

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 02- 0017

DISBURSEMENT POLICIES FOR ACCESS TO JUSTICE CONTRIBUTIONS

Pursuant to the cooperative efforts of the Supreme Court of Texas, the Texas Access to Justice Commission, the Texas Bar Foundation, the Texas Equal Access to Justice Foundation, and the State Bar of Texas to increase funding for access to justice programs, the State Bar of Texas annual dues statement now contains a suggested contribution for combined access to justice programs. The Court now adopts a method for disbursing these contributions to ensure the timely distribution and efficient use of these collected funds.

IT IS ORDERED:

1. The Court designates as a workgroup for making annual recommendations to the Court on the distribution and use of Access to Justice contributions (ATJ contributions) a representative from each of the following organizations:
 - i. The Texas Access to Justice Commission;
 - ii. The Texas Bar Foundation;
 - iii. The Texas Equal Access to Justice Foundation; and
 - iv. The State Bar of Texas.

2. **Not later than June 30th of each year, the State Bar of Texas and the Clerk of the Court, shall provide the Court and the designated workgroup with an estimate of the amount of ATJ contributions that will be collected.**

3. **Not later than August 15th of each year, the designated workgroup shall make a recommendation to the Court on the distribution and use of ATJ contributions.**

4. **The recommendation shall:**
 - i. **identify any ATJ contributions that are to be provided as dedicated pass-through revenue to entities identified by the Texas Equal Access to Justice Foundation and the Texas Bar Foundation;**
 - ii. **recommend that the distribution of the remaining ATJ contributions be made on the basis of a 2:1 ratio between the Texas Equal Access to Justice Foundation and the Texas Bar Foundation;**
 - iii. **establish a date for disbursement of the ATJ contributions that coincides with the grant-making cycles of the Texas Equal Access to Justice Foundation and the Texas Bar Foundation; and**
 - iv. **ensure that the ATJ contributions:**
 - A. **are received only by an organization whose primary purpose is the delivery of civil legal services to low-income persons; and**

- B. are used only to provide civil legal services to individual indigent persons.**
- 5. The Court, after reviewing and approving the recommendations of the designated workgroup, shall issue instructions to the State Bar of Texas to proceed with distributions of the ATJ contributions in accordance with the approved recommendations.**

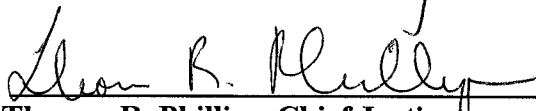
 - 6. After the Court has issued instructions to the State Bar of Texas, but in no case later than September 15th of each year, the executive directors of the Texas Equal Access to Justice Foundation and the Texas Bar Foundation shall request, in writing, that the State Bar of Texas begin the transfer of ATJ contributions from the State Bar of Texas to the respective organization.**

 - 7. The State Bar of Texas, the Clerk of the Court, and the Texas Bar Foundation will use the following process in distributing the Fiscal Year 2001-2002 ATJ contributions:**
 - i. The State Bar of Texas and the Clerk of the Court shall transfer \$30,000 from the State Bar of Texas' Access to Justice Account to the Texas Bar Foundation to be set aside for the benefit of the South Texas Pro Bono Asylum Representation Project (ProBAR) (In exchange, the Texas Bar Foundation has agreed to make a \$30,000**

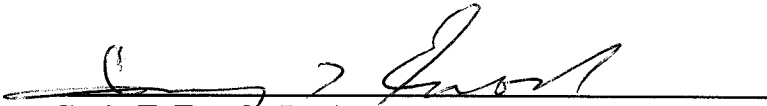
grant to the South Texas Pro Bono Asylum Representation Project
(ProBAR));


- ii. The State Bar of Texas and the Clerk of the Court shall set aside one percent of the balance of the ATJ contributions as of September 1, 2001. These funds may be used only to provide to any attorney member of the State Bar of Texas a refund, upon request, of the attorney's initial contribution; and
- iii. The State Bar of Texas and the Clerk of the Court shall transfer the remainder of the ATJ contributions from the State Bar of Texas' Access to Justice Account to, on a 2:1 ratio, the Texas Equal Access to Justice Foundation and the Texas Bar Foundation.

IT IS SO ORDERED this 18th day of January, ²⁰⁰²~~2001~~.

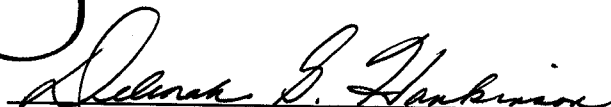

Thomas R. Phillips, Chief Justice

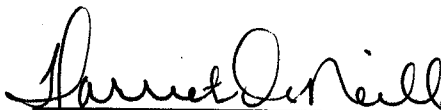

Nathan L. Hecht, Justice



Craig T. Enoch, Justice



Priscilla R. Owen, Justice


James A. Baker, Justice


Deborah G. Hankinson, Justice


Harriet O'Neill, Justice


Wallace B. Jefferson, Justice


Xavier Rodriguez, Justice