



## THE CHICAGO BAR FOUNDATION

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### NEWS RELEASE

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FOR IMMEDIATE RELEASE

### **Chicago Bar Association, Chicago Bar Foundation, CVLS and Circuit Court Join Forces to Expand Pro Bono Program for Disabled Adults in Probate Division** *CBF Funding for Project Made Possible By Major Cy Pres Award*

Chicago, IL –

Thanks to a substantial grant from The Chicago Bar Foundation (CBF) to Chicago Volunteer Legal Services (CVLS), hundreds of elderly and disabled residents of Cook County will have their rights protected by pro bono guardians ad litem working with the Circuit Court's Probate Division.

Every day, petitions are filed in the Probate Division where someone seeks to establish guardianship over another adult person on the grounds that person is not competent to care for himself or herself. As this petition involves a fundamental determination of whether a person is able to handle his or her affairs independently, it is one of the most significant decisions that

judges are called upon to make in our court system. In those instances where it is not clear from the petition that the proposed guardianship is necessary or appropriate, this program allows the judge to appoint CVLS as pro bono guardian ad litem (GAL) to protect the rights of the allegedly disabled person when that person would be unable to afford to pay for a GAL. A volunteer attorney trained and supported by CVLS will then serve as the GAL for that case, in effect acting as the “eyes and ears of the court” by investigating the facts and circumstances surrounding the guardianship petition and then reporting back to the Court.

The CBF is providing a special two-year, \$130,000 grant to CVLS to fund the project. This is one of several projects made possible by a major cy pres award the CBF received from the case of *Whiting v. Sungard* in the Circuit Court’s Chancery Division. Keith Keogh of Keith Keogh, Ltd., counsel for the plaintiff, noted that “this project is an ideal use for cy pres funds, directly helping the court to protect the rights of some of the most vulnerable members of our community.” Thomas Marrinson of Morgan Lewis & Bockius was counsel for the defendant, and Judge Patrick McGann presided over the case.

The CBF grant to CVLS will allow the Court to significantly expand the number of people served by the program. “CVLS’ successful administration of both the Minor GAL Program in the Probate Division and the Access to Justice Pro Bono Program in the Chancery Division make us confident in their ability to provide efficient assistance to the Court and meaningful support for the volunteer attorneys,” said Judge Maureen E. Connors, who worked with the CBA to launch this innovative program in the late 1990’s.

“With the vast experience, expertise and resources that CVLS and their volunteer attorneys bring to the table, this pro bono program will be able to serve many more elderly and disabled residents,” added Judge Henry A. Budzinski, the Presiding Judge of the Circuit Court’s

Probate Division. “We really appreciate the leadership and support of the CBA and CBF in working with the Court and CVLS to make this project a reality.”

Margaret Benson, Executive Director of CVLS, describes the project as a classic win-win situation for everyone involved. “The project provides a great experience for the pro bono attorneys, helps the court to more efficiently and effectively handle these cases, and helps ensure that the elderly and disabled people in these guardianship proceedings have their rights protected.”

This project is one of several innovative programs the CBF will be able to fund with the cy pres award in the *Whiting* case. “Legal aid and access to justice initiatives like those that the CBF helps develop and fund are an ideal fit for cy pres awards, as the underlying premise of all class actions is to make access to justice possible for individuals who otherwise would not have it,” said Bob Graves, Executive Director of the CBF. “This project is another great illustration of the impact these awards can have on improving access to our justice system for those most in need of its protections.”

*The Chicago Bar Foundation (CBF), the charitable arm of the Chicago Bar Association (CBA), works to ensure equal access to justice for all residents of the Chicago metropolitan area. Despite the outstanding work of a dedicated but shorthanded group of legal aid and pro bono attorneys in our community, tens of thousands of less fortunate Chicago-area residents still lack access to legal assistance that often is critical to their safety and independence. The CBF’s strategic approach to solving this problem focuses on building the capacity of our pro bono and legal aid system through grants, advocacy and other support and aggressively working to eliminate systemic barriers to equal access to justice. The CBF’s work is made possible by the generous support of more than one hundred law firms and corporations and thousands of individual donors. For more information about the CBF, please visit [www.chicagobarfoundation.org](http://www.chicagobarfoundation.org).*

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