

From: [Salena Copeland](#)
To: [Wilson, Leah](#)
Subject: Re: Draft Report and Functional Matrix
Date: Thursday, January 17, 2019 12:15:34 PM

Hi Leah,

Thank you so much for sharing this draft in advance of the call.

For the most part, I will vote in favor of the recommendations discussed. I have some concerns about the data issue, which appears as a new suggested recommendation for a vote.

I have an overall concern with any recommendation that includes increased data collection without adequate evidence before us of what the burden of that collection would be and without specific details of what would be collected. Though the State Bar will distribute \$60 million in IOLTA, EAF, and bank grants next year, that is not the majority of the funding in the state. I would not want to impose additional data collection on programs that the single largest source of stable funding (LSC at about \$45 million a year) does not already require and what the funders of the other \$300+ million do not require.

I support data collection and have been an active participant in the Reboot Committee for seven years, but I think that we need to see evidence from programs to see if they can collect what would be asked. A point that Jim made was that we would want to see what types of cases are connected to client demographics for a real analysis, and I am not certain programs could provide that data without letting the State Bar have access to their case management systems (which would be a huge ethical concern). When Bonnie rolled out the Shriver evaluation piece, programs had to upload all their information into another system to let the evaluators have access to raw data, and I understand that was a lot of work for many programs.

I'm also not sure what the data will tell us that is helpful information, since it will be about the total number of clients, not clients served by IOLTA/EAF funds. Because IOLTA and EAF are actually a small portion of many organizations' funding, you would be seeing all the clients whose services are paid for by other resources, which could very well skew the data in a way that would make the BOT think that IOLTA grants are funding other work. The example I keep going back to is the very stable funding specifically for older Americans through Title IIIB of the Older Americans Act. Because California is much less diverse as you go into the older ages, the large number of older clients of IOLTA programs make the data look a bit different than a true average of low-income Californians.

I've shared this example with you before, but for example, over 48% of seniors served by IOLTA programs are white. That's a huge portion of senior clients, and out of step with clients of other age groups. Only 13% of minor clients are white, and 24% of other adult clients are white.

Compare this to Hispanic clients. 22% of IOLTA senior clients are Hispanic, but nearly 44% of other adult clients are Hispanic, and 57% of minors served by IOLTA programs are Hispanic. I think this clearly shows that programs are doing a much better job serving Latino youth and adults, but the programs that serve primarily seniors, or programs who get a lot of California Department of Aging funds to serve seniors, are serving more white clients than others. California's older population is more white than the larger population. I have heard anecdotally from programs that a lot of the Older Americans Act funding may be used for brief advice, but those clients are still clearly counted in the total client count.

A point that many programs have made, both in the meetings and in conversations about the need to increase funding for legal services to indigent Californians, is that brief advice clinic and intake lines are a great way to capture clients who need additional support or full representation. I hear over and over again that intake lines may include an overrepresentation from certain populations - and programs use that as a feed for taking impact cases. So as you move from brief services to full representation, the

clients may look very different.

Because I think this is so complicated, I think it warrants further discussion to find out if programs can even collect the data we need for a real analysis. Demographics unconnected to case type or level of services isn't especially useful.

I also would like to make sure that we have a note in the Appendix for Dr. Pi's slides that those slides are incorrect. I know they are an accurate record of what was presented at the meetings, but I do not want people of the future to view those out of context. I particularly oppose the inclusion of the map without a note that it was looking at two different years and the demographics slide without noting that there was substantial concerns from many working group members, most notably our statistics expert, about its validity if not being compared to the same demographic breakdown in California with regards to youth, adults, and seniors, since the IOLTA client population is not an exact match for the age percentage breakdown of total population (overrepresentation of seniors and underrepresentation of youth clients).

Thanks so much again for your work on this - I hope we can come to some sort of consensus or majority agreement on how to handle the data piece and the record for these meetings.

Best,
Salena

Salena Copeland (pronouns she/her)
Executive Director
Legal Aid Association of California
The Unified Voice of Legal Services
510-893-3000 x 106
www.LAACOnline.org
www.LawHelpCA.org

Why include pronouns? I include pronouns in an effort to share my personal and professional commitment to transgender inclusivity and visibility. Through sharing my pronouns, I hope to support a safer and braver space for transgender professionals to share their pronouns.

On Fri, Jan 11, 2019 at 9:43 PM Wilson, Leah <Leah.Wilson@calbar.ca.gov> wrote:

Hello:

Please see the attached draft LSTFC Stakeholder Working Group report. There are three hopefully self-explanatory recommendation sections in the report: Consensus, Majority, and Minority. The recommendations refer to several attachments, including an updated functional matrix. I have attached that matrix; please review the second tab, which includes only those functions where a change has been proposed to either staff, LSTFC, or Board roles. I have highlighted in yellow those areas of the matrix where consensus was not reached in my