



March 4, 2008 • Issue #62

Funding News

➤ **Illinois Legislation Directs Class Action Residuals to Legal Services** – Legislation that becomes effect July 1, 2008, establishes a presumption that residual funds in class actions will go to organizations that improve access to justice for low-income Illinois residents. Courts have the discretion to award up to 50% of the residual funds to other organizations that serve the public good as part of a settlement if the court finds good cause to do so, but at least 50% must go to support legal aid. The Chicago Bar Foundation, which was at the forefront of the effort to pass this legislation, will develop and distribute educational materials for judges and class action lawyers. For more information, contact Bob Glaves, Executive Director, Chicago Bar Foundation, at bglaves@chicagobar.org or 312/554-1205.

➤ **Nevada Supreme Court Adopts Mandatory IOLTA** – In February 2008, the Nevada Supreme Court approved an amendment to the state's IOLTA rule converting the IOLTA program from opt-out to mandatory status. The new rule, which will require attorneys who handle client funds to participate in IOLTA, becomes effective May 1, 2008. With these revisions, Nevada becomes the 37th state to adopt mandatory IOLTA. All states that have converted to mandatory IOLTA have reported healthy increases in IOLTA revenues. For additional information about this IOLTA revenue enhancement strategy and others, contact Bev Groudine, Counsel, ABA Commission on IOLTA, at bgroudine@staff.abanet.org or 312/988-5771.

Pro Bono News

➤ **New York Courts Adopt Rule on Limited Service Pro Bono Programs** – The Appellate Divisions of the New York Supreme Court amended the Disciplinary Rules of the Code of Professional Responsibility with respect to participation in limited service pro bono programs. The rule reflects the language of Model Rule 6.5 in excusing conflicts checks for attorneys providing short-term pro bono services through the court, a government agency, a bar association or a not-for-profit legal services organization. To obtain a copy of the rule, which became effective immediately, visit <http://www.courts.state.ny.us/rules/jointappellate/1200-20a.pdf>. For more information, contact John Ritchie, Office of the Deputy Chief Administrative Judge for Justice Initiatives, at jritchie@courts.state.ny.us or 646/386-4712.

➤ **Collaborative Effort in Arizona Provides Homeowner Assistance** – The Arizona Supreme Court, the Arizona Foundation for Legal Services & Education, and the State Bar of Arizona are coordinating an initiative to assist low-income homeowners facing financial and legal difficulties. "Lawyers Helping Homeowners" enlists volunteer lawyers to assist low-income homeowners to avoid foreclosure. Initial client services include consultations, evaluations to identify legal issues, counseling regarding alternatives, negotiation, and group presentations. The first training for volunteers, held in February, enrolled 150 attorneys. For additional information, contact Cari Gerchick, Communications Director, Arizona Supreme Court, at Cgerchick@courts.az.gov or 602/448-8412.

Access to Justice Notes

➤ **Access to Justice Hearings Scheduled in South Carolina and Mississippi** – Both South Carolina and Mississippi will hold a series of hearings on access to civil justice. In South Carolina, the hearings will begin this month and take place at county courthouses throughout the state, culminating in a final hearing at the South Carolina Supreme Court in October. The hearings are sponsored by the South Carolina Access to Justice Commission and intended to help the Commission fulfill its charge of assessing the unmet civil legal needs of low-income South Carolinians and making recommendations regarding funding and other resources necessary to fill in the gap. In Mississippi, one hearing will be held in each U.S. Congressional District, with the first to take place in April. The Mississippi Access to Justice Commission is sponsoring the hearings with the goal of documenting the problems facing low-income Mississippians in pursuing legal remedies through the justice system and raising public awareness. For information about these hearings and other activities of Access to Justice Commissions across the country, contact Bob Echols, State Support Consultant, ABA Resource Center on Access to Justice Initiatives, at echols@suscom-maine.net or 207/833-7869.

➤ **National Meeting of Access to Justice Chairs Set for May 9, 2008** – The seventh annual National Meeting of Access to Justice Chairs is scheduled for May 9 in Minneapolis in conjunction with the 2008 Equal Justice Conference. The day-long meeting, which will include plenary sessions and small group discussions, as well as informal social events, will provide an opportunity for state leaders engaged in these efforts to share information and learn from one another and experts in the field. Invitations have been sent to the chairs of all state Access to Justice Commissions and similar state-level bodies dedicated to expanding access to civil justice, as well as leaders engaged in creating new entities. For more information, contact Bob Echols at echols@suscom-maine.net or 207/833-7869.



Washington Update

On February 1, 2008, the Legal Services Corporation submitted its request to Congress for an appropriation of \$471.4 million for FY 2009. The President's FY 2009 budget calls for LSC funding at a level of \$311 million, which is substantially lower than the \$350.5 million appropriated for FY 2008.

LSC funding will continue to be a primary focus of the ABA's legislative agenda and ABA Day in Washington, April 15-17, 2008. Please plan to participate and encourage other state/local bar and Access to Justice Community colleagues to do the same. Register now (and no later than March 15, 2008) at <http://www.abanet.org/poladv/abaday08/>. For more information, contact Julie M. Strandlie, Director Grassroots Operations/Legislative Counsel, at jstrandlie@staff.abanet.org or 202/662-1764.

WASHINGTON UPDATE

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.