



June 28, 2002

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Eva Pratt
Director of Finance
Capital Area Legal Services Corp.
200 Third Street
P.O. Box 3273
Baton Rouge, Louisiana 70821

Superseded by EX-2002-1009

RE: Request for Opinion on Subgrantee Timekeeping, External Opinion
No. 2002-1007

Dear Ms. Pratt:

, MD
Edna Fairbanks-Williams

I am writing in response to your inquiry to Willie Abrams, Program Counsel in the Legal Services Corporation's (LSC) Office of Program Performance, regarding LSC's timekeeping regulation, 45 C.F.R. ' 1635. You indicated that a subgrantee of Capital Area Legal Services Corporation ("CALSC") has two *pro bono* coordinators who place cases with *pro bono* attorneys. One coordinator is a paralegal and the other is an attorney. Both coordinators work full-tim

Ernestine P. Watlington
Harrisburg, PA

As employees whose work is funded entirely by LSC, the *pro bono* coordinators fall squarely within the scope of the timekeeping requirement as articulated in Section 1635.3(b)(1). Additionally, timekeeping by these employees serves each of the stated purposes for Part 1635, enumerated in the second paragraph above. Accordingly, it is the opinion of this office that the *pro bono* coordinators at issue are required to comply with the timekeeping regulation.

Please note that if either of these coordinators worked part-time for your subgrantee and part-time for an organization that engaged in restricted activities (i.e. activities for which Congress has forbidden the use of LSC funds), they would be required to submit to CALSC written certification that they had not engaged in restricted activity during any time for which they were compensated by CALSC and that they have not used CALSC resources for restricted activities. 45 C.F.R. ' 1635.3(d). However, based on the facts you have presented, it does not appear as if the coordinators are in this situation at this time.

If you have any additional questions regarding this matter, please feel free to contact me a