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Texas Access to Justice Commission and Foundation Launch Statewide *Cy Pres*—*Impact on Justice* Campaign to Raise Funds for Legal Aid Services

*First Major Donation Provides \$230,160 to Help Low-Income
Texans with Civil Legal Matters*

(AUSTIN, Texas) *Cy pres*, a French term that roughly translates to “as near as possible,” is a concept that may make the difference between many poor Texans getting the civil legal help they need or continuing to struggle without that help.

With the Texas legal aid system facing an unprecedented funding crisis, the Texas Access to Justice Commission and Foundation have launched a statewide campaign to seek *cy pres* awards to help shore up the state’s legal aid system. A significant award totaling \$230,160 will jumpstart the campaign; the funds are part of a settlement from a lawsuit pertaining to the Fair Labor Standards Act. The participating attorneys, including Jeff Rasansky of The Rasansky Law Firm of Dallas; Michael C. Smith of Siebman, Reynolds, Burg, Phillips & Smith, LLP of Marshall, Jeremi K. Young of The Young Law Firm of Amarillo awarded the portion of the proceeds that could not be disbursed to the intended beneficiaries of the lawsuit.

Cy pres awards are residual funds from a class action or other proceeding that cannot be distributed to class members or the intended beneficiaries for a variety of reasons. For example, the intended recipient may have passed away, could not be found or chose not to respond to communications regarding the lawsuit. In these cases, the funds can be distributed to appropriate charitable causes under the *cy pres* doctrine.

“This award could not have come at a better time as the Texas legal aid system struggles with a significant funding shortfall,” Richard L. Tate, chair of the Texas Access to Justice Foundation, said. “We give our heartfelt thanks to the attorneys and judge

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involved in the decision to donate these funds to provide legal aid services for poor Texans. The money will help victims of domestic violence, elderly Texans struggling with housing and other issues, families facing legal difficulties and others who need help with civil legal issues.”

“We are proud to play a small part in helping to make access to justice possible for those who need it most, particularly in these difficult financial times,” said Jeremi K. Young. Young, along with the other attorneys, recently received the first-ever Cy Pres: Impact on Justice Award for his work on this issue.

Texas ranks just 43rd in the nation in per capita revenue spent to provide civil legal aid. A national study by Legal Services Corp. found that legal aid programs turn away half of all qualified applicants because they lack the resources to help them. Specifically, legal aid is able to assist only 20 percent to 25 percent of low-income Texans who need and seek help.

“We will be meeting with attorneys from across Texas during the next few months to raise awareness about cy pres awards and legal aid,” Betty Balli Torres, executive director of the Texas Access to Justice Foundation, added. “Attorneys throughout the state already donate thousands of pro bono hours each year to help fill the gap in legal aid services. I am confident that they will also want to help by earmarking cy pres funds for legal aid.”

-30-

*The **Texas Access to Justice Commission** 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 and awareness of legal aid. For more information, please visit www.TexasATJ.org.*

*The **Texas Access to Justice Foundation** (www.teajf.org), created by the Supreme Court of Texas in 1984, is the primary state-based funding source for the provision of civil legal aid in Texas. The organization is committed to the vision that all Texans will have equal access to justice, regardless of their income. The Foundation administers a variety of funding sources, which are earmarked to assist nonprofit organizations in providing legal aid to approximately 100,000 Texans each year.*