



PRO BONO DONATIONS AND THE

Access to Justice Fund

By Linda K. Rexer



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To meet the State Bar's Voluntary Pro Bono Standard, Michigan lawyers must annually provide pro bono services—a minimum of 30 hours or three cases—or donate \$300 to support legal aid. This mirrors the approach in the American Bar Association standard and in many other states, encouraging donations to accommodate lawyers who may not be able to provide pro bono legal services to those in need. Fortunately, many Michigan lawyers generously donate both services and money.

The Access to Justice (ATJ) Fund provides a centralized and streamlined way for lawyers and law firms to fulfill their pro bono responsibilities through tax-deductible donations to support civil legal aid for the poor. Contributions to the ATJ Fund are received by the Michigan State Bar Foundation. Donors may direct their gifts to support the statewide permanent endowment or designate donations for one or more eligible nonprofit legal aid programs.

To date, more than \$10 million has been raised through the ATJ Fund. This includes nearly \$4 million in a growing endowment that will generate a stable source of future revenue for legal aid, with the remainder designated by donors for local legal aid programs.

Although legal aid programs receive public and private funding, the need far outpaces available resources. In today's challenging economy, grants are diminishing while need is increasing. Today, one-third of Michigan residents, including 40 percent of the state's children, live in households with income below 200 percent of the federal poverty limit (\$29,420 a year for a family of two), and Michigan remains among those states with high unemployment and foreclosure rates. Even before the current economic crisis, legal aid programs were forced to turn away nearly half of those who sought help because they lacked the resources to serve them.

Each year, Michigan's nonprofit legal aid agencies close civil cases for more than 50,000 individuals and families. They also help additional low-income people by providing legal information

or referrals to other community programs. This assistance often results in keeping families safe from domestic violence, preventing homelessness, obtaining child support, protecting the elderly from unscrupulous contractors, helping disabled persons access medical care, and addressing other unmet legal needs of the most vulnerable among us.

With current resources, these services cannot reach everyone who needs them. Studies show that no more than 20 percent of the civil legal needs of the poor are being met. Many Michigan lawyers volunteer legal services to help—more than 35,000 hours of pro bono service a year as reported by ATJ Fund-eligible programs—but pro bono services alone cannot fill the gap. This is why the State Bar of Michigan, the Michigan State Bar Foundation, and our state's civil legal aid programs partnered to establish the Access to Justice Campaign to increase financial resources for nonprofit civil legal aid programs.

Michigan lawyers and law firms have been generous; the highest donor categories (along with firms that meet the State Bar's Voluntary Pro Bono Standard) are recognized at <http://www.michbar.org/atj/cumulativedonors.pdf>. That generosity is needed now more than ever. If you are not able to give services, give money. If you can, give both. You will be continuing one of the finest traditions of the legal profession—promoting access to justice for all. ■



Linda K. Rexer is executive director of the Michigan State Bar Foundation, which provides grants for civil legal aid and manages the Access to Justice Fund. A founding member of the State Bar's Access to Justice Task Force, she currently serves on its successor, the Justice Initiatives Committee and its Pro Bono Initiative. She is a past member of the ABA Commission on IOLTA and past president of the National Association of IOLTA programs.