

Ensuring justice for all

IOLTA funding gives civil legal aid the ability to help people

Lurnetta Young faced many challenges shortly after she bought her south Harrisburg home.

She was struck by a drunk driver and subsequently bed-ridden in the living room of her two-story, brick house. And she was unable to return to work as a mental health case manager that enabled her to own her property.

Also, as a single mother, she previously had drained her savings to help finance her daughter's college education that further challenged her situation.

When she inevitably fell behind in mortgage loan payments, the lenders were not interested in her plight or a modified payment plan. Instead, they threatened foreclosure and papered her property with eviction notices.

"They became predatory," she recalled. "It was one big mess."

Faced with few resources and the threat of losing her home, Young turned to MidPenn Legal Services. The civil legal aid agency agreed to take on her case, and the intimidating foreclosure notices stopped. A renegotiated payment plan was put in place, and Young kept her home.

"It's been a real struggle," she said. "But I still have my house."

MidPenn is one of dozens of organizations receiving grants from the Pennsylvania Supreme Court's Interest on Lawyers Trust Account Board, or IOLTA. The IOLTA Board provides aid to such organizations to support free legal help for poor and low-income Pennsylvanians facing civil legal matters that threaten access to basic needs like shelter, health care and nutrition. Young is just one of thousands of people who've been helped by an IOLTA-funded organization.



Lurnetta Young (l) chats in front of her home with Rhodia Thomas, MidPenn director.

All 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands operate some kind of IOLTA program. In Pennsylvania, IOLTA has awarded \$258.6 million in grants since its inception in 1989.

"Their work is life-changing and they do it every day for hundreds of low-income people, with grants approved by the [Pennsylvania] Supreme Court," **Stephanie Libhart**, IOLTA executive director, said of those organizations getting the grant funding.

IOLTA operates through court filing fees, volunteer or pro bono services and interest earned on special trust accounts held by attorneys.

The interest earnings work like this: whenever a lawyer handles a client's money for a short period of time — like an unearned retainer — the lawyer must segregate the funds from his own money. The funds go into a short-term, interest-bearing account at an approved financial institution. The interest is then awarded as grants to pro bono organizations, Pennsylvania's nine law schools and 33 legal services organizations statewide.

MidPenn describes itself as a "legal emergency room for the poor." From its headquarters on Front Street in Harrisburg, its lawyers provide services to an 18-county area. The issues it

addresses include domestic violence, housing, wills, guardianships and consumer problems.

The agency represents, with no fee to the client, people whose income does not exceed 125 percent of the federal poverty guidelines. For a family of four, as an example, that would be about \$30,000.

MidPenn's three largest funders are the Legal Services Corporation (a nonprofit organization created by Congress in 1974), IOLTA and the Pennsylvania Legal Aid Network. It also has support from bar associations and the United Way. MidPenn is the largest provider of free legal services in the Central Pennsylvania region and was established on July 1, 2000, with the merger of Central Pennsylvania Legal Services and Keystone Legal Services Inc.

Clients are matched with legal service agencies largely through word-of-mouth and referrals from social service providers and the courts, explained Rhodia Thomas, MidPenn executive director. **AOPC**

more INFORMATION

To learn more about IOLTA, how it fits into the state court system, and the services it provides: <https://www.paiolta.org>