



BOARD OF DIRECTORS

RESOLUTION

**MODIFYING LSC'S PROTOCOL FOR ITS ACCEPTANCE AND USE
OF
PRIVATE CONTRIBUTIONS**

WHEREAS, the Legal Services Corporation ("LSC" or "Corporation") may on occasion receive private contributions for permissible purposes;

WHEREAS, the Board has reviewed the *Protocol for the Acceptance and Use of Private Contributions of Funds to LSC* ("the Protocol") previously adopted on August 2, 2008 and amended on April 17, 2010, and determined that certain revisions to the Protocol are warranted;

THEREFORE, BE IT RESOLVED that the Board adopts the attached modified protocol for the acceptance and use of private contributions to LSC, to be effective immediately.

BE IT FURTHER RESOLVED THAT Management is charged with ensuring that the amended protocol is followed.

Adopted by the Board of Directors
on July 27, 2012



John G. Levi
Chairman



Victor M. Fortuno
General Counsel & Corporate Secretary

**Protocol for the Acceptance and Use
of
Private Contributions of Funds to LSC**

(for inclusion in the LSC Accounting and Administrative Manuals)

From time to time, LSC may receive private contributions of funds for the conduct of LSC business. These private contributions may be in the form of grants for which LSC has applied, may be contributions other than grants that LSC staff or Board members have solicited, or may be unsolicited private contributions. This protocol shall apply to the solicitation, acceptance, budgeting, expenditure of and accounting for private contributions of funds (whether in the form of grants or other solicited or unsolicited contributions). In-kind contributions of goods or services are not subject to this protocol.

A. Grants

For the purposes of this protocol, a “grant” is defined as any funding opportunity made available by a third party pursuant to a Request for Proposal or some other equivalent application process.

Applications for grants for the following purposes are hereby approved by the Board of Directors (“Board”) and LSC may submit grant applications for funding for such purposes without further approval of but subject to at least ten business days’ prior notice to the Board:

- Grants for research projects related to legal services for people of limited means;
- Grants for projects to provide training and technical assistance to LSC grant recipients or staff;
- Grants for fellowships to take positions with LSC grant recipients;
- Grants for programs to educate the public about the role of LSC-funded legal services providers in their communities, LSC, access to justice issues, and matters related to access to justice;
- Grants for the advancement of *pro bono* programs serving the civil legal needs of persons of limited means; and
- Grants in support of LSC’s private development capacity, with use of this capacity to remain subject to this protocol.

Before any Director, officer or employee of LSC applies for any grant for a purpose not listed above, the proposed grant application must be presented to the Board for approval no later than ten business days in advance of submission of the application.

B. Solicitation of Non-Grant Contributions

Except as otherwise provided herein, no Director, officer or employee may solicit the private contribution of funds without prior approval of the Board.

Before any Director, officer or employee of LSC makes any solicitation the proposed solicitation must be presented to the Board for approval no later than ten business days in advance of the proposed solicitation.

Exempt from this requirement, but subject to the approval of the President of LSC, are 1) solicitations for modest donations not to exceed a total of \$5,000 per event for LSC staff events/functions and 2) fundraising among LSC staff for charitable causes.

C. Unsolicited Contributions

LSC Directors, officers and employees are authorized to discuss offers of unsolicited donations with the potential donor, but must notify such prospective donor that no donation may be accepted without the express approval of the LSC President or his/her designee. If the offered donation is less than \$5,000, the LSC President or his/her designee is authorized to accept the donation if he or she deems it appropriate. For offered donations of \$5,000 or more, the LSC President or his/her designee may accept such donations without further approval of but subject to at least ten business days' prior notice to the Board

D. Notification to Donors

Whenever a grant or other contribution to LSC is received by the Corporation, the Treasurer shall acknowledge the contribution and, so long as required by law, include a statement that funds contributed to LSC may not be used in any manner that violates the LSC Act or any provision of the Appropriations Act that applies to LSC.

E. Budgeting of contributions

All private funds received by LSC for the same purposes, whether in the form of grants or solicited or unsolicited contributions shall be accounted for separately. The Board shall approve the budgeting of such funds using the same LSC Budget Guidelines that apply to all other LSC funds. If contributed funds carry restrictions, acceptance of the funds is subject to a determination by the General Counsel that LSC may legally accept the funds.

F. Expenditures from contributed funds

Contributed funds shall be spent in accordance with the LSC Administrative Manual and are subject to the same approval requirements as contained in the Manual. In the event that contributed funds are to be used to pay for expenses for which federal funds may not be used, such contributed funds must be received and budgeted prior to any such expense being incurred. No federal funds shall be advanced to cover any expense intended to be paid for by private contributions.

G. Accounting

Should LSC engage in a solicitation of private contributions, the Comptroller shall provide an accounting of any additional expense to the Corporation associated with the solicitation.

**Adopted on July 27, 2012 and supersedes
Board Resolution nos. 2010-004 and 2008-013**