

WEST VIRGINIA BAR FOUNDATION, INC.
IOLTA ADVISORY COMMITTEE MEETING
STATE BAR CENTER - CHARLESTON
SEPTEMBER 18, 2003

MINUTES

The meeting of the Bar Foundation's IOLTA Advisory Committee was called to order by Chairperson Elliot Hicks on September 18, 2003 at the State Bar Center in Charleston.

Members of the Committee in attendance were Adrienne Worthy and Scott Segal. Participating by telephone conference call was Professor Charles DiSalvo. State Bar Executive Director Tom Tinder was also present.

The first item on the Agenda was a review of the Minutes of the last Committee Meeting which had been held on June 19, 2003. There were no additions or corrections to be made to the Minutes as presented.

Chairperson Hicks then asked for a report on the status of federal government funding. There had been an approval of \$338 million by both houses of Congress, which is the same amount of funding as last year. In one version, there is an amount of \$6 million for census affected states which would provide West Virginia with approximately \$90,000 more than is normal allocation.

Legal Aid of West Virginia will go after U.S. Department of Justice funding again for domestic violence matters. It may be difficult to get the funding during the upcoming funding cycle.

Chairperson Hicks called upon Ms. Worthy to give a report for the Legal Aid of West Virginia. She said that the organization would be having a Board of Directors retreat on the coming weekend. Then, Mr. Segal talked about the fund raising campaign for LAWV which is continuing and doing well. The goal is to raise \$1.2 million.

Professor DiSalvo gave a report on behalf of the special grantees. He said that the Senior Legal Aid Program is working on an Elder Abuse Prevention book and that it has served senior citizens in all 55 counties of the state. The Appalachian Center at West Virginia University College of Law has students participating in a pilot mediation project in Monongalia County Magistrate Court in Morgantown. He went on to say that the CASA Program will be holding a training class during the next week. He also said that the organization is experiencing some financial difficulties. He concluded his remarks in stating that the public interest project at the WVU College of Law had 16 law student summer interns and that there was lots of interest among the law students in the work of the organization.

The next item for discussion related to the financial report. Documents were distributed for the July, 2002 - June, 2003 fiscal year which showed that approximately \$700,000 was

received and spent during that time, including a payment of over \$100,000 in the early days of July, 2003. In addition, there were materials provided which showed that there was \$178,000 to distribute after the first two months of the current 2003-2004 fiscal year. After some comments were made, a motion was duly made, seconded and passed to increase the Rainy Day Fund by \$5,000 which would make the new total \$60,000 in that Fund, that \$10,000 should be set aside for the Management Fee to be paid at the end of the fiscal year and that the remaining amount of \$108,000 be distributed to Legal Aid of West Virginia, Mountain State Justice and the four grantees in accordance with the Supreme Court Order.

Under the topic of Other Business, there was a discussion concerning the operation of the IOLTA Program and its administration by the West Virginia Bar Foundation as well as the different responsibilities of the West Virginia Bar Foundation and the West Virginia State Bar. In addition, it was agreed that there would be further discussion at the next Committee on a plan for getting banks to increase the interest rates on IOLTA funds and to reduce or eliminate service charges on IOLTA accounts.

Chairperson Hicks announced that the next meeting of the Committee would be on December 11, 2003 at 11:00 a.m. at the State Bar Center in Charleston.

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