


LEGAL SERVICES CORPORATION

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 John McKay
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April 17, 1998

Rosalie Chavez, Executive Director
Indian Pueblo Legal Services, Inc.
P.O. Box 817
Bernalillo, New Mexico 87004

Dear Ms. Chavez:

This is a response to your request for an advisory opinion from the Legal Services Corporation's (LSC) Board of Directors (Board) on whether Indian Pueblo Legal Services, Inc. (IPLS) may charge its clients a small processing fee.

The issue of whether or not LSC recipients may charge fees for its LSC-funded legal assistance is not expressly stated in any LSC regulation or guidance. However, it has been the policy of the Corporation that recipients may not charge fees for LSC-funded legal assistance. This policy has been based on Office of General Counsel opinions interpreting prior versions of 45 CFR Part 1609 and various provisions in the LSC Act, 42 U.S.C. §2996. I enclose 2 such opinions for your information.

When considering revisions to Part 1609 that were finalized in April 1997, the Board reviewed the issue of whether any fees should allowed to be charged to LSC clients, but the issue was never resolved. Absent action by the Board on this matter, the current policy may not be changed. I will provide a copy of your letter to management and to the Chairman of the Operations and Regulations Committee.

I hope this adequately responds to your inquiry. Please let me know if I can provide any additional assistance in this matter.

Sincerely,

Suzanne B. Glasow
Senior Assistant General Counsel

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