

JUSTICE GAP FUND TOOLKIT

Legal services for the indigent are a critical component of the justice system, helping to improve trust and confidence in the court system, and facilitating fair conflict resolution for unrepresented litigants. Since 2008, however, the economic downturn has made access to justice for indigent Californians more dire and challenging. Over a million more people now qualify for free legal services, but even fewer dollars are available to serve them. Contributions to the Justice Gap Fund help bridge this justice gap – the gap between the legal help millions of vulnerable Californians need to obtain basic life necessities, such as housing, healthcare, and food, and the legal services they are actually able to obtain.

Yet despite the growing need and declining resources, in the past less than five percent of California attorneys have contributed to the Justice Gap Fund. That is why the Office of Legal Services at the State Bar of California, the Legal Aid Association of California, and legal aid organizations and individual attorneys across the state have come together to create the Campaign for Justice to raise awareness and resources for the nonprofit legal aid programs that help bridge the justice gap. While the Campaign for Justice also encourages direct financial contributions and pro bono services to legal aid organizations, right now we need your help to support legal services on a statewide level by urging your colleagues to support the Justice Gap Fund.

The Justice Gap Fund is the legal profession’s only statewide fund for critical legal assistance. Millions of Californians are relying on your support.

How You Can Help – a 3-Step Process:

Because many California lawyers don’t see their fee statement because their employer pays their dues, we need your help to make sure your colleagues have every opportunity to participate. Of course, attorneys can donate year-round at www.CAforJustice.org/donate, or they can donate through their annual dues bill, which is distributed the first week of December and must be paid by February 1.

- 1) Add a contribution mechanism to your existing payroll deduction system or create a similar mechanism to facilitate donations.** Most firms have mechanisms for payroll deductions for section memberships or other voluntary deductions. By setting up a system to facilitate contributions from your colleagues, you can help ensure that the lawyers at your firm have an easy way to make their most generous gift.
- 2) Notify your lawyers of the donation option.** Firm leaders should encourage their lawyers to join them in making a contribution to the Justice Gap Fund. Proposed language for this letter is included below. Consider asking one person in each of your firm’s offices to reach out to their colleagues and encourage them to support this critical effort.
- 3) Provide total giving information so we can properly thank you.** The State Bar will honor firms demonstrating outstanding levels of participation. We hope that you will work with us to make sure that we have the information we need to provide that recognition. Please provide us with (i) the total number of California lawyers in your firm, (ii) the total number of contributing lawyers, and (iii) the total amount contributed.



“I support the Justice Gap Fund because it helps deserving people who cannot afford an attorney obtain access to justice during critical times in their lives.” – Scott Edelman, Partner at Gibson, Dunn, & Crutcher, LLP

WHAT IS THE JUSTICE GAP FUND?

The Justice Gap Fund was implemented in 2008 by legislation that authorized the State Bar to collect contributions from its members and the public to support free legal assistance for low-income Californians. These contributions are combined with revenue from Interest on Lawyers' Trust Accounts (IOLTA) and distributed on a formulaic basis to qualified legal services organizations in California. These organizations help bridge the justice gap – the gap between the legal help millions of vulnerable Californians need to obtain basic life necessities, such as housing, healthcare, and food, and the legal services they are actually able to obtain. Since 2008, however, the situation has worsened with the economic downturn. Over a million more people now qualify for free legal services, but even fewer dollars are available to serve them.



"Contributing to the Justice Gap Fund gives me hope that when I refer struggling families to legal aid programs in the future, they will have somewhere to turn to for justice." Katherine Marquart, Associate at Gibson, Dunn & Crutcher, LLP

Yet with the growing need and declining resources, still less than five percent of attorneys contribute to the Justice Gap Fund. That is why the Office of Legal Services at the State Bar of California, the Legal Aid Association of California, and legal aid organizations and individual attorneys across the state have come together to create the Campaign for Justice to raise awareness and resources for the nonprofit legal aid programs that help bridge the justice gap. While the Campaign for Justice also encourages direct financial contributions and pro bono services to legal aid organizations, *right now we need your help to support legal services on a statewide level by urging your colleagues to support the Justice Gap Fund.*

The Justice Gap Fund and interest on lawyers' trust accounts (IOLTA) are the only statewide funds that support critical legal assistance for the indigent.

Millions of Californians are relying on your support. Contributions can be made annually through the State Bar dues statement, or any day of the year, through the Campaign for Justice website at www.CAforJustice.org. *Every penny of every dollar received from individual donations is distributed to the nonprofit organizations that provide free legal services to indigent people, seniors, and persons with disabilities.*

What are the benefits to donating to the Justice Gap Fund?

- 100% of your donation goes to nonprofit legal assistance organizations that provide critical legal services.
- Contributors of \$1,000 or more receive special recognition as Benefactors of the Justice Gap Fund.
- Formulaic statewide distribution ensures rural programs, that often have less access to direct financial and pro bono resources, receive a fair share of funding.
- The Justice Gap Fund uses the existing network of local legal aid programs to provide services with maximum efficiency and effectiveness.
- The Legal Services Trust Fund Commission that distributes IOLTA funds and the Access to Justice Commission are jointly responsible for overseeing the fund.
- Contributions are tax-exempt to the full extent of the law.

**Please make checks payable to: The State Bar of California, c/o the Justice Gap Fund
180 Howard Street
San Francisco, CA 94105**

For information about the Campaign for Justice, or to donate to the Justice Gap Fund online, visit www.CAforJustice.org or contact the Legal Services Trust Fund Program at (415) 538-2252.

**THE JUSTICE GAP FUND IS THE ONLY STATEWIDE DONOR FUND FOR LEGAL AID.
THANK YOU FOR YOUR HELP IN MAKING IT A SUCCESS.**

RECOMMENDED PROCEDURES FOR IMPLEMENTING A PAYROLL DEDUCTION SYSTEM FOR THE JUSTICE GAP FUND

1. Contact the payroll department of your firm and ask to add the Justice Gap Fund to any existing payroll deduction system. Many firms make payroll deductions for State Bar section memberships and already have a mechanism in place. If a payroll deduction mechanism is not already set up, ask about setting up a one-time payroll deduction option for the Justice Gap Fund or suggest an annual payroll deduction option to be applied automatically to your dues bill every year.
2. Send an email to your firm's California attorneys explaining why and how to contribute to the Justice Gap Fund. (See sample email below.) The email could include the following:
 - A description of the Justice Gap Fund, including links to online information;
 - A story or explanation about why you donate to the Justice Gap Fund;
 - Instructions on contributing through a one-time or annual payroll deduction;
 - Voting buttons for easy authorization.



A payroll deduction system is useful in several ways:

- Payroll can provide information about charitable deductions to employees in a miscellaneous box on their W-2 forms.
- It maintains the confidentiality of contributors, because the payroll office deducts the designated amount and collects information about which attorneys agreed to contribute.
- The State Bar collects information from firms only on the total amount contributed by their attorneys and the total number of donors.

SAMPLE MESSAGE TO YOUR CALIFORNIA COLLEAGUES

Date

From: Justice Gap Fund Supporter
To: CA Attorney
Subject: Please join me in donating \$100 (or more) to the Justice Gap Fund

Over six million indigent, elderly, and disabled Californians need a lawyer. They need a safe place to live, refuge from abuse and neglect, and access to education. Often times they need legal help simply to access basic life necessities, like food, housing, and healthcare.

And we are letting them down. Over four million people in need are turned away each year from their local legal aid office because there is not enough money to make justice a reality in their lives. Your generous contribution to the Justice Gap Fund will help make sure each and every one of these six million Californians have access to the justice they need to protect their rights under the law.

Funding for legal services is in serious decline. Revenue from interest on lawyers' trust accounts (IOLTA) – traditionally the mainstay of support— is down 75 percent from 2008. After four years of cuts, interest rates are at their lowest in generations and all available reserves and resources have been exhausted. The repercussions of this crisis could linger for years.

Thankfully, in 2006 the legislature approved the creation of the Justice Gap Fund (AB 2301). AB 2301 allows the State Bar to request voluntary contributions to help fund nonprofit legal services providers as part of a lawyer's annual dues statement. As we enter the 2013 Justice Gap Fund campaign, I thank you for your past support and ask you to help once again by donating to this important fund.

The Justice Gap Fund channels every penny of your donation to nearly 100 legal aid organizations serving all of California's 58 counties. It is the only way to help increase access to justice for all Californians at once. Remember, a donation to your local agency provides legal services in your own backyard, but California is a large state with vast rural regions where legal aid resources are badly overstretched. The Justice Gap Fund is the only statewide donor fund supporting legal services programs across California. Your contribution will make a significant difference.

Please use the Outlook voting button above to authorize the finance department to make a one-time confidential \$100 payroll deduction from your [date] paycheck. If you wish to become a Benefactor at the \$1,000 rate, or contribute any amount in between, please indicate that in your response. You can also contribute to the Justice Gap Fund through the Campaign for Justice website at www.CAforJustice.org/donate. If you do so, or have already done so, please let [finance director] know so that we have an accurate tally of our firm's overall participation.

[Law firm] attorneys have a great history of giving and we want that to continue. The State Bar recognizes firms with the highest percentages of attorneys who contribute to the Justice Gap Fund. I hope that you will join me in making [law firm] among those firms that are commended by the State Bar this year.

Sincerely,

Administration: A word about Outlook voting buttons

Use of Outlook voting buttons varies depending on the version of Outlook that your firm uses. Generally, you can define the responses (approve/reject or yes/no) and toggle the options such that the responses are sent to someone other than the sender. In Outlook 2007, under the *Options* tab, select *Use Voting Buttons* then select from the default options or create your own by selecting *Custom*. The responses will automatically be collected and can be viewed by opening the original message and selecting *Tracking* under the *Message* tab.