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## Funding News

✎ **State Funding for Arkansas** - The Arkansas legislature passed and the governor has signed legislation to add a \$20 “reopening” fee for civil case filings. The funds generated from the fee, estimated to be between \$200,000 and \$400,000 annually, will be used to support the work of the Center for Arkansas Legal Services and Legal Aid of Arkansas, the two LSC funded programs in the state. For more information, contact Jean Carter, Executive Director, Center for Arkansas Legal Services, [jcarter@arkansaslegalservices.org](mailto:jcarter@arkansaslegalservices.org), or 501-376-3423.

✎ **Update on *Pro Hac Vice* Fees for Legal Services** - In late 2004, the New Mexico Supreme Court authorized a *pro hac vice* fee of \$250. Funds will be paid to the New Mexico State Bar Foundation for distribution to legal services providers. New Mexico is the fifth state to institute a *pro hac vice* fee to benefit legal services programs. Four other states—Oregon, Texas, Missouri and Mississippi—have instituted similar fees in recent years to help fund legal aid programs. For more information about the New Mexico fee, contact Sarah Singleton, Montgomery & Andrews, [ssingleton@montand.com](mailto:ssingleton@montand.com) or 505-986-2648; for general information about *pro hac vice* fees for legal services, contact Meredith McBurney, Director, Project to Expand Resources for Legal Services (PERLS), [mm8091@aol.com](mailto:mm8091@aol.com) or 303-329-8091.

✎ **South Carolina Converts to Mandatory IOLTA** - On March 1, 2005, South Carolina became the 30th state to adopt mandatory IOLTA. The South Carolina Supreme Court approved the conversion of the state’s IOLTA program from opt-out to mandatory status in January. This move is expected to generate additional funding for the civil legal aid, law-related education, and administration of justice programs supported by the South Carolina Bar Foundation. Twenty jurisdictions maintain opt-out IOLTA programs, while participation is voluntary in two others. For more information contact David Holterman, ABA Assistant IOLTA Counsel, [holtermd@staff.abanet.org](mailto:holtermd@staff.abanet.org) or 312-988-5744.

## Pro Bono News

✎ **NY State Bar Adopts New Pro Bono Definition** - On April 2, 2005, the New York State Bar Association House of Delegates adopted a new definition of pro bono that expands the scope of activities covered under “*pro bono publico*” to include legal services to a variety of nonprofits serving the public good, activities to improve the law or the legal system and financial contributions to nonprofits serving the basic needs of persons of limited means. The revised definition emphasizes that pro bono legal services for the poor are the primary focus of a lawyer’s pro bono obligation. Supporters of the new rule state that the expanded definition acknowledges the many ways attorneys serve the public good other than by providing direct services to the poor. Critics have expressed concern that expanding the definition will dilute the private bar’s commitment to increase access to legal services for the poor. For more information, contact Cynthia Feathers, NYSBA Director of Pro Bono Affairs, at [cfeathers@nysba.org](mailto:cfeathers@nysba.org) or 518-487-5640.

✎ **ABA Child Custody Project Announces Grants** - The ABA Child Custody and Adoption Pro Bono Project announced awards totaling \$50,000, to be shared by five programs, to enhance the connection between legal advocacy for children in custody cases and critical mental health and social services. Recipients are the New Orleans Pro Bono Project, Children’s Law Program - \$16,000; Children’s Legal Services of Houston - \$15,000; Montana Legal Services Association - \$10,000;

Community Justice, Inc., Wisconsin - \$5,000; Kansas Legal Services - \$4,000. For more information, contact project Director Linda Rio Reichmann, [lrio@staff.abanet.org](mailto:lrio@staff.abanet.org) or 312-988-5805.

## Access to Justice

📌 **DC and Massachusetts Create New Access to Justice Commissions** - The District of Columbia Access to Justice Commission, created by the D.C. Court of Appeals in January 2005, is chaired by Georgetown University Law Center Professor Peter Edelman. The Massachusetts Supreme Judicial Court has approved a proposal for a Massachusetts Access to Justice Commission, chaired by former Chief Justice Herbert Wilkins. Proposals for new Access to Justice Commissions are pending before the Supreme Courts of Alabama, Georgia, Mississippi, and West Virginia.

📌 **100 Participants Register for Fourth National Meeting of Access to Justice Chairs** - Participants from nearly 40 states will attend the fourth annual National Meeting of Access to Justice Chairs, to be held May 6th in Austin, Texas, in conjunction with the 2005 Equal Justice Conference. Participants include the chairs of state Access to Justice commissions and committees, state Supreme Court justices, bar presidents, and other leaders of state-level efforts to expand access to civil justice. ABA President Robert Grey will kick off the meeting.

📌 **Updated Edition of Access to Justice Report Issued** - The May 2005 edition of the report *Access to Justice Partnerships, State by State* is available at [www.ATJsupport.org](http://www.ATJsupport.org). The report describes structures and initiatives in each state that bring together the courts, the bar, legal aid providers, and other partners to expand and improve access to justice. Hard copies of the report will be distributed at the 2005 National Meeting of Access to Justice Chairs and mailed to state chief justices, bar presidents, Access to Justice entities, and other key state partners.



### Washington Update

The President sent his FY 2006 budget to Capitol Hill in early February. Unlike the last four years, in which he has included \$329,000,000 for the Legal Services Corporation (LSC), the President proposed across the board cuts to many programs including LSC, requesting that it receive only \$318,250,000. This is a 5% cut from the pre-rescission FY 2005 appropriation of \$335,282,000, and if enacted will result in severe cuts to local legal aid programs. Shortly before the release of this budget, at its meeting on Saturday, February 5, the LSC board of directors reaffirmed its support for a FY 2006 budget request of \$363,809,000.

WASHINGTON UPDATE

The House and Senate Appropriations committees and subcommittees have been reorganized for this Congress. The former House subcommittee on Commerce Justice State (with funding jurisdiction over LSC) becomes the subcommittee on Science, State, Justice and Commerce and Related Agencies, taking on jurisdiction of NASA and other science programs. Frank Wolf of Virginia remains the chair. Alan Mollohan of West Virginia becomes the ranking member. In the Senate, the subcommittee with jurisdiction over funding for LSC will be the subcommittee on Commerce, Justice, and Science, which will gain jurisdiction over NASA and other science programs. It will be chaired by Senator Shelby of Alabama, with Senator Mikulski of California serving as the ranking member. The impact of these changes is yet to be seen, but some observers are concerned that NASA will receive a disproportionate share of attention and funding under this arrangement. For more information, 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 Terry Brooks at 312/988-5747, fax 312/988-5483 or e-mail [tjbrooks@staff.abanet.org](mailto:tjbrooks@staff.abanet.org)