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BLACK LAWYERS ASSOCIATION

PROPOSAL TO U.S. AGENCY FOR INTERNATIONAL
DEVELOPMENT FOR A GRANT TO ESTABLISH
A BLACK LAWYERS ASSOCIATION LEGAL DEFENCE FUND

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PROPOSAL BY THE BLACK LAWYERS ASSOCIATION LEGAL
EDUCATION CENTRE TO AGENCY FOR INTERNATIONAL
DEVELOPMENT FOR A GRANT TO ESTABLISH A LEGAL DEFENCE FUND

I : INTRODUCTION:

1.

The South African Legal Order and its racially discriminatory basis merits no special introduction. South Africa is a society which is characterized by institutionalized racial discrimination. There is an ever widening gap between law and justice. This disparity has never seemed to bother the architects and administrators of the policy of apartheid.

At the other end of the spectrum an increasing number of black people in South Africa tend to regard law as a convenient ploy of the dominant class to maintain and perpetuate an unjust status quo.

2.

Central to the policy of apartheid, is denial of franchise to the black majority. Inevitably such disenfranchisement has been accompanied by social degradation and economic exploitation. Political protest and resistance to apartheid with time became inevitable. At the present time such resistance has reached a pitch and intensity never experienced before.

3.

It became equally inevitable that laws should be promulgated to ensure the safety of the apartheid government. One of the obvious ways was to bring into being security legislation which would facilitate repression of the ever mounting protest and opposition to apartheid.

4.

Since September 1984 our country has been paralysed by chronic and endemic violence. Both the South African Police and Defence Force have been deployed in black residential areas throughout the country. Total black death toll is in excess of 1,500,00 people, presently.

5.

Throughout the period of state of emergency, which has been uplifted recently, large numbers of people were detained and even at the present time, large numbers of people remain in detention on account of politically motivated conduct.

6.

The foregoing bleak scenario has immense implications for lawyers in South Africa and in particular for black lawyers. The demand for services of black lawyers has greatly risen on account of the political crisis within the country. This is particularly so because besides action through the police and the army, the South African state has a special passion for using the law and the courts to suppress opposition to apartheid. In this context the Black Lawyers Association has an immense and special onus in relation to the black people of this country.

(a) BRIEF HISTORY AND PRESENT STATUS:

7.

The Black Lawyers Association ("B.L.A."), is a voluntary association of black lawyers. It came into being during the course of 1977, at which time its activities were limited to no more than informal and sporadic meetings to look at specific issues which arose. At the time membership of the B.L.A. was approximately 40 and all were drawn from the province of the Transvaal. However, by 1980 the ranks of the B.L.A. had swelled to 90 and a formal constitution was adopted and in this way the Association was formalized.

8.

The B.L.A. is made up of practising attorneys, advocates and law teachers. Membership is drawn from mainly the provinces of the Transvaal and Orange Free State, and to a lesser degree, Natal. In Natal there is a regional association of predominantly black attorneys, known as the D.L.A. (Democratic Lawyers Association), whereas in the Eastern Cape the Eastern Cape Democratic Lawyers Association has been recently formed. This regionalized pattern of organized activities amongst black lawyers is perhaps symptomatic of the traditional statutory arrangement of a law society for each province in South Africa. Negotiations are however, afoot to establish a national federation of lawyer groups which are non-statutory and predominantly black.

9.

The Black Lawyers Association has since 1980 steadily grown to approximately 150 members which figure would constitute more than 80% of the lawyers in the Transvaal and the Orange Free State. In pursuance of some of its objectives between October 1984, the Black Lawyers Association established the Legal Education Centre ("L.E.C.") in Johannesburg.

(b) CURRENT PROJECTS AND ACTIVITIES:

10.

The L.E.C. is one of the three public Law Centres in South Africa. It commenced operation in January 1985 with four basic objectives, being an internship programme for articled clerks, continuing legal education for articled clerks, qualified lawyers and the public, research and publication and establishment and administration of law clinics.

11.

The L.E.C. is funded by the Black Lawyers Association Legal Education Trust, a charitable and educational trust which was formed primarily to receive and control monies donated or earned by the L.E.C. The Trust is registered and has a tax exempt status. The trust may lawfully collect contributions from the public and receive donations from overseas. Receipts by, or income for, the Trust, are exempt from South Africa tax and donations by or to the Trust are exempt from donation tax. Also bequests to the Trust are exempt from South African Estate Duty.

Trustees of the Trust are leading members of the black legal profession in South Africa. Several community members are to be co-opted to enlarge the Board of Trustees.

(c) SPONSORS OF PROJECTS AND LITIGATION:

12.

The L.E.C. has received financial support from both the United States of America and South Africa. The initial money to establish the L.E.C. was provided by the CARNEGIE CORPORATION OF NEW YORK, FORD FOUNDATION and the ROCKEFELLER FOUNDATION. Then thereto, additional financial support was received from SOUTH AFRICAN LEGAL SERVICES AND LEGAL EDUCATION PROJECTS INCORPORATED. It is anticipated that with time the greater part of our support would emanate from South Africa as the U.S. support diminishes.

13.

The perusal of annexed annual report of the L.E.C. for the period 1984/1985 will indicate that a large volume of litigation was handled by the L.E.C. Whilst the L.E.C. did not have litigation amongst its first four priorities, the advent of the political crisis in South Africa commencing from September 1984, compelled the L.E.C. to be involved in litigation. More detailed account of the cases and the mode of selection is set out in the annexed annual report of the L.E.C. It should however, be remembered that the funds which were made available to the L.E.C. were not earmarked for litigation in particular. Whilst litigation continued to be one of the objectives of the L.E.C., funding obtained was limited for use in respect of the aforementioned four areas of activity. It was however, not possible for the L.E.C. to sit by idle whilst there were ever increasing demands for the Centre to bring relief to various victims of the state of emergency and other forms of political harassment and detention.

II: THE PROPOSAL:

(a) GOAL AND PURPOSE OF PROJECT:

14.

The primary purpose of the envisaged project is to establish a Legal Defence Fund out of which carefully defined activities would be funded. The Fund would be administered and implemented in a manner set out more fully in Section III of this proposal. The primary area of activity would be to provide direct legal assistance and defence to political detainees and prisoners and their families. A closer definition of the legal defence envisaged as well as the criterion for eligibility would be dealt with more fully hereunder.

(b) RATIONALE FOR THE PROJECT:

15.

The Legal Defence Fund envisaged would not be the first and only such fund to be established in South Africa. A few other funds have existed for many years and these funds have provided excellent direct legal assistance and defence for political detainees, prisoners and their families. Most prominent of such funds would be one administered by the South African Council of Churches. The South African Catholic Bishops also conduct a fund which provides legal and other assistance to political detainees, prisoners and their families.

Various other smaller public interest groups have established funds out of which they support certain select type of cases which would fall within their specific area of interest. An example which would come to mind in this regard, would be The Black Sash, whose major preoccupation has been in the area of influx control and its inevitable consequences of forced removal of black populations, denationalization of blacks and residence and employment restrictions on blacks.

16.

Notwithstanding the presence of the funds I have described hereabove, there is an obvious imminent need for the creation of a legal defence fund which would be readily accessible and available in the first instance to black lawyers and to all other lawyers engaged in providing direct legal defence to political prisoners and detainees. As has been earlier indicated, one of the major methods of perpetuating apartheid is by means of detention and prosecution. However, none of the existing funds provide adequate and comprehensive direct legal assistance and defence to political detainees and prisoners. This would be so on account of the vast number of people who are detained with or without trial, affected by forced removals, denationalization, restrictions of residence, movement or employment on account of race and so forth. It follows that the first reason why a further fund is required lies in the tremendous volume of the demand for direct legal assistance to various victims of our legal order.

17.

The envisaged fund would however, empower and strengthen the authority and effectiveness of civil rights lawyers in South Africa, and in particular, black civil rights lawyers. This would be so because Legal Defence Fund would facilitate the function of defence in political prosecution or civil suits in resistance to one apartheid law or the other in circumstances where such defence or suit would not have been undertaken. Thirdly a great number of black lawyers practise in areas outside the greater metropolitan areas of South Africa. However, the need for legal assistance and defence in the non-metropolitan areas or rural areas has not been less than in greater towns and cities. However, for a number of obvious reasons, black attorneys in outlying areas have had less than sufficient support in political defences or civil rights suits. It is often pointed out that some of the existing funding sources within South Africa tend to concentrate on the sensational trials and suits which make their entry into the front pages of major newspapers at the expense of victims of apartheid in outlying areas and to the exclusion of a less prominent attorneys who serve the outlying areas.

18.

It follows from the foregoing that the envisaged Legal Defence Fund would serve a large number of litigants who otherwise would not have had appropriate legal defence or who would not have had their civil right suit prosecuted in court. The Fund would strengthen the hand of the rural attorney who is engaged in civil rights work. Further, such a fund would empower and enable less prominent attorneys and lawyers to gain entry into the largely unattended area of political prosecutions and civil right suits which up to now have been a prerogative of a few prominent lawyers in South Africa.

(c) ELIGIBLE ACTIVITIES:

19.

Direct legal assistance to political detainees and prisoners and their families could be broken down into various activities. A large variety of organizations deal with different aspects of the full spectrum of possible activities. Under eligible activities the L.E.C. should select only those activities which would be efficiently and properly dealt with by qualified lawyers. These would include the following:

- 19.1 preliminary consultations and case file preparation;
- 19.2 providing bail funds;
- 19.3 finding a lawyer for the detainee or prisoner;
- 19.4 funding a lawyer to do case preparation and court representation;
- 19.5 case preparation and court representation by attorneys and advocates;
- 19.6 legal assistance to secure families' rights to visit detainees or prisoners;
- 19.7 preliminary investigation by lawyers designed to determine the merits of a civil suit or criminal prosecution against institutions, individuals and/or the state;
- 19.8 actual civil suits against institutions, individuals and/or the state, inclusive of the injunctions, interdicts and other related relief in respect of:
 - 19.8.1 removal of black populations from certain geographical areas on account of race or ethnic origin;
 - 19.8.2 denationalization of blacks, including any distinctions between South African citizens and blacks;

- 19.8.3 residence restrictions based on race or ethnic origin;
- 19.8.4 restrictions of the rights of blacks to seek employment within South Africa or elsewhere;
- 19.8.5 restrictions which make it impossible for black employees and their families to be housed in family accommodation near their place of employment.

(d) PRIORITY ACTIVITIES:

20.

On account of limitations imposed by financial and professional resources, the Legal Defence Fund should limit its activities to priority activities. However, it must be readily recognised that these priorities would change from time to time depending on the political climate within South Africa and the form and level which the protest against apartheid would assume at different times. The heightened resistance and protest against apartheid has resulted in widespread detention, political killings by South African security forces and political prosecutions. On the other hand, the excessive detentions have provoked a large number of applicants for interdicts and injunctions to have the detentions set aside. Inevitably our priorities too would tend to reflect the present demands of the South African situation.

21.

Priority activities should include, but will not in all cases be limited to:

- 21.1 providing bail funds;
- 21.2 finding and funding lawyers to do case preparation and court representation including costs of procuring other attorneys and advocates;
- 21.3 funding a lawyer to provide legal assistance to secure families' rights to visit detainees or prisoners;
- 21.4 civil suits against governmental institutions, individuals and/or the State, inclusive of injunctions, interdicts and other related relief in respect of -
 - 21.4.1 detentions under a variety of security legislation;
 - 21.4.2 homicide or killing arising out of action by South African security forces and police during protests against apartheid laws or whilst in detention as a detainee or prisoner.

22.

The foregoing priority list evinces an obvious bias in favour of cases related to detention, prosecution, imprisonment, killing and injury in terms of or connected to the South African security legislation. The aforesaid selection preference has been made on account of the relatively abundant supply of legal services and assistance related to areas such as forced removals of black people, denationalization and loss of citizenship of black people and restrictions on black people related to movement, residence and employment. These last mentioned measures of apartheid policies are the chief preoccupation of most public interest law firms in South Africa, such as the Black Lawyers Association Legal Education Centre, Legal Resources Centre and organizations such as Black Sash and a host of other community organizations.

(e) CASE SELECTION AND CRITERIA:

23.

The central criterion for case selection could be as wide and unwieldy as apartheid policies and laws, their enforcement and impact on the lives of black people in South Africa. Apartheid is an all pervading policy which is intended to regulate the entire lives of black and white citizens. Accordingly whatever criterion is adopted will of necessity be somewhat arbitrary and incapable of definitive description. It is proposed that all cases which are eligible for funding, that is, criminal prosecution, civil proceedings (including those relating to the killing or bodily injury of detainees) arrests, or detentions should arise from or be directly related to:

- 23.1 enforcement of any law or policy of apartheid;
- 23.2 enforcement of security legislation of South Africa;
- 23.3 protest and resistance to security legislation, apartheid laws, institutions and policies;
- 23.4 conduct motivated by, resulting from, or premised on opposition to apartheid laws, policies and institutions.

(f) BAIL FUND:

24.

One of the primary methods of repression against persons who are opposed to apartheid, is arrest and detention with or without trial. It appears from various government statistics that a large volume of persons detained under the various provisions of the Internal Security Act, 1982, only a percentage as small as 5% - 10% is eventually charged before our courts. However, once detention without trial is terminated and the detainee is formally charged before court, such detainee may be admitted to bail. Notwithstanding fixing bail in a given amount, quite often many political detainees or awaiting trial prisoners fail to raise the required amount for bail. This inability to raise bail clearly means further hardship for such detainees and their dependents.

25.

Attorneys practising in the area of political detention and prosecutions would readily confirm that on account of the state of emergency and the general state of unrest in South Africa, amounts which are fixed for bail in political trials have escalated to such an extent that a very large majority of people who are admitted to bail are incapable of depositing such bail money. It follows that such continued detention of persons who are awaiting trial seriously hampers the adequate and proper preparation of the trial. More importantly such inability to pay bail money undermines the relevant detainee's right to liberty prior to actual conviction by a court of law.

26.

It is accordingly proposed that a Bail Fund be set up which would be made up of approximately 20% of the amounts that would be made available to the Legal Defence Fund. It is obvious that the eligibility and case selection test set out hereabove would be applicable to all cases dealt with under the bail fund. It is envisaged that payments out of the bail fund would be made to attorneys who would be acting on behalf of the accused seeking to be admitted to bail. Money would be refundable and in that way the fund would remain a revolving one with the potential for re-use and for widespread assistance and benefit.

(b) MANAGEMENT STRUCTURE:

(i) Board of Trustees -

30.

It is envisaged that the present Board of the aforesaid Trust would continue to perform its functions as a Board of Trustees even in respect of the legal Defence Fund. In order to accommodate interests of other persons who may not be members of the Black Lawyers Association and possibly other organizations similar to the Black Lawyers Association, the Board of Trustees will invite members of the community or office bearers of other layer organizations to serve on a committee to be created by the Board of Trustees within two weeks after approval of this grant. The committee will be entrusted with the function of administering the Legal Defence Fund, subject to the oversight of the Board of Trustees of the Black Lawyers Legal Education Trust.

ii) Administrative structure -

31.

The Legal Education Centre has already created a comprehensive infra-structure to deal with much of the additional administrative work which may arise as a result of the creation of a Legal Defence Fund. It is however, envisaged that a Project Officer will be appointed and paid out of the Legal Defence Fund for purposes of specifically taking charge of all administrative work related to administration of the Legal Defence Fund. The Project Officer would be responsible to the committee entrusted with the administration of the Legal Defence Fund. He or she would enjoy the use of facilities already present at the Legal Education Centre, but would devote 100% of his/her time to the Legal Defence Fund. In this way the Legal Defence Fund's administrative liability would be curtailed and kept within reasonable limit.

(iii) Processing of applications for case funding -

32.

The Project Officer is expected to adhere to the criteria set out in this proposal in processing applications for case funding. He/she will be delegated authority to approve funding of cases that (1) are fully described, complete with cost estimates, in a memorandum submitted by the attorney involved in the case, (2) are clearly within the case selection criteria and priority activities list discussed in paragraph 21, above, (3) do not exceed the schedule of fees referred to in paragraph 35 below, and (4) do not exceed a total estimated cost of R2,000. Further administrative injunctions and regulations would be brought into being by the committee accountable for the administration of the Legal Defence Fund.

The committee will meet monthly to review the progress of the project, review the actions taken by the Project Officer and make decisions on the funding of cases exceeding his/her authority. All applications for funding will be processed in a way that will ensure integrity and fairness in respect of all applicants and all cases which are found to be eligible and within priority activities.

(iv) Emergency or extraordinary cases -

33.

It is anticipated that from time to time the Board of Trustees would have to deal with emergency and extraordinary cases which for any reason cannot or should not be dealt with in the normal course of the processing procedures set up in respect of the legal Defence Fund. The Board is prepared, subject to funding availability or funding commitments, to undertake major cases of larger public significance, such as major treason trials or removal cases likely to consume a large portion of available funds. In such circumstances, it is understood that the Board will request necessary additional support from the Grantor and other potential donors on an emergency basis.

(v) Funding of pending matters -

34.

The Board of Trustees presently is aware of several cases or appeals now pending or about to be filed that involve legal issues of broad importance. One such appeal has been filed at the Supreme Court in Durban and involves the question of whether and under what circumstances an accused's statement while in police custody may be used as evidence by the prosecution. The appeal presents, in the Board's judgement, an excellent opportunity to establish a precedent for excluding from evidence much of what is said while in police custody. Accordingly, the Board requests that all costs of the appeal be considered eligible for reimbursement under the grant requested in this proposal.

IV: PROPOSAL BUDGET:

(a) CASE COSTING:

35.

In South Africa most political cases are entrusted to advocates. This is so largely because of the dual bar system found in this country. By their very nature, most political prosecutions or civil suits are complex and merit attention of advocates. This would be the case, without exception, in the Supreme Court where only advocates have the right of appearance.

A further trend found in such cases is that they are often set down for hearing in remote areas to avoid publicity and public show of support for persons who are involved in such trials. This trend creates some additional cost factors related to accommodation in hotels, travelling to venues of trials. These costs would be over and above the trial fees which would be marked by the attorney(s) or the advocate(s) who actually conduct the trial. A further complication in case costing is that the timespan over which trials are heard differs from one day to any number of Court days. It is accordingly difficult to place a particular cost factor on a political case. However, the Legal Defence Fund has adopted a tariff of fees used by long standing defence funds such as the South African Council of Churches. (See Annex "A" to Budget.) The illustrative budget contained in Part V of the proposal is based upon our previous experience, current fee and cost factors and our target of 10 major criminal and civil cases and 30 "public violence" cases per year. (See Annex "B" to Budget for details.)

(b) APPROXIMATE BAIL COSTS:

36.

It is suggested that approximately 20% of the total funds should be set aside for providing bail for deserving detainees in terms of the criteria set out hereabove. As was earlier intimated such a fund would be a revolving one and capable of reuse. A separate account will be maintained for the Bail Fund.

It is accordingly proposed that an initial grant of R200,000 should suffice for the initial year. Of this amount it is suggested that 20% would be set aside for the proposed Bail Fund.

(c) ACCOUNTING, AUDIT AND RECORDS:

37.

The Board of Trustees will ensure that appropriate and acceptable accounting of all financial transactions of the Legal Defence Fund will be maintained. In any event, in terms of South African law, all Trusts are subject to audit and subject to the provisions of the Trust Monies Protection Act of 1934. It is envisaged that there will be particularised accounting in respect of each and every case that would have been funded by the Legal Defence Fund. Each Bill of cost in respect of the case funded by the Legal Defence Fund will be accompanied by an appropriate report of the progress of the case to date. At a second level, composite accounting would be made in respect of all the monies vesting with the Trust in respect of the Legal Defence Fund.

BUDGET ANNEX A

S.A.C.C. TARIFF SCHEDULES

MAGISTRATES COURT

Taking instructions (per case not accused)	R25,00	per half hour
Note Appeal	R10,00	
Instructions to Prosecute Appeal	R25,00	plus cost of Court record
Request for Particulars to charge	R10,00	per page
Perusing record	,75	per page
Perusing Charge Sheet	R10,00	
Perusing letters	R 2,00	each
Preparing for trial	R20,00	per half hour
Consultation	R30,00	per half hour
Formal attendances and letters	R 2,50	each
Instructions to Council	R10,00	
Typing statements	R 4,00	per page
Power of Attorney	R 5,00	and stamp
Attendance in Court (Attorney)	R30,00	per half hour
Clerk	R10,00	per half hour
Inspection in loco	R25,00	per half hour - actual inspection - travelling separate
(For articulated clerk)	R10,00	per half hour
Photocopying	,35	per page
Travelling	R30,00	per hour
	,40	per klm
Attending Court - matter on roll but adjourned	R10,00	
Waiting time	R15,00	per half hour

Please note that in Magistrate and Regional Court matters in which SACC agrees to assist, SACC is normally willing to contribute at the above rates.

Pleadings in civil matters - as per Magistrate Court tariff.

SUPREME COURT

Taking instructions (per case not accused)	R30,00	per half hour
Note Appeal	R10,00	
Instructions to Prosecute Appeal	R25,00	plus cost of Court record
Perusing record	R 1,00	per page
Perusing Charge Sheet	R10,00	
Perusing letters	R 2,00	each
Preparing trial	R25,00	per half hour
Consultation	R30,00	per half hour
Formal attendances	R 2,00	
Instructions to Council	R 5,00	
Typing statements	R 2,00	per page
Power of Attorney	R 5,00	and stamp
Attendance in Court (Attorney)	R35,00	per half hour
Articled Clerk - per S.C. tariff		
Inspection in loco	R25,00	per half hour - actual inspection - travelling
(For articled clerk)	R10,00	separate per half hour
Photocopying	,30	per page
Travelling	R30,00	per hour
	,40	per klm

Please note that in Supreme Court matters in which SACC agrees to assist, SACC is normally willing to contribute at the above rates.

BUDGET ANNEX B

COSTS PER TYPE OF CASE

<u>TYPE CASE</u>	<u>COURT</u>	<u>COUNSEL RQD</u>	<u>FEES</u>	<u>DAYS</u>	<u>TOT. FEES PER CASE</u>	<u>COSTS 10%</u>	<u>NO. CASES</u>	<u>TOTAL</u>
Treason/ Terrorism	Supreme	1 Advocate 1 Attorney	1000/day 500/day	10	15,000	1,500	4	66,000
Public Violence, Unlawful Gatherings	Magistrate	1 Advocate 1 Attorney	500/day 300/day	2	1,600	160	30	52,800
Civil Cases -interdicts vs Govt. officials, agencies	Supreme	1 Advocate 1 Attorney	750 plead- ings 1000 appear- ances	1 or 2	1,750	175	6	11,550
								<hr/>
								TOTAL 130,500

VI: APPENDIX:

40.

For the sake of completeness, attached hereto are several documents which are intended to supply background material to the Black Lawyers Association as well as to the Legal Education Centre. These documents are listed in the table of contents hereabove.

EMBASSY OF THE
UNITED STATES OF AMERICA

Office of Development Affairs
November 14, 1986

Mr. Godfrey Pitje
Black Lawyers Association
2nd Floor, Manchester House
68, Von Wielligh St.
Johannesburg 2001

Dear Mr. Pitje,

Subject: Project Implementation Letter No. 2-1
Legal Assistance
Project No. 690-9801.74
Grant No. 6-674-J02

As a means of documenting formal decisions and approvals during the course of implementing the Grant, we will issue Project Implementation Letters (PILs) at various stages in the project. A PIL will be distinguished from routine correspondence by the heading shown above. Each PIL will be numbered for easy reference. The first number indicates the number of the Grantee under the Legal Assistance Project. The second number represents the number of the PIL issued to a specific Grantee. The Grantee number designated to the Black Lawyers Association under the Legal Assistance project is Number 2.

The purpose of this PIL is to indicate USAID/South Africa's approval of the first year budget submitted by the Black Lawyers Association and that funds to the value of R200,000 has been reserved for the activities indicated in your Grant Agreement, contingent on the US \$/SAR exchange rate as described in Attachment I, C. Amount of Grant and Payment, 2.

USAID South Africa has also administratively approved the advance request of R 104,000 submitted for a ninety day period by the Black Lawyers Association. This is to cover the following line items:

<u>Item</u>	<u>First Year Budget</u>	<u>This Advance</u>
Legal Fees and costs	130,000	65,000
Bail Fund	25,000	25,000
Project Officer Salary	20,000	5,000
Project Secretary Salary	10,000	2,500
Transport	5,000	2,500
Telephone/Telex	3,000	1,500
Office Supplies	3,000	1,500
Accounting and Audit Service	4,000	1,000
<u>Total:</u>	<u>R200,000</u>	<u>R104,000</u>

This is in accordance with the request for an advance submitted by the Black Lawyers Association on September 12, and the telephone conversation between yourself and Aileen Marshall on October 14.

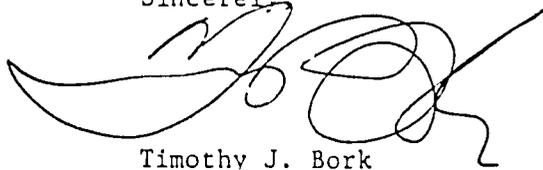
As agreed in negotiations with Mr. Spriggs, the advance is to cover anticipated expenditures for one quarter of the life of the project or for most budget line items for a ninety day period. However, a higher proportion of Legal Fees and Costs and the entire Bail Fund line items are to be advanced as it is expected that this level of funding will be required to ensure that lawyers are reimbursed for all costs as incurred during the next quarter.

This request for an advance has been forwarded to the Controller in Swaziland for financial approval and processing.

In order to liquidate the advance, the Black Lawyers Association must submit receipts for expenditures on a monthly basis, according to budget line-items. Requests for replenishment of the advance should also be made on a monthly basis. Forms to be used to liquidate the advance will be sent to you at a later date.

As Mr. Ed Spriggs, who is the Project Officer for this Grant, is based in Swaziland, please address any correspondence to him care of the USAID/South Africa office and we will forward it to him or process it directly, as required. Please do not hesitate to contact us if you have any queries as to procedures.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Bork', with a long, sweeping horizontal stroke extending to the left.

Timothy J. Bork
Counselor for Development Affairs