



THE CHICAGO BAR FOUNDATION AND AWARDS OF *CY PRES* AND RESIDUAL FUNDS

Support Pro Bono, Legal Aid and Access to Justice in the Chicago Area

- Lawyers and judges can advance this goal by directing awards of residual funds to The Chicago Bar Foundation (CBF) or one or more of the many outstanding pro bono and legal aid organizations the CBF supports.
- In addition to the CBF being an effective vehicle to support all of the major pro bono and legal aid organizations serving the Chicago area, *cy pres* awards enable the CBF to provide ongoing support for a number of successful help desks and pro bono projects right here in the state and federal courts.

The Chicago Bar Foundation's Impact

- The CBF mobilizes Chicago's legal community to ensure that everyone in the metropolitan Chicago area has equal access to justice, particularly the low-income and disadvantaged people who are in most critical need of the protections of our civil legal system. Through grants, advocacy, pro bono and partnerships, the CBF takes a system-wide approach to improving access to justice in our community.
- As the charitable arm of The Chicago Bar Association, The Chicago Bar Foundation provides significant support for all of the major pro bono and legal aid organizations serving the Chicago area; a variety of court-based advice desks and pro bono programs serving the state and federal courts; and several important statewide access to justice initiatives.
- As noted in more detail on the reverse side of this fact sheet, *cy pres* awards to the CBF are an important catalyst for our efforts and have substantially improved access to justice in our community.

An Ideal Match for *Cy Pres* Awards

- ***The CBF's Mission:*** The CBF's mission of improving access to justice for those less fortunate makes it a perfect match for class action *cy pres* awards, as one underlying premise for all class actions is to make access to justice a reality for people who otherwise would not be able to obtain the protections of the court system. For state court cases, the CBF is an effective place to distribute residual funds as required by 735 ILCS 5/2-807.
- ***The CBF's Service to the Courts:*** The CBF provides a valuable service to the courts through its leadership in developing a number of court-based pro se assistance desks and its steady support of pro bono legal services and mediation programs that are critical to the fair and efficient administration of justice.
- ***The CBF's Comprehensive Focus, Expertise and Flexibility:*** With its system-wide focus and its widely recognized expertise, the CBF strategically and objectively allocates its resources to support a wide variety of outstanding pro bono and legal aid organizations and related access to justice initiatives, ensuring accountability and making the CBF a very effective charitable investment. The CBF also has the flexibility to target a *cy pres* award towards a specific access to justice initiative.
- ***The CBF's Freedom from Potential Conflicts:*** The CBF does not file lawsuits or represent parties in court, and thus is free of any potential conflict that otherwise might arise for the court or the defendant in a class action. The CBF's mission of promoting equal access to justice is as American as apple pie.

You Can Make a Real Impact on Our Justice System

- Awards of *cy pres* and residual funds have proven to be one of the best means available to improve access to justice in our community, helping to expand the capacity of our pro bono and legal aid system and providing the "venture capital" and ongoing support for a number of groundbreaking access to justice initiatives.

For more information about how you can make an impact by directing an award of *cy pres* or residual funds to the CBF, contact Bob Glaves of The Chicago Bar Foundation at (312) 554-1205 or bglaves@chicagobar.org.

RECENT EXAMPLES OF THE IMPACT OF CY PRES AND RESIDUAL FUNDS AWARDS TO THE CHICAGO BAR FOUNDATION

The CBF has been fortunate to receive a number of these awards in recent years in amounts ranging from \$2,000 to \$2 million. These awards have made it possible for the CBF to significantly increase its annual grants to almost 40 pro bono and legal aid organizations and related initiatives, helping tens of thousands of vulnerable Chicagoans each year to obtain critical legal help. In addition, *cy pres* awards have provided the “venture capital” for a number of groundbreaking special projects and initiatives that have made lasting improvements to the justice system, and the CBF’s continued receipt of these awards makes it possible for the CBF to maintain our support for these projects for the long term. Some of the innovative projects that *cy pres* and residual funds have made it possible for the CBF to launch and continue to support include:

Help Desk Programs in the State and Federal Courts

- Seed funding and necessary ongoing support for a first of its kind self help assistance desk for the federal court for the Northern District of Illinois in Chicago, and a similar program for the federal Bankruptcy Court here. These programs help pro se litigants by providing them: with information about their legal rights and responsibilities and applicable court procedures; legal advice about their cases; help preparing simple pleadings; and referrals to legal, social, and government services.
- Seed funding and ongoing support for several help desks in the Circuit Court of Cook County, including an advice desk for low-income people facing mortgage foreclosures and other issues in the Circuit Court’s Chancery Division and a help desk that assists people with consumer debt collection issues in the Municipal Division of the Circuit Court of Cook County, along with other similar projects

Pro Bono Programs in Partnership with the Courts

- Seed funding and ongoing support for a pro bono program for the Chancery Division of the Circuit Court of Cook County that matches volunteer attorneys with unrepresented litigants who have been victimized by mortgage fraud, predatory lending and other types of consumer fraud, as well as other types of cases in the Chancery Division
- Seed funding for the Guardian Ad Litem (GAL) for Disabled Adults Pro Bono Program, a pro bono program developed in partnership with the Circuit Court which recruits, trains and supports volunteer attorneys to serve the Court as GALs

Other Innovative Projects That Improve Access to Justice in the Chicago Area

- Full funding for a groundbreaking fellowship program that over time will provide significant loan repayment assistance to at least 50 outstanding young attorneys who have chosen to pursue careers in legal aid and help make these careers financially viable in the face of the daunting educational debts that most of them must contend with today
- Seed funding for a project to help build the capacity of area nonprofit organizations by improving their organizational effectiveness and strengthening their governance. This pro bono project matches these organizations with teams of pro bono lawyers who conduct a legal assessment of their practices and assist them in drafting or updating policies, bylaws and other legal documents

Helpful Legal Information and Resources for the Public

- “Buying and Keeping a Used Car,” a comprehensive guide for people covering the various legal issues that arise when buying and owning a used car, a very common area for exploitation of low-income consumers
- A project to create comprehensive and user-friendly brochures and online resources for people with consumer debt issues (including bankruptcy issues), which consistently are among the largest areas of demand for legal aid programs serving the Chicago area

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