

Justice Brett Busby, Supreme Court of Texas

The History and Role of the Texas Access to Justice Commission and Guest Speaker Introduction

[Link to Video](#)

Voiceover until 00:07

Hello Ladies and Gentlemen,

My name is Brett Busby and I have the honor to serve as the Justice on the Supreme Court of Texas and one of the court's liaisons to the Texas Access To Justice Commission, together with my colleague, Justice Eva Guzman.

I had an active pro-bono practice as an appellate lawyer and also served as a committee chair for the Access to Justice Commission before joining the Supreme Court. So I am passionate about the Commission's vital work.

Although we can't gather together in person for the Champions of Justice Gala this year, I'm glad to have this opportunity to share an overview of the Commission's work with you.

00:35

For nearly two decades, the Texas Access to Justice Commission has worked to expand justice for all Texans struggling to make ends meet. Working in partnership with the Supreme Court of Texas, the Texas Legislature, the State Bar of Texas, Legal Aid Organizations, lawyers, and other stakeholders, the Commission continuously strives to reduce barriers to using our justice system. There are approximately 5.6 million people in Texas who currently qualify for civil legal aid. Unfortunately, due to a lack of resources, only about ten percent of the civil legal needs of these low-income Texans are being met.

This justice deficit leaves millions of our most vulnerable neighbors without the legal assistance that they need to navigate complex problems in the areas such as domestic violence, housing discrimination, and currently problems stemming from the Coronavirus Pandemic.

As Chief Justice Hecht touched on in his remarks, at the time the Commission was created almost twenty years ago, there was a continuing crisis in legal aid funding and access to justice. From its inception, the Commission has worked diligently alongside many partners to support low-income Texans by stabilizing funding and in increasing the capacity of the legal aid delivery system in Texas. (pause)

Doing this work over the last twenty years we've learned a lot. We understand that access to justice does not simply mean access to courts or lawyers. It means, also, creating a system that anyone can access and achieve a fair and just result.

The Commission continues to work diligently on systemic change to improve access to justice for all Texans. The Commission joins with the conference of Chief Justices and the conference of state court administrators in striving toward the goal of one hundred percent access, which envisions a justice

system where people can access the information and help they need, when they need it, in a format they can use.

To advance this goal, the Commission works on initiatives that help people access the information, tools, and services that will help them resolve their legal problems. One example of the Commission's efforts to make legal help more accessible is to create plain language forms and instructions to assist low income Texas with common legal problems such as evictions.

3:00

The Commission also looks at changes to procedures within the court system itself that can promote access to justice. For example, the Commission worked on changes to Texas Rule of Civil Procedure 145, which governs the waiver of court costs. Rule 145 is literally the gateway to the courts for low-income people. Without it, they would not be able to access the courts because they are not able to afford the filing fees and other costs that a person incurs when filing or responding to a lawsuit.

The new rule is much easier for judges to use and apply uniformly across the state and has decreased the number of litigants who are denied access to the courts due to an inability to pay court costs. The Commission is now working with pro bono lawyers to create a guide book on Rule 145, and on court costs in general, to help judges and clerks apply the rule correctly.

The Commission also works outside the court system to enhance access to justice. Two examples are the Commission's legislative and technology initiatives. The Commission works with Texas legislatures each session to inform them about legal issues and areas of basic human need that have a lot - a high impact on low-income Texas, such as housing, disasters, or debt.

The Commission also works with both our Federal and State Legislators to expand the funding for pro-bono aid and for pro bono organizations in Texas that provide legal low-income people with an attorney at no cost.

On the technology front, the Commission looks for new ways to use technology to facilitate access and reduce barriers to resolution of legal disputes. As the world and our legal system become more reliant on technology, it's paramount that low-income Texans do not fall behind in their ability to access the justice system.

One example of the Commission's work in this area is especially relevant right now. The Commission works with the Supreme Court, the State Bar, Legal Aid, and other stakeholders to address access to justice issues that arise in times of crisis or natural disasters. When Texas courts began using ZOOM to hold hearings during the ongoing Coronavirus Pandemic, the Commission developed best practices for courts to use during online hearings in cases involving self-represented litigants. These practices include guidance on how to ensure access to justice for people who may not have reliable access to the internet, or even to a phone.

Right now the Commission is developing information to share with self-represented litigants about how they can best participate in ZOOM hearings, ranging from how to use ZOOM to basic court processes and procedures.

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Veterans are an important part of the work of the Commission, and indeed, every one of the issues that I've just mentioned disproportionately impacts veterans. Often, veterans struggle with issues that affect their health, economic security, and family. A startling number of veterans are even homeless. That is why each year we focus the Gala on veterans and ensure that there are funds dedicated to serving those that have served us so honorably.

I would like to take this opportunity to say, "Thank you." The Commission and the Court greatly appreciate your generosity and strong support. Your sponsorships, donations, and gifts of time and talents make it possible for legal aid organizations to help thousands of Texas veterans confront and overcome their legal problems. Because of your unwavering commitment, the Commission and its partners are able to honor and serve the brave men and women who have made tremendous sacrifices for each and every one of us.