

MINUTES – June 12, 2008

THE WEST VIRGINIA BAR FOUNDATION IOLTA ADVISORY COMMITTEE MEETING STATE BAR CENTER-CHARLESTON June 12, 2008

The meeting of the West Virginia Bar Foundation's IOLTA Advisory Committee was called to order by Chairperson Scott Segal on June 12, 2008 at the State Bar Center in Charleston.

Members of the Committee in attendance were Steve Canterbury, Jim Martin and Bob Baker. Also participating by telephone conference call was Professor Charles DiSalvo. Bar Foundation Executive Director Tom Tinder was also in attendance.

The first item on the agenda was a review of the Minutes of the last Committee meeting which was held on March 13,, 2008. A motion was duly made, seconded and passed to approve the Minutes as presented.

Chairperson Segal requested a report on federal government funding for legal services programs. There were comments made that the budget process was ongoing with the election season having an impact on the necessary action. There may be an increase in funding for the Legal Services Corporation.

Mr. Martin then gave a report on the activities of Legal Aid of WV. He said that the program was getting assistance from lawyer leaders regarding federal funding and that the entity was continuing to work on various funding sources. Work is being done on changes in the administrative criteria for the program.

Professor DiSalvo discussed the work of the special grantees. ChildLaw Services had handled 270 cases and raised \$20,000 in a recent fundraising activity.

The Senior Legal Aid program was getting more lawyers to give pro bono help in coordination with the Pro Bono Referral Project. CASA is involved in numerous activities and is setting up some new programs in areas around the State. The Appalachian Center's Director, Randy Minor, will be leaving his position and various options are being considered. The Public Interest program has a number of summer legal interns in place and is working on more post graduate fellowships.

The Committee members reviewed the financial report for the IOLTA program. A comparison chart was distributed which showed the reduction in interest rates and IOLTA funds from larger banks in the past nine months. There was an amount of \$303,000 for consideration for distribution. After some discussion, a motion was duly made, seconded and passed to leave the Rainy Day Fund at its current amount of \$137,500 (the Committee had previously set a goal of \$200,000 for that Fund), pay the annual management fee of \$50,000 before June 30, 2008 (\$25,000 to the WV State Bar and \$25,000 to the WV Bar Foundation) and distribute the remaining \$115,000 in accordance with the Supreme Court Order.

The next item for discussion related to a Comparability Rule for the IOLTA program. Mr. Tinder

presented a proposal from The Resource, whose Director is Ken Smith, to do the necessary research and review of the possibility of a comparability rule for the IOLTA program. After some discussion, a motion was duly made, seconded and passed to agree to contract with The Resource to do the Phase One work in the proposal for the amount of \$6,000 and that the Committee would request that the WV Bar Foundation pay the \$6,000 for the project.

The Committee members also discussed the composition of the Committee. Chairperson Segal requested that an email be sent to the Committee members asking for recommendations for a non-lawyer person to be a member and that the Committee take action on the Committee composition at the next Committee meeting .

Chairperson Segal announced that the next meeting of the Committee would be on September 11, 2008 at 11:00 AM at the State Bar Center in Charleston.

There being no further business to transact, the meeting was adjourned.