



September 4, 2001 • Issue #32

➤ **Comings and Goings** - John McKay left his post as Legal Services Corporation President at the end of June after four years of service to pursue his interest in serving as U.S. Attorney in Seattle. Former Congressman John N. Erlenborn was named interim president and assumed that post on July 1, 2001. Mr. Erlenborn has served on the LSC Board of Directors, and he was a strong advocate on behalf of the Corporation as a member of Congress.

Funding News

➤ **Minnesota Obtains Increased Legislative Funding for Legal Services** - In an effort spearheaded by the Minnesota State Bar, a broad-based team of lawyers, judges, business leaders, legislators, legal services advocates and clients was successful in obtaining an increase of \$1.25 million for legal services for each of the next two years. This brings the annual state funding to \$7.734 million. Long-time legislative allies were joined by newly educated legislators in this bipartisan effort. To obtain an excellent article describing this effective campaign, contact Meredith McBurney, Project Director, ABA Project to Expand Resources for Legal Services, at mm8091@aol.com or 303/329-8091.

➤ **Tennessee Legislature Adopts Unique State Funding Mechanism** - The Tennessee legislature passed a bill that adds a \$12 tax on every bail bond, 96 percent of which will go to Tennessee's legal services programs. With an estimated 150,000 bail bonds per year, the tax should generate approximately \$1.8 million for legal services. Legal services advocates attribute their success to long-standing positive relationships with legislators and the effective work of local board members and other supporters throughout the state. For more information, contact Jim Deming, Executive Director, Tennessee Alliance for Legal Services, at jdeming@tals.org or 615/242-0438, ext. 2256.

➤ **IOLTA Litigation Update** - As of press time, neither the en banc court of the Ninth Circuit Court of Appeals nor the three-judge panel of the Fifth Circuit Court of Appeals has rendered a decision in either of the pending IOLTA cases. On June 21, 2001, the Ninth Circuit sitting en banc heard oral arguments in the case of *Washington Legal Foundation v. Legal Foundation of Washington*. The case was before the en banc court following a three-judge panel's decision on January 10, 2001, holding that the interest generated from IOLTA accounts in Washington State is client property that has been taken by the judicially created IOLTA program. In the Texas IOLTA case, oral arguments were held on February 6, 2001. That case is on appeal from a district court ruling in *Washington Legal Foundation v Texas Equal Access to Justice Foundation*, which held that the Texas IOLTA program does not violate the First or Fifth Amendments. For more information, contact Bev Groudine, Counsel, ABA Commission on IOLTA, at bgroudine@staff.abanet.org or 312/988-5771.

Pro Bono Developments

➤ **Texas Wesleyan University Law School Adopts Mandatory Pro Bono Requirement** - Beginning this fall, Texas Wesleyan University School of Law has made thirty hours of pro bono work a requirement for graduation. Students can fulfill their service in a variety of ways including

working with legal services programs, government agencies or individual attorneys. Twenty-six law schools now require students to engage in public service as a condition of graduation. Texas Wesleyan joins fourteen of those institutions in requiring students to perform a set number of hours of law-related public service while receiving neither academic credit nor pay for their work. For additional information regarding the Texas Wesleyan requirement or those at other law schools, contact Cindy Adcock, Consultant, ABA/AALS Law School Pro Bono Project, at cindya@law.duke.edu or 919/613-7203.

➤ **Paralegals to Receive CLE Credit for Pro Bono Legal Service** - The National Federation of Paralegal Associations (NFPA) approved a policy in April 2001 that encourages paralegals to participate in the delivery of pro bono legal services by awarding Continuing Legal Education (CLE) credits for pro bono work performed. Pursuant to the policy, the NFPA will award one CLE non-ethics credit for each three hours of pro bono service contributed by an NFPA member, up to a maximum of four CLE non-ethics credits annually. For further information, contact Laurie Mansell, Pro Bono Coordinator, NFPA, at Mansell@pepperlaw.com or 412/454-5804.

Hot On the Web

➤ **Making Pro Bono a Priority: A Bar Leader's Handbook** - This resource, new to the Web but available in hard copy since 1997, is a guidebook for bar leaders that discusses models through which bar associations can play an integral role in the delivery of legal services to the poor. The Handbook includes examples of the specific application of these models around the country, along with contact names and phone numbers. To view the Handbook, go to <http://www.abanet.org/legalservices/pbpubs.html>

➤ **The Path to Pro Bono: An Interviewing Tool for Law Students** - This updated version of a brochure first published last year educates law students on how to ask interviewing firms about their pro bono efforts and practices. It includes sample interview questions and testimonials from prominent lawyers on the importance of incorporating pro bono into a job search and career. To download a copy, visit <http://www.abanet.org/legalservices/pbpubs.html>



WASHINGTON UPDATE

On July 18, 2001, the House of Representatives passed H.R. 2500, the Commerce, Justice State appropriations bill for FY 2002. H.R. 2500 funds the Legal Services Corporation at \$329.3 million. The full Senate Appropriations Committee marked up its version of the CJS measure on July 19, 2001. The Senate bill, S. 1215, also includes \$329.3 million for LSC. Earlier, the ABA wrote Senate CJS Subcommittee Chair Ernest Hollings (D-SC) and Ranking Member Judd Gregg (R-NH) urging the Subcommittee to fund LSC at no less than \$375 million. S. 1215 is expected to be on the Senate floor after Congress returns from the August recess. For more information, contact Julie Srandlie, Director, ABA Grassroots Operations, at jstandlie@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.