

THE WEST VIRGINIA BAR FOUNDATION, INC.
IOLTA ADVISORY COMMITTEE MEETING
STATE BAR CENTER - CHARLESTON
MARCH 2, 2007

MINUTES

The meeting of the West Virginia Bar Foundation's IOLTA Advisory Committee was called to order by Chairperson Scott Segal on March 2, 2007 at the State Bar Center in Charleston.

Members of the Committee in attendance were Mark Prince, Steve Canterbury, Jim Martin and Bob Baker. Participating by telephone conference call was Professor Chuck DiSalvo. State Bar 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 December 7, 2006. A motion was duly made, seconded and passed to approve the Minutes as presented.

Chairperson Segal requested a report on federal government funding. Statements were made that for the first time in approximately ten years, there would be an increase in federal government funding to the Legal Services Corporation for distribution to the legal aid programs in the nation. Legal Aid of West Virginia will get approximately \$188,000 in additional funding in 2007. In addition, there are projections that there may be decreases in the funding for the Legal Services Corporation in the future. Comments were also made that Senator Byrd and Congressman Mollohan were very instrumental in the increase in funding that occurred this year.

Mr. Martin gave a report regarding the activities of Legal Aid of West Virginia. He stated that the public interest advocates group would be financing an intern to work at Legal Aid of West Virginia in the fall. The proposal is to have the person be involved in health care legal matters.

Professor DiSalvo gave a report on behalf of the special grantees. He said that the public interest advocates will have 19 law student interns working in legal services programs in the state this summer. In addition, ChildLaw Services and Senior Legal Aid will have legal interns this summer. Comments were also made that the Appalachian Center is very busy with activities at this time.

The next item on the Agenda related to state government funding. There were comments made that legislation is being considered during the current session of the West Virginia Legislature to provide additional funding for domestic violence programs that would then be shared with Legal Aid of West Virginia to provide legal services to individuals in these programs throughout the state.

Chairperson Segal then led a discussion concerning the financial report for the IOLTA

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Program. As of February 28, 2007, there was the amount of \$296,000 available for distribution. Comments were made that there is currently \$75,000 in the Rainy Day Fund and \$25,000 pro rata share so far for the annual management fee.

After some discussion, a motion was duly made, seconded and passed to distribute the \$296,000 available in the following manner:

- A. Increase the Rainy Day Fund by \$12,500 to \$87,500.
- B. Increase the pro rate share of the management fee by \$12,500 to \$37,500.
- C. Distribute the remaining \$171,000 to the IOLTA Programs in accordance with the Supreme Court's Order.

The Committee members then had an extended discussion concerning the Senior Legal Aid financial situation and possible actions that could be considered. It was agreed that Professor DiSalvo would gather information on this matter and that there would be further discussion at the next Committee Meeting.

Chairperson Segal asked for a report concerning a possible filing fee for the West Virginia Supreme Court of Appeals. It was stated that West Virginia is the only state that does not have some type of filing fee for Supreme Court actions. Mr. Canterbury said that he was continuing to gather information on this matter and that he will have information for discussion at the next Committee Meeting.

Under the topic of Other Business, there were comments made regarding a possible Access to Justice Commission. Comments were made that the Supreme Court is still reviewing the proposal that was provided to them sometime ago.

Then, there were comments made regarding the current interest rates provided on IOLTA bank accounts. Mr. Prince said that he would review the situation and there would be further discussion on the matter at the next Committee Meeting.

Chairperson Segal announced that the next meeting of the Committee would be on June 14, 2007 at 11:00 a.m. at the State Bar Center in Charleston.

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