

The Justice & Diversity Center Receives Largest Cy Pres in History

March 21, 2016 -- San Francisco -- The Justice & Diversity Center of The Bar Association of San Francisco (JDC) recently received the largest cy pres award in its history. JDC received \$800,000 as part of the conclusion of a settlement of multiple cases filed in California Superior Courts against Provident Financial Corporation.

The award brings closure to the cases, which were initially settled in November of 2001. Plaintiffs' counsel, Kelly Dermody, a partner at Lieff Cabraser Heimann & Bernstein and former JDC Board president, delivered the good news to JDC Executive Director Yolanda Jackson last week. Dermody and Eric Gibbs of Girard Gibbs, negotiated the distribution of class benefits, resulting in the disbursement to JDC and three other legal services organizations.

Jackson shared, "JDC is grateful to Kelly and the other attorneys who played a part in directing this funding to our pro bono legal services program that works directly with low-income consumers. It will ensure our clients are provided meaningful access to justice."

The cy pres funds will benefit JDC's consumer work, which provides legal assistance to low-income clients struggling with debt including those being sued by unscrupulous third-party debt collectors. Without legal representation, it is almost impossible for litigants to navigate the legal system, as they fail to assert appropriate defenses, and are often saddled with judgments issued against them which leads to their credit being destroyed and their limited incomes further reduced.

Directing cy pres awards to JDC is an effective way of supporting JDC's mission to provide legal services and diversity pipeline programs to those in our community most in need. In accordance with California Code of Civil Procedure 384, JDC is an appropriate recipient for cy pres funds. The Legislature's intent in enacting this section was "to ensure that the unpaid residuals in class action litigation are distributed, to the extent possible, in a manner designed either to further the purposes of the underlying causes of action, or to promote justice for all Californians." JDC's programs promote justice for Californians, and advances fairness and equality, by providing pro bono legal services to low-income people, as well as educational programs for diverse and under-served students in San Francisco. JDC delivers free legal and related social services through its Legal Services Program and provides enrichment programs to diverse youth and young adults through its Diversity Educational Programs.