



SUPREME COURT OF PENNSYLVANIA  
PENNSYLVANIA INTEREST ON  
LAWYERS TRUST ACCOUNT BOARD

**Survey of the Provision of Civil Legal Assistance of IOLTA Funded Organizations**

**For the Applicable Calendar Year 2009, or Fiscal Year Ending in 2010**

**November, 2011**

In August 2006, the American Bar Association adopted principles of a state system for the delivery of civil legal aid, similar to its ten principles for public defense delivery systems. The goal for establishing the principles is to assure “a state’s system for the delivery of civil legal aid provides a full range of high quality, coordinated and uniformly available civil law-related services to the state’s low income and other vulnerable populations who cannot afford counsel, in sufficient quantity to meet their civil legal needs.” At the same time the ABA adopted a unanimous resolution calling on federal, state, and territorial governments to provide low-income individuals with state-funded counsel when basic human needs are at stake. Shortly thereafter, in November 2007, the Pennsylvania Bar Association passed a resolution consistent with the ABA’s civil right to counsel resolution. The PBA’s resolution urges the state to provide counsel as a matter of right to low-income litigants in high-stakes civil proceedings, such as those involving “shelter, sustenance, safety, health or child custody.” A task force was formed to develop broad implementation strategies for funding a civil right to counsel and for maximizing private bar involvement in efforts to improve access to the justice system. The mission of the task force was rolled into the work of the PBA’s Legal Services to the Public Committee. In late 2010 the Committee established a Needs Assessment working group to evaluate the existing statewide civil legal aid delivery system.

The IOLTA Board modified its 2011-2012 grant application to collect additional information pertaining to 2009 calendar year or the fiscal year ending in 2010 data from all of its grant applicants. The purpose of the survey with the additional information was to assist the efforts of the Pennsylvania Bar Association Legal Services to the Public efforts in assessing the current state of the provision of civil legal assistance in Pennsylvania and how best it might develop strategies to assure a civil right to counsel in conflicts involving critical human needs. Those data are summarized in this report. Nearly all of the legal services organizations in Pennsylvania whose primary purpose is the provision of civil legal services to indigent Pennsylvanians at no charge to the client are represented in the report. Those organizations are listed in Schedule A. The report also includes clinical civil legal representation information pertaining to all eight Pennsylvania law schools, as well as information for organized pro bono efforts of the four programs which applied to the IOLTA Board for funding. The compiled survey data are grouped into four classifications: IOLTA qualified organizations that are not funded by PLAN Inc.; the PLAN Inc. funded organizations; law schools; and pro bono organizations that applied to, and received funding from, the IOLTA Board for funding during the period of the survey. When notable, comments are made as to survey results of the classifications. While the working group had intended to survey other organizations whose primary mission may be more broadly defined, but whose activities included the provision of civil legal aid, that effort was not completed.

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Administering Pennsylvania’s Interest On Lawyers Trust Account (IOLTA) Program

**Statewide Funding for Civil Legal Assistance.** The survey of IOLTA funded civil legal assistance programs discloses total annual funding of \$87.4 million and annual in-kind contributions of \$26.5 million, or total resources of \$113.9 million. Most of the in-kind contributions is the value of private attorneys who do pro bono representation of clients referred by the legal services organizations included in the survey. The average hourly value assigned for each attorney hour is \$188, and the average hourly rate for other volunteers is \$43. The value assigned to the attorney hours varied from a high of \$460 (for 155 hours) for representation in aids related representation, to a low of \$66 (for 1,020 hours) for legal assistance in immigration matters. There is more pro bono representation of the poor than is quantified here, but there is limited or no data available related to the non-organized pro bono efforts or organized efforts through other organizations. Some of the organizations included in this survey provide other limited non-legal services for their client base. Each organization listed in the survey demonstrates that of all the resources it uses each year to carry out its mission, at least 50% is directed to the civil legal representation of the poor. The financial data included in the survey apply only to the funding of the civil legal services unit of the organization in such instances. These data represent funding, not expenses. The actual expenses for the year may have been higher or lower than the revenue displayed.

There are 1,648,184 persons living at the federally defined poverty level in Pennsylvania as disclosed by the Census Bureau data published in the 2010 American Community Survey (ACS). At the poverty level, the annual income for one individual is at or below \$13,344; or for a family of four, \$22,491. The poverty level is a statistical benchmark, and is not representative of what it takes an individual or family to live for a year. Clients eligible for civil legal assistance with IOLTA Board funding generally must be at or below 125% of poverty adjusted for the family size in the household. However, representation up to 187.5% of poverty would still qualify for IOLTA funded civil legal services (victims of domestic violence can receive assistance in obtaining a protective order without regard to their income). As of the date of this report, the ACS had not released the estimate of persons at 125% of poverty.

In summary, the civil legal providers received the following support in 2010 (see Schedule B for more details):

<u>SOURCES</u>	<u>AMOUNT</u>	<u>PERCENT OF FUNDING</u>	<u>PERCENT OF ALL RESOURCES</u>
State Government	\$28,764,779	33%	25%
Federal Government	21,922,737	25%	19%
Local Government	10,497,202	12%	9%
Other local and private	<u>26,176,100</u>	<u>30%</u>	<u>23%</u>
Total Funding	\$87,360,818	<u>100%</u>	77%
In-Kind Resources	<u>26,537,282</u>		<u>23%</u>
Total Funding and In-Kind	<u>\$113,898,100</u>		<u>100%</u>

Some of the funding displayed in the State and Local classifications include federal funding which was appropriated through state and local governments. The largest funder of civil legal aid in Pennsylvania is the PA IOLTA Board of the Supreme Court of Pennsylvania, followed by the federally funded Legal Services Corporation, and then the Pennsylvania Legal Aid Network, Inc. (PLAN Inc.) which administers the state appropriated funding. But, by far, the value of pro bono volunteerism and in-kind contributions account for the

largest single source (classification) of resources directed to the civil legal representation of the poor in Pennsylvania.

The organizations that receive state funding through PLAN Inc. received \$54 million of support from all sources, \$4.5 million of which was related to in-kind resources. This contrasts with the \$54 million of support from all sources of the other legal assistance organizations that do not receive funding from the PLAN Inc., but that receive direct IOLTA grant funding (referred to as IOLTA qualified organizations). The IOLTA qualified organizations received nearly \$22 million of in-kind resource. Some of the IOLTA qualified organizations rely almost exclusively on pro bono volunteerism by private attorneys, law students and others for the legal representation of eligible clients. The largest of those organizations are located in Philadelphia County where many attorneys, and law schools, also are located. The Philadelphia connection and that county bar association’s culture of pro bono account for the larger reliance on pro bono by the IOLTA qualified organizations. The three organizations that rely most heavily on pro bono volunteerism are Philadelphia Volunteer Lawyers for the Indigent (VIP), Support Center for Child Advocates, and the Philadelphia Homeless Advocacy Project which recorded 66,434 of attorney pro bono hours among them.

**Legal Services Staffing and Volunteers.** The full time equivalent (FTE) staffing for legal services, pro bono programs, and law school civil legal clinics (see Schedule D), as well as the private attorneys and paralegals (see Schedule C) who volunteer their time through those organizations to help clients are summarized below.

	Attorneys	Paralegals	Other	Total
Legal services and law school programs	493	162	366	1,021
Volunteers	<u>61</u>	<u>49</u>	<u>2</u>	<u>112</u>
Totals	<u>554</u>	<u>211</u>	<u>368</u>	<u>1,133</u>

The FTE’s for attorney and other volunteers were estimated by assuming a forty hour work week, allowing three weeks for vacation and sick leave, and one week for administrative, training, or other non-representation time, with the remaining time assumed as available for representation of clients (if a thirty five hour work week is assumed, the number of attorney and other volunteer FTE’s would be 17 higher than displayed above). Volunteer attorneys constitute 11% of the FTE attorneys. Thirty five of the volunteer attorneys (40 assuming a 40 hour work week) are related to the pro bono activity of the three Philadelphia organizations mentioned earlier, Philadelphia VIP, the Support Center for Child Advocates, and the Homeless Advocacy Project. Of the 493 FTE staff attorneys, nearly 9% were primarily or exclusively involved in administrative activities, leaving 431 available for actual legal representation, or about one legal services attorney per 3,824 poor persons (at 100% of poverty) in Pennsylvania. Similarly, of the 162 staff paralegals, nearly 5% were primarily or exclusively involved in administrative activities, leaving 154 available to provide legal assistance. The funding (including in-kind resources) per FTE staff/volunteer was \$100,528. Excluding FTE volunteers and the value of their time, the funding per FTE staff was \$85,564.

**Diversity of Paid Staff.** The survey of the diversity of staff does not consider the amount of time an individual may work. Therefore, the diversity count differs from the count of FTEs. There were 1,062 individuals employed by legal services, pro bono, and law school civil legal clinical programs; 72% were female and 28% males. Nearly three fourth (74%) were Caucasian, 15% African American, 8% Hispanic, and 3% other races/ethnicities. Of the 509 attorney staff, 60% were female and 40% male. 86% were Caucasian, 8% African

American, 3% Hispanic, and the remaining 3% other races/ethnicities (see Schedule D for more information). The organizations were not surveyed regarding the diversity of their clients.

**Cases by Legal Problem.** Statewide, 113,337 cases were closed by the 52 organizations participating in the survey (see Schedule E). The law schools reported only the cases closed by civil clinical programs; no cases were reported related to placements at civil legal assistance organizations external to the law school. Nearly half of the caseload involves family and housing issues; 26% were family law matters such as custody and seeking protection from an abusing partner; and 23% involved housing matters such as landlord/tenant disputes and mortgage foreclosures. Next largest areas of the caseload were consumer/finance and income maintenance issues at 11% each. Nearly 65% of the closed cases involved advice and/or brief service (see Schedule F). Each brief service case had a direct impact on nearly two people. Extended representation cases may involve representation in court or before an administrative tribunal. Some of the organizations are involved in complex litigation, for example class actions, and administrative rule making, or legislative advocacy such that many people are affected by the outcomes of the representation. Thus, while the percentage of extended representation cases is about 35%, the impact on persons affected by such representation is quite broad. The largest client populations served in order of magnitude are children, people with mental and/or physical disabilities, elderly persons, and non-English speaking people.

The PLAN Inc. funded organizations closed 67,484 cases; 42,988 (64%) by the provision of brief services and 24,496 (36%) by extended representation. The IOLTA qualified organizations closed 41,987 cases; 28,790 (69%) by the provisions of brief services and 13,197 (31%) by extended representation. The law school civil legal clinical programs closed 3,386 cases; 1,376 (41%) by the provision of brief services and 2,010 (59%) by extended representation. The PLAN Inc. funded organizations report a significant number of referrals, contacts for pro se assistance, and non-case activities before state and local administrative rule making bodies, while the IOLTA funded organization report significant non-case activities before state and local legislative bodies, broadly focused impact projects, and negotiation activities.

**Geographical Dispersion of Closed Cases.** The American Bar Association “Principles of a State System for the Delivery of Civil Legal Aid” included a “Self-Assessment Tool” to aid in evaluating a state’s progress in meeting the Principles. Principle six provides that a state system should make services fully accessible and uniformly available throughout the state. The self-assessment tool suggests comparing the ratio of services to the poverty population expressed as a decimal, then comparing the three counties with the highest level of service to the three counties with the lowest. The closer that ratio is to 1, the more uniform the level of service is among the counties. Using the number of closed cases for all organizations in the survey as the measure of service, and census 2000 poverty data by county which serves as the basis for allocating funding among legal aid programs and regions, Pennsylvania’s measure of relative disparity is 4.2 (see Schedule G). Since legal aid funds and IOLTA grants are allocated based on six geographical regions, the relative disparity among the regions (which accumulates all closed cases and all poverty population for the region) was computed resulting in 1.9. In this analysis, every closed case is weighted equally; a brief service case counts the same as a complex class action case. Although the self-assessment tool does not specify, this statistical tool may best be viewed over time to gauge whether progress is being made toward achieving more uniformity of services availability, and whether that degree of uniformity is relatively consistent over time.

When viewed at the county level, Wyoming, Allegheny, and Butler are those with the highest level of closed cases, over four times as many when weighted by their poverty populations, as the lowest three counties,

Juniata, Clinton and Centre Counties. Eligible clients in the highest counties were four times more likely to have access to a legal services or pro bono attorney volunteering through a legal services program to handle their case in 2010.

When viewed at the region level, Philadelphia (which is a region itself) had the highest level of closed cases per poverty population, with the Northeastern region having the lowest level, nearly half as many closed cases per poverty population, as in Philadelphia in 2010.

**Summary.** Scientifically valid statistical studies have determined that about 20% of the civil legal problems of the poor are being addressed by pro bono representation and legal aid. Additionally, the federal Legal Services Corporation has conducted two studies and in each has determined that one of every two eligible persons who contact one of its legal aid funded organization must be turned away because of a lack of resources. Although much remains to attempt to close the gap, there is reason for celebration too. There is a significant amount of pro bono activities that leverage the services provided by a core system of poverty law professionals. And the diversified funding of the core service delivery system demonstrates a vibrant public/private partnership seeking equal access to civil justice. The IOLTA Board thanks all of those who participated in the survey, and appreciates the broad spectrum of legal representation provided to less fortunate Pennsylvania residents by the dedicated staffs of the organizations and volunteers.

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**Pennsylvania IOLTA Board  
 Data of Organizations Providing Civil Legal Assistance to Eligible Clients  
 Complied From IOLTA Grant Application, 2011-2012 & Surveys  
 Data from Calendar Year 2009 or Fiscal Year 2009-2010**

**Names of Organizations**

<p><b>IOLTA Qualified Organizations</b>          (i.e., meet the IOLTA primary purpose test)</p> <p>Aids Law Project          Allegheny County Bar Foundation          Allegheny County CASA Program          Consumer Bankruptcy Assistance Project          Disability Rights Network of PA          Education Law Center PA          Franklin County Legal Services          HIAS &amp; Counsel Migration Services of Philadelphia          Homeless Advocacy Project          Juvenile Law Center          KidsVoice Pennsylvania          Lackawanna Pro Bono Legal Clinic for the Disabled          Legal Clinic for the Disabled          Legal Services for Immigrants &amp; Internationals          Montgomery Child Advocacy Project          PA Immigration Resource Center          Philadelphia Legal Assistance          Philadelphia Volunteer Lawyers for the Arts          Philadelphia Volunteers for the Indigent          Protection from Abuse Coordinated Services          Public Interest Law Center of Philadelphia          SeniorLaw Center          Support Center for Child Advocates          Westmoreland Bar Foundation          Women Against Abuse Legal Center          Women's Center &amp; Shelter of Greater Pittsburgh</p>	<p><b>PLAN Inc. Funded</b></p> <p>Commonwealth Advocacy Project (aka, Community Justice Project)          Community Legal Services          Friends of Farmworkers          Laurel Legal Services          Legal Aid of Southeastern PA          MidPenn Legal Services          Neighborhood Legal Services Association          North Penn Legal Services          Northwestern Legal Services          PA Health Law Project          PA Institutional Law Project          PLAN Inc.          Regional Housing Legal Services          Southwestern PA Legal Services</p> <p><b>Special IOLTA Pro Bono Fund Applicants</b></p> <p>Butler County Bar Association          Cumberland County Bar Association          Face to Face, Philadelphia          Washington County Bar Foundation</p>
<p><b>LawSchools</b></p> <p>Pennsylvania State University, Dickinson          Drexel University, Earle Mack School of Law          Duquesne University School of Law          Temple University, Beasley School of Law          University of Pennsylvania School of Law          University of Pittsburgh School of Law          Villanova University School of Law          Widener University School of Law</p>	<p><b>Other Organizations</b></p> <p>None</p>

**Schedules Compiled**

- Sources of Funding (Available for the Primary Purpose. Law school data related to IOLTA funded clinics/internships only)
- Volunteer and In-Kind Resources (Excludes Law Schools)
- Current Staffing (All staff of the Organization, not just Primary Purpose)
- Legal Services Provided-Closed Cases & People Benefited (Law school data includes all civil legal clinics, not only IOLTA funded)
- Cases by Legal Problem (Law school data includes all civil legal clinics, not only IOLTA funded)
- Cases by County (Law school data includes all civil legal clinics, not only IOLTA funded)

**Pennsylvania IOLTA Board**  
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**Sources of Funding**

Please provide a breakdown, by funding source, of your organization's estimated total revenues for its LEGAL SERVICES UNIT ONLY for the past calendar/fiscal year using experience from past years and your best professional judgement.

Source	IOLTA Funded CY Programs 2009 (audited) FY Programs 2009-2010 (audited)	PLAN Inc.-Funded FY Programs 2009-2010 (audited)	Law Schools CY Programs 2009 FY Programs 2009-2010	Other Organizations CY Programs 2009 FY Programs 2009-2010	Special IOLTA Pro Bono Funds CY Programs 2009 FY Programs 2009-2010	TOTALS
Total Program Revenue	49,932,994	54,247,744	5,663,962	0	60,843	113,898,100
<b>Estimated Sources of the Revenue</b>						
1. IOLTA Board Funding	1,021,674	12,522,705	1,635,000			15,179,379
2. LSC	3,478,747	10,750,707				14,229,454
3. PLAN Inc. Funding	157,950	10,943,873				11,101,823
4. Federal Funds (non-LSC, non-PLAN)	6,192,458	1,500,825				7,693,283
5. State Appropriation (non-PLAN)	1,536,155	947,422				2,483,577
6. Local Gov't Funds	6,341,810	4,155,392				10,497,202
7. Bar Associations/Bar Foundations	1,067,257	1,164,020			26,196	2,257,473
8. Foundations	5,328,183	2,394,004			5,500	7,727,687
9. Corporations	625,553	1,040,271			6,100	1,671,924
10. Attorney Fees	860,840	339,039				1,199,879
11. United Way	597,981	460,956				1,058,937
12. Annual Appeal-Private Attorneys	385,173	379,005			23,047	787,225
13. Annual Appeal-Others	1,377,826	109,669				1,487,495
14. Cy Pres Awards	32,231	360,290				392,521
15. Special Events	771,570	114,346				885,916
16. Religious Orgs	74,320	0				74,320
17. Planned Giving or Endowments	116,770	73,636				190,406
18. Other (excluding In-Kind)	2,141,224	2,272,131	4,028,962			8,442,317
<b>19. Total Funding Sources</b>	<b>32,107,722</b>	<b>49,528,291</b>	<b>5,663,962</b>	<b>0</b>	<b>60,843</b>	<b>87,360,818</b>
<b>20. In-Kind Resources</b>	<b>21,919,037</b>	<b>4,523,354</b>			<b>94,891</b>	<b>26,537,282</b>
<b>21. Total Cash and In-Kind Resources:</b>	<b>54,026,759</b>	<b>54,051,645</b>	<b>5,663,962</b>	<b>0</b>	<b>155,734</b>	<b>113,898,100</b>

<b>S</b> tate	28,764,779	25%
<b>F</b> ederal	21,922,737	19%
<b>L</b> ocal	10,497,202	9%
<b>O</b> ther	26,176,100	23%
<b>T</b> otal Funding	87,360,818	77%
<b>I</b> nkind	26,537,282	23%
<b>T</b> otal Resources	113,898,100	100%

- A. Data for IOLTA funded legal services organizations are the amounts related to the organization's primary purpose only, the provision of civil legal assistance.
- B. Law school funding data are related to the IOLTA funded clinics and internships only.
- C. Some of the amounts accumulated as State and Local funding are federal dollars appropriated by state and local governmental sources. The survey did not separately disclose those federal sources.

Note: Inkind revenue is linked (determined) based on the detailed estimates used for tab B of this spreadsheet, not the inkind revenue listed on the revenue tab of the survey instrument.

**Pennsylvania IOLTA Board**  
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**Volunteer and In-Kind Resources**

**1. Value of Volunteer Services**

- o Please provide the estimated amounts requested below for the past calendar/fiscal year (CY2009, FY 2009-2010).
- o When estimating amounts, reference your most recently completed program audit for guidance and/or apply your best professional judgement.

	IOLTA-Funded	PLAN Inc. Funded	Law Schools	Other Organizations	Special IOLTA Pro Bono Funds	TOTAL
<b>Pro Bono Attorneys</b>						
Hours of Service Donated:	91,177	22,847			689	114,713
Dollar Value per Hour*:	196	158			72	188
<b>Total</b>	<b>17,874,855</b>	<b>3,599,065</b>	<b>0</b>	<b>0</b>	<b>49,435</b>	<b>21,523,355</b>
<b>Estimated Percentage of Hours Donated by "Attorney" Category</b>						
Private Attorney	\$16,636,331	\$3,577,915			\$45,095	20,259,341
Retired Attorney	\$46,150	\$14,100			\$0	60,250
Government Attorney	\$513,088	\$0			\$4,340	517,428
Other Professional	\$679,286	\$7,050			\$0	686,336
<b>Total Percentage</b>	<b>\$17,874,855</b>	<b>\$3,599,065</b>	<b>\$0</b>	<b>\$0</b>	<b>\$49,435</b>	<b>\$21,523,355</b>
<b>Others</b>						
Hours of Service Donated:	72,392	23,184			372	95,948
Dollar Value per Hour*:	44	37			21	43
<b>Total</b>	<b>3,220,450</b>	<b>856,056</b>	<b>0</b>	<b>0</b>	<b>7,812</b>	<b>4,084,318</b>
<b>Estimated Percentage of Hours Donated by "Other" Category</b>						
Law School/Student Assistance	\$1,947,815	\$237,332			\$7,500	2,192,646
Lay Volunteers	\$191,720	\$2,225			\$0	193,945
Lay Advocates	\$1,080,914	\$616,500			\$312	1,697,727
<b>Total</b>	<b>\$3,220,450</b>	<b>\$856,056</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,812</b>	<b>\$4,084,318</b>
<b>Value of Volunteer Services:</b>	<b>\$21,095,305</b>	<b>\$4,455,121</b>	<b>\$0</b>	<b>\$0</b>	<b>\$57,247</b>	<b>\$25,607,673</b>

**2. Value of Other In-Kind**

- o Please provide the estimated amounts requested below for the past calendar/fiscal year (CY 2009, FY 2009-2010).
- o For estimating amounts, reference to your most recently completed program audit for guidance and/or apply your best professional judgement.

Type of In-Kind Anticipated	Amount**					
(1) Office Support	\$209,343	\$32,000			\$37,644	278,987
(2) Office Space	\$443,609	\$33,633			\$0	477,242
(3) Consultant and Contract Services	\$6,780	\$0			\$0	6,780
(4) Fundraising Support	\$164,000	\$0			\$0	164,000
(5) Furniture and Equipment	\$0	\$2,600			\$0	2,600
<b>Total -- Other In-Kind:</b>	<b>\$823,732</b>	<b>\$68,233</b>	<b>\$0</b>	<b>\$0</b>	<b>\$37,644</b>	<b>\$929,609</b>

**3. Total Value of In-Kind (sum of "1" and "2"):**

	<b>\$21,919,037</b>	<b>\$4,523,354</b>	<b>\$0</b>	<b>\$0</b>	<b>\$94,891</b>	<b>\$26,537,282</b>
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**Data used to estimate full time equivalents:**

Annual Paid hours  
 Estimated vacation and sick leave, three weeks  
 Estimated non representation time (e.g., administrative meetings, trainings, etc.)

Assuming:  
 35 Hour Work Week      40 Hour Work Week

1820      2080  
 105      120  
 70      80  
 1645      1880

<b>Estimated FTE Attorneys</b>	<b>70</b>	<b>61</b>
Private	66	58
Retired	0	0
Government	2	1
Other professional employment	2	2
<b>Estimated FTE Advocate Volunteers</b>	<b>56</b>	<b>49</b>
Law Students	31	27
Lay Advocates	24	21
<b>Estimated FTE Other Volunteers</b>	<b>3</b>	<b>2</b>



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**Current Staffing (All of the Organization, not just Primary Purpose)**

**Full Time Equivalent (FTE)**

*FTE count will not equal the count of individuals in the Cultural Diversity of Staff chart below.*

Type of Work Performed	IOLTA Funded	PLAN Inc. Funded	Law School	Other Organizations	Special IOLTA Pro Bono Funds	TOTAL
<b>LEGAL WORK</b>						
Lawyers	141.04	224.51	64.00		1.00	<b>430.55</b>
Paralegals	50.15	100.18	4.00		-	<b>154.33</b>
Others	72.17	36.90	17.00		5.00	<b>131.07</b>
<b>OTHER WORK - FOR EXAMPLE, ADMINISTRATION AND MANAGEMENT</b>						
Lawyers	14.95	47.29				<b>62.24</b>
Paralegals	2.00	6.16				<b>8.16</b>
Others	91.85	143.17				<b>235.02</b>
<b>Total Staffing (Filled Positions)</b>	<b>372.16</b>	<b>558.21</b>	<b>85.00</b>	<b>-</b>	<b>6.00</b>	<b>1,021.37</b>

Total - Attorneys	155.99	271.80	64.00	-	1.00	492.79
Paralegals	52.15	106.34	4.00	-	-	162.49
Others	164.02	180.07	17.00	-	5.00	366.09
<b>All Staff (FTE's)</b>	<b>372.16</b>	<b>558.21</b>	<b>85.00</b>	<b>-</b>	<b>6.00</b>	<b>1,021.37</b>

Cultural Diversity of Staff	Paid Staff - Individuals						%
	IOLTA Funded	PLAN Inc. Funded	Law Schools	Other Organizations	Pro Bono	Total	
<b>1 Attorneys</b>							
Gender - Male	48	127	27		-	202	40%
Female	119	150	37		1	307	60%
<b>TOTAL</b>	<b>167</b>	<b>277</b>	<b>64</b>	<b>-</b>	<b>1</b>	<b>509</b>	<b>100%</b>
Race/Ethnicity - White/Caucasian	142	239	51		1	433	85%
Black/African-American (non-Hispanic)	12	24	6		-	42	8%
Hispanic	6	6	3		-	15	3%
American Indian/Alaskan	-	1	-		-	1	0%
Asian American	2	7	2		-	11	2%
Race/Ethnicity Not Listed	5	-	2		-	7	1%
<b>TOTAL</b>	<b>167</b>	<b>277</b>	<b>64</b>	<b>-</b>	<b>1</b>	<b>509</b>	<b>100%</b>
<b>2 Paralegals</b>							
Gender - Male	12	19	-		-	31	18%
Female	43	90	4		-	137	82%
<b>TOTAL</b>	<b>55</b>	<b>109</b>	<b>4</b>	<b>-</b>	<b>-</b>	<b>168</b>	<b>100%</b>
Race/Ethnicity - White/Caucasian	32	58	4		-	94	56%
Black/African-American (non-Hispanic)	12	24	-		-	36	21%
Hispanic	8	26	-		-	34	20%
American Indian/Alaskan	-	-	-		-	-	0%
Asian American	3	1	-		-	4	2%
Race/Ethnicity Not Listed	-	-	-		-	-	0%
<b>TOTAL</b>	<b>55</b>	<b>109</b>	<b>4</b>	<b>-</b>	<b>-</b>	<b>168</b>	<b>100%</b>
<b>3 Others</b>							
Gender - Male	35	24	3		-	62	16%
Female	142	162	14		5	323	84%
<b>TOTAL</b>	<b>177</b>	<b>186</b>	<b>17</b>	<b>-</b>	<b>5</b>	<b>385</b>	<b>100%</b>
Race/Ethnicity - White/Caucasian	122	124	12		5	263	68%
Black/African-American (non-Hispanic)	37	35	4		-	76	20%
Hispanic	13	23	-		-	36	9%
American Indian/Alaskan	-	2	-		-	2	1%
Asian American	5	1	-		-	6	2%
Race/Ethnicity Not Listed	-	1	1		-	2	1%
<b>TOTAL</b>	<b>177</b>	<b>186</b>	<b>17</b>	<b>-</b>	<b>5</b>	<b>385</b>	<b>100%</b>
<b>4 Totals</b>							
Gender - Male	95	170	30		-	295	28%
Female	304	402	55		6	767	72%
<b>TOTAL</b>	<b>399</b>	<b>572</b>	<b>85</b>	<b>-</b>	<b>6</b>	<b>1,062</b>	<b>100%</b>
Race/Ethnicity - White/Caucasian	296	421	67		6	790	74%
Black/African-American (non-Hispanic)	61	83	10		-	154	14%
Hispanic	27	55	3		-	85	8%
American Indian/Alaskan	-	3	-		-	3	0%
Asian American	10	9	2		-	21	2%
Race/Ethnicity Not Listed	5	1	3		-	9	1%
<b>TOTAL</b>	<b>399</b>	<b>572</b>	<b>85</b>	<b>-</b>	<b>6</b>	<b>1,062</b>	<b>100%</b>

**Pennsylvania IOLTA Board**  
**Data of Organizations Providing Civil Legal Assistance to Eligible Clients**  
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**Legal Services Provided - Closed Cases & People Benefited**

*NOTE: Cases closed by pro bono attorneys is displayed among the case data of the surveyed programs. The closed cases listed in the "Pro Bono" column represent those of the four organizations that applied for funding in 2010.*

Section A		Closed Cases				
I. Case Services	IOLTA Funded	PLAN Inc. Funded	Law Schools	Other Organizations	Special IOLTA Pro Bono Funds	Total
a. Advice/Brief Service - Cases	28,790	42,988	1,376			73,154
People Directly Benefited	45,081	96,175	1,761			143,017
b. Extended Representation - Cases	13,197	24,496	2,010		480	40,183
People Directly Benefited	1,090,917	55,287	2,844		480	1,149,528
<b>Total Number of Cases Closed:</b>	<b>41,987</b>	<b>67,484</b>	<b>3,386</b>	<b>0</b>	<b>480</b>	<b>113,337</b>
<b>Total Number of People Directly Benefited:</b>	<b>1,135,998</b>	<b>151,462</b>	<b>4,605</b>	<b>0</b>	<b>480</b>	<b>1,292,545</b>

Number of Contacts						
II. Other Legal Services (not included in "I. Case Services" above)	IOLTA Funded	PLAN Inc. Funded	Law Schools	Other Organizations	Pro Bono	Total
a. Outreach and Community Legal Education - Contacts	3,579	315,629	688			319,896
People Directly Benefited	14,258	542,467	3,865			560,590
b. Pro Se Assistance - Contacts	5,291	457,420	730			463,441
People Directly Benefited	9,373	460,005	734			470,112
c. Representation in negotiations - Contacts	347	0	223			570
People Directly Benefited	35,785	0	223			36,008
d. Assistance in Alternative Dispute Resolution - Contacts	0	0	43			43
People Directly Benefited	0	0	183			183
e. Transactional assistance - Contacts	45	0	99			144
People Directly Benefited	45	0	439			484
f. Non-case activities in administrative and judicial proceedings - Contacts	27	0	130			157
People Directly Benefited	1,623	0	130			1,753
g. Non-case activities before state or local administrative bodies that make law or adopt policies - Contacts	37	100	15			152
People Directly Benefited	199,158	140,250	17			339,425
h. Non-case activities before state or local legislative bodies that make law or adopt policies - Contacts	9	0	8			17
People Directly Benefited	2,735,400	0	48			2,735,448
i. Referrals to Other Service Providers - Contacts	5,539	71,492	1,775			78,806
People Directly Benefited	6,718	98,164	4,314			109,196
j. Impact Projects Other Than Impact Cases - Contacts*	21	95	0			116
People Directly Benefited	229,375	1,350	0			230,725
k. Other Legal Services (specify):						
Other Activities - Contacts	50,737	16				50,753
People Directly Benefited	330,963	28,000				358,963
<b>Total Number of Other Legal Services - Contacts</b>	<b>65,632</b>	<b>844,752</b>	<b>3,711</b>	<b>0</b>	<b>0</b>	<b>914,095</b>
<b>Total People Directly Benefited</b>	<b>3,562,698</b>	<b>1,270,236</b>	<b>9,953</b>	<b>0</b>	<b>0</b>	<b>4,842,887</b>

\* Impact Projects Other Than Cases = Efforts other than cases that have systemic or far-reaching impacts similar to those identified above for impact cases; for example, collaborative effort with another organization that streamlines court procedures and improves access for low-income people.

Section B						
Populations Benefiting...	IOLTA Funded	PLAN Inc. Funded	Law Schools	Other Organizations	Pro Bono	Total
a. Non-Citizens	5,263	1,255	289			6,808
b. Incarcerated Persons	331	12	105			447
c. Older persons with social or economic need	119,620	14,568	346			134,534
d. People with mental or physical disabilities	324,733	5,113	400			330,245
e. Homeless persons	4,332	844	4			5,180
f. Institutionalized persons	11,049	559	3			11,611
g. Children	682,958	22,727	715			706,400
h. Migrant workers	9,909	173	235			10,317
i. Native Americans	278	1,473	18			1,768
j. Non-English speaking persons	111,297	4,262	401			115,960
k. Persons with access barriers	5,851	759	1,292			7,902
l. Victims of domestic violence	521	0	0			521

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**Data of Organizations Providing Civil Legal Assistance to Eligible Clients**  
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**Cases by Legal Problem**

*NOTE: Cases closed by pro bono attorneys is displayed among the case data of the surveyed programs. The closed cases listed in the "Pro Bono" column represent those of the four organizations that applied for funding in 2010.*

<b>Legal Problem Category</b> <i>(See detailed problem types below)</i>	<b>IOLTA Funded</b>	<b>PLAN Inc. Funded</b>	<b>Law Schools</b>	<b>Other Organizations</b>	<b>Special IOLTA Pro Bono Funds</b>	<b>TOTAL</b>	<b>%</b>
a. Consumer/Finance	3,880	8,516	208		287	12,891	11%
b. Education	2,503	182	30		2	2,717	2%
c. Employment	566	3,086	176		4	3,832	3%
d. Family	5,048	23,429	871		35	29,383	26%
e. Juvenile	5,692	756	157		2	6,607	6%
f. Health	879	1,841	307		4	3,031	3%
g. Housing	8,388	17,334	100		21	25,843	23%
h. Income Maintenance	2,661	8,765	581		32	12,039	11%
i. Individual Rights	474	579	70		0	1,123	1%
j. Immigration	3,853	311	77		0	4,241	4%
k. Other	8,043	2,685	809		93	11,630	10%
<b>Total Cases Closed</b>	<b>41,987</b>	<b>67,484</b>	<b>3,386</b>	<b>0</b>	<b>480</b>	<b>113,337</b>	<b>100%</b>

**Detailed Problem Types In Each Category Above**

<b>Consumer/Finance</b>	<b>Health</b>
Bankruptcy/Debtor Relief	Medicaid
Collection (Inc. Repossession/	Medicare
Deficiency/Garnishment)	Government Children's Health Insurance
Contracts/Warranties	Home and Community Based Care
Collection Practices/Creditor Harassment	Private Health Insurance
Predatory Lending Practices (Not Mortgages)	Long Term Health Care Facilities
Loans/Installment Purchase (Not Collections)	State and Local Health
Public Utilities	Other Health
Unfair and Deceptive Sales and Practices	<b>Housing</b>
(Not Real Property)	Homeownership/Real Property (Not Foreclosure)
Other Consumer/Finance	Private Landlord/Tenant
<b>Education</b>	Public Housing
Student Financial Aid	Mobile Homes
Discipline (Inc. Expulsion and Suspension)	Housing Discrimination
Special Education/Learning Disabilities	Mortgage Foreclosures
Access (Inc. Bilingual, Residency, Testing)	Lending/Practices)
Vocational Education	Mortgage Predatory Lending/Practices
Other Education	Other Housing
<b>Employment</b>	<b>Income Maintenance</b>
Job Discrimination	TANF
Wage Claims and other FLSA Issues	Social Security (Not SSDI)
EITC	Food Stamps
Taxes (Not EITC)	SSDI
Employee Rights	SSI
Agricultural Worker Issues (Not Wage Claims/FLSA)	Unemployment
Other Employment	Veterans Benefits
<b>Family</b>	State and Local Income Maintenance
Adoption	Other Income Maintenance
Custody/Visitation	<b>Individual Rights</b>
Divorce/Separation/Annulment	Mental Health
Adult Guardian/Conservatorship	Disability Rights
Name Change	Civil Rights
Paternal Rights Termination	Human Trafficking
Paternity	Other Individual Rights
Domestic Abuse	<b>Immigration</b>
Support	Immigration/Naturalization
Other Family	<b>Miscellaneous</b>
<b>Juvenile</b>	Legal Assistance to Non-Profit Org or Group
Delinquent	(Incorporation/Dissolution)
Neglected/Abused/Dependent	Indian/Tribal Law
Emancipation	License (Drivers, Occupational, and Others)
Minor Guardian/Conservatorship	Torts
Other Juvenile	Wills/Estates
	Advance Directives/Powers of Attorney
	Municipal Legal Needs
	Other Miscellaneous

**Pennsylvania IOLTA Board**  
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**Cases by County**

Displays the total number of cases closed by county  
for [CY Programs 2009](#) / [FY Programs 2009-2010](#)

	IOLTA-Funded	PLAN Inc. Funded	Law Schools	Other Organizations	Special IOLTA Pro Bono Funds	TOTAL	Poverty Population	Cases Per Poverty Population	State of Grace
<b>1. Northwest Region</b>	729	5,464	0	0	0	6,193	109,107	0.0568	
Cameron	2	35	0	0	0	37	886	0.0418	
Crawford	35	748	0	0	0	783	15,166	0.0516	
Elk	16	148	0	0	0	164	3,566	0.0460	
Erie	508	2,308	0	0	0	2,816	43,744	0.0644	
Forest	6	35	0	0	0	41	1,095	0.0374	
McKeon	25	394	0	0	0	419	7,551	0.0555	
Mercer	43	909	0	0	0	952	17,644	0.0540	
Potter	10	82	0	0	0	92	3,166	0.0291	
Venango	43	540	0	0	0	583	10,259	0.0568	
Warren	41	265	0	0	0	306	6,030	0.0507	
<b>2. Southwest Region</b>	8,192	20,770	800	0	284	30,046	435,560	0.0690	
Allegheny	6,875	8,493	750	0	0	16,118	180,225	0.0894	
Armstrong	31	463	0	0	0	494	11,960	0.0413	
Beaver	75	1,305	6	0	0	1,386	23,000	0.0603	
Butler	143	1,326	19	0	252	1,740	20,133	0.0864	
Cambria	103	1,455	0	0	0	1,558	25,036	0.0622	
Clarion	14	639	0	0	0	653	7,787	0.0839	
Fayette	51	1,483	0	0	0	1,534	34,313	0.0447	
Greene	30	559	0	0	0	589	7,786	0.0756	
Indiana	20	449	0	0	0	469	19,116	0.0245	
Jefferson	10	340	0	0	0	350	7,490	0.0467	
Lawrence	50	1,172	0	0	0	1,222	15,010	0.0814	
Somerset	33	589	0	0	0	622	13,240	0.0470	
Washington	130	1,382	25	0	32	1,569	26,318	0.0596	
Westmoreland	627	1,115	0	0	0	1,742	44,146	0.0395	
<b>3. Northeast Region</b>	1,367	10,576	19	0	0	11,962	266,861	0.0448	
Bradford	20	513	0	0	0	533	9,738	0.0547	
Carbon	48	368	0	0	0	416	7,767	0.0536	
Clinton	14	145	1	0	0	160	6,779	0.0236	
Columbia	33	413	0	0	0	446	10,405	0.0429	
Lackawanna	259	1,335	0	0	0	1,594	29,742	0.0536	
Lehigh	227	919	5	0	0	1,151	37,071	0.0310	
Luzerne	136	2,017	6	0	0	2,159	46,849	0.0461	
Lycoming	36	1,088	1	0	0	1,125	18,239	0.0617	
Monroe	129	820	1	0	0	950	16,262	0.0584	
Montour	9	58	0	0	0	67	2,146	0.0312	
Northampton	140	782	1	0	0	923	26,551	0.0348	
Northumberland	41	451	2	0	0	494	14,477	0.0341	
Pike	43	205	0	0	0	248	4,538	0.0546	
Snyder	44	118	0	0	0	162	5,077	0.0319	
Sullivan	6	63	0	0	0	69	1,302	0.0530	
Susquehanna	13	197	1	0	0	211	7,180	0.0294	
Tioga	9	174	0	0	0	183	7,341	0.0249	
Union	49	165	0	0	0	214	4,091	0.0523	
Wayne	40	338	1	0	0	379	7,357	0.0515	
Wyoming	71	407	0	0	0	478	3,949	0.1210	
<b>4. South-Central Region</b>	3,975	10,719	571	0	0	15,265	325,584	0.0469	
Adams	48	279	22	0	0	349	8,668	0.0403	
Bedford	22	356	0	0	0	378	7,284	0.0519	
Berks	431	1,540	9	0	0	1,980	44,013	0.0450	
Blair	65	812	0	0	0	877	21,651	0.0405	
Centre	67	586	30	0	0	683	26,895	0.0254	
Clearfield	34	497	0	0	0	531	13,988	0.0380	
Cumberland	139	775	195	0	0	1,109	17,574	0.0631	
Dauphin	241	997	269	0	0	1,507	31,338	0.0481	
Franklin	498	362	2	0	0	862	13,452	0.0641	
Fulton	46	37	0	0	0	83	2,100	0.0395	
Huntingdon	15	238	0	0	0	253	6,626	0.0382	
Juniata	7	61	0	0	0	68	3,039	0.0224	
Lancaster	248	1,670	7	0	0	1,925	47,666	0.0404	
Lebanon	268	715	10	0	0	993	12,485	0.0795	
Mifflin	12	349	0	0	0	361	8,170	0.0442	
Perry	26	143	5	0	0	174	4,895	0.0355	
Schuylkill	164	481	1	0	0	646	20,301	0.0318	
York	1,644	821	21	0	0	2,486	35,439	0.0701	
<b>5. Southeast Region</b>	2,441	7,835	113	0	0	10,389	161,055	0.0645	
Bucks	647	2,056	5	0	0	2,708	35,244	0.0768	
Chester	346	1,549	39	0	0	1,934	28,548	0.0677	
Delaware	600	2,264	58	0	0	2,922	53,993	0.0541	
Montgomery	848	1,966	11	0	0	2,825	43,270	0.0653	
<b>6. Philadelphia Region</b>	23,947	11,603	1,883	0	196	37,629	439,208	0.0857	
<b>7. Statewide</b>	154	0	0	0	0	154	0	not computed	
<b>8. Other</b>	1,182	517	0	0	0	1,699	0	not computed	
<b>Total Cases Closed</b>	<b>41,987</b>	<b>67,484</b>	<b>3,386</b>	<b>0</b>	<b>480</b>	<b>113,337</b>	<b>1,737,375</b>	<b>0.0652</b>	<b>4.2</b>

1 Poverty population numbers represent a blend of federal 2000 census poverty data. The proportion of statewide poverty is computed for each region based on 100% of federal poverty income level and 125% of the federal poverty income level. The higher proportion is taken for each region, then the blended proportion level for each region is used to arrive at a blended number of persons in poverty in each county.

2 State of Grace equals the number of cases divided by the poverty population in the county. The sum of the three largest decimals divided by the sum of the three smallest decimals is the State of Grace (a term used in the ABA "Principles of a State System for the Delivery of Civil Legal Aid"). The ABA Principles conclude that a number that approaches 1 is ideal, but recognizes that any number less than 2 "would be remarkable."

3 The State of Grace is computed as follows:

3 Highest Rates	By County	By Region	
Wyoming	0.121043302	Philadelphia	0.0857
Allegheny	0.089432654		
Butler	0.086425272		
	0.296901228		
3 Lowest Rates		Northeast	0.0448
Juniata	0.022375782		
Clinton	0.023602301		
Centre	0.025395055		
	0.071373138		

November 29, 2011

Al Azen, Executive Director  
Pa. IOLTA Board  
601 Commonwealth Ave., Suite 2400  
Harrisburg, PA 17120-0901

Re: Comments on the IOLTA Board Survey of the Provision of Civil Legal Assistance of IOLTA Funded Organizations for the Applicable Calendar Year 2009/2010

Dear Al:

We are pleased to see the survey results issued by the IOLTA Board. Since Pennsylvania Legal Aid Network (PLAN) is a major provider of legal representation to low income Pennsylvanians, and is responsible for much of the legal work described in this survey, we appreciate the opportunity to provide this input on the survey results.

**There was a large amount of Client Representation Provided in the Past Year:**

The programs of PLAN handled 106,000 cases last fiscal year. While the count of cases reported in the study is based on “closed” rather than “handled” cases, PLAN generally reports the number of handled cases since this number provides a full count of all activity. A custody case may be opened in one year and closed in the next, but the activity on that case can be substantial in both years and we recognize the case in any fiscal year when it is active. The benefit of looking at closed case data is that the information allows better quantification of outcomes and the full nature of the representation, but this data has the shortcoming of counting only a portion of the cases handled. The PLAN and non-PLAN legal services providers combined handle a very significant number of cases annually. Our case data do not distinguish between the brief service and extended representation cases, as both case types involve direct delivery of legal advice and representation for qualifying clients. Even cases labeled brief service can include direct contact with adverse parties and negotiation of reasonable client outcomes.

**Pro Bono Representation:**

The survey results document a large amount of pro bono representation by private attorneys volunteering their services. This service to clients has been valued at \$25.6 million. We consider this a major contribution to the legal needs of low income Pennsylvanians. The benefit truly flows to the clients helped by these efforts. An incredible amount of pro bono time was donated; 114,024 attorney hours and 95,576 hours of law students and others.

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The counting of actual cases handled through pro bono representation was not a part of this survey. It is difficult to track this information, as client screening and referrals are made by so many legal services organizations, which are key to effective pro bono systems; they are made by pro bono programs themselves; and attorneys take some pro bono cases on their own, or through their law firm's pro bono coordinator. Nonetheless, there is value in attempting to translate the resources offered by private attorneys into case data. We know that the PLAN programs reported in the last fiscal year there were 5,682 pro bono cases successfully referred and handled. In addition, the IOLTA survey reports 480 closed cases from pro bono programs funded by the IOLTA Board. These are cases reported by just the four pro bono programs that receive IOLTA funding and who therefore responded to this survey. What we don't know is the total number of cases handled, including referrals by the full array of IOLTA funded programs and cases handled by other pro bono programs across the state, such as Philadelphia VIP, the Erie County Bar Association's Legal Aid Volunteer Attorneys (LAVA) project, and others.

PLAN has previously estimated that combining the known PLAN pro bono cases (5,682), and now factoring in the additional 480 closed cases, documented in the IOLTA survey, we have no doubt that when adding pro bono cases from other providers who are not part of these statistics, and looking at the impressive number of volunteer hours documented in this survey, the number of pro bono cases handled by volunteer attorneys statewide is substantially more than the total of these two case counts.<sup>1</sup>

Unfortunately, while the valuing of in-kind donation of time to low income clients has been documented, there is not presently any reliable data to translate those dollars into a cost per case or number of cases handled through pro bono volunteerism.

#### **Funding to Legal Aid Programs:**

Total funding to legal aid programs is impressive, at \$87,360,818. This amount includes sources such as attorney fees and cy pres awards, which are helpful sources of support but cannot be looked upon as reliable, annualized sources of funding. The amount also includes \$5.6 million in funding to law school clinics, which play an important role in providing services to clients in need, but have the dual purpose of providing educational opportunities and representing clients. The value of pro bono representation is impressive but is not part of the funding of legal services programs and of course is based upon hourly rates of the volunteer attorneys themselves, varying from \$66 to \$460 per hour, with an average rate of \$188 per hour.

In conclusion, we commend the IOLTA board for undertaking this study of data from its grantees. We believe it shows impressive results. Caution must be exercised in drawing conclusions from some of the survey results.

Sincerely,



Samuel W. Milkes, Esq.

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<sup>1</sup> Philadelphia VIP alone documents in their annual report, over 20,000 volunteer hours, for close to 1,000 cases.