

1 Attorney General shall be responsible for allocating these funds
2 pursuant to contract with eligible regional or statewide
3 organizations which ordinarily render legal services to indigent
4 persons. The Attorney General may charge an administrative fee for
5 administering the contracts. The funds shall be allocated for the
6 benefit of indigent clients in all seventy-seven (77) counties of
7 ~~Oklahoma~~ the state on a pro rata basis, utilizing an allocation
8 formula that distributes funds according to the number of residents
9 whose incomes are less than the official United States federal
10 poverty guidelines, based on the United States census data, as a
11 percentage of the total number of these residents in this state and
12 which reserves funds for services for specialized areas of law.

13 B. As used in this section, "eligible organization" means an
14 entity that:

15 1. Is organized as a not-for-profit corporation that is tax
16 exempt pursuant to the provisions of paragraph (3) of subsection (c)
17 of Section 501 of the United States Internal Revenue Code of 1986,
18 as amended;

19 2. Has as its primary purpose the furnishing of legal
20 assistance to eligible clients;

21 3. Has a board of directors or other governing body the
22 majority of which is comprised of attorneys who are admitted to
23 practice in this state and who are approved to serve on such body by

1 the governing bodies of the state or county bar associations and has
2 at least one-third of the membership who, when selected, are
3 eligible clients; and

4 4. Is incorporated pursuant to any applicable laws of this
5 state.

6 C. As a condition of the contract, the organization shall be
7 required to determine the eligibility of any person seeking legal
8 services pursuant to this section.

9 D. The ~~Administrative Director of the Courts~~ Attorney General
10 shall prepare annually and distribute to the Judiciary committees of
11 the Senate and the House of Representatives, and the Legal Services
12 Committee of the Oklahoma Bar Association, ~~and the Supreme Court~~ a
13 report detailing expenditures of funds for representation to
14 indigent persons in civil legal matters.

15 E. Each organization that contracts to provide legal services
16 pursuant to subsection A of this section shall maintain books and
17 records in accordance with generally accepted accounting principles.
18 The books and records shall account for the receipt and expenditure
19 of all funds paid pursuant to contract. Books and records shall be
20 maintained for a period of five (5) years from the close of the
21 fiscal year of the contract period. The State Auditor and Inspector
22 shall audit each organization annually. The necessary expense of
23 each audit, including, but not limited to, the cost of typing,

1 printing, and binding, shall be paid from funds of the organization.
2 In lieu of the audit by the State Auditor and Inspector, the
3 organization may submit an audit prepared by an independent auditing
4 firm for compliance with federal auditing requirements. A copy of
5 the audit prepared by or submitted to the State Auditor and
6 Inspector shall be submitted to the ~~Administrative Director of the~~
7 Courts Attorney General.

8 F. Funds for representation of indigent persons in civil legal
9 matters shall be limited to family law legal services with priority
10 given to cases involving domestic and family violence and abuse. In
11 no event shall such funds ever be used for any of the following
12 activities:

13 1. Provision of legal services in a fee-generating case unless
14 appropriate private representation is not available;

15 2. Provision of legal services in any criminal proceeding;

16 3. Provision of legal services collaterally attacking the
17 validity of a criminal conviction;

18 4. Provision of legal services which seek to procure an
19 abortion;

20 5. Provision of legal representation relating to the
21 desegregation of any school or school system;

22 6. Provision of legal services involving any proceeding derived
23 from the Military Selective Service Act;

1 7. Provision of legal services to advocate for or oppose any
2 altering of a legislative, judicial, or elective district at any
3 level of government; and

4 8. Provision of legal services to challenge a census of the
5 United States of America.

6 G. There is hereby created in the State Treasury a revolving
7 fund for the ~~Oklahoma Supreme Court~~ Office of the Attorney General
8 to be designated the "Legal Services Revolving Fund". The fund
9 shall be a continuing fund, not subject to fiscal year limitations,
10 and shall consist of all monies received by the ~~Oklahoma Supreme~~
11 ~~Court~~ Office of the Attorney General for indigent legal services
12 from funds appropriated to the fund, federal funds, gifts,
13 donations, and grants. All monies accruing to the credit of said
14 fund are hereby appropriated and may be budgeted and expended by the
15 ~~Administrative Director of the Courts~~ Attorney General for the
16 purpose of providing legal services to indigent clients pursuant to
17 the provisions of this section. Expenditures from said fund shall
18 be made upon warrants issued by the State Treasurer against claims
19 filed as prescribed by law with the Director of State Finance for
20 approval and payment.

21 SECTION 2. This act shall become effective November 1, 2011.

22

23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
24 03-03-2011 - DO PASS, As Amended and Coauthored.