

Access to Justice in Texas

February 2013

More Texans are in need of basic civil legal services.

- More than 5.7 million Texans qualify for legal aid. Texas' poverty rate in 2011 was 17.4 percent.
- Vulnerable Texans are disproportionately affected by the weak economy. Many need help with critical civil legal issues impacting their very existence such as spouses and children of domestic abuse; elderly wrongly denied life-sustaining prescriptions; veterans wrongly denied critical medical care, disability and other benefits; and families whose homes were wrongly foreclosed upon.
- Legal aid organizations help more than 100,000 Texas families each year. However, this number is expected to decrease as a result of recent federal LSC funding cuts. Due to a lack of resources, only about 20 to 25 percent of the civil legal needs of disadvantaged Texans are being met.

The funding crisis for Texas legal aid continues with losses in IOLTA revenue and cuts to the Legal Services Corporation.

- A primary source of legal aid funding is Interest on Lawyers' Trust Accounts (IOLTA). This revenue has declined dramatically during this period of historically low interest rates. IOLTA revenue has plummeted from \$20 million in 2007 to a projected \$4.4 million in 2012 a decline of more than 75 percent.
- The three largest legal aid providers in Texas, funded by **the Legal Services Corporation (LSC), lost an annualized \$6.1 million** beginning in 2012. The federally funded LSC provides more than a third of Texas' funding for legal aid. Legal Aid of NorthWest Texas, Lone Star Legal Aid, and Texas RioGrande Legal Aid heavily rely on LSC funding to assist families in neighborhood-based clinics and rural communities.

The Texas Access to Justice Commission and Foundation are working to help fill the gap in funding for civil legal services and increasing access to justice for all.

- Through a tremendous show of bipartisan support, the 2011 Texas Legislature appropriated \$17.5 million for civil legal aid for the biennium. This funding helped bridge the gap in IOLTA revenue and preserved funding with minimal reductions in client services. We will need the Texas Legislature's help again in 2013.
- Texas lawyers provide approximately 2.5 million hours in free or indirect legal services to the poor or the equivalent of \$500 million – annually according to the State Bar of Texas Survey of 2009 Pro Bono Support. Additionally, attorneys have donated millions of dollars in private donations. Statewide campaigns have been launched to expand private donations.
- Yet, many low-income and poor Texans still go without the civil legal help they need. There is
 approximately only one legal aid lawyer for every 12,000 Texans who qualify. Due to declines in
 funding, Texas legal aid providers will be forced to lay off staff and cut services, resulting in thousands of
 Texans being denied critical, life-changing legal representation.