

Cy Pres Report, 2008

Cy pres is not well defined in the rules. It is generally a principle that allows the passing of funds to the next best use when the first intended use is not available. It is used in class actions for left over funds, after the members of the class action have been compensated. It is used in estates when the original directive is not possible, such as in the case of the non-existence of an intended charitable beneficiary. Often the residual amounts are distributed by negotiated agreements of the parties, although sometimes it is judges who decide. The concept is not literally cy pres, but sometimes the same idea is applied in forwarding sanctions and penalties, even in criminal cases, to charitable organizations.

[Click here](#) for more information on cy pres, and [click here](#) for a listing of some cities' and other states' recent cy pres award information.

Following is a listing of the amounts of cy pres awards received by Pennsylvania legal aid programs in recent years.

2004-05:

CLS	\$600,000
LASP	\$13,916
MPLS	\$8,715
NPLS	<u>\$12,544</u>
Total:	\$635,175

2005-06:

LASP	\$1,500
PLAC	<u>\$3,000</u>
Total:	\$4,500

2006-07:

CLS	\$48,865
PLAC	<u>\$2,340</u>
Total:	\$51,205

2007-08:

CLS	\$112,640
LASP	\$64,381
PLAC	<u>\$6,000</u>
Total:	\$183,021