

CALIFORNIA COMMISSION ON ACCESS TO JUSTICE  
State Bar of California –180 Howard Street—San Francisco, CA 94105

**Notes and Action Summary**

Thursday, December 6, 2018, 10:00 a.m. – 2:00 p.m.

Video Conference Meeting

State Bar Office in San Francisco and Los Angeles

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**Roll Call**

**Commissioners**

Judge Mark Juhas  
Catherine Blakemore  
Daisy Alfaro  
Beverly Cole  
David Daniels  
Janis Hirohama  
Deborah Moss-West  
Panida Rzonca

**Public**

John Adkins  
Susan Bassi  
Salena Copeland  
Judge Timothy Dillon  
Amos Hartston  
Steven James  
Judge Lisa Jaskol  
Lorin Kline  
Judge Victoria Kolakowski  
Michael Levy  
Lisa Pruitt  
Ellen Sharp

**Staff**

Catherine Borgeson  
Brady Dewar  
Donna Hershkowitz  
Elizabeth Hom  
Doan Nguyen

**Ex Officio**

Jim Meeker  
Toby Rothschild

**I. WELCOME**

**A. Roll Call**

Judge Juhas called the meeting to order and welcomed attendees. Roll call was taken; a quorum could not be established.

**B. Call For Public Comment**

Judge Juhas invited any member of the public to comment on any items on the agenda.

Susan Bassi provided comment on the Brown Act, attorney complaints to the Bar, anti-trust activities, attorney trust accounts, and issues with private judging in cases. Steven James provided comment regarding pro per litigants.

**II. CONSENT**

**A. Approval of September 21, 2018 Meeting Minutes**

This item was tabled due to lack of quorum.

### **III. REPORTS**

#### **A. Chair's Report**

No report was provided.

#### **B. Office of Access & Inclusion Report**

Staff provided an update on the Legal Services Trust Fund Commission Stakeholder Working Group. The next meeting of the Working Group will be on December 19 in Los Angeles.

Staff reported that eSignature would be implemented for grant agreements for IOLTA, Equal Access Fund, and Partnership grants for 2019.

Staff reported that the proposed LRS Rules Revision public comment period recently closed. Staff has edited the rules in response to some of the public comments received, and is working to determine whether the revisions will require another public comment period, or if the proposed rules can be presented to the Board of Trustees (BOT) in January for review.

Staff also reported that the proposed revisions to some Special Admissions Rules, including Registered Legal Aid Attorneys, were approved by the BOT in November, and will be forwarded to the Supreme Court for approval.

Staff reported that the Veterans Roundtable took place on November 29, and included stakeholders from the Department of Defense, CalVet, legal assistance offices on military installations in California, legal aid, and veterans service organizations. Staff is working on a veterans legal services report that will be published by the end of the year.

The Task Force on Access Through Innovations in Legal Services (ATILS) is studying possible regulatory changes to enhance the delivery of, and access to, legal services through the use of technology. The group will issue a report for public comment in July, 2019.

Staff reported that interviews for the Director of the Office of Access & Inclusion were ongoing. Staff also noted that the Celebration of Life for Sharon Ngim was scheduled for Sunday, December 16 in Alameda.

#### **C. Board of Trustees Report**

There was no BOT report.

#### **IV. DISCUSSION/ACTION ITEMS**

##### **A. Update and Discussion of California Commission on Access to Justice Stakeholder Engagement Process**

Judge Juhas provided an overview of the California Commission on Access to Justice (CCAJ) Stakeholder Engagement Process. There were three meetings of the Stakeholder Working Group. Judge Juhas reported that, at its last meeting, the Stakeholder Working Group voted for CCAJ to separate from the State Bar. The group determined that CCAJ needed to have an independent voice on access to justice issues. Judge Juhas stressed that there would be many opportunities for CCAJ to continue to work with the State Bar, California Lawyers Association and other stakeholder organizations. The CCAJ Executive Committee approved the recommendation of the Stakeholder Working Group. The BOT will consider the recommendation at its meeting on January 24-25, 2019 in Los Angeles.

Ms. Bassi requested and received time for public comment concerning this agenda item. Ms. Bassi commented that the stakeholder engagement process had not been inclusive of stakeholders as there were no members of the public participating, no input from media, city government, or vexatious litigants. She commented on the diversity of the commission and stated she planned to audit previous meetings.

##### **B. 2018 California Commission on Access to Justice Initiatives**

The Minimum Access Standards for Administrative Agencies document was discussed. There is one final suggested edit. Staff will integrate the suggestion and report to CCAJ Executive Committee when complete. When finalized, the document will be posted to the CCAJ section of the State Bar website, and distributed to administrative agencies.

Staff reported that the adaptation of Colorado's Successful Business Planning for the Modern Law Practice Guide Update has been reviewed by staff and a few Commissioners. Staff will schedule a meeting with Judge Juhas and Bonnie Hough from the Judicial Council to discuss next steps.

The Rural Taskforce continues to work on policy papers on disaster, immigration, housing, attorney deserts, and technology. The taskforce plans to have a draft of the attorney desert paper by February 2019.

Amos Hartston reported that the 9<sup>th</sup> Circuit would hold a rehearing en banc on the *CJLG v. Whitaker*. The case involved a minor in an immigration proceeding and whether due process required that the minor have attorney representation.

**C. 2019 California Commission on Access to Justice Work Plan**

Staff provided an update on the Justice Gap study. The two working groups, household panels and cost of legal education, will be engaged in 2019. The concept of a justice map to map key services in each community was discussed.

**D. Language Access Presentation**

This item was tabled.

**V. ADJOURNMENT**

There being no other business, Judge Juhas moved to adjourn the meeting.