June 1, 2012

The Supreme Court of Texas
Attn: The Honorable Blake Hawthorne
Supreme Court Building
201 West 14th Street, Room 104
Austin, Texas 78701

Dear Justices of the Supreme Court of Texas:

Re: Report of the Texas Access to Justice Commission to the Supreme Court of Texas for the period December 1, 2011, through May 31, 2012

On behalf of the Texas Access to Justice Commission (hereinafter, the “Commission”), I am providing this report to the Supreme Court of Texas summarizing the major activities of the Commission from December 1, 2011, through May 31, 2012. Since the work of the Commission is done through committees, we have structured the Report to cover the work of each committee or Supreme Court task force. Appendix to the Report are Appendix A, “Additional Efforts to Increase Access to Justice,” and Appendix B, “Report of the Texas Access to Justice Foundation as Presented to the Texas Access to Justice Commission.”

ENSURING ACCESS TO JUSTICE THROUGH CAPACITY BUILDING

Corporate Counsel Committee

The Texas General Counsel Forum is hosting its annual golf tournament to benefit the Texas Access to Justice Commission. The Corporate Counsel Committee will be assisting this fundraising effort by securing sponsorships and players for the event. The golf tournament is scheduled for November 8, 2012, at the JW Marriott San Antonio Hill Country Resort & Spa and is limited to just 144 players.

The Committee is evaluating the promulgation of an out-of-state counsel rule that would allow corporate counsel not licensed in Texas to handle
matters on a pro bono basis. The Committee is also considering the merits of updating the current State Bar of Texas Emeritus Attorney Program, which allows retired attorneys to participate in pro bono representation through an approved legal assistance organization, to include in-house counsel not licensed in Texas.

Law School Advisory Committee

Access to Justice Internship Program

The Commission continues to fund and administer the Texas Access to Justice Internship Program. This year, the Commission selected fourteen law students from a set of excellent candidates who were placed throughout the state in the rural offices of Legal Aid of NorthWest Texas, Lone Star Legal Aid, the Texas Civil Rights Project, and Texas RioGrande Legal Aid. Law students will receive hands-on training and work with accomplished lawyers to provide direct services to low-income clients.

All interns will receive a webinar orientation that covers basic professional responsibility and ethics rules, as well as important information to know before embarking on a summer serving the poor. At the request of the University of Texas Law School, the webinar will be open to all students who are committing themselves to public service this summer, not just interns serving through the Commission's program.

Pro Bono Spring Break

As referenced in the Commission's December 1, 2011, Report to the Court, the Law School Advisory Committee will hold a statewide law school pro bono Spring Break in which students from all nine law schools will travel to underserved areas around the state to provide pro bono services. All legal work will be supervised by law school faculty members. The Texas Bar Foundation recently approved the Commission's application for funding, and planning for the first event in 2013 is underway.

Legal Education Training Programs Committee

On June 11-14, the Commission will once again partner with the American College of Trial Lawyers ("ACTL") to host a Trial Academy specifically
designed for legal aid lawyers. Reagan Brown, Texas ACTL Fellow and partner at Fulbright & Jaworski, is the course director. The Trial Academy will be taught primarily by Texas ACTL Fellows and will be held at the University of Texas School of Law. It will be the eighth trial advocacy training program held for legal aid practitioners.

During the four-day training program, participants will observe demonstrations by experienced trial litigators and will have the opportunity to interact with the course instructors regarding strategy and tactics. Following each day's demonstration, participants will have the opportunity to practice their skills and receive personalized professional critiques designed to develop and refine litigation techniques. Topics will include voir dire, opening statement, direct and cross of lay and expert witnesses, and jury arguments. To ensure adequate time for participation and personalized critique, the program is limited to 30 legal aid attorneys.

Self-Represented Litigants Committee

The Self-Represented Litigants Committee ("SRL Committee") is charged with addressing the challenges presented by the increasing number of self-represented litigants interacting with Texas courts by providing tools to help pro se litigants navigate the court system. Since the Supplemental Report to the Court on the Activities of the Self-Represented Litigants Committee filed by the Commission on February 6, 2012 ("Supplemental Report"), the subcommittees of the SRL Committee have continued to examine policy, conduct trainings, and collaborate on state and local projects aimed at improving services for litigants who have been turned away from legal aid and are unable to afford any other form of legal representation.

Education Subcommittee

The Education Subcommittee has continued to conduct presentations to court personnel entitled, "How to Give Legal Information Without Giving Legal Advice." In the past six months, this presentation has been given to regional county and district clerks meetings in Abilene and Hondo. The Commission has received multiple requests from court personnel to get this training. Staff members are working to schedule dates throughout the state.

Subcommittee members also had the opportunity to speak to law librarians at the Southwest Association of Law Librarians conference in March. Virtually all of the county law librarians and some of the law
school librarians were present to discuss how law libraries can more effectively serve the public. In addition to learning about services for pro se litigants, law librarians were eager to understand how to refer patrons effectively to private attorneys for limited scope services.

Self-Help Center and Services Subcommittee

This Subcommittee is charged with providing technical assistance to courts and communities that are interested in developing or expanding self-help projects and have requested help in doing so.

At the request of judiciary in Tom Green County, the Commission and the Office of Court Administration ("OCA") submitted a concept paper to the State Justice Institute to establish a remote access Self-Help Center in Tom Green County. While the proposal was not accepted, the process promoted discussion within Tom Green County on how to best meet their community's needs. Stakeholders in Tom Green will be meeting with Commission and OCA staff in June to discuss options to work towards establishing a self-help center in that county. Requests for technical assistance have been received from other counties, and staff members are coordinating schedules to provide the needed help.

The Subcommittee has also created a Self-Help Center and Law Library Virtual File Cabinet ("File Cabinet") on TexasLawyersHelp.org. The resource is intended to provide everything that is needed to run a Self-Help program. The website is password protected and the File Cabinet is intended to be used only by Self-Help Center and Law Library staff. The subcommittee has received feedback on how to make this resource more user-friendly and what additional materials should be placed in the File Cabinet to supplement it. Once this feedback is incorporated into the File Cabinet, the Subcommittee will conduct a webinar to ensure that all law librarians and self-help staff are aware of all of the resources housed within the File Cabinet.

Finally, the Subcommittee has created a listserv open only to law library and self-help center staff. The listserv acts as a forum to pose questions to colleagues from other law libraries and self-help centers. Members use the listserv to seek assistance in pointing litigants towards specific resources, ask questions about operational issues related to running a self-help center, or make announcements of interest to the group. Individuals seeking to join the group are approved only if they
currently work at or are about to develop a law library or self-help center that provides direct assistance to the public.

**Assisted Pro Se Subcommittee**

The Assisted Pro Se Subcommittee held a panel presentation at the Poverty Law Conference in April. The panel was comprised of Victoria Touchet, a pro bono attorney at Volunteer Legal Services of Central Texas and a former Travis County Self-Help Center Attorney, Denise Moy of the Texas Advocacy Project, Linda Good of Lone Star Legal Aid, and Hannah Silk Kapasi of the Commission.

Panelists gave an overview of the need for legal aid programs to become involved in assisted pro se projects and briefly discussed the various models of assisted pro se services. The conference also provided the first opportunity for the Subcommittee to distribute the comprehensive list of assisted pro se programs in Texas referenced in the Supplemental Report. This list will be beneficial to legal services programs as they start their own assisted pro se programs.

The Subcommittee will now turn to offering technical assistance to programs which wish to learn more about assisted pro se projects or request help with starting a project.

**Limited Scope Representation**

The Limited Scope Representation subcommittee has organized two Continuing Legal Education seminars on unbundled legal services. The first seminar is a 45-minute presentation giving an overview of limited scope representation. This seminar was presented to the Solo and Small Firm Section of the Austin Bar on January 20.

The Commission was also asked to prepare and present an extended CLE to the Lubbock Bar on April 12. This three-hour CLE discusses the need, ethical and malpractice issues, best practices, risk management materials, marketing, and advertising rules for limited scope representation. Elizabeth Nelson, a local Lubbock attorney who uses limited scope in her practice on a regular basis, co-presented the CLE with Commission staff.
The Subcommittee is currently engaged in crafting a series of sample risk management materials for use by attorneys who choose to do limited scope representation. The materials include sample fee agreements, sample attorney/client checklists, and sample pleadings to notify the court of the attorney's entrance and exit to any given case.

The Subcommittee is in the process of designing a brochure for litigants describing limited scope representation and when it is, and is not, appropriate for use.

The Subcommittee is also exploring opportunities to partner with other lawyer organizations to train attorneys interested in expanding their practices to include some form of limited scope representation. The Commission and the Texas Young Lawyers Association will be partnering in the 2012-2013 calendar year for the State Bar of Texas.

Uniform Rules and Guidelines Subcommittee

As mentioned in the Supplemental Report, the Rules Subcommittee has not yet found the need for any rule, legislative, or policy change in Texas. The Subcommittee will soon be examining Texas Rules of Civil Procedure Rule 145 (Affidavit of Indigency) to determine if changes are recommended. Currently, a person who qualifies for an affidavit of inability to pay costs in one court may not be deemed to qualify in another court.

Technology Committee

The Technology Committee recently appointed two subcommittees, the Technology Training Subcommittee and the Video Conferencing Subcommittee, to address specific issues.

Technology Training Subcommittee

Because technology is moving in a cost-effective, web-based direction that will ultimately reduce the need for expensive hardware and software, the Committee appointed a subcommittee to develop technology update presentations for grantees of the Texas Access to Justice Foundation ("TAJF"). The initial presentation was conducted in a webinar format on May 9, 2012. It provided information about preparing for a disaster, serving clients when working remotely, protecting against client data breach, identifying free IT support and
software training available to grantees, and discussing how the Technology Committee can assist grantee organizations. (Exhibit A)

The Committee's Technology Training Series will continue as a web-based, e-learning program until 2013. The Committee plans to launch a "Summer Online Training Series" to encourage new and additional grantee participation. Through this resource, grantees learn how to better meet client needs through the more efficient use of Microsoft products including, Word, Outlook, PowerPoint, and Excel. This training is made possible through generous donations from two vendors, Traveling Coaches and University Site. The Committee is also exploring the feasibility of providing the online training series to LSC organizations nationwide.

Video Conferencing Subcommittee

The Video Conferencing Subcommittee is working with OCA to create a statewide directory of videoconferencing equipment in each county. The directory would include equipment available at the courthouses, but may include other venues that would allow public access and use. Ideally, the directory will facilitate connecting volunteer attorneys across the state to clients in rural areas. Videoconferencing is currently used in a variety of proceedings and courts. Because it is not typically in-use all the time, courts may be willing to make their equipment available to the public.

The Subcommittee is currently conducting a pilot project in Uvalde and Jim Wells counties to determine how best to obtain the information from various counties and learn more about unknown barriers to the project. These counties were selected because they are in a rural location but have a sufficient population to generate over 250 cases per year.

Other Efforts

International Legal Technology Association: The Committee met with the Executive Director of International Legal Technology Association (ILTA) to discuss how legal aid organizations in Texas can benefit from the content and/or the peer-to-peer network offered through ILTA. In order to determine how all grantees might benefit, TRLA was provided free membership to engage with ILTA for a period of time and provide feedback and recommendations to the Technology Committee about
how similarly-sized and/or smaller legal aid organizations could gain access and benefits.

**Business Continuity Planning:** The Committee has completed the creation of guidelines to assist organizations in creating effective IT protocols and standards for disaster/business continuity plans to assist grantee compliance with funding requirements. The Committee is currently working with TAJF to publish these tools to grantees. Upon request, the Committee will assist grantees in developing plans and assess completed plans. (Exhibit B)

**Help Desk:** The Help Desk receives very few technology calls from grantees. To generate more calls, the Committee discussed this resource in more detail during the May 9, 2012, Technology Update for Grantees webinar.

**TexasLawyersHelp:** The revised “Take a Case” feature on TexasLawyersHelp, which allows legal aid organizations to post cases in need of pro bono attorneys, has been fully implemented by ProBono.net. Pro bono attorneys will now be instantly notified of potential case matches by email instead of having to log into the system. Once attorneys select the type of case they want in terms of location and substantive area of law, they will begin to receive email notifications of case matches.

The TexasLawyersHelp library continues to provide helpful resources to pro bono attorneys. As previously mentioned, a new Virtual Self Help Center for Law Library and Staff was added and includes resources provided by the Travis County Law Library. Some of the most widely viewed Library items this year include: Collin County Legal Aid Clinic in Plano; The Violence Against Women Act (VAWA) Training; City Square (formerly Central Dallas Ministries) - Pro Bono Week; MCLE Webinar: Landlord-Initiated Lock-Outs and Utility Shut-Offs; Landlord Liens, and Attorney’s Fees in Landlord-Tenant Matters; Texas Lawyers For Texas Veterans Legal Clinics; Basic Lawyering Skills Training; 24th Annual Juvenile Law Conference; Poverty Law Conference; Protective Orders in Texas: 2011 Legislative Update; and Rockwall County Legal Aid Clinic.

Another popular feature is the substantive law listserves including the Family Law, Housing Law, Immigration Law, and Public Benefits &
Health Law Task Forces. A Law Library and Self-Help Center Staff listserv, available only to law library and self-help center staff, provides a forum to discuss questions related to serving pro se litigants.

TexasLawyersHelp now has a Twitter account to post news items and events.

Supreme Court Protective Order Task Force

The Protective Order Task Force began meeting in August 2011 to identify changes needed to the 2005 Protective Order Kit as a result of newly passed legislation. The Task Force submitted the revised kit for the Court’s consideration. The revised kit was initially reviewed by a Subcommittee of the Supreme Court Advisory Committee (“SCAC”) and subsequently reviewed by the full SCAC on April 13, 2012. Stewart Gagnon, Task Force Chair, answered questions posed by SCAC members and provided requested information on substantive law matters. (Exhibit C) Additional edits to the Protective Order Kit have since been completed and submitted to the Court for approval.

Supreme Court Uniform Forms Task Force

The Uniform Forms Task Force submitted its first set of forms and instructions for a divorce with no children and no real property to the Court on January 11, 2012. The Court sent this divorce kit to its SCAC for further review. The SCAC appointed a subcommittee to conduct a preliminary examination of the forms and to look into any policy concerns. The Subcommittee had a four-hour meeting with various stakeholders, including Steve Bresnen, lobbyist for the Texas Family Law Foundation, Stewart Gagnon, Chair of the Task Force, and Trish McAllister, Executive Director of the Commission. Stakeholders responded to questions and concerns raised by the Subcommittee members. The Subcommittee suggested a few changes to the kit, which were quickly incorporated and sent back to the full SCAC.

On January 30, 2012, the State Bar appointed its Solutions 2012 Task Force to provide input on the issue of self-represented litigants. Solutions 2012 broke into two subcommittees, forms and pro se programs. Solutions 2012 submitted a report to the SCAC which was subsequently accepted by the State Bar Board of Directors at its April 13, 2012, meeting.
The Task Force pointed out that the means and resources to implement any of the proposed "solutions" were not within its charge.

At the SCAC meeting, which was held on the same day as the State Bar Board meeting, the Commission, the State Bar Solutions 2012 Task Force, and the Family Law Foundation had an opportunity to present their positions. Following the presentations, the SCAC members asked questions and discussed policy issues. The SCAC members then conducted a page-by-page review of the divorce kit forms and instructions. At the end of the first day, the SCAC invited public comment. Many people spoke in favor of the forms; only one person spoke in opposition.

On May 11, 2012, the Forms Task Force met to continue its work on name change forms. The Task Force is awaiting the Court's decision on the divorce kit before determining how it should proceed.

Task Force to Expand Legal Services Delivery

In November 2004, the Supreme Court created the Task Force to Expand Legal Services Delivery to work with the Commission to increase the delivery of legal services to underserved areas of the state. The Task Force is also ordered to respond to specific recommendations by the Commission, to develop new and innovative programs, and to report back on its findings, recommendations and results. Task Force membership is comprised of leaders from the various sections of the State Bar of Texas.

Inspired by Task Force participation, State Bar sections have initiated or significantly increased their pro bono efforts. For example, several State Bar sections now incorporate a pro bono component in 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. While some sections are very active, others may not have the manpower or infrastructure to do so. As a result, maintaining Task Force involvement and participation has been difficult. Over the past several years, the Task Force has met with varying regularity, moving from quarterly meetings to meeting annually.

The Commission recently appointed a new Chair of the Task Force, Ike Vanden Eykel, to examine the mission and goals of the Task Force. After a preliminary review, it appears that it may be time to redefine the vision of
the Task Force and determine if the participants involved are the ones that should be at the table.

The Task Force has great potential to help address the access to justice barriers that many low-income Texans face. It is a question of channeling this potential into tangible and effective programs. To maximize the chance of success, the Task Force will be re-evaluating its structure and mission as it moves forward in the near future.

ENSURING ACCESS TO JUSTICE THROUGH POLICY AND BEST PRACTICE INITIATIVES

Legislative Committee

State Funding for Basic Civil Legal Services

The Legislative Committee has been very busy during the interim session. Acting upon the recommendations of legislators and their staff, the Committee has developed a statewide interim effort to educate legislators in their district offices about the need for state funding of legal services to the poor. (Exhibit D) Local constituents, preferably with strong connections to their legislative members, and local legal aid clients will conduct visits in their district offices. Visits will begin in June 2012 and continue until the 83rd Legislative Session begins in January 2013. Education will focus on the legal needs of victims of domestic violence, the elderly, and veterans and their families. This effort will be implemented regionally with each region having at least two identified team leaders, one to represent each political party if possible, team members, and an assigned staff member to provide needed support throughout the interim to ensure all district office visits are conducted.

Additionally, as discussed in detail below, Lieutenant Governor Dewhurst and Attorney General Abbott were recently recognized for their efforts to secure State funding for legal aid at the Commission's Champions of Justice Gala Benefitting Veterans on May 1, 2012.
Federal Funding for the Legal Services Corporation

The Commission organized the Texas Delegation for participation in the annual ABA Days on April 17-19 in Washington, D.C. (Exhibit E) Leaders from the Commission, the State Bar of Texas, and the Texas Access to Justice Foundation, including Justice Nathan Hecht, took part in the event. Chief Justice Jefferson also supported the efforts by meeting with Senator Cornyn. Teams met with 31 Texas Congressional Offices, including 18 elected officials, to discuss the need for LSC funding.

Action on Legal Services Corporation ("LSC") funding was taken while delegations from across the nation were in D.C. On April 17, the Senate Appropriations Committee approved the Commerce, Justice, Science, and Related Agencies ("CJS") funding bill which includes $402 million for LSC. This figure is 15.5 percent ($54 million) above LSC's current funding level of $348 million. On April 26, the House CJS Subcommittee marked up its FY 2013 appropriations bill, recommending $328 million in funding for LSC.

Under the 2012 budget of the Congress, $348 million was appropriated for LSC. This reduction from the previous year's budget resulted in the Texas LSC entities receiving $6.3 million less than they received in 2010. This forced Texas Legal Service funded providers to lay off lawyers and significantly reduce their capacity to serve those in need. If the House proposal of $328 million prevails, this will produce further significant reduction in funding.

Members of the Texas Congressional Delegation indicated that an approved budget is unlikely before the general election is conducted. If no budget is approved, Congress may resort to another continuing resolution, which optimally could result in a compromised joint LSC proposal of $364 million (a compromise of the two amounts). If this should occur, LSC will receive an increased appropriation from the $348 million allocation approved in 2011.

Texas was also recognized at various ABA Day events. At the ABA Day Welcome Dinner on April 17, Senator Kay Bailey Hutchison received the Congressional Justice Award. On April 18, the Supreme Court of Texas and Betty Balli Torres received the 2012 Grassroots Advocacy Award at the ABA Days Capitol Hill Reception.
ENSURING ACCESS TO JUSTICE THROUGH
FUND DEVELOPMENT AND AWARENESS

Awards Committee

The Awards Committee, chaired by Commissioner Judge Katie Kennedy, continues its mission in recognizing outstanding contributions towards increasing access to justice. Chief Justice Jefferson presented the following awards to five recipients at the Commission’s Champions of Justice Gala Benefitting Veterans on May 1, 2012.

Legislative Hero Award

Lieutenant Governor Dewhurst was given the Legislative Hero Award for his exceptional efforts during a time of crisis to ensure almost $38 million for legal aid over the past two legislative sessions. Through his leadership in the Senate, which focused on solutions and consensus-building, he helped ensure the promise of justice and the rule of law available to all in need.

Star of Justice Award

The Star of Justice Award was presented to Attorney General Greg Abbott for his work to safeguard civil legal services to victims of crime through the Crime Victims’ Compensation Fund and for directing $10 million of the national mortgage settlement to civil legal aid.

James B. Sales Boots on the Ground Award

This year the James B. Sales “Boots on the Ground” award, which honors an exemplary advocate who gives selflessly of his or her time and talent to provide legal help to those who have no voice, was presented to three deserving recipients.

Terry Tottenham was honored for the Texas Lawyers for Texas Veterans program, a statewide coalition of Texas lawyers who provide pro bono legal services to needy veterans and their families. The program has been replicated in 13 states and is under consideration in many others.

Charles Kimbrough, a private attorney involved in pro bono since 1981, was honored for his pro bono work on the “Jarrell 13 Case,” which
involved thirteen families that were sold property but never given title to the land. He has worked on the case since 2004, and in the last two years alone contributed more than 400 hours. The case was successfully resolved in October 2011. Due to Mr. Kimbrough’s work, thirteen families have fee simple title to their land.

Bruce Bowers, a legal services program attorney, has served poor and low-income citizens for more than 23 years. His leadership began at the Texas Legal Services Center with the Legal Hotline for Older Texans, which has expanded in a variety of other hotlines that assist persons with other specialized needs.

Bar Leaders for Justice Committee

The Bar Leaders for Justice Committee, chaired by Beverly Godbey, assists and engages local bar leaders in local and statewide fundraising for legal services. To further the Commission’s Access to Justice Contribution Campaign, the Committee developed a resolution in support of Texas attorneys making the recommended ATJ contributions on their annual dues statements and is actively seeking adoption by local bar associations. So far, the Resolution has been adopted by the Austin Bar Association, the Dallas Bar Association, and the El Paso Bar Association. (Exhibit F) Additionally, Committee members are assisting the Director of Development and Communications in meeting with key firm partners to encourage annual ATJ contributions.

The Committee is working to revise the Deborah Hankinson Award to encourage more local bar support of ATJ fund raising. The Committee believes encouraging local fundraising may be of more interest to local bars than statewide giving efforts. Suggested changes to the award include encouraging or requiring local campaigns, allowing smaller bar associations to collaborate on efforts together, and allowing local ATJ fundraising to be taken into consideration.

The Hankinson Award presents an opportunity to increase local bar support of ATJ in FY 2013. The Committee will kick-off this effort at the Local Bar Leaders Conference in mid-July by convening a panel discussion on local fundraising efforts during the ATJ Track. Because there is a misconception that statewide fundraising efforts compete with local efforts, the Committee will include information on the “art of philanthropy” to address common fears during the panel presentation.
Development and Fund Raising Efforts

Access to Justice Contribution Campaign

The Commission's first major Access to Justice Contribution Campaign is well underway. Initial efforts were targeted at law firms that participate in the State Bar of Texas' firm billing. Firm billing occurs in February rather than in May, which is when paper dues statements are mailed. Firm billing centralizes payment of State Bar dues and fees through a designated firm coordinator and eliminates the receipt of a paper dues statement to individual lawyers within a firm. The firm billing process has historically resulted in fewer attorneys making the ATJ Contribution.

The Commission focused on the ten largest firms in Dallas, Houston, Austin, and San Antonio. Each firm was contacted and asked to name a Champion of Justice who would serve as the firm captain responsible for increasing awareness of the need for funding and encouraging making the suggested ATJ Contribution. As an incentive, firms that have the highest percentage of participation and those that raise the most funds will be recognized in a full-page ad in the Texas Bar Journal. Georgia Nolan, Director of Development and Communications, has been working closely with these Champions of Justice as well as the firm billing coordinators in each firm. Each firm has been provided emails to send to attorneys within their firms and is provided regular information on the results within their own firm. We are delighted with the outcome thus far.

The second phase of the Campaign began with the mailing of the paper dues statement on May 1. Each attorney will also receive an email with an embedded video highlighting the need for funding and the type of work done by legal service providers. We are hopeful that this will lead to an increase in donations.

Champions of Justice Gala

The Commission hosted its third annual Champions of Justice Gala Benefiting Veterans on May 1, 2012, at the AT&T Executive Education and Conference Center in Austin. The cost of the Gala was
underwritten entirely by the State Bar of Texas. Thus, all funds raised were designated solely for legal services programs that assist low-income veterans with civil legal needs.

Justice Nathan Hecht emceed the event. Mack Brown, Head Football Coach for the University of Texas at Austin Longhorns, introduced Admiral William H. McRaven, Ninth Commander of United States Special Operations Command, who was the guest speaker for the evening. Awards for exceptional service were presented at the event by Chief Justice Jefferson.

The event raised more than $414,000, a ten percent increase from the previous year. There were 17 first-time sponsors, and nearly 550 guests attended the worthwhile event. Proceeds from the gala will be distributed by the Texas Access to Justice Foundation and will be dedicated to the provision of civil legal services for low-income Texas veterans.

Host committee chairs for the gala included prominent Texas attorneys who donated their time for the effort: S. Jack Balagia, General Counsel of ExxonMobil Corporation in Irving; Joseph D. Jamail of Jamail & Kolius in Houston; Charles W. Matthews, formerly General Counsel of ExxonMobil Corporation in Irving; Harriet E. Miers of Locke Lord LLP in Dallas; Wayne A. Reaud of The Reaud Law Firm in Beaumont; and Scott E. Rozzell, General Counsel of CenterPoint Energy, Inc. in Houston.

**Major Donors**

The Commission has developed a brochure to support its major gifts program that highlights the various ways to support legal aid programs. The Commission has also purchased and completed the data migration for the implementation of a new donor database, Convio. The new database makes it easier to track contacts with donors and engage in best practices of donor stewardship.
ADMINISTRATION

Board and Staff Changes

The Commission is grateful for the service of outgoing Commission members, Randy Sorrels of Abraham, Watkins, Nichols, Sorrels, Agosto, & Friend and Marc Vockell of Dell, Inc. The Commission is working with incoming State Bar President Buck Files to appoint two new Commissioners.

CONCLUSION

At a time when there are over 6 million Texans qualifying for legal aid and when federal funding looks precarious, the Commission and its partners are redoubling our efforts on behalf of low-income Texans in need.

The Commission remains grateful to the Supreme Court of Texas and the State Bar of Texas for their outstanding support in helping us increase access to justice.

The Commission and its members are available to meet with the members of the Supreme Court of Texas to discuss its activities or answer any questions.

Very truly yours,

Harry M. Reasoner
Chair
Texas Access to Justice Commission
The Technology Committee of the Texas Access to Justice Commission will host a Technology Update Webinar on Wednesday, May 9, 2012 at 12:00pm for Legal Services Providers to share expertise and information on the following topics:

- Is Your Organization Prepared for Disaster?
- Serving Clients While On the Go
- Protect Yourself Against Client Data Breach
- Free IT Support and Software Training for Legal Aid/Grantee Organizations
- How the Technology Committee can help you


For questions, please email Melissa.cook@Texasbar.com
As you know, The Texas Access to Justice Foundation (TAJF) requires a business continuity plan of its grantees. The goal of these plans is for each grantee to demonstrate a level of security and protection for the organization in case of disasters and unexpected events. This is consistent with sound business practices and appropriate internal control. TAJF will be requesting copies of updated business continuity plans in upcoming grant applications and during site reviews. In order to help grantees meet this obligation, the Texas Access to Justice Commission’s Technology Committee is offering the following standards/guidelines and a review of each organization’s plan in order to assist your organization to demonstrate compliance. The Technology Committee recommends this two-stage process:

- Adopt and substantially follow the Information Technology Guidelines (see attached) for all technology systems used by the organization. This will preclude "ordinary disasters" like computer malware, lost data to failed hardware, physical destruction of computing resources or even staffing turnover. The committee recognizes that not all organizations will have the ability to comply with every suggestion but an organization that substantially follows these guidelines will be prepared for most of these problems. That allows the organization's Business Continuity Plan (BCP) to focus on real threats to the organization beyond backup tapes and data center fires.
- Produce a Business Continuity Plan that demonstrates how the organization can continue to provide service in the event of a business impacting event. A business impacting event is not always a fire or hurricane but can be as mundane as staffing turnover or as traumatic as the long term hospitalization of a critical member of the team. As long as the organization is following the IT Guidelines, the BCP can be pretty casual with simple steps for providing protection of People, Places, Information and Procedures.

A number of grantees have already taken the step of creating a BCP and if so, you should compare your current plan against the attached standards. If your organization does not have such a plan, please thoughtfully prepare one and provide it to TAJF by November 30, 2012.

The Texas Access to Justice Commission’s Technology Committee has agreed to review each organization's submitted Business Continuity Plan to verify that the plan sufficiently protects the organization and the client from harm during most disasters or business interruptions. A member of the committee will contact those organizations for clarification and be happy to relay to the Foundation that
the plan meets these standards. The committee will offer feedback and offer suggestions to those grantees who take advantage of this offer.

By developing and updating your business continuity plan, you insure to all stakeholders that there are adequate protocols in place in case of unforeseen detrimental circumstances. If you have questions about the standards or would like to submit a copy of your BCP for review, please feel free to contact:

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Thank you in advance for your cooperation and preparation to insure your organization is protected in the event of unexpected detrimental events.
The Access to Justice Commission asks all grantee organizations to produce a Business Continuity Plan (BCP) to protect the organization and its clients from harm due to most disasters or emergencies. Each grantee should be given considerable leeway in determining the extent to which its clients and the organization should be tolerant of interruptions but the Commission has an interest in assuring some minimum levels of protection.

In order for grantee organizations to successfully demonstrate disaster preparedness, the BCP should address several core areas: People, Places, Information and Procedures. Each of these core areas should address the impact of an absence or interruption and the plan should address the best way to provide critical coverage in order to prevent harm to the clients or organization.

**People**

People are the crucial for providing all legal service.

The Business Continuity Plan needs to address at least the following processes involving people in your organization:

- **Organizational Leadership and Funding**
  
  All organizations that rely on external sources for funding are completely dependents on their leaders to secure and allocate funds for continued operation.

  A successful BCP will describe the ways the people who serve this role share their responsibility in the event of long term separation from their job.

- **Legal Service Staff**

  The BCP should address how legal service is provided and ways to continue to provide legal service should the organization’s staff become unavailable (e.g. additional staff to share responsibilities or referrals to alternate providers).

- **Administrative Staff**

  Administrative staff may not be considered critical but the Director of each organization should decide which critical staff’s absence may present a risk to the organization or clients and demonstrate ways avoid that risk.
Places

Places are the physical locations where service is provided.

- Primary Locations

  The Business Continuity Plan should address how the primary locations where organizational activities take place are protected from long term unavailability (e.g. alternate work locations, work from home technology or location sharing with associated organizations).

Information and Technology

Information is the stored knowledge and data that the organization uses. This could be the computers, servers and software but will also include physical files and other tangible information used in the provision of legal service. The Business Continuity Plan should demonstrate how your technology is protected or how alternate methods provide access during a disaster.

- Organizational Information

  The BCP should address the plan to protect critical organizational information. Critical physical files should be protected from fire, flood, theft or other damage in some manner (e.g. duplication, storage in another format, storage in another location, etc).

  For regulatory or funding information, the BCP should address special needs for protection for extended periods and if the operation of the organization is dependent on providing access to this information in a timely manner, then the plan should address access under special circumstances.

- Client and Case Information

  The BCP should address how the information is protected in an extended interruption. Like organizational information, Client and Case information should be protected from physical threats like fire, flood, theft as well as malicious destruction.

  Because the timing of client needs might be critical, the plan should address timely access at all times, even during a disaster event.

Special attention should be paid to the technology used in storing, accessing, modifying or presenting the information in this category. If the organization requires continuous access to information contained in the technology in order for the client or organization not to suffer harm, the BCP should address short-term alternatives in the event access is interrupted. Backup copies of should be maintained for all critical information and
should be stored in alternate locations to prevent a single disaster event from destroying all copies of client or organization information. This may be as simple as an offline backup service (see the Access to Justice Technology Guidelines for minimum backup recommendations).

Procedures

Procedures are the practices used by the organization to provide legal service. This could be new client intake procedures, representational or even back office procedures like payroll or grant applications. The Business Continuity Plan should identify and plan for the restoration of critical procedures in the event of a disaster.

- Client Intake Procedures

  If the organization relies on client intake procedures as necessary to the continuous operation of the organization, then the BCP should address how this procedure would be restored during or shortly after a disaster.

- Legal Representation

  Providing legal service is probably the core service provided by most ATJ grantee organizations. The BCP should identify which portions of legal representation are critical to the organization or the client and should identify ways the legal service can be restored in a disaster.

  The level of the disaster must be taken into account and organizations do not need to develop plans to provision legal representation when clients or courts are unavailable.

- Financial Service

  Nearly all organizations will have some financial procedure to enable the organization to operate (payroll, rent, utility payments, donation processing, etc). The BCP should identify which financial procedures are critical (like payroll) and should address the methods those procedures are restore or in a disaster.
I. Equipment

A. Configurations

Desktop computers and servers should be contemporary and have up-to-date equipment to accommodate the necessary software and security updates that are required to maintain the operation and security of organizational and client information. Insufficient RAM or processing hardware may make the machine vulnerable to malicious software.

After a productive life in a production role (used in the direct delivery of legal service), most computers can still be used in non-production roles for a few years. This means the machine might be used as a light use word processor or for simple e-mail access. The inability to load newer software tools may limit its use.

All Windows computers should also have Windows Update loaded and configured for automatic update, should have a malware protection (like Microsoft Security Essentials, McAfee or Symantec).

All Desktop and Notebook computers should use Windows XP SP3, Windows Vista or Windows 7. Windows 2000, Windows XP SP2 and earlier version of Windows should not be used at all as these no longer receive security updates and patches.

1. Desktop Computers
   a. Production Machines – 3 yrs, 4 GB RAM
   b. Non-Production Machines – 5 yrs, 1 GB RAM

2. Notebook Computers
   a. Production Machines – 3 yrs, 4 GB RAM, WiFi
   b. Non-Production – 5 yrs, 1 GB RAM

3. Servers

   All servers should have two independent power supplies with unique power cables connected to separate power circuits to prevent accidental failure due to a tripped circuit breaker.

EXHIBIT B
All servers should have RAID (Redundant Array of Inexpensive Disks) controllers and should be configured to operate even if a single disk fails.

Heavy use servers should be equipped with error correcting code RAM (ECC RAM) to allow the server to operate even if a single memory module fails.

All server should be used as a dedicated server and should never be used as a workstation.

a. Heavy Use – 3 yrs, 8 GB ECC RAM, RAID Disk, 10/100/1000 Ethernet, Redundant Power, Windows 2008

b. Light Use – 5 yrs, 2 GB RAM, RAID, Redundant Power, 10/100 Ethernet, Windows 2003

4. Data Networking Equipment

All critical communication equipment should use redundant power and should be secured with a unique password. This prevents malicious hackers from causing business interruption.

a. Switches – 10/100 Mb/s, Redundant power, with secured password.

b. Routers – Redundant power, with secured unique password.


d. Firewall – Secured with unique password.

B. Maintenance

All production equipment should be purchased with a warranty or service plan to repair or replace failed components in a timely manner.

1. Personal Computers

a. Repair/Warranty – purchase with 3 yr warranty, break/fix with spares


2. Servers
3. Data Networking Equipment – purchase annual on-site warranty or maintenance policy with response level appropriate for your organization at 4 hour, same business day or next business day.

II. Operations

A. Users Authentication

Every user who access the organization’s information should be identified by unique sign-in with a password. This allows the organization to determine who accessed what information in the event data is lost or altered. User behavior is generally much better when each user knows their activity can be traced to them.

1. Account – unique, no shared accounts

2. Password – unique, 5 character minimum, no sharing

B. Procedures

Operational procedures are the single most important step in insuring an organization is able to respond to client needs in a timely manner. Most technology disasters are the result of insufficient operational procedures.

1. Backups – DAILY backup copies of servers, off-site rotation, minimum retention established by director. These backup copies are required in the event of lost data or structure disaster (like fire or flood). Backup can be made onto tape, disk or through an online tool (which retains the data offsite automatically).

   TEST backup copies periodically! An untested backup copy is not to be trusted.

2. Software Originals – Retain copies of ALL original software media off-site. This IT staff or contractors to restart servers in the event of structure or malware disaster.

3. Server/Equipment Maintenance – Periodically restart and review servers for failure and update applications. Failure to review server logs (or even look for amber lights on the front panel) is a frequent cause of lost data
and downtime.

4. Software Updates – Review applications for updates and changes. Frequently, vendors will post updates to their software without telling existing customers of the potential for problem or that a fix is available. Organizations should review their software to see if there are potential flaws lurking that could cost client data.

C. IT Staffing/Support

Backup staff members…cross train and make sure more than one person can operate the system.

Retain system passwords and vendor contacts. If IT staff move to a new job, the organization must be able to continue.

All contracts should be retained by the director.
MEMORANDUM

TO: Richard Orsinger
FROM: Frank Gilstrap
DATE: April 10, 2012
RE: Protective Order Kit

The Protective Order Kit was first presented to SCAC on March 5, 2005 without subcommittee consideration. After a brief discussion by the full committee, the kit was approved by the Supreme Court without changes.

Now, amendments to the Protective Order Kit have been referred to our subcommittee; but because of the need to focus on the divorce kit, we have not been able to spend adequate time on the Protective Order Kit. Probably the best approach would be to defer consideration of the Protective Order Kit until the June meeting. If that proves impossible, here is a list of questions about the Protective Order Kit.

1. **Prior Orders.** If a protective order is sought against a former spouse or is sought on behalf of a child who is subject to a court’s continuing jurisdiction, or if there has been a prior protective order, then (1) a copy of the divorce decree or conservatorship order or prior protective order must be included with the application; or (2) the application must state that the decree or order is unavailable and will be filed prior to the hearing. See TEX.FAM.CODE § 82.006-82.008. The proposed Protective Order Kit does not address this.

2. **Notice.** The Notice of Application for Protective Order must contain the following statement:

   An application for a protective order has been filed in the court stated in this notice alleging that you have committed family violence. You may employ an attorney to defend you against this allegation. You or your attorney may, but are not required to, file a written answer to the application. Any answer must be filed before the hearing on the application. If you receive this notice within 48 hours before the time set for the hearing, you may request the court to reschedule the hearing
not later than 14 days after the date set for the hearing. If you do not attend the hearing, default judgment will be taken and a protective order may be issued against you.

TEX.FAM.CODE § 82.041(b). This notice does not appear in the Protective Order Kit.

3. **Firearms.** Under Chapter 85 of the Family Code the court may prohibit the respondent from possessing a firearm and must suspend the respondent’s concealed handgun license. See TEX.FAM.CODE § 85.002(b)(6) & (d). The proposed protective order does just the opposite. The court must prohibit the respondent from possessing a firearm, and it may suspend his concealed handgun license.

4. **Due Process.** The respondent has a Second Amendment right to possess a gun in his home for purposes of self-defense, and he may not be deprived of this right without procedural due process. The temporary order raises due process concerns as follows: (i) the order is entered ex parte (ii) the order requires the court to prohibit respondent from possessing firearms and (iii) the respondent may not receive a hearing for up to 20 days, or even more.
Helping the most vulnerable Texans, helps all Texans

Legal aid programs funded by the Texas Access to Justice Foundation closed more than 120,000 cases, assisting more than 300,000 persons in 2010 in matters dealing with family law, consumer issues, housing rights, and veterans benefits.

To qualify for legal aid, an individual must not earn more than $13,963 per year. A single person working full-time at minimum wage in Texas does not qualify for legal aid. A family of four must not earn more than $28,813 per year.

Texas lawyers estimate providing approximately 2.5 million hours — or $500,000,000 — in free or indirect legal services to the poor. Attorneys have contributed millions of dollars in private donations.

Through a tremendous show of bi-partisan support, the 82nd Texas Legislature appropriated $17.5 million for civil legal aid for the biennium. This funding helped bridge the gap in IOLTA revenue and preserved funding with minimal reductions in client services.

“A society that denies access to the courts for the least among us denigrates the law for us all.”
— Texas Supreme Court Chief Justice Wallace B. Jefferson and Justice Nathan L. Hecht
More than six million Texans currently qualify for legal aid. Legal aid organizations help more than 120,000 low-income Texas families each year. However, due to a lack of resources only about 1 in 5 legal aid applicants receive the civil legal services they desperately need.

A primary source of funding legal aid — Interest on Lawyers’ Trust Accounts (IOLTA) — has declined dramatically during this period of historically low interest rates. IOLTA revenue has plummeted from $20 million in 2007 to a projected $3.7 million in 2012 — a decline of more than 80 percent.

Additionally, the three largest legal aid providers in Texas, funded by the Legal Services Corporation (LSC), lost an annualized $6.1 million beginning in 2012. The federally-funded LSC provides more than a third of Texas’ funding for legal aid to assist families in neighborhood-based clinics and rural communities.

The Texas Access to Justice Commission and Texas Access to Justice Foundation work closely with the Supreme Court of Texas, State Bar of Texas, Texas Legislature, Texas Office of the Attorney General, and other access to justice partners to support legal aid providers as they help struggling Texas families in need of legal assistance.
ACCESS TO JUSTICE IN TEXAS

More Texans are in need of basic civil legal services.

- **More than six million Texans qualify** for legal aid. Texas’ poverty rate in 2010 was 18.4 percent, the sixth-highest in the nation.

- Vulnerable Texans are disproportionately affected by the weak economy. Many need help with critical civil legal issues impacting their very existence—such as—spouses and children of domestic abuse; elderly wrongly denied life-sustaining prescriptions; veterans wrongly denied critical medical care, disability and other benefits; and families whose homes were wrongly foreclosed upon.

- Legal aid organizations help **more than 120,000 Texas families** each year. However, this number is expected to decrease as a result of recent federal LSC funding cuts. Due to a lack of resources, **legal aid can only help approximately 1 in 5 applicants who seek assistance.**

The funding crisis for Texas legal aid continues with losses in IOLTA revenue and cuts to the Legal Services Corporation.

- A primary source of legal aid funding is Interest on Lawyers’ Trust Accounts (IOLTA). This revenue has declined dramatically during this period of historically low interest rates. IOLTA revenue has plummeted from $20 million in 2007 to a projected $3.7 million in 2012 – **a decline of more than 80 percent.**

- The three largest legal aid providers in Texas, funded by the Legal Services Corporation (LSC), lost an **annualized $6.1 million** beginning in 2012. The federally-funded LSC provides more than a third of Texas’ funding for legal aid. Legal Aid of NorthWest Texas, Lone Star Legal Aid, and Texas RioGrande Legal Aid heavily rely on LSC funding to assist families in neighborhood based clinics and rural communities.

The Texas Access to Justice Commission and Foundation are working to help fill the gap in funding for civil legal services and increasing access to justice for all.

- Through a tremendous show of bipartisan support, the 2011 Texas Legislature **appropriated $17.5 million** for civil legal aid for the biennium. This funding helped bridge the gap in IOLTA revenue and preserved funding with minimal reductions in client services.

- Texas lawyers estimate providing approximately 2.5 million hours in **free or indirect legal services to the poor** – or the equivalent of **$500,000,000,** according to the State Bar of Texas Survey of 2009 Pro Bono Support. Additionally, attorneys have donated **millions of dollars in private donations.** Statewide campaigns have been launched to expand private donations.

- Yet, many low-income and poor Texans still go without the civil legal help they need. There is approximately only **one legal aid lawyer for every 11,152 Texans** who qualify. Due to declines in funding, Texas legal aid providers will be forced to lay off staff and cut services, resulting in thousands of Texans being denied critical, life-changing legal representation.

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1 Calculated based on the approximate number of hours x $200/hour.
ABA DAY SCHEDULE
Modified Texas Team Schedule

**TUESDAY, APRIL 17, 2012**

4:00pm - 6:00pm - REGISTRATION
- Hyatt Regency Washington, 400 New Jersey Avenue NW, Ticonderoga Foyer, Ballroom Level
  Pick up meeting materials and “leave-behind” folders for Congressional visits

7:00pm - 10:00pm - WELCOME DINNER/CONGRESSIONAL AWARDS
- Canadian Embassy, 501 Pennsylvania Avenue, NW, (202) 682-1740
  ABA President Wm. T. (Bill) Robinson III will present the Congressional Justice Awards to the following Members of Congress for their specific efforts to improve the American justice system:
  - Senator Kay Bailey Hutchison (R-TX)
  - Senator Lindsey Graham (R-SC)
  - Senator Jack Reed (D-RI)
  - Senator Patty Murray (D-WA)
  - Representative Hal Rogers (R-KY)
  - Representative Elijah Cummings (D-MD)

**WEDNESDAY, APRIL 18, 2012**

7:15am - 10:00am - REGISTRATION
- Hyatt Regency Washington, 400 New Jersey Avenue NW, Regency Foyer, Ballroom Level

7:30am - 9:00am – BREAKFAST FOR TEXAS TEAM
- Hyatt Regency Washington, Restaurant
  The State Bar of Texas will host breakfast in the rotunda area of the hotel restaurant. Jennifer Reames will handle all arrangements and preparations. She can be contacted by cell at (512) 775-3735 for additional information and questions.

9:30am - 5:00pm - HILL VISITS
- Capitol Hill

6:00pm - 8:00pm - CAPITOL HILL RECEPTION
- The Supreme Court Building, 1 First St, NE
  ABA President Wm. T. (Bill) Robinson and ABA Day Planning Committee Chair William C. Hubbard will present the 2012 Grassroots Advocacy Awards to the following organizations and individuals:
  - George Cauthen (SC)
  - L. Jonathan Ross (NH)
  - Betty Balli Torres (TX)
  - The State Bar of Texas

8:15pm – DINNER AT COSMOS CLUB FOR TEXAS TEAM
- Cosmos Club – Boardroom 3rd Floor
  2121 Massachusetts Avenue, N.W.
  (202) 387-7783
  www.cosmosclub.org

**THURSDAY, APRIL 19, 2012**

9:30am - 5:00pm - HILL VISITS, continued
- Capitol Hill
RESOLUTION IN FAVOR OF ALL TEXAS ATTORNEYS SUPPORTING ACCESS TO JUSTICE
BY MAKING THE RECOMMENDED VOLUNTARY ATJ CONTRIBUTION

WHEREAS, the Austin Bar Association embraces the principles that our nation promises justice for all, not just for those who can afford to pay for it; and

WHEREAS, the Preamble to the Texas Disciplinary Rules of Professional Conduct states that “...a lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance;” and that “Every lawyer, regardless of professional prominence or professional workload, should find time to participate in or otherwise support the provision of legal services to the disadvantaged. The provision of free legal services to those unable to pay reasonable fees is a moral obligation of each lawyer as well as the profession generally;” and

WHEREAS, low-income Texans are often the most vulnerable in our communities, including the elderly, persons with disabilities, veterans, and victims of domestic abuse; and for many poor Texans, access to legal help might be all that stands between them and homelessness, safety, and the ability to provide food for their families and shelter for their children; and

WHEREAS, the U.S. Census Bureau estimates there are more than six million Texans who qualify for Legal Aid; and

WHEREAS, due to a lack of resources, there is approximately only one legal aid lawyer for every 10,594 Texans who qualify for services. As a result, only 20-25 percent of the civil legal needs of poor and low-income Texans are being met; and

WHEREAS, the Texas Access to Justice Foundation, created by Supreme Court Order in 1984, administers the Interest on Lawyers’ Trust Accounts (IOLTA) program to fund nonprofit organizations that provide free civil legal aid to poor and low-income Texans. The IOLTA program is the leading state funder for civil legal aid in Texas; and

WHEREAS, low-interest rates have dramatically reduced funding for the IOLTA program from $20.1 million in 2007 to $4 million in 2011, resulting in a 75 percent loss of funding for civil legal aid services to poor and low-income Texans since 2007; and

WHEREAS, loss of funding for civil legal aid services to poor and low-income Texans could be offset with approximately 13 million dollars each year if all 88,000 Texas attorneys made the recommended $150.00 annual ATJ Contribution.

Be It Therefore Resolved that the Austin Bar Association supports the Texas Access to Justice Commission’s efforts to increase awareness of the voluntary ATJ Contribution and its vision for all attorneys in Travis County to annually donate the $150.00 recommended ATJ Contribution to bridge the gap in IOLTA funding and to support needed civil legal aid services for poor and low-income Texans.

Signed this __28____ day of __February__, 2012

David Chamberlain
President of the Austin Bar Association
Resolution

IN FAVOR OF ALL TEXAS ATTORNEYS SUPPORTING ACCESS TO JUSTICE

BY MAKING THE RECOMMENDED VOLUNTARY ATJ CONTRIBUTION

WHEREAS, The Dallas Bar Association embraces the principles that our nation promises justice for all, not just for those who can afford to pay for it.

WHEREAS, the Preamble to the Texas Disciplinary Rules of Professional Conduct states that “a lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance;” and that “Every lawyer, regardless of professional prominence or professional workload, should find time to participate in or otherwise support the provision of legal services to the disadvantaged. The provision of free legal services to those unable to pay reasonable fees is a moral obligation of each lawyer as well as the profession generally;”

WHEREAS, low-income Texans are often the most vulnerable in our communities, including the elderly, persons with disabilities, veterans, and victims of domestic abuse; and for many poor Texans, access to legal help might be all that stands between them and homelessness, safety, income to provide food for their families and shelter for their children; and

WHEREAS, the U.S. Census Bureau estimates there are more than six million Texans who qualify for Legal Aid; and

WHEREAS, due to a lack of resources, there is approximately only one legal aid lawyer for every 10,594 Texans who qualify for services. As a result, only 20-25 percent of the civil legal needs of poor and low-income Texans are being met; and

WHEREAS, the Texas Access to Justice Foundation, created by Supreme Court Order in 1984, administers the Interest on Lawyers’ Trust Accounts (IOLTA) program to fund nonprofit organizations that provide free civil legal aid to poor and low-income Texans. The IOLTA program is the leading state funder for civil legal aid in Texas; and

WHEREAS, low-interest rates have dramatically reduced funding for the IOLTA program from $20.1 million in 2007 to $4 million in 2011, resulting in a 75 percent loss of funding for civil legal aid services to poor and low-income Texans since 2007; and

WHEREAS, loss of funding for civil legal aid services to poor and low-income Texans could be offset with approximately 13 million dollars each year if all 88,000 Texas attorneys made the recommended $150.00 annual ATJ Contribution.

BE IT THEREFORE RESOLVED, that The Dallas Bar Association supports the Texas Access to Justice Commission’s efforts to increase awareness of the voluntary ATJ Contribution and its vision for all attorneys in Dallas County to annually donate the $150.00 recommended ATJ Contribution to bridge the gap in IOLTA funding and to support needed civil legal aid services for poor and low-income Texans.

Adopted this 12th day of January 2012 by the Dallas Bar Association Board of Directors.

Paul K. Stafford
President
Shonn Brown
Secretary-Treasurer
Resolution in favor of All Texas Attorneys Supporting Access to Justice
By Making the Recommended Voluntary ATJ Contribution

WHEREAS, the El Paso Bar Association embraces the principles that our nation promises justice for all, not just for those who can afford to pay for it.

WHEREAS, the Preamble to the Texas Disciplinary Rules of Professional Conduct states that “...a lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance,” and that “Every lawyer, regardless of professional prominence or professional workload, should find time to participate in or otherwise support the provision of legal services to the disadvantaged. The provision of free legal services to those unable to pay reasonable fees is a moral obligation of each lawyer as well as the profession generally;” and

WHEREAS, low-income Texans are often the most vulnerable in our communities, including the elderly, persons with disabilities, veterans, and victims of domestic abuse; and for many poor Texans, access to legal help might be all that stand between them and homelessness, safety, income to provide food for their families and shelter for their children; and

WHEREAS, the U.S. Census Bureau estimates there are more than six million Texans who qualify for Legal Aid; and

WHEREAS, due to a lack of resources, there is approximately only one legal aid lawyer for every 10,594 Texans who qualify for services. As a result, only 20-25 percent of the civil legal needs of poor and low-income Texans are being met; and

WHEREAS, the Texas Access to Justice Foundation, created by Supreme Court Order in 1984, administers, the Interest on Lawyers’ Trust Accounts (IOLTA) program to fund nonprofit organizations that provide free civil legal aid to poor and low-income Texans. The IOLTA program is the leading state funder for civil legal aid in Texas; and

WHEREAS, low-interest rates have dramatically reduced funding for the IOLTA program from $20.1 million in 2007 to $4 million in 2011, resulting in a 75 percent loss of funding for civil legal aid services to poor and low-income Texans since 2007; and

WHEREAS, loss of funding for civil legal aid services to poor and low-income Texans could be offset with approximately 13 million dollars each year if all 88,000 Texas attorneys made the recommended $150.00 annual ATJ Contribution.

BE IT THEREFORE RESOLVED that the El Paso Bar Association support the Texas Access to Justice Commission’s efforts to increase awareness of the voluntary ATJ Contribution and its vision for all attorneys in El Paso County to annually donate the $150.00 recommended ATJ Contribution to bridge the gap in IOLTA funding and to support needed civil legal aid services for poor and low-income Texans.

SIGNED this 14th day of February, 2012

[Signature]
Bruce Koehler
President of the El Paso Bar Association
APPENDIX A

ADDITIONAL EFFORTS TO INCREASE ACCESS TO JUSTICE

Poverty Law Conference

On April 18-20, the State Bar of Texas Legal Services Support Division hosted its 15th Annual Poverty Law Conference in Austin. The three-day conference provided over 250 legal aid and pro bono attorneys the opportunity to explore various topics affecting the practice of poverty law. This year LSSD was honored to have Martha Bergmark, founding president and CEO of the Mississippi Center for Justice, as the keynote speaker. The workshops went beyond the substantive law issues that accompany serving low-income clients, to include sessions on the collection of attorney’s fees, e-filing, and other technology tips. The conference also addressed the timely topic of working with veterans who might have traumatic brain injury or PTSD. During the conference, the Poverty Law Section presented its prestigious Noble Award to Roger Gette of Legal Aid of NorthWest Texas for lifetime achievements in service to our client community. (Exhibit 1)

Pro Bono College

The State Bar continues to honor attorneys making exceptional contributions to legal services with membership in the Pro Bono College. The Pro Bono College recognizes attorneys who have contributed at least 75 hours of qualifying pro bono services in one year. This year, there are over 300 members. Outreach efforts included developing a release to local bars and TAJF grantees for publication in newsletter and announcements and increased communication with Pro Bono Coordinators and managers at private firms in order to educate them on the College and the perks associated with being a member. In addition, a letter was sent from State Bar President Bob Black inviting past College members, who had not recently renewed, to rejoin the College.

This year paralegals that perform 50 hours or more of pro bono service a year are invited to become associate members in the Pro Bono College. While associate membership enrollment is still quite low, LSSD will continue to encourage the involvement of non-attorneys in pro bono work.

Texas Lawyers for Texas Veterans

The State Bar’s Texas Lawyers for Texas Veterans Initiative serves as a model for increasing access to legal services for poor and low-income veterans. Through this initiative, local bar associations and legal aid organizations, funded in part through the proceeds of the Commission’s Champions of Justice Gala, are providing on-going services to veterans through clinics and legal hotlines. The State Bar participated in the Texas Coordinating Council for Veterans Services to assist in identifying strengths and
weaknesses of veterans services provided by various state agencies. The partnerships that local bar associations have with veterans service providers are precisely the kind of collaboration this Council hopes to expand on. The Commission is extremely supportive of the State Bar's efforts to provide civil legal services for veterans.

2012 Pro Bono Excellence Awards

The State Bar of Texas' Pro Bono Excellence Awards will be presented at the State Bar's Annual Meeting in Houston in June. Previously known as the Pro Bono and Legal Services Awards, the Pro Bono Excellence Awards includes a new award: The Judge Merrill Hartman Pro Bono Judge Award will be inaugurated during this year's awards presentation.

Frank J. Scurlock Award

John O'Connor of Weil, Gotshal & Manges LLP will receive this year's Frank J. Scurlock Award, which honors an individual attorney who has provided outstanding pro bono work. He has volunteered with the Dallas Volunteer Attorney Program (DVAP) since he was a summer associate with Weil in 2006. In the last two years, he has continued his service through DVAP, logging close to 600 hours of pro bono legal services. O'Connor additionally served as a participant in Weil's prestigious Lend-A-Lawyer program, enabling him to work full time at the DVAP offices for three months. In addition to his pro bono cases, O'Connor has taken on a leadership role in his Dallas office as an advocate for indigent clients in need of representation by serving on the Pro Bono Committee. He makes a concerted effort to mentor associates who take on pro bono cases, helping them with case strategy and to map out their plans for completion of the case.

Pro Bono Award

Human Rights Initiative's William O. Holston, Jr. Pro Bono Program (HRI) will receive the Pro Bono Award, which recognizes a volunteer attorney organization's outstanding contribution toward guaranteeing access to the legal system. HRI provides free legal representation to individuals seeking asylum and immigrant women and children who have experienced abuse, such as domestic violence, trafficking, neglect, and abandonment. HRI is the only agency in North Texas offering legal services to asylum seekers and immigrant children free of charge. Because the cases are complex and costly, HRI developed a volunteer model relying on private practice lawyers that they train to offer volunteer representation. The result has been a success rate dramatically higher than the national average and a structure allowing for program expansion without adding staff. In addition to the legal services HRI provides, they have also designed a human rights curriculum and teach human rights education in private and public high schools in the Dallas area.
**Pro Bono Coordinator Award**

Pete J. Fierro will receive the Pro Bono Coordinator Award for his work as the Equal Justice Volunteer Program (EJVP) Coordinator with Legal Aid of NorthWest Texas, Midland branch office. In his role as coordinator, he has focused on creating pro bono opportunities to recruit volunteers for the delivery of civil legal assistance to low income people in Glascock, Howard, Martin, Midland, Reagan, and Upton Counties. Fierro has demonstrated the importance of building collaborative partnerships in an effort to address the unmet legal needs of the client community. For example, he established a 25-member Pro Bono Advisory Board consisting of key stakeholders to act as a resource team to promote volunteer participation. Some of Fierro's other outstanding accomplishments consist of establishing partnerships with various bar associations to co-sponsor the monthly evening clinics and quarterly Veterans' Legal clinics, recruiting law firms to staff evening legal clinics and accept pro bono case referrals, and successfully incorporating law clerks and paralegals to conduct client intake screening at the Casa de Amigos monthly evening legal clinic. Fierro's leadership and complete dedication to ensuring that the disadvantaged members of the community receive legal assistance have shown that rural pro bono participation can be achieved.

**J. Chrys Dougherty Legal Services Award**

The J. Chrys Dougherty Legal Services Award is a joint award with the Texas Bar Foundation that recognizes outstanding legal staff attorneys. This year, two attorneys will be recognized with this award.

Mickey Baden has been instrumental in the success of the Houston Bar Foundation Veterans Legal Initiative (VLI). Since he started working with VLI, Baden has increased the number of veterans served at each Friday afternoon clinic, while at the same time increasing the quality of services received by the veterans and the quality of the volunteer attorneys' experience. Baden has established a strong reputation in veteran communities by doing one-on-one outreach and creating a network of service providers. For example, because of a newly established relationship with the Texas Veterans Commission, a benefits counselor now attends every clinic, ensuring that veterans seeking assistance receive sound legal advice. Baden also assisted in the successful application for a Veterans Grant from the Texas Access to Justice Foundation to develop an outreach clinic program to cover 14 counties and 350,000 veterans in southeast Texas. Baden traveled to local bar associations in the expansion area to recruit pro bono attorneys and created a training CLE designed to educate attorneys about VLI and the legal needs of low-income veterans. Baden additionally devoted time over and above his job responsibilities to ensure that he was prepared to mentor volunteers in all of the common issues that veterans face. He has represented over 65 veterans or their spouses who were facing emergency issues and is a constant presence on the in-patient floors of the VA hospital. In a volunteer capacity, Baden has also staffed numerous non-veterans
clinics and provided legal advice to many low-income Harris County residents. Under his guidance and initiative, VLI has become a model for veterans programs throughout the state.

Julie Balovich of Texas RioGrande Legal Aid (TRLA), Alpine office is currently the managing attorney for the Guardianship Team. Until assuming that responsibility last year, Balovich served as the deputy group coordinator for the Domestic Violence and Family Law practice group. While maintaining a full caseload of family, consumer, real property, probate, foreclosure, and housing cases, she continues to find time to provide invaluable assistance to both new and senior attorneys. Through both direct representation and mentoring less experienced attorneys, Balovich has significantly increased the quality of the legal services TRLA provides and has greatly improved the effectiveness of TRLA’s Family and Domestic Violence Team’s trial and appellate advocacy. Her tenacity on behalf of her clients and her advocacy skills is illustrated by the lead role she played in the 2008-09 litigation on behalf of women who belong to the Fundamentalist Church of Jesus Christ of Latter Day Saints in Eldorado, Texas. The litigation was high stakes, implicating important constitutional rights relating to due process and familial personal privacy. The FLDS litigation required the tireless and imaginative advocacy that is typical of her work. Balovich also contributes to the larger scope of legal services by helping to pass legislation to benefit low-income families and regularly speaking at continuing legal education seminars.

The W. Frank Newton Award

The W. Frank Newton Award will be presented to Patton Boggs, LLP (Dallas) for its outstanding pro bono efforts. At Patton Boggs, all lawyers are encouraged to do pro bono work, and all associates and salaried of counsel are required to perform at least 100 hours of pro bono service each year. The office has worked extensively for many years with the Dallas Volunteer Attorney Program, volunteering at its legal clinics and representing pro bono clients in a variety of cases. The firm is also involved in many other pro bono activities in Texas, including the Human Rights Initiative and Texas C-Bar. The pro bono matters undertaken by Patton Boggs attorneys are diverse and have included helping indigent clients with matters involving family abuse, divorces, estate matters and landlord tenant disputes, protection of civil rights, political asylum cases for people facing violence or death if they return to their home country, and helping veterans obtain needed benefits.

Judge Merrill Hartman Pro Bono Judge Award

Justice Phylis Speedlin will receive the first Judge Merrill Hartman Pro Bono Judge Award. This award honors a judge who has provided exemplary pro bono service. Justice Speedlin has served on the Fourth Court of Appeals since her appointment to the appellate court in April 2003. Her vision, dedication, and tireless efforts have given birth to one of the most successful partnerships for the delivery of legal services to the poor in Texas. Frustrated with the number of pro se litigants
appearing before their courts, Justice Speedlin and Judge Karen Pozza decided to design a new pro bono program—the Community Justice Program. A joint project of the San Antonio Bar Association, Texas RioGrande Legal Aid and other community organizations took the courthouse directly into the low-income community in San Antonio. Regular evening clinics provide complete legal services, with attorneys, district clerks, notaries, interpreters, and judges working on a volunteer basis. There are on- and off-site mentors and special training videos available to assist attorneys, with little poverty law experience, feel comfortable taking cases in areas where they have no experience. In addition to attending hundreds of evening clinics, Justice Speedlin has dedicated time to visit law firms to provide training for future clinics. What started as a monthly divorce clinic for twenty clients has grown into a program that places hundreds of cases a year with private attorneys and assists clients with custody matters, wills and advance directives, special education matters, bankruptcy matters, and legal issues involving the homeless. Recently Justice Speedlin led the San Antonio Bar Association in development of a monthly Veterans Clinic. In addition to creating, coordinating, and growing the CJP program in Bexar County, Justice Speedlin has reached out to bar leaders and programs across Texas to encourage the development of similar pro bono programs. Her leadership has contributed to the development of programs in nine additional counties.
<table>
<thead>
<tr>
<th>Time</th>
<th>Room: Phoenix North</th>
<th>Room: Phoenix South</th>
<th>Room: Austin Room</th>
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<tbody>
<tr>
<td>10:30</td>
<td>\textit{REGISTRATION} {Box Lunches available in General Session Room – Phoenix Central}</td>
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<tr>
<td>11:30</td>
<td>1: Low Income Housing Tax Credit Program Overview \textbf{S: Fred Fuchs}</td>
<td>2: Child Support for Legal Aid Clients \textbf{S: Kevin Dietz &amp; Earl Sneed}</td>
<td>3: Standing at the Crossroads: Demystification of Veterans Disability Benefits \textbf{S: Janet Totter}</td>
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<td>1:00</td>
<td>7: Indigent Health Care and Hospital Districts in Texas \textbf{S: Jeff Larsen &amp; Kim Brown}</td>
<td>8: \textit{Hellooo – Where Are You, Client} {.5 ETHICS} \textbf{S: Karen Langsley, Tracy Harting &amp; Melissa Cook}</td>
<td>9: Client Empowerment: The Community as Your Ally to Fight Injustice \textbf{S: Andrea Harrington, D’Ann Johnson, Michelle Smith &amp; Elliott Tucker}</td>
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<td>2:15</td>
<td>\textit{Break} {General Session Room – Phoenix Central}</td>
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<td>3:30</td>
<td>10: E-file Free or Die (and PDF Creation) \textbf{S: Robert Doggett &amp; Casey Kennedy}</td>
<td>11: Ethical Guidelines for Representing Juveniles with Mental Disabilities (ETHICS) \textbf{S: Lynda Frost}</td>
<td>12: Collaborating with the FTC \textbf{S: Charles Grimm &amp; Deanya Kueckelhan}</td>
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<td>3:30</td>
<td>13: \textit{Calculating Rent in Federal Housing Programs} \textbf{S: Fred Fuchs}</td>
<td>14: Rights of Children and Relative Caregivers \textbf{S: Bruce Bower &amp; Trelisha Brown}</td>
<td>15: The Ethics of Collecting Attorneys Fees (ETHICS) \textbf{S: Chuck Herring}</td>
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<td>4:45</td>
<td>16: Keynote Address: Martha Bergmark, Mississippi Center for Justice {General Session Room – Phoenix Central}</td>
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<td>6:30</td>
<td>18: \textit{Overcoming Hurdles to Obtaining a Texas Driver’s License} \textbf{S: Justin Thompson &amp; Leslie Schweinle}</td>
<td>19: Just because you fired me doesn’t mean I won’t get unemployment benefits \textbf{S: John Shaw}</td>
<td>20: Veteran Tactical Response – Keeping First Responders and Veterans Safe. A Guide to Understanding and Working with Veterans with TBI, PTSD and Homelessness {General Session Room – Phoenix Central} \textbf{S: Bettie Peebles Beckworth &amp; Christina Gindratt}</td>
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<td>7:00</td>
<td>\textit{Break} {General Session Room – Phoenix Central}</td>
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<td>8:15</td>
<td>\textit{Conference Reception} {Dover &amp; Dover Courtyard}</td>
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<td>11:30</td>
<td>30: Nuts and Bolts of Attorney Fee Collection {General Session Room – Phoenix South} \textbf{S: Doug Stevick &amp; Craig Deats}</td>
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APPENDIX B

REPORT OF THE TEXAS ACCESS TO JUSTICE FOUNDATION
AS PRESENTED TO THE
TEXAS ACCESS TO JUSTICE COMMISSION

The Texas Access to Justice Foundation (TAJF), along with our partners in the access to justice community, continues our work in finding solutions for funding legal aid at the national, state, and local levels as our traditional sources for revenue decline. We currently fund 39 nonprofit legal organizations throughout the state that handle a wide variety of civil legal matters affecting thousands of disadvantaged families in cases like those involving child abuse, domestic violence, foreclosures, needs of senior citizens, and benefits to veterans. As the poverty population has increased, the number of Texans who now qualify for legal aid exceeds six million.

Revenue and Resources

Federal Funding

In 2011, budget cuts to the Legal Services Corporation (LSC) of four percent resulted in the reduction of more than $1.375 million in federal funding to the three Texas LSC-funded organizations: Legal Aid of NorthWest Texas, Lone Star Legal Aid, and Texas RioGrande Legal Aid. In 2012, the situation worsened for LSC programs when funding was cut by an additional $4.72 million. These federal funding cuts resulted in a loss of more than $6 million in the past two years.

These cuts have severely impacted the services provided to low-income Texans, particularly in rural areas of the state, and have undermined our legal services delivery system. Most of these programs are also facing reductions in staff. These programs provide the vast majority of urgent and crucial basic civil legal services to those in need.

Other Funding Sources

**Interest on Lawyers’ Trust Accounts (IOLTA):** The Federal Reserve announced in January a pledge to hold interest rates at the historic low range of 0% - 0.25% until late 2014. This will continue to decimate the funding provided by IOLTA for civil legal aid. IOLTA revenue has been declining dramatically since the interest rate cut began in 2008. For 2012, we anticipate IOLTA will only generate approximately $3.7 million—a decline of more than 80 percent since 2007.

The forecast of continued low interest rates has caused several banks, including those who participate in the Prime Partner Program, to lower the rate they pay on IOLTA accounts, negatively affecting our future funding through IOLTA. We
currently have 76 Prime Partner Banks that pay one percent on IOLTA accounts, and we are consistently making efforts to encourage participation at these banks.

**National Mortgage Foreclosure Settlement:** Forty-nine state attorneys general and the federal government reached an agreement on a historic joint state-federal settlement with the country’s five largest loan servicers: Ally/GMAC; Bank of America; Citi; JPMorgan Chase; and Wells Fargo. The settlement provides as much as $25 billion nationwide in relief to distressed borrowers and direct payments to states and the federal government.

Texas Attorney General Greg Abbott has agreed to designate an amount of $10 million from the bank settlement for civil penalties pursuant to Tex. Bus. & Com. Code 17.47 (c) paid to the State of Texas for deposit to the judicial fund pursuant to Texas Government Code 402.007. Legislation signed by Governor Rick Perry in 2009 mandates that funds received for civil penalties—up to $10 million in a biennium—will be transferred to the Supreme Court of Texas for basic civil legal services. It is anticipated that the funds will be received by the State and be available shortly for funding to support civil legal aid in Texas.

**Crime Victim Civil Legal Services (CVCLS) Bracing for Big Cuts:** The TAIF has been informed by the Office of the Attorney General (OAG) that there will be a shortfall in the Crime Victims Compensation Fund that will certainly impact the CVCLS Program in grant year 2013-2014 and into the future. TAIF has been part of the Advocate Advisory Council, convened by the Attorney General’s Office Crime Victims’ Compensation Division, created to strategize on ways to increase revenue dedicated to the Crime Victims Compensation Fund to ensure the health of the Fund. However, it appears that even with various efforts, there will be substantial reductions. At this time, it is unknown to the degree of reductions that will be imposed; but from all information, the cuts will be significant and clearly adversely impact victims’ legal aid programs and their assistance to low-income victims of crime.

**Grants**

**Grants to Legal Aid Providers**

Due to dismal interest rates, reductions in LSC funding, and other anticipated funding issues, the Foundation Board decided to limit new applications for grants for 2012-13 to include only current grantees, with the exception of applicants for veteran’s legal services projects. Applications from those 39 current grantees were due March 30, and the Foundation Board will make the grant awards this summer for the grant year beginning September 2012 through August 2013. Data collected from current grantees indicates that they closed more than 101,000 cases in 2011; benefiting spouses and children dealing with domestic violence, families facing
wrongful foreclosures, seniors in need of medical care, and veterans deserving of pensions and benefits.

Civil Legal Aid for Low-Income Veterans

The Foundation recently announced requests for proposals to fund or support legal aid programs that provide civil legal services for low-income Texas veterans. The funding for these grants comes from the proceeds from the Texas Access to Justice Commission's Champions of Justice Gala for Veterans held on May 1, 2012. In the past three years, more than $1 million has been awarded from this fundraising gala to provide free civil legal aid to low-income veterans and their families.

Bankruptcy Law Section and Real Estate, Probate and Trust Law Sections Donations

At the end of 2011, the Foundation received donations from the Bankruptcy Law Section of $6,875 and from the Real Estate, Probate and Trust Law Section of $20,000 for civil legal services pertaining to these areas of law. The Foundation solicited grant proposals and awarded $26,875 to Texas RioGrande Legal Aid to support a project that addresses civil legal problems associated with bankruptcy and real estate issues in rural communities.

Programs and Projects

Texas Student Loan Repayment Assistance Program (SLRAP)

For the 2012-13 year, TAJF has applications pending for 130 legal aid lawyers for the Student Loan Repayment Assistance Program (SLRAP) which offers assistance to recent law school graduates who work for Texas legal aid organizations. The TAJF, with the generous support of the State Bar of Texas, will fund all qualifying applicants up to the maximum monthly loan of $400. The public interest lawyers who have applied have a total combined law school debt of $11,242,580, on an average per lawyer salary of approximately $46,500. The average monthly loan payment for these attorneys is $647.

The State Bar of Texas has included approximately $1.75 million in the State Bar budget, over five years, to support this worthwhile project that ensures lawyers will continue to be able to work at Texas legal aid programs. Again, the State Bar of Texas has proven to be a national leader in access to justice efforts through this initiative and deserves much recognition for this ground-breaking support.

Equal Justice Works (EJW) Fellowships

The Foundation was gratified to support four Equal Justice Works Fellowships for the two-year term beginning August 2012. TAJF was able to increase the number of
fellows this year thanks to the support of two co-sponsors, Greenberg Traurig LLP, and a grant from the John O'Quinn Foundation. Each of these fellows will be taking an innovative and entrepreneurial approach to addressing critically needed legal services in partnership with their host organizations. Each is matched with a nonprofit organization that has agreed to host them for two years.

The four new fellows and their projects are:

- Sarah Loeffler, University of Houston Law Center, at the Montgomery County Women's Center, Conroe, Texas. To provide permanent legal solutions to victims of domestic violence in Montgomery County through direct representation, public education, and community involvement.
- Christine Nishimura, University of Texas School of Law, at Disability Rights Texas, Austin, Texas. To provide legal advocacy and teacher and attorney training to ensure that minority special education students at risk of the juvenile justice system receive academically and culturally appropriate literacy programs and other necessary special education services in order to improve educational and life outcomes for these students.
- Meghan Kempf, St. Mary's University School of Law at Family Violence Prevention Services, Inc., San Antonio, Texas. To provide legal advocacy to victims of domestic violence in order to address the inadequate enforcement of civil family law court orders in San Antonio through litigation services and a community education program
- Keegan Warren-Clem, University of Texas School of Law at Texas Legal Services Center, Austin, Texas. To create a medical-legal partnership in the underserved community of Dove Springs in Austin to assist patient-clients with legal issues causing or exacerbating their medical conditions.

**Parenting Order Legal Line (POLL)**

Since 2008, TAJF has collaborated with the Division of Family Strengthening Initiatives of the Office of the Attorney General (OAG) on services designed to assist parents to better understand the rights and responsibilities created by their parenting orders.

The Parenting Order Legal Line is providing a meaningful service to parents trying to make their shared parent arrangements work. This hotline project that began in September 2010 uses family law attorneys at Texas Legal Services Center to provide brief services and counsel and advice to parents seeking to enforce their rights under their shared parenting orders. Appropriate cases are referred to this project from the Access & Visitation Hotline that TAJF and the OAG support. During the first seven months of the 2011-12 grant year, 785 parents have received assistance with 1,885 brief legal services.
Mid-year, the Office of the Attorney General awarded additional funding in the amount of $35,000 to hire a part-time bilingual attorney to assist parents with negotiated settlements in an effort to avoid protracted, litigated disputes between co-parents in appropriate cases.

Awards and Events

ABA Grassroots Advocacy Award

During ABA Day 2012 in April, the ABA presented a Grassroots Advocacy Award to the Supreme Court of Texas and to TAJF Executive Director Betty Balli Torres during a reception at the U.S. Supreme Court. The Texas Supreme Court, represented by Chief Justice Jefferson and Justice Hecht, was recognized for the key role it played in obtaining funding for Texas legal aid programs at a time when state funding was in serious jeopardy. Balli Torres was honored for her work on a key legislative victory that required the FDIC to fully insure IOLTA and her other efforts in Texas to obtain state funding for legal services.

Also during the ABA Day week, Justice Hecht, Judge Lora Livingston, and Betty Balli Torres were invited to attend the White House Forum on the State of Civil Legal Assistance co-sponsored by the Legal Services Corporation. At the Forum, President Barack Obama addressed a group that included U.S. Attorney General Eric Holder, State Department Legal Adviser Harold Koh, and former U.S. Attorney General Richard Thornburgh, as well as six directors of LSC-funded programs from across the nation.

Legislative Hero Awards

The Texas Access to Justice Commission and Foundation continue to present the Legislative Hero Award, created in 2010, to recognize legislators who, through their efforts, have significantly advanced access to justice in Texas by assisting with the appropriation of funds and/or other substantive activities related to the provision of legal aid in the state. Lt. Gov. David Dewhurst received this award from Chief Justice Jefferson during the Commission’s Gala on May 1 for his outstanding leadership in the Senate and his work to ensure that access to the courts is available to all Texans. As President of the Texas Senate, Lt. Gov. Dewhurst ensured that for the past two legislative sessions there was funding, of almost $38 million, for legal aid during a time of crisis.

Justice Hecht has presented the Legislative Hero Award throughout the state at various events to honor the legislators in their local communities. The award was given to: Senator Jose Rodriguez in El Paso in April, Senator Robert Duncan in Lubbock and Chairman Jim Pitts in Waxahachie in February, and to Senator Kirk Watson in Austin in December.
In conjunction with award presentations, Justice Hecht has also taken time to make special visits to local legal aid offices including the Disability Rights office in Lubbock, Lubbock Legal Aid Society, and Paso del Norte Civil Rights Project in El Paso. He talked to the legal aid lawyers and staff about the day-to-day services they provide to their clients in need.

**Prime Partner Bank Recognition**

The Foundation has been coordinating presentations of the Prime Partner Award to coincide with other events taking place throughout the state, including local celebrations of the 60th Anniversary of Legal Aid of NorthWest Texas. In March, two Amarillo Prime Partner Banks were honored for their commitment to the Prime Partner program and in McKinney, six banks were recognized for their efforts. Prime Partners Banks were also recognized in Lubbock and Waxahachie in conjunction with the Legislative Hero Award presentations in those cities.

**Yavneh Academy Fundraiser**

For the third consecutive year, students at the Yavneh Academy in Dallas, led by Assistant Principal Chad Baruch, held a fundraiser benefiting the Texas Access to Justice Foundation in January. About $15,000 was raised at “An Evening with the U.S. Attorney” with the proceeds coming to the Foundation to support legal services to the poor.

**Court Visits Laredo**

In conjunction with the historic visit to Laredo to hear oral arguments in February, the Supreme Court presented Pro Bono Star Award awards to several local judges and local leaders for outstanding pro bono efforts benefiting the local community. Those receiving recognition participate in the local Social Justice Night Court program, a successful pro bono court where litigants are represented by pro bono attorneys in uncontested civil cases. The Court also toured the local office of Texas RioGrande Legal Aid to see first-hand the work of legal aid.

**Communications**

The Foundation continues to work, along with Commission, on communicating information about the needs of legal services for struggling Texans, the IOLTA funding decline, LSC budget cuts, and other programs and events with various media outlets and through social media. Media outreach for the Champions of Justice Gala benefiting veterans resulted in TV coverage on all the Austin stations, as well as the local print media.