

Report from President- elect

State Bar of Texas
Proposed Workgroup on the
Texas Opportunity & Justice Incubator
April 2020

Purpose

Study and propose options for possible structural changes to the Texas Opportunity and Justice Incubator (TOJI) to support its future growth and sustainability.

Discussion

TOJI was created as a Presidential Initiative in 2016. Following the initial success of the program, it was subsequently funded with a Board Commitment of one million dollars. The program has grown and adapted to the ever changing face of the legal practice, serving not only as an incubator for nearly 70 law practices supporting lawyers who are building sustainable law practices serving low- and modest-income Texans, but also as a laboratory for the development of law practice management tools and tips that have been shared with lawyers across the state.

As we approach the end of the initial commitment, it is time to consider long term alternatives such as restructuring TOJI into a non-profit or other type entity that can seek grants and other funding to allow the project more flexibility to help bridge the justice gap and continue to serve as model for other incubator projects and lawyers around the state and the country.

Fiscal Impact

- Workgroup will consist of 7 members.
- It is anticipated that the workgroup will meet mostly by teleconference and videoconference, and occasionally in person.

Based on these considerations, the fiscal impact of this workgroup is estimated to be \$2,500. The creation of this workgroup is not anticipated to have a significant fiscal impact on the FY 19-20 or FY 20-21 general fund budget.

Workgroup Members

Frank Stevenson, Chair
Locke Lord, LLP
Dallas

Emily Miller
Emily Miller, Attorney & Mediator, P.C.
Brownwood

Eric Birch
Birch, Becker & Moorman
Austin/Willis

MariBen Ramsey
MariBen Ramsey Law, PLLC
Austin

Mario Cantu
Law Office of Mario H. Cantu, PLLC
San Antonio

Stephen Rispoli
Baylor Law School
Waco

Eugene Haller
Haller and Covarrubia, PLLC
Round Rock

STATE BAR *of* TEXAS

2020-2021 PROPOSED COMBINED BUDGET

The State Bar proposed budgets for the 2020-2021 fiscal year are included here for your information. If you would like a copy of the budget summary, contact the State Bar finance division director at 800-204-2222, ext. 1481. All interested persons are invited to a public hearing on the proposed budgets scheduled for 9 a.m. Tuesday, April 7, 2020, in Room 101 at the Texas Law Center, 1414 Colorado, Austin, TX 78701. The General Fund is the operating fund for the State Bar of Texas. The Texas Bar Books Fund is considered an Enterprise Fund, which is defined as a proprietary fund that is used to account for goods/services provided to the general public on a user-charge basis. The Special Revenue Funds are independent funds and do not use any membership dues or revenues from the General Fund for operations. Capital Projects Funds are used to account for the acquisition and construction of the State Bar's major capital facilities and other capital expenditures.

	GENERAL FUND	TEXAS BAR BOOKS FUND	SPECIAL REVENUE & CAPITAL PROJECTS FUNDS	TOTAL PROPOSED COMBINED BUDGET
REVENUES & RECEIPTS				
MEMBERSHIP DUES	\$21,348,853	\$0	\$0	\$21,348,853
FEES	17,867,561	55,000	2,035,450	19,958,011
ADVERTISING	801,000	0	0	801,000
SALES	1,023,295	2,475,237	26,300	3,524,832
INVESTMENTS	400,000	9,000	140,500	549,500
GRANTS	0	0	341,000	341,000
CONTRIBUTIONS	740,066	0	360,000	1,100,066
ADMINISTRATIVE FEES	648,800	0	0	648,800
RENT	172,673	0	0	172,673
OTHER REVENUE	1,389,304	1,329,922	15,000	2,734,226
TOTAL REVENUES	\$44,391,552	\$3,869,159	\$2,918,250	\$51,178,961
RECEIPTS FROM RESERVES	3,698,359	0	0	3,698,359
TOTAL REVENUES & RECEIPTS	\$48,089,911	\$3,869,159	\$2,918,250	\$54,877,320
EXPENDITURES				
SALARIES	\$18,371,208	\$1,293,330	\$577,069	\$20,241,607
BENEFITS	6,848,804	453,168	217,218	7,519,190
TRAVEL	2,175,291	46,950	217,150	2,439,391
MEETINGS & CONFERENCES	4,605,071	1,800	666,460	5,273,331
PROFESSIONAL SERVICES	2,936,791	212,189	294,250	3,443,230
COURT FEES	99,300	0	0	99,300
PUBLICITY/ADVERTISING	689,578	81,000	216,500	987,078
DUES/SUBSCRIPTIONS/LICENSES	715,762	119,200	32,420	867,382
EDUCATION/TRAINING	206,819	12,435	3,150	222,404
SUPPLIES/AWARDS/GIFTS/SPEC. ITEMS	588,038	30,500	120,135	738,673
RENTALS—OFFICE, EQUIPMENT, STORAGE	1,169,751	164,376	185,990	1,520,117
MAINTENANCE/REPAIR	700,774	30,600	0	731,374
UTILITIES	248,960	0	0	248,960
POSTAGE & FREIGHT	766,143	167,913	50,918	984,974
TELEPHONE	393,206	3,900	25,700	422,806
INSURANCE	464,050	6,600	0	470,650
ADMINISTRATIVE	425,791	713,487	1,211,513	2,350,791
FIXED ASSETS	42,000	12,000	1,130,000	1,184,000
PRINTING & COPYING	1,305,415	507,855	61,610	1,874,880
RESERVE FOR CONTINGENCIES	150,000	0	0	150,000
TOTAL EXPENDITURES	\$42,902,752	\$3,857,303	\$5,010,083	\$51,770,138
BOARD COMMITMENTS (IN)/OUT	3,698,359	0	(1,573,333)	2,125,026
TRANSFERS (IN)/OUT	1,488,800	0	(1,488,800)	0
TOTAL EXPENDITURES, BOARD COMMITMENTS & TRANSFERS	\$48,089,911	\$3,857,303	\$1,947,950	\$53,895,164
NET REVENUES & RECEIPTS OVER EXPENDITURES, BOARD COMMITMENTS & TRANSFERS	\$0	\$11,856	\$970,300	\$982,156
TOTAL BUDGETED FULL-TIME EQUIVALENTS	263.63	19.75	8.88	292.26

STATE BAR *of* TEXAS

2020-2021 PROPOSED GENERAL FUND BUDGET

REVENUES & RECEIPTS

Attorney Membership Dues	\$21,348,853
Accounting/Management Fees	658,255
Bar Journal Revenue	632,545
MCLE Fees	3,460,950
TexasBarCLE Revenue	14,251,844
Website Revenue	445,000
CDC Disciplinary Fees	564,853
Advertising Review Fees	368,000
Member Benefit Fees	911,308
Other Revenue	1,749,944
TOTAL REVENUES	\$44,391,552
Receipts from Reserves	3,698,359
TOTAL REVENUES & RECEIPTS	\$48,089,911

EXPENDITURES, BOARD COMMITMENTS & TRANSFERS

EXECUTIVE DIVISION	BUDGET	FTEs
Executive	\$684,300	2.88
Associate Executive Director/Legal Counsel	700,889	3
Deputy Executive Director	236,649	1
Deputy Executive Director/External Affairs	265,280	1
Officers & Directors	970,817	-
Human Resources	308,161	2
Training/Tuition	71,133	-
MEMBER & PUBLIC SERVICES DIVISION		
Center for Legal History	\$160,623	2
Law-Related Education	523,895	3
Government Relations	311,496	2
Texas Young Lawyers Association	1,022,902	3
LeadershipSBOT	98,672	-
Sections	343,782	4
Local Bars	459,225	4
Special Events	73,604	-
Law Student Division	20,266	-
Volunteer Committees	317,812	1
LEGAL & ATTORNEY SERVICES DIVISION		
Legal & Attorney Services	\$237,184	1
Texas Lawyers' Assistance Program	496,731	5
Legal Access Division	1,539,040	7.5
ACCESS TO JUSTICE COMMISSION	\$752,981	3
LAW PRACTICE MANAGEMENT DIVISION	\$182,184	1
PROFESSIONAL DEVELOPMENT DIVISION		
TexasBarCLE	\$10,101,604	39
Minority Affairs	523,115	3

EXPENDITURES, BOARD COMMITMENTS & TRANSFERS CONTINUED

ATTORNEY COMPLIANCE DIVISION	BUDGET	FTEs
Attorney Compliance	\$190,181	1
Advertising Review	151,275	2
Client Attorney Assistance Program	545,713	8
Lawyer Referral	376,086	4
MCLE	628,338	7
OPERATIONS/SECURITY DIVISION		
Purchasing & Facilities	\$1,294,796	5.75
Customer Service	404,132	3
RESEARCH & ANALYSIS	\$239,952	1
MEMBER BENEFITS	\$172,585	1
FINANCE DIVISION		
Accounting	\$1,049,448	12
Membership	612,834	7
Other Administrative	2,042,188	-
IT DEPARTMENT		
Information Technology	\$1,252,657	8
COMMUNICATIONS DIVISION		
Communications	\$265,364	2
Bar Journal	1,298,114	4.5
Printing & Graphics	346,721	4.5
Public Information	171,568	1.5
Website	421,753	2
PUBLIC PROTECTION DIVISION		
Chief Disciplinary Counsel	\$10,085,552	96
Statewide Committees	230,800	-
Ombudsman	87,932	1
Board of Disciplinary Appeals	632,418	3
BOARD COMMITMENTS	\$3,698,359	1
TRANSFERS TO SPECIAL REVENUE & CAPITAL PROJECTS FUNDS		
Texas Law Center Fund	\$288,800	
Technology Fund	500,000	
Client Security Fund	700,000	
TOTAL EXPENDITURES, BOARD COMMITMENTS & TRANSFERS	\$48,089,911	
TOTAL REVENUES & RECEIPTS OVER EXPENDITURES BOARD COMMITMENTS & TRANSFERS	\$0	
TOTAL BUDGETED GENERAL FUND FTEs		263.63

(FTE—Full-Time Equivalent)

STATE BAR of TEXAS

2020-2021 PROPOSED BUDGETS FOR SPECIAL REVENUE & CAPITAL PROJECTS FUNDS

	LAW FOCUSED GRANTS	TEXAS BOARD OF LEGAL SPECIALIZATION	TEXAS BAR COLLEGE	CONVENTION FUND	TEXAS LAW CENTER	TECHNOLOGY FUND	CLIENT SECURITY FUND	TOTAL
REVENUES								
FEES	\$0	\$1,470,250	\$265,200	\$300,000	\$0	\$0	\$0	\$2,035,450
SALES	0	0	1,300	25,000	0	0	0	26,300
INVESTMENTS	0	35,000	1,000	0	64,500	0	40,000	140,500
GRANTS	341,000	0	0	0	0	0	0	341,000
CONTRIBUTIONS	0	0	0	360,000	0	0	0	360,000
RESTITUTION	0	0	0	0	0	0	15,000	15,000
TOTAL REVENUES	\$341,000	\$1,505,250	\$267,500	\$685,000	\$64,500	\$0	\$55,000	\$2,918,250
RECEIPTS FROM RESERVES	0	0	0	0	0	0	0	0
TOTAL REVENUES & RECEIPTS	\$341,000	\$1,505,250	\$267,500	\$685,000	\$64,500	0	\$55,000	\$2,918,250
EXPENDITURES								
SALARIES	\$0	\$505,134	\$71,935	\$0	\$0	\$0	\$0	\$577,069
BENEFITS	0	190,293	26,925	0	0	0	0	217,218
TRAVEL	111,850	55,000	40,000	10,300	0	0	0	217,150
MEETINGS & CONFERENCES	32,100	75,000	14,000	545,360	0	0	0	666,460
PROFESSIONAL SERVICES	103,250	165,000	17,000	9,000	0	0	0	294,250
PUBLICITY/ADVERTISING	0	175,000	5,000	36,500	0	0	0	216,500
DUES/SUBSCRIPTIONS/LICENSES	0	30,000	2,000	420	0	0	0	32,420
EDUCATION/TRAINING	0	1,650	1,500	0	0	0	0	3,150
SUPPLIES/AWARDS/GIFTS/SPEC. ITEMS	71,135	12,000	20,000	17,000	0	0	0	120,135
RENTALS—OFFICE, EQUIPMENT, STORAGE	4,240	170,000	9,000	2,750	0	0	0	185,990
POSTAGE & FREIGHT	6,225	7,833	13,860	23,000	0	0	0	50,918
TELEPHONE	0	25,000	700	0	0	0	0	25,700
ADMINISTRATIVE	6,600	76,600	31,580	8,400	0	0	1,088,333	1,211,513
FIXED ASSETS	0	7,000	0	0	0	1,123,000	0	1,130,000
PRINTING & COPYING	5,600	9,740	14,000	32,270	0	0	0	61,610
TOTAL EXPENDITURES	\$341,000	\$1,505,250	\$267,500	\$685,000	\$0	\$1,123,000	\$1,088,333	\$5,010,083
BOARD COMMITMENTS - TRANSFERS IN	0	0	0	0	0	(1,240,000)	(333,333)	(1,573,333)
TRANSFERS (IN)/OUT	0	0	0	0	(288,800)	(500,000)	(700,000)	(1,488,800)
TOTAL EXPENDITURES, BOARD COMMITMENTS & TRANSFERS	\$341,000	\$1,505,250	\$267,500	\$685,000	(288,800)	(617,000)	55,000	\$1,947,950
EXCESS (DEFICIT) OF REVENUES OVER EXPENDITURES, BOARD COMMITMENTS & TRANSFERS	\$0	\$0	\$0	\$0	\$353,300	\$617,000	\$0	\$970,300
FULL-TIME EQUIVALENTS	0	7.88	1.00	0	0	0	0	8.88

The purpose of the State Bar of Texas is to engage in those activities enumerated in section 81.012 of the State Bar Act. The expenditure of funds by the State Bar of Texas is limited as set forth in both section 81.034 of the State Bar Act and in *Keller v. State Bar of California*, 496 U.S. 1 (1990). If any member thinks that any actual or proposed expenditure is not within such purposes of, or limitations on, the State Bar, then such member may object thereto and seek a refund of a pro rata portion of his or her dues expended, plus interest, by filing an objection with the executive director. The objection must be made in writing, addressed to the executive director of the State Bar of Texas, P.O. Box 12487, Austin, TX 78711, and postmarked not later than 90 days after the conclusion of the challenged activity.

Upon receipt of a member's objection, the executive director shall promptly review such objection together with the allocation of dues monies spent on the challenged activity and, in consultation with the president, shall have the discretion to resolve the objection, including refunding a pro rata portion of the member's dues, plus interest. Refund of a pro rata share of the member's dues shall be for the convenience of the State Bar and shall not be construed as an admission that the challenged activity was or would not have been within the purposes of, or limitations on, the State Bar.