

THE WEST VIRGINIA STATE BAR
IOLTA ADVISORY COMMITTEE MEETING
STATE BAR CENTER - CHARLESTON
JUNE 21, 2012 - 11:00 A.M.

MINUTES

1. Call to Order - Chairperson Flaherty

A meeting of the IOLTA Advisory Committee of The West Virginia State Bar was called to order by Chairperson Thomas Flaherty on June 21, 2012, at The State Bar Center in Charleston. Committee members appearing in person were Chairperson Flaherty, Steven D. Canterbury and Anne Werum Lambright. Committee member Charles DiSalvo appeared by phone. Also appearing by phone were Robert Baker and, in person, Sue Racer-Troy and State Bar Executive Director Anita Casey.

Items appear in the minutes in the order they appeared on the Agenda and not necessarily in the order in which they were presented.

2. Review of Minutes of Last Committee Meeting – March 22, 2012 - Chairperson Flaherty

The Minutes of the March 22, 2012, IOLTA Advisory Committee Meeting were reviewed. A motion was made to accept the Minutes, as presented. Following a proper second, the motion passed by a unanimous vote.

3. Financial Report - Ms. Lambright and Ms. Racer-Troy

Ms. Racer-Troy presented the financial report of the three IOLTA accounts as of June 20, 2012. Cash in the operating account as of June 20, 2012 was \$69,342.31. Total cash on hand was \$101,185.33. She noted that amounts being collected continued to go down. Ms. Racer-Troy reported that the Bar had recently implemented the tracking of funds in individual IOLTA accounts. She addressed her concern with The Bar's ability to continue to do that tracking, at least for a period of time, based upon her decision to accept other employment. It was her belief that the transition period for a new accountant would adversely impact the tracking procedures which had been implemented. Executive Director Casey reported on the Bar's decision to collect data on all attorneys' IOLTA accounts by requesting that information, along with dues and financial responsibility disclosure information, for the 2012-13 fiscal year. It was hoped that consolidating the collection of IOLTA information with dues would increase the number of attorneys reporting and, therefore, collections. A discussion was had on the status of proposed amendments to Rule 1.15. Mr. Canterbury agreed to check with the Supreme Court on the status of review and anticipated implementation of that Rule. Thereafter, a motion was made to pay out to grantees of the program the sum of \$70,000. The motion received a proper second and passed by a unanimous vote.

4. Report from Legal Services Programs

Mr. Baker reported that Legal Aid of West Virginia had received a \$1 million grant, payable over a three year period, from the office the West Virginia Attorney General. The funds were earmarked to provide consumer services and to insure that the Logan Legal Aid office remained open. The grant would not provide for the reinstatement of any employee of Legal Aid who had been laid off due to recent budget cuts. He provided a brief report on the status of LSC funding. There was no report on behalf of Mountain State Justice.

5. Report from Special Grantees

Professor DiSalvo provided the following reports:

CASA Association, Inc. – The program has no permanent state director. It was hoped that a new director would be located by July 1, 2012. The program currently has over 300 volunteers who have served over 1,000 children.

West Virginia Senior Legal Aid – The program has three students who are working over the summer to update consumer education materials.

Appalachian Center for Law and Public Service – The Center has been working with CASA to do specialized training through the WVU College of Law.

ChildLaw Services – Since January 2012, ChildLaw Services has opened 87 new cases, representing 100 children. ChildLaw's two attorneys have attended over 300 hearings and 200 Multi-disciplinary Treatment Teams.

WV Fund for Law in the Public Interest – The program has been running its usual summer programs and has thirteen fellows. The director of the program has tendered her resignation so Professor DiSalvo is serving as advisor in the meantime. The Dean hopes to reconfigure the program in conjunction with the selection of a new director.

6. Old Business

Status of Amendment to Rule 1.15, previously having been addressed above, there was no other Old Business.

6. New Business

There was no New Business presented at the meeting.

8. Next Meeting – September 20, 2012 at 11:00 a.m. at The State Bar Center.

9. Adjournment

Following a motion to adjourn, was accepted by acclamation.
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