

## **LEGAL SERVICES TRUST FUND COMMISSION MEETING**

Thursday, April 4, 2019

12:00 pm – 3:00 pm

**Held via conference call and in person at:**

**State Bar of California, 180 Howard Street, San Francisco**

### **MINUTES**

The meeting was called to order at 12:00 p.m.

### **OPEN SESSION**

#### **I. ROLL CALL**

Roll call was conducted. Initially a quorum was not established, however an additional member joined and a quorum was established prior to the taking of any vote.

The following Commission members and advisors were present:

- In San Francisco: Co-Chair Christian Schreiber; Fred Bailard; Robert Planthold; Hon. Brad Seligman, and Melanie Snider
- On the Telephone: Banafsheh Akhlaghi; Kim Bartleson; Pamela Bennett; Hon. Louise Bayles-Flightmaster; Eric Isken; Hon. Lisa R. Jaskol; Prof. James Meeker; Hon. William J. Murray, Jr.; Richard Reinis; Kim Savage, and Christina Vanarelli

The following Commission members and advisors were not present: Prof. Herman L. DeBose; Prof. Rebecca Delfino; Co-Chair Corey N. Friedman; Parissh Knox, and Amin Al-Sarraf

The following staff were present:

- In San Francisco: Frank Bittner; Raquel Hines; Hellen Hong, and Doan Nguyen

The following liaisons and guests were present:

- On the Telephone: Debbie Y. Manning (Board of Trustees) and Sean SeLegue (Board of Trustees, participated as member of the public)

No other guests identified themselves.

## **II. CALL FOR PUBLIC COMMENT**

State Bar Board of Trustee member, Sean SeLegue, reported that the Board's Program Committee deferred action on the Legal Services Trust Fund Commission's (LSTFC) recommended distribution plan for 2020 bank grant funds at its March 14, 2019 meeting. He explained that the Programs Committee requested additional information regarding why the limitation for eligibility for direct funding is restricted to existing IOLTA-funded legal aid organizations and whether a formal scoring rubric could be implemented for the upcoming review of Request for Proposals (RFP).

Following the direction of the Programs Committee at the March 14, 2019 meeting, Debbie Manning and Sean SeLegue met with the Chair of the Bank Grants Committee and the Chairs of the LSTFC to share the concerns expressed by the Programs Committee and to gain additional information on behalf of the Board. Staff also provided information to Mr. SeLegue and Ms. Manning, that in previous rounds of distribution, 58 non-IOLTA nonprofit organizations were funded more than \$4 million in total.

Trustee SeLegue explained that he and Trustee Manning recognizes the planning for this RFP occurred when the Board of Trustees was not actively involved in the LSTFC's grant making decisions and wants to respect that planning had been in process for several years. He explained that he now had a better understanding about the rationale and distributions of funds, including non-IOLTA organizations, after discussions with the Commissioners, and now he and Trustee Manning would recommend approval of the issuance of the RFP as presented to the Committee to avoid any delay on the implementation of the RFP. Trustee SeLegue recommended that in the future, when another LSTFC items come before the Board of Trustees that it would be helpful that a LSTFC Commissioner attend to be able to answer specific questions and build more opportunities to hear from one another.

## **III. WELCOME AND INTRODUCTIONS**

### **A. Welcome new and reappointed Commissioners for the 2019-2021 term**

All Commission members, staff, liaisons, and guests introduced themselves. In addition, staff reported that at its March 15, 2019, the Board of Trustee reappointed four termed out Commission members from 2018 (Richard Reinis, Kim Savage, Christina Vanarelli, and Susan Ryan) and appointed two new appointments (Pamela Bennett and Erica Connolly), filling six of seven vacancies. All appointments were effective immediately from the March 15 Board meeting but Erica Connolly has decided to not accept until April 11, 2019. Additional recruitment efforts will be made to fill the last client eligible vacancy. Members were invited to support recruitment efforts by referring interested parties to the online application.

**B. Review of 2019 Commission calendar and administration**

A calendar showing full Commission and Committee meetings was provided and discussed. Staff confirmed that Bank Grants Committee meeting schedule will change based on release of Bank Grant application. The calendar will now be updated and redistributed to the full Commission. In addition, staff will provide a roster of the Commission with the contact information for all Commission members including email and phone numbers.

**IV. CONSENT**

**A. Approval of Meeting Minutes from February 21, 2019**

A Motion was made to approve the Meeting Minutes from February 21, 2019. Robert Planthold moved, and Melanie Snider seconded. The Motion was approved by roll call vote; six (6) approved and seven (7) abstained: Christian Schreiber; Kim Bartleson; Pamela Bennett; Hon. Louise Bayles-Flightmaster; Richard Reinis; Kim Savage, and Christina Vanarelli.

**V. STATE BAR REPORTS**

**A. Update on March 14-15 Board of Trustees Meeting and Bank Grant funds distribution recommendation**

A discussion was held on this item during the Public Comment section of the meeting. Initial meeting notes can be found under Item II.

A motion was made to approve release of the 2020 Bank Grant RFP when the Board of Trustees approved the RFP item, with staff given discretion to determine the release and due dates for the RFP. Christian Schreiber moved, and Fred Bailard seconded. The Motion was approved by roll call vote; 12 approved and one (1) abstained: Prof. James Meeker.

**VI. IOLTA/EAF GRANT ADMINISTRATION**

**A. Staff report on status of IOLTA and EAF Grant Administration**

Staff reported that the IOLTA and EAF application is on schedule to be released on Monday, June 3<sup>rd</sup>.

**B. Discuss process for adoption of rules and guidelines related to the grant administration process**

Staff is currently developing a draft timeline and process to codify existing practices and decisions made by the LSTFC. The process will commence this year and staff will provide a more extensive update at the next Commission meeting.

## **VII. IOLTA/EAF BUDGETS**

### **A. Review and approve late 2018 IOLTA/EAF Budget Revision and Carry-Over requests**

Staff reported on the submission of late carryover and budget revision requests for 2018 IOLTA and EAF grants as identified in the meeting materials. These requests were all submitted past the deadline. To address the issue of late requests, staff confirmed that they will begin working with grantees earlier in the year to encourage the review of their budgets for necessary revisions and carry-over requests in third quarter of the year funded. A discussion was held and the Commission requested the approval for Budget Revisions to be done separate from Carry-Over requests.

A Motion was made to approve the late 2018 IOLTA/EAF Budget Revision requests. Melanie Snider moved, and Robert Planthold seconded. The Motion was unanimously approved by roll call vote.

A Motion was also made to approve the late 2018 IOLTA/EAF Carry-Over requests. Fred Bailard moved, and Robert Planthold seconded. The Motion was unanimously approved by roll call vote.

Lastly, a discussion was held surrounding the LSTFC Eligibility and Budget Review Committee's request for the Commission to delegate authority to the Committee to approve all late budget revision and carry-over requests. The Commission did not vote to approve, but instead further directed staff to work closer with grantees to ensure that these requests are submitted timely.

## **VIII. Meeting Adjourned**

Meeting was adjourned at 1:50 pm