



California LEGISLATIVE INFORMATION

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DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11] (*Heading of Division 3 added by Stats. 1939, Ch. 30.*)

CHAPTER 4. Attorneys [6000 - 6243] (*Chapter 4 added by Stats. 1939, Ch. 34.*)

ARTICLE 14. Funds for the Provision of Legal Services to Indigent Persons [6210 - 6228] (*Article 14 added by Stats. 1981, Ch. 789, Sec. 1.*)

6210. The Legislature finds that, due to insufficient funding, existing programs providing free legal services in civil matters to indigent persons, especially underserved client groups, such as the elderly, the disabled, juveniles, and non-English-speaking persons, do not adequately meet the needs of these persons. It is the purpose of this article to expand the availability and improve the quality of existing free legal services in civil matters to indigent persons, and to initiate new programs that will provide services to them. The Legislature finds that the use of funds collected by the State Bar pursuant to this article for these purposes is in the public interest, is a proper use of the funds, and is consistent with essential public and governmental purposes in the judicial branch of government. The Legislature further finds that the expansion, improvement, and initiation of legal services to indigent persons will aid in the advancement of the science of jurisprudence and the improvement of the administration of justice.
(*Added by Stats. 1981, Ch. 789, Sec. 1.*)

6211. (a) An attorney or law firm that, in the course of the practice of law, receives or disburses trust funds shall establish and maintain an IOLTA account in which the attorney or law firm shall deposit or invest all client deposits or funds that are nominal in amount or are on deposit or invested for a short period of time. All such client funds

may be deposited or invested in a single unsegregated account. The interest and dividends earned on all those accounts shall be paid to the State Bar of California to be used for the purposes set forth in this article.

(b) Nothing in this article shall be construed to prohibit an attorney or law firm from establishing one or more interest bearing bank trust deposit accounts or dividend-paying trust investment accounts as may be permitted by the Supreme Court, with the interest or dividends earned on the accounts payable to clients for trust funds not deposited or invested in accordance with subdivision (a).

(c) With the approval of the Supreme Court, the State Bar may formulate and enforce rules of professional conduct pertaining to the use by attorneys or law firms of an IOLTA account for unsegregated client funds pursuant to this article.

(d) Nothing in this article shall be construed as affecting or impairing the disciplinary powers and authority of the Supreme Court or of the State Bar or as modifying the statutes and rules governing the conduct of members of the State Bar.

(Amended by Stats. 2007, Ch. 422, Sec. 2. Effective January 1, 2008.)

6212. An attorney who, or a law firm that, establishes an IOLTA account pursuant to subdivision (a) of Section 6211 shall comply with all of the following provisions:

(a) The IOLTA account shall be established and maintained with an eligible institution offering or making available an IOLTA account that meets the requirements of this article. The IOLTA account shall be established and maintained consistent with the attorney's or law firm's duties of professional responsibility. An eligible financial institution shall have no responsibility for selecting the deposit or investment product chosen for the IOLTA account.

(b) Except as provided in subdivision (f), the rate of interest or dividends payable on any IOLTA account shall not be less than the interest rate or dividends generally paid by the eligible institution to nonattorney customers on accounts of the same type meeting the same minimum balance and other eligibility requirements as the IOLTA account. In determining the interest rate or dividend payable on any IOLTA account, an eligible institution may consider, in addition to the balance in the IOLTA account, risk or other factors customarily considered by the eligible institution when setting the interest rate or dividends for its non-IOLTA accounts, provided that the factors do not discriminate between IOLTA customers and non-IOLTA customers and that these factors do not include the fact that the account is an IOLTA account. The eligible institution shall calculate interest and dividends in accordance with its standard practice for non-IOLTA customers. Nothing in this article shall preclude an eligible

institution from paying a higher interest rate or dividend on an IOLTA account or from electing to waive any fees and service charges on an IOLTA account.

(c) Reasonable fees may be deducted from the interest or dividends remitted on an IOLTA account only at the rates and in accordance with the customary practices of the eligible institution for non-IOLTA customers. No other fees or service charges may be deducted from the interest or dividends earned on an IOLTA account. Unless and until the State Bar enacts regulations exempting from compliance with subdivision (a) of Section 6211 those accounts for which maintenance fees exceed the interest or dividends paid, an eligible institution may deduct the fees and service charges in excess of the interest or dividends paid on an IOLTA account from the aggregate interest and dividends remitted to the State Bar. Fees and service charges other than reasonable fees shall be the sole responsibility of, and may only be charged to, the attorney or law firm maintaining the IOLTA account. Fees and charges shall not be assessed against or deducted from the principal of any IOLTA account. It is the intent of the Legislature that the State Bar develop policies so that eligible institutions do not incur uncompensated administrative costs in adapting their systems to comply with the provisions of Chapter 422 of the Statutes of 2007 or in making investment products available to IOLTA members.

(d) The attorney or law firm shall report IOLTA account compliance and all other IOLTA account information required by the State Bar in the manner specified by the State Bar.

(e) The eligible institution shall be directed to do all of the following:

- (1) To remit interest or dividends on the IOLTA account, less reasonable fees, to the State Bar, at least quarterly.
 - (2) To transmit to the State Bar with each remittance a statement showing the name of the attorney or law firm for which the remittance is sent, for each account the rate of interest applied or dividend paid, the amount and type of fees deducted, if any, and the average balance for each account for each month of the period for which the report is made.
 - (3) To transmit to the attorney or law firm customer at the same time a report showing the amount paid to the State Bar for that period, the rate of interest or dividend applied, the amount of fees and service charges deducted, if any, and the average daily account balance for each month of the period for which the report is made.
- (f) An eligible institution has no affirmative duty to offer or make investment products available to IOLTA customers. However, if an eligible institution offers or makes investment products available to non-IOLTA customers, in order to remain an IOLTA-eligible institution, it shall make those products available to IOLTA customers or pay an interest rate on the IOLTA deposit account that is comparable to the rate of return or the dividends generally paid on that investment product for similar customers meeting the same minimum balance and other requirements applicable to the investment product. If the eligible institution elects to pay that higher interest

rate, the eligible institution may subject the IOLTA deposit account to equivalent fees and charges assessable against the investment product.

(Amended by Stats. 2009, Ch. 129, Sec. 1. Effective January 1, 2010.)

6213. As used in this article:

(a) "Qualified legal services project" means either of the following:

(1) A nonprofit project incorporated and operated exclusively in California that provides as its primary purpose and function legal services without charge to indigent persons and that has quality control procedures approved by the State Bar of California.

(2) A program operated exclusively in California by a nonprofit law school accredited by the State Bar of California that meets the requirements of subparagraphs (A) and (B).

(A) The program shall have operated for at least two years at a cost of at least twenty thousand dollars (\$20,000) per year as an identifiable law school unit with a primary purpose and function of providing legal services without charge to indigent persons.

(B) The program shall have quality control procedures approved by the State Bar of California.

(b) "Qualified support center" means an incorporated nonprofit legal services center that has as its primary purpose and function the provision of legal training, legal technical assistance, or advocacy support without charge and which actually provides through an office in California a significant level of legal training, legal technical assistance, or advocacy support without charge to qualified legal services projects on a statewide basis in California.

(c) "Recipient" means a qualified legal services project or support center receiving financial assistance under this article.

(d) "Indigent person" means a person whose income is (1) 125 percent or less of the current poverty threshold established by the United States Office of Management and Budget, or (2) who is eligible for Supplemental Security Income or free services under the Older Americans Act or Developmentally Disabled Assistance Act. With regard to a project that provides free services of attorneys in private practice without compensation, "indigent person" also means a person whose income is 75 percent or less of the maximum levels of income for lower income households as defined in Section 50079.5 of the Health and Safety Code. For the purpose of this subdivision, the income of a person who is disabled shall be determined after deducting the costs of medical and other disability-related special expenses.

(e) "Fee generating case" means a case or matter that, if undertaken on behalf of an indigent person by an attorney in private practice, reasonably may be expected to result in payment of a fee for legal services from an award to a client, from public funds, or from the opposing party. A case shall not be considered fee generating if adequate representation is unavailable and any of the following circumstances exist:

(1) The recipient has determined that free referral is not possible because of any of the following reasons:

(A) The case has been rejected by the local lawyer referral service, or if there is no such service, by two attorneys in private practice who have experience in the subject matter of the case.

(B) Neither the referral service nor any attorney will consider the case without payment of a consultation fee.

(C) The case is of the type that attorneys in private practice in the area ordinarily do not accept, or do not accept without prepayment of a fee.

(D) Emergency circumstances compel immediate action before referral can be made, but the client is advised that, if appropriate and consistent with professional responsibility, referral will be attempted at a later time.

(2) Recovery of damages is not the principal object of the case and a request for damages is merely ancillary to an action for equitable or other nonpecuniary relief, or inclusion of a counterclaim requesting damages is necessary for effective defense or because of applicable rules governing joinder of counterclaims.

(3) A court has appointed a recipient or an employee of a recipient pursuant to a statute or a court rule or practice of equal applicability to all attorneys in the jurisdiction.

(4) The case involves the rights of a claimant under a publicly supported benefit program for which entitlement to benefit is based on need.

(f) "Legal Services Corporation" means the Legal Services Corporation established under the Legal Services Corporation Act of 1974 (P.L. 93-355; 42 U.S.C. Sec. 2996 et seq.).

(g) "Older Americans Act" means the Older Americans Act of 1965, as amended (P.L. 89-73; 42 U.S.C. Sec. 3001 et seq.).

(h) "Developmentally Disabled Assistance Act" means the Developmentally Disabled Assistance and Bill of Rights Act, as amended (P.L. 94-103; 42 U.S.C. Sec. 6001 et seq.).

(i) "Supplemental security income recipient" means an individual receiving or eligible to receive payments under Title XVI of the federal Social Security Act, or payments under Chapter 3 (commencing with Section 12000) of Part 3 of Division 9 of the Welfare and Institutions Code.

(j) "IOLTA account" means an account or investment product established and maintained pursuant to subdivision (a) of Section 6211 that is any of the following:

- (1) An interest-bearing checking account.
- (2) An investment sweep product that is a daily (overnight) financial institution repurchase agreement or an open-end money market fund.
- (3) An investment product authorized by California Supreme Court rule or order.

A daily financial institution repurchase agreement shall be fully collateralized by United States Government Securities or other comparably conservative debt securities, and may be established only with any eligible institution that is "well-capitalized" or "adequately capitalized" as those terms are defined by applicable federal statutes and regulations. An open-end money market fund shall be invested solely in United States Government Securities or repurchase agreements fully collateralized by United States Government Securities or other comparably conservative debt securities, shall hold itself out as a "money market fund" as that term is defined by federal statutes and regulations under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et seq.), and, at the time of the investment, shall have total assets of at least two hundred fifty million dollars (\$250,000,000).

(k) "Eligible institution" means either of the following:

- (1) A bank, savings and loan, or other financial institution regulated by a federal or state agency that pays interest or dividends in the IOLTA account and carries deposit insurance from an agency of the federal government.
- (2) Any other type of financial institution authorized by the California Supreme Court.

(Amended by Stats. 2010, Ch. 328, Sec. 14. Effective January 1, 2011.)

6214. (a) Projects meeting the requirements of subdivision (a) of Section 6213 which are funded either in whole or part by the Legal Services Corporation or with Older American Act funds shall be presumed qualified legal services projects for the purpose of this article.

(b) Projects meeting the requirements of subdivision (a) of Section 6213 but not qualifying under the presumption specified in subdivision (a) shall qualify for funds under this article if they meet all of the following additional criteria:

- (1) They receive cash funds from other sources in the amount of at least twenty thousand dollars (\$20,000) per year to support free legal representation to indigent persons.
- (2) They have demonstrated community support for the operation of a viable ongoing program.

(3) They provide one or both of the following special services:

(A) The coordination of the recruitment of substantial numbers of attorneys in private practice to provide free legal representation to indigent persons or to qualified legal services projects in California.

(B) The provision of legal representation, training, or technical assistance on matters concerning special client groups, including the elderly, the disabled, juveniles, and non-English-speaking groups, or on matters of specialized substantive law important to the special client groups.

(Added by Stats. 1981, Ch. 789, Sec. 1.)

6214.5. A law school program that meets the definition of a "qualified legal services project" as defined in paragraph (2) of subdivision (a) of Section 6213, and that applied to the State Bar for funding under this article not later than February 17, 1984, shall be deemed eligible for all distributions of funds made under Section 6216.

(Added by Stats. 1984, Ch. 784, Sec. 2.)

6215. (a) Support centers satisfying the qualifications specified in subdivision (b) of Section 6213 which were operating an office and providing services in California on December 31, 1980, shall be presumed to be qualified support centers for the purposes of this article.

(b) Support centers not qualifying under the presumption specified in subdivision (a) may qualify as a support center by meeting both of the following additional criteria:

(1) Meeting quality control standards established by the State Bar.

(2) Being deemed to be of special need by a majority of the qualified legal services projects.

(Added by Stats. 1981, Ch. 789, Sec. 1.)

6216. The State Bar shall distribute all moneys received under the program established by this article for the provision of civil legal services to indigent persons. The funds first shall be distributed 18 months from the effective date of this article, or upon such a date, as shall be determined by the State Bar, that adequate funds are available to initiate the program. Thereafter, the funds shall be distributed on an annual basis. All distributions of funds shall be made in the following order and in the following manner:

(a) To pay the actual administrative costs of the program, including any costs incurred after the adoption of this article and a reasonable reserve therefor.

(b) Eighty-five percent of the funds remaining after payment of administrative costs allocated pursuant to this article shall be distributed to qualified legal services projects. Distribution shall be by a pro rata county-by-county formula based upon the number of persons whose income is 125 percent or less of the current poverty threshold per county. For the purposes of this section, the source of data identifying the number of persons per county shall be the latest available figures from the United States Department of Commerce, Bureau of the Census. Projects from more than one county may pool their funds to operate a joint, multicounty legal services project serving each of their respective counties.

(1) (A) In any county which is served by more than one qualified legal services project, the State Bar shall distribute funds for the county to those projects which apply on a pro rata basis, based upon the amount of their total budget expended in the prior year for legal services in that county as compared to the total expended in the prior year for legal services by all qualified legal services projects applying therefor in the county. In determining the amount of funds to be allocated to a qualified legal services project specified in paragraph (2) of subdivision (a) of Section 6213, the State Bar shall recognize only expenditures attributable to the representation of indigent persons as constituting the budget of the program.

(B) The State Bar shall reserve 10 percent of the funds allocated to the county for distribution to programs meeting the standards of subparagraph (A) of paragraph (3) and paragraphs (1) and (2) of subdivision (b) of Section 6214 and which perform the services described in subparagraph (A) of paragraph (3) of Section 6214 as their principal means of delivering legal services. The State Bar shall distribute the funds for that county to those programs which apply on a pro rata basis, based upon the amount of their total budget expended for free legal services in that county as compared to the total expended for free legal services by all programs meeting the standards of subparagraph (A) of paragraph (3) and paragraphs (1) and (2) of subdivision (b) of Section 6214 in that county. The State Bar shall distribute any funds for which no program has qualified pursuant hereto, in accordance with the provisions of subparagraph (A) of paragraph (1) of this subdivision.

(2) In any county in which there is no qualified legal services projects providing services, the State Bar shall reserve for the remainder of the fiscal year for distribution the pro rata share of funds as provided for by this article. Upon application of a qualified legal services project proposing to provide legal services to the indigent of the county, the State Bar shall distribute the funds to the project. Any funds not so distributed shall be added to the funds to be distributed the following year.

(c) Fifteen percent of the funds remaining after payment of administrative costs allocated for the purposes of this article shall be distributed equally by the State Bar to qualified support centers which apply for the funds. The funds provided to support centers shall be used only for the provision of legal services within California. Qualified support centers that receive funds to provide services to qualified legal services projects from sources other than this

article, shall submit and shall have approved by the State Bar a plan assuring that the services funded under this article are in addition to those already funded for qualified legal services projects by other sources.

(Amended by Stats. 1984, Ch. 784, Sec. 3.)

6217. With respect to the provision of legal assistance under this article, each recipient shall ensure all of the following:

- (a) The maintenance of quality service and professional standards.
- (b) The expenditure of funds received in accordance with the provisions of this article.
- (c) The preservation of the attorney-client privilege in any case, and the protection of the integrity of the adversary process from any impairment in furnishing legal assistance to indigent persons.
- (d) That no one shall interfere with any attorney funded in whole or in part by this article in carrying out his or her professional responsibility to his or her client as established by the rules of professional responsibility and this chapter.

(Added by Stats. 1981, Ch. 789, Sec. 1.)

6218. All legal services projects and support centers receiving funds pursuant to this article shall adopt financial eligibility guidelines for indigent persons.

(a) Qualified legal services programs shall ensure that funds appropriated pursuant to this article shall be used solely to defray the costs of providing legal services to indigent persons or for such other purposes as set forth in this article.

(b) Funds received pursuant to this article by support centers shall only be used to provide services to qualified legal services projects as defined in subdivision (a) of Section 6213 which are used pursuant to a plan as required by subdivision (c) of Section 6216, or as permitted by Section 6219.

(Added by Stats. 1981, Ch. 789, Sec. 1.)

6219. Qualified legal services projects and support centers may use funds provided under this article to provide work opportunities with pay, and where feasible, scholarships for disadvantaged law students to help defray their law school expenses.

(Added by Stats. 1981, Ch. 789, Sec. 1.)

6220. Attorneys in private practice who are providing legal services without charge to indigent persons shall not be disqualified from receiving the services of the qualified support centers.

(Added by Stats. 1981, Ch. 789, Sec. 1.)

6221. Qualified legal services projects shall make significant efforts to utilize 20 percent of the funds allocated under this article for increasing the availability of services to the elderly, the disabled, juveniles, or other indigent persons who are members of disadvantaged and underserved groups within their service area.

(Added by Stats. 1981, Ch. 789, Sec. 1.)

6222. A recipient of funds allocated pursuant to this article annually shall submit a financial statement to the State Bar, including an audit of the funds by a certified public accountant or a fiscal review approved by the State Bar, a report demonstrating the programs on which they were expended, a report on the recipient's compliance with the requirements of Section 6217, and progress in meeting the service expansion requirements of Section 6221.

The Board of Trustees of the State Bar shall include a report of receipts of funds under this article, expenditures for administrative costs, and disbursements of the funds, on a county-by-county basis, in the annual report of State Bar receipts and expenditures required pursuant to Section 6145.

(Amended by Stats. 2011, Ch. 417, Sec. 60. Effective January 1, 2012.)

6223. No funds allocated by the State Bar pursuant to this article shall be used for any of the following purposes:

- (a) The provision of legal assistance with respect to any fee generating case, except in accordance with guidelines which shall be promulgated by the State Bar.
- (b) The provision of legal assistance with respect to any criminal proceeding.
- (c) The provision of legal assistance, except to indigent persons or except to provide support services to qualified legal services projects as defined by this article.

(Added by Stats. 1981, Ch. 789, Sec. 1.)

6224. The State Bar shall have the power to determine that an applicant for funding is not qualified to receive funding, to deny future funding, or to terminate existing funding because the recipient is not operating in compliance with the requirements or restrictions of this article.

A denial of an application for funding or for future funding or an action by the State Bar to terminate an existing grant of funds under this article shall not become final until the applicant or recipient has been afforded reasonable notice and an opportunity for a timely and fair hearing. Pending final determination of any hearing held with reference to termination of funding, financial assistance shall be continued at its existing level on a month-to-month basis. Hearings for denial shall be conducted by an impartial hearing officer whose decision shall be final. The hearing officer shall render a decision no later than 30 days after the conclusion of the hearing. Specific procedures governing the conduct of the hearings of this section shall be determined by the State Bar pursuant to Section 6225.

(Added by Stats. 1981, Ch. 789, Sec. 1.)

6225. The Board of Trustees of the State Bar shall adopt the regulations and procedures necessary to implement this article and to ensure that the funds allocated herein are utilized to provide civil legal services to indigent persons, especially underserved client groups such as but not limited to the elderly, the disabled, juveniles, and non-English-speaking persons.

In adopting the regulations the Board of Trustees shall comply with the following procedures:

- (a) The board shall publish a preliminary draft of the regulations and procedures, which shall be distributed, together with notice of the hearings required by subdivision (b), to commercial banking institutions, to members of the State Bar, and to potential recipients of funds.
- (b) The board shall hold at least two public hearings, one in southern California and one in northern California where affected and interested parties shall be afforded an opportunity to present oral and written testimony regarding the proposed regulations and procedures.

(Amended by Stats. 2011, Ch. 417, Sec. 61. Effective January 1, 2012.)

6226. The program authorized by this article shall become operative only upon the adoption of a resolution by the Board of Trustees of the State Bar stating that regulations have been adopted pursuant to Section 6225 which conform the program to all applicable tax and banking statutes, regulations, and rulings.

(Amended by Stats. 2011, Ch. 417, Sec. 62. Effective January 1, 2012.)

6227. Nothing in this article shall create an obligation or pledge of the credit of the State of California or of the State Bar of California. Claims arising by reason of acts done pursuant to this article shall be limited to the moneys generated hereunder.

(Added by Stats. 1981, Ch. 789, Sec. 1.)

6228. If any provision of this article or the application thereof to any group or circumstances is held invalid, such invalidity shall not affect the other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable.

(Added by Stats. 1981, Ch. 789, Sec. 1.)

TITLE 3. PROGRAMS AND SERVICES

Adopted July 2007

DIVISION 5. PROVIDERS OF PROGRAMS AND SERVICES

Chapter 2. Legal Services Trust Fund Program

Article 1. Administration of the Legal Services Trust Fund Program

Rule 3.660 Legal Services Trust Fund Commission

The Board of Trustees of the State Bar of California has established a Legal Services Trust Fund Commission ("Commission") to administer, in accordance with legal requirements and these rules ("Trust Fund Requirements"), revenue from IOLTA (Interest on Lawyers' Trust Accounts) and other funds remitted to the Legal Services Trust Fund Program of the State Bar.

Rule 3.660 adopted effective March 6, 2009; amended effective January 1, 2012.

Rule 3.661 Duties of the Legal Services Trust Fund Commission

- (A) The Commission must determine an applicant's eligibility for grants and notify each grant applicant that its application has been approved or denied. If the Commission tentatively approves an application, it issues a notice of the grant award, including the tentative allocation. If the notice requires submission of additional information, the Commission considers the application incomplete pending receipt of the information.
- (B) The Commission must monitor and evaluate a recipient's compliance with Trust Fund Requirements and grant terms. The evaluation may be based on
 - (1) application information, grant reports, and additional information reasonably necessary to determine compliance with Trust Fund Requirements;
 - (2) reasonable site visits scheduled upon adequate notice;
 - (3) an evaluation of a recipient by an impartial third party designated and funded by the Commission; or
 - (4) information from other sources, such as an evaluation provided by the Legal Services Corporation or other funding entity.
- (C) The Standards for the Provision of Civil Legal Aid adopted by the American Bar Association's House of Delegates on August 7, 2006, as limited by the general introduction to the standards, are the guidelines used by the Commission in

approving the quality control procedures and reviewing and evaluating the maintenance of quality service and professional standards of applicant and recipient programs. With due notice, the Commission may also rely on other standards that are consistent with law and generally accepted access to justice principles in the legal aid community.

- (D) The Commission may terminate a grant for noncompliance or take other action in accordance with Article 4 of this chapter.

Rule 3.661 adopted effective March 6, 2009.

Rule 3.662 Legal Services Trust Fund Commission membership and terms

The Commission consists of twenty-one voting members and three nonvoting judicial advisors. At least two members must be or have been within five years of appointment indigent persons as defined by statute.¹ No employee or independent contractor acting as a consultant to a potential recipient of Trust Fund grants may be appointed to the Commission.

- (A) The Board of Trustees appoints fourteen voting members, ten of whom must be members of the State Bar and four of whom must be public members who have never been admitted to the practice of law in any United States jurisdiction. Each member serves at the pleasure of the Board for a term of three years that begins and ends at the State Bar annual meeting. Upon completion of an initial term, the Board may reappoint a member for a second three-year term. The Board may extend an initial or second term by one or two years to allow a member to serve as chair or vice-chair.
- (B) The chair of the Judicial Council appoints seven voting members, five of whom must be members of the State Bar and two of whom must be public members, as well as three nonvoting judges, one of whom must be an appellate justice. Each member serves at the pleasure of the chair of the Judicial Council for a term of three years.
- (C) The Board of Trustees appoints voting members as chair and vice-chair.

Rule 3.662 adopted effective March 6, 2009; amended effective January 1, 2012; amended effective September 14, 2014.

Article 2. Construction of certain statutory provisions

Rule 3.670 Operation in California by qualified entities

- (A) A qualified legal services project is required by statute to be a nonprofit corporation operating exclusively in California or a program operated exclusively

¹ Business & Professions Code § 6213(d).

in California by a nonprofit law school accredited by the State Bar.² A qualified legal services project that is a California nonprofit corporation with operations outside California may be considered as meeting the statutory requirement if it otherwise meets Trust Fund Requirements and expends Trust Fund Program grant funds only in California.

- (B) A qualified support center is required by statute to be an incorporated nonprofit legal services center that provides through an office in California a significant level of legal support services to qualified legal services projects on a statewide basis.³

Rule 3.670 adopted effective March 6, 2009.

Rule 3.671 Primary purpose and function

- (A) A qualified legal services project is required by statute to have as its primary purpose and function providing legal services without charge to indigent persons.⁴ A qualified legal services project applying for Trust Fund Program funds is presumed to have such a purpose and function if 75% or more of the budget for the fiscal year for which it is seeking funds is designated to provide free legal services to indigents, and 75% or more of its expenditures for the most recent reporting year were incurred for such services. The calculation of 75% of expenditures may include a reasonable share of administrative and overhead expenses.
- (B) A qualified support center is required by statute to have as its primary purpose and function the provision of legal training, legal technical assistance, or advocacy support without charge.⁵ A qualified support center applying for funds is presumed to have such a primary purpose and function if 75% or more of its budget for the fiscal year for which it is seeking funds is designated to provide such support services, and 75% or more of its expenditures for the most recent reporting year were incurred for such services.
- (C) A qualified legal services project or qualified support center that does not meet the 75% test may nevertheless apply, provided that the applicant can satisfactorily demonstrate that it meets the primary purpose and function requirement by other means.

Rule 3.671 adopted effective March 6, 2009.

Rule 3.672 Delivery of legal services

² Business & Professions Code § 6213(a).

³ Business & Professions Code § 6213(b).

⁴ Business & Professions Code § 6213(a)(1).

⁵ Business & Professions Code § 6213(b).

- (A) “Legal services” include all professional services provided by a member of the State Bar and similar or complementary services of a law student or paralegal under the supervision and control of a member of the State Bar in accordance with law.⁶
- (B) “Legal support services” required by statute to be provided by a qualified support center include but are not limited to
 - (1) professional services to qualified legal services projects; and
 - (2) the direct provision of legal services to an indigent client of a qualified legal services project, provided the services are provided directly to the client
 - (a) as co-counsel with an attorney employed or recruited by a qualified legal services project; or
 - (b) at the request of an attorney employed or recruited by a qualified legal services project that is unable to assist the client.⁷

Rule 3.672 adopted effective March 6, 2009.

Rule 3.673 Permissible uses of funds

- (A) A qualified legal services project or qualified support center must use funds received under Business and Professions Code Section 6216 to provide legal assistance to indigent persons or qualified legal services projects as defined by statute.⁸ Reasonable administrative expenditures and overhead required to deliver such services meet the statutory requirement.
- (B) No recipient may use an allocation made under Business and Professions Code Section 6216 to provide services in a fee-generating case, except as described in Business and Professions Code Section 6213(e)(1)-(4). If a recipient determines that a case is not fee generating because it qualifies for a statutory exemption,⁹ the recipient must maintain records reflecting the facts that led to that conclusion and any action taken to confirm it. Client reimbursements of nominal costs or expenses are not considered fees. If attorney fees are generated in cases funded by Trust Fund Program grants, the fees must be used only for purposes permitted by statute.¹⁰ Recipients must maintain complete records of all such fees.

Rule 3.673 adopted effective March 6, 2009.

⁶ Business & Professions Code § 6213(a).

⁷ Business & Professions Code § 6213(b).

⁸ Business & Professions Code §§ 6216 and 6223.

⁹ Business & Professions Code § 6213(e)(1).

¹⁰ Business & Professions Code § 6223.

Article 3. Applications and distributions

Rule 3.680 Application for Trust Fund Program grants

To be considered for a Trust Fund Program grant, a qualified legal services project or qualified support center seeking a Trust Fund Program grant must submit a timely and complete application for funding in the manner prescribed by the Commission. The applicant must agree to use any grant in accordance with grant terms and legal requirements.

- (A) A qualified legal services project must meet statutory criteria.
- (B) A qualified support center must agree to offer support services in two or more of the following ways: consultation, representation, information services, and training. The board of directors of the support center must establish priorities for providing such services after consulting with legal services attorneys and other relevant stakeholders.
- (C) A support center not in existence prior to December 31, 1980 must demonstrate that it is deemed to be of special need by a majority of qualified legal services projects in accordance with Trust Fund Program procedures. Upon request, the Commission must make available to the applicant a list of all the names and addresses of qualified legal services projects.
- (D) A nonprofit corporation that believes it meets the criteria for a qualified legal services project and qualified support center may submit two applications, one as a project and one as a support center, indicating in each application whether it is to be considered the primary or secondary application. The Commission will consider the secondary application only if the primary application is not approved. No applicant may receive a grant as a qualified legal services project and as a qualified support center.
- (E) An application must include
 - (1) an audited financial statement by an independent certified public accountant for the latest completed fiscal year; if the fiscal year is not a calendar year, the application must also include an income and expense statement for the time between the closing date of the statement and December 31. A financial review in lieu of an audited financial statement may be submitted by an applicant whose gross corporate expenditures were less than the amount specified in the Schedule of Charges and Deadlines;
 - (2) information about the maintenance of quality service and professional standards and how the applicant maintains standards, such as internal

quality control and review procedures; experience and educational requirements of attorneys and paralegals; supervisory structure, procedures, and responsibilities; job descriptions and current salaries for all filled and unfilled professional and management positions; and fiscal controls and procedures.

- (3) a budget and budget narrative, which must be submitted within thirty days of receipt of a notice of tentative allocation, explaining how funds will be used to provide civil legal services to indigent persons, especially underserved client groups such as, the elderly, the disabled, juveniles, and non-English-speaking persons within the applicant's service area; and
- (4) information about program activities, such as substantive practice areas, extent and complexity of services, a summary of litigation, and populations served.

Rule 3.680 adopted effective March 6, 2009.

Rule 3.681 Duties of Trust Fund Program grant recipient

The recipient of a Trust Fund Program grant must

- (A) use the grant in accordance with the terms of the grant agreement and Trust Fund Requirements;
- (B) maintain complete financial records, including budgets, to account for the receipt and expenditure of all grant funds and all income earned by a grant recipient from grant-supported activities, such as income from fees for services (including attorney fee awards and reimbursed costs), training, sales and rentals of real or personal property, and interest earned on grant amounts;
- (C) maintain records for five years after completion of services to a client regarding the eligibility of the client and promptly provide such records to the Commission for inspection upon demand;
- (D) annually submit information that describes, in the manner required by the Commission, the grant recipient's maintenance of quality service and professional standards and compliance with program requirements and, as requested by the Commission,
 - (1) information for evaluative purposes about program activities in the prior grant year; and
 - (2) information to enhance the delivery system of legal services;
- (E) cooperate regarding any reasonable site visit;

- (F) submit timely quarterly financial reports and any other information reasonably required by the Commission; and
- (G) pay any noncompliance fees set forth in the Schedule of Charges and Deadlines for processing documents that are substantially noncompliant with Trust Fund Requirements or that are late without permission.

Rule 3.681 adopted effective March 6, 2009.

Rule 3.682 No abrogation of legal or professional responsibilities

Nothing in these rules may limit or impair in any way the professional responsibility of an attorney to provide a client with legal services appropriate to the client's needs. Trust Fund Program applicants and recipients and their staffs; volunteers; consultants; and clients and prospective clients are entitled to all rights and privileges under the law. Nothing in these rules may be interpreted to require a grant applicant or recipient to violate the law.¹¹

Rule 3.682 adopted effective March 6, 2009.

Article 4. Requests for review and complaint process

Rule 3.690 Receipt of document

For purposes of this article, receipt of a document mailed by staff or the Commission is deemed to be the earlier of either five days after the date of mailing or is the actual time of receipt when staff or the Commission delivers a document physically by courier or otherwise.

Rule 3.690 adopted effective March 6, 2009.

Rule 3.691 Denial or termination of funding

- (A) The Commission has the authority to deny an application for initial funding or for renewal of funding, or to terminate existing funding in accordance with law and these rules.¹² The applicant or grant recipient is entitled to written notice of the denial or termination.
- (B) The applicant or grant recipient may request reconsideration by the Commission.
 - (1) The request must be provided to the Commission in writing within thirty days of receipt of the notice of denial or termination of funding. The request may include additional information.

¹¹ Business & Professions Code § 6217(d).

¹² Business & Professions Code § 6224.

- (2) The Commission may affirm its decision, modify its decision, or schedule an informal conference to be held within ninety days of receipt of the request. The applicant or recipient is entitled to written notice of the date, time and place of the conference, and must have an opportunity to present information at the conference.
- (3) Unless all parties agree otherwise, the Commission must mail or otherwise deliver a written decision within sixty days of the conference.
- (C) Within thirty days of receipt of written notice of the Commission decision on the request for reconsideration, the applicant or grant recipient may file a request for review by the State Bar Court. The request must be submitted to the State Bar Court in accordance with the Rules of Procedure of the State Bar on Legal Services Trust Fund Proceedings. Pending a final decision by the State Bar Court, a current grant recipient must continue to receive funding.
- (D) The decision of the Commission on the request for reconsideration is final if the applicant or grant recipient fails to file a timely request for review by the State Bar Court.

Rule 3.691 adopted effective March 6, 2009.

Rule 3.692 Complaints

- (A) Any person or entity may file a formal written complaint that a grant recipient fails to meet Trust Fund Requirements.
- (B) Staff must provide a copy of a formal written complaint to the grant recipient whom it concerns and attempt to resolve the complaint. If the complaint is not resolved within ninety days after staff receives the complaint, staff must provide the Commission, complainant, and recipient with a written report of its efforts to resolve the complaint and recommendation of what action, if any, is appropriate.
- (C) Within thirty days of receipt of the staff report, the complainant and grant recipient may provide the Commission with a written response that may include additional information and may request review by the Commission.
- (D) Within a reasonable time, the Commission or a committee of its members appointed by the Commission must consider the staff report and any response. The Commission or committee must then dismiss the complaint or schedule an informal conference. The complainant and grant recipient are entitled to written notice of a dismissal or the date, time, and place of the conference.
- (E) At the informal conference, the staff member who conducted the investigation must be present barring extenuating circumstances. The complainant and grant recipient must have an opportunity to present information. The Commission must issue a written notice dismissing the complaint; requiring corrective action; or

terminating funds. The complainant and recipient are entitled to written notice of the decision.

- (F) If the Commission or committee decides to dismiss the complaint, the decision is final.
- (G) If the Commission or committee decides to terminate funding, within thirty days of receipt of written notice of the decision the grant recipient may file a request for review by the State Bar Court. The request must be submitted to the State Bar Court in accordance with the Rules of Procedure of the State Bar on Legal Services Trust Fund Proceedings. Pending a final decision by the State Bar Court, a current grant recipient must continue to receive funding.
- (H) The decision of the Commission to terminate funding is final if the grant recipient fails to file a timely request for review by the State Bar Court.

Rule 3.692 adopted effective March 6, 2009.

Legal Services Trust Fund Program

Eligibility Guidelines

LEGAL SERVICES PROJECTS ONLY

**The State Bar of California
180 Howard Street
San Francisco, CA 94105-1617**

Legal Services Trust Fund Program Eligibility Guidelines

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Legal Services Trust Fund Program Eligibility Guidelines

The Legal Services Trust Fund Program Eligibility Guidelines were designed as a brief statement of factors governing eligibility for an allocation under the Legal Services Trust Fund Program. The Guidelines, together with their Commentary, are intended to incorporate provisions found in the statute (Business and Professions Code §6210, et seq.) and at Title 3, Rules 3.660-3.692 of the Rules of the State Bar of California.

Commentary follows each guideline and is designed to further assist you in seeking an allocation under the Legal Services Trust Fund Program. Bracketed references are to the Business and Professions Code (B&P Code) and Rules of the State Bar.

Requirements for All Applicants

1. **To be considered for a Legal Services Trust Fund Program grant, an applicant must submit a timely and complete application for funding in the manner prescribed by the Legal Services Trust Fund Commission (the Commission). To qualify for an allocation under the Legal Services Trust Fund Program, an applicant must be either:**
 - a. **a qualified legal services project (Legal Services Projects Guidelines 2-2.9); or**
 - b. **a qualified support center (Support Centers Guidelines 2-2.9).**

A single applicant may not qualify as both a legal services project and a support center. [Rule 3.680(D)]

Commentary:

The main distinction between a legal services project and a support center is found in the primary purpose of the organization. Compare Legal Services Projects Guideline 2.3 with Support Centers Guideline 2.3. You must indicate on your application the status under which you wish to be considered. You may complete the applications for both a legal services project and a support center. If you qualify in the category of first preference, you will not be considered in the second category. If you do not qualify in the category of your first choice, you will be considered for eligibility under the category of your second choice, if your primary purpose and function qualifies you for that category. [Rule 3.671(A)-(C)]

- 1.1. **All applicants must include with their applications an assurance that the applicant will use the funds allocated from the Legal Services Trust Fund Program for the purposes set forth in §§6210-6228 of the Business and Professions Code.**

Commentary:

The application includes an Assurances form. Execution of that form will satisfy the requirements of Guidelines 1.1 - 1.3.

1.2. Within 30 days after notice of a tentative allocation from the Commission, the applicant must submit a budget and budget narrative for the expenditure of the allocation, including but not limited to:

1.2.1. an explanation of how funds shall be utilized to provide civil legal services to indigent persons; and

1.2.2. for a qualified legal services project, a description of how the project will make significant efforts to use 20 percent of the funds allocated to increase services to disadvantaged and underserved client groups such as (but not limited to) the elderly, the disabled, juveniles and non-English-speaking persons within the project's service area. [B&P Code §6221; Rule 3.680(E)(3)]

Commentary:

Do not submit a budget with your application. Once the Commission has found your program tentatively eligible and has approved an allocation to your program, you will be notified of a tentative grant allocation. You must then prepare a budget and budget narrative in conformance with Guideline 1.2, explaining your intended use of the funds. This budget and budget narrative will be reviewed by the Commission for conformance with the statute prior to disbursement of funds.

The budget and budget narrative should identify how the proposed allocation will aid in providing civil legal services to indigent persons. The narrative should describe the expected increased benefit to indigent persons as a result of the allocation.

The statute requires that qualified legal services projects make significant efforts to use 20 percent of the allocated funds to increase the availability of service to the elderly, the disabled, juveniles, non-English-speaking persons, or other indigent persons who are members of disadvantaged and underserved groups within your service area. Your narrative should describe specifically how you intend to use 20 percent or more of the proposed allocation to increase services to such disadvantaged and underserved groups.

One method by which a project may demonstrate its use of 20 percent of allocated funds to increase services to disadvantaged and underserved client groups is to enter into subcontracts specifically utilizing 20 percent of the funds for legal services to such client groups.

If you do not demonstrate "significant efforts" through the use of subcontracts, your budget narrative should describe the clients presently served by your project, the additional clients from disadvantaged and underserved client groups that will be served in the future through the use of 20 percent of the funds allocated, and your quantifiable objectives for increased services to such groups.

If your legal services project is part of a corporation that has activities outside California, the proposed budget and budget narrative must explain how the proposed allocation will be used within the state of California, as distinguished

from an increase in the total multi-state budget. The statute prohibits the use of allocated funds outside the state of California.

If your project provides both, legal services and other types of services, your budget and budget narrative must show that the allocation will be used solely for legal services. If your project provides services in both civil and criminal matters, your proposed budget and budget narrative must show that the allocation will be used solely for civil matters. If your project serves some persons who do not fall within the statutory definition of indigent persons (Commentary 2.3.4), your proposed budget and budget narrative must show that the allocation will be used solely for persons who are indigent within that definition. [B&P Code §§6213(d), 6218(a), 6221; Rule 3.680(E)(3)]

If you receive an allocation for more than one county, the budget and budget narrative must show that each allocation will be used to provide services to clients in the county for which it is made.

1.3. All applications must include an assurance that the applicant:

Commentary:

See Commentary 1.1 above. [B&P Code §§6210, 6217, 6221; Rule 3.682]

- 1.3.1. at all times will honor the attorney-client privilege and will uphold the integrity of the adversary process; and**
- 1.3.2. will not impose restrictions unrelated to statutes and rules of professional conduct on attorneys who provide representation to indigent clients with funds provided in whole or in part from the Legal Services Trust Fund Program; and**
- 1.3.3. does not discriminate on the basis of race, color, national origin, religion, sex, handicap, or age.**

Commentary:

The Legal Services Trust Fund Commission recognizes that certain applicants will concentrate on providing legal services to members of specific disadvantaged and underserved groups within their service area, such as elderly, disabled, juveniles, or non-English-speaking persons. The statute is intended to facilitate the provision of free legal services to such disadvantaged and underserved client groups. [B&P Code §§6210 and 6221] The Commission therefore will not regard Guideline 1.3.3 as violated merely by the fact that services are concentrated on (or limited to) specific disadvantaged and underserved client groups within the meaning of Business and Professions Code §§6210 and 6221, so long as the basis for such concentration and limitation is reasonably designed to benefit distinct disadvantaged and underserved groups. The certification required by Guideline 1.3.3 does prohibit any discrimination within the targeted client groups, and prohibits any discrimination on matters other than the selection of eligible clients.

- 1.4. If the Commission or staff requests any further information relating to an applicant's eligibility, or related to the amount of the allocation under the Legal Services Trust Fund Program, the applicant must supply that information. However, the Commission is not required to notify applicants if their initial application fails to include information sufficient to demonstrate eligibility. Failure to provide information necessary to the Commission's decisions on eligibility or eligible expenditures (or failure to supply requested information relevant to those decisions) will be grounds for denial of eligibility, or for refusal to recognize part of the applicant's expenditures within the allocation formula. [Rules 3.680(E) and 3.691(A)]

Requirements for Legal Services Projects

2. To be a qualified legal services project, the applicant must meet (a) each of the requirements of Guidelines 1.1-1.3 above, and (b) each of the following requirements of Guidelines 2.1-2.4, and (c) the requirements of either Guideline 2.5 or 2.6. For the Commission to determine the amount of funds to which each qualified legal services project is entitled from the Legal Services Trust Fund Program, applicants must also submit the information required in Guidelines 2.7 and 2.8 below. Applicants that meet the requirements of Guideline 2.9 below (*pro bono* programs) will be entitled to additional funds from the Legal Services Trust Fund Program.

Commentary:

A qualified legal services project must meet: (1) the requirements applicable to all applicants (see Guidelines 1.1-1.3); (2) the mandatory requirements of 2.1-2.4 applicable to all legal services projects; and (3) either the eligibility presumption described by 2.5 or the requirements for annual cash funds, community support, and special services described by 2.6. In addition to this eligibility information, the applicant must submit the information required in 2.7 and 2.8 in order that the Commission may determine the amount of the allocation. If an applicant recruits attorneys in private practice as its principal means of delivering legal services, it may qualify for an additional allocation under 2.9 below.

- 2.1. The applicant must be a California nonprofit corporation.

Commentary:

In order to demonstrate your status as a California corporation, copies of the Articles of Incorporation certified by the California Secretary of State and a current Certificate of Status from the California Secretary of State showing that the corporation is in good legal standing must be filed with the Legal Services Trust Fund Program. To demonstrate your nonprofit status, copies of (1) the determination letter from the Internal Revenue Service granting your application for exemption from the appropriate provisions of subchapter (f) of Chapter 1 of the Internal Revenue Code of 1954, as amended and (2) the determination letter from the State Franchise Tax Board granting your application for exemption from the appropriate section of the California Revenue and Taxation Code must be filed with the Legal Services Trust Fund Program. If you have not received such determination letter(s), attach

copy(ies) of your application(s) for exemption, together with an explanation of its/their status. [B&P Code §6213(a)(1); Rules 3.670(A), 3.680(A)]

If you are part of a law school, submit the information described above with respect to the law school. The school must be a nonprofit law school accredited by the State Bar of California, and your program must be an identifiable unit of the school. [B&P Code §§6213(a)(2), 6214.5; Rule 3.670(A)]

2.2. The organization must operate exclusively in California. An applicant that is part of a corporation that conducts other activities outside California can meet this requirement if all funds granted will be expended in California.

Commentary:

Your legal services project must be operated exclusively in California. If you are part of a corporation that conducts activities outside California, you must assure the Commission that all money granted from the Legal Services Trust Fund Program will be expended exclusively in California. If your corporation conducts activities outside California, explain the nature of those activities and how you propose to segregate funds allocated under the Legal Services Trust Fund Program to assure that they will be expended solely in California.

2.3. The application must demonstrate through objective information that the organization:

Commentary:

Objective information must be provided to assure that you meet the definitional provisions of Guideline 2.3. Such information must describe the organization specifically and factually, using quantitative information where needed, to demonstrate that it meets each of the requirements of Guidelines 2.3.1-2.3.5. [B&P Code §6213(a); Rules 3.670(A), 3.671(A), 3.680(E)(2)]

Quantitative information that may demonstrate how that organization's services meet the requirements includes the following: numbers of clients who were served during the previous year; hours of time spent on different kinds of services, or on services to different clients in the previous year; accounting records for expenses incurred in providing different kinds of services or services to different clients during the previous year.

If you rely on estimates to demonstrate that you have met these requirements, you must demonstrate that the estimates were derived by a method that is reasonably related to the actual expenditure of funds, and explain the basis of the estimates.

2.3.1. provides civil legal services

Commentary:

You must provide legal services within the definition of Rule 3.672(A). That rule provides that "legal services include all professional services provided by a member of the State Bar, and similar or complementary services of a law student or a paralegal under the supervision and control of a member of the State Bar in accordance with law." If your organization provides services in

addition to legal services, your application must describe those other activities, identify the percentage of the overall services provided that are not legal services, and state the basis by which you computed that percentage. [Rule 3.671(A)]

2.3.2. without charge

Commentary:

Payments by clients for costs and expenses or a processing fee of \$20 or less shall not be considered a “charge” for legal services, so long as the processing fee is administered so that it does not prevent indigent persons from receiving services. If you charge a processing fee, you must establish procedures for waiving the fee for all clients who cannot afford it. You must inform prospective clients of the availability of a waiver at the same time and in the same manner that they are informed of the fee, and in a language the client can understand.

If you charge a processing fee, your application must include information about established procedures for waiving the fee for clients who cannot afford it. The maximum of \$10 per processing fee will be regarded as a qualified expenditure.

If you charge some clients amounts in excess of costs, your application must state the percentage of your work in which such charges are made, and the basis for computing that percentage.

If attorneys’ fees are generated through court awards, such fees must be used to provide further civil legal services without charge to indigent persons. [Rule 3.673(B)]

“Costs and expenses” include any out-of-pocket expenses incurred by the organization (or by *pro bono* attorneys recruited by the organization), including recoverable costs of litigation, copying charges, telephone charges, postage charges, and other out-of-pocket expenses normally charged to clients by attorneys in private practice. An applicant may be considered as providing legal services without charge within the meaning of Guideline 2.3.2 in spite of charges to clients for such items. [Rule 3.673(B)]

2.3.3. to persons

Commentary:

You may consider legal services provided to an organization (e.g., an unincorporated association, partnership, or corporation) as services to indigent persons if the organization provides benefits primarily to persons who are indigent as described below in the Commentary on Guideline 2.3.4. In determining whether an organization so qualifies, the Commission will consider at least the following factors: (a) whether the organization is tax exempt under I.R.C. §501(c)(3); (b) the organization’s primary purpose as stated in its bylaws or articles; (c) the number and percentage of indigent persons on the board of directors or principal advisory body of the organization; and (d) the percentage of its members who are indigent persons.

If you provide more than ten percent of your services to organizations (whether qualifying or non-qualifying), your application must identify the five organizations that received the most legal services during the prior calendar year and, for each such organization, supply the information identified above. You need not disclose information protected by the attorney-client privilege. If you provide some portion of your legal services to organizations that do not so qualify, identify the percentage of overall services provided to such non-qualifying organizations, and explain the basis of your computation.

2.3.4. who are indigent

Commentary:

An indigent person is defined by the Business and Professions Code §§6213(d), 6213(g), 6213(h), and 6213(i) as follows:

“Indigent person means a person whose income is (1) 125 percent or less of the current poverty threshold established by the United States Office of Management and Budget, or (2) who is eligible for Supplemental Security Income or free services under the Older Americans Act or Developmentally Disabled Assistance Act. With regard to a project which provides free services of attorneys in private practice without compensation, indigent person also means a person whose income is 75 percent or less of the maximum levels of income for lower income households as defined in §50079.5 of the Health and Safety Code. For the purpose of this subdivision, the income of a person who is disabled shall be determined after deducting the costs of medical and other disability-related special expenses.”

Your application must state the percentage of your organization’s services that were provided during the previous calendar year to clients who did not fall within this definition. You must adopt written financial eligibility guidelines. If your eligibility criteria includes persons who are not indigent within the definition of §6213(d) above, explain how you determined the percentage of clients served that falls outside the definition. If you did not have written financial eligibility guidelines in the prior year, your application must explain the basis of your computation of percentage and supply objective support for the computation. [B&P Code §§6213(d) and 6218]

If you provide legal services for the benefit of a group or class of persons beyond the specific individuals or organizations who are your clients, you may consider the services as “legal services provided to indigent persons” only if the legal matter is primarily for the benefit of indigent persons.

In determining whether a legal matter is primarily for the benefit of indigent persons, the Commission may consider the following factors and any others that aid in making that determination: (1) the forum in which the matter is being pursued, e.g., courts, administrative agency, legislature, etc.; (2) whether named clients are indigent persons or qualifying organizations (under Commentary 2.3.3 above); (3) in the case of a class action, the definition of the class contained in the complaint and proposed or actual class certification orders; (4) a description of the group of individuals that would benefit from a favorable resolution of the legal matter; (5) whether a majority of those who

would benefit are indigent persons; (6) the relation of the legal issues raised by the matter to the needs of indigent persons; and (7) whether indigent persons are disproportionately impacted by the legal issues raised by the matter.

If legal services for the benefit of a group or class of persons beyond the specific individuals or organizations who are your clients constitute more than ten percent of your legal services, your application must identify the ten such legal matters on which you expended the largest amount of funds in the prior calendar year. For each of the matters so identified in your application, describe who would benefit from the services, state whether the matter is primarily for the benefit of indigent persons and, if so, explain the reasons you reached that conclusion. For any such matter that is primarily for the benefit of indigent persons, your description should include the information listed as items (1) through (7) in the preceding paragraph; you must quantify the percentage of your clients who are indigent persons (or organizations qualifying under Commentary 2.3.3 above) and the percentage of the persons who would benefit from the services who are indigent persons. Explain the basis of this information. You need not disclose information protected by the attorney-client privilege.

If some portion of your legal services are for the benefit of a group or class of persons beyond your specific clients and are not primarily for the benefit of indigent persons, identify the percentage of overall services provided in such matters and explain the basis of your computation.

2.3.5. as the primary purpose and function of the corporation.

Commentary:

Your application must state the net percentage of the corporation's overall expenses that were incurred in the previous calendar year to provide civil legal services without charge to persons who are indigent. You are required to demonstrate the corporation's primary purpose, and not simply the primary purpose of a part of the corporation. (If your project is operated by a law school, see the last section of this Commentary on Guideline 2.3.5.)

If more than 75 percent of the corporation's expenditure budget for the fiscal year for which it is seeking an allocation is designated for the provision of civil legal services without charge to persons who are indigent, and if 75 percent of its expenditures for the most recent reporting year were incurred for such legal services, the corporation will be presumed to meet the primary purpose and function test. In demonstrating your compliance with this 75 percent test, you cannot include the value of donated services. [Rule 3.671(A)]

An applicant not qualifying for the 75 percent presumption may nevertheless apply for an allocation, demonstrating its purpose and function by other means. An applicant not qualifying for the presumption shall state separately each purpose and function of the corporation, and state what percentage of the expenditures in the most recent calendar year, and what percentage of the budget in the upcoming year, are allocated to each of these separate purposes and functions. The application shall further state the basis for these allocations. [Rule 3.671(C)]

In addition to this submission of expenditure and of budget information, primary purpose and function can be additionally supported by historic expenditure information, by the organization's stated purpose in articles, bylaws or policy statements or case priority guidelines, or by the demonstrated track record of the applicant in providing legal services without charge to indigent persons.

An applicant that operated in previous years as a project within an organization providing substantial services other than legal services to indigent persons, or as an entity other than a corporation, but which has since become a separate California nonprofit corporation whose primary purpose and function is the provision of legal services without charge to indigent persons, may establish its status as a qualified legal services project and its proportionate entitlement to funds based upon financial statements which strictly segregate that portion of the organization's expenditures in prior years which were devoted to civil legal services for indigents. Thus, if you are recently incorporated and previously operated as a part of an umbrella organization, you may utilize the expenditures of your predecessor organization so long as financial statements strictly segregate the expenditures for such legal services.

If your legal services program is operated by an accredited nonprofit law school, you are required only to demonstrate the program's primary purpose, and not the corporation's primary purpose. Your program must be operated exclusively in California and the law school must be accredited by the State Bar of California. The program must have operated for at least two years at a cost of at least \$20,000 per year, as an identifiable law school unit with the primary purpose and function of providing civil legal services without charge to indigent persons. The program may meet the primary purpose test according to the 75 percent test described above or by demonstrating its purpose and function through other means described above. [B&P Code §6213(a)(2)]

2.4. The application must include a description of the organization's quality control procedures and standards, including but not limited to the matters described in Guidelines 2.4.1-2.4.4:

Commentary:

The American Bar Association's *Standards for the Provision of Civil Legal Aid* are the quality control standards for the Legal Services Trust Fund Program, pursuant to Business & Professions Code §6225 and Rule 3.661(C). These standards are the State Bar's guidelines for review and approval of applicant and recipient program practices.

If you are already subject to quality control reviews by the Legal Services Corporation or the California Department of Aging, describe the quality control review procedures to which you are subject.

Describe your quality control standards and how compliance with each of the subjects listed in Guidelines 2.4.1-2.4.4 is ensured. The Commission is particularly interested in your standards and procedures regarding supervisorial structure, procedures, and responsibilities. [B&P Code §§6123(a) and 6217(a); Rule 3.680(E)(2)]

- 2.4.1. the minimum experience and education requirements for attorney and paralegal employees;
 - 2.4.2. the current salaries and job descriptions for all filled and unfilled management and professional positions, including paralegal personnel;
 - 2.4.3. the minimum experience and educational requirements for attorney supervisors; and
 - 2.4.4. the supervisory structure, procedures and responsibilities.
- 2.5. Applicants must meet the requirements of this, Guideline 2.5, or the requirements of Guideline 2.6. To meet the requirements of this, Guideline 2.5, the applicant must receive at least some funding either:
- 2.5.1. from a grant made to the organization by the Legal Services Corporation or by an Area Agency on Aging distributing Older Americans Act funds; or
 - 2.5.2. from an approved contract with another organization that is a grant recipient meeting the terms of Guideline 2.5.1.

Commentary:

In order to qualify under Guideline 2.5 (and thereby waiving the requirements of 2.6), you must receive at least some funding either directly from the Legal Services Corporation (or from an Area Agency on Aging) or by contract with an LSC-funded organization (or by a contract with an Area Agency on Aging-funded organization). If your funding is by contract, the contract must have been approved by LSC or by the state or local agency administering the Older Americans Act funds.

Legal Services Corporation is defined in the Business and Professions Code §6213(f) as the Legal Services Corporation established under the Legal Services Corporation Act of 1974 (Public Law 93-355; 42 U.S.C. 2996 and following). *Older Americans Act* is defined in the Business and Professions Code §6213(g) as the Older Americans Act of 1965, as amended (Public Law 89-73; 42 U.S.C. 3001, and following). [B&P Code §§6213(f), 6213(g), 6214(a)]

- 2.6. An applicant that does not meet the requirements of Guideline 2.5 must meet each of the requirements of Guidelines 2.6.1-2.6.3 below:
- 2.6.1. The applicant must receive at least \$20,000 annual cash funds from sources other than the Legal Services Trust Fund Program to support the program described in Guideline 2.3 above, and

Commentary:

In order to qualify under Guideline 2.6.1, you must demonstrate at least \$20,000 annual cash funds from sources other than the Legal Services Trust Fund Program to support the provision of civil legal services without charge to indigent persons. If you did not receive at least \$20,000 cash funds from such sources in the year immediately preceding the application, you must

demonstrate that your average annual cash funds over some period of years have been at least \$20,000 per year. This computation cannot include the value of any donated services or equipment.

You cannot include money received from fee-generating cases or from court-awarded attorneys' fees. [B&P Code §6214(b)(1)]

If you are applying as a law school program, you must demonstrate the program has operated for at least two years at a cost of at least \$20,000 per year. [B&P Code §6213(2)(A)]

2.6.2. The applicant must have demonstrated community support for the operation of a viable ongoing program, and

Commentary:

If you have received at least \$20,000 per year annual cash funds from local sources in the community in which you provide your services, such support is sufficient to meet the requirements of Guideline 2.6.2. You may not count contributions from employees of your organization toward the local support requirement of this Guideline 2.6.2, though it can be counted for 2.6.1.

If you cannot show \$20,000 annual local community financial support, you may demonstrate community support through the donation of services or other non-cash contributions, by service of local community leaders on your board of directors, fundraising committees, etc., or by otherwise demonstrating that the community actually supports the operation of a viable ongoing program.

Letters of support from local community leaders are not sufficient to demonstrate the community support required by Guideline 2.6.2. [B&P Code §6214(b)(2)]

2.6.3. The applicant must provide at least one of the following special services:

2.6.3.1. Recruiting substantial numbers of attorneys in private practice who serve without compensation providing the legal services referred to in Guideline 2.3 above, or

Commentary:

In deciding whether you are eligible to apply as a project that recruits substantial numbers of attorneys, the Legal Services Trust Fund Commission will consider several factors. At a minimum you must meet at least one of the following tests:

- a. you recruited at least 30 attorneys who provided services in the previous calendar year; or
- b. you recruited at least five percent of the licensed attorneys in the county you serve who provided services in the previous calendar year; or
- c. the attorneys you recruited donated at least 1,000 hours of legal services for your clients in the previous calendar year.

Provided you meet one of these minimum tests, you may demonstrate your project's recruitment of substantial numbers of attorneys in one or more of the following ways:

- a. the number of attorneys recruited;
- b. the percentage of attorneys in your local service area that donated services through your project;
- c. the verified value of donated civil legal services in comparison to your expenditures and budget;
- d. the number of hours donated by each attorney;
- e. the number of attorneys in your area who have special expertise needed to provide the services your project offers; or
- f. other considerations that may affect the availability of volunteer attorneys in your service area.

Any attorney who is not an employee of the applicant can be considered in private practice, and attorneys may be considered in private practice even though they work for government agencies, corporations, or in non-legal occupations.

Attorneys can be considered to serve without compensation even when they are reimbursed for out-of-pocket expenses, whether by the client, the applicant, or other sources. [B&P Code §6214(b)(3)(A); Guideline 2.3.2 and supporting Commentary]

2.6.3.2. Providing legal representation, training, or technical assistance on matters concerning special client groups or on matters of specialized substantive law important to special client groups.

Commentary:

Special client groups include any underserved or disadvantaged groups, including, without limitation, the elderly, disabled, juveniles, or non-English-speaking persons. [B&P Code §6214 (b)(3)(B)]

2.7. The application must include a financial statement that includes the total expenditures of the applicant. The financial statement must meet the requirements of Guideline 2.7.1 below.

2.7.1. The statement must show expenditures for the completed fiscal year ended most recently before the application deadline, and must be audited or reviewed by an independent certified public accountant. A financial review, in lieu of an audited financial statement, may be submitted by an applicant whose gross corporate expenditures were less than the amount specified in the Schedule of Charges and Deadlines. Applicants must submit a financial statement no later than 90 days after the end of their fiscal year. The required financial statement must be received prior to the disbursement of any funds from the Legal Services Trust Fund Program.

Commentary:

Independent CPA-audited or reviewed statements are required of organizations with gross expenditures of less than \$500,000. Organizations with gross

expenditures in excess of \$500,000 must submit audited statements. If such a statement is unavailable at the time of the application, you may substitute an approximated financial statement, but you must submit an audited or reviewed statement no more than 90 days after the end of their fiscal year. [B&P Code §6222; Rule 3.680(E)(1); Schedule of Charges and Deadlines]

- 2.7.2. The financial statement need not distinguish between legal services without charge to persons who are indigent (within the definition of Guideline 2.3.4 above) and other services performed by the project. However, if an applicant does provide other services, the application must include the approximated information requested on the expenditure form(s) identifying expenses incurred providing any of the following services: legal services/other activities, civil/criminal, free/charged, indigent/non-indigent clients, in-state/out-of-state expenditures.**

Commentary:

The amount of your grant will be based in part on the amount of your expenditures in your previous fiscal year for civil legal services without charge to indigent persons. See Guidelines 2.3.1 through 2.3.4 for the definitions the Commission will use to determine the portion of your expenditures that are qualified to be counted in determining your grant allocation. [B&P Code §6216(b)]

Records that may be used to demonstrate the portion of the organization's expenses that qualify to be counted in determining the grant allocation include the following: records of the numbers of clients served during the previous year; records reflecting time spent on different kinds of services or on services to indigent/non-indigent clients in the previous year; accounting records reflecting expenses incurred providing different kinds of services or on services to indigent/non-indigent clients during the previous year.

If you rely on estimates to establish the amount of your qualified expenditures, you must make the estimates by a method that is reasonably related to the actual expenditure of funds and explain the basis of the estimates.

- 2.7.3. The financial statement must disclose and segregate any amounts paid to or received from another program applying for an allocation under the Legal Services Trust Fund Program.**

Commentary:

In order to avoid double counting, funds contributed by one program to another program, when both are applicants for an allocation from the Legal Services Trust Fund Program, must be disclosed in the financial statements of both programs. In determining allocations, such funds will be counted only for the program receiving the funds, unless those programs have executed a contrary agreement differently allocating the credit for the contributed funds between the two programs. If an agreement is made, both programs must provide a copy of such agreement to the Commission.

- 2.8. The application must state the counties in which the legal services described in Guideline 2.3 above are provided. An applicant that provides such services in more than one county must state the total expenditures made for services in each county and explain the basis of the by-county allocation. In allocating total expenditures among counties on Legal Services Trust Fund Program applications, an applicant must use a method that is reasonably related to the actual expenditure of funds and explain the basis of the allocation.**

Commentary:

You may qualify for allocations only in counties you are presently serving. If you are presently serving more than one county, allocate the expenditures that meet the requirements of Guideline 2.3 by county, explaining the basis for your allocation. The Commission will evaluate whether your allocation is reasonably related to the actual expenditure of funds in light of the particular characteristics of your organization and your services. The allocation information does not need to be audited. [B&P Code §6216(b)]

The following are some of the bases for allocation of expenses among counties served that the Commission has found in past years to be reasonable under appropriate circumstances: numbers of clients served who reside in each county; number of cases handled in each county; actual or estimated hours of service provided in each county, or provided to clients who reside in each county; actual expenses of providing service to clients in each county, including both personnel and non-personnel expenses; statistics that establish the geographic distribution by county of persons who will benefit from the services provided. In certain circumstances, it may be necessary to use a combination of these or other methods to arrive at an allocation method that is reasonably related to the actual expenditure of funds. If you rely on estimates, you must make the estimates by a method that is reasonably related to the expenditure of funds and explain the basis of the estimates.

If you allocate expenses to counties other than those in which your individual or organizational clients reside, or those in which you provided the services, the allocation must be reasonably related to the geographic distribution of the indigent persons who will benefit from the services. In evaluating the reasonableness of such allocations, the Commission may consider the following factors and any others that aid in making that determination: (1) the forum in which the matter is being pursued, e.g., courts, administrative agency, legislature, etc.; (2) whether the matter can be expected to establish a precedent and the anticipated scope or breadth of that precedent; (3) in the case of a class action, the definition of the class contained in the complaint and proposed or actual class certification orders; (4) a description of the group of individuals that would benefit from a favorable resolution of the legal matter; and (5) the legal issues raised by the matter.

For a legal matter or matters for which you allocate expenses based on residence of persons other than your individual clients, your application must identify the legal matters and, for each matter, provide the information listed in items (1) through (5) in the preceding paragraph. You should also identify the geographic and numeric distribution of the persons the matter may benefit and your approximate expenditures for the matter. Explain the basis of this

information. You need not disclose information protected by the attorney-client privilege.

2.9. An applicant wishing to qualify for the additional allocation reserved for organizations that demonstrate the volunteer services of private lawyers as their principal means of delivering legal services must meet each of the following requirements:

2.9.1 the requirements of Guideline 2.6.3.1 above; and

2.9.2 the applicant's principal means of delivering legal services is the recruitment of attorneys in private practice.

Commentary:

See Commentary concerning Guideline 2.6.3.1. One method by which you may demonstrate that such recruitment is your project's principal means of legal services delivery is to show by objective evidence that the attorneys recruited actually provided substantial free civil legal services and that the number of hours of services so provided in the previous calendar year by attorneys recruited exceeded the number of hours of services provided by lawyer staff employed by the applicant.

An alternative method by which you may demonstrate that such recruitment is your project's principal means of legal services delivery is to show by objective evidence (1) that the attorneys recruited actually provided substantial free civil legal services; (2) that the combined number of hours of service by volunteers, both attorneys and paralegals, exceeds the combined number of hours of service by staff attorneys and paralegals; and (3) that the number of hours of service by volunteer attorneys is more than half as many as the combined number of hours of service by staff attorneys and paralegals.

If you do not use either of these methods to demonstrate your principal delivery means, you should describe and explain in your application the method used.
[B&P Code §6216(b)(1)(B)]

Legal Services Trust Fund Program

Eligibility Guidelines

SUPPORT CENTERS ONLY

**The State Bar of California
180 Howard Street
San Francisco, CA 94105-1617**

Legal Services Trust Fund Program Eligibility Guidelines

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Legal Services Trust Fund Program Eligibility Guidelines

The Legal Services Trust Fund Program Eligibility Guidelines were designed as a brief statement of factors governing eligibility for an allocation under the Legal Services Trust Fund Program. The Guidelines, together with their Commentary, are intended to incorporate provisions found in the statute (Business and Professions Code §6210, et seq.) and at Title 3, Rules 3.660-3.692 of the Rules of the State Bar of California.

Commentary follows each guideline and is designed to further assist you in seeking an allocation under the Legal Services Trust Fund Program. Bracketed references are to the Business and Professions Code (B&P Code) and Rules of the State Bar.

Requirements for All Applicants

- 1. To be considered for a Legal Services Trust Fund Program grant, an applicant must submit a timely and complete application for funding in the manner prescribed by the Legal Services Trust Fund Commission (the Commission). To qualify for an allocation under the Legal Services Trust Fund Program, an applicant must be either:**
 - a. a qualified legal services project (Legal Services Projects Guidelines 2-2.9); or**
 - b. a qualified support center (Support Centers Guidelines 2-2.9).**

A single applicant may not qualify as both a legal services project and a support center. [Rule 3.680(D)]

Commentary:

The main distinction between a legal services project and a support center is found in the primary purpose of the organization. Compare Legal Services Projects Guideline 2.3 with Support Centers Guideline 2.3. You must indicate on your application the status under which you wish to be considered. You may complete the applications for both a legal services project and a support center. If you qualify in the category of first preference, you will not be considered in the second category. If you do not qualify in the category of your first choice, you will be considered for eligibility under the category of your second choice, if your primary purpose and function qualifies you for that category. [Rule 3.671(A)-(C)]

- 1.1. All applicants must include with their applications an assurance that the applicant will use the funds allocated from the Legal Services Trust Fund Program for the purposes set forth in §§6210-6228 of the Business and Professions Code.**

Commentary:

The application includes an Assurances form. Execution of that form will satisfy the requirements of Guidelines 1.1-1.3.

- 1.2. Within 30 days after notice of a tentative allocation from the Commission, the applicant must submit a budget and budget narrative for the expenditure of the allocation.
- 1.2.1. For support centers, the budget and budget narrative must show that all funds allocated from the Legal Services Trust Fund Program will be used in support of qualified legal services projects providing free legal services in California.
- 1.3. All applications must include an assurance that the applicant:
- 1.3.1. at all times will honor the attorney-client privilege and will uphold the integrity of the adversary process; and
- 1.3.2. will not impose restrictions unrelated to statutes and rules of professional conduct on attorneys who provide representation to indigent clients with funds provided in whole or in part from the Legal Services Trust Fund Program; and
- 1.3.3. does not discriminate on the basis of race, color, national origin, religion, sex, handicap, or age.
- Commentary:**
See Commentary 1.1 above. [B&P Code §§6210, 6217, 6221; Rule 3.682]
- 1.4. If the Commission or staff requests any further information relating to an applicant's eligibility, or related to the amount of the allocation under the Legal Services Trust Fund Program, the applicant must supply that information. However, the Commission is not required to notify applicants if their initial application fails to include information sufficient to demonstrate eligibility. Failure to provide information necessary to the Commission's decisions on eligibility or eligible expenditures (or failure to supply requested information relevant to those decisions) will be grounds for denial of eligibility, or for refusal to recognize part of the applicant's expenditures within the allocation formula. [Rules 3.680(E) and 3.691(A)]

Requirements for Support Centers

2. To be a qualified support center, the applicant must meet (a) each of the requirements of Guidelines 1.1-1.3 above, and (b) each of the following Guidelines 2.1-2.7, and (c) the requirements of either Guideline 2.8 or 2.9.

Commentary:

The qualified support center must meet: (1) the requirements applicable to all applicants (see Guidelines 1.1-1.3); (2) the mandatory requirements of Guidelines 2.1-2.7 applicable to all support centers; and (3) either the eligibility presumption established by Guideline 2.8, or the requirements for quality control and "special need" set forth in Guideline 2.9.

The mandatory requirements applicable to all support centers (Guidelines 2.1-2.7) contain two separate requirements. A support center must demonstrate that it provides a significant level of legal support services to qualified legal services projects in California (the “significant level” test). Additionally, a support center must demonstrate that its primary purpose and function is the provision of legal support services (the “primary purpose and function” test). [Rule 3.680(A)]

2.1. The applicant must be a nonprofit corporation (in California or another state).

Commentary:

In order to demonstrate your status as a California corporation, copies of the Articles of Incorporation certified by the California Secretary of State and a current Certificate of Status from the California Secretary of State showing that the corporation is in good legal standing must be filed with the Legal Services Trust Fund Program. To demonstrate your nonprofit status, copies of (1) the determination letter from the Internal Revenue Service granting your application for exemption from the appropriate provisions of subchapter (f) of Chapter 1 of the Internal Revenue Code of 1954, as amended and (2) the determination letter from the State Franchise Tax Board granting your application for exemption from the appropriate section of the California Revenue and Taxation Code must be filed with the Legal Services Trust Fund Program. If you have not received such determination letter(s), attach copy(ies) of your application(s) for exemption together with an explanation of its/their status. [B&P Code §6213(a)(1); Rules 3.670(A), 3.680(A)]

2.2. The application must demonstrate through objective information that the organization currently:

Commentary:

The statute requires that applicants must **currently** be providing the services described in Guidelines 2.2.1-2.2.4.

The regulations require that you demonstrate with “objective information” that you provide the required services. Objective information that can be used to demonstrate your services is described in Guidelines 2.2.1-2.2.3. See also Commentary 2.3. [B&P Code §6213(b); Rule 3.670(B), 3.671(B), 3.680(E)(2), 3.680(E)(4)]

2.2.1. provides a significant level of legal training, legal technical assistance, or advocacy support to qualified legal services projects

Commentary:

You must demonstrate that you are currently providing **a significant level** of legal training, legal technical assistance, or advocacy support to programs that are qualified for Legal Services Trust Fund Program allocations as legal services projects. In order to meet this test, the services provided must be offered on a regular and consistent basis.

Such training, assistance or support include, but are not limited to, the direct provision of civil legal services to an indigent person, either as co-counsel with

an attorney employed or recruited by a qualified legal services project, or at the request of an attorney employed or recruited by a qualified legal services project that is unable to assist the client [see Rule 3.672(B)(2)], provided that:

- a. you keep written records to demonstrate that the direct provision of services was either as co-counsel with an attorney employed or recruited by a qualified legal services project, or at the request of such an attorney [Rules 3.672(B), 3.682]; and
- b. you establish and use policies and procedures that encourage qualified legal services projects to participate in the organization's representation of persons referred by them.

Support services provided to organizations that are not qualified legal services projects, or to attorneys in private practice who were not recruited by a qualified legal services project, will not be taken into consideration for purposes of demonstrating that a support center provides a significant level of services to qualified legal services projects.

In deciding whether you meet the "significant level" test, the Legal Services Trust Fund Commission will consider several factors. At a minimum, you must demonstrate that in the last year you have provided legal training, legal technical assistance, or advocacy support to at least ten qualified legal services projects. For purposes of this test, services provided to more than one office of a multi-office legal services project shall only count as services to one project. In addition, for purposes of this test, you **cannot** count the distribution of newsletters, general mailings, or the provision of other materials of general distribution. You must maintain written records of requests for services to demonstrate the number of projects to which you provided services.

You must provide services to at least ten projects to qualify as a support center. Applicants that fail to meet this test will be found not to have provided a significant level of services to qualified legal services projects.

Provided you meet this minimum test, you must also demonstrate through objective information that the nature and content of the services you provided were significant. In determining whether a support center's services were significant, the Commission may consider the following factors and any others that aid in making that determination:

- a. The provision of legal training, legal technical assistance, and advocacy support to a large number of projects is relevant data for demonstrating a significant level of support. However, numbers alone will not be the sole test.
- b. Services must be substantial in nature, not merely simple or intermittent responses to requests for assistance. For example, responding to ten simple requests for assistance will not itself demonstrate a significant level of support services. One large-scale complex lawsuit that takes a substantial amount of attorney time to complete will demonstrate a more significant level of services than a simple individual action. However,

handling a substantial number of individual actions may also demonstrate a significant level of work. Distribution of newsletters or other educational material will not itself meet the “significant level” test, but development of useful resources for qualified legal services projects is relevant data for demonstrating a significant level of support.

2.2.2. and such training, assistance, or support is not only actually available statewide

Commentary:

Your services must actually be available statewide. You must hold your services available on request on a statewide basis to all qualified legal services projects irrespective of where they are located within the state and publicize the availability of such services on a statewide basis. This publicity should ordinarily include at least two written communications during each calendar year, directed to every qualified legal services project in California, in which you describe the availability of your services. These written communications may be included in newsletters or other regular publications. You should send a copy of the communications to the Legal Services Trust Fund Program when you send them to the legal services projects.

Second, you must also demonstrate through objective information that your services are actually available and publicized throughout the state. In determining whether this requirement is met, the Commission may consider such factors as your staff’s participation in task forces and other training forums, your distribution of newsletters and general mailings, and any other efforts you make to give notice of the availability of services.

2.2.3. but is also actually provided statewide

Commentary:

You must also demonstrate that you provide services on a statewide basis. Your services must have actually been utilized within the last year in a majority of the nine State Bar Districts that existed prior to July 1, 2010, and in at least two Northern California counties and two Southern California counties. Southern California counties shall include the counties of San Luis Obispo, Kern, San Bernardino and counties further south. At the end of these Guidelines, is a list of the counties assigned to each of the nine State Bar Districts.

In determining whether a support center’s services were statewide, the Commission may consider the following factors and any other objective information that aids in making the determination:

- a. The provision of support services to a number of State Bar Districts or counties larger than the minimum stated above would be relevant data for demonstrating a geographic distribution of service. However, numbers alone will not be the sole test.
- b. Statewide services must be substantial in nature, not merely simple or intermittent responses to requests for assistance. For example, providing

most services in one or a few counties but occasionally responding to inquiries from other parts of the state will not itself demonstrate a statewide distribution of services.

For purposes of determining whether your services were actually provided on a statewide basis, the Commission will consider only the provision of legal training, legal technical assistance, and advocacy support. Other services provided, such as general information, the distribution of newsletters, and general mailings, will not be sufficient to demonstrate that an applicant is not local but statewide, or that an applicant has provided services in a majority of the State Bar Districts.

2.2.4. without charge

Commentary:

The “without charge” standard is fully met when services are provided without imposing any fee or requiring any payment. However, training services may still be considered “without charge” when the fee imposed is directly tied to the actual additional expense incurred in training an individual and does not include general expenses that are incurred in providing the training to the community at large. To illustrate:

- a. Direct expenses that can be charged to individuals participating in training events include the actual cost of their own refreshments, lodging, materials distributed (including manuals, workbooks, and binders), per participant webinar fees, and similar costs associated with individual participation.
- b. Training expenses that should not be charged to participants include the costs of facilities rental for the training event; general costs of materials, equipment, and services necessary to conduct trainings (such as visual aids, projectors, IT services, licensing fees, and delivery charges); expenses associated with travel, food, or lodging for staff or outside trainers; costs of developing materials (including staff salaries and consultant fees/expenses); and organizational expenses, including but not limited to insurance, audit costs, library costs, overhead, or telecommunications expenses.

Under Business and Professions Code §6213(b), the “without charge” standard applies to assistance provided to qualified legal services projects. It would be consistent with the spirit of the Legal Services Trust Fund statute, whenever possible, to also extend this consideration to fellow qualified support centers.

2.2.5. through an office in California.

Commentary:

You must actually have a regularly functioning office physically located in California and provide these services through that office. The office must have been in existence and operating prior to your application for a Legal Services Trust Fund Program grant.

2.3. The provision of legal training, legal technical assistance, or advocacy support without charge must be the primary purpose and function of the corporation.

Commentary:

You must demonstrate that it is the primary purpose and function of the **corporation** viewed as a whole, and not simply that of part of the corporation, to provide free legal training, legal technical assistance, or advocacy support. You may consider the provision of similar services in other states when determining the primary purpose and function of the corporation.

To be considered legal training, legal technical assistance, and advocacy support, the services must meet the following criteria:

- a. Services must be provided (1) to attorneys or lay advocates or others involved in the direction or operation of legal services projects that provide legal services to indigent persons; or (2) to attorneys in private practice who are providing legal services without charge to indigent persons; or (3) directly to indigent persons when requested to do so by a qualified legal services project.
- b. The content of the training and technical assistance must be directed toward meeting the legal needs of indigent persons or the functioning of the legal services project.
- c. The direct provision of legal services to clients is not a “support service” unless it is delivered (1) as co-counsel with a qualified legal services project; or (2) as co-counsel at the request of a private attorney representing indigent clients without charge; or (3) after a referral from a qualified legal services project.
- d. The provision of similar legal support services in states other than California will be considered in determining the primary purpose and function of the corporation.

A support center shall be presumed to meet the “primary purpose and function” test if the services described above constitute more than 75 percent of the corporation’s expenditure budget in the year for which it is seeking an allocation from the Legal Services Trust Fund Program.

If the organization cannot meet the “primary purpose and function” test by complying with this presumption, you may demonstrate the primary purpose and function by other means. You will need to demonstrate that the primary purpose of the organization is to assist legal services advocates who provide direct civil legal services to indigent clients through the provision of legal training, legal technical assistance, and advocacy support. You must show that the primary purpose is not the direct provision of legal services to clients and that the support services consist of training, technical assistance, and advocacy support. [B&P Code §6213(b); Rule 3.671(B), (C)]

- 2.4. If the organization receives funds from sources other than the Legal Services Trust Fund Program, the applicant must submit a plan assuring that the services funded from the Legal Services Trust Fund Program are in addition to those already funded from other sources.**

Commentary:

Describe the sources, amounts, and conditions of your funding other than the Legal Services Trust Fund Program and the additional services you intend to provide with the monies allocated by the Legal Services Trust Fund Program. You must also submit a plan to maintain your current level of funding from sources other than the Legal Services Trust Fund Program. [B&P Code §6216(c)]

- 2.5. The application must include an agreement by the organization to use all funds allocated from the Legal Services Trust Fund Program in support of qualified legal services projects providing free legal services in California, and to restrict use of funds allocated from the Legal Services Trust Fund Program to matters directly related to the needs of legal services clients.**

Commentary:

You may meet this requirement by signing the Assurances form that is part of the application. [B&P Code §6216(c)]

- 2.6. The application must include a resolution of the board of directors of the corporation establishing the organization's priorities for the provision of legal support services. The adoption of this resolution must have followed consultation with legal services attorneys, members of the private bar, and eligible clients.**

Commentary:

You must attach to your application a resolution adopted by your board of directors within the last two years establishing the organization's priorities. In addition, you must describe the manner in which legal services attorneys, members of the private bar, and eligible clients were consulted for purposes of establishing priorities. Those consulted to meet this requirement must include persons who are not members of your board of directors. [Rule 3.680(B)]

- 2.7. The organization must offer a range of services including more than one of the following: consultation, representation, information services, and training.**

Commentary:

Describe the manner in which the organization offers services falling under at least two of the headings: consultation, representation, information services, and training. [Rule 3.680(B)]

- 2.8. The organization must meet either the requirements of this Guideline 2.8, or the requirements of Guideline 2.9. To meet the requirements of this Guideline 2.8, the organization must have met the requirements of Guidelines 2.2-2.3 on December 31, 1980.**

Commentary:

If the organization has met the general requirements applicable to all applicants, Guidelines 1.1-1.4, and has met the requirements of Guidelines 2.1-2.7, it must also meet either the requirements of this Guideline 2.8, or the requirements of Guideline 2.9.

In order to meet the requirements of Guideline 2.8 (and thus avoid the necessity of complying with Guideline 2.9), the organization must, on December 31, 1980, have been a nonprofit organization which had as its primary purpose and function the provision of legal training, legal technical assistance, or advocacy support without charge, and which was actually providing a significant level of such services to qualified legal services projects, and such training, assistance, or support must have been available statewide without charge through an office in California at that time. [B&P Code §6215(a)]

If the organization has previously been determined by the Commission to meet this requirement, you do not need to reestablish it each grant year.

2.9. An applicant that does not meet the requirements of Guideline 2.8 must meet the requirements of Guidelines 2.9.1 and 2.9.2 below:

2.9.1. The organization must be deemed to be of special need by a majority of the qualified legal services projects. If an applicant was affirmatively deemed of special need for one grant period, the Commission will assume (without need for further information) that it continues to be so deemed for the immediately following two grant periods.

Commentary:

If you do not meet the presumption established by Guideline 2.8, the organization must be deemed of special need by a majority of legal services projects which receive allocations from the Legal Services Trust Fund Program. The statute requires that the organization presently be so deemed.

Evidence of such deeming in prior years, while it may be considered by the Commission as relevant evidence, is not determinative of the issue before the Commission except in the two funding periods after the grant period for which you were so deemed. The Commission itself intends to solicit the views of qualified legal services projects as to whether the organization is presently deemed of special need in every third year, starting with their application for the first funding period. Therefore, you must (for your first, fourth, seventh, etc., funding periods) supply the Commission with a one-page description of the organization.

The Commission will solicit advice from qualified legal services projects whether they presently deem the organization to be of special need. More than one-half of those whose advice is solicited must respond affirmatively in order for the organization to be eligible. Upon request, the Commission will make available to you a list of the names and addresses of the qualified legal services projects from which the Commission will solicit views.

In deciding whether they deem a support center to be of special need, projects will be instructed to consider what support the legal services projects in California need in delivering legal services to indigent persons, and to evaluate how the organization's services meet that need, including such issues as the quality and/or quantity of the organization's work. Project directors will be encouraged to consult with service providers or others associated with the project in making their decision. [B&P Code §6215(b)(2); Rule 3.680(C)]

2.9.2. The application must include a description of the organization's quality control procedures and standards, including, but not limited to, the matters described below:

Commentary:

The State Bar's Board of Governors adopted the American Bar Association's Standards for the Provision of Civil Legal Aid as the quality control standards for the Legal Services Trust Fund Program, pursuant to Business & Professions Code §6225 and Rule 3.661(C). These standards are the State Bar's guidelines for review and approval of applicant and recipient program practices.

If you are already subject to quality control reviews by any non-Trust Fund Program funding source or entity, describe the quality control review procedures to which you are subject, and attach the most recent comprehensive written quality control review by that entity in lieu of the information requested by Guidelines 2.9.2.1-2.9.2.4. (It is not necessary to explain in detail the review procedures followed.)

If you are not subject to such review procedures, describe your quality control standards and how compliance with each of the subjects listed in Guidelines 2.9.2.1–2.9.2.4 is ensured. The Commission is particularly interested in the standards and procedures regarding supervisory structure, procedures, and responsibilities. [B&P Code §§6123(b) and 6217(a); Rule 3.680(E)(2)]

2.9.2.1. the minimum experience and education requirements for attorney and paralegal employees;

2.9.2.2. the current salaries and job descriptions for all filled and unfilled management and professional positions, including paralegal personnel;

2.9.2.3. the minimum experience and educational requirements for attorney supervisors;

2.9.2.4. the supervisory structure, procedures, and responsibilities.

State Bar of California Districts Prior to July 1, 2010

District 1

Butte
Colusa
Del Norte
Glenn
Humboldt
Lake
Lassen
Mendocino
Modoc
Nevada
Placer
Plumas
Shasta
Sierra
Siskiyou
Sutter
Tehama
Trinity
Yuba

District 2

Napa
Sacramento
Solano
Sonoma
Yolo

District 3

Alameda
Contra Costa

District 4

Marin
San Francisco
San Mateo

District 5

Alpine
Amador
Calaveras
El Dorado
Fresno
Inyo
Kern
Kings
Madera
Mariposa
Merced
Mono
Monterey
San Benito
San Joaquin
San Luis Obispo
Santa Cruz
Stanislaus
Tulare
Tuolumne

District 6

Santa Clara

District 7

Los Angeles

District 8

Orange
Santa Barbara
Ventura

District 9

Imperial
Riverside
San Bernardino
San Diego

Revision to Guidelines for Support Centers with respect to determination of whether or not the Support Center is providing services “statewide” in California.

Background: Support Centers must establish that their services are available, and are actually provided, on a “statewide” basis. Since the Program’s inception, the Trust Fund Program has been using State Bar Board of Trustee districts to demonstrate that a Support Center’s breadth of service is “statewide.” For reasons unrelated to Trust Fund Program grants, the Board of Trustees revised its districts in 2012 in a way that did not work for Trust Fund Program purposes. Therefore, the Commission determined to use the old districts (2010 Map attached) pending a resolution adopting a new regional map to define “statewide” for support centers.

At its June 2016 meeting, the Commission defined new regions for viewing “statewide” support, and after vetting the recommendations at LAAC Support Center meetings, and at a State Bar bi-monthly call with Legal Services programs, adopted the resolution at its December meeting. The new map for defining “statewide” better achieves its intended goals than the previous criteria, including assuring services outside the Bay Area and Los Angeles corridors.

Beginning 2017, Support Centers must demonstrate that they provide services in 5 of the 7 attached regions.

Previous Eligibility Guideline 2.2.3 for Support Centers:

Commentary:

You must also demonstrate that you provide services on a statewide basis. Your services must have actually been utilized within the last year in a majority of the nine State Bar Districts that existed prior to July 1, 2010, and in at least two Northern California counties and two Southern California counties. Southern California counties shall include the counties of San Luis Obispo, Kern, San Bernardino and counties further south. At the end of these Guidelines, is a list of the counties assigned to each of the nine State Bar Districts.

Approved Revision to Eligibility Guideline 2.2.3 for Support Centers:

Commentary:

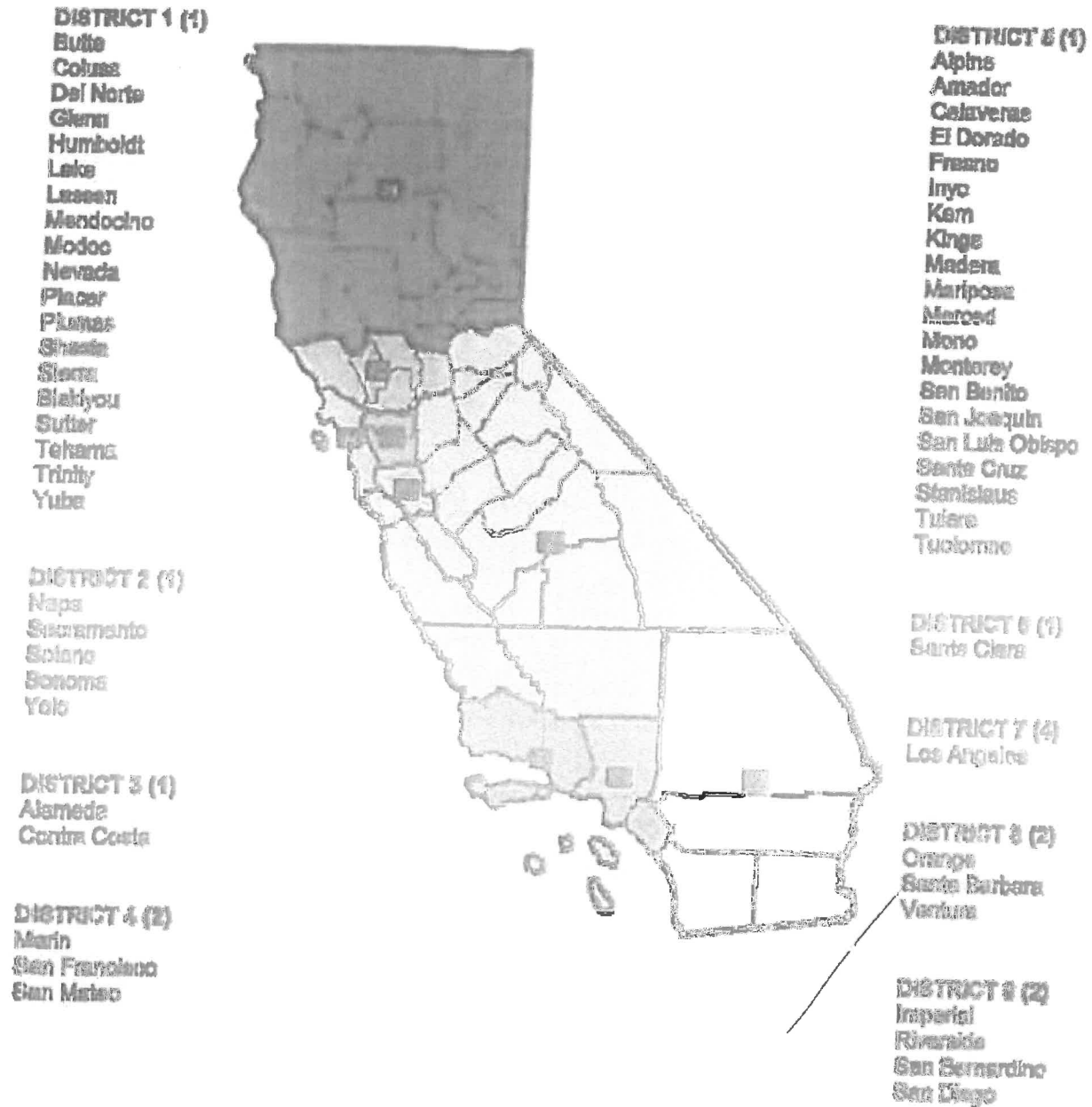
You must also demonstrate that you provide services on a statewide basis. Effective January 2017, your services must be utilized in five of the following seven districts: Northern California, Sacramento Area, Bay Area, Central Coast, Central Valley, Eastern California, and Southwestern California. At the end of these guidelines is a list of the counties assigned to each of the regions. (see, Legal Services Trust Fund Program, Support Center – 2017 Regional map)

Note: For services provided in 2016, Support Centers may apply the new regions, or rely on the prior requirement that the services were utilized within the last year in a majority of the nine State Bar Districts that existed prior to July 1, 2010, and in at least two Northern California counties and two Southern California counties. (see State Bar Districts, 2010 map)



STATE BAR DISTRICTS

The composition of State Bar Districts and the number of elected seats (in parentheses) on the Board of Governors in each District are as follows:



ILAW Reports for Commission Review

Impact Litigation

#	Organization	Case Name
1	Bay Area Legal Aid	Coalition on Homelessness v. City and County of San Francisco et. Al.
2	Bet Tzedek Legal Services	Kim v. Reins
3	Bet Tzedek Legal Services	Yousif v. Sup. Court (RPI Marri)
4	Public Law Center	Courthouse News v. Yamasaki
5	Central California Legal Services	Kings Credit Services v. Dalva
6	Central California Legal Services	Financial Credit Network v. Gonzalez
7	Public Law Center	Meza v. Portfolio Recovery Associates
8	Legal Aid at Work	Faiz v. Fidelity Home Energy, Inc.
9	Legal Aid at Work	Roger Joiner v. City and County of San Francisco
10	Legal Aid at Work	Alqalqili v. Barstow Community Hospital et al.
11	Public Law Center	Immigration Impact Advocacy
12	Santa Clara County Asian Law Alliance	Yumori-Kaku v. City of Santa Clara

Advocacy Activities

#	Organization	Advocacy Activity Name
1	Advancing Justice - Asian Law Caucus	Census Planning & Outreach funding
2	La Raza Centro Legal	Advocating for Transparency, Equity, and Accountability in 2018
3	La Raza Centro Legal	Signed on to CHANGE CALIFORNIA'S DEADLY USE OF FORCE LAW
4	California Rural Legal Assistance, Inc.	AB 617 Blueprint Comments
5	California Rural Legal Assistance, Inc.	HCD/HUD Community Development Block Grant Disaster Recovery Program (CDBG-DR)
6	California Rural Legal Assistance, Inc.	Fresno Council of Governments (COG) Regional Transportation Plan (RTP) Justice Advisory Committee
7	Disability Rights California	Transportation Accessibility Bill
8	Public Advocates Inc.	Transit Equity Advocacy
9	California Rural Legal Assistance, Inc.	2018 UCP Stakeholders Meetings
10	Public Advocates Inc.	Educational Equity/Opportunity to Learn Project
11	Public Advocates Inc.	Equal Access to Fully-Prepared and Effective Teachers
12	Public Advocates Inc.	Higher Education — Low-Income Student Advocacy Project
13	Legal Aid at Work	AB 2366
14	Bet Tzedek Legal Services	California Low-Income Consumer Coalition (CLICC)
15	California Rural Legal Assistance, Inc.	IIPP Employee Access Regulatory Comments
16	Legal Aid at Work	Advocacy concerning regulations about national origin discrimination, retaliation, and harassment being issued by the California Fair Employment and Housing Council
17	Legal Aid at Work	Berkeley Paid Family Leave Ordinance
18	Legal Aid at Work	SB 937
19	Legal Services of Northern California	Providing Comments in Opposition to Changes to the USCIS Fee Waiver Application Process
20	La Raza Centro Legal	NoMuslimBanEver.com sign on
21	Legal Aid Society of San Diego	Support of AB 2343 (Chiu)
22	Legal Services of Northern California	Opposition to Proposal to Apply All Limited Case Procedures to Unlawful Detainer Cases
23	Public Law Center	Housing Advocacy

Organization:	Bay Area Legal Aid
1. Case Name:	Coalition on Homelessness v. City and County of San Francisco et. Al.
2. Case Status:	Open
3. Court Name:	San Francisco Superior Court
4. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div> Barry W. Lee and Christopher A. Rheinheimer, Manatt, Phelps & Phillips, LLP Elisa Della Piana and Jude Pond, Lawyers' Committee for Civil Rights of the San Francisco Bay Area </div> </div>

5. Counties Impacted

Check all that apply

San Francisco

6. Substantive Area

Check all that apply

Consumer/Finance, Miscellaneous

7. Constituencies Impacted

Check all that apply

Children/Youth, Homeless, Low Wage Workers, Persons with Disabilities, Seniors, Veterans and Active Military

8. Parties or Class Represented

Coalition on Homelessness, a non profit organization

a. If available, provide the estimated number of total people impacted:

More than 4500 people. San Francisco tows more than 4500 cars each year for nonpayment of parking tickets; most of these cars belong to low-income people who cannot afford the towing fees and most of these cars are therefore sold by the City's agent at auction.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Public data shows that most people harmed by the practice we are challenging are indigent, and cannot afford to retrieve their cars after the cars have been towed.

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

A successful outcome in this case will mean that more than 4,500 low-income San Franciscans will not lose their cars to vehicle tows resulting from inability to pay parking tickets. Many very low-income San Franciscans live in their cars, and many need their cars to earn a living. Keeping their cars is therefore essential to their health and livelihood.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

This case contends that the City's practice of towing vehicles for unpaid parking tickets, without providing any pre-tow notice or opportunity to be heard, violates vehicle owners' constitutional rights to be free from unreasonable seizures, and to Due Process and Equal Protection of the Law.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

n/a (case filed Dec. 19, 2018).

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

A successful outcome in this case will mean that more than 4,500 low-income San Franciscans will not lose their cars to vehicle tows resulting from inability to pay parking tickets. Many very low-income San Franciscans live in their cars, and many need their cars to earn a living. Keeping their cars is therefore essential to their health and livelihood.

a. Enter economic benefit amount, if applicable:

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

1

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

0

Staff Review

Review Status:

Commission Review

Brief Note:

Car tows - homelessness

Organization:	Bet Tzedek Legal Services
1. Case Name:	Kim v. Reins
2. Case Status:	Closed
3. Court Name:	California Court of Appeal, 2nd District
4. Partner Organizations:	<div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div>Capstone Law</div>

5. Counties Impacted

Check all that apply

Los Angeles

6. Substantive Area

Check all that apply

Employment

7. Constituencies Impacted

Check all that apply

Low Wage Workers

8. Parties or Class Represented

N/A. Bet Tzedek filed amicus letter seeking CA Supreme Court review of Court of Appeal decision.

a. If available, provide the estimated number of total people impacted:

Thousands of low-wage workers who will benefit from wage theft and other PAGA claims.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Many low-wage workers meet the definition of indigency because their income is 125% or less of FPL.

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Thousands of low-wage workers who will benefit from wage theft and other PAGA claims.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

The Court of Appeal erroneously found that an employer can defeat a PAGA lawsuit by settling the individual claims of the PAGA representative. Had this ruling stood, it would have drastically reduced the number of successful wage theft and other PAGA claims.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

The CA Supreme Court granted review.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

N/A (amicus letter)

a. Enter economic
benefit amount, if
applicable:

N/A (amicus letter)

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

Approximately 100 hours.

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year

58 hours.

Organization:	Bet Tzedek Legal Services
1. Case Name:	Yousif v. Sup. Court (RPI Marri)
2. Case Status:	Closed
3. Court Name:	CA Supreme Court; California Court of Appeal, 4th District
4. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div>Robert Gerstein, Attorney at Law</div> </div>

5. Counties Impacted

☐ Check all that apply

☐ Los Angeles

6. Substantive Area

☐ Check all that apply

☐ Guardianship

7. Constituencies Impacted

☐ Check all that apply

☐ Children/Youth, Immigrants

8. Parties or Class Represented

☐ N/A. Bet Tzedek filed amicus letter in CA Supreme Court in support of petition for review, and filed amicus brief in Court of Appeal

a. If available, provide the estimated number of total people impacted:

Hundreds

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Many individuals seeking guardianship and individuals who need guardians meet the definition of indigency because their income is 125% or less of FPL, they are eligible for SSI, and/or they are eligible for free services under the Older Americans Act or the Developmentally Disabled Assistance Act.

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Hundreds of individuals seeking guardianship and individuals who need guardians will be protected from discrimination in guardianship proceedings on the basis of limited English language proficiency or national origin.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

The Court of Appeal erroneously held that trial courts may consider English-language proficiency as part of the best interest analysis under the Probate Code.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

Bet Tzedek filed an amicus letter with the CA Supreme Court in support of the petition for review, which was granted. Bet Tzedek then filed an amicus brief in the Court of Appeal, which held that it was error to consider the father's greater fluency in English as a factor rebutting the presumption of detriment due to his domestic violence.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a (amicus)

a. Enter economic
benefit amount, if
applicable:

n/a (amicus)

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

15 hours.

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year

17.5 hours.

Organization: Public Law Center**1. Case Name:** Courthouse News v. Yamasaki**2. Case Status:** Open**3. Court Name:** U.S. District Court, Central District of California**4. Partner
Organizations:**

Partner Organizations

State Bar Grantees

Legal Aid Society of Orange County
Veterans Legal Institute
Family Violence Appellate Project

Other Organizations

Haynes and Boone
National Association of Women Lawyers
Orange County Bar Association

5. Counties Impacted

Check all that apply

Orange

6. Substantive Area

Check all that apply

Miscellaneous

7. Constituencies Impacted

Check all that apply

Immigrants

8. Parties or Class Represented

Participating as amicus in support of Yamasaki, Court Executive Officer of Orange County Superior Court

a. If available, provide the estimated number of total people impacted:

Thousands

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

We participated as an amicus, represented by Haynes and Boone, in support of the Orange County Superior Court, to raise the issues of our indigent clients who may be impacted by the court rushing to allow immediate access to court files of all of our clients. The clients we represent who have these interests are indigent.

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

We participated as an amicus, represented by Haynes and Boone, in support of the Orange County Superior Court, to raise the issues of our indigent clients who may be impacted by the court rushing to allow immediate access to court files of all of our clients. The clients we represent who have these interests are indigent. It is unclear how many indigent individuals would be impacted, but the majority of our DV clients and other clients with an interest in confidentiality.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

The plaintiff in the case, Courthouse News, was seeking to force the Orange County Superior Court to release all court filings immediately upon filing, rather than holding back some filings to screen for confidentiality. PLC, other IOLTA-funded organizations, and other organizations were represented in an amicus brief arguing that our clients have a real interest in the court ensuring that their confidential documents remain confidential.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

Defendants were successful at the Ninth Circuit, after an appeal by the Plaintiffs, and then were successful in a trial court hearing in July 2018. A second appeal has been filed, which will be heard in 2019 or 2020, and PLC will continue to participate as an amicus in the case.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

No estimated economic benefits at this time.

a. Enter economic
benefit amount, if
applicable:

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

5

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year

50

Organization:	Central California Legal Services
1. Case Name:	Kings Credit Services v. Dalva
2. Case Status:	Closed
3. Court Name:	Tulare County Superior
4. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> </div>

5. Counties Impacted

Check all that apply

Tulare

6. Substantive Area

Check all that apply

Consumer/Finance, Health and Long-term Care

7. Constituencies Impacted

Check all that apply

Rural

8. Parties or Class Represented

Defendant

a. If available, provide the estimated number of total people impacted:

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Non-profit hospitals are mandated by State and Federal law to offer free or discounted care to families earning less than 350 percent of the federal poverty guidelines--currently \$42,500 annually for an individual, or \$87,850 annually for a family of four. According to US Census Bureau data, the median household income for Tulare County, where this ruling was issued, is \$42,789. Moreover, 24.7% of Tulare County persons are living in poverty. Our Charity Care work benefits many low-income individuals in Tulare County, including those above 125% FPL. It is also true that indigent populations in CCLS's service area are at a greater risk than other populations when hospitals and their debt collectors fail to comply with the Charity Care laws because these populations tend to have less of an understanding of their rights under the Charity Care laws, and less ability to advocate on their own behalf. CCLS's indigent clients in Tulare County lack education and many have language limitations. In addition, our senior clients feel a special burden to pay hospital debts, even when they cannot afford to and even when the law says they do not have to. When hospitals fail to comply with these laws, our indigent clients (as defined by B&P 6213) are disproportionately affected.

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Although the named client was not indigent as defined in Bus. & Prof. Code 6213(d), the case was brought by a frequent filer of medical debt collections cases against our low-income client community. The positive outcome and precedent set regarding wage garnishment due process protections will benefit our entire service area.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

This case involved a post-judgment attempt to garnish wages from our client. CCLS filed a claim of exemption and obtained a ruling from the Tulare County Superior Court judge applying the special procedures for the collection of hospital debt set forth in California's Hospital Fair Pricing Act, including an acknowledgment of the statute's requirement that a court order be obtained before wage garnishment can take place, even if the debtor never applied for charity care under the HFPPA.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

Set legal precedent. Stopped or reduced debt collection harassment. Obtained advice and counsel on a health matter.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Judgment obtained by plaintiff in this action was not collected from our client (defendant).

a. Enter economic
benefit amount, if
applicable:

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

45

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

0

Organization: Central California Legal Services

1. Case Name: Financial Credit Network v. Gonzalez

2. Case Status: Closed

3. Court Name: Tulare County Superior Court

**4. Partner
Organizations:**

Partner Organizations

State Bar Grantees

Other Organizations

5. Counties Impacted

Check all that apply

Tulare

6. Substantive Area

Check all that apply

Consumer/Finance, Health and Long-term Care

7. Constituencies Impacted

Check all that apply

Rural

8. Parties or Class Represented

Defendant

a. If available, provide the estimated number of total people impacted:

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Non-profit hospitals are mandated by State and Federal law to offer free or discounted care to families earning less than 350 percent of the federal poverty guidelines--currently \$42,500 annually for an individual, or \$87,850 annually for a family of four. According to US Census Bureau data, the median household income for Tulare County, where this ruling was issued, is \$42,789. Moreover, 24.7% of Tulare County persons are living in poverty. Our Charity Care work benefits many low-income individuals in Tulare County, including those above 125% FPL. It is also true that indigent populations in CCLS's service area are at a greater risk than other populations when hospitals and their debt collectors fail to comply with the Charity Care laws because these populations tend to have less of an understanding of their rights under the Charity Care laws, and less ability to advocate on their own behalf. CCLS's indigent clients in Tulare County lack education and many have language limitations. In addition, our senior clients feel a special burden to pay hospital debts, even when they cannot afford to and even when the law says they do not have to. When hospitals fail to comply with these laws, our indigent clients (as defined by B&P 6213) are disproportionately affected.

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

This was a medical debt case in which we defended the client against a lawsuit brought by a medical debt collector. Although the named client was not indigent as defined in Bus. & Prof. Code 6213(d), the case involved a frequent cause of action (open book) brought by medical debt collectors against our indigent clients. CCLS successfully got the plaintiff to dismiss the case, and the positive written ruling on our motion for attorneys' fees, in which the court found our client could be considered the "prevailing party" for the purposes of collecting attorneys' fees, is being used in other cases, and will deter the filing of unfounded medical debt collection cases against our client community.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

In this medical debt defense case, the plaintiff dismissed the claim because it could not collect the debt as a matter of law due to the defendant's entitlement to Charity Care. After CCLS moved for attorneys' fees, and defendant opposed (arguing that a voluntary dismissal did not entitle defendant to collect fees), the Court found that the defendant (our client) was in fact a prevailing party for purposes of collecting attorneys' fees, and granted the motion.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

Ceased collection action by collection agency, accessed client's rights to the justice system, stopped or reduced debt collection harassment, obtained advice and counsel on a health matter.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a

a. Enter economic
benefit amount, if
applicable:

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

117

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

0

Organization: Public Law Center

1. Case Name: Meza v. Portfolio Recovery Associates

2. Case Status: Closed

3. Court Name: California Supreme Court

**4. Partner
Organizations:**

Partner Organizations

State Bar Grantees

East Bay Community Law Center

Other Organizations

5. Counties Impacted

Check all that apply

*Statewide

6. Substantive Area

Check all that apply

Consumer/Finance

7. Constituencies Impacted

Check all that apply

Immigrants, Low Wage Workers, Persons with Disabilities, Seniors, Veterans and Active Military

8. Parties or Class Represented

Amicus

a. If available, provide the estimated number of total people impacted:

Thousands

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

PLC and its partner were authors of an amicus brief filed in support of Plaintiff in the above-referenced case. Plaintiff was represented by a private attorney and PLC has no information as to the indigency of the Plaintiff. PLC and its co-amicus, East Bay Community Law Center (EBCLC), work with indigent individuals facing consumer issues in Alameda and Orange counties. Therefore, the amicus brief was written solely from amici's experience working with indigent consumers.

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Very frequently the individuals who are sued in state courts in California by original creditors, debt collectors and debt buyers are indigent persons eligible for free legal services. The decision in Meza will impact anyone sued in a debt collection case, but particularly those who are indigent.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

The lawsuit was originally filed in Federal Court in California. It was taken up on appeal to the Ninth Circuit. During the course of that appeal, the Ninth Circuit certified a question to the California Supreme Court, to interpret California Code of Civil Procedure Section 98(a). The specific question was whether the affiant in a declaration in lieu of testimony had to be present within 150 miles of the courthouse for the 20 days prior to trial, or whether service could be accepted on the affiant's behalf by a party claiming to be the affiant's agent. The goal of PLC's involvement was to provide a second voice, through an amicus brief, to the California Supreme Court, identifying the issues that arise when the affiant is not required to be physically present, as is stated in the statute.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

The California Supreme Court ruled in favor of Mesa, and in favor of the amicus brief filed by EBCLC and PLC, requiring that the affiant be personally present in certain circumstances, where they could be not be sub-served a subpoena to require them to appear at trial.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

The benefit is that indigent consumers being sued by original creditors, debt collectors and debt buyers will now have clarity on the law, and will be less likely to lose lawsuits solely as a result of their indigency (as a result of their inability to pay travel/witness fees to an out-of-state declarant who may not be physically present in the state).

a. Enter economic
benefit amount, if
applicable:

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

25

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year

Organization: Legal Aid at Work

1. Case Name: Faiz v. Fidelity Home Energy, Inc.

2. Case Status: Open

3. Court Name: Alameda County Superior Court

**4. Partner
Organizations:**

Partner Organizations

State Bar Grantees

Other Organizations

Beth Mora Employment Law

5. Counties Impacted

Check all that apply

*Statewide

6. Substantive Area

Check all that apply

Employment

7. Constituencies Impacted

Check all that apply

Immigrants, Low Wage Workers

8. Parties or Class Represented

Ayesha Faiz.

a. If available, provide the estimated number of total people impacted:

According to the U.S. Census Bureau's American Community Survey in 2016 there were approximately 803466 persons in California who were born in South Central Asia (the Census bureau does not readily identify how many of those individuals are Muslim) potentially all of whom could be required to implement a policy affecting a third party's civil rights that also applies to themselves. In addition precedent set by this case could theoretically help all workers from minority ethnic backgrounds.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Taken at its broadest level, this case challenges the practice of denying goods and services to people of color and other vulnerable minorities. This practice has a disparate impact on vulnerable communities such as African Americans, Latinos, Asian Americans, South Asian Americans, and North African Americans who lack the leverage to push back and assert their rights to goods and services. This is a practice dating back to the sit-ins during the civil rights era and it is discouraging to see this practice revived against an immigrant community.

According to a recent article in the California Law Review by Professor Khaled A. Beydoun, "Muslim Americans—as a standalone faith group—are comparatively poorer than the broader American polity and, according to available data, poorer than any other American faith group."

Further, discriminatory employment policies in general pose a disproportionate impact on indigent populations. According to a 2015 report from the Population Reference Bureau, "U.S. working families headed by racial/ethnic minorities were twice as likely to be poor or low-income (47 percent) compared with non-Hispanic whites (23 percent).

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

This case seeks to expand the situations under which employees can use federal and state employment laws to challenge discriminatory policies aimed at their customers, particularly customers perceived to be from Muslim, Afghan, Indian, Middle Eastern, or related backgrounds and are often in front-line positions (like in retail, fast food, or similar customer-facing industries) most likely to directly engage with customers. If successful, this case will strengthen protections for employees who are forced to quit their jobs due to subjection to, and forced participation in, a policy that discriminates against third parties based on their national origin, preventing them from entering into a potentially disastrous cycle of unemployment and poverty.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

Faiz began working at Fidelity Home Energy, a solar panel company based in San Leandro. Shortly after her start, Ms. Faiz discovered Fidelity had a practice of refusing to provide consultations regarding home energy services to prospective customers of Middle Eastern or Indian descent (going so far as to post a note saying “NO INDIANS”). Ms. Faiz is of Afghan descent, and the company’s policy offended and distressed her not only in that Fidelity’s policy itself was egregiously discriminatory, but also in that by being subject to the policy herself, she was forced to be complicit with and, indeed, to herself engage in that discrimination against persons of her own national origin and other persons of color. After raising concerns about the policy with supervising staff and alerting several employees that she herself was of Middle Eastern descent, the owner publicly demoted Ms. Faiz in a team meeting. Shortly thereafter, Ms. Faiz resigned.

We filed an EEOC charge on behalf of Ms. Faiz, alleging that Fidelity’s conduct, given the circumstances under which Ms. Faiz ended her employment with it, supported a claim of national origin discrimination. In this case, we argue that Ms. Faiz resigned due to intolerable and unlawful workplace discrimination, making her resignation a constructive discharge in violation of Title VII and FEHA. That charge is pending. In the interim, we filed the Alameda County action to preserve several state law claims, with the possibility of removing those to federal court once EEOC administrative remedies have been exhausted.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

N/a case remains ongoing.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

N/a case remains ongoing.

a. Enter economic
benefit amount, if
applicable:

N/a case remains ongoing.

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

229

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year

0

Staff Review

Review Status:

Commission Review

Brief Note:

Organization: Legal Aid at Work

1. Case Name: Roger Joiner v. City and County of San Francisco

2. Case Status: Closed

3. Court Name: Northern District of California

**4. Partner
Organizations:**

Partner Organizations

State Bar Grantees

Other Organizations

5. Counties Impacted

Check all that apply

San Francisco

6. Substantive Area

Check all that apply

Employment

7. Constituencies Impacted

Check all that apply

Low Wage Workers

8. Parties or Class Represented

Roger Joiner

a. If available, provide the estimated number of total people impacted:

44249 which is the number of African Americans living in San Francisco.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

African Americans in San Francisco are disproportionately likely to be indigent and unemployed. According to the American Community Survey's most recent five-year estimates (2013 to 2017), an astounding 36.8% of African Americans in San Francisco live below 125% of the poverty threshold, which does not take into account the astronomical cost of living in San Francisco. In addition, according to a report by the Brookings institution, San Francisco has the highest employment disparity between whites and blacks in the country—with 84 percent of white San Franciscans employed, compared to just 53 percent of black San Franciscans. And when they do find work, it is likely to be in industries that pay less; according to a study done by the Associated Press: "black workers are chronically underrepresented compared with whites in high-salary jobs in technology, business, life sciences, and architecture and engineering, among other areas. Instead, many black workers find jobs in low-wage, less-prestigious fields where they're overrepresented, such as food service or preparation, building maintenance and office work."

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

This case challenges employment decisions based on stereotypical perceptions of blacks—and in particular black males, especially those in low-income occupations like janitorial work, which are disproportionately likely to be indigent. This case was brought to help African American males experiencing disparate treatment by their employers, and especially those that are disabled, obtain or retain employment despite rampant discrimination faced by those communities.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

The case involves supervisors applying stereotypical views of Black males to justify adverse employment actions against them in violation of state and federal law, and raises the issue of how black males can maintain a hostile work environment claim based on these incredibly pervasive (though perhaps more subtle) acts of racism. It also presents the opportunity to establish an employee's rights when a reasonable accommodation has been granted, and the employee is still on probation. Plaintiff Roger Joiner was employed at the San Francisco Airport as a custodian from January 2015 until he was terminated on December 16, 2015. Defendant subjected Plaintiff to various adverse employment actions, including excessive scrutiny and discipline, extended probation, and termination, because of his race and disability.

Plaintiff encountered comments by his supervisors in stereotypical terms usually reserved for Black men. Plaintiff was accused in incredibly vague terms of being argumentative, not following directions and not working well with his co-workers. After he suffered a workplace injury to his right elbow and filed a workers' compensation claim, he was placed on modified duty, which was later revoked without engaging in an interactive process. Plaintiff was ultimately terminated (two days before his probationary period was set to end), ostensibly because of performance and temperament problems.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

After significant discovery, defendant moved for (and Plaintiff opposed) summary judgment. While that motion was pending, the case settled.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

\$10,000

a. Enter economic benefit amount, if applicable:

10000

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

419

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year

Organization: Legal Aid at Work

1. Case Name: Alqalqili v. Barstow Community Hospital et al.

2. Case Status: Open

3. Court Name: San Bernardino Superior Court

**4. Partner
Organizations:**

Partner Organizations

State Bar Grantees

Other Organizations

Dickson Geesman LLP
Emily Nugent Law

5. Counties Impacted

Check all that apply

San Bernardino

6. Substantive Area

Check all that apply

Employment

7. Constituencies Impacted

Check all that apply

Immigrants, Low Wage Workers

8. Parties or Class Represented

Nedal Alqalqili

a. If available, provide the estimated number of total people impacted:

As of 2010 the University of Southern California's Center for Religion and Civic Culture estimated that there were 12321 Muslims in San Bernardino County although other data sources suggest that that number may have been understated when it was collected in 2010 and that in any event the Muslim population in San Bernardino has increased significantly since that time.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

According to a recent article in the California Law Review by Professor Khaled A. Beydoun, "Muslim Americans—as a standalone faith group—are comparatively poorer than the broader American polity and, according to available data, poorer than any other American faith group." Further, Barstow, where the Defendant Barstow Community Hospital at issue in this case is located, has a rate of 36.7% of individuals living at or below the federal poverty guidelines, according to 2017 data from the U.S. Census Bureau's Population Estimates Program. Thus, remedying discriminatory employment policies that threaten the livelihoods of Muslims living in San Bernardino can have a significant impact on this disproportionately impoverished community.

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

This case involves a client who was fired for taking a leave to care for her elderly mother. Americans are living longer than they ever did, and many families have direct caregiving responsibilities for elderly parents or other senior relatives. Seniors requiring care would be positively impacted by this case. Also, this case was filed San Bernardino county one of the poorest counties in California.

This case will also help Muslim American communities in the impoverished community of San Bernardino obtain and retain employment (and thus avoid unemployment and poverty). By litigating a case focusing on this egregious discrimination in a community on the verge of cultural change, but set back by a shooting and the election, we can bring to light this behavior, send the message that it will not be tolerated, and help the community to better understand Muslim individuals' lived experiences. In addition, the Defendants here, who are senior executives within the Hospital Administration, can serve as highly visible symbols of exactly what needs to change in the San Bernardino Community to ensure truly equal treatment of Muslim Americans, and hopefully cause a cultural shift in San Bernardino to help all Muslims in the community, including the least well off. Finally, this case is also unique in that it offers the possibly of strengthening the laws surrounding intersectional stereotyping and family leave retaliation. Although EEOC guidance recognizes intersectional discrimination, few available cases apply it, especially as it relates to Muslim women with family caregiving responsibilities.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

Plaintiff is a Muslim woman who wears a hijab and worked as a nursing director at Barstow Community Hospital since 2012. Although she had been promised a promotion, it was taken away after she took leave to care for her gravely ill mother. When she complained that this conduct was unlawful, the hospital demoted and then fired her. In addition, Ms. Alqalqili's superiors, colleagues, and patients had also subjected her to highly offensive comments regarding her country of origin and religion, for example by repeatedly calling her a "terrorist." Plaintiff is asserting claims for interference, retaliation, discrimination and related claims under state law.

This case will have broad impact by enforcing—in a highly visible manner—the laws prohibiting discrimination against the growing San Bernardino Muslim community following the widely publicized 2015 shooting. San Bernardino is home to a growing Muslim population, which is disproportionately indigent (as explained in response to the preceding section of this Form). After the 2015 shooting, and as documented extensively by the Southern Poverty Law Center, Muslim community groups within the county have been increasingly targets of hatred and violence. The presidential election has only served to provide further perceived legitimacy to such bigoted viewpoints, increasing the likelihood that Muslims will continue to be stigmatized, discriminated against, and physically harmed. Indeed, the blatantly Islamophobic and racist conduct of highly placed Barstow Community Hospital employees, who are defendants in this case, demonstrates just how pervasive this problem has become in San Bernardino County.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

Plaintiff has conducted significant discovery and filed a motion to compel regarding certain discovery disputes; it is anticipated that a trial date will be set in this matter by the end of April 2019.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a case is ongoing.

a. Enter economic
benefit amount, if
applicable:

n/a case is ongoing.

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

266

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year

0

Staff Review

Review Status:

Commission Review

Brief Note:

Organization:	Public Law Center
1. Case Name:	Immigration Impact Advocacy
2. Case Status:	Open
3. Court Name:	Eastern District of CA, Northern District of CA, U.S. Supreme Court
4. Partner Organizations:	

Partner Organizations

State Bar Grantees

Bet Tzedek Legal Services
 Immigrant Legal Resource Center
 Center for Human Rights and Constitutional Law
 Legal Aid Foundation of Los Angeles
 Legal Aid Society of Orange County
 Legal Aid Foundation of Santa Barbara County
 La Raza Centro Legal
 UC Davis School of Law Legal Clinics
 Community Legal Services in East Palo Alto

Other Organizations

Simpson Thatcher & Bartlett
 Asian Law Alliance
 CASA
 Central American Refugee Center
 City Bar Justice Center
 Dolores Street Community Services
 Empire Justice Center
 Her Justice
 HIAS & Council Migration Services, Inc.
 Immigrant Justice Corps
 International Refugee Assistance Project
 LatinoJustice PRLDEF
 Legal Aid Society of New York
 Loyola Immigrant Justice Clinic
 Make the Road New York
 New York Immigration Coalition
 Safe Passage Project
 The Legal Project
 Torture Abolition Survivors Support Coalition
 UCI School of Law Immigrant Rights Clinic
 UnLocal Inc
 El Rescate
 International Institute of Los Angeles
 American Immigration Council
 Americans for Immigrant Justice
 Central American Legal Assistance
 Community Activism Law Alliance
 Immigrant Justice Corps
 Kids in Need of Defense
 Lawyers for Children
 Legal Services NYC
 Michigan Immigrant Rights Center
 New York Immigration Coalition
 New York Legal Assistance Group
 Northwest Immigrant Rights Project
 Safe Passage Project Inc
 Sanctuary for Families
 The Door's Legal Services Center
 Washtenaw Interfaith Coalition for Immigrant Rights

5. Counties Impacted

Check all that apply

*Statewide, Out of State

6. Substantive Area

Check all that apply

Immigration

7. Constituencies Impacted

Check all that apply

Immigrants

8. Parties or Class Represented

Amicus in all three cases

a. If available, provide
the estimated number
of total people
impacted:

Thousands

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

PLC participated in all three cases as amicus, representing its low-income immigrant clients.

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

All of these cases impact PLC's low-income immigrant clients, and will impact other low-income immigrants residing in the United States

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

1. East Bay Sanctuary Covenant vs. Trump, USDC NDCA Case No. 3:18-cv-06810: amicus with 22 other organizations in lawsuit seeking to enjoin administration's policies re asylum seekers at the southern border; filed 12/05/18. 2. United States vs. California, USDC EDCA Case No. CV 2:18-cv-490-JAM-KJN, one of 17 amicus briefs filed in retaliatory lawsuit brought by the federal government to stop protective policies, embodied in three state statutes, designed to integrate immigrants more fully into their communities. Our amicus brief filed 5/18/18. 3. Trump vs. State of Hawaii, US Supreme Court Case No. 17-965, amicus brief filed by 21 organizations in Muslim ban case. Brief filed 3/30/18

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

All cases remain open, but Courts have granted various injunctions in the cases, restricting the administration's ability to implement some of their anti-immigrant policies.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

N/A

a. Enter economic benefit amount, if applicable:

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

18

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year

0

Organization: Santa Clara County Asian Law Alliance

1. Case Name: Yumori-Kaku v. City of Santa Clara

2. Case Status: Open

3. Court Name: Santa Clara County Superior Court

**4. Partner
Organizations:**

Partner Organizations

State Bar Grantees

Other Organizations

Law Offices of Goldstein, Dardarian, Borgen and Ho
Law Office of Robert Rubin

5. Counties Impacted

Check all that apply

Santa Clara

6. Substantive Area

Check all that apply

Miscellaneous

7. Constituencies Impacted

Check all that apply

Children/Youth, Homeless, Immigrants, Low Wage Workers, Persons with Disabilities, Seniors, Veterans and Active Military

8. Parties or Class Represented

Asian American voters in the City of Santa Clara

a. If available, provide the estimated number of total people impacted:

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

n/a

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Indigent persons will be better represented when city council members are elected instead of the "at large" method used to elect city of Santa Clara city council members. When council members are elected by district, the concerns of low income residents that are concentrated in certain sectors of the city of Santa Clara will be better attended to when city council members are elected by district. According to 2017 U.S. census estimates, 127,134 persons reside in the city of Santa Clara, with 7.7% of that population living in poverty. $7.7\% \times 127,134 = 9,789$ will be positively impacted,

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

The legal issue is whether the at large system utilized by the City of Santa Clara impairs the ability of Asian Americans to elect candidates of their choice as a result of dilution and abridgement of their voting rights under the California Voting Rights Act.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

During the evaluation year, two phases of the bifurcated court trial were completed. Judgement was for the plaintiffs and district elections occurred in November 2018. A motion for attorney fees was set for January 2019.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

None awarded during 2018.

a. Enter economic
benefit amount, if
applicable:

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

254

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year

0

Organization:	Advancing Justice - Asian Law Caucus
1. Advocacy Activity Name:	Census Planning & Outreach funding
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div>Census Policy Advocacy Network (CPAN)</div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Employment, Immigration

8. Constituencies Impacted

Check all that apply

Immigrants, Incarcerated Individuals, Low Wage Workers, Persons with Disabilities, Seniors

9. Who benefitted from this advocacy

The legislative package that we moved in 2018 benefits populations who are often undercounted by the Census such as immigrants.

a. If available, provide the estimated number of total people impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Most of the populations that benefited from our advocacy are indigent, including Limited English Proficient households who will be outreached to through the assistance of Census funding.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

The legislative package that we moved in 2018 provides increases resources for Census outreach to immigrants and other underserved populations.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Census planning & outreach funding

2018-2019 California State Budget invests \$90.3 million for census planning & outreach

The U.S. Census, in addition to painting a portrait of our nation, is critical to determining how funds and resources are allocated over the next ten years. This makes it all the more essential to ensure that our communities are included in the count, and that those who are historically undercounted fully participate in the 2020 Census, including one-fifth of Asian Americans and one-third of Native Hawaiians and Pacific Islanders who live in hard-to-count census tracts. Advancing Justice - California, along with a diverse group of community-based organizations, worked to secure \$90.3 million for Census Planning and Outreach in the 2018 - 2019 California State Budget in order to ensure all of our communities are counted. With the recent proposal to include a citizenship question on the 2020 Census, which would create widespread fear and a severe undercount in immigrant communities, we're continuing to push for a fairer and more inclusive census. For more information regarding state funding allocations, you can access the funding page at the California Complete Count Committee.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

In 2018, at the state level in California, a major budget investment that exemplify our California values and continued efforts to ensure our state is welcoming and inclusive for all of its residents, regardless of citizenship status.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Census planning & outreach funding budget request: The budget allocation we obtained for Census planning and outreach will increase the accuracy of the count for immigrant populations in California. This in turn will result in more government funding being allocated to these under served populations.

Organization:	La Raza Centro Legal
1. Advocacy Activity Name:	Advocating for Transparency, Equity, and Accountability in 2018
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	All of the above
5. Partner Organizations:	<div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Disability Rights, Education, Health and Long-term Care, Immigration, Juvenile

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants, Incarcerated Individuals, Persons with Disabilities, Seniors, Veterans and Active Military

9. Who benefitted from this advocacy

Signed on supporting efforts by Asian Americans Advancing Justice - California (Advancing Justice - CA), a project of Advancing Justice - Asian Law Caucus and Advancing Justice - Los Angeles, re: the following assembly bills:
AB 2291 (Chiu): School Bullying--Victims of school bullying; AB 2845 (Bonta) Pardon and Commutation Reform Act of 2018 --inmates; Census Planning & Outreach Funding--persons eligible to vote; Health for All: Eliminating Barriers to Care -- anyone with health care needs

a. If available, provide the estimated number of total people impacted:

Unknown

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Unknown

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Unknown

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Signed on supporting these bills

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Unknown

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Unknown

Organization:	La Raza Centro Legal
1. Advocacy Activity Name:	Signed on to CHANGE CALIFORNIA'S DEADLY USE OF FORCE LAW
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Family/Domestic Violence, Miscellaneous

8. Constituencies Impacted

Check all that apply

Children/Youth, Disaster Victims, Homeless, Immigrants, Incarcerated Individuals, Low Wage Workers, Persons with Disabilities, Rural, Seniors, Veterans and Active Military

9. Who benefitted from this advocacy

Signed on supporting The California Act to Save Lives, a bill introduced last year by Assemblymember Shirley Weber (D-San Diego).

AB 392 will save lives and make clear that police officers should use deadly force only when there aren't alternatives. It is a common-sense bill modeled after best practices already in place in some departments – and that we know work to reduce police killings.

a. If available, provide the estimated number of total people impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Organization:	California Rural Legal Assistance, Inc.
1. Advocacy Activity Name:	AB 617 Blueprint Comments
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Administrative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> </div>

6. Counties Impacted

Check all that apply

Fresno

7. Substantive Area

Check all that apply

Health and Long-term Care, Miscellaneous

8. Constituencies Impacted

Check all that apply

9. Who benefitted from this advocacy

Fresno County residents

a. If available, provide the estimated number of total people impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

N/A

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

ADVOCACY GOAL: To ensure that California Air Resource Board's implementation plan for AB 617's Community Air Protection Program complies with state and federal environmental justice, civil rights, and environmental obligations and adequately protects environmental justice communities. To ensure that the Fresno-specific Community Emissions Reduction Plan is developed with meaningful public participation and complies with civil rights and environmental justice laws.

ADVOCACY DESCRIPTION: AB 617 was signed by Gov. Brown in July 2017 and establishes a Community Air Protection Program aimed at identifying and reducing air pollution in the most heavily burdened communities in the state, especially environmental justice communities. The implementing program for AB 617 is the "Community Air Protection Program Blueprint" that was released in draft form by the California Air Resources Board (CARB) for public comment on August 24, 2018 with a 30-day comment period. CEI staff will review the draft document pursuant to the noticed public comment period and submit written comments describing the impact the program will have on our client communities and the modifications that must be made to the implementing program to adequately protect CRLA's client communities and meet legal and statutory requirements.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Written comment on draft plan(s) pursuant to noticed public comment periods, attendance and potential comment at public hearings, attendance at community meetings, providing educational trainings to residents on AB 617.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Organization:	California Rural Legal Assistance, Inc.
1. Advocacy Activity Name:	HCD/HUD Community Development Block Grant Disaster Recovery Program (CDBG-DR)
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Administrative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div>non-profit housing groups</div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Housing, Miscellaneous

8. Constituencies Impacted

Check all that apply

Disaster Victims

9. Who benefitted from this advocacy

2017-2018 disaster victims

a. If available, provide the estimated number of total people impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

N/A

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

CRLA improved long-term recovery assistance by providing disaster relief for fire victims of 2017-2018 wildfires and mudslides in housing, infrastructure, and economic revitalization. Advocacy included attending public meetings and submitting written comments to California Department of Housing and Community Development (HCD) on community development disaster recovery programs.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

The California Department of Housing and Community Development (HCD) is the grantee of CDBG-DR funds allocated by the U.S. Department of Housing and Urban Development (HUD) as a result of the 2017 disasters. HCD works with local governments and organizations to fund programs that provide long-term recovery assistance for housing, infrastructure, and economic revitalization.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Organization:	California Rural Legal Assistance, Inc.
1. Advocacy Activity Name:	Fresno Council of Governments (COG) Regional Transportation Plan (RTP) Justice Advisory Committee
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> </div>

6. Counties Impacted

Check all that apply

Fresno

7. Substantive Area

Check all that apply

Miscellaneous

8. Constituencies Impacted

Check all that apply

9. Who benefitted from this advocacy

Environmentally-burdened, Disadvantaged Unincorporated Communities (DUCs) within Fresno County, CA.

a. If available, provide the estimated number of total people impacted:

170191 (the population of Fresno County's DUC's)

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Most unincorporated communities are underrepresented and underserved both in the regional transportation planning processes and in transportation services provisions. The needs of all residents, including rural, low income and limited English proficient (LEP), should be considered in the development and implementation of transportation planning.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

170191 (the population of Fresno County's DUC's)

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

To ensure that Fresno Council of Governments (COG) complies with legal mandates for developing a Regional Transportation Plan (RTP) pursuant to Gov't Code section 65080-65086.5 and to be sure the RTP addresses the needs of the DUCs within Fresno County.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

The Fresno COG considered CRLA's comments and concerns to ensure the RTP meet the legal requirements and included DUC considerations in the planning process.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Unknown

Organization:	Disability Rights California
1. Advocacy Activity Name:	Transportation Accessibility Bill
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Disability Rights, Juvenile

8. Constituencies Impacted

Check all that apply

Children/Youth, Persons with Disabilities, Seniors, Veterans and Active Military

9. Who benefitted from this advocacy

It is estimated that the percentage of Californians with ambulatory disabilities is 3.6% of the total population or 926,769 individuals. These are the individuals most directly impacted by this bill.

a. If available, provide the estimated number of total people impacted:

926,769

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

The majority of Californians with disabilities fall within one or more of the B&P Code §6213(d) indigency definitions. Eligibility includes 831,095, or 20.4% of people with disabilities living in poverty as defined by the federal poverty level according to the census. There are also 901,229 blind and disabled Social Security Income (SSI) recipients. Finally, there are 617,096 individuals who meet the PADD eligibility definition and another 1,934,449 who fall within the Older Americans Act. Some individuals with disabilities will fall within two or more categories. The number of indigent individuals impacted will be higher because this poverty rate is lower than the IOLTA definition of 125% of poverty. The number of individuals impacted also will be higher because this legislation focuses on individuals who use wheelchairs, which are expensive and have a share of cost even if funded by Medi-Cal or Medicare. Under the IOLTA definition an individual's income is adjusted to account for any disability related expenses. The cost of an electric wheelchair begins at \$3500 and can cost as much as \$10,000 depending on the level of the person's disability and needed disability adaptations to the chair. For Medicare recipients the co-pay is 20% of the cost of the wheelchair.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Indigent Californians with disabilities who use power wheelchairs will benefit from this activity as Transportation Network Companies, such as Uber and Lyft will increase the number of wheelchair accessible vehicles. This will increase wheelchair users independence and transportation options. It is estimated that the percentage of Californians with ambulatory disabilities is 3.6% of the total population or 926,769 individuals.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

SB 1376 (Hill) creates the TNC Access for All Act, which makes a statewide commitment to move toward full accessibility of Transportation Network Companies (TNCs, also known by the trade names Uber and Lyft) by creating a time-limited interim model to test and improve accessibility to wheelchair users.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

DRC supported SB 1376 (Hill) that requires transportation network companies (TNCs) to establish a program for wheelchair users who need a wheelchair accessible vehicle, requiring TNCs to pay a 5 cent fee per TNC trip to expand wheelchair accessible transportation through ride-sharing. The Governor signed the bill on September 22, 2018.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

N/A

Organization:	Public Advocates Inc.
1. Advocacy Activity Name:	TRANSIT EQUITY ADVOCACY
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Other(explain)
a. Explain Other Advocacy Type:	Administrative and Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div><div>Partner Organizations</div><div>State Bar Grantees</div><div>Public Interest Law Project</div><div>Other Organizations</div><div>Leadership Counsel for Justice and Accountability</div><div>Organize Sacramento</div><div>Central California Asthma Collaborative</div><div>California Pan Ethnic Health Network</div><div>TransForm</div><div>ClimatePlan</div><div>California Bicycle Coalition</div><div>California Walks</div><div>Coalition for Clean Air</div><div>Safe Routes to Schools National Partnership</div><div>Planning and Conservation League</div><div>NRDC</div></div>
6. Counties Impacted	<div>Check all that apply</div> <div>*Statewide</div>
7. Substantive Area	

Check all that apply

Miscellaneous

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants, Low Wage Workers, Persons with Disabilities, Rural, Seniors

9. Who benefitted from this advocacy

Low-income and indigent transit-dependent residents

a. If available, provide
the estimated number
of total people
impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Low-income and indigent residents disproportionately depend on public transit to access jobs, schools, health care, and other essential services. Among California workers who rely on public transportation to commute to work 199,861 have income less than 150% of poverty level. Of these, a majority (108,522) have incomes 100% or less of poverty level. This Census data excludes millions of Californians living at or below 125% of poverty, including persons with disabilities, children and youth, and seniors, who depend on public transit for non-work trips.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

This advocacy impacts indigent residents who disproportionately depend on public transportation, not only to travel to work, but to access health care, education, legal services, recreation, and other essential needs by increasing investments in transit operations. Our advocacy also ensures that transportation infrastructure meets the needs of California's lowest-income residents and communities, and protects them from displacement.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

We advocate at the state, local, and regional levels in partnership with grassroots groups to promote state policies and investments that address the transportation needs of indigent and very-low income residents. This includes advocating for transit operating funds, which are vital to sustaining and increasing the bus service that the lowest-income riders depend on, and for keeping affordable. In 2018, this work was all at the state level, primarily through advocacy at the California Air Resources Board (ARB), California Transportation Commission, and Caltrans.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

In May, we joined a team of advocates that invited seven gubernatorial candidates to share their views on transportation and land use. Five of the candidates completed the questionnaire, and a summary of their responses (and a link to their full answers) appear on StreetsBlog. Gavin Newsom identified expanding public transit, particularly for disadvantaged communities, as a top priority. We then worked with coalition partners to provide Governor Newsom with an equity platform for transportation to address the pressing needs of low-income, transit-dependent residents.

We helped protect the \$400 million in transit operations funding that we won in SB 1 (Beall, 2017) as part of a coalition effort that defeated Proposition 6, which would have repealed that legislation. Proposition 6 was defeated with a 57% "no" vote.

We provided testimony at a joint meeting of the the Air Resources Board (ARB) and California Transportation Commission to promote a realignment of transportation funding to better meet the needs of low-income California residents.

We played a leading role in coalition advocacy to create more robust guidelines for ARB's review of RTP/SCS's (regional transportation plans and sustainable communities strategies), which each region adopts under SB 375. We led advocacy with ARB staff, analyzed the draft guidelines, and prepared of sign-on comment letters to urge ARB (among other things) to emphasize increasing transit operating support and fare reduction, and to identify the equity impacts of strategic commitments in the regional plans.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Preserved \$400 million in funds to operate local bus service, on which low-income residents depend.

Organization:	California Rural Legal Assistance, Inc.
1. Advocacy Activity Name:	2018 UCP Stakeholders Meetings
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Education

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants, Rural

9. Who benefitted from this advocacy

Rural immigrant and youth populations.

a. If available, provide the estimated number of total people impacted:

N/A

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Revised regulations or legislation would benefit all parents and students. Low income families use this administrative complaint process because it is not necessary to have an attorney to file a complaint and it triggers an investigation by district or state officials. We can't say whether the majority of those who file complaints are indigent, however it will impact low income families.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

CRLA staff participated in one stakeholder meeting where we responded verbally to questions about the effectiveness of the UCP process, its deficiencies and needed change.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

CRLA, Inc. staff believe we alerted the agency to many issues affecting low income families who need a simple process that allows them to challenge harmful practices of schools and school districts.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Any economic benefit is impossible to estimate

Organization:	Public Advocates Inc.
1. Advocacy Activity Name:	Educational Equity/Opportunity to Learn Project
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Other(explain)
a. Explain Other Advocacy Type:	Administrative and Legislative
4. Advocacy Level:	State
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

LCFF Equity Coalition
 Education Trust–West
 Children Now
 ACLU
 Families in Schools
 Campaign for Quality Education partners
 Californians for Justice
 Defend and Mend Coalition

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Miscellaneous

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

9. Who benefitted from this advocacy

Low-income and indigent students, English Learners, and foster youth.

a. If available, provide the estimated number of total people impacted:

3,739,347

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Eligibility for the Free and Reduced Priced Meals Program (FRPM) is the most commonly used proxy for low-income status. Children from families with income 185% or less of federal poverty guidelines are eligible for reduced-price meals; those with family income 130% or less of poverty guidelines are eligible for free meals. Statewide, 53% (3,739,347) of California's students are eligible for the FRPM program; the vast majority of these (3,311,699) students are deemed eligible for free meals, a figure that itself represents over half of California's public school student population and which we roughly equate with indigency under the Business & Professions Code.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Central to our mission to promote educational equity in California is ensuring the faithful implementation of the Local Control Funding Formula (LCFF), which (thanks in part to prior advocacy work under this project) directs supplemental funding to school districts to improve and expand services for low-income students, English Learners (who come predominantly from low-income immigrant families), and foster youth (who are predominantly indigent), and additional concentration funding for districts where 55% or more of students are low-income and indigent. In addition, the LCFF requires school districts to meaningfully engage parents and students in the development of Local Control Accountability Plans (LCAPs) and to transparently report the use and outcomes of the supplemental and concentration funding they receive. The LCFF also institutes a new accountability system for evaluating school improvement based on multiple measures (the California School Dashboard), which disaggregate student outcomes by key subgroups. This data enables parents, students, educators, and administrators to identify disparities that disproportionately impact low-income students and students of color. Our advocacy to ensure the faithful implementation of the LCFF and the proper use by school districts of the supplemental and concentration funding impacts the quality of education low-income and indigent students receive, their readiness for post-secondary college and career training, and their subsequent job opportunities and earning potential.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

We provide technical support and assistance through collaborations with grassroots partners and by leading the LCFF Equity Coalition, a statewide network that includes grassroots groups representing some 500,000 mostly low-income parents, students, and community members. With our partners, we advocate with the State Board of Education (SBE), the California Department of Education (CDE), and the California Collaborative for Educational Excellence (CCEE), for improvements in the implementation of LCFF identified by grassroots partners. We lead convenings of the LCFF Equity Coalition's Technical Working Group to develop consensus on design principles and practices for the new accountability system. We work with the SBE, CDE, CCEE and county education offices as they construct and refine the System of Support and intervention for local education agencies and schools whose Dashboard reports show a need for attention.

The Campaign for Quality Education has been a statewide coalition of grassroots organizations dedicated to ensuring all students receive a quality education regardless of income or ethnicity. This Coalition's work has largely moved to the umbrella entity known as the Defend and Mend Coalition. With these partners, we advocate for the full implementation of LCFF's principles of equity, transparency, accountability, and community engagement in state policy and local school districts, and bring the experience of parents and students back to state-level LCFF advocacy. We provide technical assistance to low-income parents and students advocating with their local districts, and we advocate with County Offices, which review district LCAPs, and provide support if districts are not meeting LCAP requirements.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Key outcomes in 2018 include the following.

- Submitted 10 consensus communications to SBE and CDE with a total of 134 signatories
- Won SBE improvements to Dashboard indicators
- Refined and provided in-person training, guidance, and materials on LCFF requirements to staff from four Bay Area districts, parent leaders, and CFJ, which were converted for use in a statewide CCEE webinar
- Served on a CCEE Review Team to ensure the legal accuracy and inclusivity of the guidance CCEE provides in its materials and trainings for districts.
- Won a budget summary overview document to improve transparency around district spending of LCFF dollars.
- Won a \$13.3 million Community Engagement Initiative to develop best practices for community engagement and develop statewide trainings
- Won \$200,000 a streamlined and more useable LCAP template and \$300,000 to make the Dashboard more parent-friendly
- Won \$15 million for a pilot program to foster positive school climate
- California's federal Every Student Succeeds Act plan incorporates coalition consensus recommendations for creating a single coherent multiple measures accountability system incorporating state LCFF priorities
- Provided county superintendents and Offices of Education training on community engagement in the system of support process.
- Enforcement action in West Contra Costa Unified around data transparency set state wide precedent
- Review 24 draft and final LCAPs and Dashboards on behalf of grassroots partners
- Supported parents and students who won improvements to LCAPs in eight districts
- Won increased transparency in LAUSD LCAP
- Provide 300+ instances of technical assistance
- 18 trainings and workshops for grassroots partners delivered

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Organization:	Public Advocates Inc.
1. Advocacy Activity Name:	Equal Access to Fully-Prepared and Effective Teachers
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Other(explain)
a. Explain Other Advocacy Type:	Administrative and Legislative
4. Advocacy Level:	State
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

The Education Trust-West
Teach Plus
EdVoice
Children Now
Californians for Justice

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Miscellaneous

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

9. Who benefitted from this advocacy

Low-income students, students of color and students with disabilities.

a. If available, provide the estimated number of total people impacted:

311,021

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Currently, California does not have a data system for tracking the placement of underprepared and misassigned teachers and the number of indigent students being taught by such teachers — creating such a system is a focus of our advocacy. In its place, school-level data provides the best proxy for estimating the number of indigent students impacted by this advocacy. In 2015-16, 12,799 classrooms in California were taught by teachers who are not “highly qualified” (i.e., have bachelor’s degree; full state certification; and demonstrated competency in each core academic subject he or she teaches) in high-poverty schools (elementary schools where more than 87.5% of students qualify for the Free and Reduced Lunch Program and secondary schools where more than 84.93% of students so qualify—see details on FRMP data as the proxy for determining indigency in our Educational Equity/Opportunity to Learn Project report). (The federal government has moved past the “highly qualified” standard but new statistics pursuant to updated definitions are not yet available.) The average class size in 2015–16 was 24.3 students, thus approximately 311,021 students in high-poverty schools lack qualified teachers. The percentage of high-poverty classrooms with unqualified teachers is more than twice that in low-poverty schools. Thus, the majority of students impacted by our advocacy for teacher quality are enrolled in high-poverty schools.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

The central goal of this advocacy is to address the disproportionate number of underprepared and misassigned teachers serving in classrooms of predominantly low-income and indigent students. Quantitative analyses indicate that measures of teacher preparation and certification are by far the strongest correlates of student achievement in reading and mathematics, both before and after controlling for student poverty and language status. Yet, California has a critical shortage of qualified teachers. A recent survey of 211 school districts found that 75% of districts struggled to find teachers for the 2016–17 school year. The number of emergency-style teaching permits issued has more than doubled since 2012–13. These unqualified teachers are concentrated in schools with low-income students, students of color, and English Learners — at least 311,021 of whom are indigent as noted above. Special education students are also disproportionately impacted; a shocking 64% of their teachers lacking proper qualifications. Public Advocates' education work is guided by the long-term goal of providing all children a high-quality education that will prepare them for college, career, and civic participation. The success of our advocacy to improve the access of low-income and indigent students to fully-prepared and effective teachers impacts their educational outcomes, readiness for post-secondary college and career training, and their subsequent job opportunities and earning potential.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

In 2018, our activities included advocacy focused on federal and state policy with the goal of ensuring students have access to fully-prepared and effective teachers, especially in schools serving high concentrations of low-income students, students of color, and English learners. During this time of teacher shortage, our advocacy has focused on maintaining our state's high teacher certification standards while exploring measures and investments to incentivize people to enter and stay in the profession. At the state level, we monitor the work of California Commission on Teacher Credentialing (CTC), the state agency charged with establishing and enforcing educator licensing standards. We also conducted legislative and budget advocacy to improve teacher data and invest in programs to address California's teacher shortage. At the local level, we did educator workforce in both Oakland and West Contra Costa Unified, where we collaborated with community organizations and the districts themselves to bring to light critical teacher quality data and engage in discussions to improve teaching conditions in these high-need districts.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

At CTC meetings, we consistently raised the need for teacher data to inform local practice, diversity in the profession, and the need to support and retain new teachers. We successfully closed a loophole which allowed intern teachers (teaching while completing a teacher preparation program) to opt out of a teacher preparation program without having passed the relevant assessments.

At the legislature, we worked with stakeholders to improve the CTC's proposal for a new online database of teacher assignments. Such a system would make possible, for the first time, the annual monitoring and correction of all teacher assignments in all California schools. While the legislative effort continues into 2019, our advocacy last year helped support a 2018 budget allocation for an automated monitoring system through interagency cooperation between CTC and CDE and an initial pilot.

We also partnered with Californians for Justice and 15 other grassroots and advocacy organizations to advocate in the Governor's budget for teacher residency programs; professional development for bilingual teachers and early childhood educators; and scholarships for teaching in high shortage fields— initiatives that will have significant impact for indigent and special education students. The final budget included \$75 million for preparing and retaining special education teachers and \$25 million aimed at bilingual and STEM teachers.

In West Contra Costa Unified, our advocacy to the district and the Contra Costa County Office of Education caused the district to better explain its investments in teacher professional development and set diverse goals for teacher quality moving forward.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Organization:	Public Advocates Inc.
1. Advocacy Activity Name:	Higher Education — Low-Income Student Advocacy Project
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Other(explain)
a. Explain Other Advocacy Type:	Administrative and Legislative
4. Advocacy Level:	State
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

The Affordability Coalition (convened by The Institute for College Access and Success)
 Education Trust-West
 Campaign for College Opportunity
 California Competes
 California Edge Coalition
 The Institute for College Access and Success
 University of California Students Association
 California State Students Association
 Student Senate of the Community Colleges
 Families in Schools

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Miscellaneous

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

9. Who benefitted from this advocacy

Low-income and indigent students, students from immigrant families, and working adults who attend California's public post-secondary colleges and universities

a. If available, provide the estimated number of total people impacted:

1,800,000

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

The best available data regarding income-level of California students in the state's three higher education segments is provided by the annual awardees report of the Cal Grant Program through the California Student Aid Commission. Of the 282,374 students who received Cal Grants in 2017-18 whose parents are low income as defined by HUD's statewide income limits for California, 135,676 come from families with parental income less than \$24,000, which is below the B&P §6213(d) indigency level for a family of four (the average family size in California is 3.47). The next higher income level in the available data, \$24,000-\$35,999, also includes more students whose parental income qualifies as indigent for a family of three (\$25,9075) and a family of four (\$31,375). In addition, because of chronic underfunding, many indigent students at community colleges do not receive a Cal Grant. So, 135,676 is conservative estimate of the number of indigent students impacted. We are confident that the majority of those impacted by this advocacy are indigent.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Public Advocates shifted the focus somewhat of its advocacy on higher education in 2018. Instead of largely focusing on protecting low-income students from abuses by for-profit postsecondary schools, we now primarily are concerned with the success of low-income students at California's public higher education institutions. Our higher education advocacy seeks to address the obstacles that low-income and indigent students face in accessing and succeeding in the state's public colleges and universities. Skyrocketing tuition costs are placing college opportunity out of reach for these students, and those that gain access to the state's post-secondary institutions struggle with housing and food insecurity, and a lack of academic and social supports. As many as 52% of California's community college students never graduate or transfer to four-year colleges. Seventy-five percent of students entering community colleges and 43 % of those entering CSU require remediation in one or more subjects, but large majorities of students placed into remedial classes never go on to take college-level courses or graduate. We advocate for and work alongside students in to win legislative and policy solutions that address the college affordability crisis, increase access to college opportunity, and improve postsecondary success removing barriers to college graduation for California's lowest income, indigent students.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

In 2018, Public Advocates received new funding to expand its capacity to advocate on behalf of low-income and indigent students in California's public post-secondary colleges and universities (University of California, California State University, and California Community Colleges). The goal of our advocacy includes elevating student voice into policy discussions at the institutional level and before state policy makers; advancing policy initiatives to address the need for a comprehensive longitudinal data system that identifies disparities in access and outcomes for low-income and indigent students; advancing funding reforms to address the affordability crisis, improving graduation rates, closing attainment gaps; improving transfer pathways to ensure that low-income and indigent students who enter public universities and colleges receive the supports they need to successfully complete degree programs; and addressing the housing, food, transportation and mental and physical health needs of low-income and indigent students.

During this initial year of our initiative, our focus has been on building partnerships with students organizations, creating coalitions with other higher education advocates, completing an analysis of the current policy landscape for higher education reform, reaching out to policy makers, and creating a roadmap for our ongoing advocacy. We have also undertaken initial advocacy to elevate student voice and engage in conversations around legislative proposals.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Key outcomes achieved in 2018 include the following.

- Project staff hired and Sacramento office expanded
- Co-convening of California Higher Education Equity Coalition; development of shared equity principles; creation of and leading of a Data subcommittee to focus on Statewide Longitudinal Data System advocacy
- Outreach and partnership building for advocating for a statewide longitudinal data system
- Outreach and partnership building in advocating for Cal Grant financial aid reform
- Outreach to and partnership building with each of the three public systemwide student body governance organizations and organizations representing low-income students of color
- Research and surveys to identify student needs and barriers to graduation
- Completion of a comprehensive landscape analysis and roadmap to guide ongoing advocacy
- Co-convening, supporting, and participating in seven forums with gubernatorial and superintendent of public instruction candidates to raise candidate and public awareness of equity issues in higher education
- Supporting efforts by the University of California Student Association and the University Council of Student Body Presidents to ensure that student voices are heard (and state constitutional requirements are followed) in appointments to the UC Board of Regents

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Organization:	Legal Aid at Work
1. Advocacy Activity Name:	AB 2366
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div> California Employment Lawyers Association California School Employees Association Equal Rights Advocates California Women's Law Center </div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Employment

8. Constituencies Impacted

Check all that apply

Low Wage Workers

9. Who benefitted from this advocacy

Victims of domestic violence and their family members.

a. If available, provide the estimated number of total people impacted:

Approximately 11740828; According to National Coalition Against Domestic Violence 32.9 % of California women and 27.3% of California men experience intimate partner physical violence intimate partner sexual violence and/or intimate partner stalking in their lifetimes which collectively works out to 11740828 at current population levels (using ACS data).

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

"Numerous studies have documented the overrepresentation of domestic violence in poor households relative to middle- and upper-income households and the associated risk of poverty (Benson and Fox, 2004; Carlson et al., 2003; Hotelling and Sugarman, 1990; Tjaden and Thoennes, 2000). According to the U.S. Department of Justice, the average annual female intimate partner victimization rate per 1,000 persons between 2001 and 2005 was 12.7 for women residing in households earning less than the \$7,500 annually compared to 2.0 for women with annual household incomes over \$50,000 (Catalano, 2007). In some situations, poverty may exacerbate the likelihood of experiencing domestic violence. With fewer options for economic self-sufficiency and social support systems with little ability to offer financial help, poor women may feel more trapped in unhealthy relationships (Tolman and Raphael, 2000). In other situations, domestic violence may lead to poverty for women in previously financially sound situations as women who escape violent relationships are often left with no financial resources (Davis, 1999). Moreover, victims of domestic violence often have related difficulties such as limited or inconsistent work experience, poor education, physical and mental health problems, and substance abuse issues (Lloyd and Taluc, 1999; Logan et al., 2007; Tolman and Raphael, 2000; Williams and Mickelson, 2004). Such problems pose serious barriers in escaping violence and achieving self-sufficiency and present a challenging situation for social service programs (Renzetti, 2009)." Andrea Hetling Haiyan Zhang, Domestic Violence, Poverty, and Social Services, Social Science Quarterly 1146 (26 October 2010), available at <https://doi.org/10.1111/j.1540-6237.2010.00725.x>

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

AB 2366 attempted to enable more victims of sexual assault, domestic violence, and stalking to keep their jobs and source of income while experiencing or trying to stay safe after experiencing these difficult circumstances.

In addition, in 2005, 50 percent of US cities surveyed reported that domestic violence is a primary cause of homelessness. For example, in San Diego almost 50 percent of homeless women are DV victims. In fact, this number may actually be higher due to women's reluctance to report DV because of shame and fear of reprisal. (<https://www.aclu.org/other/domestic-violence-and-homelessness>)

Almost 50 percent of women who receive Temporary Assistance to Needy Families, the government's primary aid program, cite domestic violence as a factor in the need for assistance, according to a study of Chicago welfare recipients conducted by Northwestern University. (<https://www.npr.org/news/specials/housingfirst/whoneeds/abuse.html>)

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

AB 2366 would have made safety accommodations and job-protected leave available to victims of harassment and would remove the requirement of seeing a medical professional before securing workplace changes. By simplifying the path to a safer workplace, AB 2366 attempted to enable more women to keep their jobs and source of income throughout these difficult circumstances.

Another situation addressed by this bill is that at present family members of victims have no protection against retaliation or discrimination by employers and there is no legal guarantee that these individuals will have a job to return to if they take time off to keep a victim family member safe. AB 2366 recognizes the crucial role of families as a victim's support system and acknowledges that such hardships affect the entire family, not just the individual victim.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

n/a – the bill did not pass.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a – the bill did not pass.

Staff Review

Review Status:

Commission Review

Brief Note:

Organization:	Bet Tzedek Legal Services
1. Advocacy Activity Name:	California Low-Income Consumer Coalition (CLICC)
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div> East Bay Community Law Center Public Counsel Public Law Center Legal Aid Society of San Bernardino Riverside Legal Aid Justice & Diversity Center of the Bar Association of San Francisco Centro Legal de la Raza Law Foundation of Silicon Valley </div> <div>Other Organizations</div> <div>Center for Responsible Lending</div> </div>
6. Counties Impacted	
<div>Check all that apply</div> <div>*Statewide</div>	
7. Substantive Area	
<div>Check all that apply</div> <div>Consumer/Finance</div>	
8. Constituencies Impacted	

Check all that apply

Immigrants, Low Wage Workers, Persons with Disabilities

9. Who benefitted from this advocacy

Low-income consumers across California.

a. If available, provide the estimated number of total people impacted:

Estimated more than 5 million Californians living below the poverty line.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

The California Low Income Consumer Coalition, of which Bet Tzedek is a charter member, is the only lobbying coalition dedicated to protecting and advancing the interests of the low-income consumer.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Increased consumer protections for low-income consumers.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

The CLICC lobbying coalition formed in 2017, with Bet Tzedek as a founding member. In 2018, CLICC increased membership from 10 to 13 organizations, and became recognized as an intervenor at proceedings at the California Public Utilities Commission, advocating for stronger consumer protections for solar panel sales. CLICC lobbied for several important consumer protection bills that were ultimately signed by Governor Brown, including (a) legislation renewing key portions of the Homeowners Bill of Rights that were set to sunset (SB 818); (b) expanding translation requirements for written mortgage modification documents, if the loan was negotiated in Spanish, Chinese, Tagalog, Vietnamese or Korean (SB 1201); and (c) prohibiting schools from using debt collectors to pursue past-due fees, including lunch and library fees (AB 1974). As in 2017, CLICC was also closely engaged in monitoring and shaping legislation related to the Property Assessed Clean Energy (PACE) program, in which Bet Tzedek has developed expertise within Los Angeles County. Bet Tzedek provided substantive expertise not only to CLICC, but to Assembly and Senate members on three PACE-related bills that were signed into law (AB 2063) (SB1087) and (SB465). In particular, CLICC's lobbying on AB 2063 ensured a key consumer protection provision stayed in the bill, despite industry efforts to remove it. BT's work included gathering exemplary client stories for use in advocacy, reviewing and drafting support letters, reviewing and commenting on proposed legislation both publicly and off the record at assembly-member request, and providing subject-matter expertise to CLICC's lobbyist during weekly calls with CLICC's lobbyist on the ground in Sacramento.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

SB 818, SB 1201, AB 1974 all passed. Bet Tzedek also provided substantive expertise on AB 2063, SB 1087, and SB 465.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Protections for low-income consumers across California.

Organization:	California Rural Legal Assistance, Inc.
1. Advocacy Activity Name:	IIPP Employee Access Regulatory Comments
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Administrative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>California Rural Legal Assistance Foundation Worksafe, Inc.</div> <div>Other Organizations</div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Employment, Health and Long-term Care

8. Constituencies Impacted

Check all that apply

Immigrants, Low Wage Workers, Rural

9. Who benefitted from this advocacy

All California workers, no estimate available.

a. If available, provide the estimated number of total people impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A as it will benefit both indigent and non-indigent workers.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Passage of this regulation will result in access to worker safety plans designed to address specific hazards at individual work sites. Low wage workers, like farm workers, are particularly vulnerable to occupational injuries and subjected to health and safety risks that are not directly addressed in regulations. They are supposed to be addressed in the Illness and Injury Prevention Plan (IIPP) , but currently workers have no right to get a copy to review so that they know how to respond to risks and what protections they can insist upon based on their being in the IIPP.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

ADVOCACY GOAL: To help improve workplace safety and injury prevention via adequate right to access records related to an employer's injury and illness prevention plan and related enforcement.

ADVOCACY DESCRIPTION:

Public comment to be provided to CAL OSHA regarding IIPP regulation proposal on employee access to IIPP Records, including potential public hearing testimony. CAL OSHA is seeking input from stakeholders, including CRLA and CRLA Foundation through Mark Schacht as it drafts its first version of the regulation.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

We analyzed the need and value of the regulation and attended pre regulation stakeholder hearings, and testified about whether the regulation should be pursued.

We provided informal input to improve the draft of the regulation prepared by OSHA staff to address specific needs of farmworkers, the non-English speaking and low literacy communities.

We then submitted written comment on March 7, 2019.

We expect to provide testimony on March 21, 2019 that will improve the current draft of the regulation and support its adoption.

There will be additional hearings and opportunity for written comment.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

No economic benefit can be quantified.

Organization:	Legal Aid at Work
1. Advocacy Activity Name:	Advocacy concerning regulations about national origin discrimination, retaliation, and harassment being issued by the California Fair Employment and Housing Council.
2. Advocacy activity status:	Completed
3. Advocacy Type:	Administrative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Employment

8. Constituencies Impacted

Check all that apply

Immigrants

9. Who benefitted from this advocacy

All California workers but especially those most likely to face discrimination on the basis of national origin, such as immigrant, ethnic minority, and language-minority individuals.

a. If available, provide the estimated number of total people impacted:

19343000 is the entire California workforce (as of March 2018 according to the Employment Development Department) potentially all of whom could experience discrimination.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Those with limited English proficiency are disproportionately likely to be below the federal poverty line. For example, in 2013, about 25 percent of individuals with limited English proficiency lived in households with an annual income below the official federal poverty line—nearly twice as high as the share of English-proficient persons. In addition, national origin discrimination is often related to discrimination on the basis of immigration status, and immigrant populations in California are significantly more likely to qualify as “indigent” under IOLTA’s guidelines.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

It is hoped that more low income individuals, and in particular those with limited English proficiency who disproportionately experience discrimination on the basis of national origin, will be able to obtain and maintain employment.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

LAAW provided extensive comments to the specific wording of regulations concerning discrimination, harassment, and retaliation on the basis of national origin. For example, LAAW advocated for there to be a presumption of illegality for blanket “English only” policies, for a narrow definition of a “business necessity” for such policies, and stronger remedies for undocumented workers who experience discrimination, harassment, and retaliation on the basis of national origin.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

LAAW was successful in getting the FEHC to adopt many of our recommendations into the current draft of the proposed regulations.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

It is hoped that more low income individuals, and in particular those with limited English proficiency who disproportionately experience discrimination on the basis of national origin, will be able to obtain and maintain employment.

Organization:	Legal Aid at Work
1. Advocacy Activity Name:	Berkeley Paid Family Leave Ordinance
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	Local
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> </div>

6. Counties Impacted

☐ Check all that apply

Alameda

7. Substantive Area

☐ Check all that apply

Employment

8. Constituencies Impacted

☐ Check all that apply

Low Wage Workers, Persons with Disabilities, Seniors

9. Who benefitted from this advocacy

Low-wage pregnant workers, new parents, and family members.

a. If available, provide the estimated number of total people impacted:

24263 which is the population of Berkeley living at or below 125% of the federal poverty limit according to 2017 ACS data.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Although Paid Family Leave (PFL) benefits enhance economic security for workers who take leave, the current benefit rate is too low to offer meaningful wage replacement for many workers. In a recent study conducted by the EDD, the current rate of benefits was identified as the greatest barrier to the program's use. In another survey, nearly a third of respondents who were aware of PFL did not apply for it because they could not afford to live on less than their full wages. This disproportionately affects low-income workers who depend on their entire salary to afford basic necessities.

Having to forgo wages during a time with increased financial burdens is simply not an option for many workers. This means that many workers are faced with the impossible choice of being there for their families or risking financial hardship. Moreover, these workers must forgo the PFL benefits that they pay for out of their paycheck. By having employers supplement pay during PFL, it will ensure that all Berkeley workers, not just high income earners, have the ability to bond with a new child or care for a family member without sacrificing financial stability.

Also, persons needing pregnancy-related leave are disproportionately likely to be indigent. 46% of all childbearing women [in California] had family incomes at or below the poverty level during pregnancy; an additional 19% were near poor. "The Prevalence of Low Income Among Childbearing Women in California," American Journal Public Health, June 1999, Vol. 89, No. 6, at p. 869.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Workers will be able to take fully paid family leave (up to certain caps) to allow them to care for their own health, their new child, or that of a seriously ill family member.

In 2016, 83.5% of poor children in California lived in families with at least one working adult. Half of poor children (52.2%) lived in families with at least one adult working full time for the entire year, and a third (31.3%) had at least one adult in the family working part time and/or part of the year. Sources: All estimates are based on the California Poverty Measure (CPM) unless otherwise noted. Official poverty statistics are from the American Community Survey. For more about the CPM, see Bohn et al., The California Poverty Measure (PPIC, 2013). For methodological changes that affect comparability with publications prior to 2016, see Bohn et al., The California Poverty Measure: 2014 (Stanford Center on Poverty and Inequality, 2017).

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

This Ordinance is intended to supplement the California Paid Family Leave partial wage replacement so that employees on leave will receive 100% of their weekly salary for the six-week period, subject to a weekly maximum benefit amount. The goal is to ensure that concern over loss of income does not preclude Berkeley employees from bonding with their new child or taking care of a seriously ill family member.

This is based on San Francisco's Paid Parental Leave Ordinance which passed in April 2016 and became operative on January 1, 2017.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

After the ordinance was formally proposed, the the Berkeley City Council established an ad hoc subcommittee on the issue of paid family leave for Berkeley employees. The committee has met several times, and additional work remains.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a – remains ongoing.

Staff Review

Review Status:

Commission Review

Brief Note:

Organization:	Legal Aid at Work
1. Advocacy Activity Name:	SB 937
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div>California Breastfeeding Coalition the California Federation of Teachers</div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Employment

8. Constituencies Impacted

Check all that apply

Children/Youth, Low Wage Workers

9. Who benefitted from this advocacy

Low-income, pregnant women and new parents.

a. If available, provide the estimated number of total people impacted:

Approximately 470000 women per year which is the number of births in California Annually according to the Kaiser Family Foundation.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Childbearing women in California are disproportionately likely to be at or near the poverty line. For example, one study showed that “46% of all childbearing women [in California] had family incomes at or below the poverty level during pregnancy; an additional 19% were near poor. Twenty-one percent [] of women had moderate incomes (201% - 400% of poverty level), and 14% had incomes of more than 400% of the poverty level.” Paula Braveman et al., “The Prevalence of Low Income Among Childbearing Women in California: Implications for the Private and Public Sectors,” American Journal of Public Health, June 1999, Vol. 89, No. 6, at p. 869.

In addition, the need for pregnancy-related workplace accommodations and leave for low-income women is especially great. Low-income pregnant women in particular work in positions that are especially likely to require accommodations, such as jobs that require heavy lifting, protection from toxic fumes, a stool, or permission to carry a water bottle or take frequent bathroom breaks. Further, pregnant women need leaves for pregnancy and childbirth-related disability or bonding with their baby, continued health insurance, and access to public benefits like temporary disability insurance and Paid Family Leave. When new mothers return to work, they often need lactation accommodations to enable them to continue breastfeeding their babies. When families cannot access these benefits, they are forced to choose between their health and their job, either losing their income or endangering their health through continued work.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Working conditions and access to accommodations, leave, and pay are important social determinants of health for mothers and infants. For example, pregnancy-related leave and accommodations (e.g. sitting while working) decrease likelihood of preterm birth and mortality. Longer maternity leave is associated with decreased maternal depression, long lasting positive mental health outcomes, and improved infant/childhood development. Parental leave is also associated with increased preventative care for children, including vaccinations, and reduces the risk of child abuse. Parental leave also promotes healthy bonding during critical periods of neurodevelopment. Moreover, fathers who take paternity leave are more likely to be engaged in their child's care later in the child's life, which leads to improved health and developmental outcomes. Paid leave and lactation accommodations reduce maternal stress and support prolonged breastfeeding, which is linked to improved health for both babies and women.

In 2016, 83.5% of poor children in California lived in families with at least one working adult. Half of poor children (52.2%) lived in families with at least one adult working full time for the entire year, and a third (31.3%) had at least one adult in the family working part time and/or part of the year. (California Poverty Measure) (CPM). Official poverty statistics are from the American Community Survey. For more about the CPM, see Bohn et al., The California Poverty Measure (PPIC, 2013). For methodological changes that affect comparability with publications prior to 2016, see Bohn et al., The California Poverty Measure: 2014 (Stanford Center on Poverty and Inequality, 2017).

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

SB 937 would have required employers to provide workers a written policy (at hire and before parental leave) that informs them of when and how they can request lactation accommodations. By requiring employers to educate all their employees—not just those who are pregnant—the bill aims to normalize lactation and decrease stigma. SB 937 would also require employers to provide workers a lactation room that's safe, clean, and free of toxic materials, as well as a place to sit with nearby access to electricity, running water, and a refrigerator.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

The bill was passed by the legislature but vetoed by the governor; LAAW will take up this issue again in the next legislative session (with a new governor).

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a – the bill was vetoed.

Staff Review

Review Status:

Commission Review

Brief Note:

Organization:	Legal Services of Northern California
1. Advocacy Activity Name:	Providing Comments in Opposition to Changes to the USCIS Fee Waiver Application Process
2. Advocacy activity status:	Completed
3. Advocacy Type:	Administrative
4. Advocacy Level:	Federal
5. Partner Organizations:	<div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Immigration

8. Constituencies Impacted

Check all that apply

Immigrants

9. Who benefitted from this advocacy

Low income immigrants seeking to become naturalized United States Citizens.

a. If available, provide the estimated number of total people impacted:

1000000+

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

n/a (While there are likely many low income people and many who would be indigent under the B&P Code section's definition, immigrants must ordinarily be able to demonstrate they are not indigent in order to naturalize).

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Fee waivers are vital to low income people seeking to become naturalized citizens. Changes to the current fee waiver structure and process would significantly disadvantage these people in their efforts to naturalize.

The number of people impacted was estimated using the Department of Homeland Security's Report estimating the number of California residents with lawful permanent resident status who are eligible to naturalize. There were approximately 2.4 million such California residents and we estimate that fewer than half are low income.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

LSNC's attorney submitted written comments to the United States Citizenship and Immigration Services Administration of the Department of Homeland security in opposition to proposed changes to the fee waiver process. LSNC asked the USCIS to maintain the current fee waiver request process, which works well for low income applicants.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

LSNC hopes the Department of Homeland Security will not adopt changes to the current fee waiver process for naturalization applications.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a

Organization:	La Raza Centro Legal
1. Advocacy Activity Name:	NoMuslimBanEver.com sign on
2. Advocacy activity status:	Completed
3. Advocacy Type:	Administrative
4. Advocacy Level:	All of the above
5. Partner Organizations:	<div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Immigration, Miscellaneous

8. Constituencies Impacted

Check all that apply

Immigrants

9. Who benefitted from this advocacy

Muslim immigrants

a. If available, provide the estimated number of total people impacted:

Approx 69000 in California

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Unknown data

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Unknown

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Organized by National Immigration Law Center

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Unknown

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

All immigrants, including Muslim immigrants, provide an economic benefit to the regions where they immigrate. As a group, they tend to have a high level of education and fill much needed jobs in the tech, science, and engineering industries.

Organization:	Legal Aid Society of San Diego
1. Advocacy Activity Name:	Support of AB 2343 (Chiu)
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> </div>

6. Counties Impacted

☐ Check all that apply

*Statewide

7. Substantive Area

☐ Check all that apply

Housing

8. Constituencies Impacted

☐ Check all that apply

Children/Youth, Immigrants, Low Wage Workers, Persons with Disabilities, Seniors, Veterans and Active Military

9. Who benefitted from this advocacy

☐

AB 2343 (Chiu) protects tenants by extending termination notice periods, among other things, extending the time to respond to a summons, and preventing retaliatory evictions.

a. If available, provide the estimated number of total people impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

San Diego is currently in the midst of a housing crisis. Rents have dramatically increased, vacancy rates are at an all-time low, and there is a shortage of housing, particularly affordable housing. Moreover, wages have not kept up with increases in rent. In 2015, 57% of San Diegan renters spent more than one-third of their income on rent.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

AB 2343 would correct a number of the imbalances in the unlawful detainer scheme. It would allow tenants ten (10) days to cure a nonpayment of rent notice or notice to perform covenants or quit, thus giving them a better chance to preserve their tenancy and avoid an unlawful detainer case altogether. For incurable breaches, the bill provides for a five (5) day notice instead of three (3) days, again, giving tenants more time and avoiding a court case. AB 2343 also changes the deadline to respond to an unlawful detainer summons from five (5) calendar days to fourteen (14), giving defendants more time to obtain legal advice, file a response by mail if they cannot travel to the downtown courthouse, and avoid losing by default. In addition, AB 2343 provides for a waiver of the fees to subpoena a government official, such as a code enforcement officer, to testify as to the condition of the premises at trial. This will protect indigent tenants from slumlords by enabling them to prove their defense in court.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Letter in support of AB 2343. This bill is vitally important to giving California tenants an opportunity to preserve their tenancies, avoiding unnecessary litigation, and protecting the due process rights of those who do find themselves in unlawful detainer proceedings, and promote stable housing.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

This bill is vitally important to giving California tenants an opportunity to preserve their tenancies, avoiding unnecessary litigation, and protecting the due process rights of those who do find themselves in unlawful detainer proceedings, and promote stable housing.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Organization:	Legal Services of Northern California
1. Advocacy Activity Name:	Opposition to Proposal to Apply All Limited Case Procedures to Unlawful Detainer Cases
2. Advocacy activity status:	Completed
3. Advocacy Type:	Administrative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Housing

8. Constituencies Impacted

Check all that apply

Children/Youth, Disaster Victims, Immigrants, Low Wage Workers, Persons with Disabilities, Rural, Seniors

9. Who benefitted from this advocacy

Unrepresented unlawful detainer litigants.

a. If available, provide the estimated number of total people impacted:

144000 per year

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Unrepresented defendants in unlawful detainer matters usually do not have representation because they cannot afford to hire an attorney. More often than not, their poverty is directly related to the unlawful detainer in that they cannot afford to pay rent or cannot afford to move in order to avoid the eviction filing.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

If the proposed changes to unlawful detainer case rules are not adopted, unrepresented will continue to enjoy the necessary flexibility of the current unlawful detainer rules that allow them to navigate the unlawful detainer process without counsel.

The estimate of people impacted was determined using data from the May 2018 report "California Evictions are Fast and Frequent" from Tenants Together, that estimated 160,000 unlawful detainer filings in the state annually. That data was compared with the Judicial Council's estimate that at the initiation of the Sargent Shriver Civil Counsel Act project, 90 percent of unlawful detainer defendants were not represented.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

LSNC attorneys submitted a written comment letter to the Judicial Council that explained the likely harm that would result from implementation of the council's proposal (SPR 18-11) to implement limited case rules that would shorten timelines for the progression of unlawful detainer cases.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Though the process may not be complete, the proposed changes have not yet been adopted.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a

Organization:	Public Law Center
1. Advocacy Activity Name:	Housing Advocacy
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	All of the above
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

6. Counties Impacted

Check all that apply

*Statewide, Out of State

7. Substantive Area

Check all that apply

Housing

8. Constituencies Impacted

Check all that apply

Children/Youth, Homeless, Immigrants, Incarcerated Individuals, Low Wage Workers, Persons with Disabilities, Seniors, Veterans and Active Military

9. Who benefitted from this advocacy

Primarily low-income tenants and other individuals.

a. If available, provide the estimated number of total people impacted:

Thousands

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

The majority of the individuals that PLC works with are indigent individuals eligible for free legal services.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Advocating on behalf of low-income tenants in both Sacramento and Washington, D.C. means that indigent persons will have greater protections when renting or when dealing with homelessness or other landlord/tenant issues.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

PLC's goal in undertaking the activity was to ensure as many protections as possible for low-income tenants and low-income individuals across California and the United States. PLC advocated for the following: additional protections for survivors of domestic violence, input on DFEH regulations impacting low-income tenants, ensuring the Community Reinvestment Act remains intact, strengthening tenant protections at the state level, allowing for taxpayer standing in certain lawsuits and ensuring protections for potential tenants with criminal backgrounds. PLC also continued to advocate for the bill passed in 2017, ensuring landlords cannot threaten tenants with immigration consequences as a way of avoiding providing habitable premises.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Overall goal is to improve tenant protections at the state level and to ensure affordable housing protections at both the state and federal level.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Overall economic benefits would include housing stability and anti-discrimination laws - an actual number is difficult to estimate.