



*Funding and Leadership for Justice Since 1947*

306 Townsend Street    Lansing, Michigan 48933    Web Address: [www.msbf.org](http://www.msbf.org)    Phone: 517-346-6400

**FOR IMMEDIATE RELEASE – November 8, 2007**

**CONTACT PERSON: Linda K. Rexer**

#

## **Class Action Lawsuit Funds Directed to Access to Justice Fund**



*Attorney Patrick Bruetsch delivers Cy Pres funds check to Michigan State Bar Foundation Executive Director Linda Rexer and State Bar of Michigan Director of External Development Candace Crowley.*

The Access to Justice Fund, which supports civil legal aid for the poor in Michigan, received \$635,751 from a class action lawsuit order signed recently by United States District Judge Avern Cohn. Based on recommendations from attorneys in the case, the order directed allocations from a settlement in *Jergess v. First American Title Co.* to three charities under the doctrine of cy pres, an equitable measure which allows unclaimed funds to be allocated to charitable causes that represent the “next best use” to the purpose of the case. This case involved costs title companies charged for real estate title insurance. Sharing the \$1.46 million award are the Access to Justice Fund, Habitat for Humanity of Michigan and the Community Foundation for Southeast Michigan.

The Michigan State Bar Foundation, which holds the Access to Justice Fund, received the funds for the ATJ Fund’s permanent endowment. Foundation Executive Director Linda Rexer said, “We are very grateful that these funds will generate earnings into the future to help nonprofit civil legal aid programs provide critical services such as keeping low-income families safe in their homes, helping the needy avoid homelessness and protecting the elderly from unscrupulous contractors.”

State Bar of Michigan Executive Director Janet Welch said, “The State Bar of Michigan is proud of the many lawyers who donate to the Access to Justice Fund or provide pro bono legal services for the poor, and we are especially gratified that the lawyers and Judge Cohn worked in this case to allocate cy pres funds to support access to justice. Their efforts are an example of the best in the legal profession.”

In presenting the check for the Access to Justice Fund, Patrick Bruetsch, one of the plaintiffs’ attorneys, noted that it was particularly fulfilling as a lawyer to help support access to the justice system for those in need. He thanked Judge Cohn and all the lawyers in this case, including his colleagues Jeffrey Yellen and David Davis, for using the cy pres doctrine to help worthy charities and urged other lawyers and judges to take similar opportunities to support the public good through cy pres.

The Access to Justice Campaign is a partnership of the State Bar of Michigan, the Michigan State Bar Foundation and Michigan’s nonprofit civil legal aid agencies. Through the Campaign, lawyers, judges, individuals, corporations and foundations have given over \$7.5 million in contributions and pledges for civil legal aid for the poor. More than 1.3 million persons in Michigan qualify for free civil legal assistance because their annual income is less than 125% of the federal poverty guideline, or just over \$21,000 for a family of three. For information on how to donate to the ATJ Fund, see [www.atjfund.org](http://www.atjfund.org). For assistance on how to direct a cy pres gift to the ATJ Fund, contact Linda Rexer at the Michigan State Bar Foundation, [Linda@msbf.org](mailto:Linda@msbf.org) or 800-968-6723.