



September 27, 2010 • Issue #75

## Funding News

➤ **Texas Legal Aid Programs to Benefit from *Cy Pres* Award** – The Texas Access to Justice Foundation (TAJF) and five Texas legal aid providers that serve Texans with disabilities will share \$2.6 million in *cy pres* funds. *Cy pres* awards are residual funds from a class action or other proceeding that cannot be distributed to class members or other intended beneficiaries for a variety of reasons. The case generating this award involved allegations of violations of the Americans with Disabilities Act, and the residuals will be used to provide legal assistance to people with disabilities. This award was a major success of the Court Awards Strategy Committee, a joint committee of TAJF and the Texas Access to Justice Commission. For more information, contact Betty Balli Torres, Executive Director, Texas Access to Justice Foundation, at [bbtorres@teajf.org](mailto:bbtorres@teajf.org) or 512/320-0099, x105.

➤ **Pennsylvania Supreme Court Increases *Pro Hac Vice* Fee to Expand Loan Repayment Assistance** – The Supreme Court of Pennsylvania has issued an order increasing the *pro hac vice* fee from \$100 per attorney, per case to \$200 per attorney, per case. The increased fee will be used to increase the funding for the state's Loan Repayment Assistance Program (LRAP). The original \$100 *pro hac vice* fee, which was adopted in 2007 and generated \$260,000 in the past fiscal year, is being used to fund the new LRAP, which is administered by the Pennsylvania Bar Foundation and will begin January 1, 2011. The additional revenue will increase from 85 to 170 the number of attorneys receiving \$2,000 awards annually. To be eligible, attorneys must be employed by qualified IOLTA-funded legal aid organizations. To learn more, contact Al Azen, Executive Director, Lawyer Trust Account Board, at [Al.Azen@pacourts.us](mailto:Al.Azen@pacourts.us) or 717/238-2001.

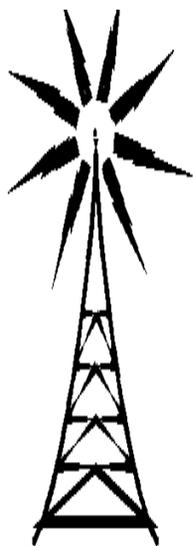
➤ **New Hampshire Supreme Court Seeks Comments on Proposed IOLTA Rule Revisions** – On September 16, 2010, the New Hampshire Supreme Court issued an order announcing the Court's Advisory Committee on Rules' recommendation that the state's IOLTA rule be amended to mandate participation in IOLTA by all lawyers who hold client funds. The court is accepting written comments on the proposed rule change until November 30, 2010. If the rule change is adopted, New Hampshire would become the 44<sup>th</sup> U.S. jurisdiction to adopt mandatory IOLTA. 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

➤ **Colorado Adopts Rule on Judicial Conduct and Pro Bono** – Colorado has amended Rule 3.7(a) of the Colorado Code of Judicial Conduct, effective July 1, 2010. According to Colorado's new rule, a judge may participate in activities sponsored by organizations or government entities concerned with the law, the legal system, or the administration of justice including assisting an organization in planning related to fundraising, soliciting organizational membership, and making recommendations about planning. In addition, under Colorado's rule 3.7(b), a judge may encourage lawyers to provide pro bono legal services. For more information, contact Kathleen Schoen, Director, Local Bar Relations & Access to Justice, Colorado Bar Association, at [kschoen@cobar.org](mailto:kschoen@cobar.org) or 303/824-5310.

➤ **Tennessee Supreme Court Adopts Pro Bono Emeritus Attorney Program** – The Tennessee Supreme Court adopted Rule 50A establishing a Pro Bono Emeritus Attorney Program. The new rule will allow lawyers who no longer actively practice law to provide free legal services through approved legal assistance organizations. The Tennessee Access to Justice Commission proposed the rule and the Tennessee Bar Association supported it. The rule will take effect on January 1, 2011. For more information, contact Sarah Hayman, Tennessee Bar Association Access to Justice Coordinator, at shayman@tnbar.org or 615/383-7421.

➤ **Northeast Florida Medical-Legal Partnership Launches New Collaborative Model** – The Northeast Florida Medical-Legal Partnership (NFMLP), a collaboration between doctors and lawyers, received a grant to expand free legal services to patients and develop a unique model for integrative approaches to care. The pro bono model includes: 1) the creation of a steering committee with members from the local medical and legal community to collectively identify and address the legal and health issues facing their community; 2) physician training to recognize and triage patients' legal needs that burden health; and 3) the recruitment and training of lawyers to provide pro bono services to patients. For more information, contact Kathy Para, Pro Bono Development Coordinator, Jacksonville Area Legal Aid, at kathy.para@jaxlegalaid.org or 904/356-8371.



### Washington Update

On July 21, 2010, the Senate Appropriations Committee marked up the FY2011 Commerce, Justice, Science and Related Agencies appropriations bill, which included \$430 for the Legal Services Corporation. This amount represents a \$10 million increase in funding. In addition, the bill removes the restriction on the use of non-LSC funds. This mark-up followed action at the end of June by the House Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies, which marked-up its FY2011 bill. That bill included \$440 million for LSC and removed the restriction on the filing of class actions. The Obama Administration has requested \$435 million for LSC in FY2011 and the removal of the restrictions on both the use of non-LSC funds and the filing of class actions.

It is not expected that Congress will take further action on these bills prior to the November elections; instead, a continuing appropriations resolution will likely be passed by Congress. If that occurs, LSC will operate at its FY2010 funding level of \$420 million until a FY2011 appropriations bill is adopted. For more information, contact Ann Carmichael, Legislative Counsel, ABA Governmental Affairs Office, at [carmicha@staff.abanet.org](mailto:carmicha@staff.abanet.org) or 202/662-1767.

**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](mailto:bgroudine@staff.abanet.org).