

Quorum Report

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JUSTICES JEFFERSON AND HECHT PLEAD FOR LAWMAKERS TO FUND LEGAL AID PROGRAMS

The jurists make an unusually direct appeal to replace \$20 million used to ensure access to basic legal services for the state's neediest residents

Two Texas Supreme Court justices have taken the unusual step of making a direct plea to legislators before appearing in committee, asking them to find money for state legal aid programs that are being slashed under the proposed budget.

Chief Justice **Wallace Jefferson** and Justice **Nathan Hecht** made the plea [in a letter](#) sent yesterday. Funding for legal aid programs has become dicey in recent years as low interest rates have sapped one important source of funding – interest generated from lawyers' trust accounts.

In addition, the justices note the *Legal Services Corporation*, another major source of funding, has had its funding cut by 4 percent.

Senator **José Rodríguez (D-El Paso)** had tried to raise money for legal aid programs through some increases in court fees but that provision was stripped in conference committee on the session's main fiscal matters bill.

The funding crisis at legal aid is not new. The Legislature in 2009 found \$20 million for the programs. But that was a different time then with federal stimulus money available to cure a myriad of budget ills.

The justices today admit up front "we know of no way to replace the \$20 million that the Legislature appropriated in 2009." And with interest rates remaining low, the interest bearing accounts won't be of much help. Jefferson and Hecht say the money from those accounts has fallen from \$20 million in 2007 to a projected \$4.4 million this year.

They also note that the lawyers who help provide representation to the needy either volunteer their time or earn far less than what they could command in private practice. They estimate that cutting legal aid funding by \$20 million would deny 25,000 Texans access to basic legal services, or 75,000 if you add in the immediate family of those individuals affected.

Those services include things like women seeking escape from domestic violence, ensuring that a veteran gets the benefits to which he's entitled or fighting a wrongful eviction from a home.

The justices close by saying support for legal aid programs is in keeping with the court's conservative stance.

"Conservative principles do not call for the rule of law to be denied the most vulnerable members of our community," Jefferson and Hecht wrote. "The civil justice system is where people can claim for themselves the benefits of the rule of law. It is where the promises of the rule of law become real. A society that denies access to the courts for the least among us denigrates the law for us all. For these reasons, securing funding for basic civil legal services has been a priority for the Supreme Court, one to which its members are unanimously committed."

By John Reynolds