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Funding News

✎ **District Court Dismisses Washington IOLTA Case** - On February 3, 2004, upon stipulation of the parties, the case of *Brown v. Legal Foundation of Washington* was dismissed by U.S. District Court Judge John Coughenour. This matter had been remanded to the U.S. District Court for the Western District of Washington for consideration of the First Amendment claim following the U.S. Supreme Court's decision in March 2003, finding that the IOLTA program did not violate the Fifth Amendment. The dismissal of this case marks the first time in nearly a decade that there is no federal litigation pending that challenges the constitutionality of IOLTA. State level challenges do remain in Illinois and Missouri. Those cases were filed prior to the Supreme Court's decision in *Brown*. Both raise Fifth Amendment challenges and were dismissed on motions for summary judgment, but appeals have been filed. For more information, contact Bev Groudine, Counsel, ABA Commission on IOLTA, at bgroudine@staff.abanet.org or 312/988-5771.

✎ **Filing Fee Surcharge Legislation Moves Forward in Maryland** – Legal services advocates in Maryland are supporting proposed legislation that would generate approximately \$8.25 million, to be used to stabilize state funding and address disparities in levels of service to low-income people around the state. They moved a step closer to victory on March 5, when the Senate passed the legislation by a vote of 39-8. The bill is expected to go to the House Judiciary Committee for a hearing shortly. Supporters note that Maryland's filing fees are among the lowest in the country, and would remain so even with the proposed increase. For more information, contact Susan Erlichman, Executive Director, Maryland Legal Services Corporation, at serlichman@mlsc.org or 410/576-9494, ext. 1005. For more information about state legislative funding generally, contact Meredith McBurney, Director, PERLS Project, at mm8091@aol.com or 303/329-8091.

Pro Bono Developments

✎ **Maryland Publishes Report on Lawyers' Pro Bono Activity** - The Administrative Office of the Courts of Maryland recently released its report on the mandatory reporting of attorney pro bono activity for 2002. Covering the first year for which pro bono reporting was required, the findings note that 47.8% of responding attorneys recorded taking part in some pro bono activity in 2002. With over 97% of active Maryland lawyers responding, the total number of pro bono hours reported by the 30,024 responding lawyers was 995,615. The top pro bono service area was in family and domestic law. Among lawyers who provided pro bono service, 54.1% offered their services to people of limited means; 13.4% provided services to organizations helping the poor; 5.7% worked with entities on civil rights issues; and 26.7% worked with organizations such as non-profits to further the organization's purpose. The full text of the Maryland report is available at: http://www.courts.state.md.us/probono/probonoreport_2002.pdf. For further information, contact Sharon Goldsmith, Executive Director, Pro Bono Resource Center of Maryland, at sgoldsmith@probonomd.org or 410-837-9379.

✎ **New York Releases Pro Bono Survey Results** - The New York State Unified Court System published the results of its 2002 statewide survey on attorney pro bono activity in a report titled

"The Future of Pro Bono in New York: Report on the 2002 Pro Bono Activities of the New York State Bar." The survey was sent to a random sample of approximately 10% of the eligible members of the New York Bar. It found that 46% of New York State's attorneys performed some qualifying pro bono work for the poor in 2002. "Qualifying pro bono work" includes: free legal services for poor persons; free legal services for a charitable, religious, civic or educational organization primarily addressing the needs of the poor; and activities that increase the availability or quality of legal services for, or access to justice by, poor persons. Copies of the full report are available at: <http://www.nycourts.gov/whatsnew/>. For further information, contact Barbara Mule, Office of Justice Initiatives, New York State Unified Court System, at bmule@courts.state.ny.us or 212-374-6203.

📌 **Two State Bar Associations Support New Business Law Pro Bono Programs** - The Minnesota State Bar Association Board of Governors recently authorized the formation of a new business law pro bono program, tentatively labeled the Minnesota Business Law Volunteer Assistance Program (BLV), and appropriated \$15,000 in seed money. In similar fashion, the Washington State Bar Association's Business Law Section contributed \$10,000 to support the start-up of Washington Attorneys Assisting Community Organizations (WAACO). Both BLV and WAACO are designed to match volunteer business lawyers with opportunities to assist nonprofit organizations serving persons of limited means that cannot otherwise afford legal representation. Business law pro bono work is one of the fastest growing areas of volunteer service among lawyers today. BLV and WAACO join approximately forty other business law pro bono programs nationwide in providing support for transactional pro bono work. For more information about BLV, contact Joe Genereux at genereux.joe@dorsey.com or (612) 340-2888. For more information about WAACO, contact Katie Ludwig at kludwig@perkinscoie.com or (206) 359-3789. For more information about business law pro bono generally, visit <http://www.abaprobono.org/business-ced.html>



Washington Update

On January 23, 2004, the 2004 Omnibus appropriations bill was signed by President Bush and provided \$335.4 million in FY2004 funding for the Legal Services Corporation, after across-the-board budget cuts were made. This allocation contained a census adjustment of \$2.3 million for the 10 states determined to be most harmed by the census poverty population shifts. This adjustment represents a compromise between earlier Senate and House versions of the bill. For FY2005, the Bush Administration's budget contains \$329 million for LSC, the same amount proposed by the president in the three previous years.

Bar leaders will have an excellent opportunity to lobby their members of Congress for increased LSC funding during the eighth annual "ABA Day in Washington," scheduled for May 5-6. Co-sponsored by the ABA Section Officers' Conference and the National Conference of Bar Presidents, this event attracts national, state and local bar officers. For more information, contact Julie Strandlie, Director, ABA Grassroots Operations/Legislative Counsel at jstrandlie@staff.abanet.org or 202/662-1764.

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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.