

OFFICE OF LEGAL AFFAIRS

## EXTERNAL OPINION

**External Opinion # EX-2008-1001**

**To:** Thomas W. Weeks, Executive Director  
Ohio State Legal Services Association  
555 Buttles Avenue  
Columbus, OH 43215-1137

**Date:** March 19, 2008

**Subj:** Requirement for Persons Assisted by PAI Attorneys to be Eligible  
Program Clients

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This is provided in response to your request for a formal opinion on whether persons being served by legal services clinics need to be screened for eligibility -- financial and otherwise -- and need to be considered clients of Ohio State Legal Services Corporation (OSLSC).

persons served by these clinics are not screened for LSC-eligibility (financial, citizenship or alien status) and are not accepted as clients of OLSA in accordance with OLSA's eligibility and case acceptance policies.

~~During the course of a CSD/CSM review by LSC's Office of Compliance and~~  
[REDACTED]

Enforcement ("OCE"), OCE informed you that because of the lack of eligibility screening and because the clinic clients are not clients of OLSA, OLSA may not count the value of support it provides to the clinics towards its PAI allocation. You have asked this office for an opinion as to whether the OCE position is legally correct.

***Analysis***

Pursuant to LSC regulations at 45 CFR Part 1614, LSC grant recipients are  
~~required to devote an amount equal to at least 12.5% of their respective annualized~~

[REDACTED]

spend all of its resources providing direct services itself. *See*, Preamble to PAI Final Rule, 50 Fed. Reg. 49587 at 49587 (November 26, 1985) ("Widespread use of PAI

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