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**SUPREME COURT RAISES ATTORNEY FEES TO HELP TWO
IMPORTANT CAUSES**

The Supreme Court of Illinois is asking attorneys around the state to help fund two important goals.

One is to improve funding to provide legal services to the poor, and the other is to increase resources for a program aimed at helping lawyers who suffer from alcohol or drug abuse problems.

In changes to Supreme Court rules announced Friday, the Court increased by \$49 the licensing fees active attorneys must pay annually, effective with the fees due January 1, 2003.

Forty-two dollars of the increase will be directed to the Lawyers Trust Fund, which provides revenues to legal aid organizations serving low-income Illinoisans in civil matters. Seven dollars will be remitted to the Lawyers' Assistance Program fund, which seeks to rehabilitate lawyers impaired by substance abuse or mental health problems.

"These are two very important programs aimed at achieving two important goals," said Chief Justice Mary Ann G. McMorrow. "One is improving legal services to the poor so that there will be equal justice under the law and the other is to increase public confidence in the administration of justice.

"These two separate increases in the fees lawyers pay is a step closer to achieving those two goals. In times of a downturn in the economy, they demonstrate a commitment by the full Court, and by attorneys in Illinois, to assume responsibility for those unable to afford legal services and for those lawyers who need compassion and help."

The increases will raise to \$229 the fee an actively licensed attorney will pay annually in Illinois. The increase is expected to raise \$2.4 million for the Lawyers Trust Fund and more than \$400,000 for the Lawyers' Assistance Program to add staff and resources. Even with the increase, the fees paid by Illinois lawyers licensed at least three years ranks in the lower half of states' registration fees for attorneys nationwide.

Using license fees to help fund legal assistance programs puts Illinois in the forefront of states seeking to improve legal services for the poor during an economic downturn. Currently, only Minnesota and Ohio apportion part of licensing fees for legal aid.

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Supreme Court Raises Attorneys Fees

Add One

“This is a big step the Supreme Court has taken in demonstrating for all attorneys in the state how important it is that lawyers be made aware of their responsibilities to try to assure legal services for all,” said Leonard Amari, a former president of the Illinois State Bar Association and chairperson of the Lawyers Trust Fund. “I think this also could start an impetus in other states and give them a model to follow in trying to achieve that goal.”

Up until now, the Lawyers Trust Fund received the bulk of its revenues from interest on pooled funds, such as escrow funds, that attorneys hold for clients while matters are pending. In the current economic climate, interest paid on deposits has decreased significantly.

Ruth Ann Schmitt, executive director of the Lawyers Trust Fund, said interest rates on these deposits were 2.5 percent a year ago and now average 0.65 percent. The drop has decreased available funds from \$3.7 million a year ago to \$1.5 million this year, a 55 percent decrease.

“The legal aid system in Illinois was already stretched very thin,” said Ms. Schmitt. “Federal funds for legal aid to Illinois were cut \$920,000 this year because of census changes. Private donations also are down; yet the need doesn’t get any less.

“With this new source of funding, the Supreme Court saved the day. It provides a steady stream, a constant stream for funding civil legal services for the poor.”

The Lawyers Trust Fund of Illinois distributes funds to about 34 legal aid agencies in the state. The largest are the Land of Lincoln Legal Assistance which operates in some 65 counties south of Springfield; Prairie State Legal Services which serves the rest of the state outside of Cook County; and the Legal Assistance Foundation of Metropolitan Chicago.

The Illinois Supreme Court has made legal aid to the poor a primary area of focus.

Chief Justice McMorrow, who was installed as Chief Justice last month, has said it is high on her agenda. Last year, at the urging of Justice Thomas L. Kilbride, the Court formed a Special Committee to study and make recommendations on how to encourage every practicing attorney in the state to render some form of free legal work to the those who cannot afford to pay for legal services.

Former Chief Justice Moses Harrison II, who retired from the Court in September, had urged greater involvement in pro bono services by lawyers, and asked every attorney in Illinois to provide some free legal service each day.

Justice Kilbride, who serves as Supreme Court liaison to the Lawyers Trust Fund, took his first job as an attorney with Prairie State Legal Services, practiced with the agency for seven years and knows firsthand the need for and difficulty in providing legal aid.

Justice Rita B. Garman also served in providing legal services to the poor during her legal career.

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Add Two

The concept of supplementing resources for Lawyers' Assistance Programs through license fees increases has been embraced by major bar associations throughout the state and was recommended by a Special Supreme Court Committee on Lawyers' Assistance Programs, which was chaired by Timothy L. Bertschy, a Peoria attorney who is also a former president of the Illinois State Bar Association.

"There are going to be some lawyers I suspect who are going to object to the increase, but the recommendation made to the Supreme Court regarding the fee increase had broad support from bar associations across the state," Mr. Bertschy said. "The order of the Supreme Court shows the Court recognizes the seriousness of the issue and the need for the profession to step up its efforts in addressing addiction issues."

Former Circuit Court Judge Sheila M. Murphy, who is president of LAP, described the Supreme Court's approval of license fee increases as "an important step that will give lawyers and judges an opportunity to fully recover from substance abuse and mental illness so that they can perform their jobs to the best of their ability, thereby assisting the citizens of Illinois."

Illinois LAP has been in existence for more than 21 years and has evolved from an information group of a few recovering lawyers and judges to an organization with over 400 volunteers, coordinated by an executive director and limited staff, to lessen the risk to clients, partners and families; and to address all forms of substance abuse, make referrals for mental health and emotional problems and work on relapse prevention.

Specifically, the order of the Supreme Court amended Supreme Court Rules 751 and 756 authorizing the Attorney Registration and Disciplinary Commission to collect and automatically pass through the fees to the Lawyers Assistance Program Fund--a special state Treasury fund created at the initiative of the Court by the General Assembly in legislation passed last spring, and to the Lawyers Trust Fund.

Currently, there are more than 57,000 lawyers in the state on the active attorney rolls of the Attorney Registration and Disciplinary Commission.

No taxpayers' or public funds are used in the operations of the Lawyers Trust Fund, LAP, and the ARDC.

Here are some contacts for additional information: Lawyers Trust Fund: Ruth Ann Schmitt, 312-499-4754; Leonard Amari, 312-255-8550 or 0101. Lawyers' Assistance Program: Timothy Bertschy, 309-676-0400; Sheila Murphy, 312-372-2345; Appellate Judge Warren Wolfson, 312-793-5408.