

**THE WEST VIRGINIA STATE BAR  
IOLTA ADVISORY COMMITTEE  
STATE BAR CENTER - CHARLESTON  
June 23, 2020 – Noon**

**MINUTES**

1. Call to Order

A meeting of the IOLTA Advisory Committee of the West Virginia State Bar was called to order by Shannon Smith at noon on Tuesday, June 23, 2020. Due to COVID-19 restrictions, the Committee members did not appear in person. Committee members who appeared via video conferencing were Chairperson Shannon Smith, Bren Pomponio, and Elizabeth Wehner. Committee members appearing via teleconferencing were Jennifer Powell, Jennifer Massey, Sue Racer-Troy, Kevin Robinson, and Tammie Alexander. Attending in person at the State Bar offices were State Bar Executive Director, Anita Casey, State Bar Financial Director, Sarah Hall, and State Bar IOLTA Administrative Assistant/ Paralegal, Patricia Schoolcraft, who served as secretary.

The minutes are presented in the order the items appeared on the Agenda, not necessarily in the order in which the items were presented at the meeting.

2. Review of Minutes of Last Committee Meeting

A motion was made to approve the Minutes of the March 24, 2020 Committee meeting. The motion received a proper second and passed by a unanimous vote.

3. Report from Legal Services Programs

A. Ms. Wehner reported that because of the COVID-19 restrictions, **Legal Aid** continues to work remotely. Legal Aid remotely handled 1,267 cases. The primary areas of service were domestic violence and assistance with stimulus funds, unemployment matters, and evictions. Legal Aid also provided significant training on stimulus applications, grandparent matters, and the social services. Approximately, 220 attended the training. Legal Aid has been doing substantial remote/video conference hearings and other proceedings. Legal Aid is gradually returning to the workplace as provided by the recommendations of the CDC and State guidelines.

B. Bren Pomponio reported for **Mountain State Justice (“MSJ”)** that MSJ continues to work remotely due to COVID-19 restrictions. MSJ has not had as many urgent foreclosure matters. An emergency order was issued to stop all foreclosures. Currently MSJ is seeing an increase in intakes. It is anticipated that MSJ will see an increase in consumers who need help when the COVID-19 restrictions are lifted.

#### 4. Report from Special Grantees

Prior to the meeting Ms. Powell provided the following reports from the five special grantees:

##### **ChildLaw Services**

ChildLaw Services currently has 497 cases open. From March 16th to June 15th, ChildLaw opened 49 cases and closed 3. Of the newly opened cases, one is a victim of sexual assault, 5 are juveniles, 5 are family law, 2 are guardianship, one is adoption, and 36 are abuse and neglect. Of the newly closed cases, all three were abuse and neglect cases.

ChildLaw stayed fully operational and addressed the needs of our vulnerable clients through the early pandemic days by working at home. In the last month, ChildLaw staff has been transitioning back to the office to deal with the numerous client victims in our catchment area.

##### **WV CASA Association**

IOLTA funds during this quarter were used to support the WVCASA Network. As with the rest of the world, this quarter our network was impacted by the COVID 19 crisis. Our state network worked to provide a cohesive strategy to protect our staff and children during this time, including:

- a. All visits with our children were held by virtual means and we increased phone calls to foster parents to provide support.
- b. We continued to hold program director meetings each month by conference call.
- c. Since court hearings and MDT's were minimal, our staff was able to use the time to work on continuing education opportunities. We shared ideas for online learning with programs around the state.
- d. We continued to recruit new CASA volunteers and got creative with social media advertisement.
- e. We trained an additional 28 volunteers since March and held virtual swearing in ceremonies with our local judges for 11 volunteers.
- f. We provided 36 in-service training sessions for our current volunteers maximizing the captive 'at home' audience.

Our efforts to hire a new state coordinator have been successful, and of the writing of this update the WV CASA State Board of Directors has offered the position to our top candidate. We anticipate a July 1 start date.

##### **Senior Legal Aid**

This quarter our call volume is low, we have served 114 individual seniors in 36 counties. We typically have experienced this during time of natural disaster in the past, like wide-scale flooding. Legal issues take a back seat for seniors struggling with more critical problems during crisis. All our previously-scheduled senior workshops at libraries and senior centers have been cancelled or at least postponed to be rescheduled when they can be delivered

safely. We have implemented office protocols designed to avoid infection, we are mostly working from home and only one person at a time is ever in the office. We are very fortunate that we can still deliver most of our services without too much disruption since we have always served our seniors remotely through telephone and email. Our public interest law fellow started work here in the last week of May and is doing a wonderful job despite the difficulty of learning and sharing information mostly remotely.

### **WVU College of Law Center for Law and Public Service**

The Center for Law and Public Service is finishing another successful year of pro bono and community service initiatives at the College of Law. 28 students from the Class of 2020 were honored as pro bono honorees, having completed 25 or more hours of pro bono service during their law school career. 12 students from the Class of 2020 were also honored as Community Service volunteers, having completed 25 hours or more hours of community service during their law school career. Ongoing pro bono projects included Magistrate Court mediation; VITA; unpaid volunteer work at Legal Aid and other public interest organizations; and work on behalf of the Public Interest Advocates. Community Service efforts included dinner at Rosenbaum House, a Red Cross Blood drive, and a community clean-up for senior citizens in Monongalia County. The COVID-19 crises and subsequent campus shut down did prematurely end our semester in person and hampered our completing our last weeks of pro bono and community service events.

### **WV Fund for Law in the Public Interest**

The Public Interest Advocates' (PIA) spring auction was held for the first time entirely on line. As a result, it netted \$15,000 for student fellowships. Combining this with the \$10,000 already raised by the PIA through their calendar sale and book sales, and adding these funds to the funds raised by the WV Fund through its fall appeal, the WV Fund was able to select 24 students to work in public interest fellowships this summer. The fellows work 10 weeks, full time, and earn \$5,500. They will work at the Land Use and Sustainable Development Clinic at WVU College of Law; Legal Aid of WV; Senior Legal Aid; Mountain State Justice; ACLU of WV; ChildLaw Services; Disability Rights of WV; Roane County Public Defender; Preston County Public Defender; and the Federal Public Defenders' offices in both the Northern and Southern District of WV.

## **5. Financial Report**

State Bar Financial Director, Sarah Hall, provided current financial information. She reported that approximately \$73,702 is available for IOLTA grant distribution. A motion to distribute the \$73,702 to the grantees was made and following a proper second, the motion passed by unanimous vote. The two Committee members who represent the current grantees abstained from voting on the distributions.

## **6. Old Business**

a. West Virginia State IOLTA Investment Policy. Because of the COVID-19 crises, the issue was tabled until the September 2020 Committee meeting.

b. Bank Service Agreement. The issue was tabled until the September 2020 Committee meeting.

7. New Business

a. The discussion on the changing interest rates and impact on IOLTA income was tabled to the September 2020 meeting.

8. Next Committee Meetings – The next meetings of the Committee will be at noon on September 22 and December 8, 2020.