

In the Supreme Court of Iowa

FILED

FEB 03 2015

In the Matter of Proposed)
Access to Justice)
Fee Recommendations)

Order

CLERK SUPREME COURT

On October 1, 2014, the Iowa Supreme Court requested public comment on proposals from The Iowa State Bar Association Access to Justice Committee (Committee) and Iowa Legal Aid. Specifically, the court solicited comments on the establishment of fees on attorneys to support civil legal services for low-income Iowans. One proposed fee is a mandatory, or possibly optional, fee for all Iowa licensed attorneys with the proceeds deposited in the Iowa Lawyers' Trust Account (IOLTA) fund.

The court received well over 200 public comments, which are available on the court's website. The court extends its deep appreciation to each person who submitted a written comment. The court is also grateful for the work of The Iowa State Bar Association, Iowa Legal Aid, and Iowa's many attorneys who combine to generously donate thousands of hours of their time each year to provide civil legal assistance to low-income Iowans.

After reviewing the written comments, the Committee's report, and information from Iowa Legal Aid, the court, at this time, elects not to adopt a mandatory or optional fee on all Iowa licensed attorneys for support of civil legal services for low-income Iowans. The court elects to further study the broader issue of access to justice and consider a variety of options, including mandatory or optional fees, to achieve the best long term solution.

An array of options exists for satisfying the need of low-income Iowans for legal services in the civil justice system. The court has recently taken steps to address the need by implementing emeritus and

student practice rules encouraging retired attorneys and law students to provide volunteer legal services on behalf of legal aid organizations serving low-income individuals and families. But these measures have not been sufficient to meet the current need. The court continues its support for state appropriations supporting civil legal assistance and will continue to find opportunities to encourage even more Iowa attorneys to engage in pro bono representation.

Dated this 3rd day of February, 2015.

The Supreme Court of Iowa

By Mark S. Cady
Mark S. Cady, Chief Justice