

\$65 Legal Services Fee and Voluntary ATJ Contribution
Frequently Asked Questions

\$65 LEGAL SERVICES FEE

What is the Legal Services Fee?

In 2003, the 78th Legislature amended Section 81.054 of the State Bar Act requiring the Supreme Court to administer and collect a legal services fee in the amount of \$65 to be paid annually by each active member of the State Bar.

Are there exemptions to paying the fee?

Yes. The State Bar Act grants the same exemptions as the Occupation Tax. If an attorney is exempt from paying the Occupation Tax, then he or she is exempt from paying the Legal Services Fee.

How is it being collected?

The Legal Services Fee is being collected as part of the Occupation Tax statement. It can also be sent through the dues and tax online payment system available on the State Bar website (click on "Mypage" at texasbar.com).

Is the Legal Services Fee mandatory?

Yes. Paying the fee is mandatory unless the attorney falls under the exemptions noted in Section 81.054 (k) of the State Bar Act. (same exemptions as the occupation tax.)

What are the consequences for not paying the fee?

Attorneys that are not exempt from paying the Legal Services Fee will be suspended from the Active Membership Roll of the State Bar if payment is not postmarked by August 31, 2004.

Are there late penalties for paying past the stated deadline?

There are no monetary late penalties for paying the fee late. However, attorneys that pay the fee after August 31, 2004 will be suspended from the Active Membership Roll of the State Bar until the fee is paid.

Where does the money go?

The legislature specified that the money go to funds dedicated to improve civil and criminal legal services to the poor. Half of the fee goes to the Supreme Court Judicial Fund for distribution to Access to Justice Programs that assist in providing civil legal services to the poor. The other half goes to the Fair Defense account of the State's general revenue fund for indigent criminal defense.

ACCESS TO JUSTICE CONTRIBUTION

What is the \$100 Access to Justice Contribution?

The Supreme Court of Texas has included a suggested voluntary Access to Justice contribution of \$100 on the 2004 dues statement. Attorneys wishing to give a contribution can "Opt In" by checking the contribution amount on the dues statement. Donations will provide civil legal services to the poor.

Is the Access to Justice Contribution Mandatory?

No. It is a voluntary contribution.

How is the Access to Justice Contribution being collected?

The contribution is being collected as part of the dues statement. It can also be sent through the dues and tax online payment system available on the State Bar website.

If my firm pays my mandatory \$65 Legal Services Fee, can I pay the voluntary \$100 ATJ contribution separately?

Yes. You may submit a separate check or credit card payment for an additional contribution.