



March 26, 2009

Hope C. Todd, Esquire
District of Columbia Bar
1250 H Street, N.W., 6th Floor
Washington, D.C. 20005

Re: Recommendation Regarding the Proposed Rules Changes
Governing Interest on Lawyers Trust Accounts

Dear Ms. Todd:

The Legal Aid Society of the District of Columbia strongly endorses the proposed changes to the Rules of Professional Conduct in connection with the treatment of interest earned on lawyers trust accounts (IOLTA). The IOLTA program is a critical funding source for civil legal assistance to families and individuals living in poverty in the District of Columbia. Since its inception, IOLTA funded work has assisted more than two dozen organization to provide legal help on areas of basic human need. The funding has made a difference in the ability of anti-poverty lawyers to change the lives of thousands of the District's most vulnerable residents.

The IOLTA program, while among the largest funders of legal assistance in the District, has been hampered by the fact that the District's rules do not require that funds be held in banks that pay rates comparable to commercial accounts and the program allows firms to choose not to participate. These two features have limited the amount of funds the Bar Foundation can collect and grant.

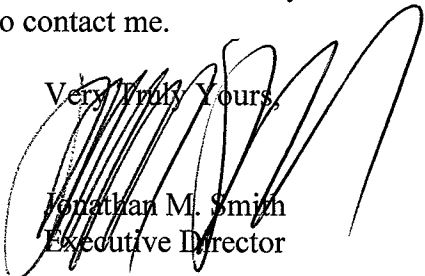
The need to make IOLTA both comprehensive and to have rate comparability is especially acute this year. Even without these features, in 2008, the Bar Foundation had more than \$2 million to give in grants. This year, the grant making pool of funds may well be less than \$1 million. While the rules change will not make up the entire difference, over time it will have an enormous impact.

The Legal Aid Society was formed in 1932 to provide legal assistance to low-income District residents. We assist individuals, families and communities on issues related to public housing, eviction prevention, displacement prevention, mortgage fraud, consumer, domestic violence, child support, custody, health access, and public benefits. IOLTA grants have been an important part of our support for many years.

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Thank you for your work on the rules revision. Should you think we can be of further assistance, please do not hesitate to contact me.

Very Truly Yours,



Jonathan M. Smith
Executive Director