1 of this form.
- f. Not go within 200 yards of the residence, workplace or school of the *(Check all that apply):*
 Applicant Other Adults named on page 1 of this form.
- g. Not go within 200 yards of the Children's residence, child-care facility, or school, except as specifically authorized in a possession schedule entered by the Court.
- h. Not stalk, follow or engage in conduct directed specifically to anyone named on page 1 of this form that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.

The Applicant also asks the Court to make these Orders *(Check all that apply):*

- i. Suspend any license to carry a concealed handgun issued to the Respondent under state law.
- j. Require the Respondent to complete a battering intervention and prevention program; or if no such program is available, counseling with a social worker, family service agency, physician, psychologist, licensed therapist, or licensed professional counselor; and pay all costs for the counseling or treatment ordered.
- k. Require the Respondent to follow these provisions to prevent or reduce the likelihood of family violence.

The law requires a trial court issuing a protective order to prohibit the Respondent from possessing a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.

7 Property Orders

The Residence located at: Your home address here, unless you want it to be confidential.

- (Check one):*
- is jointly owned or leased by the Applicant and Respondent;
 - is solely owned or leased by the Applicant; or
 - is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.

The Applicant also asks the Court to make these orders *(Check all that apply):*

- The Applicant to have exclusive use of the Residence identified above, and the Respondent must vacate the Residence.
- The sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent excluded from the Residence, to provide protection while the Applicant takes possession of the Residence and the Respondent removes any necessary personal property, and, if the Respondent refuses to vacate the Residence, to remove the Respondent from the Residence and arrest the Respondent for violating the Court's Order.
- The Applicant to have exclusive use of the Residence identified above, and the Applicant and Respondent jointly own or lease: List the property you want to use or control, like a car or furniture, even if the other person owns it with you.
- The Respondent must not damage, transfer, encumber, or otherwise dispose of any property jointly owned or leased by the parties, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly owned or possessed by the parties (whether so titled or not).

8 Spousal Support Order

The Applicant is not entitled to the Respondent or otherwise legally entitled to support from the Respondent and asks the Court to order the Respondent to pay child support in an amount set by the Court.

9 Orders Related to Removal, Possession and Support of Children

The Applicant asks the Court to order the Respondent to pay child support in an amount set by the Court. Check here and fill out this section if you want the judge to make orders about who the children can stay with, restrictions on travel, and child support.

- The Respondent must not remove the children from the Applicant's possession or from their child-care facility or school, except as specifically authorized in a possession schedule entered by the Court.
- The Respondent must not remove the children from the jurisdiction of the Court.
- Establish or modify a schedule for the Respondent's possession of the Children, subject to any terms and conditions necessary for the safety of the Applicant or the Children.
- Require the Respondent to pay child support in an amount set by the Court.

10 Temporary Ex Parte Protective Order

Based on the information in the attached Affidavit, there is a clear and present danger of family violence that will cause the Applicant, Children or Other Adults named on page 1 of this form immediate and irreparable injury, loss and damage, for which there is no adequate remedy at law. Applicant asks the Court to issue a Temporary Ex Parte Protective Order immediately without bond, notice or hearing.

11 Ex Parte Order: Vacate Residence Immediately

The Applicant now lives with the Respondent at: Your home address here or has resided at this address prior to filing this Application. The Respondent committed family violence against the Applicant within 90 days prior to the filing of this Application, as described in the attached Affidavit. Applicant asks the Court to issue a Temporary Ex Parte Protective Order immediately without bond, notice or hearing:

- Granting the Applicant exclusive use and possession of the Residence and ordering the Respondent to vacate the Residence immediately, and remain at least 200 yards away from the Residence pending further Order of the Court; and
- Directing the sheriff, constable, or chief of police to provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to vacate the Residence, and to provide protection while the Applicant either takes possession of the Residence or removes necessary personal property.

12 Keep Information Confidential

Check here if you want to keep your contact information private. Applicant asks the Court to order the Respondent to pay fees for service of process, all other fees and costs of Court, and reasonable attorneys' fees, if applicable.

13 Fees And Costs

The Applicant asks the Court to order the Respondent to pay fees for service of process, all other fees and costs of Court, and reasonable attorneys' fees, if applicable.

I have read the entire Application and it is true and correct to the best of my knowledge.

Sign Here

Applicant, *Pro se*

Address where Applicant may be contacted:

Phone # where Applicant may be contacted:

(List another address/phone if you want yours kept confidential.)

List your address/phone or another address/phone if you want yours kept confidential.



Affidavit

County of _____
State of Texas

Write the name of
your county here

My name is _____ Your name here _____. I am _____ years old and otherwise competent to make this Affidavit. The information and events described in this Affidavit are true and correct.

1 Describe the most recent time the Respondent hurt you or threatened to hurt you:

Answer every question on this form.

2 What date did this happen?

If it happened in the last 30 days, the judge can order the Respondent to move out.

3 Was a weapon involved? Yes No

4 Were any children there? Yes No If yes, who? _____

5 Did you call the police? Yes No If yes, what happened? _____

6 Did you get medical care? Yes No If yes, describe your injuries: _____

7 Has the Respondent ever threatened or hurt you **before**? Describe below, including date(s).

8 Were weapons ever involved? Yes No If yes, what kind? _____

9 Were any children there? Yes No If yes, who? _____

10 Have the police ever been called? Yes No

11 Did you ever have to get medical care? Yes No If yes, describe your injuries: _____

▶ Do NOT sign until the notary tells you to.
Applicant signs here

On ____ / ____ / _____ the Applicant _____ personally appeared before me, the undersigned Notary Public, and she/he stated that she/he is qualified to make this oath, that she/he has _____ and Affidavit, that she/he has personal knowledge of the facts asserted, and the facts asserted are true to the best of her/his knowledge and belief.

Notary fills out this part.

Subscribed and sworn to before me on ____ / ____ / _____.

▶ _____
Notary Public in and for the State of Texas

My Commission expires: _____

Case No.: _____

Applicant: _____

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In the _____ Court

v.

of

Respondent: _____

_____ County, Texas

Application for Protective Order

1 Parties

Name:

County of Residence:

Applicant: _____

Respondent: _____

Respondent's address for service: _____

Check all that apply:

- The Applicant and Respondent are or were members of the same family or household.
- The Applicant and Respondent are parents of the same child or children.
- The Applicant and Respondent used to be married.
- The Applicant and Respondent are or were dating.
- The Applicant is an adult asking for protection for the Children named below from child abuse and/or family or dating violence.

2 Children: The Applicant is asking for protection for these Children under age 18:

Name:

Is Respondent the biological parent?

County of Residence:

- | | | |
|----------|--|-------|
| a. _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ |
| b. _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ |
| c. _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ |
| d. _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ |

Check all that apply:

- Other children are listed on a sheet attached to this Application.
- The Children are or were members of the Applicant's family or household.
- The Children are the subject of a court order affecting access to them or their support.

3 Other Adults: The Applicant is asking for protection for these Adults, who are or were members of the Applicant's family or household:

Name:

County of Residence:

- | | |
|----------|-------|
| a. _____ | _____ |
| b. _____ | _____ |

4 Other Court Cases: Are there other court cases, like divorce, custody, support, involving the Applicant, Respondent, or the Children? Yes No

If "Yes," say what kind of case and if the case is active or completed.

- If "completed," (check one): A copy of the final order is attached.
 A copy of the final order will be filed before the hearing on this Application.

5 Grounds: Why is the Applicant asking for this Protective Order? Check one or both:

- The Respondent committed family violence and is likely to commit family violence in the future.
- The Respondent violated a prior Protective Order that expired, or will expire in 30 days or less. A copy of the Order is (check one): Attached, or Not available now but will be filed before the hearing on this Application.



The Applicant requests a Protective Order and asks the Court to make all Orders marked with a check

6 Orders to Prevent Family Violence

The Applicant asks the Court to order the Respondent to *(Check all that apply)*:

- a. Not commit family violence against any person named on page 1 of this form.
- b. Not communicate in a threatening or harassing manner with any person named on page 1 of this form.
- c. Not communicate a threat through any person to any person named on page 1 of this form.
- d. Not communicate or attempt to communicate in any manner with *(Check all that apply)*:
 Applicant Children Other Adults named on page 1 of this form.
The Respondent may communicate through: _____ or other person the Court appoints.
Good cause exists for prohibiting the Respondent's direct communications.
- e. Not go within 200 yards of the *(Check all that apply)*:
 Applicant Children Other Adults named on page 1 of this form.
- f. Not go within 200 yards of the residence, workplace or school of the *(Check all that apply)*:
 Applicant Other Adults named on page 1 of this form.
- g. Not go within 200 yards of the Children's residence, child-care facility, or school, except as specifically authorized in a possession schedule entered by the Court.
- h. Not stalk, follow or engage in conduct directed specifically to anyone named on page 1 of this form that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.

The Applicant also asks the Court to make these Orders *(Check all that apply)*:

- i. Suspend any license to carry a concealed handgun issued to the Respondent under state law.
- j. Require the Respondent to complete a battering intervention and prevention program; or if no such program is available, counseling with a social worker, family service agency, physician, psychologist, licensed therapist, or licensed professional counselor; and pay all costs for the counseling or treatment ordered.
- k. Require the Respondent to follow these provisions to prevent or reduce the likelihood of family violence.

The law requires a trial court issuing a protective order to prohibit the Respondent from possessing a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.

7 Property Orders

The Residence located at: _____

- (Check one)*: is jointly owned or leased by the Applicant and Respondent;
 is solely owned or leased by the Applicant; or
 is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.

The Applicant also asks the Court to make these orders *(Check all that apply)*:

- The Applicant to have exclusive use of the Residence identified above, and the Respondent must vacate the Residence.
- The sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent excluded from the Residence, to provide protection while the Applicant takes possession of the Residence and the Respondent removes any necessary personal property, and, if the Respondent refuses to vacate the Residence, to remove the Respondent from the Residence and arrest the Respondent for violating the Court's Order.
- The Applicant to have exclusive use of the following property that the Applicant and Respondent jointly own or lease: _____
- The Respondent must not damage, transfer, encumber, or otherwise dispose of any property jointly owned or leased by the parties, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly owned or possessed by the parties (whether so titled or not).



8 Spousal Support Order

The Applicant is married to the Respondent or otherwise legally entitled to support from the Respondent and asks the Court to order the Respondent to pay support in an amount set by the Court.

9 Orders Related to Removal, Possession and Support of Children

The Respondent is a parent of the following of the Applicant's children: _____

And, the Applicant asks for these Orders in the best interest of the people named on page 1 of this form.

Check all that apply:

- The Respondent must not remove the children from the Applicant's possession or from their child-care facility or school, except as specifically authorized in a possession schedule entered by the Court.
- The Respondent must not remove the children from the jurisdiction of the Court.
- Establish or modify a schedule for the Respondent's possession of the Children, subject to any terms and conditions necessary for the safety of the Applicant or the Children.
- Require the Respondent to pay child support in an amount set by the Court.

10 Temporary Ex Parte Protective Order

Based on the information in the attached Affidavit, there is a clear and present danger of family violence that will cause the Applicant, Children or Other Adults named on page 1 of this form immediate and irreparable injury, loss and damage, for which there is no adequate remedy at law. Applicant asks the Court to issue a Temporary Ex Parte Protective Order immediately without bond, notice or hearing.

11 Ex Parte Order: Vacate Residence Immediately

The Applicant now lives with the Respondent at: _____ or has resided at this Residence within the 30 days prior to filing this Application. The Respondent committed family violence against a member of the household within the 30 days prior to the filing of this Application, as described in the attached Affidavit. There is a clear and present danger that the Respondent is likely to commit family violence against a member of the household. The Applicant is available for a hearing but asks the Court to issue a Temporary Ex Parte Protective Order immediately without bond, notice or hearing:

- Granting the Applicant exclusive use and possession of the Residence and ordering the Respondent to vacate the Residence immediately, and remain at least 200 yards away from the Residence pending further Order of the Court; and
- Directing the sheriff, constable, or chief of police to provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to vacate the Residence, and to provide protection while the Applicant either takes possession of the Residence or removes necessary personal property.

12 Keep Information Confidential

The Applicant asks the Court to keep addresses and telephone numbers for residences, workplaces, schools, and childcare facilities confidential.

13 Fees And Costs

The Applicant asks the Court to order the Respondent to pay fees for service of process, all other fees and costs of Court, and reasonable attorneys' fees, if applicable.

I have read the entire Application and it is true and correct to the best of my knowledge.

Applicant, *Pro se*

Address where Applicant may be contacted: _____

Phone # where Applicant may be contacted: _____ Fax #: _____

(List another address/phone if you want yours kept confidential)

Affidavit

County of _____
State of Texas

My name is _____. I am _____ years old and otherwise competent to make this Affidavit. The information and events described in this Affidavit are true and correct.

1 Describe the most recent time the Respondent hurt you or threatened to hurt you:

2 What date did this happen? ____ / ____ / ____
3 Was a weapon involved? Yes No If yes, what kind? _____
4 Were any children there? Yes No If yes, who? _____
5 Did you call the police? Yes No If yes, what happened? _____
6 Did you get medical care? Yes No If yes, describe your injuries: _____

7 Has the Respondent ever threatened or hurt you **before**? Describe below, including date(s).

8 Were weapons ever involved? Yes No If yes, what kind? _____
9 Were any children there? Yes No If yes, who? _____
10 Have the police ever been called? Yes No
11 Did you ever have to get medical care? Yes No If yes, describe your injuries: _____

▶ _____
Applicant signs here

On ____ / ____ / ____, the Applicant _____ personally appeared before me, the undersigned notary. After being sworn, the Applicant stated that she/he is qualified to make this oath, that she/he has read the foregoing Application and Affidavit, that she/he has personal knowledge of the facts asserted, and the facts asserted are true to the best of her/his knowledge and belief.

Subscribed and sworn to before me on ____ / ____ / ____.

▶ _____
Notary Public in and for the State of Texas
My Commission expires: _____

Case No.: _____

Applicant: _____ Court _____

Look at the top of your Application for Protective Order and copy the same information here.

v.

of

Respondent: _____ County, Texas

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Temporary Ex Parte Protective Order

Go to the court hearing on: Date: _____ Time: _____ a.m. p.m. **The court fills out this part.**

Court Address: _____

Findings: The Court finds from the sworn Affidavit attached to the *Application for Protective Order* filed in this case that there is a clear and present danger that the Respondent named below will commit acts of family violence that will cause the Applicant, Children and/or Other Adults named below immediate and irreparable injury, loss and damage, for which there is no adequate remedy at law. The Court, therefore, enters this *Temporary Ex Parte Protective Order* without further notice to the Respondent or hearing. No bond is required.

1 Respondent: The person named below must follow all Orders marked with a check.
Name: **Who do you want protection from?** County of Residence: **What county does s/he live in?**

2 Protected People: The following people are protected by the terms of this Protective Order:

- | | Name: | County of Residence: |
|--|---|---------------------------------------|
| <input type="checkbox"/> Applicant: | Your name here | |
| <input type="checkbox"/> Children: | Names of children you want to be protected by this order | County where each person lives |
| <input type="checkbox"/> Other Adults: | Names of other adults needing protection | |

3 Temporary Orders — To prevent family violence, the Court orders the Respondent to obey all orders marked with a check.

The Respondent (person named in 1) must:

- a. Not commit an act against any person named in **2** above that causes or results in physical harm, bodily injury, assault, or sexual assault or that is a threat to the safety of any person named in **2** above.
 - b. Not communicate in a threatening or harassing manner with any person named in **2** above.
 - c. Not communicate a threat through any person to any person named in **2** above.
- The Court fills out the rest of this form. The judge may ask you questions before making the orders.**

Sample Only – Do Not File

- d. Not communicate or attempt to communicate in any manner with: *(Check all that apply)*
 Applicant Children Other Adults named in **2** above. The Respondent may communicate through: _____ or other person the Court appoints.
 Good cause exists for prohibiting the Respondent's direct communications.
- e. Not go within 200 yards of the: *(Check all that apply)*
 Applicant Children Other Adults named in **2** above. (except to go to court hearings)
- f. Not go within 200 yards of the Residence, workplace or school of the: *(Check all that apply)*
 Applicant Other Adults named in **2** above
 The addresses of the prohibited locations are: *(Check all that apply)*
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
 Disclosed as follows:
 Applicant's Residence: _____
 Applicant's Workplace/School: _____
 Other: _____
- g. Not possess a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.
- h. Not go within 200 yards of the Children's Residence, child-care facility, or school.
 The addresses of the prohibited locations are: *(Check all that apply)*
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
 Disclosed as follows:
 Children's Residence: _____
 Children's Child-care/School: _____
 Other: _____
- i. Not stalk, follow or engage in conduct directed specifically toward the Applicant, Children, or Other Adults named in **2** above that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.
- j. Not remove the Children from their school, child-care facility, or the Applicant's possession.
- k. Not remove the Children from the jurisdiction of the Court.
- l. Not interfere with the Applicant's use of the Residence located at: _____, including, but not limited to, disconnecting utilities or telephone service or causing such services to be disconnected.
- m. Not interfere with the Applicant's use and possession of the following property:

- n. Not damage, transfer, encumber, or otherwise dispose of any property jointly owned or leased by the Applicant and Respondent, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly by the parties (whether so titled or not)

Sample Only – Do Not File



4 Order: Vacate Residence Immediately

The Court finds that the Residence located at: _____

(Check one):

- is jointly owned or leased by the Applicant and Respondent;
- is solely owned or leased by the Applicant; or
- is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.

The Court further finds that the Applicant currently resides at the Residence, or has resided there within 30 days prior to the filing of the *Application for Protective Order* in this case, and that the Respondent has committed family violence against a member of the household within 30 days prior to the filing of the *Application for Protective Order* in this case. There is a clear and present danger that the Respondent is likely to commit family violence against a member of the household.

The Respondent is therefore ORDERED to vacate the Residence on or before:

_____ a.m. p.m. on (date): _____ and to remain at least 200 yards away from the Residence until further order of the Court. The Applicant shall have exclusive use and possession of the Residence until further order of the Court.

IT IS FURTHER ORDERED that the sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to vacate the Residence, and to provide protection while the Applicant takes possession of the Residence, and if the Respondent refuses to vacate the Residence, provide protection while the Applicant takes possession of the Applicant's necessary personal property.

5 Go to the court hearing

IT IS FURTHER ORDERED that notice issue to the Respondent to appear, and the Respondent is ORDERED to appear in person before this Court at the time and place indicated on page 1 of this form.

The purpose of this hearing is to determine whether the Court should issue the Protective Orders and other relief requested in the *Application for Protective Order* filed in this case.

6 Duration of Order: This Order is effective immediately and shall continue in full force and effect until twenty (20) days from the date it is signed, or further order of the Court.

7 Warning: A person who violates this order may be punished for contempt of court by a fine of as much as \$500 or by confinement in jail for as long as six months, or both.

No person, including a person who is protected by this order, may give permission to anyone to ignore or violate any provision of this Order. During the time in which this Order is valid, every provision of this Order is in full force and effect unless a court changes the Order.

It is unlawful for any person, other than a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a Protective Order to possess a firearm or ammunition.

This Ex Parte Order signed on (date): _____ Time: _____ a.m. p.m.

Judge Presiding: ► _____

This is a Court Order. No one can change this Order.

Case No.: _____

Applicant: _____

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§
§

In the _____ Court

v.

of

Respondent: _____

_____ County, Texas

Temporary Ex Parte Protective Order

Go to the court hearing on: Date: _____ Time: ____ a.m. p.m.

Court Address: _____

Findings: The Court finds from the sworn Affidavit attached to the *Application for Protective Order* filed in this case that there is a clear and present danger that the Respondent named below will commit acts of family violence that will cause the Applicant, Children and/or Other Adults named below immediate and irreparable injury, loss and damage, for which there is no adequate remedy at law. The Court, therefore, enters this *Temporary Ex Parte Protective Order* without further notice to the Respondent or hearing. No bond is required.

1 Respondent: The person named below must follow all Orders marked with a check.

Name: _____ County of Residence: _____

2 Protected People: The following people are protected by the terms of this Protective Order:

Name:

County of Residence:

Applicant: _____

Children: _____

Other Adults: _____

3 Temporary Orders — To prevent family violence, the Court orders the Respondent to obey all orders marked with a check.

The Respondent (person named in 1) must:

- a. Not commit an act against any person named in **2** above that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places those people in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- b. Not communicate in a threatening or harassing manner with any person named in **2** above.
- c. Not communicate a threat through any person to any person named in **2** above.

- d. Not communicate or attempt to communicate in any manner with: *(Check all that apply)*
 Applicant Children Other Adults named in **2** above. The Respondent may communicate through: _____ or other person the Court appoints.
 Good cause exists for prohibiting the Respondent's direct communications.
- e. Not go within 200 yards of the: *(Check all that apply)*
 Applicant Children Other Adults named in **2** above. (except to go to court hearings)
- f. Not go within 200 yards of the Residence, workplace or school of the: *(Check all that apply)*
 Applicant Other Adults named in **2** above
 The addresses of the prohibited locations are: *(Check all that apply)*
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
 Disclosed as follows:
 Applicant's Residence: _____
 Applicant's Workplace/School: _____
 Other: _____
- g. Not possess a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.
- h. Not go within 200 yards of the Children's Residence, child-care facility, or school.
 The addresses of the prohibited locations are: *(Check all that apply)*
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
 Disclosed as follows:
 Children's Residence: _____
 Children's Child-care/School: _____
 Other: _____
- i. Not stalk, follow or engage in conduct directed specifically toward the Applicant, Children, or Other Adults named in **2** above that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.
- j. Not remove the Children from their school, child-care facility, or the Applicant's possession.
- k. Not remove the Children from the jurisdiction of the Court.
- l. Not interfere with the Applicant's use of the Residence located at: _____, including, but not limited to, disconnecting utilities or telephone service or causing such services to be disconnected.
- m. Not interfere with the Applicant's use and possession of the following property:

- n. Not damage, transfer, encumber, or otherwise dispose of any property jointly owned or leased by the Applicant and Respondent, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly by the parties (whether so titled or not).

4 Order: Vacate Residence Immediately

The Court finds that the Residence located at: _____

(Check one):

- is jointly owned or leased by the Applicant and Respondent;
- is solely owned or leased by the Applicant; or
- is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.

The Court further finds that the Applicant currently resides at the Residence, or has resided there within 30 days prior to the filing of the *Application for Protective Order* in this case, and that the Respondent has committed family violence against a member of the household within 30 days prior to the filing of the *Application for Protective Order* in this case. There is a clear and present danger that the Respondent is likely to commit family violence against a member of the household.

The Respondent is therefore ORDERED to vacate the Residence on or before: _____ a.m. p.m. on (date): _____ and to remain at least 200 yards away from the Residence until further order of the Court. The Applicant shall have exclusive use and possession of the Residence until further order of the Court.

IT IS FURTHER ORDERED that the sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to vacate the Residence, and to provide protection while the Applicant takes possession of the Residence, and if the Respondent refuses to vacate the Residence, provide protection while the Applicant takes possession of the Applicant's necessary personal property.

5 Go to the court hearing

IT IS FURTHER ORDERED that notice issue to the Respondent to appear, and the Respondent is ORDERED to appear in person before this Court at the time and place indicated on page 1 of this form.

The purpose of this hearing is to determine whether the Court should issue the Protective Orders and other relief requested in the *Application for Protective Order* filed in this case.

6 Duration of Order: This Order is effective immediately and shall continue in full force and effect until twenty (20) days from the date it is signed, or further order of the Court.

7 Warning: A person who violates this order may be punished for contempt of court by a fine of as much as \$500 or by confinement in jail for as long as six months, or both.

No person, including a person who is protected by this order, may give permission to anyone to ignore or violate any provision of this Order. During the time in which this Order is valid, every provision of this Order is in full force and effect unless a court changes the Order.

It is unlawful for any person, other than a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a Protective Order to possess a firearm or ammunition.

This Ex Parte Order signed on (date): _____ Time: _____ a.m. p.m.

Judge Presiding:  _____

This is a Court Order. No one – except the Court – can change this Order.

Case No.: _____

Applicant: _____ Court

v.

Look at the top of your Application for Protective Order and copy the same information here

of

Respondent: _____ § _____ County, Texas

Protective Order

Write the date and time of your hearing here.

A court hearing was held on: Date: _____ Time: _____ n.

Findings: All legal requirements have been met, and the Court has jurisdiction over the parties and this case. This Order is in the best interests of the Protected Person(s) and is necessary to prevent future family violence.

- The Applicant and Respondent are spouses, former spouses, parents of the same child, live-in partners, or former live-in partners, and are thus "intimate partners" as defined by 18 U.S.C. § 921(a)(32).
- The parties have agreed to the terms of this Protective Order.

Statutory grounds for the Protective Order have been established. (Check one or both):

- The Respondent has committed family violence against the Applicant or Children named below and is likely to commit family violence in the future.
- The Respondent has violated a prior Protective Order that expired or will expire within 30 days.

1 Appearances: (Check any that apply):

Applicant Respondent

- Appeared in person and announced ready.
- Appeared in person and by attorney, _____, and announced ready.
- Appeared by signature below evidencing agreement to the entry of this Protective Order.
- Although duly cited, did not appear and wholly made default.

2 Protected People: The following people are protected by the terms of this Protective Order:

	Name:	County of Residence:
<input type="checkbox"/> Applicant:	_____ Your name here _____	_____
<input type="checkbox"/> Children:	_____ Names of children needing protection _____	_____ County where each person lives _____
<input type="checkbox"/> Other Adults:	_____ Names of other adults needing protection _____	_____

3 A Record of Testimony (Check one): was made by: _____ was waived by the parties.

4 Protective Orders — To prevent family violence, the Court orders the Respondent to obey all Orders marked with a check. The Respondent must:

- a. Not commit an act against any person named in 2 above that results in bodily injury, assault, or sexual assault or that is a threat of imminent physical harm, bodily injury, assault, or sexual assault.
- b. Not communicate in a threatening or harassing manner with any person named in 2 above.
- c. Not communicate with any person named in 2 above.

The Court fills out the rest of this form. The judge may ask you questions before making the orders.

- d. Not communicate or attempt to communicate in any manner with: *(Check all that apply)*
 Applicant Children Other Adults in **2** above (except through: _____)
 Good cause exists for prohibiting the Respondent's direct communications.
- e. Not go within 200 yards of the: *(Check all that apply)*
 Applicant Children Other Adults named in **2** above.
 (Except to go to court hearings or to exchange Children as authorized by a court order)
- f. Not go within 200 yards of the Residence, workplace or school of the: *(Check all that apply)*
 Applicant Other Adults named in **2** above.
 The addresses of the prohibited locations are: *(Check all that apply)*
 Deemed confidential. The clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
 Disclosed as follows:
 Applicant's Residence: _____
 Applicant's Workplace/School: _____
 Other: _____
- g. Not go within 200 yards of the Children's Residence, child-care facility, or school, except as authorized by a court order. The addresses of the prohibited locations are: *(Check all that apply)*
 Deemed confidential. The clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
 Disclosed as follows:
 Children's Residence: _____
 Children's Child-care/School: _____
 Other: _____
- h. Not stalk, follow or engage in conduct directed specifically to any person named in **2** above that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.
- i. Not possess a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision. Any license to carry a concealed handgun issued to the Respondent is hereby SUSPENDED.

5 Family Violence Prevention Program

- The Respondent is ordered to enroll in, pay costs for, and enter the program checked below no later than __/__/__, and to complete the program by __/__/__. *(Check one):*
- The local Battering Intervention and Prevention Program that meets the guidelines adopted by the community justice assistance division of the Texas Department of Criminal Justice:

Or if no such Battering Intervention and Prevention Program is available, then:

- A counseling program recommended and conducted by the following social worker, family service agency, physician, psychologist, licensed therapist, or licensed professional counselor:

- The Respondent is ordered to comply with any recommendation or referral for additional or alternate counseling within seven (7) days of the recommendation, and ordered to complete any additional or alternate program recommended. The Respondent is ordered to sign a waiver for release of information upon enrollment so that participation in the program may be monitored by the Applicant and/or the Court.
- The Respondent must also follow these provisions to prevent family violence:

6 Property Orders

- The Court finds that the Residence located at: _____
(Check one):
 - is jointly owned or leased by the Applicant and Respondent;
 - is solely owned or leased by the Applicant; or
 - is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.
- IT IS ORDERED that the Applicant shall have exclusive use of the Residence identified above, and the Respondent must vacate the Residence no later than: _____ a.m. p.m. on (date): _____.
- IT IS FURTHER ORDERED that the sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to be excluded from the Residence, to provide protection while the Applicant takes possession of the Residence and the Respondent removes any necessary personal property, and, if the Respondent refuses to vacate the Residence, to remove the Respondent from the Residence and arrest the Respondent for violating the Court's Order.

7 Other Property Orders

- The Court finds that the Applicant and Respondent jointly own or lease the following Additional Property, and awards the Applicant the exclusive use of:

The Respondent must not damage, transfer, encumber, or otherwise dispose of the Additional Property identified above or any other property jointly owned or leased by the parties, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly by the parties (whether so titled or not).

8 Spousal Support Order

- IT IS ORDERED that the Respondent pay the Applicant support in the amount of \$ _____ per month, with the first payment due and payable on __ / __ / __ and a like payment due and payable on the _____ day of each following month until further Order of this Court. IT IS ORDERED that all payments be sent to the Applicant at the address listed below and postmarked on or before the due date for each payment:

9 Orders Related to Removal, Possession and Support of Children

The Court finds that the Respondent is a parent of the Children. The Protective Order below is in the best interests of the Applicant, Children, and/or Other Adults named in **2** above.

- Removal** — Check one or both:
The Respondent must:
 - Not remove the Children from the Applicant's possession or from their child-care facility or school, except as specifically authorized in a possession schedule ordered by the Court.
 - Not remove the Children from the jurisdiction of the Court.
- Possession** — Check one:
 - The Applicant is granted exclusive possession of the Children, and the Respondent shall have no possession or access to the Children, unless and until further Orders are entered by the Court. This Order supersedes any previous order granting the Respondent possession or access to the Children.
 - The Applicant is granted primary possession of the Children, and the Respondent may have possession of the Children pursuant to the possession schedule attached to this Protective Order as Exhibit A, subject to the terms and conditions stated herein as necessary for the safety of the Applicant and the Children. The possession schedule hereby ordered supersedes any previous order.

The possession schedule previously entered on ___ / ___ / ___, in case number _____, styled _____, shall continue to govern the Respondent's possession and access to the Children, except that no exchanges of the Children shall occur at a prohibited location described in this Protective Order.

Child Support — Nothing in this Protective Order shall be construed as relieving the Respondent of any past or future obligation to pay child support as previously ordered. — *Check one:*

The Respondent is ordered to pay child support to the Applicant in the amount of \$ _____ per month, with the first such payment due and payable on ___ / ___ / ___, and a like payment due and payable on the _____ day of each month thereafter for the term of this Protective Order or until further Order of the Court, whichever occurs first.

The Respondent is ordered to make all child support payments payable to the Applicant, and must mail all payments to:

Texas Child Support Disbursement Unit, P.O. Box 659791, San Antonio, TX 78265-9791

That agency will send the payment to the Applicant for the support of the Children. The Respondent must keep the child support registry informed of the Respondent's Residence and work addresses.

On this date, the Court signed an Income Withholding Order, ordering the employer and any subsequent employer of the Respondent to withhold court-ordered child support from the Respondent's earnings. **The existence of the Order for withholding from earnings for child support does not excuse the Respondent from personally making any child support payment herein, except to the extent the Respondent's employer actually makes the payment on behalf of the Respondent.**

The child support Order previously entered on ___ / ___ / ___, in case number _____, styled _____, shall continue to govern the Respondent's child support obligations with respect to the Children.

10 **Fees and Costs**

Within 60 days after this Order is signed, the Respondent must pay the Total Fees and Costs as follows:

Total to be paid: \$ _____

(This includes fees for service: \$ _____ + all other Court fees and costs: \$ _____)

Address where Respondent must pay the Clerk of the Court with cash, cashier's check, or money order:

11 **Attorney's Fees**

Within 60 days after this Order is signed, the Respondent must pay the attorney who helped enter this Protective Order the Attorney Fees listed below. Pay with cash, cashier's check, or money order.

Attorney Fees awarded by the Court: \$ _____

Attorney's name: _____

Attorney's address: _____

Attorney (name) _____ shall have and recover judgment against the Respondent (name) _____ for \$ _____, such judgment bearing interest at _____ percent per annum compounded annually from the date this judgment and Order is signed until paid, for which let execution issue if it is not paid.

12 **Service**

This Protective Order (Check all that apply):

- Was served on the Respondent in open court. Shall be delivered to the Respondent by certified mail, return receipt requested, or by fax, to the Respondent's last known address or fax number, or _____ by Tex. R. Civ. P. 21a.
- Shall be personally served on the Respondent.
- Shall be mailed by the Clerk of the Court to the Respondent's last known address or fax number, or _____ by Tex. R. Civ. P. 21a.



13 Copies Forwarded

The Clerk is ORDERED to forward copies of this Protective Order and accompanying Respondent Information Form to (Check all that apply):

- Sheriff and Constable of _____ County, Texas
- Police Chief of the City of _____
- Children’s child-care facility/schools listed above.

Any law enforcement agency receiving a copy of this Protective Order MUST, within 10 days, enter all required information into the Department of Public Safety’s statewide law enforcement information system.

14 Duration of Order

This Protective Order is in full force and effect until (date) _____ (Texas law provides that the Protective Order may last for two years after the date it is signed.) If the Respondent is confined or imprisoned on the date this Protective Order is scheduled to expire, the Protective Order will expire one year after the date of the Respondent’s release.

Warning: A person who violates this Order may be punished for contempt of court by a fine of as much as \$500 or by confinement in jail for as long as six months, or both.

No person, including a person who is protected by this Order, may give permission to anyone to ignore or violate any provision of this Order. During the time in which this Order is valid, every provision of this Order is in full force and effect unless a court changes the Order.


It is unlawful for any person, other than a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a Protective Order to possess a firearm or ammunition.

A violation of this Order by commission of an act prohibited by the Order may be punishable by a fine of as much as \$4,000 or by confinement in jail for as long as one year, or both. An act that results in family violence may be prosecuted as a separate misdemeanor or felony offense. If the act is prosecuted as a separate felony offense, it is punishable by confinement in prison for at least two years.

Possession of a firearm or ammunition while this Protective Order is in effect may subject respondent to federal criminal penalties. It is unlawful for any person who is subject to a Protective Order to knowingly purchase, rent, lease, or receive as a loan or gift from another, a handgun for the duration of this Order.

Interstate violation of this Protective Order may subject the Respondent to federal criminal penalties. This Protective Order is enforceable in all fifty states, the District of Columbia, tribal lands, and U.S. territories.


This Protective Order signed on (date): _____ Time: _____ a.m. p.m.


Judge Presiding:  _____

This is a Court Order. No one – except the Court – can change this Order.

Agreed Order

By their signatures below, the Applicant and Respondent agree to the entry of the foregoing Protective Order and approve all terms stated in the Order:

 _____
Applicant

 _____
Respondent

Receipt Acknowledged – The Respondent hereby acknowledges receipt of a copy of this Protective Order.

 _____
Respondent

Protective Order
Form Approved by the _____

Sample Only – Do Not File

Case No.: _____

Applicant: _____

§
§
§
§
§
§

In the _____ Court

v.

of

Respondent: _____

_____ County, Texas

Protective Order

A court hearing was held on: Date: _____ Time: _____ a.m. p.m.

Findings: All legal requirements have been met, and the Court has jurisdiction over the parties and this case. This Order is in the best interests of the Protected Person(s) and is necessary to prevent future family violence.

- The Applicant and Respondent are spouses, former spouses, parents of the same child, live-in partners, or former live-in partners, and are thus "intimate partners" as defined by 18 U.S.C. § 921(a)(32).
- The parties have agreed to the terms of this Protective Order.

Statutory grounds for the Protective Order have been established. (Check one or both):

- The Respondent has committed family violence against the Applicant or Children named below and is likely to commit family violence in the future.
- The Respondent has violated a prior Protective Order that expired or will expire within 30 days.

1 Appearances: (Check any that apply):

Applicant Respondent

- Appeared in person and announced ready.
- Appeared in person and by attorney, _____, and announced ready.
- Appeared by signature below evidencing agreement to the entry of this Protective Order.
- Although duly cited, did not appear and wholly made default.

2 Protected People: The following people are protected by the terms of this Protective Order:

	Name:	County of Residence:
<input type="checkbox"/> Applicant:	_____	_____
<input type="checkbox"/> Children:	_____	_____
	_____	_____
	_____	_____
<input type="checkbox"/> Other Adults:	_____	_____
	_____	_____

3 A Record of Testimony (Check one): was made by: _____ was waived by the parties.

4 Protective Orders — To prevent family violence, the Court orders the Respondent to obey all Orders marked with a check. **The Respondent must:**

- a. Not commit an act against any person named in **2** above that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places those people in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- b. Not communicate in a threatening or harassing manner with any person named in **2** above.
- c. Not communicate a threat through any person to anyone named in **2** above.

- d. Not communicate or attempt to communicate in any manner with: *(Check all that apply)*
 Applicant Children Other Adults in **2** above (except through: _____)
 Good cause exists for prohibiting the Respondent's direct communications.
- e. Not go within 200 yards of the: *(Check all that apply)*
 Applicant Children Other Adults named in **2** above.
 (Except to go to court hearings or to exchange Children as authorized by a court order)
- f. Not go within 200 yards of the Residence, workplace or school of the: *(Check all that apply)*
 Applicant Other Adults named in **2** above.
 The addresses of the prohibited locations are: *(Check all that apply)*
 Deemed confidential. The clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
 Disclosed as follows:
 Applicant's Residence: _____
 Applicant's Workplace/School: _____
 Other: _____
- g. Not go within 200 yards of the Children's Residence, child-care facility, or school, except as authorized by a court order. The addresses of the prohibited locations are: *(Check all that apply)*
 Deemed confidential. The clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
 Disclosed as follows:
 Children's Residence: _____
 Children's Child-care/School: _____
 Other: _____
- h. Not stalk, follow or engage in conduct directed specifically to any person named in **2** above that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.
- i. Not possess a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision. Any license to carry a concealed handgun issued to the Respondent is hereby SUSPENDED.

5 Family Violence Prevention Program

- The Respondent is ordered to enroll in, pay costs for, and enter the program checked below no later than ___/___/___, and to complete the program by ___/___/___. *(Check one):*
- The local Battering Intervention and Prevention Program that meets the guidelines adopted by the community justice assistance division of the Texas Department of Criminal Justice:

Or if no such Battering Intervention and Prevention Program is available, then:

- A counseling program recommended and conducted by the following social worker, family service agency, physician, psychologist, licensed therapist, or licensed professional counselor:

- The Respondent is ordered to comply with any recommendation or referral for additional or alternate counseling within seven (7) days of the recommendation, and ordered to complete any additional or alternate program recommended. The Respondent is ordered to sign a waiver for release of information upon enrollment so that participation in the program may be monitored by the Applicant and/or the Court.
- The Respondent must also follow these provisions to prevent family violence:

6 Property Orders

- The Court finds that the Residence located at: _____
(Check one):
 - is jointly owned or leased by the Applicant and Respondent;
 - is solely owned or leased by the Applicant; or
 - is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant’s possession.
- IT IS ORDERED that the Applicant shall have exclusive use of the Residence identified above, and the Respondent must vacate the Residence no later than: _____ a.m. p.m. on (date): _____.
- IT IS FURTHER ORDERED that the sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to be excluded from the Residence, to provide protection while the Applicant takes possession of the Residence and the Respondent removes any necessary personal property, and, if the Respondent refuses to vacate the Residence, to remove the Respondent from the Residence and arrest the Respondent for violating the Court’s Order.

7 Other Property Orders

- The Court finds that the Applicant and Respondent jointly own or lease the following Additional Property, and awards the Applicant the exclusive use of:

The Respondent must not damage, transfer, encumber, or otherwise dispose of the Additional Property identified above or any other property jointly owned or leased by the parties, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly by the parties (whether so titled or not).

8 Spousal Support Order

- IT IS ORDERED that the Respondent pay the Applicant support in the amount of \$ _____ per month, with the first payment due and payable on ___ / ___ / ___ and a like payment due and payable on the _____ day of each following month until further Order of this Court. IT IS ORDERED that all payments be sent to the Applicant at the address listed below and postmarked on or before the due date for each payment:

9 Orders Related to Removal, Possession and Support of Children

The Court finds that the Respondent is a parent of the Children. The Protective Order below is in the best interests of the Applicant, Children, and/or Other Adults named in **2** above.

- Removal** — Check one or both:
The Respondent must:
 - Not remove the Children from the Applicant’s possession or from their child-care facility or school, except as specifically authorized in a possession schedule ordered by the Court.
 - Not remove the Children from the jurisdiction of the Court.
- Possession** — Check one:
 - The Applicant is granted exclusive possession of the Children, and the Respondent shall have no possession or access to the Children, unless and until further Orders are entered by the Court. This Order supersedes any previous order granting the Respondent possession or access to the Children.
 - The Applicant is granted primary possession of the Children, and the Respondent may have possession of the Children pursuant to the possession schedule attached to this Protective Order as Exhibit A, subject to the terms and conditions stated herein as necessary for the safety of the Applicant and the Children. The possession schedule hereby ordered supersedes any previous order granting the Respondent possession and access to the Children.

The possession schedule previously entered on ___ / ___ / ___, in case number _____, styled _____, shall continue to govern the Respondent's possession and access to the Children, except that no exchanges of the Children shall occur at a prohibited location described in this Protective Order.

Child Support — **Nothing in this Protective Order shall be construed as relieving the Respondent of any past or future obligation to pay child support as previously ordered.** — *Check one:*

The Respondent is ordered to pay child support to the Applicant in the amount of \$_____ per month, with the first such payment due and payable on ___ / ___ / ___, and a like payment due and payable on the _____ day of each month thereafter for the term of this Protective Order or until further Order of the Court, whichever occurs first.

The Respondent is ordered to make all child support payments payable to the Applicant, and must mail all payments to:

Texas Child Support Disbursement Unit, P.O. Box 659791, San Antonio, TX 78265-9791

That agency will send the payment to the Applicant for the support of the Children. The Respondent must keep the child support registry informed of the Respondent's Residence and work addresses.

On this date, the Court signed an Income Withholding Order, ordering the employer and any subsequent employer of the Respondent to withhold court-ordered child support from the Respondent's earnings. **The existence of the Order for withholding from earnings for child support does not excuse the Respondent from personally making any child support payment herein, except to the extent the Respondent's employer actually makes the payment on behalf of the Respondent.**

The child support Order previously entered on ___ / ___ / ___, in case number _____, styled _____, shall continue to govern the Respondent's child support obligations with respect to the Children.

10 **Fees and Costs**

Within 60 days after this Order is signed, the Respondent must pay the Total Fees and Costs as follows:

Total to be paid: \$ _____

(This includes fees for service: \$ _____ + all other Court fees and costs: \$ _____)

Address where Respondent must pay the Clerk of the Court with cash, cashier's check, or money order:

11 **Attorney's Fees**

Within 60 days after this Order is signed, the Respondent must pay the attorney who helped enter this Protective Order the Attorney Fees listed below. Pay with cash, cashier's check, or money order.

Attorney Fees awarded by the Court: \$ _____

Attorney's name: _____

Attorney's address: _____

Attorney (name) _____ shall have and recover judgment against the Respondent (name) _____ for \$ _____, such judgment bearing interest at _____ percent per annum compounded annually from the date this judgment and Order is signed until paid, for which let execution issue if it is not paid.

12 **Service**

This Protective Order (Check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Was served on the Respondent in open court. | <input type="checkbox"/> Shall be delivered to the Respondent by certified mail, return receipt requested, or by fax, to the Respondent's last known address or fax number, or in any other manner allowed by Tex. R. Civ. P. 21a. |
| <input type="checkbox"/> Shall be personally served on the Respondent. | |
| <input type="checkbox"/> Shall be mailed by the Clerk of the Court to the Respondent's last known address. | |

13 Copies Forwarded

The Clerk is ORDERED to forward copies of this Protective Order and accompanying Respondent Information Form to (Check all that apply):

- Sheriff and Constable of _____ County, Texas
- Police Chief of the City of _____
- Children’s child-care facility/schools listed above.

Any law enforcement agency receiving a copy of this Protective Order MUST, within 10 days, enter all required information into the Department of Public Safety’s statewide law enforcement information system.

14 Duration of Order

This Protective Order is in full force and effect until (date) _____ (Texas law provides that the Protective Order may last for two years after the date it is signed.) If the Respondent is confined or imprisoned on the date this Protective Order is scheduled to expire, the Protective Order will expire one year after the date of the Respondent’s release.

Warning: A person who violates this Order may be punished for contempt of court by a fine of as much as \$500 or by confinement in jail for as long as six months, or both.

No person, including a person who is protected by this Order, may give permission to anyone to ignore or violate any provision of this Order. During the time in which this Order is valid, every provision of this Order is in full force and effect unless a court changes the Order.


It is unlawful for any person, other than a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a Protective Order to possess a firearm or ammunition.

A violation of this Order by commission of an act prohibited by the Order may be punishable by a fine of as much as \$4,000 or by confinement in jail for as long as one year, or both. An act that results in family violence may be prosecuted as a separate misdemeanor or felony offense. If the act is prosecuted as a separate felony offense, it is punishable by confinement in prison for at least two years.

Possession of a firearm or ammunition while this Protective Order is in effect may subject respondent to federal criminal penalties. It is unlawful for any person who is subject to a Protective Order to knowingly purchase, rent, lease, or receive as a loan or gift from another, a handgun for the duration of this Order.

Interstate violation of this Protective Order may subject the Respondent to federal criminal penalties. This Protective Order is enforceable in all fifty states, the District of Columbia, tribal lands, and U.S. territories.


This Protective Order signed on (date): _____ Time: _____ a.m. p.m.

Judge Presiding:  _____

This is a Court Order. No one – except the Court – can change this Order.


Agreed Order

By their signatures below, the Applicant and Respondent agree to the entry of the foregoing Protective Order and approve all terms stated in the Order:

 _____
Applicant

 _____
Respondent

Receipt Acknowledged – The Respondent hereby acknowledges receipt of a copy of this Protective Order.

 _____
Respondent

Respondent Information

Fill out this form then file it with the clerk. Law enforcement needs this information to serve the Respondent and enter it into the state database for protective orders.

Respondent's Name: _____

Alias (Nickname): _____

Respondent's relationship to Applicant: _____

Respondent lives in: _____ County

Street: _____ City: _____ State: _____ Zip: _____

Sex M F

DoB ____/____/____

DL # _____

Height ____ ft ____ in

Place of birth _____

Other ID# _____

Weight ____ lbs

SS # _____

State _____ **Expires** _____

Race

- American Indian or Alaskan Native (I)
- Asian Pacific Islander (A)
- Black (B)
- White (W)
- Unknown (All other non-whites) (U)

Other: _____

Eye color

- Black (BLK)
- Blue (BLU)
- Brown (BRO)
- Gray (GRY)
- Green (GRN)
- Hazel (HAZ)
- Maroon (MAR)
- Pink (PNK)
- Multicolored (MUL)
- Unknown (XXX)

Other: _____

Hair color

- Black (BLK)
- Blond or Strawberry (BLN)
- Brown (BRO)
- Gray or partially gray (GRY)
- Red or Auburn (RED)
- White (WHI)
- Sandy (SDY)
- Completely Bald or Unknown (xxx)

Other (style/length): _____

Skin

- Albino (ALB)
- Black (BLK)
- Dark (DRK)
- Dark Brown (DBR)
- Fair (FAR)
- Light (LGT)
- Light Brown (LBR)
- Medium (MED)
- Medium Brown (MBR)
- Olive (OLV)
- Ruddy (RUD)
- Sallow (SAL)
- Yellow (YEL)
- Unknown (XXX)

Other: _____

Ethnicity

- Hispanic (H)
- Non-Hispanic (N)
- Unknown (U)

You do not have to fill out the rest of this form. But, it may help law enforcement serve the Respondent.

Other Identifying Information *Check all that apply*

- | | | |
|--|--|--|
| <input type="checkbox"/> Glasses | <input type="checkbox"/> Unusual markings on body (describe) _____ | <input type="checkbox"/> Mental Problems _____ |
| <input type="checkbox"/> Beard | <input type="checkbox"/> Tattoos _____ | <input type="checkbox"/> Drug/Alcohol Problems _____ |
| <input type="checkbox"/> Moustache | <input type="checkbox"/> Scars _____ | <input type="checkbox"/> Weapons _____ |
| <input type="checkbox"/> Missing front teeth | <input type="checkbox"/> Markings _____ | |
| <input type="checkbox"/> Bald | <input type="checkbox"/> Piercings _____ | |

Respondent works at (name of business): _____

Street: _____ City: _____ State: _____ Zip: _____

Phone: _____ Hours/Dept: _____ Supervisor: _____

Respondent's Vehicle: VIN _____ Color: _____ Year: _____ Make/Model: _____

License Plate # _____ State: _____ Exp. _____

Respondent's Attorney (Name): _____

Phone: _____ Address: _____

Other contacts who may have information to help find Respondent:

Name: _____ **Phone:** _____

Address: _____ **Relationship:** _____

Other Information: _____

Name: _____ **Phone:** _____

Address: _____ **Relationship:** _____

Other Information: _____

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 05-9153

**EMERGENCY ORDER PERMITTING LAWYERS DISPLACED BY
HURRICANE KATRINA TO CONTINUE REPRESENTING CLIENTS
FROM TEMPORARY OFFICES IN TEXAS**

ORDERED that:

Until further order of this Court, and notwithstanding Texas Government Code chapter 81, subchapter G, an attorney holding a valid law license issued by Louisiana, Mississippi, or Alabama, who is in good standing with the attorney's respective state bar, and who is displaced from the attorney's home jurisdiction due to Hurricane Katrina, is permitted to practice law for 30 days from the date of this order from a location in Texas as if the attorney were located in the state in which the attorney is licensed.

As ordered by the Supreme Court of Texas, in Chambers,

With the Seal thereof affixed at the City of Austin,
this 2nd day of September, 2005.

_____/x/_____
ANDREW WEBER, CLERK
THE SUPREME COURT OF TEXAS

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 05-9156 AMENDMENT TO RULE 145, TEXAS RULES OF CIVIL PROCEDURE

ORDERED that:

1. Rule 145 of the Texas Rules of Civil Procedure is amended as follows.
2. This amendment takes effect on December 1, 2005, in all pending cases.
3. Comments appended to these rules are intended to inform their construction and application.
4. The Clerk is directed to:
 - a. file a copy of this Order with the Secretary of State;
 - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this Order to each member of the Legislature; and
 - d. submit a copy of the Order for publication in the *Texas Register*.

SIGNED AND ENTERED this 19th day of September, 2005.

Wallace B. Jefferson, Chief Justice
Nathan L. Hecht, Justice
Harriet O'Neill, Justice
J. Dale Wainwright, Justice
Scott Brister, Justice
David M. Medina, Justice
Paul W. Green, Justice
Phil Johnson, Justice
Don R. Willett, Justice

AMENDMENTS TO THE TEXAS RULES OF CIVIL PROCEDURE

Rule 145. Affidavit on Indigency

(a) *Affidavit*. In lieu of paying or giving filing security for costs of an original action, a party who is unable to afford ~~said~~ costs ~~must~~ ~~shall~~ file an affidavit as herein described. A "party who is unable to afford costs" is defined as a person who is presently receiving a governmental entitlement based on indigency or any other person who has no ability to pay costs. ~~Said affidavit, and the party's action, shall be processed by the clerk in the manner prescribed by this rule.~~

~~1. Procedure.~~ Upon the filing of the affidavit, the clerk ~~shall~~ docket the action, issue citation and provide such other customary services as are provided any party. ~~After service of citation, the defendant may contest the affidavit by filing a written contest giving notice to all parties, provided that temporary hearings will not be continued pending the filing of the contest. If the court shall find at the first regular hearing in the course of the action that the party (other than a party receiving a governmental entitlement) is able to afford costs, the party shall pay the costs of the action. Reasons for such a finding shall be contained in an order. Except~~

~~with leave of court, no further steps in the action will be taken by a party who is found able to afford costs until payment is made. If the party's action results in monetary award, and the court finds sufficient monetary award to reimburse costs, the party shall pay the costs of the action. If the court finds that another party to the suit can pay the costs of the action, the other party shall pay the costs of the action.~~

~~2.~~ (b) *Contents of Affidavit*. The affidavit ~~must~~ ~~shall~~ contain complete information as to the party's identity, nature and amount of governmental entitlement income, nature and amount of employment income, other income, (interest, dividends, etc.), spouse's income if available to the party, property owned (other than homestead), cash or checking account, dependents, debts, and monthly expenses. The affidavit shall contain the following statements: "I am unable to pay the court costs. I verify that the statements made in this affidavit are true and correct." The affidavit shall be sworn before a ~~Notary Public~~ ~~notary public~~ or other officer authorized to administer oaths. ~~If the party is represented by an attorney on a contingent fee basis, due to the party's indigency, the attorney may file a statement to that effect to assist the court in understanding the financial condition of the party.~~

~~3. Attorney's Certification.~~ (c) *IOLTA Certificate*. If the party is represented by an attorney who is providing free legal services, without contingency, because of the party's indigency ~~and the attorney is providing services either directly or by referral from a program funded by the Interest on Lawyers Trust Accounts (IOLTA) program, the said~~ attorney may file an IOLTA certificate confirming that the IOLTA-funded program screened the party for income eligibility under the IOLTA income guidelines affidavit to that effect to assist the court in understanding the financial condition of the party. A party's affidavit of inability accompanied by an attorney's IOLTA certificate ~~may not be contested.~~

(d) *Contest*. The defendant or the clerk may contest an affidavit that is not accompanied by an IOLTA certificate by filing a written contest giving notice to all parties and, in an appeal under Texas Government Code, section 28.052, notice to both the small claims court and the county clerk. A party's affidavit of inability that attests to receipt of government entitlement based on indigency may be contested only with respect to the veracity of the attestation. Temporary hearings will not be continued pending the filing of the contest. If the court finds at the first regular hearing in the course of the action that the party (other than a party receiving a governmental entitlement based on indigency) is able to afford costs, the party must pay the costs of the action. Reasons for such a finding must be contained in an order. Except with leave of court, no further steps in the action will be taken by a party who is found able to afford costs until payment is made. If the party's action results in monetary award, and the court finds sufficient monetary award to reimburse costs, the party must pay the costs of the action. If the court finds that another party to the suit can pay the costs of the action, the other party must pay the costs of the action.

(e) *Attorney's Fees and Costs*. Nothing herein will preclude any existing right to recover attorney's fees, expenses or costs from any other party.

Comment – 2005

The Rule is amended to prohibit the contest of an affidavit that is accompanied by an attorney's IOLTA certificate.

Adopted by Board of Directors April 2007



STATE BAR OF TEXAS STRATEGIC PLAN

INTRODUCTION

Overview

State Bar Act, Section 81.0215 requires the State Bar to develop a comprehensive, long-range strategic plan. In each even-numbered year, the Bar must draft a plan covering a five-year period beginning with the next odd fiscal year. The plan must include measurable goals and must set forth a system of “performance measures” tied to the goals, which are based on results and outcomes of operations and services. The performance measures must be reported to the Supreme Court each year and must be published in the *Texas Bar Journal*.

From the perspective of the State Bar Board of Directors, the overall goals of the plan and performance measures are: (1) to provide guidance to State Bar leadership and staff in daily decisions, and (2) to encourage integration into State Bar operations of simple methods of assessment, tracking, and reporting that facilitate the redrafting effort every two years and that minimize disruption and expense.

Nature of this Document

The State Bar is committed to keeping this Strategic Plan at the forefront of all decisions and activities of the Board of Directors and of the Bar as a whole. As an evolving and dynamic set of goals and direction, the Strategic Plan will be reviewed by the Board regularly to ensure its relevancy and timeliness. Changes will be made as evolving circumstances dictate. At a minimum, this Plan will be reviewed and revised every other year as required by the State Bar Act.

All decisions and activities of the Board and the staff of the State Bar must comport with the specific goals of this Strategic Plan. The annual budget of the State Bar will be developed and adopted only after careful consideration of the Plan’s directives to ensure Bar-wide compliance with and furtherance of the State Bar’s goals and objectives.

Adopted by Board of Directors April 2007

Implementation

The State Bar will utilize all of its resources to implement the following goals. An operational plan and performance measures based upon these goals will be developed and reported. In developing the implementation plan, the State Bar will work through:

- The members of its governing body, including its officers and directors.
- The Texas Young Lawyers Association, including its officers and directors.
- Its extensive network of volunteers, including its 44 sections, 3 divisions and 38 volunteer committees.
- Programs, activities and initiatives implemented and executed by its staff and volunteers.
- Its relationships and working partnerships with related entities, including local, minority and specialty bar associations.
- Polls and surveys of its members and the public to determine what services are needed and desired and how best to deliver them.
- Presentations, speeches and public forums.
- Continuing Legal Education seminars.
- Other conferences, including its Annual Meeting.
- Press releases and articles disseminated to and through news media.
- Emails, listserves and facsimiles to its members.
- Websites, including its own (www.texasbar.com, www.texasbarcle.com, www.tyla.org), and the websites of related entities such as the Texas Access to Justice Commission (www.texasatj.org), the Texas Access to Justice Foundation (www.teajf.org), Law Focused Education, Inc. (www.texaslre.org) and the Texas Center for Legal Ethics and Professionalism (www.txethics.org).

Measurement of Performance

Consistent with legislative directives, the State Bar has adopted detailed performance measures based on its last strategic plan. For this strategic plan, and strategic plans to follow, the staff will develop appropriate performance measures. These performance measures will be reviewed and adopted by the Board and incorporated into the strategic plans. As required by the State Bar Act, the State Bar will report its performance measures and their outcomes to the Supreme Court and to the *Texas Bar Journal* for publication. Data will be collected and outcome reports promulgated through the following means:

- Random, statistical surveys of State Bar members and the public to determine the utilization and effectiveness of, and the satisfaction with the services the State Bar provides.
- Tracking of “hits” on the various websites used to convey information and educate the public.
- Data collected by departments of the State Bar indicating utilization of its programs, publications, public service videos and services by its members and the public.
- Internal oversight of measures of performance.

Adopted by Board of Directors April 2007

Compliance with the State Bar Act

The State Bar of Texas is governed by the State Bar Act (Texas Government Code, Chapter 81). Contained within that statute are the purposes of the State Bar and a number of specific requirements with which the State Bar must comply. The State Bar considers these requirements of the utmost importance in its operation and has implemented policies and procedures to ensure compliance. Because these requirements and the conforming operations of the State Bar are established and on-going, they are not expressly specified in the following strategic goals.

STATE BAR MISSION

The mission of the State Bar of Texas is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable its members to better serve their clients and the public, educate the public about the rule of law and promote diversity in the administration of justice and the practice of law.

STATE BAR STRATEGIC GOALS

SERVICE TO THE PUBLIC

Statement Of Purpose

The State Bar of Texas serves the public by: 1) educating the public on the American system of justice and the role of judges and lawyers in the system; 2) helping lawyers provide the highest quality legal and community service; and 3) working for equitable access and participation in all aspects of the justice system by diverse groups within our society.

Goals

A. Through education, the dissemination of information and outreach to students at all levels of education, increase the public's knowledge and understanding of:

1. the rule of law;
2. the judicial system;
3. selection and compensation of members of the judiciary;
4. lawyers' professional ethics;
5. lawyers' standards of practice;
6. attorney discipline procedures;
7. availability of the client security fund; and
8. fee dispute resolution.

B Promote an increase in diversity in middle school, high school and college programs that encourage a more diverse population to select law as a profession.

Adopted by Board of Directors April 2007

C. Assist in efforts to better focus and increase resources by systematically identifying, prioritizing and timely addressing (1) community needs for service, and (2) under-served populations and low-income Texans for public programs and assistance with legal services.

D. Provide and expand opportunities for lawyers and judges to be involved in community service and education and enhance the public's and media's understanding and acknowledgment of pro bono and volunteer work provided by lawyers, and lawyers' contributions both to the legal community and the public at large.

E. Enhance support of educational and informational efforts to address specific areas of law or segments of public needs such as juvenile crime, living trust scams, and child support enforcement.

SERVICE TO MEMBERS

Statement Of Purpose

The State Bar of Texas serves its members by providing continuing legal education and other services that: 1) promote ethical, efficient and quality legal services; 2) promote the administration of justice; 3) enhance the public's perception of Texas lawyers; and 4) increase diversity in the legal profession.

Goals

A. Study the future of the legal profession in Texas and identify and pursue methods for creating new initiatives and improving current programs and activities to better serve the lawyers of Texas.

B. Increase availability and utilization of State Bar member services and benefits and involvement in Bar activities by its members, with particular focus on underserved groups and members of the Bar by disseminating information concerning these services through the Texas Bar Journal, the State Bar websites, State Bar section newsletters and CLE seminars.

C. Increase the types of membership benefits, including health and life insurance, merchant discounts and other benefits as appropriate, and continually examine the need for changes in membership benefits

D. Work to increase diversity among the membership of the State Bar, including its Sections, Committees, Divisions and other entities.

E. Identify and implement new and creative continuing legal education topics for State Bar members and explore new, additional methods and media to deliver continuing legal education effectively to all State Bar members.

Adopted by Board of Directors April 2007

F. Increase collaboration with and services to State Bar sections, local bar associations, minority bar associations and specialty bar associations in Texas to improve and enhance outreach and services to, and continuing legal education for State Bar members.

G. Increase the amount and quality of information given to local, minority and specialty bar associations in Texas regarding the services the State Bar currently has available for their use.

H. Obtain input from local, minority and specialty bar associations in Texas regarding the direct services they need or desire from the State Bar, and work toward delivering these, and other beneficial services to these associations.

I. Increase collaboration with and services to Texas law schools to improve and enhance State Bar outreach and services to their students, with particular focus on minority students.

J. Increase the dissemination of information to State Bar members about the State Bar's activities and initiatives to improve the public's perception of and confidence in the Texas justice system, lawyers and judiciary.

PROTECTION OF THE PUBLIC

Statement of Purpose

The State Bar works to protect the public through its powers to regulate the conduct of lawyers and by promoting ethics and professionalism.

Goals

A. Review and, if necessary, improve voluntary mediation and dispute resolution procedures to attempt to resolve allegations of attorney misconduct that are classified as inquiries or are classified as complaints that are subsequently dismissed.

B. Educate the public and Texas lawyers about the State Bar grievance system and the Client Security Fund by disseminating information and explore ways to increase available funds for disbursement.

C. Review and, if necessary, improve the State Bar's model fee dispute resolution procedure used by local bar committees and associations or other organizations as a model for a fee dispute resolution program.

D. Increase lawyers' understanding of, knowledge of and compliance with professional ethical standards and disciplinary rules for Texas attorneys through education and the dissemination of information.

E. Review and recommend improvements, as necessary, to ensure a fair and effective disciplinary system including a diversionary program for impaired attorneys.

Adopted by Board of Directors April 2007

F. Review and enhance the efficiency and effectiveness of State Bar programs and services to protect the public.

ACCESS TO JUSTICE

Statement of Purpose

The State Bar of Texas works to ensure access to justice for all.

Goals

- A. Increase coordination with key partners, including the Texas Access to Justice Commission, the Texas Access to Justice Foundation and legal services providers, to improve and enhance access to justice in Texas.
- B. Increase the understanding and knowledge of Texas lawyers and the public about access to justice issues.
- C. Identify and pursue additional methods to increase sustainable long-term financial support from public and private sources to be utilized for access to justice goals.
- D. Expand recognition for pro bono work and improve the number and quality of lawyer training opportunities to better enable them to provide pro bono services.
- E. Identify and pursue methods to help increase opportunities for government and transactional lawyers to participate in pro bono activities.
- F. Improve measurement and publication of lawyer volunteer efforts in serving the poor.
- G. Identify areas of unmet legal needs and focus additional resources in those areas.
- H. Identify and pursue methods to assist Texas law schools in the creation and expansion of clinics and other efforts to increase legal services to the poor.
- I. Identify and pursue methods to assist State Bar sections, local bar associations and specialty bar associations in the creation and expansion of pro bono programs and in encouraging their members to provide pro bono services.
- J. Work in collaboration with key partners to increase the availability and utilization of effective high quality pro se information, education and support materials.
- K. Identify and pursue appropriate incentives to attorneys to provide pro bono or reduced fee legal services.

Adopted by Board of Directors April 2007

SOUND ADMINISTRATION & RESOURCES

Statement of Purpose

The activities and services of the State Bar shall be administered at a high level of efficiency and professionalism, in conformance with best practices observed by Texas state agencies and by bar associations of similar size and scope.

Goals

- A. Improve the training of new Board members and State Bar staff.
- B. Identify and pursue methods of enhancing opportunities for the public to provide comments and suggestions to the State Bar and the Board.
- C. Review, and if advisable, develop a plan and system for deciding if and when to reapportion State Bar districts to better reflect and represent the geographical distribution of State Bar members.
- D. Review and enhance the receipt of and response to issues and complaints regarding State Bar customer services.
- E. Identify and pursue appropriate technological solutions to improve the State Bar's ability to perform its functions.
- F. Implement and monitor the State Bar's five-year Real Estate Strategic Plan, and financially manage its implementation in such a way as to avoid undertaking any indebtedness or imposing any special dues assessment on State Bar members in order to realize its success.
- G. In conjunction with the implementation of the State Bar's five-year Real Estate Strategic Plan, work to renovate the Texas Law Center in order to better accommodate the State Bar's Austin operations.
- H. Work to increase the diversity within all levels of the staff of the State Bar.

FINANCIAL MANAGEMENT

Statement of Purpose

The State Bar shall conduct its fiscal affairs in conformance with the best management practices observed by Texas state agencies and by bar associations of similar size and scope.

Adopted by Board of Directors April 2007

Goals

- A. Identify and pursue methods to improve the efficiency and effectiveness of managing the State Bar's financial resources.
- B. Identify and pursue methods to conserve State Bar assets and forestall increases in member dues for as long as possible while providing appropriate services to the public and State Bar members and supporting the infrastructure necessary to efficiently provide those services..
- C. Develop a long-term financial plan that sets goals for how long the State Bar should wait before seeking a membership dues increase.
- D. As a top priority, and through competent financial staff and thorough Board oversight, ensure the best possible financial audits every year.
- E. Through the Board Audit & Finance Committee, annually review the State Bar's financial and reporting requirements to ensure effective and efficient compliance with the State Bar Act.

**Legal Services
Proposed SBOT Initiatives w/ Cost estimates**

p. 1 of 3

Initiative	Estimated Annual Cost (FY 2005)	Proposed Cost (FY 2006)
1.) Increase insurance provided to programs to \$1 million/\$1 million for programs with staffs greater than 10	\$40,000	\$35,000
2.) Additional CLE scholarships	\$10,000	\$10,000
3.) Additional funding for Student Loan Repayment Assistance Program	\$30,000 added to: \$30,000 in TLC budget \$20,000 raised \$20,000 matching \$100,000 total	\$30,000
4.) National training programs for legal aid lawyers (tuition, travel, hotel)	\$20,000	0
5.) Creation of a consortium among all providers to get a better rate on Lexis or Westlaw and then contribute to defray cost	\$150,000	\$150,000
6.) Resource development activities and other initiatives of the Texas Access to Justice Commission.	\$50,000	Moved to Access to Justice Line Item Budget
Total cost of above listed initiatives	\$300,000	\$225,000

Access to Justice Initiatives

Initiative	Estimated Annual Cost (FY 2005)	Proposed Cost (FY 2006)
7.) Resource development activities and other initiatives of the Texas Access to Justice Commission (same as 6 above)	From #6 Above	\$50,000
8.) Marketing consultant to implement 5 year Strategic Plan.	\$0	\$90,000
Total cost of above listed initiatives	\$-0-	\$140,000

While the cost of these benefits to the State Bar for FY 2006 would be \$225,000, the benefits to Legal Services providers are estimated to be more than \$400,000. This is because the CLE Scholarships for staff attorneys for TEAJF grantees have a value of more than \$50,000. Additionally, the creation of the Lexis consortium saves about \$100,000.

Legal Services
Proposed SBOT Initiatives w/ Cost estimates

p. 2 of 3

Explanations of numbered items in the chart:

- 1.) Large programs in Texas currently purchase malpractice coverage at the level of \$1 million per incident/\$1 million aggregate. With the \$40,000 in the Legal Services Initiative, the prior coverage offered by the SBOT network at \$250,000 per incident/\$500,000 aggregate, was increased to \$1 million/\$1 million. Thereby freeing up the funds that the larger legal services and pro bono programs spent to purchase the additional coverage. For FY 2006, this proposal provides \$1 million/\$1 million level coverage only for those programs in the Network that had been previously paying the additional cost themselves.
- 2.) These funds more than double the number of legal aid staff scholarships that TLC can provide for staff attorneys to attend Texas Bar CLE events. Not only do these funds offer critical legal training to the attorneys but also the funds for the scholarships are paid to Texas Bar CLE.
- 3.) Funding of the Student Loan Repayment Assistance Program at the level of \$100,000 or more would help the providers keep present staff and recruit new lawyers when necessary. The increase in funding for SLRAP has allowed the Texas Bar Foundation to double the number of recipients from 12 to 24.
- 4.) In addition to the training currently offered through TLC at the Poverty Law Conference and through Texas Bar CLE scholarships, there is a need for training at national conferences, which have been eliminated from the budgets of the legal services programs as they have been forced to make cuts in every area. TLC administers this program by providing scholarships to selected national training events for eligible staff or volunteer attorneys. The program provides at least 15 full scholarships to national training programs annually for approximately \$20,000. Much of the intense training in areas of poverty law offered at national conferences is unavailable elsewhere and is actually a very good investment for experienced staff attorneys. For example, these funds already have provided scholarships for 6 attorneys to the annual Substantive Law Conference of the National Legal Aid and Defender Association, one to a national housing law training and one to a national consumer law training.
- 5.) LexisNexis is providing online legal research (including Pure Lexis, Dorsaneo's Texas Litigation Guide, Texas Transaction Guide: Legal Forms) for up to 400 attorneys for \$150,000/year. This will free up some \$230,000 for the programs to use on direct client services. In addition, many smaller programs do not currently have access to online legal research.
- 6.) The Texas Access to Justice Commission is committed to finding additional resources to fund legal services to the poor. The Commission has just adopted a Five-Year Strategic Plan to increase the availability of legal services to the poor. Many of the new activities are already underway. The additional \$50,000 would be used to fund

Legal Services
Proposed SBOT Initiatives w/ Cost estimates

p. 3 of 3

these activities aimed at increasing both human and monetary resources for legal services.

- 7.) See number 6 above, moved budget dollars from Legal Services Initiative to Access to Justice line item in budget.

- 8.) The Texas Equal Access to Justice Commission (TATJC) has adopted a 5-year Strategic Plan designed to create and implement innovative ways to increase the quantity and quality of legal services to the poor in Texas. One way is to create an endowment, which is hoped to eliminate the dramatic fluctuations in funding from year to year. This endowment needs staff support, particularly a marketing consultant, to get this up and running. Research indicates that it is difficult if not impossible to create a large endowment without such support.



2005 EQUAL JUSTICE CONFERENCE

*Celebrating the Pro Bono
and Legal Services Partnership*



AUSTIN, TEXAS

MAY 5 - 7, 2005

Keynote Speakers:



Sarah M. Buel
Founder of the Domestic
Violence Clinic at the
University of Texas
School of Law

- Over 70 workshops designed to strengthen and expand your capacity to deliver high quality pro bono services
- Special tracks for bar association leaders, pro bono volunteers, law firm pro bono coordinators, corporate counsel and academics, pro bono committee chairs, access to justice committee members
- Interaction with legal services providers and discussions on the latest trends



Robert J. Grey, Jr.
President
American Bar Association

- Special discounted fees for bar association leaders and ABA members



Molly Ivins
Nationally syndicated
Columnist and Author

Photo Credit: Ane Bonar

See www.equaljusticeconference.org for more information.

Mark Your Calendar Now!

2005 Equal Justice Conference Agenda at a Glance



Tuesday, May 3

8:30 A.M. -- 5:00 P.M. PreConference Events

MIE New Executive Director Training (separate registration fee)
Meeting Room 402

Wednesday, May 4

7:30 A.M. -- 6:00 P.M.

Conference Registration
Governor's Ballroom Foyer, 4th floor

8:30 A.M. -- 4:00 P.M.

New Pro Bono Managers Nuts and Bolts Program
Meeting Room 406

8:30 A.M. -- 5:00 P.M.

New Executive Director Training
Meeting Room 602

9:30 A.M. -- 11:30 A.M.

**National Association of Pro Bono Professionals Executive
Committee Meeting**
Meeting Room 402

12:00 Noon-- 4:00 P.M.

**Pro Bono State Support and Access to Justice Coordinator's
Network (Invitation Only)**
Salon D

12:30 P.M. -- 5:00 P.M.

**Beyond the Basics: Experienced Pro Bono Program Managers
Reaching the Summit**
Salon A

1:00 P.M. -- 5:30 P.M.

**Celebrating Law School Pro Bono: Insights from the Journey and
Visions for the Future**
Salon E

2:00 P.M. -- 5:00 P.M.

Senior Legal Hotlines Funding Symposium (Invitation Only)
Meeting Room 402

7:00 P.M.

Dutch Treat Dine-Around
*Coordinated by the National Association of Pro Bono
Professionals*



Thursday, May 5

7:15 A.M. -- 5:00 P.M. **Registration**
Governor's Ballroom Foyer, 4th floor

7:15 A.M. -- 8:15 A.M. **Continental Breakfast**
Governor's Ballroom Foyer, 4th floor

7:30 A.M. -- 8:15 A.M. **New Attendees Forum**
Meeting Room 602

8:30 A.M. -- 9:30 A.M. **Equal Justice Conference Opening Plenary**
The Celebration Begins!
Salon H-K, 6th floor

Welcome: Pete Gallego
Member, Texas House of Representatives

Keynote Speaker: Sarah M. Buel
Founder of the Domestic Violence Clinic at the University of Texas School of Law

9:45 A.M. -- 11:15 A.M.

Topical Workshops

Avoiding Burnout: Concrete Practices to Stay Energized
Meeting Room 412

Connecting with Diverse Communities: Innovative Partnerships for Equal Justice
Meeting Room 400

Cy Pres: Developing an Effective Strategy
Meeting Room 408

Effective Use of Volunteers to Staff the Hotline
Salon D

International Pro Bono Efforts: Parental Abduction and More
Salon F

LSC Rules and PAI: What Every Pro Bono Manager Should Know
Meeting Room 410

National Technology Showcase
Meeting Room 415

Partnering to Harvest Rural Delivery of Pro Bono Legal Services
Salon A

Partnering to Promote Affirmative Litigation
Meeting Room 402

Policies Enabling Lawyers to Serve Pro Se Litigants
Salon E

Provision of Pro Bono Legal Services for Victims of Domestic Violence: Best Practices and Models
Meeting Room 406

What Law Websites Can Learn from Health Websites and Their Use of Online Communities
Salon B

11:30 A.M. -- 1:00 P.M.

Box Lunch and Networking Sessions
Salon H and Salon K, 6th floor

Pro Bono Net Networking Session

1:15 P.M. -- 2:45
P.M.

MR 400

Topical Workshops

Building Strength and Quality Through Difference: Effective Diversity Training

Meeting Room 402

Documenting Legal Needs: Recent Developments and Alternative Methodologies

Salon J

From Student to Young Associate: Collaborations that Encourage Pro Bono

Salon F

Hiring (and Keeping!) Great Attorneys without an HR Department

Meeting Room 406

How To Strengthen Client Service

Meeting Room 410

Introducing Legal Aid University

Meeting Room 415

Projects on a Platter: Encouraging Young Lawyers to do Pro Bono

Salon E

Raising Money From Lawyers and Lawyers Raising Money

Meeting Room 408

So You Don't Do Media....Why You Must and How You Can!

Meeting Room 404

The Ins & Outs of Legal Services/Pro Bono Partnerships: Practical Suggestions and Candid Conversation

Meeting Room 412

Using Statewide Partnerships to Present a Comprehensive Menu of Pro Bono Opportunities

Salon B

What You Don't Know Can Hurt You: Not-for-Profit Seminar

Salon A

Working Together: Legal Hotlines, Pro Bono and the Bar

Meeting Room 400

2:45 P.M. -- 3:15
P.M.

Fun Break

Governor's Ballroom Foyer, 4th floor

3:30 P.M. -- 5:00
P.M.

Topical Workshops

Court Based Self-Help Centers: Opportunity for Funding and Increased Services for Legal Services Programs

Salon J

Defining Pro Bono in the 21st Century: Policy Updates for 2005

Salon D

Developing Successful Law Firm Pro Bono Projects

Salon B

Ethics of Technology-Based Delivery Models

Meeting Room 406

Mentoring: Developing Diverse Legal Services Leaders for the 21st Century -- LSC's Plans for a Pilot Project

Salon F

Operating a Brief Services Unit: From Day-to-Day Operations to Creating a Pro Bono Partnership

Salon E

Recent Developments in Civil Gideon Litigation

Meeting Room 408

Strategies to Raise IOLTA Revenue and Grants

Meeting Room 402

Technology and Limited English Proficient Clients

Meeting Room 400

Volunteerism 101: What Every Program Director Needs to Know

Meeting Room 404

5:00 P.M. -- 6:00
P.M.

National Association of Pro Bono Professionals Annual Meeting

Meeting Room 412

5:15 P.M. -- 6:15
P.M.

12-Step Meeting

Meeting Room 400



**Friday,
May 6**

7:00 A.M. -- 8:15 **NLADA Technology Section Meeting**

A.M. Meeting Room 402

7:30 A.M. -- 8:30 **Bridging the Gap Between Legal Services & Business Pro Bono**

A.M. Meeting Room 400

8:00 A.M. -- 5:00 **Registration**

P.M. Governor's Ballroom Foyer, 4th floor

8:00 A.M. -- 8:30 **Continental Breakfast**

A.M. Governor's Ballroom Foyer, 4th floor

8:45 A.M. --
10:15 A.M.

Topical Workshops

A Hidden Treasure: Involving Law Students in the Delivery of Legal Services

Salon F

Expanding the Pool of Government Pro Bono Attorneys

Meeting Room 408

Legal Hotlines: What's in a Name?

Meeting Room 602

Maps Tell the Partnership and Quality Story

Salon E

Matching Supply with Demand in Family Law Matters: Innovations and Resources

Meeting Room 404

Maximize Program Revenue-Start with a Plan

Salon B

Older & Wiser: Seminars for Seniors and Their Families on Crucial Legal Issues

Salon D

**Pro Bono and Legal Services Partnering to Combat Predatory
Foreclosure Practices**

Meeting Room 410

**Public Interest and Private Law Firm Pro Bono Collaborations: From
Soup to Nuts**

Meeting Room 412

Starting up a Business Law Pro Bono Program

Meeting Room 400

**The National Campaign to Expand Privately Funded Legal Aid for
America's Families -- Update on Dobbins v. LSC and the Public Education
Campaign**

Meeting Room 406

**Using the Pro Bono Standards to Measure Your Program's Success (Or to
Start a New Program)**

Meeting Room 402

10:30 A.M. --
11:45 A.M.

Topical Workshops

A Law Firm Perspective on Developing Pro Bono Partnerships

Meeting Room 400

Courting Pro Bono: Successfully Involving the Judiciary in Pro Bono

Salon B

Equal Justice: The Leadership Agenda

Salon G

**Extreme Makeover, Pro Bono Edition: Post-Reconfiguration Pro Bono
Program Development**

Meeting Room 404

Getting Your Money's Worth from Your Case Management System

Meeting Room 415

Involving Senior Lawyers in Pro Bono Work

Salon D

**Maintaining the Quality of Hotline Advice Through Checklists, Scripts,
and Law Outlines**

Meeting Room 408

Marketing Business Law Pro Bono Projects to Meet Urban & Rural Needs

Meeting Room 602

Representing Children in Civil Domestic Violence Cases

Salon E

Technology Tips and Tools: 50 Ways to Work Better, Faster and Cheaper

Salon F

12:00 Noon. --
1:45 P.M.

Luncheon and Awards Presentations

Salon H-K, 6th floor

NAPBPro Awards

Austin Bar Association Awards

Keynote Speaker: Robert J. Grey, Jr.

President, American Bar Association

1:45 P.M. -- 3:15
P.M.

Networking Sessions

Community Problem Solving

Salon A

Developing and Using Pro Bono Manager Networks

Meeting Room 406

Leadership, Diversity and Mentoring

Salon F

Legal Aid University Focus Group

Meeting Room 415

Microenterprise Pro Bono Projects and Business Law

Meeting Room 400

Programs Representing Children

Meeting Room 404

Rural Consortium Networking Session

Meeting Room 408

State Funding Roundtable: Do You Have a Plan for Initiating or Growing Your State Legislative Funding?

Salon B

The ABA's Pro Bono Data Collection Study: The Early Returns

Meeting Room 412

TIG (Technology Initiative Grants)

Salon E

3:30 P.M. -- 5:00
P.M.

Topical Workshops

Combating the Website Blues

Meeting Room 408

Core Capacities of Pro Bono Business Providers

Salon B

Creating Pro Bono Partnerships To Serve Homeless and Runaway Youth

Meeting Room 406

Designing, Implementing and Funding a Comprehensive Children's Legal Services Project in Your Program

Meeting Room 402

Evaluating Legal Services Programs -- California's Equal Access Fund

Meeting Room 410

Hiring, Training and Evaluating Hotline Advocates

Meeting Room 415

Hot Topics in Legal Aid

Salon G

Innovative Partnerships in Systemic Reform and Advocacy

Meeting Room 412

Innovative Ways to Increase the Number of Clients Served Without Increasing Your Budget or Staff

Meeting Room 602

Medicare Rx 2006: Its Effect on Older Medicaid Recipients and How to Insure They Receive the Benefit

Meeting Room 400

Partnering Across the Sectors: Creating a Problem Solving Justice System Presented by the Consortium on Community Problem Solving

Salon E

Pro Bono Roundup: Data Collection Efforts Around the Country

Salon D

Program Leadership: The Case for Racial and Gender Diversity

Meeting Room 404

5:00 P.M. -- 6:00 P.M. **12-Step Meeting**
Hospitality Suite 12

6:00 P.M. -- 11:00 P.M. ***Now it's time to party!***
Dinner Dance – La Zona Rosa

www.lazonarosa.com -- *Enjoy a traditional Mexican Buffet, experience a colorful performance by Ballet Folklorico and dance to a live band.*
Hosted by the Texas Host Committee



Saturday, May 7

7:30 A.M. -- 8:15 A.M. **Women of Color Project Directors/Friends Meeting**
Meeting Room 400

7:30 A.M. -- 9:30 A.M. **National Association of Pro Bono Professionals Executive Committee Meeting**
Suite 1203

7:45 A.M. -- 8:15 A.M. **Coffee**
Governor's Ballroom Foyer, 4th floor

8:00 A.M. -- 10:00 A.M. **Hearing on Standards for Providers of Civil Legal Services to the Poor**
Meeting Room 402

8:30 A.M. -- 10:00 A.M. **Topical Workshops**

A Winning Combination: Corporate Law Departments, Law Firms, and Legal Service Providers Working Together

Meeting Room 410

Grassroots Technology Solutions: Techniques for the Smaller Organization

Salon B

Immigration Law Post 9-11: Policy, Practice, and Pro Bono

Salon G

Increasing Pro Bono at Small to Mid-Size Law Firms

Salon D

Innovations in Court-Based Pro Se: Lessons from Evaluation

Salon F

MIE Roundtable for Legal Aid Executive Directors and Managers

Salon E

Protecting Our Future: Law Firm Partnerships that Benefit Children

Meeting Room 602

Responsibilities to do Justice

Meeting Room 404

Roundtable on Expanding Sources of Federal Funding

Meeting Room 408

The Pot of Gold at the End of the Rainbow: Recruiting Pro Bono Lawyers of Color

Meeting Room 415

Trends and Innovations in Recruitment and Recognition of Volunteers

Salon A

**10:15 A.M. -- 11:30
A.M.**

**Closing Session
Breakfast and more:
Salon H-K, 6th floor**

**Keynote Speaker: Molly Ivins
Nationally Syndicated Columnist and Author**

**Debbie Segal, Chair
ABA Standing Committee on Pro Bono and Public Service**

**11:30 A.M. -- 3:00
P.M.**

**Task Force to Revise ABA Standards for Providers of Civil Legal
Services to the Poor
Meeting Room 602**

12:30 -- 5:00 P.M.

**Post-Conference:
Rural Delivery -- Strategizing for the Future
Meeting Room 406**

The Texas Access to Justice Commission

welcomes you to

The 25th Anniversary Celebration

of

Texas Lawyers Care

October 4, 2007





*“If we are to keep our democracy, there must be one commandment:
thou shalt not ration justice.”*

- Judge Learned Hand





Unlocking the Doors to Justice

Access to justice is a fundamental right of all Americans. However, unlike the criminal justice system, people with civil legal problems do not automatically receive the right to counsel.

Legal aid programs are designed to help people gain access to our civil justice system, but currently, their limited resources meet less than 25 percent of critical legal needs. When these needs go unmet, children are placed at risk, families lose their homes, and women stay in abusive relationships.

It is the mission of Texas Lawyers Care to support legal aid programs and pro bono attorneys in their efforts to provide quality legal services to low-income Texans. With the resources, training, and other assistance provided by Texas Lawyers Care, pro bono lawyers throughout the state are able to serve as the key to the courthouse for Texans who would otherwise not have access to the justice system.

Contributions go directly to the Texas Access to Justice Foundation and in turn, will be instrumental in allowing legal aid programs to be able to provide additional legal services so desperately needed.

Texas Lawyers Care is the Pro Bono/Legal Services Support Department of the State Bar of Texas and the staff of the Texas Access to Justice Commission.





For Your Dining Pleasure



Hors d'Oeuvres

Chevre, caramelized apple and onion crostini
Apricot, almond, brie en croûte bites
Moroccan chicken, date and pistachio in filo
Bacon jalapeño quail bites

Salad

Toasted pecans, Stilton cheese, dried cherries and a pear
fan with port wine vinaigrette on arugula and frisée

Main Course

Tilapia Veracruz - Tilapia fillet with tomatoes, olives and
garlic served over spinach orzo and grilled asparagus
or
Grilled Vegetables – Grilled eggplant, portabella mushrooms, baby zucchini,
marinated tofu, French green beans, asparagus, and red bell peppers

Dessert

Bread pudding with cinnamon crème anglaise





Celebration Proceedings



7:00 p.m. *Cocktails and Hors d'Oeuvres*

7:30 p.m. *Dinner and Dessert*

Invocation

Rev. Emilee Dawn Whitehurst, Executive Director
Austin Area Inter-Religious Ministries

Commencement

William O. Whitehurst, Jr., Master of Ceremonies

Annotations

D. Gib Walton, State Bar of Texas President
James B. Sales, Texas Access to Justice Commission Chair

Awards Presentation

9:00 p.m. *Live performance and
dancing with Rotel and the Hot Tomatoes*

10:30 p.m. *Conclusion*





A sincere thank you



Grand Master Key



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& Harry M. Reasoner



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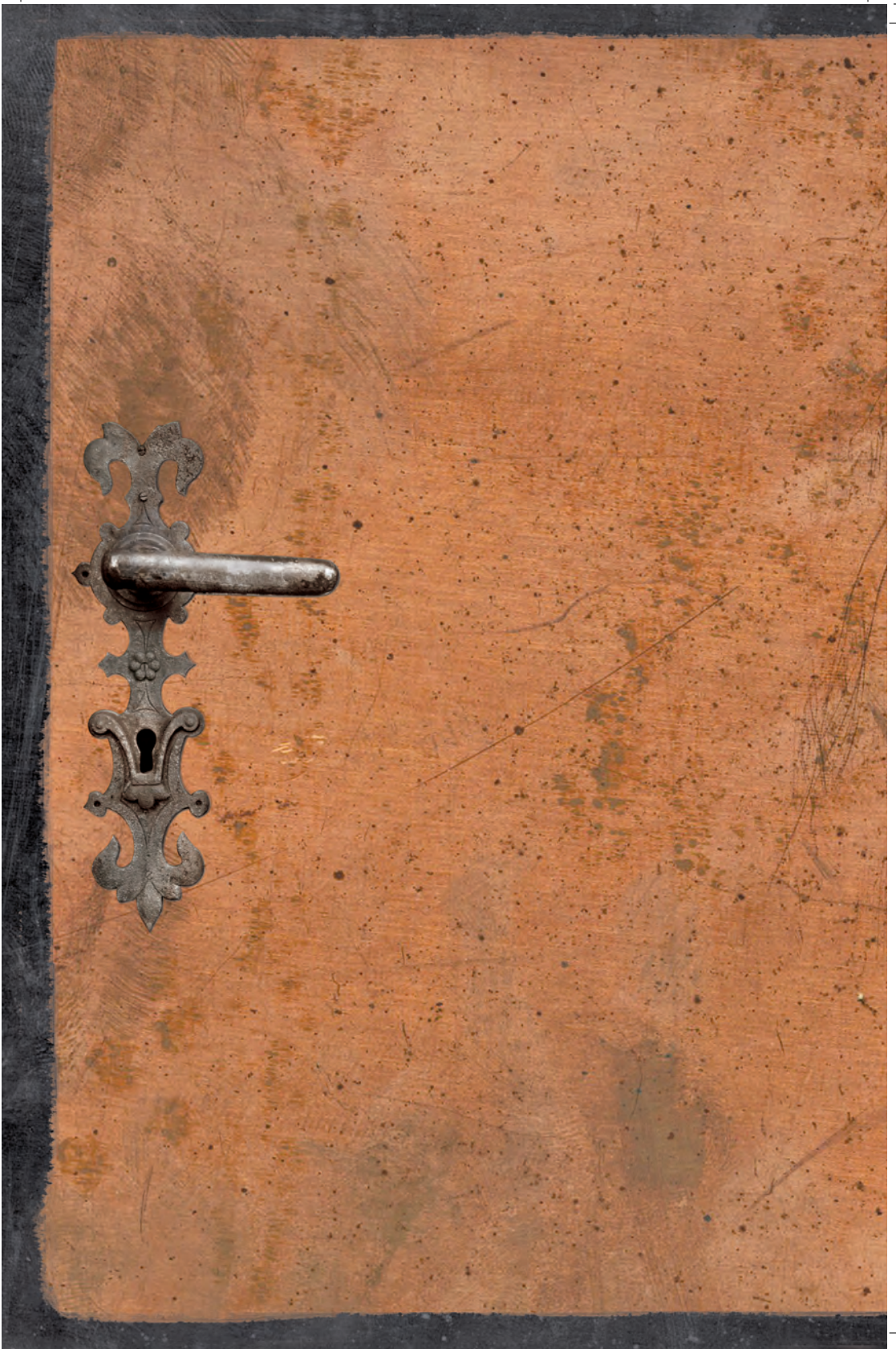




Notes









FOR IMMEDIATE RELEASE
May 22, 2007

Contact: Laura Figueroa
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**BEST-SELLING AUTHOR JOHN GRISHAM DONATES \$20,000 TO
TEXAS ACCESS TO JUSTICE COMMISSION INTERNSHIP PROGRAM**

AUSTIN, Texas – John Grisham, attorney and best-selling author, is donating \$20,000 to the Texas Access to Justice Commission to partially sponsor law-student interns working at legal aid organizations this summer.

Legal aid organizations provide free advice or representation in civil matters, such as family law and housing issues, to low-income Texans. The law-student interns will work with legal aid attorneys in Angleton, Beaumont, Corpus Christi, Edinburg, Laredo, Tyler, San Juan and Weslaco.

Grisham will speak at the State Bar of Texas Annual Meeting in June and will donate his speaker's honorarium to the Texas Access to Justice Commission's Summer Law Student Internship Program. Grisham's \$20,000 contribution will be utilized for stipends for the law-student interns who participate in the program.

The internship program, a collaboration between the Commission and all nine Texas law schools, provides law students with the opportunity to participate in efforts to ensure that more low-income Texans have access to the justice system. The program also brings much-needed civil legal aid to areas of the state that lack a nearby law school. This year, 14 interns from seven Texas law schools will spend seven weeks learning to help low-income Texans who face serious legal problems.

“We are delighted with the success of the Summer Internship Program and very grateful to John Grisham for his generous donation which will help these young law students defray some of the costs of relocating for the summer,” James B. Sales, chair of the Texas Access to Justice Commission, said. “The deans of our law schools have been extraordinarily supportive of this project, which they developed.”

The interns attended a training and orientation session in Austin on May 17 and 18, where they learned about the basics of poverty law, interviewing and counseling clients, and professional responsibility issues. The internship will run May to July.

John Grisham will be the featured speaker at the Thursday lunch of the State Bar of Texas Annual Meeting on June 21 in San Antonio. For information about the event, visit www.texasbar.com/annualmeeting.

The Texas Access to Justice Commission (www.TexasATJ.org) was created in 2001 by the Supreme Court of Texas to develop and implement policy initiatives designed to expand access to and enhance the quality of justice in civil legal matters for low-income Texans. The Commission has created several initiatives to increase resources for and awareness of legal aid, including the domestic violence Protective Order Kit, the Texas Student Loan Repayment Assistance Program, and www.TexasLawHelp.org, an online resource for free legal information.

State Bar of Texas Survey of 2005 Pro Bono

Executive Summary

A survey of 2005 pro bono services by Texas attorneys was administered in interviews of 500 attorney members of the State Bar of Texas. The main findings were as follows:

- Some 57.1 percent of active in-state attorneys provided an average of 44 hours of pro bono legal or indirect legal services that benefited the poor in 2005. Based on that average, it is estimated that there was a total of 1.8 million hours of free legal or indirect services to the poor performed in 2005. This compares to 57.5 percent of attorneys in 2002 who provided each an average of 47 pro bono hours in 2002.
- Some 31 percent of attorneys provided an average of 72 hours of substantially reduced fee legal services to the poor in 2005. The sum total of hours was estimated to be 1.6 million hours of substantially reduced legal services to the poor in 2005. In 2002 there were 30 percent of attorneys who provided each an average of 64 hours of substantially reduced fee legal services to the poor in 2002.
- The reduction in fees averaged 54 percent for those reporting substantially reduced legal services to the poor, with the reductions ranging from 76 percent or more (15 percent of attorneys) to 25 percent or less (10 percent of attorneys).
- The largest percentage (of those attorneys who performed free legal services or reduced fee services to the poor) provided free services in civil matters (81 percent). Some 39 percent reported services to a charitable, public-interest organization addressing the needs of poor persons. Unsolicited court appointment legal services were reported by 20 percent. Services that simplified the legal process or increased the availability and quality of legal services to poor persons were done by 20 percent. Free legal services in criminal matters were similarly reported by 20 percent of attorneys doing pro bono or reduced fee legal services to the poor. Some 9 percent provided uncompensated legislative, administrative, or systems advocacy on behalf of poor persons.
- Financial contributions or paying out-of-pocket expenses related to legal services to the poor was done by 34.5 percent of attorneys. The average amount contributed by those attorneys was \$689 in 2005. The sum of contributions to legal services to the poor was estimated to be \$16.5 million in 2005, based on that average. In 2002 some 36 percent of attorneys contributed on average \$1,025 to legal services to the poor in 2002.
- The factor identified most often that discouraged doing pro bono was "lack of time." Some 63 percent of the attorneys cited this as being a discouraging factor. The next factor was "commitment to family obligations" cited by 42 percent, and "lack of skills/experience in practice areas needed by pro bono clients" which was reported by 34 percent of attorneys. The factor of "competing billable hour expectations and policies" was identified by 28 percent, a "lack of administrative support or resources" was cited by 25 percent, "lack of malpractice insurance" was identified by 17 percent, and "lack of information about opportunities" was named by 14 percent. "Lack of desire" and "discouragement from employer" were each cited by 10 percent of attorneys.
- Some 68 percent of attorneys strongly agree or agree with the statement, "The provision of free legal services to those unable to pay reasonable fees is a moral obligation of each lawyer."

EXECUTIVE SUMMARY

A survey of 2006 pro bono services by Texas attorneys was administered in interviews of 500 active in-state attorney members of the State Bar of Texas. The main findings were as follows:

- Some 58.1 percent of active in-state attorneys provided an average of 43 hours of pro bono legal or indirect legal services that benefited the poor in 2006. Based on that average, it is estimated that there was a total of 1.77 million hours of free legal or indirect services to the poor performed in 2006 by Texas attorneys. This compares to 57.1 percent of attorneys who provided each an average of 44 pro bono hours in 2005. Attorneys who reported 2006 pro bono work had a median average of 3 such cases. However, a sizable 17 percent (about 1 in 6) reported 10 or more of these cases. The average rate that attorneys would have charged for the pro bono work was \$234 per hour (were it not pro bono).
- Some 29 percent of attorneys provided an average of 62 hours of substantially reduced fee legal services to the poor in 2006. It is estimated that 1.28 million hours of substantially reduced legal services to the poor were provided by Texas attorneys in 2006. In 2005 there were 31 percent of attorneys who provided each an average of 72 hours of substantially reduced fee legal services to the poor in 2005. For 2006 pro bono, attorneys reported a median average of 4 such cases. Almost one in three attorneys who provided substantially reduced legal services to the poor reported having 10 or more such cases in 2005. The average rate that attorneys would have charged for the reduced fee legal services in 2006 was \$209 per hour (were it not reduced fee).
- The largest percentage (of those attorneys who performed free legal services or reduced fee services to the poor) provided free services in civil matters (82 percent). Some 32 percent reported services to a charitable, public-interest organization addressing the needs of poor persons. Free legal services in criminal matters were reported by 20 percent of attorneys doing pro bono or reduced fee legal services to the poor. Unsolicited court appointment legal services were reported by 17 percent. Services that simplified the legal process or increased the availability and quality of legal services to poor persons were done by 17 percent. Some 4 percent provided uncompensated legislative, administrative, or systems advocacy on behalf of poor persons.
- Financial contributions or paying out-of-pocket expenses related to legal services to the poor was done by 30 percent of attorneys. The average amount contributed by those attorneys was \$791 in 2006. The sum of contributions to legal services to the poor was estimated to be \$16.9 million in 2006, based on that average. In 2005 some 34.5 percent of attorneys contributed on average \$689 to legal services to the poor in 2005.

EXECUTIVE SUMMARY

A survey of 2007 pro bono services by Texas attorneys was administered in interviews of 500 attorney members of the State Bar of Texas. The main findings were as follows:

- Some 58.0 percent of active in-state attorneys provided an average of 48.5 hours of pro bono legal or indirect legal services that benefited the poor in 2007. Based on that average, it is estimated that there was a total of 1.80 million to 2.29 million hours of free legal or indirect services to the poor performed in 2007.
- Some 29.7 percent of attorneys provided an average of 54.0 hours of substantially reduced fee legal services to the poor in 2007. The sum total of hours was estimated to be 1.02 million to 1.31 million hours of substantially reduced legal services to the poor in 2007.
- The largest percentage of respondents who performed free legal services provided services in civil matters (79 percent). This compared to smaller percentages of respondents who provided free legal services to charitable, public-interest organizations (37 percent); to simplify or, increase availability and quality of legal services (24.8 percent); in criminal matters (19 percent); by unsolicited court appointment (13 percent); and for legislative, administrative or systems advocacy (8 percent).
- Financial contributions or paying out-of-pocket expenses related to legal services to the poor was done by 33.3 percent of attorneys. The average amount contributed by those attorneys was \$677.32 in 2007. The sum total of dollars was estimated to be \$14.4 million to \$18.4 million.



Court Awards Strategies Committee 2008

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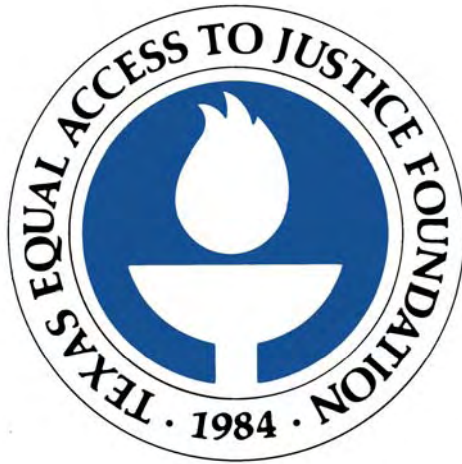
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COMPARABILITY STRATEGIC PLANNING

COMPARABILITY STRATEGIC PLANNING COMMITTEE
REPORT

to
TAJF Board of Directors

March 18, 2008

COMPARABILITY RECOMMENDATIONS

Executive Summary

The Texas Access to Justice Foundation has engaged in a comparability planning process to determine the best use of IOLTA funds generated as a result of the comparability rule adopted by the Supreme Court of Texas.

The process has included:

1. Survey of the access to justice community
2. Series of conference calls with discrete groups in the grantee community
3. A forum at which access to justice partners and legal aid providers provided information regarding the needs in the access to justice community
4. A salary survey of grantees
5. Compilation of data on services provided throughout Texas

After engaging in the process, Foundation staff recommends that the additional funds be spent in the following areas:

I. Stabilization of infrastructure 2.35 million

A.. Stability of funding

Reserve (continue current system)

B.. Staff Retention 2.35 million

Salaries \$1.8 million

Other \$200,000

*Student Loan Repayment¹ \$350,000

II. Enhanced services to clients 3.75 million

A. Percentage increase for legal aid providers **(1.5 million)**

B. Underserved areas of the state **(2.0 million)**

C. Gap populations/New Projects **(\$250,000)**

¹ Board authorized at its meeting on January 17, 2008

I. STABILIZATION OF INFRASTRUCTURE OF DELIVERY SYSTEM

A. Stability of Funding

Recommendation: Foundation staff recommends that (1) the Foundation uses the average of the three years of projected funds to determine grant amounts for the next three grant cycles, (2) the Board adopt a reserve policy that conforms with its current reserve practice, and (3) the Foundation create an endowment for the long-term stability of the organization.

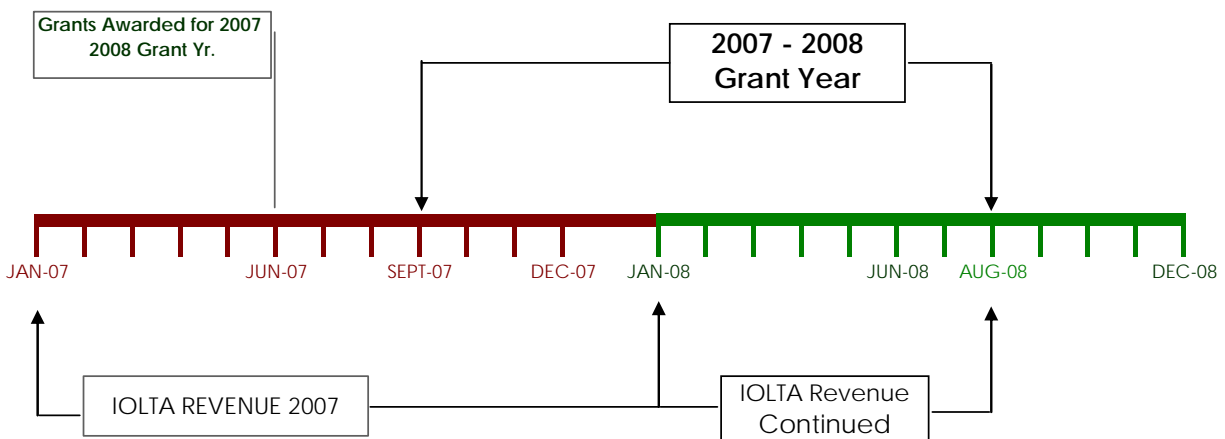
1. Average of three years of project funds to determine grant amounts

The Foundation staff recommends that the Foundation uses the average of three years of projected funds to determine grant amounts for the next three grant cycles. This recommendation is based on our desire to ensure stability in funding at a time when the funds are dramatically decreasing due to the continued lowering of the Federal Funds Target Rate. In addition, Foundation staff recommends that the Foundation make a three-year commitment to any organizations funded in 2008 so that legal aid programs can plan accordingly. Current revenue and projected revenue are as follows:

	After expenses
2007 (actual):	10.9 million
2008 (projected):	3.91 million
2009 (projected):	<u>3.5 million</u>
Average	6.1 million

2. Operating Reserve

Currently, TAJF collects IOLTA revenue over a calendar year. It awards the funds during the subsequent year in June at its grants making meeting. The Foundation uses the state fiscal year (September - August) as its grant year.



Currently, the Foundation's "reserve" depends on where it is on the continuum. The number of months in reserve ranges from 8 - 20 months.

The Foundation should develop a Reserve Policy. The amount of the reserve should be based on factors such as the mitigation of the impact on the Foundation and its grantees of a significant decrease in IOLTA revenue and other funding streams and potential emergency/disaster needs.

B. Staff Retention

Recommendation: Foundation staff recommends that 2 million be set aside for grants on a competitive basis to address the need to increase salaries and take other steps to improve the capacity to recruit and retain employees, particularly attorneys.

The preferred use for these funds will be to increase salaries to all staff, including in particular attorneys. As a benchmark for competitive salaries for attorneys, TAJF has identified the following salary levels with appropriate steps between the levels listed here:

- Starting licensed attorneys - at least \$45,000 per year;
- Attorneys with five years experience - \$55,000-57,500;
- Attorneys with 10 years experience - \$67,500-\$70,000;
- Attorneys with 15 years experience - \$80,000-\$82,500;
- Attorneys with 20 years experience - \$92,500-\$95,000; and
- Attorneys with more than 20 years experience - >\$95,000.

In order not to penalize programs which have committed funds to maintaining competitive salaries, the Texas Access to Justice Foundation will entertain applications from such programs for other strategies to help retain employees, including attorneys. Other potential activities to improve retention of employees include, but are not limited to:

- Offering opportunities for professional development and training;
- Enhancing fringe benefits, including creating or improving pension plans; and
- Creating new career opportunities for more experienced professionals.

ANALYSIS

This recommendation is grounded in strong concern on the part of TAJF that salaries for a large percentage of the attorneys among its grantees have lagged far behind what is competitive in other public interest areas, let alone the private sector. The results of the three surveys conducted by TAJF, including one of all employees of its grantees; the testimony offered at the Texas Comparability Forum on January 17, 2008; and several national studies, all speak to the essential importance of addressing chronically low salaries. This recommendation, therefore, signals the commitment of TAJF to supporting its grantees in improving salaries throughout the system. If salaries in the legal aid system are not at a crisis level, they soon will be and it is essential to start addressing the problem.

The recommendation does not limit the use of the Salary cap improvement and Staff Retention Funds to increasing salaries, because some grantees have addressed their salary needs and need neither strong impetus nor financial support for making necessary changes. The recommendation provides the opportunity for those programs that have addressed their salary needs to apply for these funds for other strategies to help retain employees, including attorneys. To apply for a grant in an area other than for salary increases, the applicant should demonstrate that its salaries are

competitive. Possible areas of focus for such applications are suggested, but they are intended only as examples.

Suggested Salary Levels

The Recommendation sets benchmark salary levels for various years of experience as a guide to programs in determining if their salaries would be deemed competitive by TAJF. The salaries suggested in the Recommendation are based on a study, entitled *2007 Attorney Salary Survey: Not for Profit Organizations*, conducted by the Hay Group on behalf of the National Consumer Law Center and the Center for Public Representation (hereafter, Hay Group Report). The Hay Group Report was based on a survey of a cross-section of legal aid organization across the country. The results, therefore, do not purport to be competitive *public interest* salaries, but rather comparable salaries in legal aid organizations. They are suggested as an initial benchmark in the recommendation, because a survey of salaries actually paid by programs, as reported below, indicated that a large majority of attorneys in the system do not come close to competitive legal aid salaries, let alone public interest ones.²

The need to improve salaries

The strong focus of this recommendation on improving salaries is based upon three sources of information: 1) results of the Comparability Planning Survey conducted by the Texas Access to Justice Foundation in late 2007; 2) the nearly universal identification of the need to address salaries in testimony offered at the Texas Comparability Forum held on January 17, 2008; and 3) the results of two recent surveys conducted by the TAJF staff regarding salaries currently paid by its grantees to their staff.

2007 Comparability Planning Survey. In early December, 2007, the Texas Access to Justice Foundation distributed an online survey to approximately 1000 staff members of the legal aid programs it funds. The stated purpose of the survey was to help the Texas Access to Justice Foundation "determine how most appropriately to use the additional moneys that will result from the recent change in interest rates paid IOLTA accounts." Timely responses were submitted by 481 of the potential respondents.

Among the questions asked in the survey was how respondents believed the increased funding available to TAJF as a result of IOLTA comparability should be targeted. Respondents were asked to state the relative importance of eight possible ways that the new funds might be expended. Those choices were:

- To help establish and maintain more competitive salaries in programs
- To help program staff meet their student loan obligations
- To maximize the technological capacity of programs
- To address new and emerging unmet substantive needs of low income communities
- To expand service to populations that are not being served
- To increase capacity in current areas of work where demand outstrips resources to respond

² It is significant to note, that a number of state funders that have committed to addressing low salaries in their states have set the much higher figure of public defender or other government attorneys, rather than comparable national standards for legal aid programs. See for instance, **Investing in Justice: A framework for Effective Recruitment and Retention of Illinois Legal Aid Attorneys** (The Chicago Bar Foundation and the Illinois Coalition for Equal Justice November 2006). The Virginia Legislature recently approved a filing fee increase for the express purpose of increasing legal aid salaries to the same level as Public Defenders.

- To support creation of a reserve at a state level
- To support creation of a reserve in their program

Respondents were not asked to rank the options, but rather to indicate the relative importance on a five-point scale ranging from "very important" to "very unimportant." As noted in a Report on the survey presented at the Comparability Forum, almost 96% of the respondents identified addressing salaries as "very important" (70%), or "important" (25.8%). Significantly, among staff with less than two years experience, 96% identified the need to increase salaries as "very important."

The comments to the survey contained a number of very strong statements regarding the importance of addressing salary needs. One comment, for instance, noted that: "A new teacher in Fort Worth has a higher starting salary than a new legal aid attorney." The comment went on to ask rhetorically whether it was reasonable to "expect an attorney to devote his entire career to legal aid when he knows he will never be able to provide for a family?"

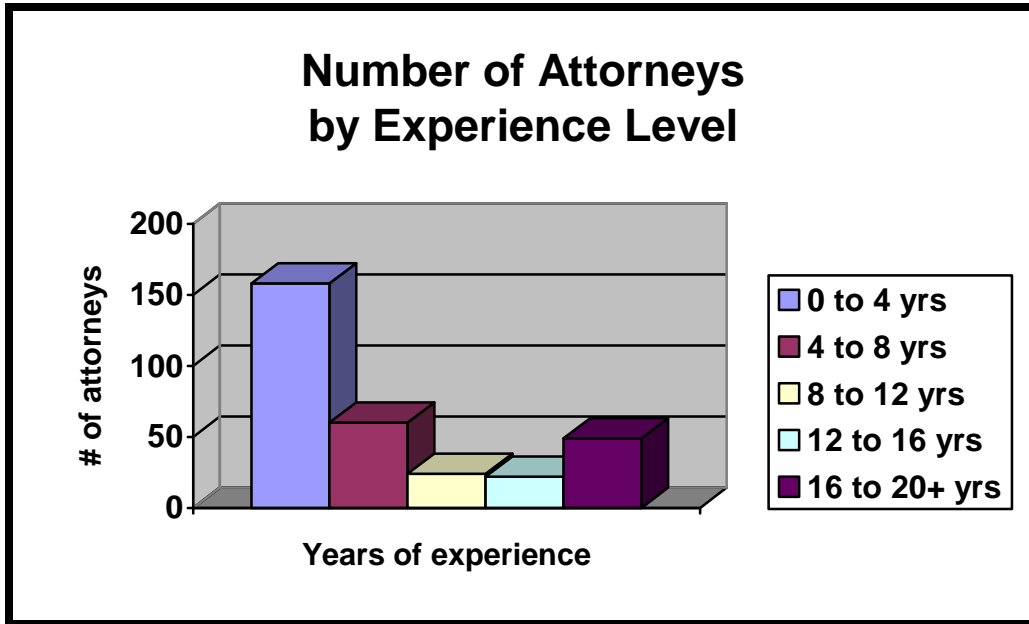
Texas Comparability Forum, January 17, 2007. A large number of the witnesses at the Comparability Forum on January 17, 2008 stated a similar concern about the impact of low salaries on recruitment and retention of staff. One director of an immigration counseling service noted that her program's experience is that 18 months after staff begin, they have become "highly skilled and marketable," and they leave for higher salaries. Data from the salary and staffing surveys conducted by TAJF show that experience of other legal aid grantees of TAJF is the same: there is a significant drop-off throughout the system in the number of attorneys with more than two years experience.

Related National Studies. The concerns expressed in Texas regarding the need to address salaries reflect similar concerns that have gained national attention. Two recent, major studies examined the factors that affect recruitment and retention in legal aid and found that chronically low salaries, particularly coupled with high student loans, are having a significantly corrosive effect on legal aid services across the nation. ***Investing in Justice: A framework for Effective Recruitment and Retention of Illinois Legal Aid Attorneys*** (The Chicago Bar Foundation and the Illinois Coalition for Equal Justice November 2006) and ***The Quest for the Best: Attorney Recruitment and Retention Challenges for Florida Civil Legal Aid*** (Kelly Carmody and Associates, September 2007). ***Investing in Justice***, the Illinois report, found that "pay dissatisfaction was the strongest correlate of turnover intentions" among attorneys surveyed. More than half of attorneys surveyed were planning to leave their position within the next three years. (Page 6.) The report recommended that at a minimum, legal aid compensation should be comparable to compensation paid to government or other public service lawyers.

Results of surveys regarding salaries paid by grantees. In late January, 2008, TAJF obtained information from its grantees regarding their current salaries. The data demonstrate that there is a wide range in grantees' compensation packages, but that a significant percentage of grantees pay salaries that are well below the benchmarks suggested in this recommendation. For entry level salaries, only four grantees pay at or above the benchmark level. More significantly, as experience levels increase, the number of grantees which pay at or near the benchmark levels dwindle significantly; only one grantee pays salaries at or near the benchmark at higher levels of experience.

The chart which is attached as Attachment (A) shows the array of salaries paid and demonstrates two salient factors. First, at every salary level, a very high percentage of grantees fall below the proposed benchmarks and the differential from the benchmark increases significantly as experience levels increase. Thus, while entry-level and second-year salaries for most grantees are within \$5,000 to \$10,000 of the benchmark, many attorneys at a more experienced level are \$20,000 to more than \$30,000 off the mark.

Although the salary differentials between the benchmarks and what is actually paid increase as the years of experience increases, the most significant cost to bringing programs in line with the benchmark will be at the lower end of the scale. This is because there are more than 100 lawyers in the system below the benchmark level for entry-level and one to two year attorneys. A rough calculation comparing current salaries to the benchmark for these two groups suggest that the cost to bring those hundred plus attorneys into line would be slightly over \$1 million.



The survey data demonstrate one very unusual factor of about staffing patterns that exist throughout the state. Texas has a very large number of entry-level and relatively inexperienced attorneys and has a smaller but significantly large number of attorneys with more than sixteen years experience. The relative number of attorneys between four years and fifteen years of experience in contrast is relatively low. Nearly all of those lawyers are employed by one of the three LSC grantees.

The cost to bring the salaries of attorneys with more than 15 years experience is more difficult to gauge than the cost of attorneys at the early stages of their career. According to the survey responses, there are approximately 53 attorneys in the system who have more than 15 years experience. Of these, 25 work for an LSC grantee that pays salaries at or above the targeted amount. The other 28 attorneys, however, are well below the targeted level, many in a range of \$30,000 or more below. Thirteen of the more experienced attorneys have more than 20 years experience with an LSC grantee. Their salaries are in the \$65,000 to \$75,000 range.

Other staff positions. Much of the data collected in Texas as well as the concern expressed nationally focus on staff attorney positions since attorneys are key to providing assistance to low-income persons. Data obtained in the salary survey conducted by TAJF indicate that salaries for other positions are also low. Twenty four grantees use paralegals, and three of those pay less than \$20,000 for their paralegals who have no degree. Twenty three of twenty four respondents pay those paralegals less than \$30,000 per year.

Paralegals with a degree fare better, but salaries are generally also very low. Of the 22 grantees responding to the survey, 17 pay salaries below \$30,000 to paralegals with a degree, and one pays less than \$20,000. Five of the 22 programs pay maximum salaries between \$40,000 and \$50,000.

Salaries for secretaries are also generally low. Of 22 grantees who responded to the survey regarding secretarial salaries, 14 pay salaries of \$25,000 or less, with six of those paying less than \$20,000. Salaries for secretarial and support staff among the LSC grantees ranged from a low of \$22,000 to a high of \$55,500.

Other staff retention strategies. As noted in the previous discussion, the salary survey conducted by TAJF indicates that the vast majority of its grantees pay very low salaries. However, it is not universally a problem among legal service providers in the state. Four providers have starting salaries for entry-level attorneys between \$45,000 and \$55,000. Two providers pay attorneys with 11 to 15 years experience up to \$85,000 annually. It would not be fair to programs which have addressed fair compensation needs for their staff to allocate infrastructure funding only for salary increases. A program which has maintained competitive salaries may, therefore, seek funding under this allocation for projects which are designed to encourage retention of staff. Such efforts include but are not limited to:

- Training and professional development
- Improvement of fringe benefits, including pension plans
- Creation of career opportunities for or experienced employees

II. ENHANCED SERVICES TO POOR TEXANS

Recommendation: Foundation staff recommends that the Foundation (1) allots 1.5 million dollars to provide a percentage increase to current TAJF grantees, (2) allots 2.0 million dollars to provide services to underserved areas across the state, and (3) allots \$250,000 to provide services to “gap” areas.

A. A percentage increase to current providers

TAJF grantees have had basically level funding from the Foundation for the past 4+ years with no consideration given to the increased cost of doing business as a result of changing economic factors. The cost of gasoline, so that advocates and intake workers can reach destinations within their service area but far away from their office, is but one example. With the recent downturn in the economy, fundraising opportunities will grow increasingly more difficult. To assist grantees to address these increased expenses would benefit all of our grantees since all of them suffer these costs and few have a funding source willing to account for them. It is recommended that current grantees receive a percentage increase based on their 2007-2008 total TAJF funding. There are several ways in which this could be accomplished. Examples of possibilities are illustrated in the attached spreadsheet (Attachment B).

B. Underserved areas

TAJF grantees are not able to reach at the same level all counties in the state. Proximity to an office is critical in obtaining more than telephone legal advice and some level of brief services. While toll-free numbers makes contacting the legal aid office that serves a county easier, it does not address the barriers created by lack of presence, including an inability to cost-effectively conduct face-to-face in depth client interviews and make court appearances. Additionally, the further a legal aid office is from a given area, the less likely the community will rely on the program to provide services when needed for the simple reason that the client community is unaware of the existence of the organization or the services it provides. The ability to educate the community about its responsibilities and remedies under the law is almost impossible. Those who know of the legal aid organization and can access its services are those in closest proximity to a physical presence – whether that is a permanent office or a location where they know the legal aid program staff is available on a frequent and regular basis.

To provide services to underserved areas of the state, the Foundation should provide targeted funding to the LSC providers, the backbone of our legal aid delivery system and the only opportunity for boots on the ground in these difficult to reach locations. We recommend setting aside \$1.5 million be distributed on the basis of poverty population based on each of the program’s plan for addressing the needs identified by the TAJF staff research. Attached (C) you will find a chart that sets forth by county and LSC program the percentage that each county is of the state poverty population and the extent to which each of the programs closed cases (on either a limited or extended service basis) in the county during 2007. We propose to identify for them, based on our research, these areas and ask that they submit a plan for closing the service gap, getting them closer to providing both extended and limited services in some of these vulnerable areas.

C. “Gap” areas

Civil legal aid lawyers can be a critical lifeline enabling low-income people to preserve a home against illegal eviction, recover back wages owed by an employer, or secure food and medicine for a sick child.

In 1996, the government restricted legal aid programs that get any LSC funding from engaging in many important activities on behalf of clients. For example, LSC grantees cannot represent:

- 1) anyone in prison;
- 2) many documented and
- 3) all undocumented immigrants.

The government also barred LSC grantees from spending their own privately raised money to finance these activities. If LSC grantees want to use their own money to represent certain immigrants, for example, they would have to start a separate organization, with separate offices, staff and equipment. This rule would require wasting scarce money that would otherwise go toward serving low-income clients.

There are TAJF grantees that are not bound by these rules. TAJF staff recommends investing in some of those programs or, perhaps, new organizations that can provide some of the services that are currently not being provided or being provided only on a very limited basis. An example is the funding TAJF provides to the Equal Justice Center to insure that persons, even those who are not documented, receive the wages promised them for their labor. This service is needed throughout

Texas, especially in all the major metropolitan areas but is currently only available in the Austin area. Investing in this service throughout Texas helps not only the worker but maintaining a decent wage, generally, across the state.

Another area in which TAJF has had an impact these last couple of years is representation of prisoners who have not been afforded their basic human rights by prison personnel like the right to medical care.

An area badly in need of attention is the basic civil legal needs of persons who are not documented. There are organizations that provide immigration legal services but no programs that routinely offer legal aid in routine civil matters, like consumer problems, family law matters that do not involve domestic violence, landlord-tenant issues, etc. These most vulnerable Texas residents have no recourse against being defrauded due to their lack of documented status in the U.S.

The staff recommends setting aside funding to add or increase these desperately needed services in Texas.

Attachment (A)

ATTACHMENT A

SALARY DATA IN TEXAS

*GRANTEE'S SALARY LEVELS
COMPARED TO PROPOSED BENCHMARKS*

Salary Level	Number of Organizations	Number of Attorneys
Starting Salaries (Target Level \$45,000)		
\$30,000 - \$35,000	2	2
\$35,000 - \$40,000	5 (2 LSC grantees)	43
\$40,000 - \$45,000	9	7
> \$45,000	4 ¹ (1 LSC Grantee)	4
1 to 2 Years Experience (Target Level \$47,500)		
\$35,000 - \$40,000	5 (2 LSC grantees)	46
\$40,000 - \$45,000	4	3
\$45,000 - \$50,000	4 (1 LSC grantee)	4
>\$50,000	1	1
2 to 3 Years Experience (Target Level \$50,000)		
\$35,000 - \$40,000	3 (1 LSC grantee)	6
\$40,000-\$45,000	2 (1 LSC grantee)	14
\$45,000-\$50,000	4	6
>\$50,000	3 (1 LSC grantee) LSA	4
3 to 4 Years Experience (Target Level \$52,500)		
\$35,000-\$40,000	2 (1 LSC grantee)	6
\$40,000-\$45,000	5 (1 LSC grantee)	8
\$45,000-\$50,000	0	0
>\$50,000	2 (1 LSC grantee)	4
4 to 5 Years Experience (Target Level \$55,000)		
\$35,000-\$40,000	1	1

¹ The number of programs is less than the total number of grantees, because of organizations which do not have entry-level lawyers.

Salary Level	Number of Organizations	Number of Attorneys
\$40,000-\$45,000	3 (1 LSC grantee)	7
\$45,000-\$50,000	2 (1 LSC grantee)	7
\$50,000- \$55,000	1 (1 LSC grantee)	2
> \$55,000	2	2
5 to 6 Years Experience (Target Level \$57,500)		
\$40,000-\$45,000	2 (1 LSC grantee)	7
\$45000-\$50000	2 (1 LSC grantee)	3
\$50000-\$55000	0	0
> \$55,000	1 (1 LSC grantee)	1
6 to 7 Years Experience (Target Level \$60,000)		
\$35000-\$40000	1	1
\$40000-\$45000	2	2
\$45000-\$50000	3 (1 LSC grantee)	7
\$50000-\$55000	1	2
\$55,000-\$60,000	1 (1 LSC grantee)	3
> \$60,000	2 (1 LSC grantee)	3
7 to 8 Years Experience (Target Level \$62,500)		
\$40,000-\$45000	1	1
\$45000-\$50000	2 (1 LSC grantee)	4
\$50,000-\$55,000	1 (1 LSC grantee)	5
\$55000-\$60000	0	0
>\$60,000	1	1
8 to 9 Years Experience (Target Level \$65,000)		
\$45,000-\$50,000	1	*
\$50,000-\$55,000	2 (1 LSC Grantee)	2
\$55000-\$60000	1 (1 LSC grantee)	2
\$60000-\$65000	2	2
> \$70,000	1	0
9 to 10 Years Experience (Target Level \$67,500)		
\$40000-\$45000	2	2
\$55000-\$60000	2 (1 LSC grantee)	5

Salary Level	Number of Organizations	Number of Attorneys
>\$65,000	1 (1 LSC grantee)	1
10 to 11 Years Experience (Target Level \$70,000)		
\$60000-\$65000	1 (1 LSC grantee)	3
\$65,000-\$70,000	1	1
>\$70,000	1 (1 LSC grantee)	1
11 to 12 Years Experience (Target Level \$72,500)		
\$55,000-\$60,000	1 (1 LSC grantee)	1
\$65,000 -\$70,000	3 (1 LSC grantee)	3
> \$70,000	1 (1 LSC grantee)	1
12 to 13 Years Experience (Target Level \$75,000)		
\$60,000-\$65,000	1	*
\$65000-\$70000	2 (1 LSC grantee)	2
13 to 14 Years Experience (Target Level \$77,500)		
\$60,000-\$65,000	1	*
\$65000-\$70000	1 (1 LSC grantee)	4
\$75000-\$80000	2 (1 LSC grantee)	2
14 to 15 Years Experience (Target Level \$80,000)		
\$60,000-\$65,000	1	*
\$65000-\$70000	1 (2 LSC grantees)	5
\$80,000	1 (1 LSC grantee)	2
15 to 16 Years Experience (Target Level \$82,500)		
\$60,000-\$65,000	1	*
\$65,000-\$70,000	1 (1 LSC grantee)	5
\$80,000	1 (1 LSC grantee)	2
16 to 17 Years Experience (Target Level \$85,000)		
\$55000-\$60000	1 (1 LSC grantee)	2
\$65000-\$70000	2 (1 LSC grantee)	3
\$80,000	1 (1 LSC grantee)	23 [sic.]
17 to 18 Years Experience (Target Level \$87,500)		
\$65,000-\$70,000	1	*

Salary Level	Number of Organizations	Number of Attorneys
\$70000-\$75000	1 (1 LSC grantee)	4
18 to 19 Years Experience (Target Level \$90,000)		
\$53,980-\$92,678	1	1
\$65000-\$70000	2 (1 LSC grantee)	1
19 to 20 Years Experience (Target Level \$92,500)		
\$65000-\$70000	2 (1 LSC grantee)	2
20+ Years Experience (Target Level > \$95,000-\$120,000)		
\$65000-\$70000	1 (1 LSC grantee)	0
\$65,000-\$75,000	1 (1 LSC grantee)	13
>\$80,000	1	*

Attachment (B)

Program Name

2007-08

Discretionary	Funding	8.3% Increase Across Board	7.8% With \$10K Floor	16.5% Increase With Exceptions
Advocacy, Inc. - Statewide	\$143,884	\$ 11,957	\$ 11,171	\$ 23,675
Equal Justice Center	\$45,000	\$ 3,740	\$ 10,000	\$ 10,000
Legal Aid of NorthWest Texas	\$60,500	\$ 5,028	\$ 10,000	\$ 9,955
Oficina Legal del Pueblo Unido, Inc.- TCRP	\$262,414	\$ 21,807	\$ 20,374	\$ 43,178
Southern Disability Law Center	\$83,670	\$ 6,953	\$ 10,000	\$ 13,767
Texas Advocacy Project, Inc. - Legal Hotlines	\$235,395	\$ 19,562	\$ 18,276	\$ 38,732
Texas Legal Services Center	\$1,097,410	\$ 91,197	\$ 85,202	\$ 180,568
Texas RioGrande Legal Aid, Inc. - Bi-National Project	\$134,909	\$ 11,211	\$ 10,474	\$ 22,198
Texas RioGrande Legal Aid, Inc. - Colonias	\$134,167	\$ 11,150	\$ 10,417	\$ 22,076
Texas RioGrande Legal Aid, Inc. - Migrant	\$567,496	\$ 47,160	\$ 44,060	\$ 93,376
TRLA Total	\$836,572	\$ -	\$ -	\$ -
University of Houston Law Center	\$40,000	\$ 3,324	\$ -	\$ 6,582
Discretionary Total	\$2,804,845	\$ 233,089	\$ 229,973	\$ 464,105
East Texas				
Advocacy, Inc. - East Texas	\$298,427	\$ 24,800	\$ 23,170	\$ 49,103
Aid to Victims of Domestic Abuse	\$303,173	\$ 25,194	\$ 23,538	\$ 49,884
Boat People SOS, Inc.	\$62,030	\$ 5,155	\$ 10,000	\$ 10,206
Brazos County Civil Legal Aid Referral, Inc.(Lone Star S	\$40,000	\$ 3,324	\$ 3,106	\$ 10,000
Cabrin Center for Immigration Legal Services	\$144,302	\$ 11,992	\$ 11,203	\$ 23,743
Catholic Charities of Central Texas	\$50,000	\$ 4,155	\$ 10,000	\$ 8,227
Catholic Charities of Dallas - East Texas*	\$43,537	\$ 3,618	\$ 3,380	\$ 7,164
Catholic Charities of Southeast Texas	\$35,910	\$ 2,984	\$ 10,000	\$ 10,000
Earl Carl Institute for Legal and Social Policy	\$50,000	\$ 4,155	\$ 10,000	\$ 8,227
Fort Bend Lawyers Care	\$19,767	\$ 1,643	\$ 10,000	\$ 10,000
Houston Volunteer Lawyers Program	\$233,012	\$ 19,364	\$ 18,091	\$ 38,340
Jefferson County Bar Association and Lawyer Referral(L	\$40,000	\$ 3,324	\$ 10,000	\$ 10,000
Lone Star Legal Aid	\$3,501,874	\$ 291,013	\$ 271,882	\$ 576,199
Montgomery County Women's Center	\$54,500	\$ 4,529	\$ 10,000	\$ 8,967
NAACP - Houston	\$119,336	\$ 9,917	\$ 9,265	\$ 19,636
Political Asylum Project of Austin - East Texas**	\$49,098	\$ 4,080	\$ 3,812	\$ 8,079
South Texas College of Law	\$58,732	\$ 4,881	\$ 10,000	\$ 9,664
Southeast Texas Legal Clinic	\$23,920	\$ 1,988	\$ 10,000	\$ 10,000
University of Houston Law Center	\$81,943	\$ 6,810	\$ 10,000	\$ 13,483
YMCA International	\$144,303	\$ 11,992	\$ 11,204	\$ 23,744
East Texas Total	\$5,353,864	\$ 444,918	\$ 478,650	\$ 904,665
Northwest Texas				
Advocacy, Inc - Northwest Texas	\$112,107	\$ 9,316	\$ 8,704	\$ 18,446
Catholic Charities of Dallas - Northwest Texas*	\$188,755	\$ 15,686	\$ 14,655	\$ 31,058
Dallas Bar Association Community Service Fund	\$110,787	\$ 9,207	\$ 8,601	\$ 18,229
Legal Hospice of Texas	\$151,022	\$ 12,550	\$ 11,725	\$ 24,849
Legal Aid of NorthWest Texas	\$3,548,876	\$ 294,919	\$ 275,531	\$ 583,933
Legal Aid Society of Lubbock	\$108,114	\$ 8,985	\$ 8,394	\$ 17,789
Northwest Texas Total	\$4,219,661	\$ 350,663	\$ 327,610	\$ 694,304
Southwest Texas				
Advocacy, Inc.- Southwest Texas	\$392,931	\$ 32,653	\$ 30,507	\$ 64,653
Casa de Proyecto Libertad	\$212,249	\$ 17,638	\$ 16,479	\$ 34,923
Catholic Charities of San Antonio	\$149,976	\$ 12,463	\$ 11,644	\$ 24,677
Diocesan Migrant & Refugee Services	\$185,438	\$ 15,410	\$ 14,397	\$ 30,512
Family Violence Prevention Services, Inc.	\$75,794	\$ 6,299	\$ 10,000	\$ 12,471
Las Americas Refugee Asylum Project	\$73,035	\$ 6,069	\$ 10,000	\$ 12,017
Oficina Legal del Pueblo Unido, Inc.- STCRP	\$157,065	\$ 13,052	\$ 12,194	\$ 25,843
Political Asylum Project of Austin - East Texas**	\$132,535	\$ 11,014	\$ 10,290	\$ 21,807
Refugee and Immigrant Center for Education and Legal Services	\$38,260	\$ 3,179	\$ 10,000	\$ 10,000
St. Mary's Law School Clinic	\$68,856	\$ 5,722	\$ 10,000	\$ 11,330
Texas RioGrande Legal Aid, Inc. - Demographic	\$4,047,825	\$ 332,856	\$ 314,269	\$ 659,047
Volunteer Legal Services of Central Texas	\$180,166	\$ 14,972	\$ 13,988	\$ 29,645
Southwest Texas	\$5,714,130	\$ 471,330	\$ 463,767	\$ 936,926
GRAND TOTAL	\$18,092,500	\$ 1,500,000	\$ 1,500,000	\$ 3,000,000

Attachment (C)

Attachment C

Percentage of LSC Program Cases Closed in 2007 as Compared to the County Poverty Population

County	County Seat	LSC Program	% of Texas PP in the County	Extended Percentage over/under	Limited Percentage over/under
Andrews	Andrews	LANWT	0.05%	-0.005%	0.035%
Archer	Archer City	LANWT	0.02%	0.002%	-0.005%
Armstrong	Claude	LANWT	0.01%	0.005%	0.001%
Bailey	Muleshoe	LANWT	0.03%	-0.003%	0.025%
Baylor	Seymour	LANWT	0.02%	-0.004%	0.007%
Borden	Gail	LANWT	0.001%	0.000%	-0.001%
Briscoe	Silverton	LANWT	0.01%	-0.004%	0.006%
Brown	Brownwood	LANWT	1.84%	-1.725%	-1.640%
Callahan	Baird	LANWT	0.05%	-0.005%	0.036%
Carson	Panhandle	LANWT	0.01%	0.001%	-0.008%
Castro	Dimmitt	LANWT	0.04%	-0.011%	-0.007%
Childress	Childress	LANWT	0.05%	-0.029%	-0.003%
Clay	Henrietta	LANWT	0.03%	0.001%	0.006%
Cochran	Morton	LANWT	0.02%	0.001%	-0.012%
Coke	Robert Lee	LANWT	0.01%	0.005%	0.000%
Coleman	Coleman	LANWT	0.05%	-0.025%	-0.003%
Collin	McKinney	LANWT	1.01%	0.107%	-0.152%
Collingsworth	Wellington	LANWT	0.01%	-0.005%	0.005%
Comanche	Comanche	LANWT	0.06%	-0.038%	-0.034%
Concho	Paint Rock	LANWT	0.02%	-0.013%	-0.019%
Cooke	Gainesville	LANWT	0.14%	-0.041%	-0.061%
Cottle	Paducah	LANWT	0.01%	-0.006%	-0.002%
Crane	Crane	LANWT	0.01%	-0.004%	0.014%
Crosby	Crosbyton	LANWT	0.04%	0.005%	-0.003%
Dallam	Dalhart	LANWT	0.02%	0.002%	-0.016%
Dallas	Dallas	LANWT	10.47%	0.376%	3.221%
Dawson	Lamesa	LANWT	0.08%	-0.042%	-0.017%
Deaf Smith	Hereford	LANWT	0.08%	-0.023%	-0.050%
Denton	Denton	LANWT	1.23%	-0.162%	0.096%
Dickens	Dickens	LANWT	0.01%	0.004%	-0.013%
Donley	Clarendon	LANWT	0.02%	-0.012%	-0.004%
Eastland	Eastland	LANWT	0.09%	-0.033%	0.022%
Ector	Odessa	LANWT	0.65%	0.110%	0.500%
Ellis	Waxahachie	LANWT	0.39%	-0.048%	0.249%
Erath	Stephenville	LANWT	0.14%	-0.054%	-0.089%
Fannin	Bonham	LANWT	0.13%	-0.057%	0.018%
Fisher	Roby	LANWT	0.01%	-0.005%	0.010%
Floyd	Floydada	LANWT	0.04%	0.009%	0.036%
Foard	Crowell	LANWT	0.01%	-0.005%	0.012%
Gaines	Seminole	LANWT	0.07%	-0.026%	-0.016%
Garza	Post	LANWT	0.03%	-0.008%	0.023%
Glasscock	Garden City	LANWT	0.002%	-0.001%	-0.002%

Yellow = % underserved for both extended and limited cases.

Purple = % overserved for both extended and limited

No color = % underserved in only one case category.

Attachment C

Percentage of LSC Program Cases Closed in 2007 as Compared to the County Poverty Population

County	County Seat	LSC Program	% of Texas PP in the County	Extended Percentage over/under	Limited Percentage over/under
Gray	Pampa	LANWT	0.08%	-0.033%	-0.034%
Grayson	Sherman	LANWT	0.30%	0.150%	0.167%
Hale	Plainview	LANWT	0.19%	0.147%	0.247%
Hall	Memphis	LANWT	0.02%	-0.013%	0.015%
Hansford	Spearman	LANWT	0.02%	-0.009%	-0.006%
Hardeman	Quanah	LANWT	0.02%	-0.007%	0.036%
Hartley	Channing	LANWT	0.01%	-0.012%	-0.013%
Haskell	Haskell	LANWT	0.03%	0.008%	-0.011%
Hemphill	Canadian	LANWT	0.01%	-0.005%	-0.007%
Hockley	Levelland	LANWT	0.10%	-0.007%	-0.030%
Hood	Granbury	LANWT	0.14%	0.009%	-0.033%
Howard	Big Spring	LANWT	0.17%	-0.009%	0.069%
Hunt	Greenville	LANWT	0.33%	-0.003%	-0.035%
Hutchinson	Stinnett	LANWT	0.17%	-0.117%	-0.104%
Irion	Mertzon	LANWT	0.004%	0.000%	-0.004%
Jack	Jacksboro	LANWT	0.03%	-0.016%	-0.010%
Johnson	Cleburne	LANWT	0.45%	-0.144%	-0.154%
Jones	Anson	LANWT	0.11%	-0.051%	-0.069%
Kaufman	Kaufman	LANWT	0.28%	-0.053%	-0.012%
Kent	Jayton	LANWT	0.002%	0.000%	-0.002%
King	Guthrie	LANWT	0.001%	0.000%	-0.001%
Knox	Benjamin	LANWT	0.02%	-0.012%	0.029%
Lamb	Littlefield	LANWT	0.07%	0.010%	0.032%
Lipscomb	Lipscomb	LANWT	0.01%	0.002%	-0.004%
Loving	Mentone	LANWT	0.0002%	0.002%	0.000%
Lubbock	Lubbock	LANWT	1.19%	0.863%	1.798%
Lynn	Tahoka	LANWT	0.03%	0.007%	-0.019%
Martin	Stanton	LANWT	0.02%	-0.010%	-0.002%
McCulloch	Brady	LANWT	0.04%	-0.015%	-0.006%
Menard	Menard	LANWT	0.01%	0.001%	-0.012%
Midland	Midland	LANWT	0.48%	-0.087%	-0.066%
Mills	Goldthwaite	LANWT	0.02%	-0.011%	0.003%
Mitchell	Colorado City	LANWT	0.06%	-0.045%	-0.020%
Montague	Montague	LANWT	0.07%	-0.015%	-0.009%
Moore	Dumas	LANWT	0.08%	-0.039%	0.004%
Motley	Matador	LANWT	0.005%	-0.004%	0.001%
Nolan	Sweetwater	LANWT	0.08%	-0.045%	0.002%
Ochiltree	Perryton	LANWT	0.03%	-0.018%	-0.006%
Oldham	Vega	LANWT	0.01%	-0.006%	-0.007%
Palo Pinto	Palo Pinto	LANWT	0.12%	-0.024%	0.054%
Parker	Weatherford	LANWT	0.29%	0.025%	0.068%
Parmer	Farwell	LANWT	0.03%	-0.021%	-0.016%

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Attachment C

Percentage of LSC Program Cases Closed in 2007 as Compared to the County Poverty Population

County	County Seat	LSC Program	% of Texas PP in the County	Extended Percentage over/under	Limited Percentage over/under
Potter	Amarillo	LANWT	0.68%	0.027%	-0.198%
Randall	Canyon	LANWT	0.23%	0.015%	-0.112%
Reagan	Big Lake	LANWT	0.01%	-0.004%	-0.010%
Roberts	Miami	LANWT	0.001%	-0.001%	0.005%
Rockwall	Rockwall	LANWT	0.12%	0.038%	-0.020%
Runnels	Ballinger	LANWT	0.05%	-0.024%	0.006%
San Saba	San Saba	LANWT	0.03%	-0.006%	0.002%
Schleicher	Eldorado	LANWT	0.01%	-0.007%	-0.004%
Scurry	Snyder	LANWT	0.07%	-0.050%	0.000%
Shackelford	Albany	LANWT	0.01%	-0.006%	0.008%
Sherman	Stratford	LANWT	0.01%	-0.005%	-0.009%
Somervell	Glen Rose	LANWT	0.02%	-0.009%	-0.002%
Stephens	Breckenridge	LANWT	0.05%	-0.030%	-0.027%
Sterling	Sterling City	LANWT	0.004%	-0.003%	-0.004%
Stonewall	Aspermont	LANWT	0.01%	-0.005%	-0.006%
Swisher	Tulia	LANWT	0.04%	0.000%	0.014%
Tarrant	Fort Worth	LANWT	5.62%	-1.521%	-2.076%
Taylor	Abilene	LANWT	0.53%	0.087%	0.477%
Terry	Brownfield	LANWT	0.07%	-0.002%	0.022%
Throckmorton	Throckmorton	LANWT	0.01%	-0.006%	0.007%
Tom Green	San Angelo	LANWT	0.44%	-0.018%	0.145%
Upton	Rankin	LANWT	0.01%	-0.007%	0.012%
Ward	Monahans	LANWT	0.05%	-0.011%	0.027%
Wheeler	Wheeler	LANWT	0.02%	-0.007%	-0.009%
Wichita	Wichita Falls	LANWT	0.52%	0.125%	0.433%
Wilbarger	Vernon	LANWT	0.06%	0.078%	0.044%
Winkler	Kermit	LANWT	0.03%	-0.006%	0.022%
Wise	Decatur	LANWT	0.16%	-0.008%	0.006%
Yoakum	Plains	LANWT	0.03%	-0.003%	-0.009%
Young	Graham	LANWT	0.08%	-0.009%	-0.018%

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Attachment C

Percentage of LSC Program Cases Closed in 2007 as Compared to the County Poverty Population

County	County Seat	LSC Program	% of Texas PP in the County	Extended Percentage over/under	Limited Percentage over/under
Anderson	Palestine	LSLA	0.31%	-0.253%	-0.302%
Angelina	Lufkin	LSLA	0.37%	-0.262%	-0.234%
Austin	Bellville	LSLA	0.08%	0.007%	0.045%
Bell	Belton	LSLA	0.89%	0.343%	-0.312%
Bosque	Meridian	LSLA	0.07%	-0.050%	-0.016%
Bowie	Boston	LSLA	0.42%	-0.034%	-0.314%
Brazoria	Angleton	LSLA	0.82%	0.471%	-0.187%
Brazos	Bryan	LSLA	0.79%	-0.125%	-0.597%
Burleson	Caldwell	LSLA	0.07%	-0.010%	-0.056%
Camp	Pittsburg	LSLA	0.06%	-0.031%	-0.013%
Cass	Linden	LSLA	0.14%	-0.054%	-0.087%
Chambers	Anahuac	LSLA	0.08%	-0.017%	-0.032%
Cherokee	Rusk	LSLA	0.23%	-0.141%	0.215%
Colorado	Columbus	LSLA	0.08%	-0.058%	-0.025%
Coryell	Gatesville	LSLA	0.26%	-0.124%	-0.206%
Delta	Cooper	LSLA	0.02%	-0.014%	-0.011%
Falls	Marlin	LSLA	0.10%	-0.058%	-0.051%
Fayette	La Grange	LSLA	0.07%	-0.052%	-0.054%
Fort Bend	Richmond	LSLA	1.05%	-0.346%	-0.718%
Franklin	Mount Vernon	LSLA	0.04%	-0.025%	-0.006%
Freestone	Fairfield	LSLA	0.08%	-0.066%	-0.044%
Galveston	Galveston	LSLA	1.00%	0.051%	-0.636%
Gregg	Longview	LSLA	0.50%	-0.166%	0.099%
Grimes	Anderson	LSLA	0.11%	-0.039%	-0.095%
Hamilton	Hamilton	LSLA	0.03%	-0.012%	-0.027%
Hardin	Kountze	LSLA	0.17%	-0.099%	-0.110%
Harris	Houston	LSLA	17.14%	7.300%	-1.969%
Harrison	Marshall	LSLA	0.26%	-0.141%	-0.044%
Henderson	Athens	LSLA	0.35%	-0.226%	-0.242%
Hill	Hillsboro	LSLA	0.02%	0.011%	0.058%
Hopkins	Sulphur Springs	LSLA	0.13%	-0.101%	-0.011%
Houston	Crockett	LSLA	0.13%	-0.085%	-0.088%
Jasper	Jasper	LSLA	0.17%	-0.097%	-0.130%
Jefferson	Beaumont	LSLA	1.20%	-0.459%	0.542%
Lamar	Paris	LSLA	0.23%	-0.132%	0.173%
Lampasas	Lampasas	LSLA	0.07%	-0.032%	-0.065%
Lee	Giddings	LSLA	0.05%	0.006%	-0.014%
Leon	Centerville	LSLA	0.06%	-0.020%	-0.042%
Liberty	Liberty	LSLA	0.32%	-0.131%	-0.174%
Limestone	Groesbeck	LSLA	0.11%	-0.078%	-0.033%
Madison	Madisonville	LSLA	0.07%	-0.034%	-0.058%

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Attachment C

Percentage of LSC Program Cases Closed in 2007 as Compared to the County Poverty Population

County	County Seat	LSC Program	% of Texas PP in the County	Extended Percentage over/under	Limited Percentage over/under
Marion	Jefferson	LSLA	0.06%	-0.028%	-0.019%
Matagorda	Bay City	LSLA	0.18%	-0.047%	-0.102%
McLennan	Waco	LSLA	1.09%	-0.610%	0.077%
Milam	Cameron	LSLA	0.11%	-0.039%	-0.098%
Montgomery	Conroe	LSLA	1.07%	-0.113%	-0.411%
Morris	Daingerfield	LSLA	0.06%	-0.035%	-0.007%
Nacogdoches	Nacogdoches	LSLA	0.32%	-0.121%	-0.224%
Navarro	Corsicana	LSLA	0.22%	-0.175%	-0.161%
Newton	Newton	LSLA	0.08%	-0.055%	-0.072%
Orange	Orange	LSLA	0.33%	-0.154%	-0.148%
Panola	Carthage	LSLA	0.09%	-0.049%	-0.031%
Polk	Livingston	LSLA	0.20%	-0.113%	-0.179%
Rains	Emory	LSLA	0.04%	-0.029%	-0.001%
Red River	Clarksville	LSLA	0.06%	-0.048%	-0.016%
Robertson	Franklin	LSLA	0.08%	-0.042%	-0.074%
Rusk	Henderson	LSLA	0.19%	-0.131%	-0.144%
Sabine	Hemphill	LSLA	0.05%	-0.023%	-0.021%
San Augustine	San Augustine	LSLA	0.05%	-0.039%	-0.023%
San Jacinto	Coldspring	LSLA	0.12%	-0.077%	-0.080%
Shelby	Center	LSLA	0.13%	-0.092%	-0.103%
Smith	Tyler	LSLA	0.74%	-0.456%	-0.392%
Titus	Mount Pleasant	LSLA	0.13%	-0.100%	-0.023%
Trinity	Groveton	LSLA	0.07%	-0.033%	-0.062%
Tyler	Woodville	LSLA	0.10%	-0.077%	-0.067%
Upshur	Gilmer	LSLA	0.16%	-0.102%	-0.120%
Van Zandt	Canton	LSLA	0.19%	-0.122%	-0.123%
Walker	Huntsville	LSLA	0.35%	-0.218%	-0.306%
Waller	Hempstead	LSLA	0.16%	-0.094%	-0.013%
Washington	Brenham	LSLA	0.11%	-0.043%	-0.028%
Wharton	Wharton	LSLA	0.17%	0.043%	-0.131%
Wood	Quitman	LSLA	0.16%	-0.109%	-0.098%

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Attachment C

Percentage of LSC Program Cases Closed in 2007 as Compared to the County Poverty Population

County	County Seat	LSC Program	% of Texas PP in the County	Extended Percentage over/under	Limited Percentage over/under
Aransas	Rockport	TRLA	0.12%	-0.042%	-0.056%
Atascosa	Jourdanton	TRLA	0.22%	-0.128%	-0.095%
Bandera	Bandera	TRLA	0.07%	-0.013%	-0.035%
Bastrop	Bastrop	TRLA	0.24%	0.052%	0.073%
Bee	Beeville	TRLA	0.22%	-0.150%	-0.150%
Bexar	San Antonio	TRLA	7.07%	-0.151%	1.553%
Blanco	Johnson City	TRLA	0.03%	0.005%	-0.025%
Brewster	Alpine	TRLA	0.04%	-0.007%	-0.003%
Brooks	Falfurrias	TRLA	0.06%	-0.040%	-0.046%
Burnet	Burnet	TRLA	0.13%	-0.008%	-0.053%
Caldwell	Lockhart	TRLA	0.14%	-0.046%	0.030%
Calhoun	Port Lavaca	TRLA	0.09%	-0.015%	-0.041%
Cameron	Brownsville	TRLA	2.99%	-1.370%	-1.413%
Comal	New Braunfels	TRLA	0.25%	-0.001%	0.047%
Crockett	Ozona	TRLA	0.02%	0.001%	-0.016%
Culberson	Van Horn	TRLA	0.01%	-0.007%	0.010%
DeWitt	Cuero	TRLA	0.10%	-0.038%	-0.041%
Dimmit	Carrizo Springs	TRLA	0.08%	-0.041%	-0.052%
Duval	San Diego	TRLA	0.08%	-0.066%	-0.077%
Edwards	Rocksprings	TRLA	0.01%	-0.005%	-0.011%
El Paso	El Paso	TRLA	4.76%	0.465%	6.559%
Frio	Pearsall	TRLA	0.12%	0.422%	0.725%
Gillespie	Fredericksburg	TRLA	0.06%	-0.031%	-0.051%
Goliad	Goliad	TRLA	0.03%	-0.012%	-0.023%
Gonzales	Gonzales	TRLA	0.09%	-0.025%	-0.051%
Guadalupe	Seguin	TRLA	0.32%	-0.105%	-0.116%
Hays	San Marcos	TRLA	0.04%	0.413%	0.282%
Hidalgo	Edinburg	TRLA	5.61%	-2.594%	-2.107%
Hudspeth	Sierra Blanca	TRLA	0.02%	-0.012%	-0.005%
Jackson	Edna	TRLA	0.05%	-0.022%	-0.035%
Jeff Davis	Fort Davis	TRLA	0.01%	-0.003%	0.006%
Jim Hogg	Hebbronville	TRLA	0.03%	-0.022%	-0.017%
Jim Wells	Alice	TRLA	0.23%	-0.163%	-0.188%
Karnes	Karnes City	TRLA	0.10%	-0.020%	0.004%
Kendall	Boerne	TRLA	0.07%	-0.015%	-0.021%
Kenedy	Sarita	TRLA	0.001%	0.004%	-0.001%
Kerr	Kerrville	TRLA	0.16%	-0.034%	-0.060%
Kimble	Junction	TRLA	0.02%	-0.013%	-0.020%
Kinney	Brackettville	TRLA	0.02%	0.005%	0.008%
Kleberg	Kingsville	TRLA	0.18%	-0.120%	-0.138%
La Salle	Cotulla	TRLA	0.04%	-0.022%	-0.041%

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Attachment C

Percentage of LSC Program Cases Closed in 2007 as Compared to the County Poverty Population

County	County Seat	LSC Program	% of Texas PP in the County	Extended Percentage over/under	Limited Percentage over/under
Lavaca	Hallettsville	TRLA	0.06%	-0.049%	-0.039%
Live Oak	George West	TRLA	0.05%	-0.030%	-0.042%
Llano	Llano	TRLA	0.06%	-0.004%	-0.041%
Mason	Mason	TRLA	0.01%	-0.006%	-0.013%
Maverick	Eagle Pass	TRLA	0.38%	-0.064%	0.279%
McMullen	Tilden	TRLA	0.003%	0.000%	-0.003%
Medina	Hondo	TRLA	0.18%	-0.047%	-0.079%
Nueces	Corpus Christi	TRLA	1.64%	0.040%	0.170%
Pecos	Fort Stockton	TRLA	0.09%	-0.078%	-0.064%
Presidio	Marfa	TRLA	0.05%	-0.045%	-0.004%
Real	Leakey	TRLA	0.02%	-0.010%	-0.017%
Reeves	Pecos	TRLA	0.08%	-0.047%	-0.060%
Refugio	Refugio	TRLA	0.03%	-0.009%	-0.023%
San Patricio	Sinton	TRLA	0.34%	-0.126%	-0.150%
Starr	Rio Grande City	TRLA	0.56%	-0.476%	-0.448%
Sutton	Sonora	TRLA	0.01%	-0.008%	-0.014%
Terrell	Sanderson	TRLA	0.00%	0.007%	0.008%
Travis	Austin	TRLA	3.46%	6.050%	2.876%
Uvalde	Uvalde	TRLA	0.16%	0.004%	0.002%
Val Verde	Del Rio	TRLA	0.28%	-0.004%	0.076%
Victoria	Victoria	TRLA	0.36%	0.054%	-0.199%
Webb	Laredo	TRLA	1.63%	-0.859%	-0.630%
Willacy	Raymondville	TRLA	0.16%	-0.095%	-0.124%
Williamson	Georgetown	TRLA	0.66%	0.715%	-0.010%
Wilson	Floresville	TRLA	0.12%	-0.038%	-0.072%
Zapata	Zapata	TRLA	0.10%	-0.073%	0.007%
Zavala	Crystal City	TRLA	0.10%	-0.027%	-0.008%

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Appendix Report of Additional Texas Bar Foundation Grants

Exclusively Civil Legal Services for Underprivileged Texans

(financial means test required for persons being served)

June 1, 2000 through May 31, 2008 (Eight Years)

Civil Legal Services – with financial means test 87 Grants for a Total Amount of \$1,624,353

Activities Supported by Texas Bar Foundation Grants for Civil Legal Services

Salary Grants

Number of Grants for Salary	25
Amount of Salary Dollars Awarded	\$649,596

Technology Grants (hardware, software, phone systems, and training)

Number of Technology Grants	23
Amount of Technology Dollars Awarded	\$473,976

Training for Attorneys Who Serve Indigent Clients

Number of Grants for Training for Attorneys Who Serve Indigent Clients	18
Number of Grants for Training for Attorneys Who Serve Indigent Clients	\$219,670

Legal Clinics or Seminars for Groups of Clients

Number of Grants for Clinics or Client Seminars	7
Amount of Grants for Clinics or Client Seminars	\$67,951

Texas Access to Justice Commission Support

Number of Grants for Texas Access to Justice Commission Support	1
Amount of Grants for Texas Access to Justice Commission Support	\$44,000

Client Identification and Outreach

Number of Grants for Client Identification/Outreach	4
Amount of Grants for Client Identification/Outreach	\$40,410

Printed Materials to Distribute to Clients

Number of Grants for Printed Client Materials	3
Amount of Grants for Printed Client Materials	\$33,000

Materials and Support for Pro Bono Attorneys

Number of Grants for Materials and Support for Pro Bono Attorneys	4
Amount of Grants for Materials and Support for Pro Bono Attorneys	\$67,750

Research of Laws and Legal Procedures

Number of Grants for Research of Laws and Legal Procedures	1
Amount of Grants for Research of Laws and Legal Procedures	\$20,000

Legal Fees for Indigent Clients

Number of Grants for Legal Fees for Indigent Clients	1
Amount of Grants for Legal Fees for Indigent Clients	\$8,000

Organizations Supported by Texas Bar Foundation Grants for Civil Legal Services
Number of Organizations Receiving Grants 49

Ad Litem Task Force, Inc.	Lutheran Ministries and Social Services
American Bar Association Fund for Justice and Education	NAACP Houston Branch
Bexar County Women's Bar Foundation	Nueces County Neighborhood Justice, Inc.
Boat People S O S Inc.	Opportunity Center for the Homeless
Catholic Charities of Dallas, Immigration Counseling Services	Political Asylum Project of Austin 'PAPA'
Catholic Charities of Southeast Texas	ProBAR
Catholic Charities of the Diocese of Galveston-Houston	Refugee Services of Texas
Catholic Family Service Inc.	San Antonio Bar Association
Dallas Legal Hospice	Southeast Texas Legal Clinic
Earl Carl Institute for Legal and Social Policy, Inc.	Southern Disability Law Center
El Paso County Domestic Relations Office	St. Mary's University School of Law
El Paso Legal Assistance Society	State Bar of Texas
Family Crisis Center of the Big Bend	State Bar of Texas Committee on Laws Relating to Immigration & Nationality
Family Violence Prevention Services, Inc.	Texas Access to Justice Commission
Hidalgo County Bar Foundation, Inc.	Texas Access to Justice Foundation
Houston Volunteer Lawyers Program, Inc.	Texas Advocacy Project, Inc.
Human Rights Documentation Exchange	Texas C-BAR
Human Rights Initiative of North Texas, Inc.	Texas Legal Services Center
International Rescue Committee, Dallas Regional Office	Texas RioGrande Legal Aid, Inc.
Las Americas Immigrant Advocacy Center	The Equal Justice Center
Lawyers' Committee for Civil Rights Under Law of Texas, Immigrant & Refugee Rights Project	University of Texas Law School Foundation
Legal Aid of NorthWest Texas	Volunteer Legal Services of Central Texas
Legal Aid Society of Lubbock	Volunteer Services Council for Abilene State School Inc.
Lone Star Legal Aid	West Texas Legal Services (WTLS)
	William Wayne Justice Center for Public Interest Law at The University of Texas School of Law.

On the following pages you will find detailed information regarding the most recent four years of grants for civil legal services funded by the Texas Bar Foundation. Along with a brief description of the project, there is the name of the recipient organization, the project

title, and the amount awarded. The grants are sorted in descending order by the amount of the grant award.

The board of trustees of the Texas Bar Foundation appreciates the opportunity to describe the work of the Bar Foundation in providing civil legal services to the poor of Texas. Please contact me if there is additional information that you wish the Texas Bar Foundation to provide.

Respectfully submitted,

Anne R. Yeakel
Executive Director
Texas Bar Foundation

TEXAS BAR FOUNDATION
Civil Legal Service Grants Awarded June 1, 2004, through May 31, 2008 –
Four Years of Grants
61 Grants for \$1,282,558

Advocacy, Incorporated	\$66,000
“Protection and Advocacy Services for People with Disabilities displaced by Hurricane Katrina”	
This grant provided salary support for an attorney, a disability advocate, and clerical staff for the Beaumont office to serve disabled persons displaced by hurricanes.	
Texas RioGrande Legal Aid, Inc.	\$60,200
“Hurricane Katrina Disaster Legal Assistance”	
This grant paid the expense of one attorney for six months and covered \$30,200 of costs incurred for establishing a hotline to serve people displaced by hurricanes.	
Legal Aid of NorthWest Texas	\$50,500
“Video Conferencing Project”	
This project connects Legal Aid of NorthWest Texas' fourteen branch offices and administrative offices, with the goal to improve communication, enhance internal training opportunities and reduce travel expenses.	
ProBAR (Grant of \$50,000 each year for 4 years)	\$200,000
“Children's Assistance Project”	
A joint project of the State Bar of Texas, American Immigration Lawyers Association and the American Bar Association, the South Texas Pro Bono Asylum Representation Project focuses on the representation of immigrant and refugee children detained in Immigration and Naturalization Service custody in the Rio Grande Valley.	
Las Americas Immigrant Advocacy Center	\$50,000
“Justice for Women and Children Project(JWCP)”	
Las Americas, based in El Paso, used this grant to expand its efforts in addressing the legal needs of unaccompanied immigrant children by launching extensive outreach to local lawyers, judges, and the community.	
Texas RioGrande Legal Aid, Inc.	\$40,000
“Legal Access to Rural Shelters Technology Initiative”	
The grant will fund technology upgrades for 34 locations/shelters. Technology will include printers, computers, internet access, and travel expenses for IT personnel to provide training for new equipment.	
Texas RioGrande Legal Aid, Inc.	\$30,000
“Voice Over IP Project”	
Responsible for a vast service area, Texas RioGrande Legal Aid developed a centralized telephone intake system to serve the larger cities such as El Paso, Austin, and San Antonio. This grant will provide some of the funds to connect Eagle Pass, Corpus Christi, and Harlingen to the intake system as well.	

- Houston Volunteer Lawyers Program, Inc.** **\$30,000**
“Houston Area Hurricane Katrina Legal Aid”
Grant funds were used to train volunteer and staff attorneys in Louisiana law, as well as to staff and equip clinics.
- Volunteer Legal Services of Central Texas** **\$27,553**
“Desktop Technology and Website Revitalization”
Volunteer Legal Services of Central Texas provides volunteer attorneys to help low-income individuals with their civil legal matters and also provides assistance through pro se clinics. This grant will help upgrade the hardware, website, and software to increase the effectiveness of these volunteers.
- Texas Access to Justice Foundation** **\$25,000**
“FLDS Volunteer Attorney Representation Project”
The funds will be used to help defray the out-of-pocket expenses of pro bono lawyers in the FLDS litigation. In addition to this grant awarded on May 8, 2008, Mr. McAtee authorized the Bar Foundation to forward to Texas Access to Justice Foundation gifts received for the same purposes.
- State Bar of Texas** **\$25,000**
“Emergency Funding to Provide Working Office for Pro Bono Lawyers in Regarding FLDS ad litem appointments in San Angelo”
The grant would create a San Angelo office in which pro bono lawyers from around Texas can take care of administrative issues and work while awaiting their court settings.
- Las Americas Immigrant Advocacy Center** **\$25,000**
“Justice for Women and Children Project (JWCP)”
Las Americas, based in El Paso, through the Justice for Women and Children Project, provides direct legal services and advocacy to detained children along the border. This grant assists with the salary of one attorney along with accreditation training for two paralegals to become certified legal representatives with the Board of Immigration Appeals.
- Family Crisis Center of the Big Bend** **\$25,000**
“Legal Advocacy for Victims of Crime”
The Family Crisis Center of the Big Bend serves victims of domestic violence and sexual abuse in the area between El Paso and Midland. This grant provides partial funding for the salary and benefits for an advocate to assist low-income clients with a range of services including protective orders, custody, and court accompaniment.
- Family Crisis Center of the Big Bend** **\$25,000**
“Legal Advocacy for Victims of Crime”
The Center serves approximately 16,000 square miles of rural West Texas. The grant pays for the travel, staff training, reference materials, and equipment for a legal advocate who serves as court interpreter and assists clients with protective orders, custody, child support, paternity, and VAWA immigration cases.

- Legal Aid of NorthWest Texas** **\$25,000**
“Hurricane Legal Relief Project”
With great numbers of people moving to Dallas and Fort Worth to escape hurricane destruction, this grant was needed to add a paralegal to work with volunteer and staff attorneys.
- Texas Legal Services Center** **\$25,000**
“Disaster Assistance Project”
To help those displaced by Hurricanes Katrina and Rita, this grant partially paid for a Louisiana legal aid attorney to serve as an advisor for legal aid providers anywhere in Texas.
- Lone Star Legal Aid** **\$25,000**
“Hurricane Relief Project”
Serving 72 southeast Texas counties and the entire Louisiana-Texas border, Lone Star Legal Aid used this grant to help fund temporary attorneys and support staff to provide legal aid to evacuees from Hurricanes Katrina and Rita.
- Fort Bend County Bar Association** **\$25,000**
“Establishment of Fort Bend Lawyers Care”
These grant funds provide the necessary match for an additional \$20,000 from the Texas Access to Justice Foundation. The funds will establish a pro bono program for Fort Bend County.
- Texas Legal Services Center** **\$24,000**
“Legal Hotline for Texans Improvement Project”
Obsolete equipment hampered the effectiveness of the legal aid hotline. Updated hotline phones and computers improved access for hurricane evacuees needing legal help to secure health care services.
- Texas Access to Justice Foundation** **\$23,200**
“Student Loan Repayment Assistance”
These funds will increase the funds available for Student Loan Repayment Assistance. TAJF already pledged \$700,000 for SLRAP, and these funds will increase that amount.
- State Bar of Texas Committee on Disability Issues** **\$20,000**
“Sign Up Fund”
This pilot project provides deaf Texans and their attorneys sign language interpreters and other auxiliary services as needed. The Americans with Disabilities Act requires that lawyers provide interpreters if needed.

William Wayne Justice Center for Public Interest Law at The University of Texas School of Law **\$20,000**

“Access to Justice Internship Program”

Students participating in the program will be interning with legal aid organizations serving disadvantaged individuals and communities. The funds will go towards expenses related to transportation, lodging and meal costs for students and faculty to attend orientation training and internship classes.

Texas Access to Justice Commission **\$20,000**

“Access to Justice Summer Internship Program”

Stipends for participating law students

NAACP Houston Branch **\$20,000**

“Technology Enhancement Project”

NAACP-Houston Branch legal department provides legal services for low-income people primarily in the Houston area. This grant will partially fund hardware and software to permit remote access to client files, to permit e-filing, and to train staff and volunteer attorneys on the new technology.

Legal Aid Society of Lubbock **\$20,000**

“Parent Child Relationship Division”

This division of the Legal Aid Society of Lubbock helps unmarried parents establish conservatorship, child support, visitation, and paternity for the indigent children of Lubbock County, and thus encourages parents to take financial responsibility for their children.

Houston Volunteer Lawyers Program, Inc. **\$20,000**

“2005 Technology Plan”

This grant will help the Houston Volunteer Lawyers Program (HVLP) design and construct a website, which will provide information to the public and to volunteer attorneys about HVLP programs and volunteer opportunities, as well as links to community resources and pro se information.

Catholic Family Service Inc. **\$20,000**

“Rural Immigration Impact Project”

This grant will create a new, fully-accredited immigration program for the Amarillo area by assisting with the costs of training an immigration counselor.

Human Rights Initiative of North Texas, Inc. **\$19,000**

“Pro Bono Case Management Software”

The software includes case management software designed for pro bono use, immigrant forms software, and technical support for one year. The organization is also requesting a projector to assist with training for pro bono attorneys.

- Texas RioGrande Legal Aid, Inc.** **\$19,000**
“Training, Outreach, Dialogue and Service (TODAS)”
This grant provided training in mental health matters for staff attorneys and paralegals in south and central Texas to improve assistance to clients whose mental disabilities impact their legal needs.
- Legal Aid of NorthWest Texas** **\$17,200**
“Access to Justice Project”
Legal Aid of NorthWest Texas provides legal representation for people living in poverty throughout a vast area of Texas. This grant will provide a laptop computer in the Abilene, Amarillo, Denton, Fort Worth, Lubbock, Midland, Odessa, and Wichita Falls branch offices. The computers primarily will be used at off-site intake clinics.
- San Antonio Bar Association** **\$15,725**
“Community Justice Program”
The San Antonio Bar Association through its Community Justice Program provides free legal services to low-income Texans through neighborhood clinics, which are staffed by volunteer attorneys. The grant will help pay for a technology center at the courthouse that volunteer attorneys may use, especially during trials, hearings, or mediations.
- William Wayne Justice Center for Public Interest Law at The University of Texas School of Law** **\$15,280**
“Access to Justice Internship Program”
This program places law-student interns in legal service provider offices. The providers are in areas of Texas rarely served by law school interns. The goal is to encourage more students to help address the legal problems of disadvantaged individuals and communities.
- Lutheran Ministries and Social Services** **\$15,200**
“Legal Assistance Project (LAP)”
The Legal Assistance Project provides greater access to the civil justice system for low to moderate income citizens of McLennan and surrounding counties.
- Catholic Family Service Inc.** **\$15,000**
“Expansion of Rural Immigration Impact Project”
Funds will be used to complete accreditation training for 2 staff people, and hire and begin training for an additional staff attorney. The attorneys travel a circuit around the surrounding counties assisting with immigration and citizenship legal issues.
- Southern Disability Law Center** **\$15,000**
“Access to Medicaid Services for Children and Youth with Disabilities”
With this grant, the Southern Disability Law Center will create a 20-page handbook describing the recent changes that have expanded medical services available for Texas children with disabilities, procedures families can use to access these expanded services, and their due process rights if services are denied.

Texas Access to Justice Commission	\$14,000
“Advocacy Training for Legal Aid Lawyers”	
Taught by members of the American College of Trial Lawyers and the Appellate Section of the State Bar, a one-week Texas Trial Academy provided training for approximately 30 legal aid attorneys. This grant helped defray the transportation costs to Austin and provided for videotaping each trainee.	
Texas Access to Justice Foundation	\$13,750
“Reimburse Expenses of Pro Bono Attorneys Assisting with FLDS/Eldorado Matters”	
Catholic Charities of Southeast Texas	\$12,500
“Immigration Services”	
Catholic Charities of Beaumont is the only accredited non-profit program in Southeast Texas recognized by the Board of Immigration Appeals to provide immigration services. This grant will cover a portion of the costs for salary and supplies for the program director and two paralegals.	
Catholic Charities of Southeast Texas	\$12,500
“Immigration Services - Advocacy Project”	
Catholic Charities of Beaumont is the only accredited non-profit program in Southeast Texas recognized by the Board of Immigration Appeals to provide immigration services. This grant supported outreach efforts.	
San Antonio Bar Association	\$11,282
“Community Justice Program”	
Expanding to three locations, the Community Justice Project will use these grant funds to provide Bexar County District Clerks secure access to county files while at the pro bono clinics. In addition, the grant provides technology upgrades and additional Spanish-language brochures.	
Boat People S O S Inc.	\$11,060
“Citizenship and Immigration Service Center”	
The grant will assist the organization in providing legal representation, advocacy, education and outreach services to the Vietnamese community, particularly immigration applications, disability waivers, and disaster victims.	
Political Asylum Project of Austin "PAPA"	\$10,144
“Technology Improvement Plan”	
The purpose of this project is to increase the number of clients served by completing the second part of a computer technology upgrade.	
Las Americas Immigrant Advocacy Center	\$10,000
“Justice for Women and Children Project”	
The grant will fund an expansion of the existing project to include educational outreach to pro bono attorneys, school employees and students regarding provisions of Special Immigrant Juvenile Status.	

- Human Rights Initiative of North Texas, Inc.** **\$10,000**
“Child Immigrant Project”
The goal of this grant is to protect the immigration rights of children who are not U.S. citizens and are victims of human rights abuses, abandonment, trafficking, or neglect.
- Houston Volunteer Lawyers Program, Inc.** **\$10,000**
“HVLP's 2006 Technology Plan”
The goal of this project was to link HVLP's existing website to their current database system, Kemp's Casework. It is a matching grant.
- Political Asylum Project of Austin "PAPA"** **\$8,151**
“The Pearsall Project”
This grant supported legal rights presentations to low-income immigrant detainees at a new 1,500-bed immigration detention center in Pearsall, video-taping of the presentations for viewing at other times, and stocking the facilities' library with pro se packets.
- Nueces County Neighborhood Justice, Inc.** **\$8,000**
“Bi-Lingual Basic and Family Mediation Project”
The grant will fund training scholarships for bi-lingual volunteers to become mediators for the organization. Many volunteers are willing to give time, but are unable to pay for the necessary training. In providing the training free of charge to the volunteers, the organization will be able to recruit and retain more bi-lingual mediators.
- Volunteer Services Council for Abilene State School Inc.** **\$8,000**
“Guardianship Services for Individuals Served by Abilene State School”
The grant will fund legal and filing fees to assign guardians to people residing at the Abilene State School. The guardians will be responsible for medical decisions for the residents, and would be chosen from family members. The grant will be matched by a private donor.
- Catholic Family Service** **\$8,000**
“Legalization Technology Upgrade Project”
Bureau of Immigration Affairs-accredited paralegals at Catholic Family Service of Lubbock assist people in thirty Texas counties. This grant replaces obsolete workstations, software, and printers to increase the effectiveness of the paralegals and support staff.
- Refugee Services of Texas** **\$6,250**
“Immigration Counseling Program”
This grant supported the training of two individuals for accreditation with the Board of Immigration Appeals so that they can provide immigration counseling and representation before Customs and Immigration Service for newly-arrived refugees in central and north central Texas.
- Texas Legal Services Center** **\$5,000**
“Texas Statewide Website Enhancement Project”
This grant funds outreach materials, computers, and similar expenses designed to improve the organization's website.

- Dallas Legal Hospice** **\$5,000**
“Computer Network Replacement Project”
Dallas Legal Hospice is expanding its services to an eleven-county rural area to provide assistance to the low-income terminally ill. This grant provides partial funding for the technology required to serve both existing clients and the expanded service area.
- Refugee & Immigrant Center for Education and Legal Services** **\$5,000**
“Support for New Staff Attorney”
Refugee and Immigrant Center for Education and Legal Services (RAICES) of San Antonio will use this grant to provide equipment and software to add a second attorney to the staff. RAICES provides attorney representation for detainees, asylum applicants, domestic violence victims, and unaccompanied minors in twenty-five counties.
- Arc of the Capital Area** **\$4,200**
“Pro-Bono Guardianship Project”
Working together with the Travis County Probate Court, Austin Young Lawyer's Association, and law firms, the Arc of the Capital Area provides low-income families with guardianship services for children with developmental disabilities who are nearing or have reached adulthood. This grant partially funds the administrative cost for providing this service.
- Hidalgo County Bar Foundation, Inc.** **\$3,500**
“Community Justice Program”
The grant is to purchase two portable Dell computer stations for volunteer attorneys working at the Community Justice Clinics, and for research and document preparation at the Foundation offices.
- Supreme Court of Texas Task Force to Expand Legal Services Delivery** **\$3,000**
“Section Pro Bono Project Competition”
This grant funds awards for the three sections of the State Bar of Texas that develop and implement outstanding pro bono projects to serve the legal needs of the poor.
- Volunteer Legal Services of Central Texas** **\$2,863**
“Volunteer Legal Relief for Evacuees”
This grant provided funding to train attorneys in disaster relief issues and produce two clinics for evacuees.

Texas Bar Foundation Appendix

Grants Awarded for Additional Purposes and Program Areas
June 1, 2004, through May 31, 2008

Program Areas and Totals

Administration of Justice, Professionalism, Research, and Forums
21 Grants for a total of \$312,110

Criminal Legal Services
3 Grants for a total of \$60,000

Education of the Public
50 Grants for a total of \$736,682

Victim Services and Civil Legal Services without a Means Test
45 Grants for a total of \$560,132

Project Descriptions

Administration of Justice, Professionalism, Research, and Forums

Texas Center for the Judiciary, Inc. (4 grants)	\$87,000
"Judicial Section Annual Conference - Texas Bar Foundation Day" The grant sponsors the "Texas Bar Foundation Day" at the Judicial Section Annual Conference. The conference fosters collegiality and collaboration, and encourages Texas jurists to exchange ideas for innovation and discuss approaches to strengthen the judiciary.	
The Supreme Court Commission for Children, Youth & Families	\$25,000
"Video for Supreme Court Permanent Judicial Commission for Children, Youth & Families" The Children's Commission will use the funds to create and distribute an informational video for local judges, bar associations, regional presiding judges, and child protection court judges. The video will tell about the Commission and CARE for Kids in an effort to promote best court practices in a systematic and consistent manner.	
Texas Wesleyan University	\$25,000
"Asian Judicial Institute Grant" The project will allow Texas law students to witness democracy in its beginning stages, and the importance of the rule of law in enabling democracy to flourish. Lawyers and judges from Mongolia will attend classes at the law school to learn how the rule of law impacts democracy and judicial independence.	
National Alliance for the Mentally Ill (NAMI)- Texas	\$24,103
"Texas Criminal Procedure and the Offender with Mental Illness" The grant will fund the printing and distribution of a completely updated guide to reflect legislative changes made in 2005 and 2007 .	
Dallas Children's Advocacy Center	\$20,000
"19th Annual Crimes Against Children Conference" These funds supplement in part or in full the registration fees for front line child abuse professionals within the state of Texas at the 2007 Crimes Against Children Conference.	

Dallas Children's Advocacy Center "20th Annual Crimes Against Children Conference" These funds will supplement registration fees for front line child abuse professionals within the state of Texas at the 2008 Crimes Against Children Conference.	\$20,000
Texas Center for Legal Ethics and Professionalism "Putting Clients First! Educational Diversionary Program for the Attorney-Client Grievance Process" With this grant, the Texas Center for Legal Ethics and Professionalism will produce 10 web-based courses to educate attorneys so they can improve their effectiveness and competence and thus avoid the actions or inactions about which most client grievances are filed.	\$15,000
Dallas Children's Advocacy Center "18th Annual Crimes Against Children Conference" More than 2,000 police officers, prosecutors, caseworkers, and other front-line personnel who investigate, prosecute and treat child victims of abuse attend three days of basic and advanced training in the detection, investigation and prosecution of crimes against children. This grant helps underwrite reference materials provided to the attendees.	\$15,000
State Bar of Texas Texas Lawyers Care "ABA/NLADA 2005 Equal Justice Conference" The American Bar Association and the National Legal Aid and Defenders Association sponsor an annual Equal Justice Conference, this year to be held in Austin. The grant helps host this conference for 600 participants - pro bono program coordinators, bar leaders, law firm representatives, legal services attorneys, and others who deliver pro bono legal services to the poor.	\$12,000
The Children's Assessment Center Foundation "Protecting Texas Children Conference" The grant will partially fund the 10th Annual Protecting Texas Children Conference. The conference is used to train law enforcement personnel and district and county attorneys about the complex issues surrounding child sexual abuse cases.	\$10,000
State Bar of Texas Committee on Women in the Profession "History of Women Lawyers in Texas" This grant partially funds a project of the State Bar of Texas Committee on Women in the Profession to prepare a treatise on the lives and careers of Texas woman lawyers, both past and present. The treatise will describe their involvement with the profession as law students, attorneys, judges, professors, etc.	\$7,500
Texas Women Lawyers "Maternity Leave Policy Survey for Legal Professionals" This grant is a collaborative project of the Texas Women Lawyers, Texas Tech School of Law professors, and the Research and Analysis Department of the State Bar of Texas. The goal is to complete a comprehensive survey of the maternity leave benefits offered by firms of all sizes in Texas.	\$6,997
Houston Lawyers Foundation "Oral History Project" Since 1955 the Association has addressed the professional needs of African-American lawyers. This grant provides partial funding for a video-taped interview of Judge Matthew W. Plummer, Sr. and A. Martin Wickliff, Sr., the only two founding members still living.	\$5,760
Austin College "2007 Law Symposium" This grant assisted with the travel and set up costs for the Texas Supreme Court Session held at Austin College. The goal was to allow students and local attorneys to watch the Court in action.	\$5,000

American Judicature Society	\$3,500
“The South Central Regional Conference on Pro Se Litigation”	
This conference will bring together many stakeholders on pro se litigation to discuss and explore ways to respond to the challenges of pro se litigation.	
El Paso Bar Foundation	\$2,750
“Appeals with Impact: Calamia Style”	
During his 40-year career, El Paso defense attorney Joseph A. Calamia handled cases that had major impact on the extension of civil rights to minority populations in the criminal justice system. This grant matches funds raised for producing a 200-400 page manuscript.	
Amarillo Area Bar Association	\$2,500
“Preserving the Historical Records of the Legal Profession in the Texas Panhandle”	
The Amarillo Bar Association organized in 1910 to secure a Court of Civil Appeals in Amarillo. The goal of this grant is to catalog and preserve the historical records of the organization.	
<u>Criminal Legal Services</u>	
Innocence Project of Texas	\$25,000
“Dallas County DNA Project”	
The grant will be used to pay for investigation and DNA testing of those inmates in Dallas County that have a plausible claim of innocence.	
Gulf Region Advocacy Center	\$10,000
“Texas Retrial Project”	
The project will provide assistance to death row inmates who have been granted a new trial and/or new sentencing hearing. The project will ensure the client is provided with the resources necessary for a fair trial, focusing on attorney-client relationships, and making sure the client is given the appropriate time, money, and team members.	
Texas Defender Service	\$25,000
“Capital Trial Project”	
The funding will work toward implementing the standards set in the recently adopted Guidelines and Standards for Texas Capital Counsel. The goal is to ensure that all attorneys trying capital cases in Texas are given the access to information and experience needed to provide all defendants with quality defense.	
<u>Education of the Public</u>	
State Bar of Texas	\$65,000
““Let’s Do Justice for Texas” animation”	
The goal is to produce an animated website, featuring Texas heroes and Texas pride, to educate the public about the three branches of government. Advertising for the website will be via radio plugs.	
The Dallas UDL Advisory Board in the National Association for Urban Debate Leagues(NAUDL)	\$50,000
“The Dallas Urban Debate League”	
The Dallas UDL is a public-private partnership that organizes interscholastic debate as an academic competition and promotes debate as a component of the regular classroom curriculum.	
Foundation of the American Board of Trial Advocates	\$50,000
“Justice by the People, Curriculum”	
ABOTA wishes to partner with Scholastic Inc to develop Texas-specific information regarding trial by jury as well as create and distribute a new teacher guide for middle school teachers. An earlier grant from the Texas Bar Foundation assisted in developing the original educational program.	

Texas Young Lawyers Association	\$40,000
“They Had a Dream Too: Young Leaders of the Civil Rights Movement”	
"They Had a Dream Too" is a coordinated campaign designed to educate students about the role students played in sparking the Civil Rights Movement. The program compliments TYLA's VOTexas curriculum.	
Texas Young Lawyers Association	\$37,000
“Justice 101: The Client's Guide to Litigation”	
Justice 101 will be a video tool attorneys will be able to use to educate the client about litigation and the legal system, including the roles of the judge, the attorneys, the clients, and the jury. The video will not be oriented for either the plaintiffs or defendants, but rather will focus on the basic procedural steps that occur in most court cases.	
Texas Young Lawyers Association	\$35,000
“Kids in the Crossfire: Helping Parents Understand the Impact of Divorce”	
TYLA used the grant for a video to educate divorcing parents about the impact their behavior may have on their children. The video is available through local family law courts, counselors, and other parental education organizations.	
State Bar of Texas Litigation Section	\$35,000
“Our Courthouse DVD Project”	
The DVD funded by this grant will focus on the role of the courts, juries and attorneys in the administration of justice.	
Human Rights Initiative of North Texas, Inc.	\$30,000
“Educational Project for Legal Services and Community Outreach”	
This grant will increase awareness of the work of Human Right Initiative of North Texas. Separate projects for the general community and for attorneys will increase support for the work of the organization.	
Texas Young Lawyers Association	\$26,510
“American Juror: The Decision is Yours”	
With this grant the Texas Young Lawyers Association will produce a lively and informative video for use in central jury rooms to inform potential jurors of their role in the United States court system. County, district, and federal court clerks in Texas will receive the video. Attorneys may also use the video for speaking engagements at community events.	
Jane's Due Process	\$25,000
“Pro Bono Education and Outreach Project”	
Jane's Due Process, which seeks to ensure legal representation for pregnant minors in Texas, used this grant to revise materials, provide training, and adapt hotline services in response to legislative changes that became effective September 1, 2005.	
Texas Wesleyan University	\$20,000
“Public Service Leadership Fellow”	
This grant allows the law school to develop structured outreach with the goal of fostering diversity in the legal profession through "pipeline" collaborations between the law school, undergraduate schools, and K-12 schools.	
Texas Tech School of Law	\$20,000
“P20 Educational Pipeline - Texas”	
This project partially funds the 8th convening of the Wingspread Consortium, a group of educators focused on increasing minority representation in the legal profession. Wingspread VIII is slated for Fort Worth .	

Alternatives to Guardianship	\$20,000
“Expansion and Continuation of Services for Low-Income Texans”	
The grant provides money management training to senior citizens to provide an alternative to a court-ordered guardianship. The organization plans to use the funds to open six additional sites across Texas.	
University of Texas at San Antonio	\$17,900
“Connecting the Pipeline: Enhancing Access, Education, Information, and Opportunity”	
The grant underwrites stipends so that under-represented groups in law school and the Texas Bar can attend the UTSA Summer Law School Preparation Academy(SLSPA). The grant also provides underwriting for educational seminars and a scholarly journal.	
University of Houston Law Foundation	\$15,000
“Educational Video for Consumers”	
A video will be created to educate consumers about their rights concerning credit, debt collectors, judicial enforcement of judgments, handling default, foreclosure, and bankruptcy. The video will be widely distributed throughout the state.	
Lawyers' Committee for Civil Rights Under Law of Texas, Immigrant & Refugee Rights Project	\$15,000
“Immigration Training for Social Services Agencies”	
The Immigrant and Refugee Rights Project of the Lawyers' Committee for Civil Rights Under Law of Texas will use the grant to conduct one-day training programs on immigration issues to social services agencies serving low-income immigrant Texans. In addition to a training packet, program attendees will be able to pick up bilingual flyers and fact sheets to distribute to clients, and all materials will also be posted on the committee's website.	
State Bar of Texas Committee on Law Focused Education	\$15,000
““All Rise!” Comprehending the Texas Court System”	
With this grant, the State Bar Law Related Education Department will create a student booklet, an on-line curriculum guide, and an on-line game about the Texas court structure. With the cooperative efforts of attorneys, judges, justices, and classroom teachers for grades 4 and 7, this program will be designed to help build public awareness and understanding of the Texas judiciary.	
Lambda Legal Defense and Education Fund, Inc.	\$15,000
“LGBT & HIV Civil Rights Education”	
With funding from this grant Lambda Legal will increase educational services across Texas regarding discrimination based on HIV/AIDS, sexual orientation, or gender identification.	
Comal County Senior Citizens' Foundation	\$13,520
“Comal County Money Management Program (MMP)”	
Preventing exploitation of the elderly and the disabled is the goal of this grant. The grant funds replacement equipment and volunteer training for representative payees.	
Catholic Charities of Southeast Texas	\$12,000
“Immigration Services' - Information Campaign”	
Town hall meetings funded by this grant will bring needed educational information to the immigrant community. Catholic Charities of Beaumont Immigration Services is the only non-profit program in Southeast Texas recognized by the U.S. Citizenship and Immigration Services and the Board of Immigration Appeals to provide legal immigration services.	
Community Justice Foundation	\$10,000
“Community Justice Program Bankruptcy DVD”	
The Bankruptcy DVD would work in conjunction with weekly legal clinics to advise and assist low-income residents who are considering filing for bankruptcy.	

- Freedom of Information Foundation of Texas** **\$10,000**
“FOI "White Out" Booklet”
The Freedom of Information Foundation of Texas will use the grant to produce a "white out" booklet to show what kinds of information would not be available without public information and open meetings acts.
- Dallas Bar Association Community Service Fund** **\$10,000**
“National High School Mock Trial Championship”
The Dallas Bar Association has been chosen to host the National High School Mock Trial Championship in May 2007. This grant will help with the development of an interactive website concerning the competition.
- Catholic Family Service** **\$10,000**
“Legalization Outreach Program”
Using radio broadcasts with a call-in format and information sessions, Catholic Family Service of Lubbock provides information regarding immigration laws and process. This grant expands this educational outreach
- Texas Innocence Network** **\$10,000**
“Texas Innocence Education Project(TIEP)”
Based in the University of Houston Law School, this project creates a public education web site dedicated to issues related to wrongful convictions. The target audience includes the general community, law enforcement, the private defense and public defender bar, prosecutors and the judiciary.
- Victoria County Bar Association** **\$10,000**
“Project Advancement: Advancing technology, juror knowledge, community education and service, the administration of justice and the practice of law.”
Using technology purchased with this grant, the Victoria County Bar Association will increase the use of technology in area courtrooms. The goals include providing jury panels with educational programs as well as improving the experience of jury duty.
- Hill Country Alternative Dispute Resolution Center** **\$9,000**
“PEP (Peers Encouraging Peace)”
This program trains youth to resolve every-day conflicts through mediation. The goal is to educate children, their parents, and teachers to handle conflicts in a systematic manner.
- Preservation Texas, Inc.** **\$7,500**
“Shaping Places for the Administration of Justice”
This grant funds regional programs to present information about the issues and potential benefits of courthouse restoration. Counties requesting the program will invite city and county officials as well as citizens to attend the presentations. The goal is to encourage communities to restore historic courthouses.
- Smith County Bar Association** **\$7,500**
“Web-based Legal Education and Outreach Project”
By developing an interactive local website and publicizing the availability of the website, the Smith County Bar Association will use this grant to provide the EastTexas community with information about local legal resources and links to larger, more comprehensive sites.
- The University of Texas at Austin** **\$7,250**
“Spring 2008 Texas Politics Speaker Series: The Third Branch”
The project would produce four events focused on the Texas legal system discussing capital punishment, tort reform, and recent legislative changes.

Bexar County Women's Bar Foundation "Elder Law Handbook Project"	\$6,100
<p>This grant underwrites the printing and distribution of an updated Elder Law Handbook that includes changes in the law. Distribution targets the general public, particularly the senior population in San Antonio and surrounding areas.</p>	
Houston Young Lawyers Foundation "Law-Related Educational Programs Project"	\$6,000
<p>HYLA requested funds to host its Barbara Jordan Project. Event will enrich the oratorical, written, and organizational skills of middle school students by providing a forum centered on promoting critical thinking, positive self-expression, and self-confidence (includes speech and essay competitions).</p>	
Texas Mental Health Consumers "The Law and Mental Health Practices"	\$5,490
<p>This grant permits Texas Mental Health Consumers to develop training materials to educate low and moderate-income individuals regarding their rights to mental health services.</p>	
Recording for the Blind & Dyslexic, Texas Unit "AudioPlus Digitally Recorded Legal Textbooks"	\$5,450
<p>Recording for the Blind & Dyslexic will use the grant to produce three digitally-recorded law textbooks. These will be available on CDs to individuals who have a learning disability, visual impairment, or physical disability that prevents them from holding a textbook.</p>	
Recording for the Blind & Dyslexic, Texas Unit "Audio Plus Digitally Recorded Legal Textbooks"	\$5,450
<p>This grant will underwrite the cost of producing three digital audio legal textbooks for students with print disabilities.</p>	
Peacemakers International Women's Peace Conference "Legal Education Forum"	\$5,000
<p>This grant funds legal education forums at the Conference to educate the public on laws, legal rights and constitutional rights relevant to women and peace.</p>	
Abilene Bar Association, Inc. "Abilene's Leap into the Technology Age"	\$5,000
<p>The grant is to purchase a SMART Board, two projectors, and screens for use in courtrooms and to show prospective jurors TYLA's American Juror. One projector and screen would be available to rent for Association members to use in court, and the other would be for the District Clerk to use for jurors.</p>	
Smith County Bar Association "A History of the 75 Year of the Smith County Bar Association"	\$5,000
<p>The grant will fund a printed publication to document the 75-year history of the Smith County Bar, including courthouses, judges, attorneys, significant local cases, legal community outreach programs, and the historical significance of Smith County.</p>	
Lambda Legal Defense and Education Fund, Inc. "Avoiding Litigation Through Education Campaign"	\$5,000
<p>Lambda Legal will use the funds to produce printed materials for an educational program to teach school district, major private sector employers, and other organizations about laws protecting the rights of LGBT citizens. By providing accurate information, Lambda Legal will help reduce the likelihood of litigation.</p>	

Texas Appleseed “Diversity Legal Scholars Program” The grant will provide scholarships to economically disadvantaged minority students to take a Law School Admissions Test (LSAT) review course as a part of the Texas Appleseed Diversity Legal Scholars Program. The program also includes mentoring by major law firms and opportunities for summer internships.	\$5,000
Austin Bar Foundation “People's Law School” The Austin Bar Association and The University of Texas School of Law join forces to educate the public regarding the legal aspects of identity theft, employee discrimination, landlord/tenant rights, and other topics. This grant pays for sign-language interpreters and other costs of producing the People's Law School.	\$4,805
Young Mens Christian Association Amarillo Family YMCA “Youth in Government” Youth in Government is a program that provides high school aged students with simulated training in the legislature, judicial, and executive branches, and the role of the media. The grant assists with funding for local training, the district training conference, and the annual conference in Austin.	\$4,800
Camp Fire USA Tesuya Council “Teen Court” The Council established the Johnson County Teen Court in Cleburne five years ago, and this grant expands the program to additional cities.	\$4,500
Center for Nonprofit Management “Nonprofit Legal Clinics 2006” This grant funds legal clinics to provide high-quality, low-cost legal advice and education to nonprofit executives, board members and staff. The resource will help Dallas area community leaders better understand and more effectively manage the legal issues and risks associated with operating a nonprofit agency.	\$4,225
Center for Nonprofit Management “Nonprofit Legal Clinic” The purpose of funding this clinic is to provide high quality, pro bono legal consultation to nonprofit organizations in the Dallas area.	\$4,000
Austin Young Lawyers Association Foundation “Youth Services Initiative” The Central Texas Region of the Texas High School Mock Trial Competition benefits from this grant award. Though volunteer attorneys staff the competition, this grant pays for expenses incurred for a pre-competition skills clinic and the competition itself, as well as to introduce law-related initiatives in low-income middle schools.	\$3,882
Teen Court Association of Texas “Teen Court State Conference” This grant underwrites a portion of the cost of the annual conference of the Teen Court of Texas in Houston. The conference will provide information and training to Teen Court coordinators in Texas on how to reduce juvenile crime.	\$3,300
Texas Appleseed “Diversity Legal Scholars Program” The grant will provide scholarships to economically disadvantaged minority students to take a Law School Admissions Test (LSAT) review course as a part of the Texas Appleseed Diversity Legal Scholars Program. The program also includes mentoring by major law firms and opportunities for summer internships.	\$3,000

Nueces County Neighborhood Justice, Inc. \$2,000

“Parent & Teen/Pre-Release Program”

The Nueces County Dispute Resolution Center is targeting youths incarcerated at the Juvenile Boot Camp and their parents for mediation prior to the juvenile's release. With a trained volunteer mediator's assistance, the goal is to change how the families interact and to provide insight into the difficulties they experience.

National Association of Women Judges \$500

“Color of Justice”

The "Color of Justice" video project encourages minority middle-school and high-school students to adopt the law and the judiciary as career goals. This grant funds costs for duplication and distribution.

Victim Services and Civil Legal Services without a Means Test

Samaritan Pastoral Center/Meet in the Middle \$29,260

“Child Visitation and Exchange Center, Cooperative Parenting Classes”

Exchange services for the children frequently are ordered by the Court when there is a high-conflict divorce. This grant funds the availability of the service for low-income parents through scholarships as well as funding other costs of the program.

Supreme Court of Texas Protective Order Task Force \$26,140

“Pro Se Protective Order Kit”

The Supreme Court of Texas charged the Protective Order Taskforce to produce a pro se protective order kit. This grant funds translation of the Taskforce's work into lower-literacy Spanish and English as well as distribution to battered women's shelters, hospital emergency rooms, etc. The taskforce anticipates that advocates and volunteer attorneys also will use the kit.

CASA of Johnson County \$26,000

“Foster Children - From Turbulence to Permanence”

A video, produced in both English and Spanish and designed for both professionals and the general public; shows the progression of a family from a SWAT team raid that results in the removal of a child to a child's return or permanent removal.

Family Violence Prevention Services, Inc. \$24,000

“FVPS Court Liasion”

This grant partially funds an advocate for the Bexar County Family Justice Courts to work with victims and provide education, guidance, and counseling on issues pertaining to domestic violence and abuse.

Texas Advocacy Project, Inc. \$20,480

“Access to Attorneys Program”

Texas Advocacy Project will use the grant to purchase video-conferencing equipment to allow bilingual attorneys at the home office in Austin to communicate with limited-English speaking clients in the remote office in Webb County. The project will target victims of domestic violence and sexual assault who are appropriate for assisted pro se services.

Daysprings Center of the Metroplex for Counseling and Development, Inc. \$20,200

“Scholarship & Expansion Project”

High-conflict divorces contain elements of risk, and the Metroplex courts order families involved in a potentially dangerous divorce to use the Hannah's House Center for Safe Child Exchange and Supervised Visitation, a Dayspring facility. This grant subsidizes visitation fees for low-income families, volunteer and staff training, and the expansion of the Hannah's House program.

Comal County Family Violence Shelter Inc. “Legal Advocacy Project for Women” The grant will partially fund the salary for a legal advocate. The position will be responsible for screening clients, assisting with protective orders, crisis intervention, case management, and referrals to other agency services such as counseling and shelter.	\$20,000
Bridgehaven Children's Advocacy Center “Children's Right to be Heard” The grant will expand the program started with a Foundation grant in 2006. The money will be used to hire a Case Supervisor to assist the Program Director with overseeing volunteers, focusing on recruitment, training, and tracking.	\$20,000
Samaritan Pastoral Center/Meet in the Middle “Child Visitation and Exchange Center” The grant helps fund the Meet in the Middle organization in San Angelo, which provides a safe place for divorced parents, especially in contested custody cases, for child exchanges or visitation to take place in a conflict-free setting. The majority of clients are ordered by the court to use Meet in the Middle services.	\$20,000
CASA of Central Texas, Inc. “Court Program Services/ Casework Supervisor” This project provides most of the salary of a Casework Supervisor.	\$20,000
Bridgehaven Children's Advocacy Center “A Voice for Victims” With these grant funds, a CASA program for Chambers and Liberty Counties will be added to the services provided by the Children's Advocacy Center.	\$20,000
Denton County Friends of the Family, Inc. “Project Counsel” Project Council will provide legal advocacy, assistance, and options to victims of relationship violence and/or sexual assault.	\$20,000
Hill Country Children's Advocacy Center “Purchase of Colposcope” This grant will allow the center to purchase equipment for its medical examination room.	\$18,150
El Paso County Criminal Court at Law Number Two “DWI Drug Court Intervention and Treatment Program” The El Paso County Criminal Court #2 pilot project for DWI repeat offenders offers treatment, counseling and the use of SCRAM ankle bracelets. The grant pays for the SCRAM ankle bracelets or Secure Continuous Remote Alcohol Monitors, which read the blood alcohol content of the persons wearing them every hour and report those readings to law enforcement agencies.	\$16,000
CASA of Travis County “Child Advocacy Expansion” The grant is for recruitment and training of new volunteers and retention of existing volunteers. The goal is to train 12 additional volunteer per month to maintain an active volunteer base of 420.	\$15,000
Advocourt for Kids, Inc. “Amicus Attorney Volunteers” The matching grant provides start-up funds for volunteer advocacy services for indigent children referred to the group from judges hearing divorce and custody cases. These children would not otherwise be brought into the system.	\$15,000

Amarillo Area Court Appointed Special Advocates, Inc. “Program Expansion”	\$15,000
<p>The grant provides surveillance equipment in two visitation rooms for court-appointed, supervised visitations between children and families who are separated because abuse, neglect, or abandonment.</p>	
Diocesan Migrant and Refugee Services, Inc. “Community Presentations on the Violence Against Women Act and the Legal Rights of Immigrant Victims of Domestic Abuse”	\$15,000
<p>Funding from this grant assists with educational presentations on the Violence Against Women Act for victims, law enforcement, and other social service providers. VAWA provides benefits and protections for undocumented victims of violent crime.</p>	
Mosaic Family Services, Inc. “Multicultural Legal Services Program”	\$14,000
<p>The grant will fund rent, online legal libraries, legal software, and legal reference manuals to assist attorneys working for the legal rights of immigrant victims of violence and human trafficking.</p>	
Child Advocates Incorporated “Kids and the People of the Court”	\$12,500
<p>Child Advocates, Inc. of the Houston area will use this grant to produce a book for elementary-age children who are in the State's custody due to abuse or neglect. The book describes the roles of adults working in the juvenile court and foster care systems.</p>	
Child Advocates San Antonio (CASA) “Volunteer Training and Retention”	\$11,285
<p>This grant partially funds a training coordinator, enhancements to the website, and volunteer retention efforts to meet the increasing need for CASA volunteers in San Antonio.</p>	
Spaulding for Children “FBI Background Check Fund for Adoption and Foster Care Services”	\$10,280
<p>Potential foster and adoptive parents for children in protective custody in Texas must undergo FBI background checks. This grant underwrites the costs of performing the background checks.</p>	
Connections Individual & Family Services “Kids Exchange Program”	\$10,000
<p>Comal County has lacked facilities for the safe exchange of children involved in a high-conflict divorce. This grant assists Connections in implementing this new program.</p>	
Child Advocates CASA of Archer, Clay, Montague and Wichita Counties “CASA Volunteer Recruitment Project”	\$10,000
<p>The goal of the project is to recruit 72 new volunteers for CASA using mass media such as TV news stories, newspaper articles, and billboards.</p>	
CASA of Central Texas, Inc. “Court Program Services/Casework Supervisor”	\$10,000
<p>The grant will partially fund the salary for a casework supervisor. The position will be responsible for coordinating volunteers with the cases assigned by area judges.</p>	
Court Appointed Special Advocates of Hidalgo County, Inc. “Technology Support Program”	\$10,000
<p>The grant will fund two notebook computers to allow case workers to enter data during court and home visits. Eight desk top computers will also be purchased for volunteer advocates and case workers to prepare court reports and recommendations.</p>	

Daysprings Center of the Metroplex “Service Expansion Project” High-conflict divorces contain elements of risk. As a result, the courts order families in the Irving area involved in a potentially dangerous divorce to use Irving Hannah's House for visitation. This grant subsidizes the visitation fees for low-income families.	\$10,000
Children's Advocacy Center of Comal County, Inc. “Effective Forensic Interviewing & Case Management” The Children's Advocacy Center protects victims of child abuse from further trauma and enhances the investigation and disposition of criminal and civil child abuse cases. This grant provides partial salary for a case manager who conducts interviews, maintains an effective case management system, and provides victims and families with victims' rights resources.	\$10,000
X-Change Place “Safe Haven for Children” X-Change Place intends to expand their existing services to include greater community and client educational programs and volunteer training, as well as collaboration training for clients, community, law enforcement, and the judicial system.	\$9,628
Women's Protective Services of Lubbock, Inc. “Regional Outreach/Community Education Project” The project will increase the availability of legal advocacy, community education, and referral services for victims of domestic violence within the 12-county service area.	\$9,500
Women's Protective Services of Lubbock, Inc. “Regional Outreach/Community Education Project” The third largest shelter for battered women in Texas, Women's Protective Services of Lubbock will use this grant for education and outreach in the 12 county service area.	\$9,500
Grayson County Children's Advocacy Center “Technology Upgrade” The grant will fund an additional computer, a server based network, firewall, and server/client software. The purchases will allow the organization to remain HIPPA compliant, as well as streamline their record-keeping processes.	\$7,500
Johnson County Children's Advocacy Center “Child Victim Life Enhancement Project” In Cleburne, the Johnson County Children's Advocacy Center provides a safe place for children to tell their stories of abuse. Additionally, the Center provides counseling to establish self-confidence. This grant funds special programs to take place during the counseling process.	\$7,500
Child Advocates San Antonio (CASA) “Volunteer Recruitment, Training and Retention” The grant is to fund recruitment, training and retention of volunteers to serve the children of San Antonio.	\$7,050
Texas Legal Services Center “Legal Hotline for Older Texans Technology Improvement Project” Legal Hotline for Texans has provided information for low-income Texans for many years. With this grant, the Texas Legal Services Center will make needed improvements to the Hotline that will provide important information about the callers and the matters that lead people to contact the Hotline	\$5,300
Court Appointed Special Advocates of Grayson County “Casework Management” The grant will fund an expansion of CASA of Grayson County to support current volunteer/program expenses and to solicit, recruit, train and manage new volunteers.	\$5,200

Amarillo Area Court Appointed Special Advocates, Inc. “Computer Think Pad and Lap Top Request” The grant is to purchase portable technology to allow case workers to enter data while at court, after visits, or when travelling on assignment. Since the organization serves seven counties it is often difficult for the caseworker or employee to make file notes in a timely manner, and the technology will make that possible.	\$5,000
ChildSafe “2004 Child Abuse Conference” Alamo Children's Advocacy Center of San Antonio will produce a training conference with more than forty workshops for police officers, prosecutors, caseworkers, and other front-line personnel who investigate, prosecute and treat child victims of abuse. This grant underwrites the cost of audio-visual equipment for this statewide conference.	\$5,000
Center for Child Protection “Justice for Texas Children” The recent Senate Bill 6 mandates training for attorneys ad litem before they can represent children and families in abuse and neglect cases. This grant helps provide training on child abuse issues to Austin-area attorneys ad litem.	\$4,500
Center for Child Protection “Educating for Justice” Effective use of research and training enhances the effectiveness of the multi-disciplinary teams whose members work with the youngest victims of crime. This grant funds training to prepare team members for their work with children and for their role in the legal system.	\$3,900
Political Asylum Project of Austin "PAPA" “Immigrant Victims of Family Violence Outreach Project” PAPA intends to use this grant to cover non-personnel costs for an outreach and education program concerning the Violence Against Women Act (VAWA) that provides legal relief for immigrant victims. Outreach targets victims of domestic violence and social service personnel who work with them.	\$3,249
Grayson County Children's Advocacy Center “CARE Team (Child Advocate and Response Evaluation Team)” The CARE Team Project funded by this grant provides comprehensive services to children and families served by the CAC, including referrals for therapy, support during examinations, and transportation assistance.	\$2,415
Center for Nonprofit Management “Nonprofit Legal Clinic 2004” The Center for Nonprofit Management in Dallas, through the Nonprofit Legal Clinic, permits nonprofit staff and board members to consult privately with volunteer attorneys experienced in both nonprofit issues and more general matters such as employment law. This grant assists with promotional and registration materials.	\$2,325
Center for Family Relations d/b/a San Antonio Kids Exchange “Educational Visitation” With this grant, the San Antonio Kids Exchange began a new program, based on national models, in which a professional observes, trains, and coaches non-custodial parents during supervised visitations with their children.	\$2,270
CASA of the South Plains, Inc. “100 in 2006” The goal of this grant is to train 100 new advocacy volunteers this year, a substantial increase from the past. The increase addresses rapid growth in CASA's caseload.	\$2,000