

THE WEST VIRGINIA BAR FOUNDATION, INC.
IOLTA ADVISORY COMMITTEE MEETING
STATE BAR CENTER - CHARLESTON
SEPTEMBER 21, 2006

MINUTES

The meeting of the West Virginia Bar Foundation's IOLTA Advisory Committee was called to order on September 21, 2006 at the State Bar Center in Charleston.

Members of the Committee in attendance were Steve Canterbury and Bob Baker. Participating by telephone conference call were Professor Charles DiSalvo and Jim Martin. 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 May 18, 2006. A motion was duly made, seconded and passed that the Minutes be approved as presented.

The Committee members then discussed federal government funding for legal services programs. Budget proposals have been approved by both the U.S. Senate and by the U.S. House of Representatives and there will be a conference committee between the two groups. It is felt that there will be no final action on this matter until after the general election in November.

Mr. Martin gave a report on behalf of Legal Aid of West Virginia. He said that the program was operating in a satisfactory manner.

Professor DiSalvo gave a report on behalf of the special grantees. He said that the CASA Program had its annual convention in the past week. He went on to say that Senior Legal Aid had lost a staff attorney and had handled approximately 875 cases in the past year.

Professor DiSalvo also stated that Appalachian Legal Services Center was back in complete operation with the beginning of the new school year and that the director of ChildLaw Services, Mary Ellen Griffith had been appointed as a Family Court Judge and that the organization would be hiring a second attorney in the near future.

Finally, he talked about the Public Interest Advocacy Program and that all three students with loan re-payment requirements had passed the Bar Examination. There were also comments made that the CASA Program will be receiving some funding from a grant that had been received by the state Supreme Court.

The Committee members spent time reviewing the financial report for the program. A copy of the Supreme Court's Order that had been approved earlier in the month making the changes in the IOLTA Program's distribution formula to add ChildLaw Services. They reviewed figures that showed that for the 2005-06 fiscal year that there had been a budget of \$400,000 and that \$763,000 had actually been received. For the 2006-07 budget year, the revenue is projected

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to be \$700,000.

Then the Committee members reviewed the current funding situation. There is currently the amount of \$331,000 to be distributed. After some discussion, a motion was duly made, seconded and passed to increase the Rainy Day Fund from \$50,000 to \$62,500, that the amount of \$12,500 be set aside for the portion of the Annual Management Fee and that the remaining amount of money - \$256,000 - be distributed in accordance with the Supreme Court Order. The recommendation will be presented to the Bar Foundation's Board of Directors at its meeting on September 28, 2006.

The next item for discussion related to a filing fee for state Supreme Court cases. It was reported that there had been an initial discussion by the Supreme Court Justices regarding this matter. However, there will be additional review before a final decision is made.

Under the topic of Other Business, a motion was duly made, seconded and passed to commend Elliot Hicks for the excellent leadership that he had provided as the immediate past Chairperson of the IOLTA Advisory Committee.

The Committee members then agreed that the date of December 7, 2006 at 11:00 a.m. would be a good time for the next Committee Meeting. It will attempt to be scheduled in connection with the next quarterly meeting of the Bar Foundation's Board of Directors.

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