

CURRENT CY PRES RULES

updated 6/2019

STATE	DATE	CY PRES RULE
CT	2015	may designate the recipient or recipients of any such residual funds that may remain after the claims payment process has been completed. In the absence of such designation, the residual funds shall be disbursed to the organization administering the program for the use of interest on lawyers' client funds
HI	2011	Judges may approve the distribution of residual funds to legal aid organizations or to the Hawaii Justice Foundation to disburse to one or more of such organizations.”
ME	2013	When it is not clear that there is such a recipient , unless otherwise required by governing law, the settlement agreement should provide that residual fees, if any, be paid to the Maine Bar Foundation
NE	2014	if all class members are paid...the court, unless it orders otherwise to further the purposes of the underlying cause of action, shall direct the defendant to pay the sum of the unpaid residue to the Legal Aid and Services Fund”.
NM	2011	that residual class action funds may be distributed to non-profit organizations that provide legal services to low income persons, the IOLTA program,
PR	2017	Provides that residuals shall be deposited in the Access to Justice Fund , created to be distributed among programs that provide legal assistance to low-income individuals in cases involving civil, family or administrative matters , or for purposes of addressing matters that have a direct or indirect relationship to the objectives of the underlying class action litigation or that otherwise promote the substantive or procedural interests of the member of the class
CO	2016	not less than 50 percent of the residual funds shall be disbursed to the Colorado Lawyer Trust Account Foundation (COLTAF)
IL	2008	at least 50% of these funds must go to support legal aid.
MT	2015	where the claims process has been exhausted and residual funds remain, not less than fifty percent (50%) of the residual funds shall be disbursed to an Access to Justice Organization
NC	2005	shall direct the defendant to pay the sum of the unpaid residue, to be divided and credited equally, to the Indigent Person's Attorney Fund and to the North Carolina State Bar for the provision of civil legal services for indigents.”
PA	2012	at least 50% of residual funds in a given class action shall be disbursed to the Pennsylvania IOLTA Board
OR	2015	where residual funds exist, at least 50 percent of the amount not paid to class members be paid to the Oregon State Bar for the funding of legal services
SC	2016	residual funds remain, not less than fifty percent of residuals must be distributed to the South Carolina Bar Foundation

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SD	2008	provides for the distribution of any residual funds to the Commission on Equal Access to Our Courts. However, up to, up to fifty percent of the residual funds may be distributed to one or more other nonprofit charitable organizations that serve the public good if the court finds there is good cause
WI	2017	not less than fifty percent of the residual funds shall be disbursed to the Wisconsin Trust Account Foundation to support activities and programs that promote access to the civil justice system for low income residents of Washington State.
WV	2017	Not less than fifty percent of the residual funds
CA	1994; 2017	permit payment of class action residuals “to nonprofit organizations or foundations; update in 2017 to direct 25% to the Equal Access Fund for distribution to civil legal aid programs; additional funds may direct to civil legal aid out of the balance.
IN	2011	not less than twenty-five percent (25%) of the residual funds shall be disbursed to the Indiana Bar Foundation
KY	2014	of not less than 25% residual funds shall be disbursed to the Civil Rule 23 Account maintained by the Kentucky IOLTA Fund Board of Trustees
WA	2006	not less than twenty-five percent (25%) of the residual funds shall be disbursed to the Legal Foundation of Washington
LA	2012	funds may be disbursed by the trial court to one or more non-profit or governmental entities which support projects that will benefit the class or similarly situated persons consistent with the objectives and purposes of the underlying causes of action on which relief was based, including the Louisiana Bar Foundation
MA	2009, Updated 2015	the residual funds shall be disbursed to one or more nonprofit organizations or foundations (which may include nonprofit organizations that provide legal services to low income persons) which support projects that will benefit the class or similarly situated persons consistent with the objectives and purposes of the underlying causes of action on which relief was based or to the Massachusetts IOLTA Committee. Rule requires notification to IOLTA Committee, Legal Aid also receive cy pres directly.
MN	2018	Requires notice be given to legal services providers (and any other potential recipient of residual funds identified by the parties or the court) when the district court is considering the possible distribution of cy pres funds
TN	2006	up to fifty percent of the residual funds may be distributed to one or more other nonprofit charitable organizations that serve the public good if the court finds there is good cause