



# The State Bar of California

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## **OPEN SESSION**

### **AGENDA ITEM**

**115 MARCH 2021**

### **BOARD EXECUTIVE COMMITTEE III.B**

**DATE:** March 18, 2021

**TO:** Members, Board Executive Committee  
Members, Board of Trustees

**FROM:** Linda Katz, Principal Analyst, Office of Research & Institutional Accountability

**SUBJECT:** Approval of Addition to 2021 Legislative Priorities

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## **EXECUTIVE SUMMARY**

This agenda item requests that the Executive Committee and Board of Trustees approve one addition to the 2021 legislative priorities: a letter of support for a proposal by the Assembly Judiciary Committee to increase funding for the Equal Access Fund.

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## **BACKGROUND**

In 2018, the Board adopted a new legislative program that established criteria for the Board to consider in taking positions on proposed legislation and in advancing legislative proposals. The purpose of the State Bar's legislative program is to monitor legislative activity, and represent and advocate for the State Bar on legislative, policy, and budget matters before the Legislature and the governor. This agenda item sets forth one addition to the legislative priorities for 2021 that were adopted at the January meetings of the Board Executive Committee and the Board of Trustees.

## **DISCUSSION**

The Board Executive Committee and Board of Trustees approved 2021 legislative priorities at their January meetings. Since then, the Assembly Judiciary Committee submitted a request to the Assembly Committee on Budget seeking a one-time increase of \$20 million to the Equal Access Fund to address the need for legal services created by the COVID-19 pandemic. Allocation of Equal Access Fund money is overseen by the Legal Services Trust Fund Commission and directly relevant to the State Bar's mission of supporting access to legal

services for low- and moderate-income Californians. State Bar staff propose sending a letter to the Chair of the Assembly Committee on Budget in support of increased funding for the Equal Access Fund and adding this to the 2021 legislative priorities of the State Bar.

### **FISCAL/PERSONNEL IMPACT**

None

### **AMENDMENTS TO RULES OF THE STATE BAR**

None

### **AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL**

None

### **STRATEGIC PLAN GOALS & OBJECTIVES**

Goal: 4. Support access to legal services for low- and moderate-income Californians and promote policies and programs to eliminate bias and promote an inclusive environment in the legal system and for the public it serves, and strive to achieve a statewide attorney population that reflects the rich demographics of the state's population.

Objective: a. Support increased funding and enhanced outcome measures for Legal Services.

### **RECOMMENDATIONS**

**Should the Board Executive Committee concur in the proposed action, passage of the following resolution is recommended:**

**RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees approves adding support for additional funding for the Equal Access Fund to the State Bar's 2021 legislative priorities.

**Should the Board of Trustees concur in the proposed action, passage of the following resolution is recommended:**

**RESOLVED**, that the Board of Trustees, upon recommendation of the Board Executive Committee approves adding support for additional funding for the Equal Access Fund to the State Bar's 2021 legislative priorities.

### **ATTACHMENT(S) LIST**

- A. Draft letter of support for Assembly Judiciary Committee proposal



# The State Bar *of California*

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ATTACHMENT A

March 18, 2021

Honorable Phil Ting  
Chair, Assembly Budget Committee  
State Capitol  
Sacramento, CA 95814

RE: Legal Service Funding – Equal Access Fund

Dear Assemblymember Ting:

I am writing on behalf of the State Bar of California to support increased funding for critically needed legal services. Specifically, an increase to the Equal Access Fund, which provides critical funding to legal service organizations to provide direct services to low-income Californians.

As you may already know, the demand for these services has grown substantially as a result of the COVID-19 pandemic. Yet the primary source of funding for legal services—Interest on Lawyers' Trust Accounts (IOLTA)—has declined precipitously because of the drop-in interest rates. The result will be a dramatic reduction in legal services funding available to assist low-income Californians at precisely the time when it is most needed.

Prior to the pandemic, the State Bar anticipated receiving \$55 million in IOLTA revenue this year; we now expect the total revenue to be less than half that amount, only \$26 million. At the same time, we are facing a surge in the need for legal services in the areas of unlawful evictions, employment, health and insurance, and domestic violence.

The State Bar strongly supports the Assembly Judiciary Committee's request for at least \$20 million for the Equal Access Fund and believes that this is the minimum necessary to address these needs. While we acknowledge the delicate budget situation the state faces and the shared sacrifice that will be required, we also believe that funding for legal services is critical to supporting low-income Californians who have been disproportionately impacted by this crisis.

Thank you for your consideration of this vital budget request.

Sincerely,

Sean SeLegue  
Chair, Board of Trustees  
The State Bar of California

cc: Genevieve Morelos, Consultant, Assembly Budget Subcommittee #4 on State Administration