

NEW HAMPSHIRE
BAR FOUNDATION

Strengthening Justice for All



Interest on Lawyers Trust Account (IOLTA)

What is IOLTA?

The New Hampshire Supreme Court adopted Supreme Court Rule 50 in 1982 to establish the Interest on Lawyers Trust Accounts (IOLTA) Program as part of its regulation of the legal profession.

Through IOLTA, interest earned on lawyers' trust accounts that are either too nominal or held for too short a period to warrant establishment of a separate client account is forwarded to the New Hampshire Bar Foundation to be used for specific charitable purposes.

Attorney participation in IOLTA supports the statewide IOLTA Grants Program that fosters access to justice by those without means to hire a lawyer, along with programs that educate the public about the laws that govern them and the judicial system that administers that law.

IOLTA Programs Nationwide

In 1981, the Florida Bar Foundation launched the first IOLTA program in the United States. Shortly thereafter with the leadership of Attorney Jack Middleton and the Bar Foundation, New Hampshire became the second state to adopt an IOLTA program when, in 1982, the New Hampshire Supreme Court adopted Rule 50 establishing an IOLTA program in New Hampshire, assigning the NH Bar Foundation as the steward of the charitable program.

IOLTA programs are now in all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands.

IOLTA in New Hampshire

Rule 50. Trust Accounts.

- (1) Interest-Bearing Pooled Trust Accounts. In addition to any individual client trust accounts, a member of the New Hampshire Bar who is not exempt from this requirement pursuant to Rule 50(1)(F) shall create or maintain a pooled, interest-bearing trust account known as "Interest on Lawyers Trust Accounts program" or "IOLTA" account for clients' funds which are nominal in amount or to be held for a short period of time.

The interest generated in these accounts must be transferred to the New Hampshire Bar Foundation for charitable purposes.

Rule 50 1(D)

D. The interest or dividends received by the Foundation shall be used solely by the Foundation for the following purposes:

- (i) for the support of civil legal services to the disadvantaged;*
- (ii) for public education relating to the courts and legal matters;*
- (iii) for such other programs as may be approved by the supreme court.*

To view NH Supreme Court Rule 50 in its entirety please visit :

<https://www.courts.nh.gov/rules-supreme-court-state-new-hampshire/rule-50-trust-accounts>

NH Bar Foundation

The NH Bar Foundation (NHBF) is a nonprofit 501(c)(3), charitable organization that is dedicated to supporting civil legal aid for underserved communities and promoting law-related education across New Hampshire. It is the philanthropic arm of the NH Bar Association.

The NHBF is a registered charity in good standing with the Charitable Trust Unit of the NH Department of Justice.

The NHBF oversees the careful stewardship of the IOLTA program and cultivates relationships with local credit unions and banks to obtain commitments for higher interest rates which directly result in additional grant funding for civil legal aid. Additionally, the NHBF privately fundraises to broaden our mission to support equal access to justice with yearly fundraising campaigns.

The NHBF is governed by a volunteer board of directors, attorneys, bankers, community and business leaders. The NHBF is managed by professional staff dedicated to the mission and vision of the Foundation, with additional support of the NH Bar Association.

NH Bar Foundation Grant Programs

The NH Bar Foundation oversees and administers **two grant programs**:

1. **IOLTA Grants**
2. **Justice Grants**

NH Bar Foundation Grant Programs

IOLTA Grants

IOLTA Grants are for New Hampshire nonprofit organizations and/or programs that meet the criteria of NH Supreme Court, Rule 50:

- For the support of civil legal services to the disadvantaged.
- For public education relating to the courts and legal matters.
- For such other programs as may be approved by the Supreme Court.

Justice Grants

Justice Grants are funded by distributions from restricted and unrestricted endowed funds raised from private funds. Applications are accepted on a biennium basis from New Hampshire nonprofit organizations and/or programs that:

- Envision new ways to create equal justice for all people.
- Foster innovation in the delivery of legal services, court operations, legal education and related areas.
- Address legal needs or projects which are important in a democratic society.
- Bring people and resources and people to find collaborative solutions to justice related problems.
- Inform and educate the public about the courts and the Rule of Law.

Note: The two programs above are separate grant programs with separate reporting and accounting guidelines.

IOLTA funding decisions are made by the NH Bar Foundation Board of Directors. Each fiscal year, the Board of Directors reviews the IOLTA funding available and votes on the total amount available for grants in the upcoming fiscal year. IOLTA funding varies from year to year, based on interest rates and economic conditions.

Once funding is determined, the amount is shared with the IOLTA Grants Committee. The Committee consists of five volunteer members who are attorneys participating in the IOLTA program. The Committee members serve for two consecutive five-year terms.

The Grants Committee accepts applications from nonprofit organizations seeking IOLTA funds. The Committee reviews the applications and meets with each applicant. Each applicant is expected to discuss:

- What were the organization's biggest accomplishments or achievements this past year?

- What were the organization's most significant challenges?

- Does the organization have a strategic plan? If so, give a brief overview.

- Does the organization have a grievance procedure for internal staff members?

- Does the organization have a grievance procedure for external clients/consumers?

- Does the organization carry the following insurance:

 - Fiduciary/Employee Dishonesty, Professional Liability & Directors/Officers Liability

- Does the organization have a protocol for writing checks above a certain amount or can the Executive Director sign any check, regardless of the amount?

After the interviews, the Committee makes their funding recommendations to the Board of Directors. The Board of Directors reviews the recommendation and votes on the grant awards.

Sample grant applications are available upon request.

How IOLTA Grants are Awarded

Grant Guidelines

The NH Bar Foundation has rigorous and strict guidelines for granting awards and for the use of the funds. The terms and conditions state:

USE OF GRANT FUNDS: You have represented that this organization is exempt from tax and is qualified to receive charitable donations within the meaning of the Internal Revenue Service Code. The organization may use grant funds only for the charitable purposes for which your organization was established, and more specifically, use of grant funds may be only for the purpose outlined above. You must immediately inform the NH Bar Foundation of any change in the tax status of your organization.

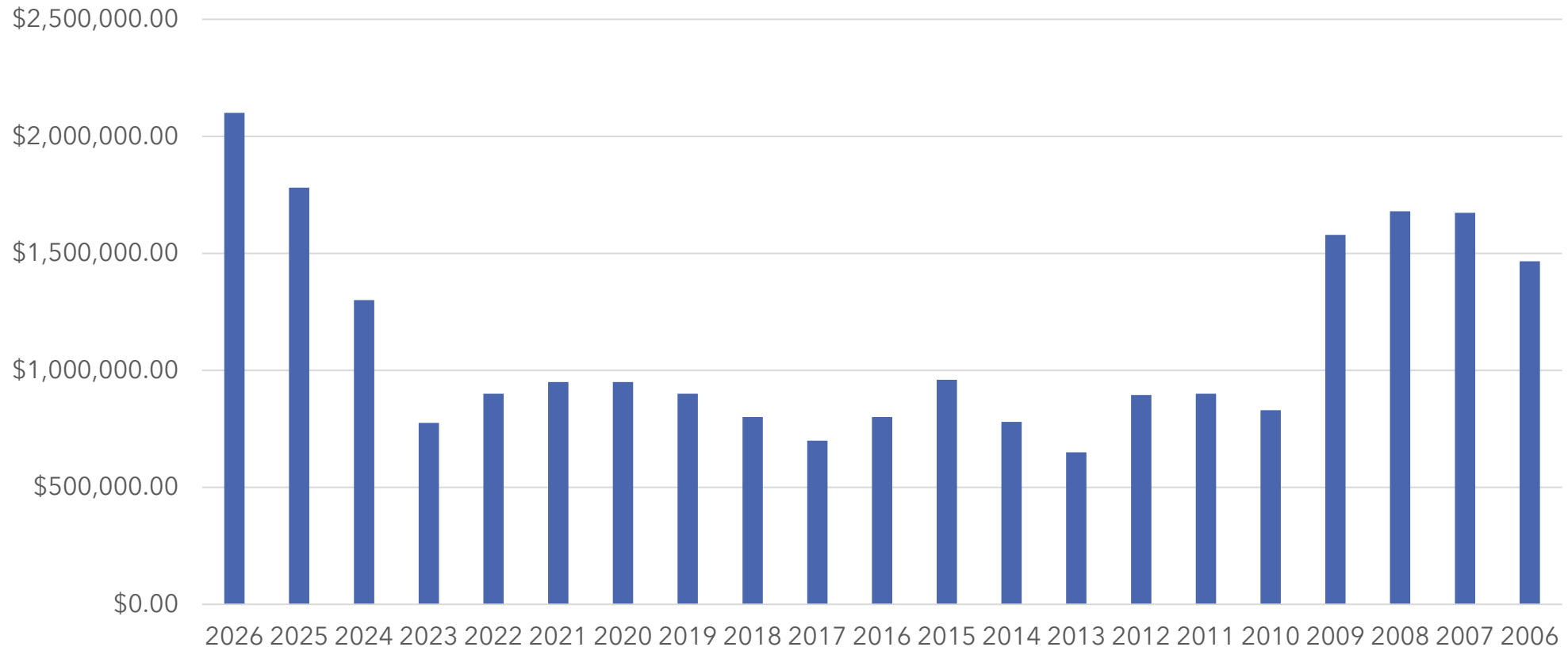
The organization may not use grant funds for any purpose prohibited under Section 501 of the Internal Revenue Code or the corresponding provision of any future United States Internal Revenue Law, including the prohibition against participating in, or intervening (including the publishing or distributing of statement), in any political campaign on behalf of any candidate for public office.

In addition to the above guidelines, grantees are required to submit a midyear report in January and a final report in July showing that funds were used for the grants intended purpose.

This is an excerpt from the Terms and Conditions. A full copy is available upon request.

IOLTA Grant Awards by Year Since 2006

IOLTA revenue fluctuates with the market. This impacts the total amount of funds available for distribution.



2025-2026 IOLTA Grant Recipients

603 Legal Aid

Children's Law Center

Disability Rights Center - NH

New Hampshire Legal Assistance

NH Bar Association - Modest Means

Putting IOLTA Dollars to Work

Since its inception in 1982, IOLTA has provided in excess of **\$42 Million** to help fund civil legal services for thousands of New Hampshire's citizens without cost to the taxpayers.

IOLTA dollars have provided individuals and families access to critical legal services in matters including housing, health, family, employment and education.

Putting IOLTA Dollars to Work

In fiscal year 2024-2025, IOLTA funding helped 603 Legal Aid assist 7,290 Granite Staters.

603 Legal Aid

603 Legal Aid is a nonprofit 501(c)(3) civil legal aid provider offering legal representation, advocacy, and education. In partnership with volunteer attorneys and community organizations, 603 Legal Aid works to make justice a reality for and with people who experience economic hardship that threatens their basic human needs. 603 Legal Aid helps low-income people by providing free civil legal advice and information by telephone, by representing someone in court, or through a referral to a volunteer attorney or another program for legal help.

NH Residents Helped by County

County	Total
Belknap	459
Carroll	249
Cheshire	283
Coos	310
Grafton	578
Hillsborough	2,152
Merrimack	837
Rockingham	1,404
Strafford	684
Sullivan	267
OOS	66

Putting IOLTA Dollars to Work

In fiscal year 2024-2025, IOLTA funding helped Children's Law Center assist 41 Granite Staters.

Children's Law Center of NH

Children's Law Center of NH (CLC-NH) is an emerging legal services nonprofit. As the only civil legal services nonprofit dedicated to the rights of disadvantaged children, CLC-NH works with a client base that is distinct from that of any other legal services nonprofit. The New Hampshire Bar Foundation (NHBF) IOLTA FY 2024-2025 award was made for the purpose of enabling CLC-NH to hire an additional attorney.

NH Residents Helped by County

County	Total
Belknap	0
Carroll	2
Cheshire	1
Coos	0
Grafton	0
Hillsborough	19
Merrimack	6
Rockingham	0
Strafford	0
Sullivan	0

Putting IOLTA Dollars to Work

In fiscal year 2024-2025, IOLTA funding helped Disability Right Center - NH assist 830 Granite Staters.

Disability Rights Center

Disability Rights Center - NH is a 501(c)(3) that protects, advances, and strengthens the legal rights and advocacy interests of all people with disabilities.

NH Residents Helped by County

County	Total
Belknap	61
Carroll	23
Cheshire	42
Coos	25
Grafton	53
Hillsborough	214
Merrimack	166
Rockingham	148
Strafford	48
Sullivan	20
OOS	30

Putting IOLTA Dollars to Work

In fiscal year 2024-2025, IOLTA funding helped NH Legal Assistance assist 3,705 Granite Staters.

NH Legal Assistance

New Hampshire Legal Assistance (NHLA) is a nonprofit 501(c)(3) that provides free civil legal aid to people in New Hampshire primarily in the areas of housing (eviction, foreclosure, and property tax deeding); domestic violence and family law (protective orders, divorce, and parenting rights and responsibilities); and public benefits (disability, unemployment, and more).

NH Residents Helped by County

County	Total
Belknap	135
Carroll	94
Cheshire	129
Coos	124
Grafton	240
Hillsborough	1,677
Merrimack	306
Rockingham	372
Strafford	279
Sullivan	323
Unknown & OOS	26

Putting IOLTA Dollars to Work

In fiscal year 2024-2025, IOLTA funding helped NH Bar Association - Modest Means assist 2610 Granite Staters.

NHBA - Modest Means Program

The NHBA Lawyer Referral Services (LRS) Modest Means Program connects people in need of legal assistance with professionals who may be able to help. Trained Intake and Referral Specialists match those who prequalify with a licensed NH attorney who charges reduced fees to income-eligible applicants.

NH Residents Helped by County

County	Total
Belknap	119
Carroll	100
Cheshire	101
Coos	46
Grafton	167
Hillsborough	834
Merrimack	362
Rockingham	362
Strafford	252
Sullivan	108
Unknown & OOS	159



IOLTA Matters

The Bar Foundation IOLTA grants are the largest private source of funding for civil legal service providers in New Hampshire.