

IN THE SUPREME COURT OF THE STATE OF KANSAS

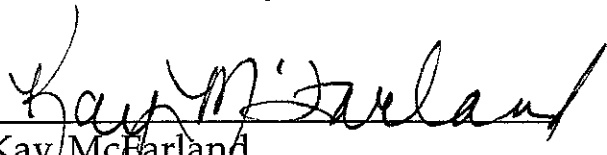
Administrative Order No. 134

In re: 1998 Access to Justice Grant

Pursuant to 1997 Supp. 20-166, a 1998 Access to Justice Grant is awarded to Kansas Legal Services, Inc. The amount of the grant shall be 90% of the total Access to Justice Funds for FY 1999, but shall not exceed \$925,396.00.

The grant shall be paid in quarterly disbursements. The judicial branch fiscal officer shall prepare the voucher for the first disbursement upon receipt of this order.

BY ORDER OF THE COURT this 23 rd day of December, 1998.



Kay McFarland
Chief Justice

Attachment

FY 1999 ACCESS TO JUSTICE GRANT REQUEST

ORGANIZATION: Kansas Legal Services, Inc.
712 South Kansas Avenue, Suite 200
Topeka, Kansas 66603
(913) 233-2068

PROGRAM DESCRIPTION: Kansas Legal Services, Inc., is a private non-profit corporation that provides free and low cost legal and alternative dispute resolution services to low income persons in Kansas.

CONTACT PERSON(S): Roger L. McCollister, Executive Director
Larry R. Rute, Litigation Director
Wayne A. White, Director of Research and Program Development

SERVICE AREA: Kansas, statewide.

AMOUNT REQUESTED: \$1,000,000

TAX ID NUMBER: 48-0872528

SUMMARY OF PROPOSAL

Kansas Legal Services, Inc. is a private non-profit 501(c)(3) corporation that provides civil legal and alternative dispute resolution services to low income persons in Kansas. Kansas Legal Services (KLS) is requesting \$1,000,000 in Access to Justice funds.

KLS is requesting Access to Justice funds for operating expenses for programs that will provide legal counsel for civil and domestic matters, legal assistance to pro se litigants and alternative dispute resolution services, including a statewide Access to Justice Advice and Referral Line to make all of these services accessible to low income Kansans and Kansas courts. Our program is designed to lessen the burden imposed on the district courts in Kansas by pro se litigants.

KLS meets all financial and other qualifications that have been specified by the Kansas Supreme Court. Our program makes legal counsel, mediation and pro se services available to low income people at or below 150% of the federally established poverty level in all 105 Kansas counties. Our proposal is broken into two projects or a third alternative.

- (1) Advice and representation for low income Kansans in domestic law and related matters, including the expansion and operation of the statewide Access to Justice Advice Line. (\$830,000)
- (2) Pro se and mediation services will be available on a statewide basis to address the specific needs identified by the courts and the Office of Judicial Administration (OJA). (\$170,000)
- (3) If desired by the Supreme Court, Kansas Legal Services can implement an effective program of statewide legal advice and representation for domestic and related matters with \$1,000,000 in Access to Justice funding. Access to Justice funds will be distributed statewide on the basis of poverty population.

Special Access to Justice fund accounts have been established by Kansas Legal Services to meet the expenses in each of these areas. KLS will provide quarterly and year end reports detailing how the funds were used and who benefited from them. The Kansas Bar Association (KBA) has agreed to participate in an independent review of the Kansas Legal Services Access to Justice projects.

ACCESS TO JUSTICE FUND

Kansas Legal Services, Inc. worked closely with the staff of the Kansas Bar Association and the Office of Judicial Administration to have the Access to Justice fund included in House Bill 3033 which was passed by the 1996 Legislature. We also worked closely with the Kansas University School of Law, the Kansas Trial Lawyers Association and many others to assure the creation of this important new source of funding for civil legal services for low income Kansans.

Money credited to the Access to Justice fund was specified by the Legislature to be used solely for the purpose of making grants for operating expenses to programs, including dispute resolution programs, which provide access to the Kansas civil justice system for persons who would otherwise be denied access to civil justice. It further specified that such programs may provide legal assistance to pro se litigants, legal counsel for civil and domestic matters and other legal or dispute resolution services in accordance with grant guidelines promulgated by the Supreme Court of Kansas. The program proposed by Kansas Legal Services, Inc. for Access to Justice funding addresses the specific goals of 1996 House Bill 3033 and meets all requirements of the 1998 "Supreme Court of Kansas Access to Justice Fund Grant Application Packet."

DESCRIPTION OF KANSAS LEGAL SERVICES

PROGRAM DESCRIPTION

In the early 1920s, the American Bar Association acknowledged the need for special assistance to the poor by creating a standing Committee on Legal Aid. State and local bar associations worked over the following decades to promote legal aid societies to provide free legal services to the poor. During the 1960s and the war on poverty, the resources devoted to the neighborhood law offices organized to serve the poor were greatly expanded. The newly formed Office of Economic Opportunity (OEO), with the support of the American Bar Association, created in 1965 the Office of Legal Services as part of its Community Action Program.

In the mid 1960s, legal aid societies were formed in Topeka, Wichita and Kansas City. From the 1960s until 1974, the three Kansas Legal Aid Societies, with the support of local bar associations, operated under the authority of the OEO's Office of Legal Services. Authority for the legal services program was transferred from the Community Services Administration (successor to the Office of Economic Opportunity) to the newly formed Legal Services Corporation (LSC) during 1975. Through all of these changes in administrative authority and funding, the Kansas Legal Aid Societies continued to provide free and low cost legal services to the poor in Kansas.

In 1978, the Kansas City, Topeka, and Wichita Legal Aid Societies merged to form Kansas Legal Services, Inc. KLS now has fifteen legal services field offices located across the state and maintains an extensive retainer contract system with cooperating members of the Kansas Bar Association.

KLS will provide advice and representation to low income Kansans in approximately 38,000 cases during 1998. This is an increase of approximately 11,000 cases from 1996 to 1998. This forty per cent (40%) increase in service is largely the result of current Access to Justice funding. Services are provided in all 105 Kansas counties for a wide range of legal and dispute resolution matters. KLS has a proven record of providing legal and dispute resolution services to low income Kansans. KLS also has extensive experience in providing low cost direct services and in documenting the outcomes of those services.

GOALS

The primary mission of Kansas Legal Services is the provision of equal access to justice for persons not able to pay for legal services.

KLS has progressively focused its advocacy efforts on special needs groups such as victims of domestic violence, children, the elderly, farmers, those with disabling conditions and those seeking access to health care. Additionally, with funding from the Access to Justice fund, Kansas Bar Association, the Kansas Human Rights Commission and other private and public sources, KLS offers mediation services and low-fee legal services.

Access to Justice funding has made possible several avenues to improving legal assistance to low income Kansans. Those avenues include improved access through a comprehensive legal Advice Line and a broad expansion of the availability of advice and representation. Access to Justice funding for KLS has also improved access to mediation and assistance to pro se litigants and the Kansas courts in dealing with pro se litigants. Continued Access to Justice funding will allow KLS to further expand its ability to meet these goals.

Priorities for service will be reviewed on a regular basis. During 1997, KLS surveyed district court judges and court clerks regarding the relative demand among the civil legal services needs of low income Kansans. KLS will replicate that research in the future and is surveying a sample of low income persons regarding their legal needs.

CLIENT ELIGIBILITY

Legal advice and representation, mediation and assistance to pro se litigants will be provided without charge to individuals and families at or below 150 per cent of the federally established poverty level in all projects funded by Access to Justice.

GOVERNING BODY

Kansas Legal Services is governed by a board of directors that is composed of 21 members. Sixty per cent (60%) of the members are attorneys and the remainder are client-eligible consumer representatives. The Kansas Bar Association appoints eleven of the attorney members and the Kansas Trial Lawyers Association appoints one.

FEDERAL FUNDING DECLINES AND INCREASING DEMAND

A serious erosion has occurred in the level of federal funding provided to Kansas Legal Services by the Legal Services Corporation. LSC funding declined by fifteen per cent (15%) from 1985 to 1990. During the same time period, the KLS caseload increased sixty-two per cent (62%). This trend was radically accelerated in 1996. Federal Legal Services Corporation funding for KLS in 1996 declined by \$722,857 or 25.4 per cent. Federal regulatory changes will result in an additional decline of approximately \$600,000 of revenue during 1998.

Continued Access to Justice funding will allow Kansas Legal Services to further reduce its dependence on Legal Services Corporation dollars and improve its ability to address the legal needs of low income Kansans and the Kansas Judiciary. KLS will provide advice or representation

in approximately 11,000 more cases during 1998 than during 1996. This forty per cent (40%) increase in service has been made possible largely by Access to Justice funding.

ACCESS TO JUSTICE PROJECT DESCRIPTION

INTRODUCTION

Kansas Legal Services is requesting \$1,000,000 of Access to Justice funding to be used for advice and representation in domestic law and related matters, to provide mediation services, assistance to pro se litigants and the courts in dealing with pro se litigants, and the operation of the Access to Justice Advice Line. Our request is for two projects.

The first project involves advice and representation for low income Kansans in domestic law and related matters and the operation of the Access to Justice Advice Line. The budget for this project is \$830,000.

The second project involves continuing to review the needs of the district courts in Kansas regarding pro se and mediation services and offering, on a statewide basis, pro se and mediation services as deemed necessary by the Kansas courts and the Office of Judicial Administration. This project has a budget of \$170,000.

PROJECT 1

Part A Advice and Representation in Domestic Law and Related Matters \$709,879 Requested

The Kansas Bar Association's Civil Legal Needs of the Poor Survey has consistently found domestic law matters to be the area of greatest unmet need among low income Kansans. In 1988, the Kansas Bar Association's Legal Aid and Lawyer Referral Committee conducted a survey of four different components of the Bar in Kansas: Bar Association Presidents, Judges, legal services lawyers, and a random sample of KBA attorneys. The types of cases identified to be the most in need of additional services were: (1) post divorce motions, (2) contested divorces, and (3) domestic violence. In a subsequent survey conducted by the Bar in 1992, these issues continued to be the top three in need of additional services. In 1995, the top two types of cases listed were contested divorces and domestic violence. Post divorce motions were also ranked in the top ten. Surveys conducted by Kansas Legal Services in 1992, 1993 and 1995 also rank domestic law as the number one unmet legal need in Kansas. The 1997 survey of judges and court clerks conducted in conjunction with the Office of Judicial Administration also found a high level of need for advice and representation in domestic matters.

Kansas Legal Services' ability to address the demand for domestic law services declined with the federal funding cuts previously described. During 1994, a total of 11,058 family law cases were advised or represented by KLS. During 1996, the level of service in family law declined to 9,041 cases. Over two years, because of federal funding cuts, domestic law advice and representation had declined by 18.2 per cent. This reduction in service came at a time of increasing demand and probably contributed to an increase in the incidence of pro se litigants in Kansas courts. When legal assistance in domestic matters is not available through KLS, low income people are often forced to handle their domestic law issues pro se. New Access to Justice funding during 1997 allowed KLS to expand family law services to 16,653 cases, an increase of approximately eighty four per cent

(84%) over 1996. Based on six months data, KLS will provide family law services in about 18,300 cases during 1998, an increase of an additional ten per cent (10%) over 1997 and a total increase of over one hundred per cent (100%) since 1996. Access to Justice funding has allowed Kansas Legal Services to more than double the volume of family law services for low income Kansans over a two year period.

Access to Justice resources have been and will be distributed throughout the State of Kansas on the basis of poverty population. KLS will equalize the availability of domestic law advice and representation by placing more resources in those areas of the state that are the most underserved.

With new Access to Justice funding KLS will provide legal advice to an estimated 5,518 individuals and legal representation to an additional 1,343 persons. This legal advice and representation will be primarily in the domestic law matters previously identified. Advice and representation will also be provided for other legal matters, such as landlord/tenant disputes or consumer protection issues, to clients referred by Kansas courts.

Access to Justice funding will make it possible for KLS to provide advice and representation in approximately 6,861 domestic law and related cases. With \$709,879 devoted to this portion of the project, the average cost for these 6,861 cases (advice and representation) is \$103 per case. This portion of Access to Justice funding will pay for 19,307 hours of legal advice and representation at \$36.77 per hour. This cost figure includes attorney, paralegal and secretarial time and all nonpersonnel costs.

Part B
Domestic Advice and Referral Hotline
\$120,121 Requested

The Access to Justice Advice Line began operation on February 7, 1997. A report of the specific activities related to the Advice Line are attached to this proposal. The Access to Justice Advice Line screens callers for income eligibility, determines the legal problem of the caller and determines the priority of the problem identified. The Advice Line either refers the caller to a Kansas Legal Services office for representation or advice or, in some cases, may provide direct advice during the initial call. The Advice Line also assists in pro se matters as requested by the courts and may refer the caller to mediation services either within KLS or to other providers.

The Advice Line provides comprehensive access to low income people for advice or representation in domestic matters, mediations or assistance with pro se matters. The Advice Line number has been provided directly to Kansas district courts and is available to provide the services they need in lessening the burden of pro se litigants, coordinating mediation services or responding to perceived needs for legal assistance.

At the requested level of funding, the Advice Line will be staffed with a full-time intake specialist, a full-time paralegal and one quarter-time attorney. This staff will handle calls, make referrals, draft orders for pro-se litigants and provide legal advice in domestic matters. A total of approximately 11,300 calls will be received on an annual basis at a cost of \$10.63 per call. Approximately 4,500 of these calls will be processed as case intakes on an annual basis at a cost of approximately \$26.69 per intake. This cost includes some brief advice and direct assistance to pro se litigants.

PROJECT 2

Part A
Expanded Alternative Dispute Resolution
\$120,000 Requested

The \$120,000 requested for Access to Justice alternative dispute resolution services will be used to continue to expand the availability of mediation/arbitration and other alternative dispute resolution services for low income individuals statewide. Funding for this purpose will be expended as follows:

1. \$80,500 of funding will pay for 250 mediations conducted by KLS, the Mediation Center of Wichita, KU Psychological Center, and other mediation providers.
2. Kansas Legal Services and the Dispute Resolution Council have mutually developed a plan to establish a viable Access to Justice Family Law Mediation program in western Kansas. Pursuant to our agreement, the Dispute Resolution Council has agreed to assist KLS in selecting two to three western Kansas judicial districts in which to provide alternative dispute resolution services. The primary focus of service delivery will be in Garden City, Kansas with additional services to one or more of the following areas: Great Bend, Dodge City, Hays and/or Goodland, Kansas. The Council has also agreed to assist KLS in the development of advanced domestic mediation training and assistance in the overall expansion of mediation services to western Kansas. \$25,000 in ATJ funds will be utilized to provide approximately 80 hours of mediation training and to provide 50 mediations in targeted judicial districts.
3. \$14,500 will be utilized in the further development and maintenance of mediation referral systems with district courts, training and coordination with other mediation providers. This work will be divided among the statewide mediation coordinator and three regional coordinators at approximately 77 hours each, including clerical support. Kansas Legal Services will continue to gather information from the Office of Judicial Administration, the Kansas Bar Association, the district courts of Kansas and other alternative dispute resolution providers to identify the alternative dispute resolution needs of both the courts and low income Kansans. Allocating a portion of the mediation budget to the development and administration of referral systems allows continued development of the emerging Access to Justice alternative dispute resolution system. A detailed description of the activities undertaken to date to coordinate referral systems from the district courts and to coordinate the provision of mediation services with other organizations is provided in the accompanying progress report.

Part B
Pro Se Assistance
\$50,000 Requested

The \$50,000 requested for pro se assistance will be used to expand the availability of direct assistance to pro se litigants or to courts in dealing with pro se litigants. A clear interest has been expressed by the district courts in having this service. The funds will pay for approximately 1,360 hours of direct assistance to pro se litigants or to courts in dealing with pro se litigants. It is estimated that assistance will be provided in 539 cases. This legal assistance will be provided at a

cost of \$36.77 per hour with a total cost per case of approximately \$93.00. The nature of this assistance depends upon the need of each court and each client. Services vary from drafting orders to giving advice or, in some cases, providing representation rather than the client continuing pro se.

Funding for mediation and pro se assistance in this project expands the usefulness to the courts of the Access to Justice Advice Line described in Project 1. The Advice Line will continue to serve as a one stop shop for the courts to obtain assistance with pro se litigants, to make mediation referrals, or to obtain advice or representation for low income persons statewide.

ALTERNATIVE PROPOSAL

Direct Legal Advice and Representation \$1,000,000

If desired by the Supreme Court, Kansas Legal Services can implement an effective program solely of statewide legal advice and representation for domestic and related matters with \$1,000,000 in Access to Justice funding. This program would include the \$120,121 for the Access to Justice Advice Line. The remaining \$879,879 would pay for 23,929 hours of legal advice and representation at \$36.77 per hour (including support staff time). Staff and case loads would be distributed throughout the state on the basis of poverty population and relative demand. This use of Access to Justice resources would allow KLS to provide advice in approximately 6,831 cases and representation in 1,665 cases, for a total of 8,496 cases.

EVALUATION

Kansas Legal Services has established separate Access to Justice accounts for both projects and for each category of service within each project. KLS will identify the specific services made possible by the Access to Justice grant including the number of people served and the cost per unit of service.

KLS will provide client satisfaction surveys to samples of all persons served with Access to Justice funds. The result of those surveys will be provided to the Supreme Court of Kansas. KLS agrees to any audit or review of its expenses by the Supreme Court of Kansas. KLS will continue to cooperate with the Office of Judicial Administration and the Kansas Bar Association to identify the legal needs of low income Kansans and to adapt services that reflect those identified needs.

INDEPENDENT REVIEW

The Kansas Bar Association has agreed to participate in an independent review of the Kansas Legal Services Access to Justice projects. The Bar Association has indicated that its legal aid and referral committee will assist in conducting a thorough review. Patricia Henshall, at the Office of Judicial Administration, has also agreed to assist in coordinating the independent review of Kansas Legal Services' Access to Justice programs.

**Kansas Legal Services, Inc.
Access to Justice Fund - Grant Application
Domestic and Other Advocacy Program Budget
Project One**

	Access to Justice Funding			Other Funding (a)	Total Program
	Advocacy	Referral Hotline	Total ATJ		
Salaries-Lawyers/Mediators	255,045	8,500	263,545	111,653	375,198
Salaries-Paras	112,753	22,000	134,753	51,090	185,843
Salaries-Clerical	24,674	17,000	41,674	74,047	115,721
Fringe Benefits & Taxes	64,485	10,283	74,768	45,157	119,925
Total Personnel	456,957	57,783	514,740	281,947	796,687
Space	36,297	4,390	40,687	25,421	66,108
Capital Expenditures	16,218	8,000	24,218	11,316	35,534
Equipment Rental	11,584	1,701	13,285	8,167	21,452
Supplies, Printing, Postage	17,762	4,804	22,566	12,381	34,947
Telephone	22,203	21,000	43,203	15,611	58,814
Travel	5,599	275	5,874	3,893	9,767
Training	2,317	275	2,592	1,654	4,246
Library	4,054	347	4,401	2,836	7,237
Insurance	4,248	603	4,851	3,035	7,886
Litigation	1,738	0	1,738	1,228	2,966
Audit / Contract Services	5,213	110	5,323	3,595	8,918
Central Casewrk & Suprt	119,511	17,174	136,685	83,640	220,325
Other	6,178	3,659	9,837	4,162	13,999
Total Non-Personnel	252,922	62,338	315,260	176,939	492,199
Total Expenses	709,879	120,121	830,000	458,886	1,288,886

Note (a) : Sources of other funding include Legal Services Corporation, IOLTA, United Way, various city/county grants, and Attorney General grants.

Kansas Legal Services, Inc.
Access to Justice Fund - Grant Application
Domestic and Other Advocacy Statistics
Project One

	Access to Justice Funding		
	Advice & Referral	Hotline	Total ATJ
Total Representations	1,343		1,343
Total Advices	5,518		5,518
Total Calls		11,300	11,300

Total Cases	6,861	11,300	18,161
FTE-Lawyers	6.31	0.25	6.56
FTE-Paras	5.05	1.00	6.05
FTE-Clerical	1.26	1.00	2.26

Total FTE's			
Hours-Lawyers	9,652	383	10,035
Hours-Paras	7,727	1,530	9,257
Hours-Clerical	1,928	1,530	3,458
Total Hours	19,307	3,443	22,750

Kansas Legal Services, Inc.
Access to Justice Fund - Grant Application
Pro-Se and Mediation Program Budget
Project Two

	Access to Justice Funding			Other Funding (a)	Total Program
	Pro-Se Assistance	Mediation	Total ATJ		
Salaries-Lawyers/Mediators	17,964	50,149	68,113	0	68,113
Salaries-Paras	7,942	2,698	10,640	0	10,640
Salaries-Clerical	1,738	0	1,738	0	1,738
Fringe Benefits & Taxes	4,542	5,058	9,600	0	9,600
Total Personnel	32,186	57,905	90,091	0	90,091
Space	2,557	3,164	5,721	0	5,721
Capital Expenditures	1,142	1,414	2,556	0	2,556
Equipment Rental	816	1,010	1,826	0	1,826
Supplies, Printing, Postage	1,251	1,549	2,800	0	2,800
Telephone	1,564	1,936	3,500	0	3,500
Travel	394	488	882	0	882
Training	163	202	365	0	365
Library	286	353	639	0	639
Insurance	299	370	669	0	669
Litigation	122	151	273	0	273
Audit / Contract Services	367	40,500	40,867	0	40,867
Central Casewrk & Suprt	8,418	10,419	18,837	0	18,837
Other	435	539	974	0	974
Total Non-Personnel	17,814	62,095	79,909	0	79,909
Total Expenses	50,000	120,000	170,000	0	170,000

Note (a) : These projects are only funded through the Access to Justice grant.

Kansas Legal Services, Inc.
Access to Justice Fund - Grant Application
Pro-Se and Mediation Statistics
Project Two

Access to Justice Funding

	Pro-Se Assistance	Mediation	Total ATJ
Total Rep / Mediations	228	300	528
Total Advices	311		311

Total Cases	539	300	839
FTE-Lawyers/Mediators	0.45	0.75	1.20
FTE-Paras	0.35	0.09	0.44
FTE-Clerical	0.09	0.00	0.09

Total FTE's	0.89	0.84	1.73
Hours-Lawyers/Mediators	686	1,148	1,834
Hours-Paras	536	138	674
Hours-Clerical	138	0	138
Total Hours	1,360	1,286	2,646

Internal Revenue Service
District Director

Department of the Treasury

Date: 3 JUN 1980

Our Letter Dated:
July 13, 1978
Person to Contact:
Minnie Busby
Contact Telephone Number:
214-767-1227
EO:2:309:AWC
DAL:EO:30-321

Kansas Legal Services, Inc.
112 West 6th St.
Topeka, Kansas 66603

Dear Taxpayer:

This modifies our letter of the above date in which we stated that you would be treated as an organization which is not a private foundation until the expiration of your advance ruling period.

Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Internal Revenue Code, because you are an organization of the type described in section 170(b)(1)(A)(vi). Your exempt status under section 501(c)(3) of the code is still in effect.

Grantors and contributors may rely on this determination until the Internal Revenue Service publishes notice to the contrary. However, a grantor or a contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 509(a)(1) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section 509(a)(1) organization.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,



A. W. McCanless
District Director

Kansas Legal Services, Inc.

BOARD OF DIRECTORS**1998**

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Attorney

(Amended October 19, 1990)

KANSAS LEGAL SERVICES, INC.

BYLAWS

ARTICLE I

NAME AND PRINCIPAL OFFICE

SECTION 1: NAME

This organization, incorporated under the Kansas Corporation Code, shall be known as Kansas Legal Services, Inc., hereinafter referred to as K.L.S., Inc.

SECTION 2: PRINCIPAL OFFICE

The principal office of K.L.S., Inc. shall be located in Topeka, Kansas, or in such other city in Kansas as shall be designated by the Board of Directors.

ARTICLE II

PURPOSE

The objects and purposes of this Corporation shall be to provide or help to provide legal services for economically disadvantaged Kansas citizens who are financially unable to obtain private counsel.

K.L.S., Inc. is organized and operated exclusively for charitable and educational purposes within the meaning of Section 501 (c)(3) of the United States Internal Revenue Code, and the Kansas Corporation Code.

The Corporation, in furtherance of these charitable and educational purposes, shall attempt to educate and serve indigent persons by:

1. Receiving grants of public and private funds as may be available for providing legal services to indigent citizens of Kansas;
2. Establishing or assisting in the creation and operation of professionally staffed legal assistance offices for indigents where needed;
3. Providing technical assistance and creating and encouraging educational programs relating to legal programs for the indigent; and
4. Carrying out any lawful activity necessary or convenient in connection with any of the foregoing purposes or powers enumerated in the Kansas Corporation Code.

ARTICLE III

BOARD OF DIRECTORS

SECTION 1: NUMBER AND COMPOSITION

The affairs of this Corporation shall be managed by its Board of Directors, which shall consist of twenty-one (21) members, all of whom shall be residents of the state of Kansas. The composition of the Board of Directors shall in all respects comply with Section 1607.3 and other applicable regulations promulgated by the Legal services Corporation Act of 1974, Public Law 93-355.

SECTION 2: QUALIFICATIONS AND SELECTION OF BOARD MEMBERS

- A. Qualification. Members of the Board of Directors shall be supportive of the purposes of the Legal Services Corporation Act, and have interest in and knowledge of the delivery of quality legal services to indigent persons. At least one-third (1/3) of the K.L.S. Board of Directors shall be persons qualified for free legal services by Kansas Legal Services at the time of their appointment to the Board of Directors and shall be selected to serve on the K.L.S. Board by the client members of their respective advisory councils. No person who is employed by K.L.S., Inc., or by any organization or agency who is receiving or has applied to receive funds from K.L.S., Inc., shall be eligible for membership on the Board of Directors.
- B. Selection. The twenty-one members shall be selected in the following manner:
1. One attorney designated by the Kansas Bar Association (KBA) Executive Council and one client representative in total from Service areas 11 and 12.
 2. One attorney designated by the KBA Executive Council and one client representative in total from the Service areas 9 and 10.
 3. One attorney designated by the KBA Executive Council and one client representative in total from the Service areas 4 and 6.
 4. One attorney designated by the KBA Executive Council and one client representative in total from the Service areas 2 and 8.
 5. One attorney designated by the KBA Executive Council and one client representative designated by Advisory Councils from each of Service areas 1, 3, 5, and 7.
 6. One attorney chosen by the Executive Council of the Kansas Bar Association (KBA).
 7. One attorney chosen by the President of the Kansas Trial Lawyers Association (KTLA).
 8. One attorney designated by the KBA Executive Council representing the Washburn University School of Law.

9. One attorney designated by the KBA Executive Council representing the Kansas University School of Law.
 10. One non-voting, ex-officio representative of the Kansas Legal Services Staff Association, who may not be an employee of K.L.S., Inc., the K.L.S. Staff Association, or any organization receiving, or which has applied to receive, funds from Kansas Legal Services, Inc.
- C. Attorney positions in paragraph B above shall be appointed by the KBA Executive Council to represent the service area, law schools, and KBA position, as described therein, except that the KTLA shall appoint one attorney position. K.L.S. shall make recommendations to the KBA Executive Council for their consideration in making the respective appointments.
- D. Every reasonable effort will be made to recruit and appoint women and minority attorney members to the Board.

SECTION 3: TERM

The new Board shall be constituted no later than August 31, 1981, and shall serve until the January annual meeting in 1983 as their first year. Representatives from Service Areas 1, 2, 3, 4, 5, 6, and 7, shall serve for three years as their initial term. Representatives from Service Areas 8, 9, 10, 11, and 12, the two law schools, the KBA, and the KTLA shall serve two years as their initial term. After the initial three-year terms expire, all terms shall be for two years and shall commence as of the annual meeting. No member shall serve more than two consecutive terms.

SECTION 4: ANNUAL MEETINGS

An annual meeting of the Board of Directors shall be held on the third Friday of January in each year at the principal office of K.L.S., Inc., or upon such other day and in such other place, within or without the state, as may be provided by resolution of the Board of Directors.

SECTION 5: REGULAR MEETINGS

Regular meetings of the Board of Directors shall be held on the third Friday of January, April, July, and October of each year at the principal office of K.L.S., Inc., or upon such other day and in such other place as may be provided by resolution of the Board of Directors.

SECTION 6: NOTICE

Written notice of each meeting, specifying the place, day, and hour, and in the case of the special meetings, the reason therefore shall be delivered to each director not less than ten (10) days and not more than forty (40) days before the date of the meeting, either personally or by mail, at the direction of the President of the Board of Directors or the other directors calling the meeting. A tentative agenda shall accompany each written notice of a meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the director at his address as it appears on the records of the Corporation, with postage prepaid.

It is provided, however, that whenever any notice is required to be given, a waiver thereof in writing, signed by persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to such notice having been properly given.

SECTION 7: QUORUM

A majority of directors shall constitute a quorum for the transaction of business at any meeting of the Board. The act of the majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors unless the act of a greater number is required by law or these Bylaws.

SECTION 8: REMOVAL OF BOARD MEMBERS

- A. The Board, by a vote of two-thirds (2/3) of the entire Board of Directors (although only a quorum need be present), shall have the authority to remove a director for good cause shown upon written notice of the intended action to the director in question at least ten (10) days prior to the vote.
- B. When a director shall fail to appear at three (3) consecutive meetings of the Board of Directors, or at one-half (1/2) of the meetings held during a two-year period, his or her membership on the Board of Directors shall automatically terminate, and he/she shall be notified by the Secretary in writing. However, such director may, upon his/her written request therefore, be allowed to appear at the next regular meeting of the Board of Directors to request reinstatement, and the Board may, upon a two-thirds (2/3) vote of the members present at the meeting, reinstate the person as a member of the Board for good cause shown.

SECTION 9: VACANCIES

When vacancies occur on the Board, the organization which appointed or elected the departing director shall choose the successor to serve the unexpired term; provided, however, that if such organization shall fail to choose a successor within sixty (60) days after being given written notice of the vacancy, the Board may designate another qualified organization to make the appointment.

When vacancies occur on the Board as a result of the failure of the organization listed in Section II appoint or elect a director to the Board at the initial annual meeting of the Board or at the expiration of the term of any director, the Board may appoint the director or directors by a majority vote at a duly-convened meeting.

In the event that the Board does select the successor director in either of the situations described above, such director shall meet the requirements of the position vacated and represent the organization failing to choose a successor.

SECTION 10: OPEN MEETINGS

- A. All meetings for the conduct of the affairs of and the transactions of business by the Corporation through its Board of Directors shall be conducted in accordance with the open-meeting laws of the state of Kansas, K.S.A. 1977 Supp. 75-4318 et seq. as it may be hereafter amended.
- B. Notice of the date, time, and place of any meeting--annual, regular, or special--shall be furnished by the Secretary to any person requesting such information.

- C. Prior to any meeting hereinabove mentioned, any agenda relating to the business to be transacted at such meeting shall be made available by the Secretary to any person requesting said agenda.

SECTION 11: POWER AND DUTIES

The Board shall have, but shall not be limited to, the following powers, duties and responsibilities:

1. Set and review all policies for the operation of K.L.S., Inc., guidance of staff and local advisory council.
2. Exercise supervision of all funds of K.L.S., Inc., and exercise supervision over receipts and expenditures.
3. Select and terminate all officers of the Corporation and the Executive Director of K.L.S., Inc.
4. Decide disputes between any area offices and/or employees of K.L.S., Inc., relative to personnel or other matters.
5. Evaluate the operation of K.L.S., Inc., in accordance with the objectives and purposes as stated in the Articles of Incorporation.
6. Delegate authority to or contract with local advisory councils for the performance of, supervision of, and delivery of legal services within their service areas.
7. Consult with and provide advice, upon request, to the various local bar associations of the state of Kansas, in matters concerning delivery of civil legal assistance to indigents.
8. Keep correct and complete books and records of accounts, minutes of meetings, and the names and addresses of the members of the Board, and permit all books and records to be inspected by any director, or his or her agent or attorney, for any proper purpose at any reasonable time.
9. The Board of Directors may authorize any employee or employees, officer, or officers, agent or agents, to enter into any contract or execute and deliver an instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.
10. No loans shall be contracted on behalf of the Corporation and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances.
11. All checks, drafts, or other orders for the payment of money, notes, or other evidence of indebtedness issued in the name of the Corporation, shall be signed by such employee or employees, officer or officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors.

12. All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

SECTION 12: COMPENSATION OF DIRECTORS

No director or member of any local advisory council shall receive, directly or indirectly, any compensation or other reward for serving, nor shall any such person or any staff member have any interest in or to the property of K.L.S., Inc., either before or after dissolution; provided, however, that the Board of Directors may authorize reimbursement of reasonable expenses by directors necessitated by their attendance at each regular or special meeting of the Board of Directors or of the Executive Committee.

ARTICLE IV

OFFICERS

SECTION 1: OFFICERS

The officers of K.L.S., Inc., shall be members of the Board of Directors of the Corporation and shall be designated as the President, Vice-President, Secretary, Treasurer, and such other officers as may be elected in accordance with the provisions of this Article. No director may hold more than one office at the same time.

SECTION 2: ELECTION AND TERM OF OFFICE

The officers of K.L.S., Inc., shall be elected annually by a majority vote of the directors present at the regular annual meeting of the Board of Directors wherein there is a quorum. new offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until his/her successor shall have been duly elected and qualified. Officers other than President, Vice-President, Secretary, and Treasurer need not be members of the Board of Directors.

SECTION 3: REMOVAL

The Board, by affirmative vote of two-thirds (2/3) of the members present at a meeting, shall have the power to warn or reprimand an officer or to suspend or revoke the privilege of holding an office from an officer for flagrant or willful violation of the resolutions of the Board or of these Bylaws.

SECTION 4: VACANCIES

A vacancy in any office because of death, resignation, removal, disqualification or otherwise may be filled by a majority vote of the directors present at a meeting at which a quorum is present.

SECTION 5: PRESIDENT

The President shall be the chief executive of K.L.S., Inc.; shall preside at the meetings of the Board; shall cooperate with the Board and staff in planning the agenda for meetings of the Board; shall appoint, with the approval of the board, all committees which may include persons not members of the Board; shall work closely with staff in the conduct of the affairs of K.L.S., Inc.; and shall perform such other duties as may properly appertain to the office.

SECTION 6: VICE-PRESIDENT

In the absence of the President, or in the event of his or her inability or refusal to act, the Vice-President shall have all powers of and be subject to all the restrictions upon the President. The Vice-President shall perform such other duties as from time to time may be assigned to him or her by the President of the Board of Directors.

SECTION 7: SECRETARY

The Secretary shall be responsible for the preparation and maintenance of minutes of meetings of the Board and of resolutions presented to or passed by the Board, and shall work with the clerical staff to see that there is appropriate distribution of such documents and similar documents by the sponsoring groups and other interested groups. The Secretary shall cooperate with the staff with regard to public information activities. The Secretary shall prepare all agendas for annual and regular meetings.

SECTION 8: TREASURER

The Treasurer shall be responsible for general review of the banking, financial, and accounting functions of K.L.S., Inc., in cooperation with the staff.

ARTICLE V

COMMITTEES

SECTION 1: CREATION

The Board of Directors and the Executive Committee shall have the authority to create, dissolve, and appoint members to ad hoc committees as they deem necessary.

SECTION 2: STANDING COMMITTEES

The Board of Directors may create, dissolve, and appoint members to standing committees as they deem necessary.

SECTION 3: CLIENT REPRESENTATION

All committees shall have at least one member who is a client-member of the Board of Directors.

SECTION 4: EXECUTIVE COMMITTEE

The Executive Committee shall consist of the President, Vice-President, Secretary, and Treasurer of the Corporation, and three (3) other members of the Board of Directors, to be nominated by the President and confirmed by the Board of Directors annually. At least one member of the Executive Committee shall be a client-member director.

Subject to instructions and/or limitations as may be imposed by the Board of Directors, and between its meetings, the Executive Committee shall be the administrative Board of the Corporation and shall have the power and authority to do and perform all duties and functions which the Board of Directors might do or perform, except the Executive Committee may not:

1. Amend these Bylaws;
2. Exercise the authority of the Board of Directors granted under Article 3, Section 9;
3. Exercise the authority of the Board of Directors granted under Article 3, Section 10;
4. Exercise the authority of the Board of Directors granted under Article 3, Section 12 (3);
5. Exercise the authority of the Board of Directors granted under Article 4, Section 2;
6. Exercise the authority of the Board of Directors granted under Article 4, Section 3;
7. Exercise the authority of the Board of Directors granted under Article 4, Section 4.

Business of the Executive Committee may be conducted by mail, telephone, or meetings. The Committee shall, at each regular meeting of the Board of Directors, report all actions taken by the Executive Committee since the last meeting of the Board of Directors. The Board of Directors shall have the authority to alter, amend, or refine any action by the Executive Committee since the last meeting of the Board of Directors.

The Executive Committee shall be dissolved only by amendment of the Bylaws.

SECTION 5: AUDIT COMMITTEE

The President of the Corporation shall select and appoint an Audit Committee, whose functions shall be:

1. To approve and select annually competent auditors who shall perform the annual audit.
2. To review the annual audit and to make recommendations to the Board of Directors based on the audit.
3. To evaluate the performance of the auditors.

SECTION 6: GRIEVANCE COMMITTEE

The President of the Corporation shall appoint and select a Grievance Committee to hear grievances and complaints against the Corporation. The powers, duties, responsibilities, and procedures of the Grievance Committee shall be set out by special Board resolution and incorporated in the Operations Manual of K.L.S., Inc.

ARTICLE VI

LOCAL ADVISORY COUNCILS

SECTION 1: FORMATION AND CHOICE OF MEMBERS

Advisory councils shall be established for each Service Area. The councils shall be composed of not more than twenty-five members and shall include client and attorney members.

Only those persons committed to the purposes of K.L.S., Inc., as provided by these Bylaws, shall be considered for membership on the councils. Substantial efforts shall be made by the Executive Director to encourage interested groups in areas to be serviced by K.L.S., Inc., including attorneys and representatives of organizations which may provide referrals or services to prospective clients of K.L.S., Inc., to become members of the councils.

SECTION 2: POWERS AND DUTIES

Each local advisory council shall have the following powers, duties, and responsibilities:

1. Designate the Directors to represent the particular advisory council as set out in Article 3, Section 2 (B).
2. Consult closely with and advise the staff of its area with regard to the functioning of K.L.S., Inc., in that area with particular regard to eligibility standards, priorities for problems to be solved, and methods of securing and assisting clients.
3. Assist the staff in informing prospective clients of the services of K.L.S., and securing volunteer personnel, both legal and non-legal, to assist and supplement the efforts of the staff.
4. Perform such duties as are assigned to such councils by other sections of these Bylaws or by the Board.
5. Evaluate the operations of K.L.S., Inc. in its area.

ARTICLE VII

EXECUTIVE DIRECTOR

The Board of Directors shall select an Executive Director who shall administer the state program consistent with the policies set by the Board of Directors, the Executive Director shall be an ex-officio member of the Board of Directors and of the Executive Committee.

The Executive Director shall, in general, supervise and control all of the day-to-day business and affairs of Kansas Legal Services, Inc. He or she may sign, individually or with the President, Secretary, Treasurer, or other proper officer of Kansas Legal Services, Inc., authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors, or these Bylaws, or statute, to some other officer or agent of Kansas Legal Services, Inc. The Executive Director shall have the authority to hire and terminate the employment of managing attorneys of area offices, provided, however, that such hiring or termination shall be with the advice of the Service Area office. The Executive Director shall serve at the pleasure of the board of Directors.

ARTICLE VIII

GRIEVANCE PROCEDURE

Any person or group aggrieved by a decision or action of K.L.S., Inc., or its staff or any subdivisions thereof, may appeal said decision or action in writing to the Executive Director. If the grievance is not satisfactorily resolved, the aggrieved party may petition the Board of Directors, who will decide the matter pursuant to the rules and procedures promulgated by the Board of Directors. Personnel matters are to be handled pursuant to a Personnel Manual adopted by the Board of Directors.

ARTICLE IX

AMENDMENTS TO BYLAWS

These Bylaws or the Articles of Incorporation of Kansas Legal Services, Inc., may be amended, altered, or repealed by affirmative vote of sixty percent (60%) of the members of the Board of Directors present at a duly-convened meeting. Such vote shall be taken at a meeting of the Board of Directors held at least twenty (20) days after notice of the proposed meeting. Notice of such meeting shall include a copy of the proposed changes of the Bylaws or Articles of Incorporation. Proposals to amend these Bylaws or the Articles of Incorporation may be initiated only by a member of the Board of Directors.

Kansas Legal Services Current Budget	
8/13/98	1998 Budget
Revenue & Support	
Legal Services Corp	2,156,918
IOLTA	140,000
AAA	279,894
United Way	241,663
City / County Grants	139,713
Mill Levy	65,942
Casework Revenue	322,500
KAMS	79,653
KBA Lawyer Referral	67,000
SRS Adult	710,000
SRS Zebley	362,000
SRS Adoptions in Child Time	277,777
Criminal	189,900
Reduced Fee Admin Fee	48,450
WORKS	158,198
OTAP	223,030
Human Rights Commission	105,000
Elder Law Hotline - HHS	103,354
Access to Justice Fund	850,000
MPA	837,300
MPS	90,000
Attorney General	82,426
Other	94,307
Total Revenues	7,625,025
Expenses	
Salaries	4,724,453
Fringe Benefits	869,577
Space	495,335
Equipment Rental	168,974
Office Supplies	242,672
Telephone	267,276
Travel	109,933
Training	70,572
Library	58,520
Insurance	66,600
Litigation	21,450
Contract Serv./Consulting	85,889
Retainers	115,144
Other	104,130
Total Expenses	7,400,525
Excess (Deficiency)	224,500
Capital Expenditures	124,500
Net Cash (To Reserves)	100,000

Attachment E.

NELSON E. TOBUREN
ADMINISTRATIVE JUDGE
Eleventh Judicial District of Kansas

P.O. Box 1348
120 W. Fourth Street
Pittsburg, Kansas 66762

316-231-3570
FAX - 316-231-0316

Clinton L. Hurt, Court Administrator 316-231-0310
Mary Ann Forsythe, Administrative Assistant 316-231-3570

August 12, 1998

Access to Justice Fund
Office of Judicial Administration
Kansas Judicial Center
301 SW 10th Street, Room 337-South
Topeka, KS 66612-1507

Dear Madam or Sir:


Please consider this letter in support of Legal Services of Southeast Kansas and the concept of legal services for low income citizens generally.

Our contact with Legal Services has been primarily in domestic matters. A recent protection from abuse intervention program that Legal Services has undertaken under a grant through the Kansas Attorney General's office has proven to be quite helpful to our personnel as well as to those citizens in need. The time that our busy clerks must devote to those cases has been significantly reduced. Further, we suspect Legal Services participation keeps some non-meritorious matters from our offices and that others are resolved through their efforts without court involvement.

In summary, this type of programming has proven to be of benefit not only to the low income citizens but to the courts and court personnel in the pro se situations with which we are increasingly forced to deal.

We must admit that there has been some concern expressed about legal services being involved in fee generating matters. Perhaps more effort to inform and educate members of the bar and the judiciary concerning the standards and policies adopted by Legal Services in that respect would be beneficial.

Very truly yours,



Nelson E. Toburen
District Judge

c: Legal Services of Southeast Kansas

KANSAS LEGAL SERVICES, INC.
 712 South Kansas Avenue Suite 200
 Topeka KS 66603

UNDERWRITERS AT LLOYD'S
 PARTICIPATION HEREON: 95%

LIMITS OF LIABILITY:

COVERAGE A

A1. Professional Liability Coverage		A2. Personal Injury Liability Coverage	
Each Claim	\$1,000,000.00	Each Claim	\$100,000.00
Aggregate	\$1,000,000.00	Aggregate	\$300,000.00
Deductible	\$500.00 each claim	Deductible	\$1,000.00 each claim
A3. Disciplinary Proceedings Costs Coverage		Coverage A Premium	\$16,002.00
Each Claim	\$25,000.00	Coverage A Retroactive Date	N/A
Aggregate	\$25,000.00		
Deductible	\$500.00 each claim		
<hr/>			
Coverage B - Management Errors and Omissions Coverage (Optional)			
Each Claim	\$1,000,000.00	Coverage B Premium	
Aggregate	\$1,000,000.00	Coverage B Retroactive Date	N/A
Deductible	\$500.00 each claim		
<hr/>			
Coverage C - Employment Practices Coverage (Optional)			
Each Claim	\$100,000.00	Coverage C Premium	
Aggregate	\$300,000.00	Coverage C Retroactive Date	N/A
Deductible	\$500.00 each claim		
<hr/>			
Coverage D - Punitive Damages Coverage (Optional)			
Each Claim	\$50,000.00	Coverage D Premium	\$830.00
Aggregate	\$50,000.00	Coverage D Retroactive Date	N/A
Deductible	\$500.00 each claim		
<hr/>			
Coverage E - Criminal Defense Coverage (Optional)			
Each Claim	\$50,000.00	Coverage E Premium	\$1,124.00
Aggregate	\$50,000.00	Coverage E Retroactive Date	May 1, 1992
Deductible	\$500.00 each claim		
<hr/>			
Coverage F - Contempt Defense Coverage (Optional)			
Each Claim	\$10,000.00	Coverage F Premium	No Coverage
Aggregate	N/A	Coverage F Retroactive Date	May 1, 1997
Deductible	\$100.00 each claim		
<hr/>			
Coverage G - Injunctive Relief Defense Coverage (Optional)			
Each Claim	N/A	Coverage G Premium	No Coverage
Aggregate	N/A	Coverage G Retroactive Date	N/A
Deductible	N/A each claim		

Optional Extension Period - 12 months - 100% of premium	TOTAL LLOYD'S PREMIUM INCLUDING ENDORSEMENTS Purchasing Group Tax for KS @ 6.00%	\$31,715.00 \$1,902.90
	TOTAL LLOYD'S PREMIUM INCLUDING TAX	\$33,617.90

PERIOD OF COVERAGE: From May 1, 1998 12:01 A.M. To May 1, 1999 12:01 A.M.

In consideration of the additional premium paid and in reliance upon the statements in the application attached hereto, the above specified Organization is an Assured under the Certificate of Insurance issued to the NATIONAL ASSOCIATION OF SALARIED PROFESSIONALS PURCHASING GROUP, INC. of Wheeling, Illinois by Certain UNDERWRITERS AT LLOYD'S, LONDON (not incorporated) for the period of coverage and limits of liability specified above. All other terms, conditions and exclusions of the Certificate are unchanged. This certifies that the attached Certificate is a true copy of the original document issued.

Date: May 1, 1998

COMPLETE EQUITY MARKETS, INC.

By

[Signature]