

CHAPTER 44
LAWYER TRUST ACCOUNT COMMISSION GRANT CRITERIA
AND GUIDELINES

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CHAPTER 44 LAWYER TRUST ACCOUNT COMMISSION GRANT CRITERIA AND GUIDELINES

Rule 44.1 Interest on lawyers' trust account program (IOLTA).

44.1(1) The Lawyer Trust Account Commission (commission) was created by the supreme court to receive interest on lawyers' pooled trust accounts. Lawyers' pooled trust accounts hold client funds that are so small in amount or held for such a brief period that it is not possible for the funds to economically benefit the individual client. Previously, ~~attorneys'~~ lawyers' pooled trust accounts earned no interest. Effective July 1, 1985, an interest on lawyers' trust account program (IOLTA) was created to benefit charitable and educational interests. The commission has adopted grant criteria by which the interest earned will be disbursed. The commission reserves the right to change these criteria as it continues to assess how and where its funds might be best used.

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44.1(3) Grant applications are available from the commission at the following address:

Lawyer Trust Account Commission
Iowa Judicial Branch Building
1111 East Court Avenue
Des Moines, Iowa 50319
(515) 725-8029

[http://www.iowacourts.gov/Professional Regulation/Attorney RegulationCommissions/IOLTA](http://www.iowacourts.gov/Professional%20Regulation/Attorney%20RegulationCommissions/IOLTA)
~~The grant~~ Grant applications will also be located on the [Iowa Judicial Branch website of the Iowa Supreme Court.](#)

Rule 44.2 Statement of purpose.

44.2(1) The commission will use the interest earned on IOLTA accounts as directed by the supreme court. The funds are to be used for the tax-exempt public purposes, which the supreme court may prescribe from time to time consistent with Internal Revenue Code regulations and rulings.

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Rule 44.3 Grant criteria. The commission desires to make the best use of IOLTA funds and obtain maximum effect from each grant. The following guidelines, with exception where necessary, will be used to assist in the grant decision-making process:

44.3(1) The commission favors funding groups or organizations as opposed to individuals.

44.3(2) The commission favors challenge grants; or other types of fund-matching arrangements to leverage IOLTA money.

44.3(3) Grant applicants should, if possible, have sources of income in addition to the IOLTA funds requested. Generally, the commission does not intend to be the primary source of financial

support for a sustained period of time, and the applicant should demonstrate an ability to function eventually without the assistance of the commission.

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Rule 44.4 Eligible applicants. To be eligible to receive funds from the commission, an applicant must do all of the following:

44.4(1) Qualify as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), or otherwise demonstrate the charitable purposes of the applicant organization and project.

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44.4(7) Unless exempted, agree to file with the commission, within 90 days after the end of the grant period, an audit of IOLTA funds received certified by a certified public accountant licensed to practice in Iowa.

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Rule 44.5 Rejection of grant applications. The commission reserves the right to reject any or all grant applications ~~which that~~ do not, in its opinion, meet the purposes of this program.

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Rule 44.11 Access to books and records. The commission or any of its duly authorized representatives ~~shall~~must have access for purposes of audit and examination to ~~any~~ books, documents, papers, and records of the grantee.

Rule 44.12 Contract terms. The grant application must state when the grantee will start the project, which should be within 60 days of the award. If during the performance of the project the grantee deviates from the grant, the grant may, at the discretion of the commission, be terminated at any time. If a dispute arises in the performance of the grant ~~which that~~ cannot be settled between the parties, the dispute ~~shall~~must be submitted to arbitration pursuant to Iowa Code chapter 679A.

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Rule 44.15 Grant application procedures. To aid in the comparative evaluation of proposals, all grant applications must contain the information set forth in rule 44.15(1) in the order listed.

44.15(1) Organization and contents of proposal.

a. Cover sheet (rule 44.21, Form 1).

b. Summary of grant request (rule 44.21, Form 2).

c. A written narrative proposal on 8¹/₂ x 11 inch paper, not to exceed ten double-spaced typewritten pages, which sets forth:

(1)The objectives of the project~~/or~~ organization for which funds are requested.

(2)The methods by which the objectives are to be accomplished.

(3)The qualifications of key individuals responsible for the project~~/or~~ organization.

(4)The period of time expected to complete the project (if applicable).

(5) Whether support has been or is being requested from other funding sources.

(6) The audit mechanism ~~which that~~ will be utilized to provide accountability for the requested funds.

(7) The extent to which the program serves a reasonable number of clients, its service area, the nature and scope of legal services provided and its impact on the community's demonstrated needs.

(8) The extent to which two or more programs in the service area cooperate in the provision of legal assistance.

(9) The extent of participation from the bar within the program's service area ~~in the program~~.

(10) The extent to which the program has systems to assure the quality of services provided.

(11) The plans for evaluating the success of the project ~~or~~ organization in meeting the objectives.

(12) Such additional information as the applicant believes desirable.

d. Financial budget form (rule 44.21, Forms 3, 4, and 5).

e. Funding sources (rule 44.21, Form 6).

f. Legal problem categories (rule 44.21, Form 7).

g. Program activity (rule 44.21, Form 8).

h. Nondiscrimination statement (rule 44.21, Form 9).

i. Checklist of enclosures (rule 44.21, Form 10).

44.15(2) Processing of grant applications.

a. One written copy and one electronic copy of the application should be directed to the director of the office of professional regulation at the following addresses:

Lawyer Trust Account Commission
Iowa Judicial Branch Building
1111 East Court Avenue
Des Moines, Iowa 50319

iolta@iowacourts.gov

b. The commission will make all recommendations on grant awards, subject to final approval by the supreme court.

~~*b.c.*~~ Applicant must submit one original written copy and one electronic copy of its proposal.

d. There can be no extensions of or exceptions to established deadlines.

~~*e.e.*~~ Grant awards will be announced by the supreme court or by the commission with the approval of the court.

Rules 44.16 to 44.20 Reserved.