



DALLAS BAR ASSOCIATION

Office of The
President

March 20, 2009

Jim Sales, Chair
Texas Access to Justice Foundation
Fulbright & Jaworski L.L.P.
Fulbright Tower
1301 McKinney
Suite 5100
Houston, TX 77010

**Re: Resolution regarding Legal Services Funding
Adopted by the Dallas Bar Board of Directors**

Dear Jim:

Enclosed please find a copy of the resolution adopted by the Dallas Bar Association Board of Directors in support of the efforts of The Honorable Wallace Jefferson with respect to funding for legal aid in Texas.

As you work through this process you may forward this resolution as you deem appropriate.

Thank you for your good work!

Sincerely,

Christina Melton Crain

CMC:cm

Enclosure

cc: w/enclosure
The Honorable Wallace Jefferson
Ike Vanden Eykel
Barry Sorrels
Betty Torres

Resolution

OF THE

DALLAS BAR ASSOCIATION

Resolution Supporting Funding for Civil Legal Aid in Texas

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 and subscribes to the values Judge Learned Hand espoused when he said "If we are to keep our democracy, there must be one commandment; Thou shalt not ration justice";

Whereas, the Texas Disciplinary Rules of Professional Conduct preamble 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 "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, the most recent U.S. Census reports that 3.9 million people live below the poverty level in Texas, and more than 5.1 million qualify for civil legal aid to the poor;

Whereas, Texas currently ranks 43rd in the nation in overall funding for legal services and there is an estimated one legal aid attorney for every 11,500 low-income Texans;

Whereas, these individuals are the most vulnerable in our communities, including the elderly, persons with disabilities and victims of domestic abuse, and for many poor Texans, access to legal help might be all that stands between them and homelessness and being unable to provide food on their table and shelter for their children;

Whereas, the Texas Access to Justice Foundation ("the Foundation") was created by Supreme Court Order in 1984 to administer the Interest on Lawyers' Trust Accounts (IOLTA) program to fund nonprofit organizations that provide free civil legal aid to the poor and is the leading state funder for civil legal aid in Texas;

Whereas, the drop in interest rates has brought the IOLTA program from \$20.1M in FY 2007 to \$12.2M in FY 2008 and is now estimated to drop to \$1.5M in FY 2010 and 2011 and would need \$37 million to offset the anticipated shortfall;

Whereas, Texas Supreme Court Chief Justice Jefferson has made a request to the Texas Legislature for \$37 million to offset the loss of IOLTA funds; and

Whereas, the Foundation is the most appropriate vehicle to allocate appropriate revenues including federal stimulus funds that can be used to fund civil legal aid to the poor.

Therefore, **Be It Resolved** that the DALLAS BAR ASSOCIATION BOARD OF DIRECTORS supports Chief Justice Jefferson's request to the Texas Legislature for \$37 million to be allocated to bridge this loss of IOLTA funding and awarded to the Foundation.

SIGNED this 19th day of March, 2009.



Christina Melton Crain
Christina Melton Crain
President