

Ex 1608



**LEGAL SERVICES CORPORATION**

750 1st St., NE, 11th Fl., Washington, D.C. 20002-4250  
(202) 336-8800 Fax (202) 336-8959

John McKay  
President

Writer's Direct Telephone  
(202) 336-8817

September 12, 1997

Andrew Scherer, Director  
Legal Services for New York City  
350 Broadway  
New York, New York 10013-9998

Dear Mr. Scherer:

I apologize for the delay in responding to your December 2, 1996 request for a letter from the Office of General Counsel at Legal Services Corporation ("LSC" or "Corporation") confirming our conversation regarding the reinstatement of employment status of a Legal Services for New York City ("LSNY") attorney.

According to the information you provided me over the phone and in your December 2 letter, an attorney in your office was informed that she needed to resign her job with LSNY in order to run for a city judgeship. The attorney did resign and ran for the office which she did not win. Subsequently, the attorney learned that LSC has issued legal opinions stating that the restriction on running for office applied only to staff attorneys. Because she was not a staff attorney, she asked the program to rescind her resignation.

The restriction on running for a partisan political office applies only to recipient staff attorneys. 42 U.S.C. 2996e(e)(2); 45 C.F.R. 1608.5(c). "Staff attorney" is defined as:

an attorney more than one half of whose annual professional income is derived from the proceeds of a grant from the Legal Services Corporation or is received from a recipient, subrecipient, grantee, or contractor that limits its activities to providing legal assistance to clients eligible for assistance under the Act.

45 C.F.R. Part 1600. You have advised the Corporation that the attorney's salary has never been

**BOARD OF DIRECTORS - Douglas S. Eakeley, Chairman, Roseland, NJ**

Hulett H. Askew  
Atlanta, GA

LaVeeda M. Battle  
Birmingham, AL

John T. Broderick, Jr.  
Manchester, NH

John N. Erlenborn  
Issue, MD

Maria L. Mercado  
Galveston, TX

F. Wm. McCalpin  
St. Louis, MO

Nancy H. Rogers  
Columbus, OH

Thomas F. Smegal, Jr.  
San Francisco, CA

Ernestine P. Watlington  
Harrisburg, PA

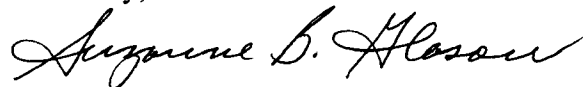
Edna Fairbanks-Williams  
Fairhaven, VT

funded by LSC at more than fifty percent and that LSNY's activities are not limited to providing assistance to clients who are eligible under the LSC Act.

Based on this information, I confirm the advice I provided you on the phone that the restriction on running for partisan political office does not apply to the attorney in question and LSNY may rescind her resignation.

Please let me know if I can provide you with any additional assistance.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne B. Glasow".

Suzanne B. Glasow

Senior Assistant General Counsel