September 20, 1984

Ms. Lynne M. Lester
Administrative Assistant for Divisions
D.C. Bar
1426 H Street, N.W.
Eighth Floor
Washington, D.C. 20005

Dear Lynne:

Division 5 (Criminal Law and Individual Rights) and the Public Service Activities Committee (PSA) of the D.C. Bar propose comment on regulations recently proposed by the Legal Services Corporation (LSC).

The proposed regulations [see 49 Fed. Reg. 34190 (August 28, 1984)] would:

(a) prohibit national support centers from using LSC funds to operate national support center branch offices; and

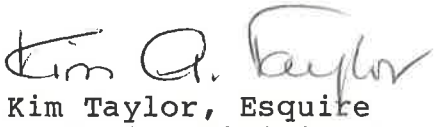
(b) prohibit the centers from allocating more than ten percent of their funds to activities involving networking, direct representation as counsel, co-counsel, amicus counsel or of counsel in judicial, administrative and legislative forums, and written or oral legislative or administrative testimony.

Division 5 has previously filed an amicus brief in the case of National Senior Citizens Law Center, et. al. v. Legal Services Corporation, Civil Action No. 83-3867 (United States District Court of the District of Columbia) which involved an identical attempt by LSC to limit support centers. That proposed instruction was enjoined by the District Court, which found it to be arbitrary, capricious and in violation of a Congressional limit on 1984 funds. LSC is appealing the injunction and now issued this regulation which is almost word for word the same as the enjoined instruction. We believe that the LSC regulation, if adopted would have a very deleterious impact on the provision of quality, efficient and effective access to justice to the poor for the reasons set forth in the comments.

Sincerely yours,

Ronald A. Schechter, Esquire
Chair, PSA Committee

Karen Christensen, Esquire
Co-Chair, Division 5



Kim Taylor, Esquire
Co-Chair, Division 5