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## Funding News

➤ **Wyoming Obtains First-ever State Legislative Funding for Legal Aid** – In early March, the Wyoming legislature approved a filing fee surcharge bill that should provide \$1million or more annually for legal services in Wyoming. This first-ever state funding will more than double the total funding for legal services in Wyoming. Passage of this legislation was the first goal of Wyoming's new Access to Justice Commission, which held its first meeting just over a year ago. Currently, there remains only one jurisdiction in the country without state legislative funding for legal services. For more information on the Wyoming success or other state funding initiatives, contact Meredith McBurney, Resource Development Consultant, ABA Resource Center for Access to Justice Initiatives, at [meredithmcburney@msn.com](mailto:meredithmcburney@msn.com) or 303/329-8091.

➤ **Two More Jurisdictions Adopt IOLTA Rule Revisions to Increase Revenue** – On January 28, 2010, the North Carolina Supreme Court approved revisions to the state's IOLTA rule to include rate comparability, which become effective on July 1, 2010. Less than two months later, on March 22, 2010, the District of Columbia Court of Appeals entered an order, effective August 1, 2010, adopting mandatory IOLTA and rate comparability. Mandatory IOLTA requires that all lawyers who hold client funds establish IOLTA accounts for the deposit of those funds that cannot earn net interest for the client. Rate comparability requires that all lawyers hold IOLTA accounts only in financial institutions that pay those accounts the highest interest rate or dividend generally available to other customers of the institution when IOLTA accounts meet the same minimum balance or other qualifications. There are now 42 jurisdictions that have adopted mandatory IOLTA and 32 that have adopted rate comparability. For more information about these IOLTA revenue enhancement strategies and others, 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

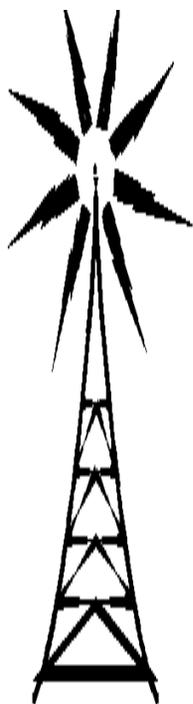
➤ **Supreme Court of South Carolina Amends Rule Appointing Counsel** – In December 2009, the Supreme Court of South Carolina amended Rule 608, Appointment of Lawyers for Indigents, by adopting a number of the amendments recommended by the South Carolina Access to Justice Commission's Pro Bono Committee's Rule 608 Work Group. The changes become effective on July 1, 2010. It is anticipated that they will encourage greater participation in pro bono civil legal services to low income persons. For more information, contact Robin Wheeler, Executive Director, South Carolina Access to Justice Commission, at [rwheeler@schar.org](mailto:rwheeler@schar.org) or 803/576-3808.

➤ **Supreme Court of Indiana Modifies Professional Conduct Rule 6.1** – Effective January 1, 2010, the Supreme Court of Indiana amended its Professional Conduct Rule 6.1. The purposes of these revisions include to further define pro bono under the rule, as well as to explicitly address issues such as how to view attorneys' fees awarded in pro bono cases and the types of cases that would qualify as pro bono service. For more information, contact Monica Fennell, Executive Director, Indiana Pro Bono Commission, at [mfennell@inbf.org](mailto:mfennell@inbf.org) or 317/269-2415.

➤ **North Carolina Supreme Court Adopts Rule 6.1** – On January 28, 2010, the North Carolina Supreme Court adopted Rule 6.1 Voluntary Pro Bono Publico Service. Adoption of

the rule came after leadership of the North Carolina State Bar adopted a resolution encouraging adoption of the rule and sustained advocacy by the Public Service Advisory Committee. For more information, contact Alice Mine, Ethics Counsel, North Carolina State Bar, at [amine@ncbar.gov](mailto:amine@ncbar.gov) or 919/828-4620.

➤ **New York Court of Appeals Adopts Pro Bono Emeritus Rule** – The State of New York Court of Appeals recently amended the attorney registration rules to permit retired attorneys to practice law on a pro bono basis as “Attorneys Emeritus.” Those who register as Attorneys Emeritus indicate their willingness to provide at least 30 hours annually of pro bono legal services to low-income clients supervised by qualified organizations. These attorneys are exempted from mandatory CLE requirements and the annual attorney registration fee. For more information, contact Cheryl Zalenski, Director, ABA Center for Pro Bono, at 312/988-5770 or [zalenskC@staff.abanet.org](mailto:zalenskC@staff.abanet.org).



### Washington Update

On February 1, 2010, the Obama Administration submitted its budget request for FY2011 to Congress. The Administration proposed freezing funding on most federal programs in an effort to reduce the budget deficit. Recognizing the important role of the Legal Services Corporation (LSC) and its historically inadequate funding, the Administration urged Congress to fund LSC at \$435 million (a \$15 million increase) and lift three of the restrictions on LSC-funded attorneys: (1) use of non-LSC funds; (2) receipt of statutorily authorized attorneys' fees; and (3) filing of class actions. Subsequent to the submission of the Administration's budget request, Congress reached bipartisan agreement in the FY 2010 appropriations bill to lift the restriction allowing the receipt of statutorily-authorized attorneys' fees.

On February 24, 2010, the House Appropriations Subcommittee on Commerce, Justice and Science held a public hearing on LSC's 2011 funding. Then LSC Board Chair Frank Strickland and Interim President Victor Fortuno testified on behalf of the Corporation. The Senate Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies (CJS) has not scheduled any hearings related to LSC funding.

ABA Day in Washington will take place on April 20 - 22 and will once again organize bar leaders to educate their Members of Congress about the need for increased funding for LSC and bipartisan reauthorization legislation. More than 250 ABA and state/local bar leaders will participate in this year's program. For more information, contact Julie M. Strandlie, Director, Grassroots Operations/Legislative Counsel, at [jstrandlie@staff.abanet.org](mailto:jstrandlie@staff.abanet.org) or 202/662-1764.

**WASHINGTON UPDATE**

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).