

THE WEST VIRGINIA STATE BAR  
IOLTA ADVISORY COMMITTEE  
STATE BAR CENTER - CHARLESTON  
DECEMBER 11, 2013 - 11:00 A.M.

MINUTES

1. Call to Order

A meeting of the IOLTA Advisory Committee of The West Virginia State Bar was called to order by Chairperson Thomas Flaherty on December 11, 2013. Committee members appearing in person were Thomas Flaherty and Sue Racer Troy. Jennifer Massey appeared by phone. State Bar Finance Director Sarah Harper-Jones served as secretary for the meeting. On December 12, 2013, Committee member, Anne Werum Lambright reviewed and voted to confirm the actions taken by the Committee on December 11, 2013.

Minutes are presented in the order the items appeared on the Agenda, not necessarily in the order in which the items were presented at the meeting.

2. Review of Minutes of Last Committee Meeting – September 19, 2013

A motion was made to accept the Minutes of the September 19, 2013, IOLTA Advisory Committee Meeting, as presented. Following a proper second, the motion passed by a unanimous vote.

3. Reports from Legal Service Programs

No reports were presented.

4. Reports from Special Grantees

Charles DiSalvo provided the following information from the Special Grantees following the meeting:

WV SR LEGAL AID – Our long-time only support staff person, Jolene Liston, has retired so we have lost a great asset at WVSLA. We hope to be able to hire someone to fill her position in January, though in many ways she is irreplaceable. Cathy has been handling all the casework this quarter, and has not been making any outreach trips in order to keep up with the work needed in the office. Our fiscal year ended 9/30/13 and we are in the process of finishing up our end of year reporting and getting our audit engagement in place. Cathy is an officer with the National Association of Senior Legal Hotlines and has been working on issues related to the reauthorization of the Older American Act. We are looking forward to 2014!

CENTER FOR LAW AND PUBLIC SERVICE – Pro Bono projects are underway at the WVU College of Law. On September 30 I held a Pro Bono Rollout presentation to over 75 first,

second and third year law students. We introduced the school-supported pro bono partners for the 2013-14 school year, which includes Legal Aid of WV, Senior Legal Aid of WV, the WV State Bar Mediation program, CASA of Monongalia County, VITA, the WV Fair Housing Network, RDVIC and the Appalachian Prison Book Project. Legal Aid of WV conducted its first volunteer training on campus on Monday October 21<sup>st</sup>, followed by a reception in the lobby of the law school to commemorate ABA Pro Bono Week. Senior Legal Aid conducted a training on campus for students on October 30. Both organizations are training students for client intake, phone assessments, and legal research and writing projects. CASA has recruited and is using WVU College of Law students as volunteers as is the Rape and Domestic Violence Information Center and APBP. The other organizations plan trainings for early in the 2014 semester, including the Fair Housing Network and the State Bar mediation program. I am finalizing the pro bono handbook and forms for tracking pro bono hours. I plan to survey students for their areas of interest in January to plan additional pro bono and community service offerings. Unfortunately the Access to Justice Commission's Pro Bono summit that was planned for October 21<sup>st</sup> was not held as planned. The Commission decided to postpone the summit until spring. We hope to redesign the program and hold it at the College of Law in the near future. The Center for Law and Public Service will remain as a co-sponsor of the event.

**WV FUND FOR LAW IN THE PUBLIC INTEREST** – This academic year the Fund is sponsoring two post-graduate public interest scholarships. Each scholarship is portable – that is, the recipient can approach any WV public interest law organization and offer to work for the organization. The recipients of this year's scholarships are Paul Robinson and Lola Oluyemi. The Fund is also planning for its March auction that will underwrite some of its Summer, 2014 public interest fellows.

**CHILDLAW SERVICES** - Through September, we have opened 140 cases for children including appointments by judges for divorces (1); custody (40); abuse and neglect (84); infant guardianship (6); victims of crime (3); and juvenile offenses (6). We have closed 225 cases, including the following: family guardian ad litem work (48); domestic violence and victims of crime (68); abuse and neglect (96); infant guardianship (3); and juvenile offenses (10). While these numbers look great, the kids behind them are what really counts. For example, the two young boys reunited with their parents who were originally too mentally challenged to care for them, but after going through intensive education and counseling and services, the parents are now able to care for these two smart young boys. Another example is our young four year old wrestling maniac boy who was reunited with his grandma after his parents went to prison for drug offenses, and he was bounced around in foster care and hospitals for a year. Then there was the young infant who was born drug addicted because of her mother's actions. The infant has now been reunited with her sister and adopted by the same loving couple who adopted her sister several years ago. One final example is the young ten year old who was reunited with the father she did not know she had and his family after her mother abandoned her. These are just a few of the kids who are a part of ChildLaw's family and who have been exposed to terrible things in their early lives, but now have chances for happy endings because we all work together to make it happen. During the third quarter, we have had some staffing changes and program changes too. Jennifer Alvarez joined us as a supervising attorney with 15 years of court room experience and working with kids. She has already proven to be a strong advocate for children. We have begun our Teen Court year with a bang having more than 70 teens show up to volunteer at our

first training. We also started our first Girls on the Run program in Kanawha County at Chamberlain Elementary with a lot of community support. The group of ladies involved is passionate about running and helping girls grow up with better self-esteem, teamwork and community service to help prevent them from being kids “in the system.” And we also have kicked off our body safety classes in Mercer County in conjunction with Child Protect.

CASA – No report

## 5. Financial Report

Ms. Harper Jones reported that the fund currently has \$69,411.37 cash on hand. Of that sum, \$15,000 is reserved for The State Bar administrative fee. Following a brief discussion, a motion was made to distribute at least \$54,000. Ms. Harper Jones was to authorized to increase the amount of that distribution, based upon the balance in the account at the time of distribution. The motion received a proper second and passed by a unanimous vote.

## 6. Old Business

There was no Old Business.

## 7. New Business

Chairperson Flaherty advised the Committee that, due to other commitments, he would be stepping down as a board member and, therefore, would no longer be able to serve as chair of the Committee. He requested that President Deitzler appoint a new Committee member and select a new Chair. Following a discussion with President Deitzler, he selected current Committee member Anne Werum Lambright to assume the chairperson position. President Deitzler will appoint a committee member to replace Chairperson Flaherty.

## 8. Next meeting – The following meeting dates and times were set for the 2014 IOLTA Advisory Committee:

March 20 – 11:00

June 19 – 11:00

September 25 11:00

December 18, 11:00

## 9. Adjournment

A motion to adjourn was made, received a proper second and passed by acclamation.