

**STATE BAR OF CALIFORNIA
LEGAL SERVICES TRUST FUND COMMISSION
EXECUTIVE COMMITTEE MEETING**

Wednesday, December 9, 2020
10:00 a.m. – 12:00 p.m.

Held via Zoom

ACTION SUMMARY

Co-Chair Akhlaghi called the meeting to order at 10:02 a.m.

I. ROLL CALL

Roll was called and a quorum was established.

Committee Members

Co-Chair Banafsheh Akhlaghi
Co-Chair Eric Isken
Co-Vice Chair Richard Reinis
Co-Vice Chair Kim Savage

State Bar Staff

Andrea Fitanides
Brady Dewar
Doan Nguyen
Dan Passamaneck

Member of the Public

Will Boschelli (Legal Services Trust
Fund Commission Member)

II. CALL FOR PUBLIC COMMENT

Chair Akhlaghi invited members of the public to comment on any items on the agenda. No comments were offered.

III. CONSENT

A. Approval of Meeting Summary and Action Items from January 6, 2020 Meeting

Chair Akhlaghi asked if any Committee members requested any changes to, or discussion of, this item. Hearing none, the Chair invited a motion to approve the meeting summary and action items from the January 6, 2020 meeting. The motion was passed by unanimous roll call vote (Isken moved, Akhlaghi seconded).

IV. DISCUSSION AND ACTION ITEMS

A. Discuss Improvements to Grants Administration Process

The committee discussed their work over the prior year, to identify areas for possible improvements in processes or scheduling. Discussion addressed the following considerations:

In 2020, periods of intense workflow activity created challenges for both Commission members and staff; the committee considered options for distributing work more evenly across the year. Staff noted that this challenge is not easily solved: some of the administrative prerequisites, such as completing audits or obtaining board approval of the amount available for grants, prevent the IOLTA/EDF grant cycle from starting earlier; pushing the schedule later could lead to funding disruptions. If HP funding resumes it will likely be on the same schedule in 2021 as it was in 2020, but discretionary grants offer more opportunities to redistribute the workload more evenly across the year.

The Committee noted that staff memoranda for committee meetings can be bulky and are time-consuming to review. Suggestions for addressing this issue included putting background information in appendices. However, the Committee acknowledged that briefing materials, especially those related to eligibility determinations, must be sufficiently comprehensive to support the Commission's actions and explain them to the public.

Committee members, recalling the complexities associated with the budget review process, asked whether Commission members would benefit from training in this area. Staff provide solid background material and support, but Committee members would like to feel more comfortable with the technicalities of this process. Part of the February meeting might be used to provide this kind of training.

While creative options for facilitating administration of the Legal Services Trust Fund Program are always welcome, some cannot be implemented because staff cannot assume roles that are assigned to the Commission under the Functional Matrix, such as approving certain budgets, budget revisions, or carryovers. Any changes to these roles would require Board approval. Staff relies on the Commission's authority when communicating with grantees in these areas.

The Committee agreed that these matters merited further discussion.

B. Discuss Planning for 2021 Executive Committee

Given the increased size of this committee, it will meet quarterly going forward instead of on an ad hoc basis. Meetings should be scheduled for two or three weeks before Commission meetings, if possible, to preview major issues. Zoom might still be a good way to conduct these meetings even after pandemic restrictions are lifted.

C. Discuss Process for Exploring IOLTA Statutory Change to Increase Income Threshold from 125% of Federal Poverty Level

Staff will recommend that the Commission delegate authority to a three-person subcommittee of the Rules Committee to recommend any appropriate changes to the indigency standards

used in the IOLTA statute. This would permit this recommendation to come before the Board in January. With Board approval, legislative advocacy could begin by early 2021. Staff will report at the upcoming Commission meeting on the complex picture described by current data analysis and projections, and will survey the legal services community for their preferences regarding these options.

Committee members Al-Sarraf, Meeker, and Blakemore were recommended for appointment to a subcommittee that would be authorized to make recommendations to the Board on the Commission's behalf regarding possible changes to statutory indigency levels.

D. Discuss Process for the Administration of Provisional Licensed Attorney Grant Awards

After discussion, the Committee agreed to recommend to the full Commission that staff lead the development of the process for administering the new opt-out funding for provisional licensees, with oversight from this committee. Applications and administration should be streamlined to the extent possible but if the work becomes too much for this committee, a new dedicated committee could be formed. A motion will be prepared for the Commission's vote so applications can be drafted and distributed promptly.

E. Discuss 2021 Legal Services Trust Fund Commission Priorities

The Committee discussed the Commission's priorities for the coming year. Discussion addressed the following issues and ideas:

Committee members expressed the belief that the Commission's role in reviewing applications might be facilitated if these materials were redesigned to provide key data about budget, staffing, and activities first, followed by supporting details and materials.

Another proposal that the committee thought might assist the Commission in its work, would be to meet every two or three years with representatives from grantee organizations, the State Bar Board of Trustees, and members of COAF and the Judicial Council, for unstructured dialogue about issues of mutual concern or interest. Open conversation would inform the Commission and broaden its perspective. Such summits might also help other stakeholders better understand how the Commission sees and does its job.

Numerous ideas were discussed to improve the consistency and value of evaluations and reporting. Evaluation templates could be expanded to request more, and more specific, information about project performance, particularly in the cases of HP RFP Grants and Partnership Grants. Staff reported that a research analyst from the Judicial Council is providing assistance and sample materials for enhancements to Partnership Grant evaluations, and

improvements to those materials can guide complementary upgrades for evaluation materials for other grant programs. Existing materials are not well-tailored to describe legal support activities as provided by Support Centers; a SC convening might help to develop better tools for these organizations' evaluations and reporting. "Success Stories" from all grantees could be better utilized if they were better organized. Communications would also be assisted by an update to the Impact Report, which would also help the Commission with its planning and policy work. Going forward, the Commission might wish to prioritize recruitment of individuals with experience in measuring and evaluating impact.

There being no further business before the Committee, the meeting adjourned at 11:00 a.m.