

From: Jennifer Lechner-NCEATJC [mailto:lechner@ncequalaccesstojustice.org]
Sent: Thursday, November 13, 2008 12:39 PM
To: Comments
Subject: FDIC RIN 3064-AD37

November 13, 2008

Robert E. Feldman
Executive Secretary
Federal Deposit Insurance Corporation
550 17 Street, N.W.
Washington. D.C. 20429

Dear Mr. Feldman:

I am writing on behalf of the North Carolina Equal Access to Justice Commission to voice our concerns about the potential impact of the FDIC's Temporary Liquidity Guarantee Program (TLGP) on the Interest on Lawyers' Trust Account (IOLTA) program and, consequently, on legal aid programs across our state.

Currently the TLGP Interim Rule will only offer unlimited insurance on client funds if they are moved to a covered non-interest bearing deposit transaction account. TLGP coverage is vital for IOLTA accounts which may hold funds for a client that could exceed the \$250,000 coverage limit. In response to the FDIC's request for comments on the TLGP, we respectfully urge you to ask the FDIC to extend the Transaction Account Guarantee Program to IOLTA accounts. This inclusion will ensure that the critical resources generated by the IOLTA program will not be adversely affected.

IOLTA accounts serve as clearing accounts for pooled client funds which would otherwise not earn interest either because they are nominal amounts or because they are held for a brief period of time. Thus, IOLTA accounts produce interest on the aggregate of funds that could not otherwise benefit depositors. These funds are administered through the North Carolina State Bar's IOLTA program.

NC IOLTA has been a vital source of funding for the provision of civil legal services to the poor through grants made to staffed legal services programs and volunteer lawyer programs that serve all 100 counties in the state and for other programs that work to improve the administration of justice. Since its first grants were made in 1984, NC IOLTA has provided over \$50 million to provide legal assistance for at-risk children, the elderly, the disabled, and the poor in need of basic necessities, and to help lawyers connect with those who need their pro bono assistance. Other innovative programs have assisted the Administrative Office of the Courts with its need for interpreter services; put law students into public interest summer internships to help them understand the need for public interest and pro bono service; trained local officials on how to provide safe and humane jails; provided first rate judicial education to NC judges; and leveraged state funds provided to assist young lawyers in public interest practice pay off law school loans.

Thank you for your consideration of these comments.

Very truly yours,

Sarah Parker, Chairperson
NC Equal Access to Justice Commission

NC Equal Access to Justice Commission
P.O. Box 6323
High Point, NC 27262
336.688.5329