

NC IOLTA FUNDING

CIVIL LEGAL SERVICES CRITERIA

CIVIL LEGAL ASSISTANCE FOR THE INDIGENT

The Civil Legal Assistance for the indigent grants program provides general support for a network of organizations that together provide basic access to the justice system for low income people residing in every county in North Carolina. Some of these grants support legal assistance for specific client services and serve specific client groups.

Funding Criteria

Preference generally will be given to requests from applicants:

- Having multiple-funding sources;
- For the direct representation of clients or client groups, including community legal education and community economic development;
- For staffed legal assistance as the most effective and efficient means by which to deliver high quality legal assistance to the poor, including pro bono efforts as an important supplement to staffed legal assistance;
- Supporting current qualified providers over additional separate programs except where a separate program can address client needs more effectively and efficiently;
- Cooperating in the delivery of legal assistance through The NC Legal Services Planning Council, and, in areas with multiple providers, undertaking cooperative efforts as appropriate;
- Developing innovative client service techniques and evaluating their effectiveness and efficiency;

Definition of Indigent

To be considered for a category one grant from NC IOLTA a program must be providing civil legal services to indigent or low income individuals or groups through a staffed program or a program using volunteer lawyers on a pro bono or reduced fee basis.

The organization's definition of indigent or low income must be clients who are:

- at or below 200% of the federal poverty guideline; or
- eligible to receive public assistance through a government program for the indigent.

In determining income, the organization may consider availability of income, i.e. whether the individual seeking assistance has direct and unfettered access, without having to obtain the consent or cooperation of another person over whom the individual does not have control and who does not in fact consent or cooperate.

If an organization uses a definition of indigent or low income, for all or a portion of its clients, that is different from the above, it must be able to show that a majority of its clients fall within the stated NC IOLTA definition.

Legal services may include direct legal representation and related training and technical assistance.

It is presumed that legal services will be provided to the indigent free of charge. However, an organization will not be disqualified for charging nominal fees as long as its policy allows for complete waiver of fees in cases where clients cannot pay the fee. Such organizations should keep updated with NC IOLTA a copy of their fee schedule and include information on fees received in their regular financial reports to NC IOLTA.