

2019 Budget Revision and Carry-Over Requests

11/15/2019

As prepared for the Eligibility & Budget, Bank Grant Committees and Legal Services Trust Fund Commission Meetings, November 22, 2019

No.	Organization Name	Date Submitted	Grant	2019 Grant Amount	Budget Revision Total	Budget Revision %	Carry-Over Amount	Carry-Over %	Staff Recommendation or Action	Form D grantee explanations for material budget deviations and/or Carry-Over request
1	Aids Legal Referral Panel	10/7/2019	IOLTA	\$ 24,620	\$ 6,396	26.0%	\$ -	NA	Approve	Re-allocation based on actual personnel costs in 2019.
2	Child Care Law Center	11/4/2019	EAF	\$ 157,090	\$ 40,112	25.5%	\$ -	NA	Approve	The primary reasons for this revision request are: 1) adjusted workload of attorneys and paralegal; 2) hiring of temporary staff (through an agency) to replace the program assistant, who left in June.
3	Greater Bakersfield Legal Assistance	11/4/2019	IOLTA	\$ 508,010	\$ 232,571	45.8%	\$ 144,281	28.40%	Approve; 44% Non-Personnel	<u>MATERIAL DEVIATIONS:</u> LAWYERS line item was under-expended due to two staff attorneys reallocated to HUD's Fair Housing Law Project effective July 1, 2019 combined with the vacant Youth Law Attorney position. OTHER STAFF was under-expended due to two staff positions being reallocated to HUD's Fair Housing Law Project effective July 1, 2019. EMPLOYEE BENEFITS corresponding decrease in taxes and benefits associated with the reallocation of Fair Housing staffing and the vacant attorney position. SPACE costs were slightly higher than originally anticipated. ADMINISTRATIVE NON-PERSONNEL was increased to include items beyond the originally budgeted audit expenses (eg., such as professional HR support, an outside third party to reconcile monthly bank statements, and a portion of GBLA's contract grant writer). <u>CARRY-OVER:</u> There were two factors that contributed to GBLA's 2019 under-expenditure. Specifically, our Fair Housing Law Project, funded by the U.S. Department of Housing & Urban Development (HUD), ended mid-January 2019. The IOLTA budget included picking up the two experienced attorneys and two support staff positions previously assigned to GBLA's Fair Housing Law Project for the balance of the year in the event our competitive application was not selected for refunding. However, we are pleased to report that GBLA's Fair Housing Law Project was refunded and staffing was accordingly reallocated to HUD effective July 1, 2019. Therefore, not all of the funds allocated to cover these staff members were utilized as planned. Additionally, GBLA also had a vacant Youth Law Attorney position which we were unable to fill. There are several building-related maintenance items on which the carry-over will be used.
4	Greater Bakersfield Legal Assistance	11/4/2019	EAF	\$ 424,030	\$ 150,893	35.6%	\$ 105,988	24.995%	Approve	<u>MATERIAL DEVIATIONS:</u> LAWYERS During the course of the grant year, we had approx. 1.50 fte vacancies. PARALEGALS During the course of the grant year, we had approx. 0.90 fte vacancies. OTHER STAFF Support staff was reallocated to provide assistance to rural clients in the area of healthcare coverage. EMPLOYEE BENEFITS corresponding decreases in taxes and benefits associated with the above personnel variations. <u>CARRY-OVER:</u> There were two factors that resulted in the under-expenditure of our EAF grant. Specifically, we had approx. 1.50 fte unfilled attorney positions and 0.90 unfilled paralegal positions - along with associated taxes and benefits. It was these two primary factors that contributed to the projected carry-over funds. Of course, this also resulted in under-expenditures in the non-personnel line items that are based on fte's or number of staff such as training and technology.
5	Impact Fund ¹	10/30/2019	Bank Settlement	\$ 260,000	\$ 135,422	52.1%	\$ -	NA	Approve	This is the amount of sub-grants (regranting) we are making for specific litigation expenses incurred by sub-recipients. A more detailed breakdown of those can be provided. As the project accelerates in achieving its purpose, more opportunities to support litigation directly will emerge, which is why this amount increases in years 2 and 3 of the program. It should be noted that in year 3 this figure also includes \$25K of staff time to be incurred by Leadership Counsel for Justice & Accountability as they move into the role of co-producer of the Clean Water Forum, etc.
6	Inland Empire Latino Lawyers Association	11/2/2019	IOLTA	\$ 194,770	\$ -	NA	\$ 63,953	32.84%	Approve	Carryover from 2018, due to staffing delays, impacted 2019 spending plan. The staffing plan for 2019 was delayed due to unforeseen retirement of staff and longer than anticipated time to recruit new staff.
7	Inland Empire Latino Lawyers Association	11/2/2019	EAF	\$ 162,570	\$ -	NA	\$ 108,350	66.65%	Approve 25% only	Carryover from 2018, due to staffing delays, impacted 2019 spending plan. The staffing plan for 2019 was delayed due to unforeseen retirement of staff and longer than anticipated time to recruit new staff.
8	Neighborhood Legal Services of Los Angeles	11/4/2019	IOLTA	\$ 777,110	\$ 125,289	16.1%	\$ -	NA	Approve	NLSLA leased a new El Monte / San Gabriel Valley office building in mid-2018 and conducted a \$1,000,000 tenant improvement renovation and new furniture project in 2019. NLSLA has submitted this modified budget request to incorporate \$125,000 of capital expenditures for the \$1 million project to be funded by IOLTA funds. \$100,000 is capital costs for the building renovation and \$25,000 is for the new furniture. The Landlord has contributed \$127,000 to the renovation project and LSC is funding a portion. NLSLA requests that the IOLTA funds cover the remaining expenditures of the capital project so that NLSLA does not have to utilize limited unrestricted funds or reserves. This capital project is a one-time project and NLSLA anticipates returning to a personnel allocation of at least 75% for 2020 and future funds.

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9	Riverside Legal Aid	11/4/2019	IOLTA	\$ 149,640	\$ 38,229	25.5%	\$ -	NA	Approve	The increase in personnel costs reflect the increase in caseload and resultant attorney fees and paralegal fees incurred, including enhanced wages for overtime in some situations. The decrease in non-personnel reflects a decrease in estimated office supplies and training for the year.
10	Voluntary Legal Services Program of Northern California	11/5/2019	IOLTA	\$ 152,970	\$ 45,407	29.7%	\$ -	NA	Approve	We are requesting a revision due to changes in percentage of time staff worked and the non-personnel expenses were less than estimated. We inadvertently budgeted staff under Paralegal and should be Other Staff.
	Informational Purposes Only									
11	Advancing Justice Los Angeles	11/4/2019	IOLTA	\$ 939,050	\$ 10,000	1.1%	\$ -	NA	Approved	Our Telecommunications and Training expenses have come under budget, while staff transitions in/bolstering of our management and finance department have resulted in increased administrative personnel costs.
12	Advancing Justice Los Angeles	11/4/2019	EAF	\$ 783,810	\$ 62,500	8.0%	\$ -	NA	Approved	Our Telecommunications and Training expenses have come under budget, while staff transitions in/bolstering of our management and finance department have resulted in increased administrative personnel costs.
13	Center for Gender & Refugee Studies	10/29/2019	IOLTA	\$ 188,202	\$ 6,478	3.4%	\$ -	NA	Auto Approved	This year one of our attorneys ended up taking an extended approved leave which resulted in a reduction to our lawyer line item, but we also added a paralegal which resulted in an increase to our paralegal line item. We reduced the line item for other staff to offset the net increase. We also realized an increase in litigation costs related to expert witness fees after an appellate victory resulted in a new hearing, but have several small decreases in other non-personnel costs. The changes offset each other, but result in a deviation in excess of \$10,000.
14	Center for Human Rights & Constitutional Law	11/4/2019	IOLTA	\$ 188,202	\$ -	NA	\$ 2,175	1.16%	Approved	None.
15	Center for Human Rights & Constitutional Law	11/4/2019	EAF	\$ 157,090	\$ -	NA	\$ 9,738	6.20%	Approved	None.
16	Central California Legal Services	11/4/2019	IOLTA	\$ 1,054,690	\$ 128,273	12.2%	\$ 174,374	16.53%	Approved	Carryover from 2018, due to staffing delays, impacted 2019 spending plan. The staffing plan for 2019 was delayed due to unforeseen retirement of staff and longer than anticipated time to recruit new staff.
17	Central California Legal Services	11/4/2019	EAF	\$ 880,350	\$ 112,336	12.8%	\$ 123,107	13.98%	Approved	Carryover from 2018, due to staffing delays, impacted 2019 spending plan. The staffing plan for 2019 was delayed due to unforeseen retirement of staff and longer than anticipated time to recruit new staff.
18	Central California Legal Services ¹	11/4/2019	Bank Settlement	\$ 610,434	\$ -	NA	\$ 39,623	6.49%	Approved	None.
19	Child Care Law Center	11/4/2019	IOLTA	\$ 188,202	\$ 34,966	18.6%	\$ -	NA	Approved	The primary reasons for this revision request are: 1) adjusted workload of attorneys and paralegal; 2) hiring of temporary staff (through an agency) to replace the program assistant, who left in June.
20	Disability Rights California	11/4/2019	IOLTA	\$ 2,603,650	\$ 121,846	4.7%	\$ -	NA	Approved	DRC is asking for budget revisions between categories in both our IOLTA and EA grants. We plan to spend the total amount of the grants by December 31, 2019. The State Bar has been supportive of DRC using IOLTA funding for implementation of the market rate adjustment of our salary scale based on the salary comparability study DRC completed last quarter. In the fourth quarter, IOLTA funds will be used for these staff salary adjustments. IOLTA benefits expenditures have been less than budgeted so we are requesting that funds be moved to the Paralegal and Other Staff categories to cover the anticipated costs of additional work done by paralegals and support staff to support the work done by IOLTA funded attorneys. In addition, space costs charged to the IOLTA grant have not been as high as anticipated. We are requesting that a portion of the space budget be moved to Technology to support the cost of continuing to replace PC's with laptops for our attorneys. Based on our experience of providing attorneys with laptops this year, it has both improved the efficiency and effectiveness of our legal advocacy and helped reduce our occupancy costs as it has increased our capacity to share offices.
21	Disability Rights California	11/4/2019	EAF	\$ 2,173,220	\$ 45,689	2.1%	\$ -	NA	Approved	DRC is asking for budget revisions between categories in both our IOLTA and EA grants. We plan to spend the total amount of the grants by December 31, 2019. EA attorney spending is less than budgeted due to vacancies. Paralegal and support staff costs have been correspondingly increased to support the work of staff on the EA grant so we are requesting that funds be moved to these categories.

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22	Elder Law & Advocacy	10/28/2019	EAF	\$ 107,150	\$ 8,780	8.2%	\$ 1,378	1.29%	Approved	The material deviation in the EAF Approved Budget is due to Litigation Costs not being incurred at the rate original Budget projected (based on client cases requirements). We reported in Quarter 1 and 2 non-EAF budgeted expenses that were originally expected to be funded by existing core support funding.
23	Inner City Law Center	4/18/2019	IOLTA	\$ 343,480	\$ 54,080	15.74%	\$ -	NA	Approved	We would like to spend more on Lawyers and Paralegals and move the "other" staff" budget needs to another project.
24	Inner City Law Center	4/18/2019	EAF	\$ 286,700	\$ 44,231	15.43%	\$ -	NA	Approved	We would like to spend more on Lawyers and Paralegals and move the "other" staff" budget needs to another project.
25	Learning Rights Law Center	11/4/2019	IOLTA	\$ 184,350	\$ 6,701	3.6%	\$ -	NA	Approved	Our Education Rights Clinic Director left the organization this Spring, and this Summer we filled her role by promoting our previous Education Rights Clinic Advocate to the new position of Education Rights Clinic Manager, shifted our Pro Bono Manager's responsibilities to include intake supervision, and hired an Administrative Assistant to support the Education Rights Clinic. As a result, the IOLTA funds that were previously categorized in "Lawyer" for our Education Rights Clinic Director have been shifted to "Other" and used towards our Education Rights Clinic Manager. Finally, the IOLTA funds that were categorized "Other" for our Pro Bono Manager have been re-categorized as "Lawyer" to more accurately reflect her new role.
26	Learning Rights Law Center	11/4/2019	EAF	\$ 153,870	\$ 13,342	8.7%	\$ -	NA	Approved	Our Education Rights Clinic Director left the organization this Spring, and this Summer we filled her role by promoting our previous Education Rights Clinic Advocate to the new position of Education Rights Clinic Manager, shifted our Pro Bono Manager's responsibilities to include intake supervision, and hired an Administrative Assistant to support the Education Rights Clinic. The EAF funds that were previously categorized in "Lawyer" for our Education Rights Clinic Director have been split between "Other", "Lawyer", and "Admin" to reflect their use towards our Education Rights Clinic Manager, Pro Bono Manager, and Administrative Assistant, respectively.
27	Legal Services of Northern California	10/31/2019	IOLTA	\$ 1,122,240	\$ 158,809	14.2%	\$ -	NA	Approved	Staff turnover and vacancies have caused deviation from the original approved budgets.
28	Legal Services of Northern California	10/31/2019	EAF	\$ 936,680	\$ 109,625	11.7%	\$ -	NA	Approved	Staff turnover and vacancies have caused deviation from the original approved budgets.
29	Los Angeles Center for Law & Justice	11/4/2019	IOLTA	\$ 126,290	\$ -	NA	\$ 265	0.21%	Approved	None.
30	Los Angeles Center for Law & Justice	11/4/2019	EAF	\$ 105,410	\$ -	NA	\$ 8,075	7.66%	Approved	None.
31	Neighborhood Legal Services of Los Angeles ¹	11/4/2019	Bank Settlement	\$ 460,000	\$ 78,288	17.0%	\$ -	NA	Approved	NLSLA is requesting a modification to our original 3-year budget to better align the budget with current project staffing and salaries, increased travel to the Antelope Valley, and additional non-personnel allocated expenses to be more in line with our new cost allocation policy implemented in 2019. For year 3 (2020), we are seeking to add an indirect cost allocation to thre project.
32	OneJustice	9/24/2019	IOLTA	\$ 188,202	\$ 35,079	18.6%	\$ -	NA	Approved	We spent about 50% of the grant by the end of Quarter Two, which was on target. We noticed however, the need to move about \$30,000 from "other staff" to "lawyers". This is the change that triggered the need to revise because it was more than \$10,000 or 10% of our total grant, whichever was smaller. The net change to "non-personnel" is only a positive \$1,822, which comes entirely from the personnel lines. In this section, we had slightly under-budgeted for this project's fair share of rent, telecommunications, and technology.
33	Riverside Legal Aid	11/4/2019	EAF	\$ 124,900	\$ 13,131	10.5%	\$ -	NA	Approved	The increase in personnel costs reflect the increase in caseload and resultant attorney fees and paralegal fees incurred, including enhanced wages for overtime in some situations. The decrease in non-personnel reflects a decrease in estimated office supplies and training for the year.
34	Voluntary Legal Services Program of Northern California	11/5/2019	EAF	\$ 127,690	\$ 17,868	14.0%	\$ -	NA	Approved	We are requesting a revision due to changes in percentage of time staff worked and the non-personnel expenses were less than estimated. We inadvertently budgeted staff under Paralegal and should be Other Staff.

¹ These Bank Settlement Grant revision and carry-over requests, as presented here, are a combination of changes requested for 2019 and 2020 budget years (second and third years of the grant).