

DIALOGUE

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From the Chair...



By *Lora Livingston*

Commission on Interest on Lawyers' Trust Accounts

It is my pleasure to return to the ABA Commission on Interest on Lawyers' Trust Accounts (IOLTA) as its new Chair, especially after having served two terms as a member from 1995-2001. It is a particular honor to take the reins from the Commission's Immediate Past Chair, Jon Asher, who provided fantastic leadership especially during these difficult times. I know that everyone in the IOLTA community is immensely grateful for Jon's contributions and for all of his hard work on the Commission. We are fortunate this year to have a full Commission of returning members, all of whom bring a great deal of valuable experience to apply to the challenges that remain before us. I would like to welcome these members back and thank them for their exemplary efforts, particularly over the past year.

One of the great commitments of the Commission and NAIP is to ensure that vital information and experience is shared throughout the IOLTA community. This is accomplished, in part, through the biannual IOLTA Workshops cosponsored by the Commission and NAIP. The Summer Workshops this year produced an energetic exchange of strategies designed to turn challenges into opportunities, and designed to make IOLTA programs stronger and more robust than ever.

One of the most frequently cited lessons learned from the past year is the need for IOLTA programs to have both a reserve and a reserve policy that takes into account the cyclic nature of IOLTA revenue. While there is no one-size-fits-all model for the design or size of reserves, workshop participants shared widely varying policies on how to build reserves as well as ideas on how and when to spend them. Many of these ideas can be found, along with the 2009 Summer Workshop materials, at www.IOLTA.org. Another lesson learned, discussed by Workshop attendees, is the value of building new funding partnerships within the larger philanthropic community.

A few states shared dramatic successes that will continue to inspire many

others. The IOLTA program in Texas, my own home state, demonstrated the benefit of working closely with the state access to justice commission to achieve unprecedented legislative funding which made up for a devastating IOLTA shortfall. Arkansas had similar success with their legislature, making up a \$500,000 shortfall by organizing a broad lobbying campaign. The Michigan State Bar Foundation partnered with the Ford Foundation to fund a statewide foreclosure project and they are now working to raise further awareness of access to justice issues within the greater philanthropic community. Many others told the stories of how their programs, together with friends and supporters of legal services, have worked collaboratively and in innovative ways to ensure the ongoing vitality of civil legal services in their states.

The ABA's Commission on IOLTA and the joint committees are committed to supporting the efforts of IOLTA programs around the country in the months and years ahead. In particular, the Joint Technical Assistance Committee of the Commission/NAIP is always available to provide input and assistance on IOLTA-related matters. While we can anticipate that the next year may be a particularly challenging one, I look forward to working with the Commission, IOLTA programs, and with the greater access to justice community to make it another year of collaboration, innovation, and progress.

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