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## Funding News

✎ **Update on State Legislative Funding for Legal Aid** - Results are coming in slowly this year, but information is available on successes in a few states. New York continues as the leader in increasing funding, adding another \$15 million this year, for a total of \$100 million in appropriations for civil legal aid. Other increases include an additional \$1 filing fee surcharge in Nebraska, expected to raise up to \$500,000 more annually; a one-time additional appropriation of \$200,000 in Oregon for work on housing issues; and an additional \$537,000 in Washington to offset increased costs of operations. More information should be available shortly, as legislatures finish up their 2016 sessions. For additional information about state legislative funding for civil legal aid, contact Meredith McBurney, Resource Development Consultant, ABA Resource Center for ATJ Initiatives, at [meredithmcburney@msn.com](mailto:meredithmcburney@msn.com) or 303/329-8091.

✎ **South Carolina Joins 19 Other States in Adopting a *Cy Pres* Rule/Statute for Legal Aid** - The Supreme Court of South Carolina has amended its rules of civil procedure to provide that, in class action matters where the claims process has been exhausted and residual funds remain, not less than fifty percent of residuals must be distributed to the South Carolina Bar Foundation. These funds are to be used to support activities and programs that promote access to the civil justice system for low income residents of South Carolina. This revision became effective April 27, 2016. There are now 20 states with similar court rules or statutes, which provide critical funding for legal aid while providing a balanced resolution to what otherwise can often become a thorny issue in class action litigation. For more information about the South Carolina rule change, contact Megan Seiner, Executive Director, South Carolina Bar Foundation, at [mseiner@scbar.org](mailto:mseiner@scbar.org) or 803/576-3786. For more information about *cy pres* rule and statute changes generally, contact Meredith McBurney, Resource Development Consultant, ABA Resource Center for ATJ Initiatives, at [meredithmcburney@msn.com](mailto:meredithmcburney@msn.com) or 303/329-8091.

## Pro Bono Developments

✎ **Wisconsin Supreme Court Adopts New Rules to Increase Pro Bono Participation** - The Wisconsin Supreme Court recently adopted amendments to SCR 10.03(4) that provide registered in-house counsel clear authorization to do pro bono work and does not restrict the types of pro bono services they can provide. However, these lawyers will still need to obtain *pro hac vice* admission to appear in court or sign pleadings. Lawyers must register with the Board of Bar Examiners by submitting an application and paying a \$250 fee. In addition, the Wisconsin Supreme Court has authorized CLE credit for pro bono work, becoming the 12<sup>th</sup> state to do so. The new pro bono CLE rule will enable attorneys to obtain CLE credit for “pro bono legal services” through a “qualified pro bono program,” which includes a pro bono program operated by a Wisconsin law school; an existing pro bono program operated by a Wisconsin bar association; a program approved by the Board of Bar Examiners; and a pro bono program operated by a nonprofit legal services organization that receives funding from WisTAF, the entity that administers IOLTA in the state. Pro bono appointments from state or federal courts would also qualify. Attorneys will be able to obtain one CLE credit for every five hours of pro bono service, capped at six credits (30 hours of pro bono work) for every two-year reporting period. Both rules take effect on January 1, 2017. For additional information, contact Jeff Brown, Pro Bono Coordinator, Wisconsin Bar Association, at [jbrown@wisbar.org](mailto:jbrown@wisbar.org) or 608/250-6177.

👉 **Colorado Supreme Court Adopts Rules to Encourage Pro Bono and Creates Model Policy for In-House Counsel** - Rule Change 2016(04), adopted by the Colorado Supreme Court on April 6, 2016, and effective immediately, includes changes to Rule 6.1 that encourage pro bono participation. Specifically, a new comment encourages government organizations to adopt pro bono policies. Additionally, a new model pro bono policy for Colorado in-house counsel departments was added in the commentary. For more information, contact Kathleen Schoen, Colorado Bar Association, at [kschoen@cobar.org](mailto:kschoen@cobar.org) or 303/824-5305.

👉 **Ohio Supreme Court Adopts New Attorney Emeritus Status** - The Ohio Supreme Court implemented a new attorney emeritus status, allowing non-active attorneys to engage in limited legal practice to provide pro bono service. To be eligible, a lawyer must be admitted to practice law in Ohio, have been engaged in the practice of law for at least fifteen years, and be in good standing with the courts. Under the emeritus status, an attorney must work on behalf of a “pro bono organization” which includes a law school clinic, a legal aid program, public defender’s office, and any other number of specific legal services organizations under the supervision of an active-status attorney. The work the emeritus lawyer may provide includes appearing before any court/administrative board/agency on behalf of a client of the pro bono organization, routine legal services, and a number of other activities necessary regarding a legal matter in which the attorney is involved. For more information, contact Jane Taylor, Director for Pro Bono and Communications, Ohio Legal Assistance Foundation, at [jtaylor@olaf.org](mailto:jtaylor@olaf.org) or 614/715-8650.

### ***Washington Update***



**WASHINGTON UPDATE**

On April 21, 2016, the Senate Appropriations Committee on Commerce, Justice, Science and Related Agencies (CJS) approved \$395 million for LSC in FY2017, a \$10 million increase over LSC’s current funding. On May 24, 2016, the U.S. House of Representatives Appropriations Committee approved funding legislation that provides \$350 million for LSC in FY2017. While this amount is \$50 million more than the House approved for LSC in FY2016, it is \$45 million less than the Senate Appropriations Committee has approved for FY2017. Neither the full Senate nor House has taken up these appropriations bills yet, nor is it known at this time when that may occur.

On April 19-21, over 360 national, state and local bar leaders from 48 states, the District of Columbia and the Virgin Islands took part in ABA Day in Washington, D.C. and educated their members of Congress on the need to increase funding for LSC. For more information on the ABA’s efforts in this area, contact Aloysius Hogan, Legislative Counsel, ABA Governmental Affairs Office, at [Aloysius.Hoagan@americanbar.org](mailto:Aloysius.Hoagan@americanbar.org) or 202/662-1767.

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 312-932-6425 or email [Bev.Groudine@americanbar.org](mailto:Bev.Groudine@americanbar.org).