

SECTION 7:

OTHER WAYS TO ENSURE EQUAL ACCESS TO JUSTICE

Contents

- a. Financial Support
- b. Maximizing IOLTA
- c. Advocacy
- d. Marketing, Training and Other Resources
- e. Internships, Fellowships and Rotation Programs

Financial Support

While lawyers and law firms support a variety of charitable initiatives, lawyers have a special professional responsibility to ensure that everyone has access to our justice system. Fulfilling this responsibility requires contributions of time and money as well as a strategic use of the influence that lawyers and law firms have in our community.

A law firm's financial support for local legal aid organizations is an integral part of the firm's pro bono program. Legal aid organizations provide the necessary "infrastructure" to support pro bono work for area lawyers and law firms (i.e., pro bono programs with solid screening, referral, training and support functions for volunteers). In addition, these organizations provide critical legal assistance to the most vulnerable members of our community in matters where pro bono is not a practical solution, and law firm support is critical to support that work as well.

Under the Illinois Supreme Court Rules, attorneys are encouraged to make financial contributions "to an organization that provides legal services to persons of limited means or which contributes financial support to such an organization." There are a variety of legal aid organizations throughout the state providing these services. A list of legal aid organizations in Illinois that receive funding from either the [Lawyers Trust Fund of Illinois](#), the [Illinois Equal Justice Foundation](#), or one of the two major bar foundations in Illinois is provided below.

In addition, attorneys can make contributions to [The Chicago Bar Foundation](#), which provides financial support for a broad range of legal aid and public interest law organizations in the Chicago area, or the [Illinois Bar Foundation](#), which provides financial support to a range of legal aid and public interest law organizations throughout Illinois.

[Access Living](#)

[AIDS Legal Council of Chicago](#)

[Cabrini Green Legal Aid Clinic](#)

[CARPLS](#)

[Center for Conflict Resolution](#)

[Center for Disability & Elder Law \(CDEL\)](#)

[Center for Economic Progress](#)

[Centro Romero](#)

[Chicago Coalition for the Homeless Law Project](#)

[Chicago Lawyers' Committee for Civil Rights](#)

[Under Law](#)

[Chicago Legal Advocacy for Incarcerated](#)

[Mothers \(CLAIM\)](#)

[Chicago Legal Clinic \(CLC\)](#)

[Chicago Volunteer Legal Services \(CVLS\)](#)

[Community Economic Development Law Project](#)

[Domestic Violence Legal Clinic](#)

[DuPage Bar Legal Aid Service](#) (Wheaton)

[Equip for Equality](#) (Chicago, Rock Island and Springfield)

[Evanston Community Defender](#) (Evanston)

[The Family Defense Center](#)

[Farmworker Advocacy Project](#)

[First Defense Legal Aid](#)

[Health & Disability Advocates](#)

[Illinois Legal Aid Online](#)

[Immigration Project](#) (Bloomington)

[Lambda Legal - Midwest Regional Office](#)

[Land of Lincoln Legal Assistance Foundation](#)

(Southern and Central Illinois)

[Latinos Progresando](#)

[Lawyers' Committee for Better Housing](#)

[Lawyers for the Creative Arts](#)

[Legal Aid Bureau of Metropolitan Family Services](#)

[Legal Assistance Foundation of Metropolitan](#)

[Chicago \(LAFMC\)](#)

[Life Span](#)

[National Immigrant Justice Center](#) (f/k/a Midwest

Immigrant & Human Rights Center - MIHRC)

[Prairie State Legal Services](#) (Northern and

Central Illinois)

[Public Interest Law Initiative \(PILI\)](#)

[The Roger Baldwin Foundation of the ACLU](#)

[Sargent Shriver National Center on Poverty Law](#)

[Uptown People's Law Center](#)

[Will County Legal Assistance Program](#) (Joliet)

[Working Hands Legal Clinic](#)

[World Relief-Chicago—Immigrant Legal Services](#)

[Program](#)

(Unless otherwise indicated, the agencies listed above are located in Chicago.)

Maximizing IOLTA

In 1981, the Illinois State Bar Association and The Chicago Bar Association incorporated the Lawyers Trust Fund of Illinois as a not-for-profit corporation. Two years later, the Lawyers Trust Fund (LTF) became the beneficiary and administrator of the Interest on Lawyers Trust Accounts (IOLTA) program by order of the Supreme Court of Illinois.

The IOLTA program allows interest to be earned on nominal or short-term client deposits held in lawyers' pooled trust accounts. Prior to [Illinois' IOLTA rule](#), banks paid no interest on these client trust accounts. Lawyers have never been allowed to benefit from the property they hold in trust for their clients, and it is not cost-effective for financial institutions to pay interest on the funds of each individual client.

The interest gained on these pooled trust accounts is paid to the Lawyers Trust Fund of Illinois and used: (1) to contribute funds for providing civil legal assistance to the poor throughout Illinois; and (2) for such other programs for the benefit of the public as are specifically approved by the Supreme Court of Illinois for exclusively public purposes.

On June 1, 2007, The Illinois Supreme Court announced changes to Rule 1.15 of the Illinois Rules of Professional Conduct that are designed to increase the rate of interest paid by financial institutions on IOLTA accounts. The revised "comparability rule" requires that to be eligible to participate in IOLTA, a financial institution must pay the same interest rates on IOLTA accounts as they pay on other accounts with similar balances and requirements.

By maximizing use of these accounts, law firms can substantially increase funding for Illinois' legal aid programs. More information about LTF and Illinois' IOLTA program can be found on LTF's website at www.ltf.org. You may also contact LTF Executive Director, Ruth Ann Schmitt, at 312.938.2106 or raschmitt9@aol.com.

Source: www.ltf.org

Advocacy

While lawyers clearly have a leadership responsibility on these issues, equal access to justice is central to our democratic society, integral to the effective functioning of our justice system and a critical part of the safety net for vulnerable members of our community. Thus, just as is true with other critical services such as medical care and housing—and as part of the obligation to properly fund the judicial branch of government—federal, state and local governments have the primary funding responsibility for legal aid and related access to justice initiatives, in partnership with the legal community and other public and private sources. Law firm leadership is essential in the advocacy efforts to ensure adequate government funding for these purposes.

I. Advocate for Government Funding of Legal Services

a. Federal Funding of Legal Services

The Congress of the United States entrusts the Legal Services Corporation (LSC) with a dual mission: to promote equal access to justice and to provide high-quality civil legal assistance to low-income Americans. Congress created LSC in 1974. Each year as part of the budget process, Congress appropriates money for LSC. A bipartisan, 11-member Board of Directors—appointed by the President of the United States with the advice and consent of the Senate—oversees all aspects of LSC operations.

The main source of funding for civil legal aid, LSC gives grants to independent, local programs—in 2008, 137 programs with more than 900 offices nationwide. Grants are awarded through a competitive process. Generally, the size of the grant is based on the number of people living in poverty in a given state or service area.

Nearly 51 million Americans are eligible to receive civil legal aid from LSC-funded programs, including 17.6 million children — one in five. Most are at or below 125 percent of the federal poverty level threshold, an income of approximately \$27,500 a year for a family of four.

On average, LSC provides about half the budget of the programs it funds. LSC encourages programs to leverage limited resources by partnering and collaborating with other supporters of civil legal aid, including state and local government, the private bar, philanthropic foundations, and the business community.

In Illinois, there are three legal aid organizations that receive funding through the LSC. They include Legal Assistance Foundation of Metropolitan Chicago, Prairie State Legal Services and Land of Lincoln Legal Services.

For more information about LSC, visit their website at www.lsc.gov.

Source: www.lsc.gov

b. Legal Services Funding in Illinois

In passing the [Illinois Equal Justice Act](#) in 1999, the State of Illinois committed to protecting its citizens by guaranteeing access to the legal system. The Act recognized the state's responsibility to provide financial support for legal aid services through the creation and funding of the Illinois Equal Justice Foundation (IEJF).

IEJF is a 501(c)3 tax exempt organization, which distributes funding appropriated by the state to support not-for-profit legal aid programs. The funding for the IEJF, which comes through an appropriation through the Office of the Attorney General, directly helps families in crisis, victims of domestic violence and seniors facing abuse and financial exploitation. The IEJF supports innovative, cost-effective legal aid programs that empower clients to resolve legal issues and regain control of their lives. These programs offer information, guidance, advice, representation and tools to help clients understand the legal system and their rights within it.

In 2009, the IEJF awarded \$3.3 million to 22 organizations across the state that serve the civil legal needs of the poor. More than half of these grants were awarded to organizations serving Central and Southern Illinois residents.

More information about IEJF can be found on its website at www.iejf.org or by contacting the IEJF Executive Director, Leslie Corbett, at (312) 938-2381 or via e-mail at lcorbett@iejf.org.

Source: www.iejf.org.

II. Promote *Cy Pres* Awards for Pro Bono, Legal Aid and Access to Justice

Cy pres awards, which most often arise from the unclaimed proceeds from class action lawsuit settlements, can be a major source of funding for legal aid. For example, The Chicago Bar Foundation recently received a \$2 million award that allowed the CBF to create a substantial loan repayment assistance program for legal aid attorneys. *Cy pres* awards of any size, however, can increase the capacity of area legal aid organizations and make the justice system more user-friendly and accessible to the public. Firms should encourage their lawyers to advocate for these awards to be used for this purpose as much as possible.

III. Loan Repayment Assistance Programs (LRAP) and Loan Forgiveness Programs

a. Government Efforts

There have been recent efforts at the federal and state levels to provide loan repayment assistance or loan forgiveness for those working in the public interest. Some proposals have covered only public defenders, some have included prosecutors and others have included those working in public interest and legal aid organizations. Many organizations and bar associations, including The Chicago Bar Association and The Chicago Bar Foundation, are actively engaged in monitoring and advocating for loan repayment and loan forgiveness programs.

If you are interested in learning more about these efforts, please contact CBF Director of Advocacy, Danielle Hirsch, at 312-554-4952 or dhirsch@chicagobar.org.

b. Law School Programs

Many law schools across the country are also establishing LRAPs for their law school students and alumni who pursue a career in the public interest. It varies from school to school as to how many alumni receive the LRAP, the length of the program and the value of the LRAP. In Illinois, DePaul University College of Law, Loyola University School of Law, Northwestern University School of Law, University of Chicago School of Law and University of Illinois College of Law have all established LRAPs and several others are working on developing programs. Your firm and attorneys can advocate for and support such programs through the law schools throughout Illinois.

Marketing, Training and Other Resources

Firms are in a unique position to provide legal aid organizations with certain resources that the organization would either not have access to or would have to expend significant funds to obtain. The work of these organizations can also be supported by firms through donations of these resources or by maximizing the firm's connections and resources for the benefit of the agency. Some examples of these resources include:

- Donating in-kind office space;
- Providing meeting or event space;
- Inviting legal aid attorneys to firm CLE programs;
- Providing reproduction and document assembly services;
- Encouraging firm vendors (printing, court reporters, experts, translation services) to provide pro bono services for the organization;
- Donating postage for event or agency mailings;
- Developing CLE programs or training materials for the organization's other pro bono attorneys;
- Donating a subscription to legal periodicals or texts to the organization;
- Donating used office furniture or computer equipment; and
- Assisting the agency with the development of marketing materials, including brochures, annual reports, and websites.

You can make these contributions to your agency partner(s), or you may contact Dina Merrell at The Chicago Bar Foundation at 312.554.1206 or dmerrell@chicagobar.org for assistance with identifying an organization in need of any of these resources.

Internships, Fellowships and Rotation Programs

I. Public Interest Law Initiative PILI Internship and Fellowship Programs

Each summer, PILI funds dozens of 400-hour internships for first- and second-year law students from across the country to work at public interest law agencies in the Chicago area. PILI also offers a limited number of 200-hour school year internships for Chicago area law students. Many PILI Interns provide low-income and disenfranchised clients with critically needed legal assistance. Other PILI Interns conduct advocacy, policy-based work or impact litigation that enhances the health, safety and welfare of the disenfranchised. All PILI Interns gain valuable work experience that distinguishes their education and ultimately their careers.

PILI raises the funds necessary for each agency to pay its PILI Interns, ensures quality supervision by experienced agency lawyers, provides an educational seminar series, hosts social events and offers networking opportunities. Through PILI Internships, law students work at and learn about public interest, and begin what PILI hopes is a lifelong commitment to public interest law and pro bono work.

PILI also offers new law school graduates the opportunity to work 300 hours during the summer after their graduation at one of more than 50 public interest law agencies. PILI Fellowships provide the scheduling flexibility to allow Fellows to participate in a formal bar review course and take the bar exam while gaining hands-on legal experience.

Nearly two dozen Chicago law firms sponsor PILI Fellows, paying the salaries of their new associates to work at public interest law agencies. Like Interns, Fellows benefit from quality supervision by agency lawyers, an educational seminar series, and social and networking events. Through PILI Fellowships, new law school graduates develop important practical skills, forge a professional network within the Illinois legal community and provide critically needed legal assistance to public interest law agencies and their clients.

More information about PILI can be found on their website, www.pili-law.org. You may also contact PILI Executive Director, Susan J. Curry, at 312.832.5128 or scurry@pili-law.org.

II. Extended Placements

PILI encourages law firms to provide the opportunity for firm attorneys – whether new associates or seasoned attorneys – to be placed at a public interest law organization for an extended period of time in a rotation or fellowship program. PILI provides assistance to firms in developing such programs and in identifying public interest law organizations to host their attorneys. Contact PILI's Director of Programs, Michael Bergmann, at mbergmann@pili-law.org or 312.832.5129 for more information about these or other programs.

III. Other Fellowships

Equal Justice Works is a national organization that gives young attorneys the opportunity to pursue a two-year paid fellowship at a wide variety of legal aid and public interest law organizations throughout the country. A number of law firms have sponsored Equal Justice Works Fellowships in Chicago. More information about the program can be found on their website at www.equaljusticeworks.org.

Some firms also have established their own fellowship programs, such as the Skadden Fellowship established by Skadden, Arps, Slate, Meagher & Flom LLP. Skadden Fellowships are initially awarded for one year, with the expectation of renewal for a second year. Skadden provides each Fellow with a salary and pays all fringe benefits to which an employee of the sponsoring organization would be entitled. In some instances, the firm will also pay a Fellow's law school debt service for the tuition part of the loan for the duration of the fellowship. More information about the Skadden Fellowship program can be found on their website at www.skaddenfellowships.org.