

CALIFORNIA COMMISSION ON ACCESS TO JUSTICE

c/o State Bar of California – 180 Howard Street – San Francisco, CA 94105

(415) 538-2352 – (415) 538-2524/fax

NOTES AND ACTION ITEMS SUMMARY

Thursday, August 16, 2018 | 12:00 p.m. – 2:00 p.m.

Conference Call Meeting

San Francisco and Los Angeles State Bar Offices

Roll Call

Commissioners

Judge Mark Juhas
Catherine Blakemore
John Adkins
Daisy Alfaro
Beverly Cole
David Daniels
Judge Timothy Dillon
Ericka Frank
Amos Hartston
Janis Hirohama
Judge Lisa Jaskol
Judge Victoria Kolakowski
Justice Goodwin Liu
Deborah Moss-West
Lisa Pruitt
Panida Rzonca
Judge Erica Yew

Ex Officio

Judge James Herman
Justice Earl Johnson
Jack Londen
Jim Meeker
Toby Rothschild
Lorena Slomanson
Justice Laurie Zelon

Staff

Brady Dewar
Donna Hershkowitz
Elizabeth Hom
Doan Nguyen

Public

Salena Copeland
Carin Fujisaki
Lorin Kline
Keith Wurster

I. PUBLIC COMMENT

Judge Juhas called the meeting to order and requested any member of the public to make comment on any item on the agenda. There was no request for public comment.

**II. DETERMINE THE ACCESS COMMISSION'S RESPONSE TO THE IMPENDING STATE BAR
APPENDIX I REVIEW, INCLUDING DETERMINATION OF POTENTIAL ALTERNATIVE
ORGANIZATIONS AND GOVERNANCE STRUCTURE**

Judge Juhas reported that the urgency for this meeting has dissipated in light of staff's recommendation to the Board of Trustee (BOT) Programs Committee concerning the sub-entity review process for California Commission on Access to Justice (CCAJ) and Legal Services Trust Fund Commission (LSTFC). It is anticipated that the Programs Committee will accept the staff

recommendation and will recommend the same to the BOT at its September 13 meeting. Judge Juhas suggested that the Commission vote to empower the Executive Committee to work with the BOT to establish a timeline and process to resolve what the CCAJ will do in the near future. Donna clarified that the recommendation to the BOT would be to reset the sub-entity review process to engage with stakeholders in the fall with the goal of determining a recommendation and completing the process by year-end. Elizabeth will send the link to the Programs Committee agenda item.

There was a discussion about the stakeholder engagement process. There were suggestions to include representatives from CCAJ and LSTFC, legislative staff, and the community to create a process where many voices are heard. Commissioners also wished to develop possible options to move forward. The annual CCAJ planning meeting on September 21 in SF is scheduled and will be an opportunity for future planning.

There was a discussion about the Council on Access and Fairness. One of the sub-entity review recommendations is to merge COAF and CCAJ. The consensus was combining the two would dilute the focus of both sub-entities. It is believed that COAF may have a similar view. There was discussion about the LSTFC and the recommendation that it be disbanded. This potential outcome caused concern among the community.

David Daniels asked about ongoing committee work. Donna, Judge Juhas and Catherine discussed putting some work on hold, but those committees with ongoing projects should continue to move forward. There was further discussion about the work of certain committees being pared down or put in a holding pattern. Commissioners expressed a desire to resolve the sub-entity review sooner rather than later so that the important work of the Commission can move forward.

Mike Levy inquired about the options for CCAJ, citing that for the last year and a half, the proposals have been two extremes--either status quo or commission independence. He expressed that the commission's independence enables it to do things that no one is able to, such as raise issues that the Judicial Council or the State Bar is unable to raise. He stated the reason that many of them are on the Commission is because it has an unbridled platform and authority to say what needs to be said without anyone attributing the message to the State Bar, Judicial Council, or others. Donna emphasized that the purpose of resetting the sub-entity review for CCAJ and LSTFC is to start the discussion over without any preconceived determinations.

Commissioners thanked bar staff for pausing the process and starting the process anew. They urge collaboration, open-mindedness and open communications, and hope to have a quick timeline.

The Commission moved (Juhas , Jaskol seconded) to authorize the ExCom to work with Bar leaders on developing a process and a timeline for the resolution of the Appendix I issues; an amendment to the motion (Hartston, Jaskol seconded) was made to engage in substantive discussion about possible outcomes. A roll call vote was taken and the motion as amended passed unanimously.

Judge Juhas provided an update on the Colorado Modest Means materials, which is being updated for California by the Modest Means Committee. He encouraged anyone interested in volunteering to review it to contact Rodney Low.

The issue of BOT appointments was discussed. The BOT does not plan to make any appointments as one of the issues under review includes the size of committees and commissions. It would be inappropriate for the BOT to make appointments if the decision will be made later to reduce the size of any of the committees or commissions. Donna noted that an item will be presented to the Board requesting an extension of chair and vice chair terms (as BOT appointments) through end of year. Other BOT appointments will not be extended. The question of whether appointees may remain on the Commission until their positions are filled was raised. Donna will inquire with the Office of General Counsel and follow up.

Jim Meeker offered to update the LSTFC with a summary of this meeting.

Catherine and Judge Juhas welcomed Daisy Alfaro who had recently been appointed by the Speaker of the Assembly Anthony Rendon. They thanked Lorena Slomanson for her service; Lorena thanked the Commission for its work.

III. REVIEW AND POSSIBLE ADOPTION OF PROPOSED BYLAWS

This item was tabled.

The meeting was adjourned until Friday, September 7th.