

## **Legal Services Trust Fund Commission Meeting**

Friday, August 23, 2019

12:00 p.m. – 4:00 p.m.

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

**State Bar of California, 845 South Figueroa Street, Los Angeles, CA**

### **NOTES AND ACTION SUMMARY**

The meeting was called to order at 12:10 p.m.

#### **I. CO-CHAIR'S REPORT**

##### **A. ROLL CALL**

##### **Commission Members**

Amin Al-Sarraf (LA)  
Pamela Bennett (LA)  
Erica Connolly (LA)  
Louise Bayles-Fightmaster (phone)  
Herman L. DeBose (LA)  
J. Eric Isken (LA)  
Parissh Knox (phone)  
James Meeker (phone, calling in as member of the public)  
Robert Planthold (SF)  
Susan Ryan (LA)  
Kim Savage (phone)  
Melanie Snider (SF)  
Christina Vanarelli (LA)

##### **Advisors**

Judge Lisa R. Jaskol (LA)  
Justice William J. Murray, Jr. (phone)

##### **State Bar Staff**

Catherine Borgeson (SF)  
Christal Bundang (SF)  
Erica Carroll (LA)  
Brady Dewar (LA)  
Christine Holmes (SF)  
Elizabeth Hom (LA)  
Hellen Hong (LA)  
Greg Shin (LA)

##### **Liaisons/Presenters**

Salena Copeland (LAAC liaison, phone)  
Bonnie Hough (Judicial Council liaison, phone)  
Debbie Manning (Board of Trustees liaison, LA)

##### **Public**

Fred Baillard (phone)  
Guillermo Mayer (phone)

A quorum was not present when roll call was taken. Commission Co-Vice Chair Isken led the meeting and recommended proceeding with discussion of agenda items until 1:10 p.m. The Commission then took a recess and reconvened at 2 p.m. once quorum was established.

#### **B. CALL FOR PUBLIC COMMENT**

Guillermo Mayer of Public Advocates withdrew his prior request for public comment. No one else came forward.

## **II. CONSENT**

### **A. APPROVAL OF ACTION SUMMARY FROM 7/19/19 MEETING**

Once quorum was established, the Commission unanimously approved by roll call vote (Planthold moved, Snider seconded) the action summary from the July 19, 2019 meeting.

## **III. RECENT DEVELOPMENTS**

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

Co-Vice Chair Isken invited Director of the Office of Access & Inclusion, Hellen Hong, to introduce three new staff members (Christal Bundang, Erica Carroll and Christine Holmes) to the Commission.

### **B. State Bar Report on Board of Trustees Actions**

Director Hong reported that she met with the Board of Trustees' Programs Committee, and, after revisions and guidance from the Office of General Counsel, the proposed IOLTA Leadership Bank program was approved. She provided the Commission with an overview of the Leadership Bank program requirements.

### **C. Update on \$20M Equal Access Funding (EAF) for Homelessness Prevention Fund**

State Bar Special Projects Liaison Greg Shin reported on the EAF for Homelessness Prevention grant process. At the August 7, 2019 meeting of the Legal Services Trust Fund Commission's Executive Committee, staff presented their recommendations that 62 of the 64 applications be found eligible for funding, and the Executive Committee adopted that recommendation. Staff elevated two of the applications that raised eligibility questions to committee review: LACBA Counsel for Justice and Legal Aid at Work. The Executive Committee voted to deny formula distribution for LACBA's request because it did not meet the requirements. The Executive Committee found that Legal Aid at Work's request did meet eligibility requirements and voted to approve its formula distribution. The Executive Committee further resolved that if a program were found ineligible for general IOLTA/EAF funds in 2020, it should not be eligible for the homelessness prevention funds.

Staff have submitted the funding request to the Judicial Council and are working with the Office of General Counsel to finalize grantee agreements. Grant applicants will have until September 20, 2019 to submit their proposed budgets (projected through June 2021), and the funds are slated for disbursement on October 1, 2019.

### **D. Discuss Process for LSTFC Chair/Vice Chair Nominations and Appointments**

Director Hong requested to add this item to the agenda. She requested that interested commissioners send résumés and letters of interest directly to her.

### **E. Justice Gap Report Update**

Program Supervisor Catherine Borgeson provided an update on the progress of the Justice Gap Study (JGS). She reviewed Objective E of Goal 4 of the State Bar's Strategic Plan—which provides that the JGS should be completed by December 31, 2019—and discussed progress towards this objective.

The State Bar contracted with NORC at the University of Chicago to conduct a household survey modeled after the Legal Services Corporation's 2017 Justice Gap Study. In addition, the State Bar added

questions to capture demographics of particular interest in California (seniors, Spanish speakers, individuals with disability and survivors of domestic violence). NORC received 3750 responses. In 2020, efforts will be made to reach additional communities that may have been underrepresented in the current survey.

Staff is currently analyzing intake census data gathered from grantee legal service providers. Staff also worked with the Legal Aid Association of California to develop a law student survey—scheduled to begin September 9, 2019—and conduct related focus groups to determine whether the cost of a legal education impacts access to justice and the justice gap.

#### **IV. BUSINESS**

##### **A. Approval of Recommendations of Eligible and Ineligible Applicants for IOLTA and EAF Funding for Grant Year 2020**

Program Supervisor Elizabeth Hom reported that 104 applications were submitted for IOLTA/EAF funds for 2020. Of the 104 applications, 98 were renewals, six were new; 82 were legal service providers, and 22 were support centers. Two new applicants withdrew during the application review process.

The Eligibility and Budget Review Committee of the Commission met on July 19, 2019 and August 23, 2019 and recommended to the Commission that five organizations be found ineligible for 2020 grant funds: Center for Health Care Rights, Community Legal, Community Lawyers Inc., Senior Citizens Legal Services, and Veterans Legal Institute. Once quorum was established, the Commission unanimously approved by roll call vote (Al-Sarraf moved, Planthold seconded) the Committee's recommendation to find these organizations ineligible for IOLTA and EAF funding in grant year 2020.

The Eligibility and Budget Review Committee further recommended that the Commission find the remainder of the applicant organizations eligible as reflected in the "Recommendations for IOLTA and EAF Grant Eligibility for Grant Year 2020" memo and attachment provided by State Bar staff. Once quorum was established, the Commission unanimously approved (Ryan moved, Planthold seconded) the Committee's recommendation to find the remaining organizations as eligible for IOLTA/EAF Funding in grant year 2020, by roll call vote with the following abstentions regarding particular organizations: Al-Sarraf (LAFLA), Connolly (Advancing Justice – LA), Isken (Bet Tzedek), Planthold (Bay Area Legal Aid), Ryan (Inland Counties Legal Services and Riverside Legal Aid).

#### **V. STAFF UPDATES ON GRANT ADMINISTRATION**

##### **A. 2020 Bank Grant**

Program Supervisor Elizabeth Hom reported that the request for proposals has been circulated to distribute \$6.5 million in grant funds geared towards foreclosure prevention and community economic development. Proposals are due September 13, 2019 at 5 p.m. and require partnerships for a statewide and/or larger regional focus. Committee meetings will take place October 15, 2019 and November 22, 2019.

##### **B. 2019 Monitoring Visits Schedule**

Program Supervisor Elizabeth Hom provided an update on monitoring visits, stating that 23 have been conducted with 12 remaining to complete. She thanked commission members for their participation on these visits. Information regarding future site visits is forthcoming.

## **VI. LIAISON REPORTS**

### **A. Judicial Council Report on Program Developments**

Bonnie Hough of the Judicial Council reported that the Judicial Council is working with State Bar staff regarding the distribution of the Equal Access Fund grants. Currently, AB330 awaits signature by Governor Newsom, which will go into effect January 1, 2020 and should provide a projected additional \$11 million in funding for Shriver projects in 2021 by increasing fees on post-Judgment motions. This would provide approximately \$18 million total for Shriver projects in 2021.

### **B. Legal Aid Association of California (LAAC) Report on Program Developments**

Salena Copeland of LAAC provided updates on legislation and funding for legal aid, as well as LAAC's current work.

On September 6, 2019, LAAC and California Lawyers Association will convene leaders in access to justice to discuss challenges and opportunities regarding access to justice. The State Bar and Judicial Council are invited to participate.

LAAC is coordinating the law student focus groups that complement the law student survey that the State Bar is conducting as part of the Justice Gap Study. LAAC already planned to study attorney recruitment and retention within civil legal aid and felt that this overlapped with the State Bar's questions regarding the impact of student debt on career choice. These focus groups will continue and likely conclude by late September 2019. Ms. Copeland answered questions regarding locations for prior and future focus groups, efforts to incorporate geographic diversity, and arrangements with law school deans in order to conduct these groups on campus.

## **VII. ADJOURN**

Prior to concluding the meeting, there was some discussion with comment from former commissioner, Fred Baillard, regarding the use of discretionary funds for law school scholarships or fellowships. Director Hong clarified that IOLTA and EAF fund allocations are prescribed by statute, but the Justice Gap Fund—which relies on donations from attorneys and the public—may be open to recommended changes based on its statutory creation. Staff and commissioners recognized outgoing commissioners Parissh Knox and Melanie Snider for their many years of commitment and service to the Legal Services Trust Fund Commission.

The meeting adjourned at 2:12 p.m.