

IDAHO STATE UNIVERSITY PROFESSIONAL WOMEN (ISUPW)

LEGAL AID POLICY

Statement of Purpose

Idaho State University Professional Women is an organization devoted to the improvement of the professional lives of women employees at Idaho State University. ISUPW recognizes that in rare instances an employee is forced to seek legal action in order to guarantee her employment rights. Consequently ISUPW has established a legal aid fund.

The total amount of aid awarded to an employee shall not exceed 50 percent of the money available in the ISUPW legal aid account at the time of the request. If the assisted employee receives a settlement or jury verdict in her favor or if the Court awards the assisted employee a reimbursement of her attorney fees, the assisted employee must reimburse the ISUPW legal aid account.

The award of aid is conditional upon the employee's fulfilling all the requirements for the request.

Requirements for Requesting Legal Aid

1. The person requesting funds is a female employee of Idaho State University (paid faculty, staff, administrator or graduate assistant). If the employee is not a member of ISUPW, she must obtain a written recommendation from a member containing a detailed rationale for why her request should be considered.
2. The employee requesting funds has engaged the appropriate grievance procedures in the Faculty and Staff Handbook.
3. The employee requesting funds has applied to the State of Idaho Human Rights Commission for legal assistance, and the Commission has determined that the case does not fall within its jurisdiction.
4. The employee requesting funds has consulted a private attorney and has written documentation from the attorney attesting to the potential legal merit of the case. In no instance does this requirement exceed what is allowable under Rules 1.6, 1.7, and 1.8 of the Idaho Rules of Professional Conduct for attorneys.

Procedure for Requesting Funds

1. The employee requesting funds must satisfy all the requirements for requesting aid that are listed above.

2. The employee requesting funds must submit the following documents to the ISUPW Executive Board:
 - a. a written request for legal funds,
 - b. a statement of her grievance,
 - c. written proof that she has satisfied all the requirements for requesting funds, and
 - d. a declaration of her intention to continue to obtain legal counsel or other forms of legal services.

Process for Granting Funds

ISUPW Executive Board

1. The Board reviews the request for funds to insure that the procedure is correctly followed.
2. By a simple majority vote, the Board decides whether to refer the request to the Legal Aid Committee.

Legal Aid Committee

1. The Committee will thoroughly review the request for funds.
2. The Committee may ask for additional documentation to clarify the request. The Committee only has access to confidential information that the employee wants to turn over voluntarily.
3. The employee requesting funds will appear before the Committee only at the Committee's request.
4. All five members must participate in each vote.
5. All the decisions made by the Committee require a majority vote.
6. The final decision of the committee is not subject to consideration by the general membership of ISUPW.
7. The Committee will report to the Board only the decision *to support* or *not to support* the request and the amount of the funds if the request is supported.

ISUPW Executive Board

1. The Board will notify the employee of the Committee's decision.
2. If the request for funds is approved, the Board will ask the employee to sign the following documents before the funds are disbursed:

- a. a statement that ISUPW does not commit to covering additional legal fees for the employee, and
 - b. a statement that the employee will repay funds awarded by ISUPW if the employee is reimbursed through the legal action in her case.
3. The Board will inform the general membership at the next regular meeting of ISUPW only that an un-named employee has been awarded a specific amount of legal aid.
 4. The treasurer's report will record only the amount awarded.
 5. The ISUPW Executive Board and the ISUPW Legal Aid Committee will maintain absolute confidentiality throughout each stage of the procedures listed above.

Conflicts of Interest

The following situations constitute a conflict of interest for any member of the ISUPW Executive Board and any member of the ISUPW Legal Aid Committee:

1. Employment in the same department,
2. Spouse or partner is employed in the same department,
3. Participation as a member of a committee or as an administrator in any part of the process being challenged by the employee,
4. Spouse or partner of committee member or administrator identified in #3 (above), or
5. The employee requesting legal aid funds.

A member of the Executive Board or the Legal Aid Committee who has a conflict of interest will recuse herself from the process.

The Constitution of the Legal Aid Committee

1. The Committee will consist of five members, including the chair. Should a member or members of the Committee have to recuse herself, alternates will be chosen to fill those vacancies.
2. The five members of the Committee, as well as any alternates, will be selected randomly by the Executive Board from the general membership of ISUPW.
3. Prior to the random selection, the names of all members, excluding the Executive Board members, will be categorized by kinds of employment so that the Committee will be broadly representative of the general membership.
4. The Executive Board will appoint the Chair from among the five selected members of the Committee.
5. Committee members will be randomly assigned two-year staggered terms by the Executive Board.