



735 ILCS 5/2-807

Improving Access to Justice for Illinois Residents with Residual Funds in Class Action Cases

735 ILCS 5/2-807 Promotes Access to Justice for the Most Vulnerable Illinoisans

- The purpose of this Act is to ensure that, to the extent practicable, residual funds in class action cases in the Illinois courts are distributed to pro bono and legal aid organizations that improve access to justice for people in need in Illinois.
- Residual funds in class actions are a perfect match for this purpose, as one underlying premise for all class actions is to make access to justice a reality for Illinois residents who otherwise would not be able to obtain the protections of the justice system.

How 735 ILCS 5/2-807 Works

- This section of the Code of Civil Procedure establishes a presumption that any residual funds in class action settlements or judgments will go to organizations that improve access to justice for low-income Illinois residents.
- Courts have the discretion to award up to 50% of these funds to other organizations that serve the public good as part of a settlement if the court finds good cause to do so.
- In any event, at least 50% of any residual funds in class action cases must go to one or more organizations that promote or provide access to justice for low-income Illinoisans.

Eligible Legal Aid Organizations Pursuant to the Act Serving the Chicago Area

- Courts in Cook County can fulfill the purposes of this Act by directing cy pres awards to The Chicago Bar Foundation (CBF) or one or more of the many outstanding legal aid organizations the CBF supports.
- As the charitable arm of The Chicago Bar Association, the CBF supports 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.
- A list of eligible CBF-supported organizations appears on the reverse side of this fact sheet, along with information about other qualifying organizations providing services outside of Cook County.

735 ILCS 5/2-807 Helps Close the Huge Gap in Access to our Justice System

- A dedicated group of legal aid and pro bono attorneys provides vital legal services to thousands of the most vulnerable people in our community. However, due to a long-term underinvestment in our pro bono and legal aid system, tens of thousands of less fortunate people continue to lack access to legal assistance that is often critical to their safety and independence and are left to solve complex legal problems on their own.
- Illinois residents who effectively are shut out of our State's justice system today include working poor families victimized by mortgage fraud, elderly victims of predatory lending and other consumer fraud, women and children struggling with domestic violence, and veterans wrongfully denied benefits that have been promised to them, among many others.
- *Cy pres* awards have proven to be a critical source of funding to expand the capacity of the pro bono and legal aid system and providing the "venture capital" for a number of groundbreaking access to justice initiatives.

For more information about the Act or about how you can make an impact by directing an award of cy pres or residual funds to the CBF or one or more of our community's pro bono and legal aid law organizations, contact Bob Glaves of The Chicago Bar Foundation at (312) 554-1205 or bglaves@chicagobar.org.

**Class Action Residual Funds Pursuant to 735 ILCS 5/2-807:
Qualifying CBF-Supported Pro Bono and Legal Aid Organizations****

The following pro bono and legal aid organizations receive organizational support grants from The Chicago Bar Foundation, and thus have been carefully vetted through a comprehensive grant review process. Awards of residuals funds to The Chicago Bar Foundation and to any of the organizations listed below alphabetically would be considered as qualifying for purposes of the statute. (For those organizations where CBF support is limited to a specific project--noted in italics--only awards that support that particular project would qualify). More information on each of these organizations is available on the CBF website, www.chicagobarfoundation.org.

Access Living – *Legal Services Department*
AIDS Legal Council of Chicago
Cabrini Green Legal Aid (CGLA)
CARPLS (Coordinated Advice & Referral Program for Legal Services)
Catholic Charities of the Archdiocese of Chicago – *Legal Assistance*
Center for Conflict Resolution (CCR)
Center for Disability & Elder Law (CDEL)
Center for Economic Progress – *Tax Clinic*
Centro Romero – *Latin American Legal Assistance Services*
Chicago Alliance Against Sexual Exploitation – *Sexual Assault Justice Project*
Chicago Coalition for the Homeless – *Law Project*
Chicago Lawyers' Committee for Civil Rights Under Law
Chicago Legal Advocacy for Incarcerated Mothers (CLAIM)
Chicago Legal Clinic (CLC)
Chicago Volunteer Legal Services (CVLS)
Domestic Violence Legal Clinic (DVLC)
Equip for Equality
The Family Defense Center
First Defense Legal Aid (FDLA)
Health & Disability Advocates (HDA)
Illinois Legal Aid Online (ILAO)
Indo-American Center – *Citizenship & Immigration Services*
James B. Moran Center for Youth Advocacy
LAF
Lambda Legal – *Midwest Regional Office Help Desk*
Latinos Progresando – *Immigration Legal Services*
The Law Project
Lawndale Christian Legal Center
Lawyers' Committee for Better Housing (LCBH)
Lawyers for the Creative Arts (LCA)
Legal Aid Society of Metropolitan Family Services (LAS)
Life Span – Center for Legal Services & Advocacy
Midwest Center on Law and the Deaf (MCLD)
National Immigrant Justice Center (NIJC)
The Roger Baldwin Foundation of the ACLU – *Children's Initiative*
Sargent Shriver National Center on Poverty Law
Uptown People's Law Center
World Relief - Chicago – *Immigrant Legal Services*
Working Hands Legal Clinic

***** The organizations on this list represent the major pro bono and legal aid organizations providing services in Cook County, but this is not an exclusive list of the organizations eligible to receive cy pres awards under 735 ILCS 5/2-807. In addition, there are several qualifying organizations providing services outside of Cook County, including Prairie State Legal Services, Land of Lincoln Legal Assistance Foundation, DuPage Bar Legal Aid Service, Guardianship Referral & Services (Decatur), the Immigration Project (Granite City), the Kankakee Center for Conflict Resolution of the John R. Tate Advocacy Center, and the Will County Legal Assistance Program. The Public Interest Law Initiative and the Illinois Bar Foundation provide funding for these services throughout the State and also are qualifying organizations under the Act.***