

July 25, 2006 • Issue #52

Funding News

➤ **2006 Successes: State Appropriations for Legal Services Increase in Several States** – So far this year, Florida, Illinois, New Mexico, Oklahoma and Pennsylvania have reported new, reinstated or increased state appropriations for legal services. Florida's appropriation, which the legislature attempted to increase from \$1,000,000 to \$5,000,000 in 2005, was vetoed by the Governor last year. This year, the Governor signed an appropriation of \$2,500,000. The Illinois appropriation increased to \$3,500,000 from \$2,000,000; much credit for this impressive gain goes to the Attorney General, in whose budget the funding is included. New Mexico obtained its first ever appropriation of \$200,000. In Oklahoma, the appropriation increased to \$1,165,000 from \$915,000 and the Pennsylvania appropriation rose to \$2,569,000 from \$2,519,000. For more information, contact Meredith McBurney, Director, ABA Project to Expand Resources for Legal Services, at MeredithMcBurney@msn.com or 303/329-8091.

➤ **Pennsylvania Legal Services Advocates Obtain Extension of Filing Fee Surcharge** – The Pennsylvania filing fee surcharge for legal services, which generated \$7,343,000 in FY 2005-06, was scheduled to sunset in November 2007. Legal services advocates succeeded in obtaining an extension of the sunset until 2012. This filing fee is expected to generate \$10,000,000 in FY 2006-07. For more information about this and other filing fee successes, contact Meredith McBurney, PERLS Director, at MeredithMcBurney@msn.com or 303/329-8091.

➤ **Mississippi Supreme Court Approves Mandatory IOLTA** – In an order released May 18, 2006, the Supreme Court of Mississippi approved an amendment to the state's IOLTA rule converting the IOLTA program from opt-out to mandatory status. The new rule, which will require attorneys who handle client funds to participate in IOLTA, becomes effective January 1, 2007. Mississippi will become the 32nd mandatory IOLTA program in the United States, and it is the fifth state to adopt mandatory IOLTA since 2004, following Oklahoma, South Carolina, Utah and Indiana. For additional information about conversion to mandatory IOLTA in Mississippi, contact Angie Cook, IOLTA Coordinator, Mississippi Bar Foundation, at acook@msbar.org or 601/948-4471; for more information about mandatory conversion generally, contact Bev Groudine, Counsel, ABA Commission on IOLTA, at bgroudine@staff.abanet.or or 312/988-5771.

Pro Bono News

➤ **Illinois Supreme Court Amends Rules to Require Mandatory Reporting** - On June 14, 2006, the Illinois Supreme Court amended Supreme Court Rule 756: *Registration and Fees*, and Supreme Court Rule 766: *Confidentiality and Privilege*, establishing new requirements that mandate attorneys to disclose voluntary pro bono service. The new reporting requirements call upon attorneys to report, on an annual basis, whether they have provided pro bono legal services to the poor. Attorneys must report this information as part of the registration process and indicate the number of hours of pro bono legal services they have provided, as well as the amount of qualified monetary contributions they have made over the past 12 months. For those attorneys who are prohibited from providing legal services because of constitutional, statutory, rule, or other regulatory restrictions, the comments to the rule encourage them to make a financial contribution to support the provision of legal services to



LEGAL SERVICES NOW

people of limited means instead. For more information, contact Dina Merrell, Associate Director, Chicago Bar Foundation, at dmerrell@chicagobar.org or 312/554-1206.

➤ **University of Washington School of Law Establishes the Entrepreneurial Law Clinic (“ELC”)** – The University of Washington School of Law recently opened this new clinic, with the mission of promoting economic development in Washington State by providing free legal services for small businesses that face significant economic barriers to success. The ELC teams University of Washington law and business students with local lawyers and business professionals to provide free legal and business advice to, among others, low-income microentrepreneurs. The clinic offers early-stage entrepreneurs the chance to receive legal and business planning advice that may help them avoid the classic pitfalls of new ventures. To learn more about this innovative program, contact Shari Ireton, Public Information and Outreach Officer, at slireton@u.washington.edu or 206/783-1086.

➤ **Supreme Court of Ohio Task Force Issues Report and Recommendations on Pro Se and Indigent Litigants** - The Report and Recommendations of the Supreme Court of Ohio Task Force on Pro Se and Indigent Litigants, published in April 2006, contains recommendations on a variety of topics including pro bono participation, pro se access and assistance, indigent criminal defense, and funding. Pro bono recommendations include adoption of Model Rule 6.1 and reporting of pro bono participation, accommodation of pro bono cases on court dockets and increased recognition of outstanding volunteers. To obtain a full copy of the report, go to: <http://www.atjssupport.org/DMS/Documents>. For more information, contact Jo Ellen Cline, Legislative Counsel, Supreme Court of Ohio, at clinej@sconet.state.oh.us or 614/387-9522.

Washington Update



WASHINGTON UPDATE

Thanks to overwhelming constituent contacts and growing Congressional support, the House of Representatives and the Senate Appropriations Committee both approved an increase in funding for the Legal Services Corporation for FY 2007 in their respective funding bills. In June, the House Appropriations Committee initially cut funding to \$313 million, but the House restored funding to the FY 2003 level of \$338 million during floor debate, thanks to a successful amendment offered by Appropriations committee ranking member David Obey (D-WI.)

In July, the Senate Appropriations Subcommittee that funds LSC initially provided funding at the FY 2006 level of \$327 million. However, during full committee consideration, LSC's funding was increased to \$358 million as the result of an amendment offered by Senators Tom Harkin (D-IA) and Pete Domenici (R-NM). The full Senate will consider the bill after the August recess, to be followed by a conference with the House. For more information, contact Julie M. Strandlie, ABA Director of Grassroots Operations/Legislative Counsel at jstrandlie@staff.abanet.org or 202/662-1764.

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.