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## Funding News

✎ **LSC Funding Restriction Enjoined** - In a December 20th ruling, a federal district court in Brooklyn entered a preliminary injunction barring enforcement of a restriction on use of certain types of funding by federally financed legal aid programs. The decision by Judge Frederic Block of United States District Court affects a federal Legal Services Corporation rule requiring federally financed poverty law programs that use money from other sources to maintain a separate office to do so in some circumstances. Judge Block said the rule violated the First Amendment; his order gives the parties 30 days to respond before the preliminary injunction is made permanent.

✎ **Indiana to Convert to Mandatory IOLTA** - In late November the Indiana Supreme Court approved the conversion of Indiana's IOLTA program from opt-out to "universal", or mandatory, status. The court's decision to bring all lawyer trust accounts into Indiana's IOLTA program is expected to generate an additional \$75,000 to \$200,000 annually for local pro bono legal services programs, according to the Indiana Bar Foundation. The court's action follows nearly unanimous approval by the Indiana State Bar Association's House of Delegates of a resolution on October 15, 2004 that supported the move to universal IOLTA. An implementing court rule is expected to take effect later this year. Indiana will be the 29th state with a mandatory IOLTA program. For more information, contact Chuck Dunlap, at the Indiana Bar Foundation, 317-269-2415 or [cdunlap@inbf.org](mailto:cdunlap@inbf.org).

✎ **Maine Lawyers Give Generously to New Campaign** - Maine lawyers donated \$250,000 to legal aid programs in 2004, the first year of the Campaign for Justice, the legal community's statewide campaign for legal services. When combined with on-going law firm gifts of \$109,000, total giving is about \$360,000 from a state bar of 3,200 lawyers, one of the highest per lawyer giving levels for a statewide campaign in the country. Leading the way were over 100 lawyers who each gave at least \$1,000. The proceeds are shared by Maine's six legal aid programs, and is four times the total that the programs had raised independently in any previous year. For more information, contact Lauren Dietlin, Campaign Coordinator, 207-773-2024 or [info@campaignforjustice.org](mailto:info@campaignforjustice.org).

## Pro Bono News

✎ **NY Firm Adopts Internal Mandatory Pro Bono Policy** - The Albany, N.Y.-area firm Gordon, Siegel, Mastro, Mullaney, Gordon & Galvin recently introduced a mandatory firm-wide pro bono program. The twelve-attorney firm's policy calls for each attorney to provide 24 hours of pro bono legal services to the indigent annually. Partners donating fewer than 24 hours in a year must pay \$200 for each hour they fall short to a not-for-profit organization that provides legal services to the indigent. For more information, contact Barbara King at 518-690-7000 or [bking@gordonsiegel.com](mailto:bking@gordonsiegel.com).

✎ **Second Federal Circuit Forms New Pro Bono Panel** - The United States Court of Appeals for the Second Circuit Criminal Justice Act/Pro Bono Committee is accepting applications for service on the Court's newly-formed Pro Bono Panel. Pro bono panel members will represent pro se litigants in civil appeals which present issues of first impression, complex issues of law or fact, or which raise potentially meritorious claims warranting further briefing and oral argument. For more information, contact Elizabeth Cronin, Director of Legal Affairs, at 212-857-8500, or visit [http://www.ca2.uscourts.gov/Docs/ProBono/Pro%20Bono\\_Release\\_App.pdf](http://www.ca2.uscourts.gov/Docs/ProBono/Pro%20Bono_Release_App.pdf).

📌 **State Bar of Nevada Releases Mandatory Pro Bono Reporting Stats** - The State Bar of Nevada Pro Bono Service Report for 2003, covering the first year of mandatory pro bono reporting in the state, was recently released by Downey Research Associates in Las Vegas, Nevada. The report noted that 51.7% of respondents did some pro bono service and included a list of all the agencies for whom lawyers did pro bono work and to which they made financial contributions. For more information on the report, contact Kimberly Mucha, Pro Bono Project Director, Clark County Legal Services Program, Inc., 702-386-1070, ext. 137 or kmucha@clarkcountylegal.com

### Access to Justice

📌 **New Access Commission** - On November 9, the Supreme Court of Oklahoma, responding to an application by the Oklahoma Bar Association, ordered the creation of the Oklahoma Access to Justice Commission, charged with evaluating and making recommendations related to access to the state justice system, including sources of funding for services to those unable to afford them. The nine-member body will be comprised of a state Supreme Court Justice, judges from other appellate and trial courts, representatives of the state Bar Association and Bar Foundation, a law school faculty member, members of both houses of the state legislature, and a member of the public appointed by the governor. Bar Association officers and legal aid representatives will serve as ex-officio members.

📌 **National Meeting of Access to Justice Chairs Set for May 6, 2005** - The fourth annual National Meeting of Access to Justice Chairs is scheduled for May 6 in Austin, Texas, in conjunction with the 2005 Equal Justice Conference. The day-long meeting, which will include both plenary sessions and small group discussions, as well as informal social events, will provide an opportunity for state leaders engaged in these efforts to share information and learn from one another and experts in the field. Invitations will be mailed in January to the chairs of all state Access to Justice Commissions and similar state-level bodies dedicated to expanding access to civil justice, as well as leaders engaged in creating new entities.



### WASHINGTON UPDATE

#### Washington Update

On December 8, 2004, the President signed into law H.R. 4818, the Consolidated Appropriations Act 2005. This omnibus act (P.L. 108-447) included the Commerce, Justice, State, Judiciary and Related Agencies bill that provides funding for the Legal Services Corporation (LSC).

For FY 2005, Congress appropriated \$335.3 million, the same amount LSC received in FY 2004. However, as in the past few years, across-the-board spending cuts will reduce LSC's actual funding to \$330.8 million. The Act does for the first time allows LSC to use up to \$1 million in previously appropriated funds to establish a student loan repayment pilot program.

There are indications that the Administration will recommend approximately five percent funding cuts for all domestic programs when it releases its FY 2006 budget to Congress on or about February 7. LSC would also be affected and such cuts would be devastating to local legal aid programs. The ABA intends to work with ABA, state and local bar and IOLTA leaders as the budget process goes forward. In the meantime, please encourage your bar leaders to register for and attend ABA Day in Washington, April 27-28, 2005. For more information, please contact Julie Strandlie in the ABA Governmental Affairs Office at [jstrandlie@staff.abanet.org](mailto:jstrandlie@staff.abanet.org)

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).