

**Shakarian, Melanie A.**

**From:** lsc-updates-bounces@lists.lsc.gov on behalf of SEAN DRISCOLL [driscolls@lsc.gov]  
**Sent:** Wednesday, January 23, 2008 6:12 PM  
**To:** lsc-updates@lists.lsc.gov  
**Subject:** LSC Updates - January 23, 2008  
**Attachments:** ATT677910.txt



LSC Updates is a biweekly summary of the latest news from the Legal Services Corporation and the national civil legal services community.

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## LSC News

### LSC's Response to GAO Report on Grants Management and Oversight

LSC President Helaine M. Barnett and Board Chairman Frank B. Strickland have issued the following statement regarding the Government Accountability Office Report, *Legal Services Corporation—Improved Internal Controls Needed in Grants Management and Oversight*:

"We consider our stewardship of the taxpayer's dollars as one of our most important responsibilities and have informed GAO that we will implement all recommendations made to LSC management and Board in the report. In addition, we have no tolerance for any spending of grantee funds outside the law or the regulations of the LSC and have formally referred all potential violations noted in the report to our Office of Inspector General (OIG). The referrals have been accepted by the OIG and we will take whatever actions are warranted when all of the facts are known. We will remain vigilant in addressing all issues brought to our attention by this report."

More specifically, LSC management and Board have responded to GAO that they will work with the OIG to ensure stronger, better documented, and better coordinated internal controls. [Click here](#) to read the Board's response. [Click here](#) to read LSC Management's response.

[Click here](#) to read the press release in its entirety.

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### LSC's Board of Directors to Meet in Washington, D.C.

LSC's Board of Directors will meet at LSC headquarters in Washington, D.C., from January 25-26.

At a reception hosted by LSC's Board prior to the meeting, LSC will honor United States Senators Pete V. Domenici, R-N.M., and Tom Harkin, D-IA, for their dedication to the principle of equal justice under law.

The Board meeting will include a session of the full Board, and meetings of all four Board committees.

#### VIEW AS WEBPAGE

#### AT A GLANCE...

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## McKay Brothers to Be Honored for Distinguished Service

Michael and John McKay will receive the Legal Foundation of Washington's 2008 Charles A. Goldmark Distinguished Service Award at the 22nd Annual Goldmark Award Luncheon on February 29, in Seattle, Wash.

Michael McKay, a member of LSC's Board of Directors, and John McKay, former LSC President, are receiving the award in recognition of their years of volunteer work with Washington's Equal Justice Coalition to increase funding for civil legal aid to the poor, and for the leadership each has brought to the local and national scene to increase access to justice for low-income Americans.



**Left to right: Michael McKay, LSC Board Member, and John McKay, former LSC President**

The Goldmark Award honors the memory of Charles A. Goldmark, a Seattle attorney, community leader, and ardent supporter of access to justice. Mr. Goldmark served as the Legal Foundation's president at the time of a tragic assault that led to his death in 1986.

[Click here](#) for more information.

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## Apply for 2008 Technology Initiative Grants

The 2008 Technology Initiative Grant cycle has officially begun. Approximately \$2.1 million dollars are available to fund innovative projects at LSC-funded programs that promote increased access to justice and high-quality civil legal services through the use of technology.

Grants will be available for projects seeking to improve statewide legal assistance web sites, replicate successful TIG projects in other states or communities, or to launch new projects. LSC will continue its partnership with the State Justice Institute, which will provide matching funds to support TIG projects aimed at helping self-represented litigants in court.

Letters of Intent to Compete are due by February 15, 2008, and should be submitted using the online Letter of Intent system, available here: <http://www.tig.lsc.gov/systems.php>. For additional guidance download the [Request for Letters of Intent to Apply for 2008 Grant Funding](#).

For more information about Technology Initiative Grants, visit [www.tig.lsc.gov](http://www.tig.lsc.gov) or inquire at [techgrants@lsc.gov](mailto:techgrants@lsc.gov).

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## Three More LSC-Funded Programs Adopt *Pro Bono* Resolutions

The Boards of Directors of three more LSC-funded programs have adopted resolutions aimed at increasing the involvement of private attorneys in the delivery of legal services to their clients, bringing to 72 the total number of programs who have adopted such resolutions. The three programs are:

- **Central Jersey Legal Services**
- **Legal Aid Society of Cleveland, Ohio**
- **Montana Legal Services**

### SPOTLIGHT

[Leadership Mentoring Pilot Program Report](#)

[Revised Case Service Report Handbook](#)

[LSC's Performance Criteria, Referenced to the ABA Standards for the Provision of Civil Legal Aid](#)

[LSC's Documenting the Justice Gap in America](#)

### CALENDAR

**January 25-26**  
[LSC Board Meets in Washington, D.C.](#)

**January 31-February 2**  
[LSC's 8th Annual Technology Initiative Grant Conference](#)

**February 15**  
[Letters of Intent to Compete for Technology Initiative Grants due](#)

**June 10-11**  
[All Executive Directors Meeting in Washington, D.C.](#)

### QUOTE

**"Thank God for legal services lawyers."**

**-Senator Barbara Mikulski (D-MD), speaking on the floor of the U.S. Senate. 10/16/2007**

LSC is encouraging all program Boards of Directors to adopt *pro bono* resolutions modeled after one adopted by LSC's Board in April 2007. Urging programs to adopt local resolutions is a key element of LSC's private attorney involvement action plan, entitled "[Help Close the Justice Gap, Unleash the Power of Pro Bono.](#)"

[Click here](#) for the list of LSC-funded programs that have adopted *pro bono* resolutions.

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## Field News

### [National Law Journal Highlights Efforts to Boost IOLTA Funding](#)

An increasing number of states are adopting new rules aimed at bolstering revenue from Interest on Lawyer Trust Account (IOLTA) programs, according to a recent article in the *National Law Journal*.

IOLTA programs provide a significant source of funding for legal services organizations by collecting the interest from lawyers' client accounts and distributing the funds as grants. LSC-funded programs earned \$79 million in IOLTA funds during 2006.

According to the article, nine states—Alabama, Indiana, Maine, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, and Utah—have made their IOLTA programs mandatory since 2004, requiring all lawyers in the state to deposit their client funds in IOLTA accounts. Thirty-six states have mandatory programs, thirteen states and the District of Columbia have opt-out programs, while South Dakota and the Virgin Islands have strictly voluntary programs.

States are also strengthening their IOLTA programs by adopting "comparability" rules, which require lawyers to use IOLTA accounts that earn interest at rates similar to commercial accounts of comparable size. Eighteen states have passed comparability rules recently, which have doubled the interest rates for IOLTA accounts in some states.

[Click here](#) to read, "States scramble to boost IOLTA cash," from the *National Law Journal*.

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## US Attorney General Meets With Head of DNA-People's Legal Services

United States Attorney General Michael B. Mukasey and newly-appointed US Attorney for Arizona Diane J. Humetewa recently visited Window Rock, Ariz., to meet with a delegation of Navajo Nation officials and DNA-People's Legal Services Executive Director Levon Henry.



**Left to right: Levon Henry, Michael B. Mukasey, Diane J. Humetewa, Zackeree Kelin.**

"It was an opportunity to educate the US Attorney General on the Navajo judicial system and the

role of legal services in the Navajo courts," said Henry.

Zackeree Kelin, managing attorney in DNA's Fort Defiance office, talked about the services DNA provides to the reservation communities, explaining the program's substantial work in the domestic relations area, housing law, and the unique consumer law issues facing their clients.

"Our attorneys work in the three jurisdictions—tribal, state, and federal—to fight for the rights of our clients and all three jurisdictions respond to our client's needs," said Kelin. He added, "We work with our clients using traditional peacemaking methods, which seek to resolve issues out of court."

The Attorney General expressed his appreciation for the information, commenting specifically on peacemaking services, saying, "peacemaking is important and we could all learn from it."

[Click here](#) for more information about DNA-People's Legal Services.

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## MidPenn Legal Services Forms Medical Legal Partnership

Susan E. Lindt, The Intelligencer Journal (PA) – January 15, 2008

Sometimes the best medicine is a good lawyer.

And thanks to a new initiative, now there's an attorney as well as a doctor in the house at SouthEast Lancaster Health Services.

"There's an intersection between law and medicine," Jim Orgass, managing attorney at MidPenn Legal Services, said. "It's in treating those environmental factors associated with illness."

A first-of-its-kind program in Pennsylvania, the newly formed Medical Legal Partnership for Families aims to take a chunk out of the complex system that keeps the poor impoverished by backing up medical care with legal teeth.

For example, until now, a SouthEast physician could repeatedly tell the parent of a child with severe asthma that cockroaches must be eradicated from the household to manage the asthma. And the parent might repeatedly tell the physician that her landlord refuses to fumigate, and the conversation would stop there.

But now that parent's next stop after the doctor's appointment can be an attorney consultation right down the hall at SouthEast.

*Note: The Provision for the Delivery of Legal Services Committee of LSC's Board of Directors focused on medical-legal partnerships during its October 2007 meeting in Portland, Maine. As of September 2007, twenty-six LSC-funded programs are participating in medical-legal partnerships in 19 states.*

[Click here](#) to read the article in its entirety.

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## Participate in NALP's 2008 Public Interest Attorney Salary Survey

The National Association for Law Placement (NALP) is conducting its 2008 Public Sector and Public Interest Attorney Salary Survey.

The biennial survey collects data on salaries and benefits for lawyers working for public interest or government organizations, including civil legal services lawyers, attorneys general, prosecutors, public defenders, and more. The final report will be available this summer, and will present the results based on type of employer, length of employment experience, and geography. Data will be presented in the aggregate, and no participant will be individually identified in the report. All survey participants will receive a free electronic copy of the final report and will be able

to purchase hard copies at a reduced rate.

The survey is being mailed to public interest and government organizations, and is also available online at <https://vovici.com/wsb.dll/s/9c6eg1bbe7>.

Please contact Steve Grumm, NALP's Director of Public Service Initiatives, with any questions at [sgrumm@nalp.org](mailto:sgrumm@nalp.org) or (202) 296-0057.

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## Nominations Sought for 2008 Harrison Tweed Award

The American Bar Association (ABA) Standing Committee on Legal Aid and Indigent Defendants and the National Legal Aid and Defender Association are seeking nominations for the 2008 Harrison Tweed Award, which honors state and local bar associations for developing or expanding initiatives that provide the poor with increased access to civil legal services or criminal defense services.

The award will be presented in August at the ABA's 2008 Annual Meeting, in New York City. Nominations must be received April 1, 2008.

[Click here](#) for more information, including a full description of the award, past recipients, and nominating procedures, or contact Tamaara Piquion at [piquiont@staff.abanet.org](mailto:piquiont@staff.abanet.org) or (312) 988-5756.

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## Success Story from Legal Services of the Hudson Valley (NY)

*Legal aid is about helping ordinary people with real-life problems. Client stories illustrate the day-to-day struggles—and victories—of poor Americans seeking justice under law.*

### Protective Clothing Secured for Disabled Child

Legal Services of the Hudson Valley (LSHV) recently helped "Abdul," an eight-year-old boy with an extreme skin condition, secure protective clothing covered by Medicaid.

Abdul suffers from Basal Cell Nevus Syndrome, which causes pre-cancerous cells to develop when his skin is exposed to UV rays. UV-filtering clothing is available, but is expensive and hard to find. Without the clothing, surgery would be required to remove the potentially deadly cells.

The HMO administering Medicaid for the county initially denied an application for the clothing, stating that it was not medically necessary. At a hearing on the matter, LSHV helped Abdul's mother demonstrate that the legal standard for medical necessity was met. The Administrative Law Judge noted that the parent and LSHV submitted compelling evidence and remanded the matter for re-determination.

The HMO denied the application again, stating that the clothing was not included in the New York State Medicaid Plan.

LSHV took the case to a second hearing, arguing that medically necessary items must be covered despite their exclusion from the State Medicaid Plan, for children from birth to 21. The Administrative Law Judge agreed and ordered the agency to cover the clothing for the child.

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Created by Congress in 1974, LSC's mission is to promote equal access to justice in our Nation and to provide high quality civil legal assistance to low-income persons. LSC Updates is produced by LSC's Office of Government Relations and Public Affairs. Questions, comments, or articles can be submitted to Sean Driscoll at [driscolls@lsc.gov](mailto:driscolls@lsc.gov).

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