

July 24, 2012 • Issue #84

Funding News

👉 **State Legislative Funding Increases in 12 Jurisdictions to Date** - All results are not yet in, but it is shaping up to be a better year than the last one regarding state legislative funding for legal aid. So far, 12 jurisdictions – Alaska, Connecticut, District of Columbia, Hawaii, Indiana, Kentucky, Massachusetts, New York, Utah, Vermont, Virginia and Washington – have reported increases totaling approximately \$23 million. Five states have reported decreases totaling \$897,000. Though there are variations among the states, this is welcome news, given the recent significant reductions in funding from the two other largest sources, the Legal Services Corporation and IOLTA. A complete analysis of the 2012 legislative sessions should be available soon. For more information about state legislative funding, contact Meredith McBurney, Resource Development Consultant to the ABA Resource Center for Access to Justice Initiatives, at meredithmcburney@msn.com or 303/329-8091.

👉 **Colorado and Illinois Supreme Courts Provide Attorney Registration Fees to Fund Legal Aid** - Legal aid programs in both Colorado and Illinois will benefit from recent action by their respective supreme courts. In Colorado, the state's highest court voted unanimously to transfer \$750,000 this year and another \$750,000 next year from the Court's attorney registration fund to Colorado Legal Services. In Illinois, Supreme Court Rule 756 was amended to increase the annual attorney registration fee by \$53, which will be provided to the Lawyers Trust Fund of Illinois (LTF), the administrator of IOLTA funds in the state. As a result of these amendments, the amount of the fee remitted to LTF for the provision of legal services to the poor will increase from \$42 to \$95; the increase is expected to raise an estimated \$3.5 million, for a total of \$6.2 million annually from this source. For additional information regarding developments in Colorado, contact Jon Asher, Executive Director, Colorado Legal Services at jasher@collegalsercies.org or 303/866-9399. For more information about Illinois, contact Ruth Ann Schmitt, Executive Director, Lawyers Trust Fund of Illinois, at ruth@lhf.org or 312/938-2106.

👉 **Supreme Court of Pennsylvania Enacts Class Action Residual Rule to Benefit Legal Aid** - On May 11, 2012, the Supreme Court of Pennsylvania issued an order that became effective July 1st requiring that 50% of any residual funds remaining in class actions be directed to the Pennsylvania IOLTA Board to fund civil legal services to the poor. The remaining 50% can be directed to the IOLTA Board or to other charities at the discretion of the trial judge. There are now ten states in which legislatures or supreme courts have amended residual funds rules to benefit the provision of civil legal aid. To date, there have been varying degrees of success in obtaining these funds; experience indicates that an active campaign to inform appropriate attorneys and judges is necessary to achieve the best results. For more information about the Pennsylvania amendments, contact Al Azen, Executive Director, PA IOLTA Board, at al.azen@pacourts.us or 717/238-2001. For information about the other nine states' class action residual rules, contact Meredith McBurney, Resource Development Consultant, ABA Resource Center for Access to Justice Initiatives, at meredithmcburney@msn.com or 303/329-8091.

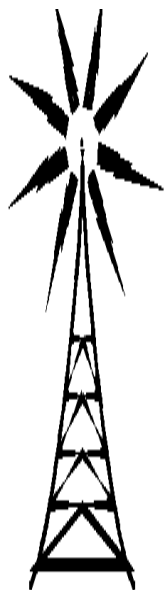
Pro Bono Developments

👉 **New York Adopts Pro Bono Requirement for Admission to the Bar** - Chief Judge Jonathan Lippman announced in his annual Law Day address that, starting in 2013, prospective lawyers must show that they have performed at least 50 hours of law-related pro bono service before being admitted to practice law in New York. The requirement is intended to address both the unmet need for lawyers to represent the poor and to instill in aspiring lawyers a career-long sense of duty to serve the public. An

Advisory Committee has been appointed to recommend how the requirement should be implemented and its work will be completed by early September. Comments may be sent to Advisory-Committee@nycourts.gov. New York is the first state to have such a requirement for new lawyers, although a number of law schools do have pro bono requirements. For information on those requirements and other pro bono policy initiatives, contact Steve Scudder, Staff Counsel, ABA Standing Committee on Pro Bono and Public Service, at steve.scudder@americanbar.org or 312/988-5768.

➤ **Texas Project Will Provide Gateway to “Virtual” Legal Aid for 114 Counties** - The Texas Bar Foundation is funding the Pro Bono Mobility Project at Legal Aid of Northwest Texas (LANWT). The Project will allow clinic staff and private attorney volunteers to create, scan and print documents from remote locations, providing additional opportunities to assist indigent clients located in rural and remote areas. Pro bono staff will offer “virtual” legal assistance throughout LANWT’s 114-county service area. For more information, contact Shelby Jean, Attorney and Director of Communications, Legal Aid of Northwest Texas, at jeans@lanwt.org or 817-336-3943.

➤ **ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means Revisions: Your Input Requested** - The ABA Standing Committee on Pro Bono and Public Service is revising these Standards, originally published in 1996, to reflect changes since their original publication in a number of areas including technology and delivery. A series of webinars will take place in August and September 2012 to solicit input and comments on areas being updated. To participate in a webinar, send an email to abaprobono@americanbar.org with “Standards Webinars” in the subject line. For more information on the revision process, contact Cheryl Zalenski, Director, ABA Center for Pro Bono, at cheryl.zalenski@americanbar.org or 312/988-5770.



Washington Update

On May 10, 2012, after rejecting two amendments that would have further reduced or eliminated funding for the Legal Services Corporation, the U.S. House of Representatives approved its Commerce, Justice, Science and Related Agencies (CJS) appropriations bill that provides \$328 million for LSC in FY2013. An amendment that would have eliminated all funding for LSC was defeated by a vote of 289-122. The House also rejected a proposal to cut the Corporation’s budget to \$200 million.

Previously on April 19, 2012, the Senate Appropriations Committee approved the Commerce, Justice Science, and Related Agencies (CJS) funding bill which includes \$402 million for the LSC. This figure provides a \$54 million increase over LSC’s FY 2012 funding level of \$348 million. The full Senate has not voted on the appropriations bill yet and it is not expected to do so before the August recess. Once the Senate acts, Congress will need to reconcile any differences between the House and Senate appropriation bills.

Given the upcoming elections, it is unlikely that a final appropriations bill for FY13 will be passed by Congress before October 1st, the beginning of the new fiscal year. If that is the case, a Continuing Resolution will need to be enacted to keep the government functioning, which would likely maintain LSC funding at its current level of \$348 million. For additional information, contact Ann Carmichael, Legislative Counsel, ABA Governmental Affairs Office, at Ann.Carmichael@americanbar.org or 202/662-1767.

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 email Bev.Groudine@americanbar.org.