

January 15, 2010 • Issue #72

## Funding News

### 📌 **Cy Pres Awards Help California Legal Aid Programs Weather the Economic Downturn**

– At the end of 2009, 31 legal aid programs and 20 law school clinics in California received a total of over \$21,000,000, slightly more than half of the total *cy pres* funds awarded from a class action settlement of an antitrust and unfair competition case filed against a maker of chewing tobacco. Virtually all of the programs are using the contributions to avoid larger reductions in staff and services in this difficult economic time when funding from other sources has been reduced. For more information, contact Stephanie Choy, Managing Director, Legal Services Trust Fund Program, State Bar of California, at [stephanie.choy@calbar.ca.gov](mailto:stephanie.choy@calbar.ca.gov) or 415/538-2249.

### 📌 **Minnesota Supreme Court Approves Temporary Increase in Attorney Registration Fee for Legal Services**

– In November, the Minnesota Supreme Court approved a temporary increase of \$25 in the attorney registration fee (sunset in 25 months) to help fund civil legal services during the current economic downturn. The increase will generate approximately \$500,000 annually for civil legal aid. In 1997, the Minnesota Supreme Court approved the first attorney registration fee for legal services, a \$50 fee that raises approximately \$1,000,000 annually. Since then, five other states – Illinois, Missouri, Pennsylvania, Texas and Wisconsin – have added fees to either bar dues or attorney registration to specifically fund legal services. For more information about the Minnesota increase, contact Steve Hirsh, Access to Justice Director, Minnesota State Bar Association, at [shirsh@mnbar.org](mailto:shirsh@mnbar.org) or 612/278-6322. For information about other states, contact Meredith McBurney, Resource Development Consultant, ABA Resource Center for Access to Justice Initiatives, at [meredithmcburney@msn.com](mailto:meredithmcburney@msn.com) or 303/329-8091.

### 📌 **Two More States Adopt IOLTA Rate Comparability**

– Both the South Carolina Supreme Court and the Washington State Supreme Court approved revisions in December to their IOLTA rules that require all lawyers to hold IOLTA accounts only in financial institutions that pay those accounts the highest interest rate or dividend generally available to other customers of the institution when IOLTA accounts meet the same minimum balance or other qualifications. The IOLTA rate comparability amendments became effective immediately in Washington State and will become effective in South Carolina on June 15, 2010. With the addition of these two states, there are now 30 U.S. jurisdictions that have adopted IOLTA rate comparability. For more information about this IOLTA revenue enhancement strategy and others, contact Bev Groudine, Counsel, ABA Commission on IOLTA, at [bgroudine@staff.abanet.org](mailto:bgroudine@staff.abanet.org) or 312/988-5771.

## Pro Bono News

### 📌 **Georgia Supreme Court Rules Permit Out-of-State-Attorneys to Participate in Pro Bono Activities**

– Part XX, Extended Public Services Program, Rules 114-120, of the Rules of the Supreme Court of the State of Georgia, took effect on December 2, 2009. These rules permit out-of-state attorneys employed by, associated with, or volunteering with certain public legal offices, including nonprofit organizations providing free legal services to the indigent, to practice law in Georgia. The rules impose additional restrictions such as submission of proof of good standing, co-signing of documents by attorneys licensed in Georgia, and malpractice



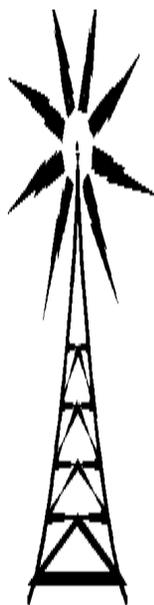
LEGAL SERVICES NOW

insurance coverage. For more information, contact Mike Monahan, Pro Bono Director, State Bar of Georgia Pro Bono Project, at mikem@gabar.org or 404/527-8762.

➤ **Minnesota Supreme Court Adopts Disaster Assistance Rule** – On December 10, 2009, the Minnesota Supreme Court adopted a major disaster rule, effective January 1, 2010. Minnesota is the ninth jurisdiction to adopt such a rule. Proposed by the Minnesota State Bar Association, the rule conforms to ABA Model Court Rule 5.8 (2007) and is designed to speed the provision of volunteer legal aid following a disaster by reducing procedural barriers for lawyers licensed in other states. For more information, contact Steve Hirsh, Access to Justice Director, Minnesota State Bar Association, at shirsh@mnbar.org or 612/278-6322.

### Hot Off the Press

📖 **Private Lawyers and the Public Interest: The Evolving Role of Pro Bono in the Legal Profession** – This publication, edited by Robert Granfield and Lynn Mather, examines the history, conditions, organization, and strategies of pro bono lawyering. The book traces the American Bar Association's campaign to promote pro bono service and explores the evolving role of pro bono in the legal profession and in law schools, the connection between pro bono ideals and pro bono in practice, the impact of external forces on attorneys' pro bono commitment, and more. The book is available for online purchase through the Oxford University Press and Amazon.com.



### Washington Update

By mid-December 2009, both the House and Senate finally passed the Conference Report on H.R. 3288, the FY 2010 Consolidated Appropriations Act (P.L. 111-117), which includes funding for the following programs:

1. *Legal Services Corporation*, which received a \$30 million increase to \$420 million;  
and
2. *Legal Assistance Loan Repayment Program*, which received an initial appropriation of \$5 million. This appropriation was authorized by section 428L of the Higher Education Act, which provides student loan repayment assistance for civil legal assistance lawyers.

The ABA lobbied for these programs as priority issues. The Act eliminated a restriction that had prohibited recipients of LSC funds from seeking attorneys' fees. However, despite focused efforts by the ABA and many other groups to lift restrictions on the use of non-LSC funds and class actions, the bill retains those restrictions. Over the next year, the ABA will support legislation to reauthorize LSC and to increase LSC's annual appropriation. To help in these efforts, plan to join bar leaders from across the country for ABA Day in Washington, April 20-22, 2010. For more information, contact Julie M. Strandlie, Director, Grassroots Operations/Legislative Counsel, at jstrandlie@staff.abanet.org or 202/662-1764.



For more information about specific items, call the contact person listed for that item. To contribute items to future issues of LEGAL SERVICES NOW, or for general information about this bulletin, contact Bev Groudine at 312/988-5771, fax 312/988-5483 or e-mail [bgroudine@staff.abanet.org](mailto:bgroudine@staff.abanet.org).