



**OPEN SESSION
AGENDA ITEM
MAY 2020
BOARD EXECUTIVE COMMITTEE III.C**

DATE: May 12, 2020

TO: Members, Board Executive Committee

FROM: Dag MacLeod, Chief of Mission Advancement & Accountability Division

SUBJECT: Approval of the 2020 Work Plan of the Legal Services Trust Fund Commission

EXECUTIVE SUMMARY

This agenda item presents the 2020 work plan of the Legal Services Trust Fund Commission for approval by the Board Executive Committee.

BACKGROUND

The Board Executive Committee is responsible for approving work plans adopted by four subentities of the State Bar: (1) the California Board of Legal Specialization (CBLs); (2) Committee of Bar Examiners (CBE); (3) Council on Access and Fairness (COAF); (4) and Legal Services Trust Fund Commission (LSTFC). The timing of LSTFC meetings prevented the Commission from adopting a work plan in time to present it at the March meeting of the Board Executive Committee when other work plans were approved. This agenda item brings the recently adopted work plan of the LSTFC to the Board Executive Committee for approval.

DISCUSSION

The LSTFC developed its work plan, Attachment A, for the 2020 Board year to ensure alignment of its activities with the State Bar's Strategic Plan, and to provide guidance and accountability for subentity members and State Bar staff.

The LSTFC work plan provides an overview of the subentity and then summarizes: (1) specific work that it is undertaking; (2) the strategic goal (and where applicable, strategic objective) that

the work supports; (3) the deadline by which the work should be completed; (4) and whether the subentity plans to return to either the Board or a Board Committee with a report on the work.

FISCAL/PERSONNEL IMPACT

None

AMENDMENTS TO RULES OF THE STATE BAR

None

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & OBJECTIVES

None: Core Business Operations

RECOMMENDATIONS

Should the Board Executive Committee concur in the proposed action, passage of the following resolution is recommended:

RESOLVED, that the Board Executive Committee approves the work plan adopted by the Legal Services Trust Fund Commission and authorizes staff to maintain the work plans, and make technical edits and corrections to them as needed.

ATTACHMENT(S) LIST

- A. Legal Services Trust Fund Commission 2020 Work Plan



The State Bar of California

Legal Services Trust Fund Commission

2020 Work Plan*

Charge:

The Legal Services Trust Fund Commission (LSTFC) is composed of 24 members (21 voting and three nonvoting judicial members) appointed by the Board of Trustees and Judicial Council of California. The charge of the LSTFC is as follows:

- Administer, in accordance with legal requirements and State Bar Rules, revenue from Interest on Lawyers' Trust Accounts (IOLTA) and other funds remitted to the Legal Services Trust Fund Program of the State Bar including the Equal Access Fund (EAF) from the Judicial Council pursuant to the California state budget.
- The LSTFC determines an applicant's eligibility for grants and notifies each grant applicant that its application has been approved or denied.
- The LSTFC monitors and evaluates a recipient's compliance with Trust Fund Requirements and grant terms.
- The LSTFC also reviews denial or termination of funding and complaints from any person or entity when a grant recipient fails to meet Trust Fund Requirements. (Rules of the State Bar, Title 3, Division 5, Chapter 2, Rule 3.661)
- The LSTFC recommends to the Board of Trustees the annual IOLTA distribution and the distribution plan for any grant funding, including discretionary grants.

* Please note: Due to the current COVID-19 health crisis, this Work Plan (approved at the March 27, 2020 LSTFC meeting) may need flexibility and may need to prioritize core business and compliance objectives.

| STRATEGIC PLAN GOAL & OBJECTIVE | WORK PLAN | DEADLINE | TO BOARD COMMITTEE (Y/N) / DATE |
|--|--|---|---------------------------------|
| None – Core Business | <ul style="list-style-type: none"> Review and approve 2021 IOLTA and EAF Grant awards Review and approve IOLTA and EAF Grant carryover and budget modification requests | <ul style="list-style-type: none"> 11/13/20 11/13/20 | No |
| None – Core Business | <ul style="list-style-type: none"> Review and approve 2021 Partnership Grant awards Review and approve Partnership Grant carryover and budget modification requests | <ul style="list-style-type: none"> 6/26/20 11/13/20 | No |
| None – Core Business | <ul style="list-style-type: none"> Review and approve potential redistribution of unspent EAF Homelessness Prevention Grants | <ul style="list-style-type: none"> 8/14/20 | No |
| None – Core Business | <ul style="list-style-type: none"> Review and approve Bank Grant carryover and budget modification requests | <ul style="list-style-type: none"> 11/13/20 | No |
| None – Compliance | <ul style="list-style-type: none"> Review cases in which a grantee’s funding may be terminated because of their failure to comply with relevant legal standards and authorities | Ongoing | No |
| None – Core Business | <ul style="list-style-type: none"> Recommend 2021 IOLTA distribution | <ul style="list-style-type: none"> 6/26/20 | Yes, 7/16/20 |
| <p>Goal 1, objective c: No later than September 30, 2018, determine the appropriate role of, and Board responsibility for, State Bar Standing Committees, Special Committees, Board, and Commissions in the new State Bar.</p> <p>Goal 4, objective b: Study and implement improved programmatic approaches to increasing access to justice.</p> | <ul style="list-style-type: none"> Gather, codify, and revise, as necessary and appropriate, all of the decision points and considerations that are used as part of the grant administration and determination processes and procedures | <ul style="list-style-type: none"> Finalize recommendations for BOT by Summer 2021; codification process complete in 2022 (by the IOLTA/EAF application release date for 2023 funding) | Yes, Summer 2021 |
| Goal 4, objective a: Support increased | <ul style="list-style-type: none"> Aggregate and analyze Bank Grant evaluation data | <ul style="list-style-type: none"> 12/31/20 | No |

| STRATEGIC PLAN GOAL & OBJECTIVE | WORK PLAN | DEADLINE | TO BOARD COMMITTEE (Y/N) / DATE |
|---|--|---|---------------------------------|
| funding and enhanced outcome measures for Legal Services. | <ul style="list-style-type: none"> • Draft key findings and outcomes on Bank Grant funds • Participate in Task Force on Justice Gap Funds • Participate in efforts to increase funding for legal aid grants | <ul style="list-style-type: none"> • 12/31/20 • 12/31/20 • Ongoing | |
| Goal 4, objective e: No later than December 31, 2019, complete a California Justice Gap Study. The Justice Gap Study will be modeled on the 2017 Legal Services Corporation Justice Gap Study but will also include an evaluation of the costs of legal education in California and the impact of those costs on access to justice, as well as possible approaches to addressing the costs of legal education including loan forgiveness programs or other means. | <ul style="list-style-type: none"> • Provide recommendations based on California Justice Gap Study • Provide input to the Justice Gap Phase II | <ul style="list-style-type: none"> • 6/26/20 | No |