

October 19, 2005 • Issue #50

## Funding News

✎ **Final Report on 2005 Legislative Funding for Legal Services** - 2005 was a banner year for legal services advocates seeking state legislative funding. Sixteen states reported new, reinstated or increased funding from court fees and fines or state appropriations. The total funding nationwide from state appropriations is more than \$82.6 million and from court fees and fines it is more than \$80.7 million, for a grand total of over \$163 million. This figure represents a 17% increase over last year's state legislative funding for legal services. Bar leaders and legal services staff across the country are now hard at work preparing for the 2006 legislative sessions. For more information about state funding activities, contact Meredith McBurney, Director, ABA Project to Expand Resources for Legal Services, at [mm8091@aol.com](mailto:mm8091@aol.com) or 303/329-8091.

✎ **Bar Dues Help Fund Legal Services in West Virginia** - The West Virginia State Bar has allocated \$100,000 of its recent dues increase to Legal Aid of West Virginia, the statewide LSC-funded provider of legal services. The WVSB successfully petitioned the West Virginia Supreme Court to approve a \$55 dues increase for three purposes—disciplinary efforts, legal research services and legal aid. There are now seven states in which a portion of bar dues or attorney registration fees is used to help fund legal services. For more information, contact Tom Tinder, Executive Director, West Virginia State Bar, at [tindert@wvbar.org](mailto:tindert@wvbar.org) or 304/558-7993.

✎ **Illinois Appellate Court Renders Victory for IOLTA** - On September 15, 2005, the Appellate Court of Illinois, Fifth District ruled in favor of the Lawyers Trust Fund of Illinois in *Wieland et al., v. Lawyers Trust Fund of Illinois, et al.* The court's decision upheld the dismissal of a class action brought in 2002 alleging that the Illinois IOLTA program violates the Fifth Amendment. In affirming the dismissal of the case, the appellate court relied on the U.S. Supreme Court's 2003 decision in *Brown v. Legal Foundation of Washington*, which held that the operation of Washington State's IOLTA program does not violate the Fifth Amendment. For more information, 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

✎ **ABA Pro Bono Committee Releases National Survey of Lawyers' Pro Bono Work** - The ABA Standing Committee on Pro Bono and Public Service recently released *Supporting Justice: A Report on the Pro Bono Work of America's Lawyers*, its report on the first national survey of lawyers' pro bono activity. The survey asked lawyers about their pro bono activity during a 12-month period (November 2003 to November 2004) and examined their attitudes on pro bono and factors that influenced their pro bono activity. The survey found that 66% of lawyers gave free legal assistance to people of limited means and organizations serving the poor, volunteering an average of 39 hours during the period examined. The main deterrents to pro bono work were a perceived lack of time (69%) and pressure to work a minimum number of billable hours (15%). The report is available at [www.abaprobono.org/report.pdf](http://www.abaprobono.org/report.pdf). For more information, contact Marilyn Smith, Assistant Counsel, ABA Standing Committee on Pro Bono and Public Service, at [smithma@staff.abanet.org](mailto:smithma@staff.abanet.org) or 312-988-5748.



LEGAL SERVICES NOW

➤ **Indiana Supreme Court Clarifies Judiciary's Role in Supporting Pro Bono** - The Indiana Supreme Court amended Canon 4 of the Code of Judicial Conduct to clarify that support of pro bono legal services is an activity that relates to the improvement of the legal system and the administration of justice. A judge may therefore engage in activities intended to encourage attorneys to perform pro bono services. The new rule, which becomes effective January 1, 2006, is online at <http://www.in.gov/judiciary/orders/rule-amendments/2005/jud-conduct-c4-070105.pdf>. To learn more, contact David Remondini, Counsel to the Chief Justice, at [dremondi@courts.state.in.us](mailto:dremondi@courts.state.in.us) or (317) 233-8684.

### Hot On the Web

**M** **ABA Hurricane Katrina Website** - In the aftermath of Hurricane Katrina, the American Bar Association has created a website to assist victims of the disaster and to provide information on pro bono opportunities, where to donate funds and how to donate office space. In addition, the site contains resources on a wide range of topics including rebuilding a law practice and disaster recovery plans. To access this regularly updated resource, go to <http://www.abanet.org/katrina>.

### Washington Update



During floor debate on the bill that funds the Legal Services Corporation (LSC), the Senate in September agreed to an amendment increasing LSC's FY2006 funding. The amendment, sponsored by Senators Tom Harking (D-IA) and Gordon Smith (R-OR), would increase LSC funding by \$34 million to \$358 million, \$8 million of which would be dedicated to assisting hurricane victims located around the country. In June, the Senate Appropriations Committee had cut LSC funding by \$6 million for FY2006, from \$330 million to \$324 million, while the House of Representatives provided level funding at \$330 million. The House/Senate conference is expected to take place as early as late October. In the meantime, a series of continuing resolutions will fund LSC and other government programs until the annual appropriations laws are enacted. For more information contact Julie Strandlie, Director, Grassroots Operations/Legislative Counsel, at [jstrandlie@staff.abanet.org](mailto:jstrandlie@staff.abanet.org) or (202) 662-1764.

### WASHINGTON UPDATE

On October 17, 2005, LSC released "Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans." This study documents the extent to which current civil legal needs of the poor are not being met. It found that for every client who received service from an LSC grantee, one applicant was turned away due to the lack of program resources, indicating that 50% of potential clients are not being served. To obtain a copy of the report, go to [www.lsc.gov](http://www.lsc.gov). For more information, contact Hydi Miller, Communications Director, LSC, at [millerh@lsc.gov](mailto:millerh@lsc.gov) or (202) 295-1615.

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).