

September 7, 2007 • Issue #59

Funding News

➤ **2007 State Legislative Funding Reaches All-Time High** – Although a few state legislatures are still completing their 2007 session work, most legal services advocates have reported final results. As in recent years, there was again a healthy increase in funding, this year of approximately 10%. As a result, total state funding nationwide for legal services will top \$200,000,000 for the first time. Two states, NM and TX, reported new appropriations, while 11 states, FL, HI, IA, IL, MA, MN, NH, NY, UT, VA, and WA, reported increased appropriations. CA will have a cost-of-living increase applied to both its appropriation and filing fee surcharge, while PA will receive a cost-of-living increase on its appropriation. There were no new or increased court fees or fines specifically to fund legal services this year. For more information, contact Meredith McBurney, ABA Resource Center for Access to Justice Initiatives, at meredithmcburney@msn.com or 303/329-8091.

➤ **Iowa Legal Aid Receives \$1,000,000 Contribution from Microsoft in Settlement of Class Action** – Iowa Legal Aid recently received a \$1,000,000 contribution from Microsoft that was part of the settlement of a class action lawsuit filed against the software company. With these funds, the program will be able to greatly expand its Equal Justice Project, which is dedicated to developing best practices for assisting survivors of domestic violence and solving related systemic problems. Roxanne Conlin, the lawyer for the plaintiffs who recommended the award, is a long-time supporter of Iowa Legal Aid and someone who knows first hand the devastating consequence of domestic violence. For more information, contact Dennis Groenenboom, Executive Director, Iowa Legal Aid, at dgroenenboom@iowalaw.org or 515/243-2980, ext. 1620.

➤ **New York and Missouri Adopt IOLTA Revisions to Increase Revenue** – On August 16, 2007, new regulations went into effect in New York that require lawyers to place their IOLTA accounts only in a financial institution that pays those accounts the highest interest rate or dividend generally available at the institution to other customers when IOLTA accounts meet the same minimum balance or other qualifications. Five days later, the Missouri Supreme Court amended the state's IOLTA rule to include a similar provision (known as "comparability"), as well as one that converts the state's opt-out IOLTA program to a mandatory program. The Missouri rule revisions will go into effect on January 1, 2008. For additional information about these and other IOLTA revenue enhancement strategies, contact Bev Groudine, Counsel, ABA Commission on IOLTA, at bgroudine@staff.abanet.org or 312/988-5771.

Pro Bono News

➤ **ABA House of Delegates Adopts New Interpretation of Law School Pro Bono Accreditation Standard** – At the recent 2007 ABA Annual Meeting, the ABA House of Delegates adopted new Interpretation 302-10 to provide guidance for determining compliance with the requirements of Law School Accreditation Standard 302(b)(2). That standard requires all ABA approved law schools to offer "substantial opportunities for . . . student participation in pro bono activities." New Interpretation 302-10 provides, in part, that "pro bono opportunities should at a minimum involve the rendering of meaningful law-related service to persons of limited means or to organizations that serve such persons; however, volunteer programs that involve meaningful services that are not law-related also may be included within the law school's overall program." For more information, visit the ABA Sec-

tion of Legal Education web site at www.abanet.org/legaled or contact Melanie Kushnir, Assistant Staff Counsel, ABA Center for Pro Bono, at kushnim@staff.abanet.org or 312/988-5775.

➤ **Emeritus Pro Bono Attorney Rules/Legislation Adopted in Several States** – Colorado, North Carolina and Alaska have joined the list of states that permit emeritus attorneys to engage in pro bono practice. The Colorado Supreme Court adopted its emeritus pro bono attorney rule to allow retired or inactive attorneys to provide pro bono legal services to indigent clients through nonprofit entities. The rule became effective July 1, 2007. Also in July, the North Carolina Legislature enacted a bill that allows inactive North Carolina attorneys and out of state attorneys to provide pro bono services to indigent clients under the supervision of non-profit corporations. In June 2007, the Alaska Supreme Court adopted its emeritus pro bono attorney rule to allow retired or inactive attorneys to provide pro bono legal services under the supervision of a qualified legal services provider. That rule becomes effective October 15, 2007. For further information, contact Tony Barash, Director of the ABA Center for Pro Bono, at barasha@staff.abanet.org or 312/988-5773.



Washington Update

Following the July 4th Recess, the House Appropriations Committee reported the bill that funds the Legal Services Corporation (LSC), making no changes in the Subcommittee recommendation to increase LSC funding to \$377 million. On July 24, 2007, the House began consideration of the bill, H.R. 3093. An amendment was submitted by Representative Jeb Hensarling (R-TX) to eliminate LSC funding; Hensarling, however, did not offer the amendment. The House on July 26, 2007 passed H.R. 3093, preserving the \$377 million for LSC.

The Senate did not take any action on its version of the bill, S. 1745, before adjourning for the August recess. S. 1745 includes \$390 million for LSC. The Senate may consider the bill later in September. If Congress does not finalize H.R. 3039/S. 1745 before the 2008 fiscal year begins on October 1st, LSC (and other affected government programs) will be funded through a series of continuing resolutions.

For more information about the ABA's lobbying and grassroots efforts in support of LSC or about ABA Day, go to the ABA website at www.abanet.org/poladv or contact Julie Strandlie, ABA 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.