



Date: July 16, 2021

To: Members, Legal Services Trust Fund Commission Eligibility & Budget Review Committee

From: Erica Carroll, Senior Program Analyst

Subject: 2022 IOLTA/EAF Application Review

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### EXECUTIVE SUMMARY

Interest on Lawyers' Trust Accounts (IOLTA) and Equal Access Fund (EAF) grants are awarded to approximately 100 qualified legal services projects (LSP) or support centers (SC) each year to support the provision of free civil legal aid in California to indigent persons, or in the case of SCs, the provision of legal training, technical assistance, and advocacy support to LSPs. These grants must comply with criteria set forth in Business & Professions Code sections 6210-6228, State Bar Rules, and Eligibility Guidelines for Legal Services Projects and Support Centers. As part of the application review process, the Eligibility & Budget Review Committee (Committee) addresses questions related to whether applicant organizations should be recommended as eligible for funding and at what level.

To receive IOLTA/EAF funding, an organization must meet the "primary purpose" test. An organization is presumed to meet that test where 75 percent of its expenditures in the previous fiscal year is devoted to providing free legal services for indigent Californians (for LSPs) or for training and other services to support such projects (SCs).<sup>1</sup> Where an organization's indigent legal services or support services expenditures do not meet the 75 percent threshold, the Legal Services Trust Fund Commission (LSTFC) can approve funding, but the Committee independently examines the claimed expenditures to confirm they are for the purpose stated and are in a percentage sufficient to satisfy the primary purpose test.<sup>2</sup> Related to primary purpose and eligibility determinations, the Committee addresses questions of what constitutes "legal services," which in turn can impact qualifying expenditures.

An additional pro bono allocation is available to LSPs who recruit "substantial numbers of [volunteer] attorneys" and whose "principal means" for the delivery of legal services is through

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<sup>1</sup> Business and Professions Code sections 6213(a) and (b), and Rules 3.671(A) and (B) of the Rules of the State Bar.

<sup>2</sup> Historically, the Commission has not approved an organization with qualified expenditures below 50 percent.

pro bono attorneys who provide free legal representation to indigent persons or to qualified legal services projects in California (Business and Professions Code section 6216(b)(1)(B)).

The LSTFC has delegated authority to the Eligibility & Budget Review Committee to make decisions regarding these questions during the application review period. This memo will address the following three issues: (1) Organizations failing to meet the presumption of primary purpose and function, (2) Organizations wishing to include certain activities as part of their legal services work, and (3) Organizations seeking to qualify for the pro bono allocation through a narrative response rather than a numeric test.

## **BACKGROUND**

### **Presumption of Primary Purpose and Function**

Business and Professions Code section 6213(a) requires a QLSP to have as its “primary purpose and function providing legal services without charge to indigent persons.” LSPs may apply for funding in each county in which they provide these services. IOLTA and EAF grant amounts are based on an LSP’s qualified expenditures (the amount spent on the delivery of free civil legal aid to eligible individuals) from the previous fiscal year in each county for which it is applying for funding. In addition, if an LSP’s principal means of service delivery is through pro bono volunteers, it may apply for an additional pro bono allocation for those counties.

Business and Professions Code section 6213(a) requires Support Centers to have as its “primary purpose and function the provision of legal training, legal technical assistance, or advocacy support without charge and which actually provides through an office in California a significant level of legal training, legal technical assistance or advocacy support without charge to qualified legal services projects on a statewide basis in California.” SCs apply for IOLTA and EAF grants on a statewide basis. The total amount of IOLTA and EAF funds available for distribution to SCs each year is determined by the IOLTA formula. That total amount available is then split equally among all eligible SCs.

State Bar Rules 3.671(A) and 3.671(B) state that a QLSP or Support Center is presumed to have established its primary purpose and function if 75 percent or more of its expenditures for the most recent reporting year is designated to provide free legal services to indigents or support services, respectively. State Bar Rule 3.671(C) allows an applicant that does not meet the 75 percent presumption to demonstrate it meets the primary purpose and function “by other means.” In those instances, applicants provide a narrative to demonstrate how they meet primary purpose and function by other means. Office practice has been to deem organizations with qualified expenditures at or above the 75 percent threshold as having met the primary purpose requirement while those falling below 75 percent are elevated to this Committee for further review.

### **Activities Considered “Legal Services”**

State Bar Rule 3.672 provides the definition of “legal services” (“professional services provided by a licensee of the State Bar and similar or complementary services of a law student or paralegal under the supervision and control of a licensee of the State Bar in accordance with law”). Work performed that did not contribute to the delivery of legal services to indigent persons would need to be deducted on the IOLTA/EAF application as a non-qualifying expenditure.

In cases where there is a request to include certain activities that fall outside the traditional definition of “legal services” as part of the organization’s qualified expenditures, staff elevates these proposals to the Committee for review. A frequent example from prior years’ applications is whether activities of a staff social worker should qualify under “legal services.” Office practice—which has evolved based on feedback and prior decisions from this Committee—has been to consider these activities as legal services to the extent that the services are directly tied to the organization’s legal outcomes. In contrast, if the social work activities are ancillary or occur after the legal matter has concluded, they would not count as legal services. Whenever a new activity is proposed as part of an organization’s legal services, staff brings the request to the Committee for similar consideration and analysis.

This year, there is a request to consider rental assistance as legal services. Staff believes this is an activity that has not been reviewed by the Committee in the past and seeks guidance.

### **Pro Bono Allocations**

The IOLTA formula includes an additional allocation (10 percent of the funds in each county) for LSPs that recruit “substantial numbers of attorneys in private practice to provide free legal representation to indigent persons or to qualified legal services projects” as their “principal means” of delivering legal services. (Business and Professions Code sections 6214(b)(3)(A) and 6216(b)(1)(B).) This is commonly referred to as the “pro bono allocation.” The pro bono allocation also allows organizations that qualify for it to use higher income eligibility thresholds for services. (Business and Professions Code section 6213(d); see Attachment A.)

The Legal Services Trust Fund Program Eligibility Guidelines for Legal Services Projects (Guidelines) summarize the requirements for applicants to demonstrate their eligibility for the pro bono allocation. Applicants must demonstrate that they recruit “substantial numbers” of attorneys and meet a minimum threshold of 30 volunteer attorneys, or five percent of the attorneys in the county in which the organization operates, or at least 1000 hours in donated attorney time.

If the applicant satisfies the threshold requirement for substantial numbers, it must then demonstrate its “principal means” of service delivery is through pro bono by meeting one of three tests (Tests A, B, or C) in each county where the applicant requests the allocation. The applicant can:

- (A) confirm that the number of service hours provided by volunteer attorneys exceeded the number of service hours worked by staff attorneys in the previous calendar year;
- (B) establish through a formula involving volunteer attorney and paralegal hours compared with staff attorney and paralegal hours that they meet the requirements. The applicant must show:
  - (1) that the attorneys recruited actually provided substantial free civil legal services;
  - (2) that the combined number of hours of service by volunteers, both attorneys and paralegals, exceeds the combined number of hours of service by staff attorneys and paralegals; and
  - (3) that the number of hours of service by volunteer attorneys is more than half as many as the combined number of hours of service by staff attorneys and paralegals; or
- (C) provide a narrative explanation for its method of calculating the delivery of services through volunteer attorneys. (Eligibility Guidelines for Legal Services Projects, Guideline 2.9.)

## **DISCUSSION**

### **Presumption of Primary Purpose and Function**

The following three QLSP applicants reported qualified expenditures that fall below the 75 percent presumption to establish primary purpose and function. Narrative explanations appear in Attachment B.

1. Catholic Charities Diocese of San Diego: 12.56 percent
2. East Bay Family Defenders: 64 percent
3. Family Violence Law Center: 64.69 percent

Staff recommends finding that Family Violence Law Center has established its primary purpose based on the narrative explanation provided. Both Catholic Charities and East Bay Family Defenders are slated for Eligibility Review Conferences (ERCs), and part of that analysis will include determining whether these organizations are correctly calculating their qualified expenditures. Thus, staff recommends deferring the primary purpose determination for those

organizations until there is an opportunity to report back to the rest of the Committee after the ERCs.

### **Activities Considered “Legal Services”**

Eviction Defense Collaborative (EDC), a current grantee, provides cash assistance to clients through a rental assistance disbursement component (RADCo) program. The actual cash distributed is not included in the organization’s qualified expenditures. In past applications, EDC has also deducted expenditures related to staff time spent administering RADCo funds. However, for the 2022 IOLTA/EDC application, which is based on 2020 expenditures, EDC opines that its staff work related to this program should fall under the definition of “legal services.” This opinion depends, at least in part, on the involvement of the Director of Litigation and Policy in administering the program during the COVID pandemic, as well as the potential for the program to directly impact legal outcomes (e.g. avoiding eviction, negotiating settlements, etc). EDC’s full rationale appears in Attachment C.

As this particular question has not been addressed by the Committee previously, staff does not have a recommendation and defers to the Committee.

### **Pro Bono Allocations**

As indicated above, an additional pro bono allocation is available to grantees whose “principal means” for the delivery of legal services is through pro bono attorneys who provide free legal representation to indigent persons or to qualified legal services projects in California (Business and Professions Code section 6216(b)(1)(B)).

Nineteen applicants seek the pro bono allocation for grant year 2022, some in multiple counties. Of the 19 applicants, 17 receive the pro bono allocation in 2021. (Learning Rights Law Center and Legal Aid Society of San Bernardino do not.)

#### **A. Threshold Eligibility for Pro Bono for Allocation Applications**

The Guidelines sets forth the criteria for LSPs to qualify for pro bono allocations. The Commentary in Guidelines 2.6.3.1 requires that applicants meet a threshold test to qualify for the pro bono allocation. The threshold requires the applicant to have “recruited at least 30 attorneys who provided services in the previous calendar year,” or the applicant to have “recruited at least 5 percent of the licensed attorneys in the county in the previous calendar year,” or that the attorneys recruited “donated at least 1,000 hours of legal services for clients in the previous calendar year.”

Inland Empire Latino Lawyers Association, Inc. (IELLA) and Legal Aid of Sonoma County (LASC) failed to meet this threshold test in their 2022 IOLTA/EAF applications. Due to this, LASC did not seek an allocation but reported to staff that it would have applied under Test C had it met the substantial numbers threshold. The organization has received the pro bono allocation under Test C in the past, including this year.<sup>3</sup>

Despite failing to meet the substantial numbers threshold, IELLA submitted a Test C narrative for Riverside and San Bernardino counties, which is included in Attachment E, but staff recommends finding IELLA ineligible for the pro bono allocation in 2022 due to its inability to meet the substantial numbers test.

#### **B. Test C for Pro Bono Allocation Applications and Staff Recommendations**

If an applicant answers affirmatively to the initial pro bono threshold question, the commentary in Guidelines 2.9.2 sets forth the additional requirement that the applicant utilizes private attorneys as their principal means to provide legal services. Applicants that meet Tests A or B—the numeric tests described in the Background section—do not require Committee review; it is longstanding office practice that only applicants requesting an allocation under Test C are elevated to the Committee.

There are six programs that meet the threshold requirement and qualify for the pro bono allocation under either Test A or Test B. These organizations are therefore deemed eligible for the allocation and do not require Committee review. (See Attachment D for a full list of pro bono allocation applicants and the counties for which they are requesting an allocation.)

Thirteen applicants have applied for the pro bono allocation under Test C. The narratives they submitted in their applications explaining how pro bono is their principal means of service delivery are in Attachment E. Staff recommends that nine of these twelve organizations be deemed eligible for a pro bono allocation and one deemed ineligible for the allocation. Staff defers to the Committee regarding the remaining two applicants.

#### **CONCLUSION**

In summary, staff recommends that the Committee take the following actions:

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<sup>3</sup> The LSTFC's Rules Committee, which is leading the effort to codify grant administration practices and policies, has questioned the substantial numbers test and its efficacy; the test leaves no flexibility to consider applications that fall short in a given year, as was the case with IELLA and LASC this application cycle. The Rules Committee's tentative recommendation was to eliminate this threshold test and establish recruitment of substantial numbers through other information provided in the application, subject to further research about the implications of such a change. This recommendation has not yet been reviewed or approved by the LSTFC. Thus, staff recommends adhering to the current requirements unless and until there is a formal change to the Eligibility Guidelines.

- Primary Purpose:
  - Find that Family Violence Law Center has established its primary purpose and function through its narrative explanation provided, thus allowing the application to proceed to a final eligibility determination
  - Defer consideration of Catholic Charities Diocese of San Diego and East Bay Family Defenders' primary purpose until after their respective Eligibility Review Conferences
- Activities Considered "Legal Services":
  - No recommendation. Staff defers to the Committee on this question.
- Pro Bono Allocations:
  - Find the following organizations eligible for the pro bono allocation in 2022 under Test C analysis:
    - Bet Tzedek
    - Casa Cornelia
    - Harriett Buhai Center for Family Law
    - Justice and Diversity Center of the Bar Association of San Francisco
    - LACBA Counsel for Justice
    - Legal Aid Society of San Bernardino
    - Public Counsel
    - Public Law Center
    - Riverside Legal Aid
    - Veterans Legal Institute
  - Find the following organizations ineligible for the pro bono allocation in 2022 under the Test C analysis:
    - Inland Empire Latino Lawyers Association, Inc.
  - Staff defers to the Committee regarding the following two Test C applications:
    - Disability Rights Legal Center
    - Learning Rights Law Center

## ATTACHMENTS

- A. Governing Authorities: [IOLTA statute](#) (Business & Professions Code sections 6210-6228); [Rules of the State Bar](#); Eligibility Guidelines for [Legal Services Projects](#) and [Support Centers](#)
- B. Organizations with Qualified Expenditures Falling Below 75 Percent Presumption
- C. Eviction Defense Collaborative's Request for Rental Assistance Disbursement Component (RADCo) Services to Be Considered Qualifying Legal Services
- D. All 2022 IOLTA/EAF Applicants for Pro Bono Allocation
- E. Test C Narratives for Pro Bono Allocation

**Organizations with Qualified Expenditures Falling Below 75 Percent Presumption – Narrative  
Explanations Regarding the Primary Purpose Requirement**

**1. Catholic Charities Diocese of San Diego, 12.56%**

CCDSD conducted 2,253 legal consultations/screenings and from that a total of 2,141 cases were retained. CCDSD uses a sliding scale for the indigent persons served. CCDSD uses donations and other funding sources to offset the cost to our agency to serve this population.

**2. East Bay Family Defenders, 64%**

The core purpose of East Bay Family Defenders' representation of parents and children is to effectuate CA Welfare & Institutions Code 317, which provides for court-appointed counsel to parents and children who wish for counsel but are "financially unable to afford and cannot for that reason employ counsel." Currently, Alameda County Juvenile Court has opted out of financial screening and the reimbursement process provided for by the Judicial Council of California to recoup costs of representation to non-indigent clients. Therefore, approximately 36% of our new clients since July 1, 2020, are non-indigent. Our civil legal services, nonetheless, are primarily geared toward the representation of indigent clients. Our holistic model of representation focuses on ensuring that poverty-based needs are addressed and that low-income families are able to secure resources to stabilize their families and exit the child welfare system. About 70-80% of our cases involve neglect allegations, which largely stem from poverty. Therefore, our most common work out of court with clients is to assist them with: securing shelter, transitional housing, housing subsidies, and public housing; obtaining benefits; completing their high school or college education; enrolling in residential treatment or day treatment programs that are MediCal funded; engaging in publicly-funded therapeutic and health programs; and securing subsidized childcare. The design of our program is to equip low-income parents for exiting a child protective system that is not designed to address poverty-based needs. A significant number of our clients are also criminal-system-involved, warranting a tremendous amount of work to ensure their access to dependency court and to assist with their needs upon reentry into their community. For all of these reasons, our primary purpose remains holistic representation of indigent clients.

**3. Family Violence Law Center, 64.69%**

FVLC tracks expenditures in three different program areas: Legal Services including non-lobbying policy and advocacy work, Family Violence Intervention Unit, and Youth Services . FVLC also tracks expenditures related to Management & General and Fundraising activities on an ongoing basis.

We calculated qualified expenditures using the following methods:

Unqualified expenditures in Legal Services include \$571,192 in subgrantee expense pass-throughs for fiscal year 2019-20 to Bay Area Women Against Rape, the Alameda County Family Justice Center and Centro Legal de la Raza, under the federal LAV grant; from the CalOES Legal grant Centro Legal de la Raza's expenses as a partner; Legal Access Alameda's subgrant through the Equal Access Fund Partnership Grant and to our CalWORKS Domestic Violence Collaborative subgrantees. We received funding for legal services under the CalWORKS Domestic Violence Collaborative and are the lead agency, so the grant falls in our legal department budget but the subcontractors primarily are shelter providers. We also included lobbying expenses for legal staff of \$4082 and the 19% of legal expenditures for our



legal clients who were not income qualified. We also removed the \$29,999 of in-kind goods and services expense incurred by the legal department.

The Family Violence Intervention Unit (FVIU) includes two managers, five crisis intervention specialists and two case managers who review police reports and provide case management support to victims identified in the reports. Upon advice from State Bar staff, we took the percentage of client time FVIU spent with legal clients, averaged FVIU staff percentages, and applied the averaged percentage to FVIU expenses. 86.5% of their time is spent directly supporting clients with active legal cases or serving the agency's legal intake function, which includes providing legal information and legal assessment to clients. FVLV considered the 13.5% on non-legal time as unqualified; all expenses incurred by the Mobile Response Team and the Client Access Fund (\$301,084) are considered unqualified as are lobbying expense of \$2482 and \$14378 of in-kind goods and services. In addition, from mid-March 2020 through June 30, 2020, we served 4% more legal clients, 10% more Mobile Response Team clients, and 37% more clients overall than in the same period for the previous fiscal year. Due to the sharp increase in clients with immediate crisis needs arising from the COVID-19 pandemic and related economic instability, our non-attorney staff spent less time with legal clients during those last few months than they would have during a "normal" year. In spite of this difference, our qualified expenditures are only a few percentage points lower than they were in our last application.

FVLC also employs a part-time therapist who provides ongoing counseling and support to clients and their children. Both FVLC attorneys and therapists have seen improved legal outcomes among clients receiving therapy. The emotional support received has increased clients' abilities to follow through with the legal process during the difficult period of separation and legal proceedings. Approximately 50% of the therapeutic hours were spent directly supporting clients with active legal cases with the balance of \$13,707 included as unqualified.

Youth Services provides youth leadership development to high school aged youth. Approximately 5% of Youth Services staff time is spent providing legal information to youth, who have questions about restraining orders and general questions about their legal rights. Youth Services staff uses FVLC attorneys as resources for legal information and supports legal staff when a legal client is a minor. Grant related pass-throughs for Youth Program grant are considered unqualified.

FVLC's primary purpose continues to be providing access to comprehensive legal services that will help domestic violence survivors achieve long-term safety and self-sufficiency. Although our qualified expenditures in FY 2019-20 are under the 75% presumption, we believe that we are a qualified provider for the Legal Services Trust Fund IOLTA Program for the following reasons:

Legal Services are Essential to FVLC's Mission: FVLC was founded in 1978 as a legal service agency serving victims of domestic violence, and our core program continues to be the delivery of legal services. We are the only domestic violence agency in Alameda County that provides free representation in civil legal proceedings. We have an attorney at our helm and 85% of our Board of Directors are attorneys.

FVLC's Legal Services are a Critical Service at the ACFJC and throughout Alameda County: Since the establishment of the Alameda County Family Justice Center (ACFJC) in August 2005, FVLC has been the primary onsite provider of free civil legal services to clients seeking assistance with domestic violence restraining orders. FVLC staff accepts warm referrals and responds to drop-in clients who request legal assistance. In Alameda County, only two legal services agencies' staff attorneys provide family law representation – Bay Area Legal Aid and FVLC. Together we are able to cover only a fraction of the need,

but we are in close communication so we can coordinate our limited resources to provide the best possible legal assistance to domestic violence survivors most at risk.

**Legal Services Provision Continues to Expand:** We currently have five full time staff attorneys, in addition to the managing attorney, and our Executive Director who is an attorney. Our staff attorneys, with the continued support of volunteer attorneys, have continued (virtually since March 2020) our legal clinics in Oakland and Hayward with funding from the Trust Fund's Equal Access Partnership Fund for the Hayward clinic. FVLC now offers a weekly family law clinic to address the legal needs of clients who are not actively seeking a restraining order. With funding from the Office of Violence Against Women's Legal Assistance for Victims Grant Program (LAV) and now also funding from California Office of Emergency Services, we have been able to provide limited family law assistance beyond or independent from restraining orders. The LAV grant focuses on serving sexual assault victims, including people who experience sexual assault as part of an intimate partner relationship. Both grants also allow us to partner significantly with Centro Legal de la Raza, who receives close to half of each grant as a subgrantee; together we have developed screening tools that allow us to identify the comprehensive legal needs of domestic violence and sexual assault victims. FVLC has also taken steps to incorporate housing work into our model in order to address the incredible need for those services in Alameda County. FVLC receives Housing First funds from CalOES, which has allowed us to offer in-house housing law services into our model, including representation in Unlawful Detainer matters and in landlord negotiations, etc., and the Equal Access Fund Homelessness Prevention grant expanded our capacity further by adding to our housing legal team. With our State Bar bank grant, we launched our policy and advocacy work focusing on housing and gender justice issues. Since receiving the bank grant in 2018, we have expanded funding for this project and are advocating to improve the lives of survivors facing housing issues on the local and statewide levels.

**FVLC Continues to Fundraise for Legal Services:** FVLC is continuing our commitment to raising funds to support our legal services work. We apply for government and foundation funding when opportunities arise and we continue to seek out new opportunities, building on our existing relationships with funders. However, government and foundation resources continue to be limited. With the addition of more lawyers on our Board of Directors (currently 11 of our 13 directors are lawyers) we have increased the number of law firm donations we receive and we are building our base of individual donors. In addition, FVLC has begun offering a quarterly dissolution clinic, staffed by law firm volunteers whose firms make a financial contribution to FVLC in advance of the clinic, with the intention of not only providing more comprehensive services for our clients but also to develop a stronger legal donor base.

**FVLC is a Leader in the Domestic Violence Legal Services Community:** FVLC is a leading member of the county's Family Violence Council, which meets quarterly to link stakeholders such as judges, Family Court Services, and service providers to address systemic issues, and FVLC's Managing Attorney regularly serves on the committee that creates our annual legal training event; in 2020, the Managing Attorney moderated a panel comprised of bench officers, Child Protective Services, and other service providers to address legal issues exacerbated by the COVID-19 pandemic. FVLC also serves on the Community Projects Committee, where legal service and court managerial staff work together to remedy gaps in services. FVLC attends the Bay Area's DV Legal Roundtable, a forum for members of the private and public bar who counsel survivors in domestic violence and family law matters, and the statewide Title IX Collaborative. During the pandemic, FVLC participated in virtual meetings/town halls with family and housing law judges to inform procedural changes resulting from the shift to virtual hearings.

FVLC's Executive Director, Erin Scott, is a prior board chair of the California Partnership to End Domestic Violence and prior board member of the Family Violence Appellate Project, and continues to be active in statewide legal and policy issues impacting domestic violence survivors. Both Ms. Scott and Managing Attorney Stephanie Penrod were fellows in the One Justice Executive Fellowship program for legal services leaders in California.

FVLC's Integrated Service Delivery Model Supports Successful Legal Outcomes: Finally, integration of services is an important component of FVLC's legal services model: our clients receive legal services in combination with other assistance. To support our primary purpose of providing legal services to domestic violence survivors, FVLC provides critical social and mental health services, such as emergency housing and relocation services, and help applying for financial assistance. These services help to stabilize and support victims of domestic violence during a time of extreme crisis. Our data indicate that this service delivery model makes it significantly more likely that our clients will follow through in obtaining a protective order and other family law or housing orders.

We respectfully request that this integrated legal service delivery model, along with our 40 year history as a legal service provider, be considered when determining our eligibility.

**Eviction Defense Collaborative's Request for Rental Assistance Disbursement Component (RADCo)  
Services to Be Considered Qualifying Legal Services as Part of Its 2022 IOLTA/EAF Application**

**Narrative from Form VIII of Eviction Defense Collaborative's application:**

During 2020 the distribution of rental assistance funds was conducted in conformity with the direct guidance and advice of EDC's Director of Litigation and Policy (DLP). The DLP provided ongoing analysis and interpretation of the myriad federal, state, and local moratoria and law, with the aim of ensuring that RADCo assistance provided would ensure tenants receive the minimum funds necessary to avoid immediate eviction once the protections were lifted. For this reason, in 2020, EDC's Rental Assistance Program (RADCo) became an embedded part of EDC's legal service work. During the COVID pandemic, all of the loans and grants provided by RADCo were provided in conformity with the instructions of EDC's Director of Litigation and Policy. The DLP's analysis and instructions would change as a result of each new/expiring moratorium. For this reason, EDC posits that the services provided by RADCo under the instructions of the DLP constitute legal services. Because RADCo has been working in eviction defense in consort with EDC legal services, RADCo staff are essential to eviction defense work and homelessness prevention in general. RADCo staff often negotiate/advocate with landlord attorneys when our clients are in an Unlawful Detainer, advocating for them to accept a payment and dismiss the case, even if it's already gone as far as a Notice to Vacate. RADCo staff also speak with Property Managers and their attorneys to convince them to give the tenant another chance and accept payment. RADCo's integration into EDC's legal services has made them a critical component for the successful implementation of TRC. This integration has included: RADCo's staff receive regular trainings and consultations with the Director of Litigation and Policy to help them understand the implications and legal effects of the assistance they provide, both generally and in relation to specific client cases. These trainings have become essential to RADCo's work, especially as the law keeps changing. Each of the TRC LSOs have been assigned a RADCo liaison to help ensure housing preservation for clients already in litigation. EDC's litigation team also works closely with RADCo staff when caseloads overlap. RADCo staff attends judicial settlement conferences, as needed, to help determine the intersection between available rental assistance, litigation theories, and settlement options. EDC determined this amount by deducting the cash disbursement amounts from the agency's expenses. We then multiplied the remainder by 18% which reflects the agency-wide percentage of non-indigent clients served.

## 2022 IOLTA/EAF Pro Bono Allocation Applicants

Number	Program Name	County	Test A	Test B	Test C
1	Alliance for Children's Rights	Los Angeles	YES	NO	
2	Bet Tzedek Legal Services	Los Angeles	NO	NO	See narrative
3	Capital Pro Bono Inc.	Sacramento	YES	YES	
4	Casa Cornelia Law Center	San Diego	NO	NO	See narrative
5	Community Legal Services in East Palo Alto	San Mateo	YES	NO	
	Community Legal Services in East Palo Alto	Santa Clara	YES	NO	
6	Disability Rights Legal Center	Los Angeles	NO	NO	See narrative
7	Harriett Buhai Center for Family Law	Los Angeles	NO	NO	See narrative
8	Inland Empire Latino Lawyers Association, Inc.	Riverside	NO	NO	See narrative-- doesn't meet threshold
	Inland Empire Latino Lawyers Association, Inc.	San Bernardino	NO	NO	See narrative-- doesn't meet threshold
9	Justice & Diversity Center of the Bar Association of San Francisco	San Francisco	NO	NO	See narrative
10	LACBA Counsel for Justice	Los Angeles	NO	NO	See narrative
11	Lawyers' Committee for Civil Rights	Alameda	NO	YES	
	Lawyers' Committee for Civil Rights	Contra Costa	YES	YES	
	Lawyers' Committee for Civil Rights	Kern	YES	YES	
	Lawyers' Committee for Civil Rights	Marin	YES	YES	
	Lawyers' Committee for Civil Rights	San Francisco	YES	YES	
	Lawyers' Committee for Civil Rights	San Mateo	YES	YES	
	Lawyers' Committee for Civil Rights	Santa Clara	YES	YES	
	Lawyers' Committee for Civil Rights	Yuba	YES	YES	
12	Learning Rights Law Center	Los Angeles	NO	NO	See narrative
	Learning Rights Law Center	Ventura	NO	NO	See narrative
13	Legal Access Alameda	Alameda	YES	YES	
14	Legal Aid Society of San Bernardino	San Bernardino	NO	NO	See narrative
15	Public Counsel	Los Angeles	NO	NO	See narrative
16	Public Law Center	Orange	NO	NO	See narrative
17	Riverside Legal Aid	Riverside	NO	NO	See narrative
18	San Diego Volunteer Lawyer Program	San Diego	YES	YES	
19	Veterans Legal Institute	Los Angeles	NO	NO	See narrative
	Veterans Legal Institute	Orange	NO	NO	See narrative

## 1. Bet Tzedek Legal Services

**County:** Los Angeles

**Staff Recommendation:** Eligible

### Test C Narrative:

Bet Tzedek was conceived and established as a volunteer-led response to a housing crisis in the early 1970s. Since that time, we have maintained an unwavering commitment to engaging large numbers of volunteers and pro bono attorneys to provide legal services to those most in need. Our commitment to pro bono service is reflected throughout the agency. No Bet Tzedek program functions without engaging volunteers as a core and essential resource. One of the six core performance metrics of our annual performance evaluations includes an assessment of each staff member's involvement in pro bono/volunteer engagement.

Our three-person Pro Bono Department (Director of Pro Bono Programs, Pro Bono Clinics and Community Outreach Coordinator, and In-House Volunteer Coordinator) is dedicated to ensuring that pro bono services are Bet Tzedek's principal means of providing legal aid to the community. Each member of our Pro Bono department brings a specific focus to developing programs that engage others in meeting client and community needs.

Our Director of Pro Bono Programs, in addition to developing and overseeing agency-wide pro bono policy, provides a deep, primary focus on recruiting pro bono volunteers from the private bar. Bet Tzedek currently partners with nearly every major national law firm having a Los Angeles-based office; a full and growing spectrum of other firm types, from midsize to boutique to solo practitioners; and an ever-increasing number of corporate law departments and in-house attorneys. By building upon our extensive network of well-maintained professional relationships, we are increasingly able to strategically place cases with subject-area experts – which is critically important as we move to serve more “niche” and historically underserved communities, including transgendered individuals, minority-owned businesses developing high-tech services, and abused seniors with estate planning concerns, to name just a few examples. In addition, thanks to our robust connections with subject area experts, Bet Tzedek now has programs wherein services are delivered almost completely by pro bono attorneys. This success is particularly notable in our Small Business Development program, where pro bono attorneys are exclusively responsible for providing one-on-one legal services to our clients.

Indeed, it is important to note that in 2020 Bet Tzedek continued its marked trend of placing increasing numbers of individual matters for pro bono representation with law firm and corporate counsel volunteers. In 2018, we placed 183 pro bono matters, roughly consistent with the number of placements in the prior two years. In 2019, we placed 275 matters with pro bono representation—more than ever in our history. In 2020, we broke that record by placing 351 matters. This is a 28% increase over the previous year—and a nearly twofold increase over 2018.

Bet Tzedek's increasing success placing matters with pro bono in recent years is belied by the fact that, during the same timeframe, the number of pro bono hours has declined or remained static. The 183 pro bono matters placed in 2018 yielded approximately 26,000 pro bono hours from attorneys. In 2019, although we matched 275 matters with pro bono attorneys, that effort generated just shy of 19,000 pro

bono hours. In 2020, despite a record number of pro bono placements, the number of hours held steady at just over 19,600.

Bet Tzedek is of the opinion that the number of matters placed with pro bono tells a story of increasing – not decreasing – reliance on pro bono services, and of increasing – not decreasing – community impact by our pro bono program. This was especially true in 2020, when many client matters were high on urgency but required relatively few pro bono hours to resolve. Clients facing emergency legal issues related to employment, immigration, or the survival of their small business, for example, were connected to pro bono volunteers who provided rapid expert assistance.

Our analysis of the trend of decreased or static hours coinciding with increased case placements indicates that the matters being placed are resolved relatively quickly, resulting in fewer hours being generated. This aligns with our experience in recent years that law firm volunteers prefer to assist in simpler, easier to revolve individual matters, such as providing advice and counsel and brief services, and are more reticent to undertake representation in larger, more complex pieces of litigation. The result of this industry trend is that Bet Tzedek has placed fewer cases that generate a large number of pro bono hours, despite our Pro Bono Director's success in increasing pro bono placements even during this extraordinarily turbulent year.

It is important to note that in some ways, this trend reflects a theory of how pro bono volunteers can best partner with legal services agencies. Agencies like Bet Tzedek train volunteers to assist with matters using strategies such as providing CLEs, providing access to manuals and sample materials, and providing mentorship. These trainings are all based on a model or “typical” case. It is such cases that are usually placed with volunteer attorneys and, based on the analysis of the data we have collected, these cases are often resolved relatively quickly. This strategy then affords Bet Tzedek's staff the capacity to handle more complex matters. The complexity may be related to the facts and law involved in a case, the presence of pending deadlines, or the fact that from a client management perspective the client requires special attention that is best provided by a seasoned staff attorney. Bet Tzedek staff are able to handle these matters precisely because volunteer attorneys are willing to take on the less complex matters. This does not mean that Bet Tzedek does not place complex cases with volunteers. Our agency regularly places complex real estate fraud matters with volunteers, for example. The overall trend, however, is for firms to volunteer for less complex cases.

As we reported in last year's application, we believe the trend toward law firms – and in particular, law firm associates, who represent the bulk of volunteers taking on pro bono representation – taking smaller cases that generate fewer hours is in part a reflection of shifting law firm priorities. 2018 and 2019 saw rapidly changing and destabilizing federal policies, particularly in the areas of immigration, census planning, voting rights, and other civil rights areas. These changes drove many of our traditional “Big Law” pro bono partner firms to devote more time to federal-level impact litigation, which is not in our purview. Additionally, in 2020, we witnessed some firms contracting in anticipation of the economic impact of COVID-19, coupled later in the year with an across-the-board increase in billable time being dedicated to paid clients. Many firms represented on Bet Tzedek's board, for example, ultimately reported higher than ever billable hours in 2020, leaving little room for robust pro bono assistance. When these firms did allocate pro bono resources in 2020, those resources largely went to election protection and civil rights advocacy in the wake of the George Floyd murder and the resulting protests. Bet Tzedek applauds the effort to support civil rights and the larger move to help address structural

racism in our country. Our ongoing work is to help law firms understand that direct representation – such as homelessness prevention work – is in fact civil rights work, addressing the impact of structural racism at the community level.

To successfully adapt to the monumental shifts in client need and in the pro bono marketplace, Bet Tzedek has continued to make a concerted effort to invest in our staff. During 2020, Bet Tzedek staff increased by approximately 13 percent, continuing our trend of expansion over the last five years, with most of our new hires coming straight from law school and the largest share being placed with our Preventing and Ending Homelessness Program (PEHP). A direct result of this expansion trend is that Bet Tzedek’s veteran staff attorneys and supervisors have been asked to spend more of their time training and supervising these less experienced staff attorneys. This has left our most seasoned experts with less time available to supervise pro bono volunteers as we work to build a well-rounded and fully grounded staff which will, in time, have sufficient expertise to supervise additional pro bono attorneys on their own.

Thus, while Bet Tzedek’s staff expansion has been essential to match growing community needs, a direct outgrowth of that expansion is a notable though temporary contraction in our capacity to supervise more complex pro bono matters that fall outside of existing private bar expertise. This is especially true in our PEHP team, which has grown to sixteen members in just four years since its inception, and which works in partnership with other legal service agencies who have expressed similar “growing pains” in their efforts to develop staffing robust enough to support pro bono partnerships. Additionally, our PEHP team provides trauma-informed legal services to individuals experiencing housing insecurity, which requires a special skill set, one that will be sorely needed once the expected post-COVID-19 “eviction tsunami” begins later this summer.

The process of training up the ranks of new attorneys was further slowed by the rapidly shifting state of the law in 2020. For example, during the pandemic, much of our work was in training and mentoring recent hires on understanding the pandemic eviction moratoria and tenant harassment laws. During this time, the agency made a concerted effort to incorporate volunteers in aspects of the advocacy, such as partnering with law firms to provide virtual Know Your Rights clinics and presentations. Because of the moratoria, however, these clinics did not yield a large number of cases for pro bono placement. Now, months later, as more eviction cases are being filed, we have turned to training and mentoring our still relatively new attorneys in the intricacies of litigating eviction matters. This is a dynamic and fast-paced area of litigation, so while we have been able to place some critical matters with pro bono, we have had to spend more time developing a pro bono model that meets the client needs while also creating efficiencies within our agency. For example, we have worked with two law firms to develop a program that will allow law firm associates to co-counsel with Bet Tzedek staff on eviction matters. This is a departure from the traditional model of pro bono placement with the firm having full responsibility for the case under Bet Tzedek’s mentorship and supervision, and thus requires greater planning on Bet Tzedek’s part. Moreover, a co-counseling strategy means greater resources dedicated to each case. We firmly believe, however, that in light of the complexities of these cases, this is the best strategy to produce positive outcomes in the client matters while also promoting the highest likelihood of ongoing pro bono participation.

The second member of our pro bono department is our Pro Bono Clinics and Community Outreach Coordinator. This individual focuses on recruiting, training, and supervising volunteers for each of our



eight clinic programs, which include: 1) Self-Help Conservatorship filings, 2) Small Business Legal Academy, 3) Small Claims guidance, 4) Legal Name & Gender Marker Change, 5) Advance Planning, 6) Elder Abuse Restraining Orders, 7) Workers' Rights, and 8) Housing Rights. These clinics annually bring hundreds of volunteers through our doors (in-person and virtual) to serve thousands of clients.

In recent years, Bet Tzedek has witnessed a trend of attorney volunteers, particularly those from law firms and corporate legal departments, favoring clinic opportunities as their means of engaging in pro bono work. As a result, prior to the pandemic, each of our eight clinics relied extensively on pro bono volunteers to handle intake and on-site services for literally thousands of clinic clients. For example, fully 90% of the workers' rights clients served by us in 2019 first came to us through intake clinics which are typically "staffed" on a 10:1 volunteer-to-staff ratio. Similarly, our monthly transgender legal name and gender marker change clinic was able to serve 20-25 individuals each month only because law firms or corporate legal departments "adopted" each clinic session to deliver 1:1 service to clinic participants under the supervision of our solitary staff member. Our Self-Help Conservatorship Clinic which was "run" by just two Bet Tzedek staff members who managed to provide services at four LA County courthouses (sometimes simultaneously), thanks to dozens of volunteers. Our Elder Abuse Restraining Order clinic benefited from the assistance of at least one volunteer each day, and our monthly Small Claims clinic typically welcomed 10-15 volunteers to support our sole on-site staff member. In short, prior to the pandemic, none of our high-volume clinic work could have been done without pro bono support. Moreover, although clinic work does not require a monumental number of hours, it requires monumental dedication and service by pro bono volunteers, and absolutely yields transformative outcomes in clients' lives.

The impact of the pandemic on Bet Tzedek's clinics, unfortunately, adversely impacted this primary means of pro bono participation. When Bet Tzedek shifted to fully-remote operations in March 2020, one of our first tasks was determining how to transform our clinics, which had all been in person and, indeed, conducted at multiple locations, into virtual clinics. In some instances, such as with our ERP clinic, the switch was relatively simple and quickly accomplished. Indeed, the ERP clinic was not only able to provide remote accessibility, but actually increased in frequency, successfully meeting surging demand. The ERP clinic was also able to facilitate volunteer participation more readily because of the nature of the matters the clinic was handling. In addition to handling wage and hour matters, which law firms typically cannot assist with due to positional conflicts of interest, the clinic began providing assistance with unemployment insurance matters, which do not pose a conflict for firms, thus allowing their participation in the clinic. However, in other instances, such as with our Advance Planning Clinic, Small Claims, and our Legal Name and Gender Marker Change Clinic, our staff were required to work through more complex logistical issues, such as how to fully witness and execute sensitive client documents when many clients – older low-income individuals – did not have the requisite technological capacity (home broadband, technological savvy, etc.). Resolving these logistical issues forced us to pause the use of volunteers for a period of time.

For some clinics, there was a period of time during which logistical issues related to remote service delivery necessitated that we help community members in limited numbers or one-on-one. For example, Bet Tzedek's Self-Help Conservatorship Clinic (SHCC) was able to quickly reconstitute itself as a remote clinic, but the new model requires volunteers meet with litigants individually. This was the only way for the clinic to meet clients' needs, but it resulted in a drastic reduction of volunteer hours in the SHCC, which prior to the pandemic accounted for one of the agency's single largest pools of volunteer

hours. The supervision required by Bet Tzedek staff to monitor such one-on-one sessions remotely means that fewer litigants receive more intense services by volunteers, thus limiting the volunteer opportunities and hours generated. While some clinics thrived, and still others dramatically changed, still others, such as our Small Claims Clinic, remained closed for the majority of 2020 due to court closures, eliminating additional venues for volunteer hours.

Fortunately, the work our staff did in 2020 to develop workable pro bono clinic models in a remote environment has paid off in 2021, as we launched a robust pro bono clinic model across all of our clinics.

The third member of our pro bono department is our In-House/Pro Bono and Volunteer Coordinator. This individual works with our staff to help manage volunteer opportunities for law students, retired attorneys and judges, and other community volunteers who wish to help at our office – or in closely supervised virtual capacities, under the COVID-19 paradigm. This individual is also responsible for managing Bet Tzedek’s “Summer of Justice” program, which routinely nearly doubles our full-time legal staff (for example, in 2020, 40 law student interns joined our 44 staff attorneys) for a period of 10-12 weeks each summer, with many participants being inspired to continue volunteering with us on a part-time basis once they return to law school. Without this massive influx of volunteers, Bet Tzedek would not be able to serve an all-time peak of more than 90,000 community members in 2020.

While Bet Tzedek was ultimately able to integrate community volunteers into our advocacy efforts, we were hampered in these efforts by the pandemic. In the pre-COVID era, on any given day we typically had at least a dozen volunteers and pro bono attorneys working with us “in house” to serve clients. Each of Bet Tzedek’s programs benefits from (and relies upon) these pro bono attorneys, paralegals, and law students to make our work happen. For example, our Call Center is able to handle more than 10,000 incoming calls each year with only one full-time staff member because of our incredibly dedicated core of volunteers. In recent years, our retired volunteer population had increased and become a critical part of our in-house volunteer program. Once the pandemic hit, some of our older volunteer population continued volunteering in remote fashion, while others opted out, uncomfortable with the remote environment or simply preferring to focus on their own health and family during the pandemic; notably, this was true for in-house volunteers of all ages.

Although Bet Tzedek has historically qualified for the State Bar’s pro bono allocation via the formulaic tests, our 2020 numbers tell a different, and possibly more compelling story of how we rely on pro bono partners as a primary source of power to help meet community needs, which evolve over time and each year are subject to unique constraints and circumstances.

One example is our class action lawsuits related to the Property Assessed Clean Energy (PACE) program. In 2018 we filed the single largest class action lawsuit impacting seniors in the state of California against the County of Los Angeles, alleging financial elder abuses stemming from the County’s implementation of the PACE program. We secured pro bono co-counsel from a major private law firm (along with co-counsel from a second nonprofit legal service agency) and our work proceeded in parallel with theirs. The significant pro bono hours provided by the private law firm were “split” equally among both legal service organizations. In mid-2018, our private law firm pro bono co-counsel withdrew from the PACE litigation and shortly thereafter the lead attorney at our sister agency had to substitute out after being appointed to the bench. Meanwhile, the litigation continued, leaving Bet Tzedek to shoulder the burden alone – meaning that not only did we “lose” hundreds of pro bono hours following the law firm withdrawal, we also “gained” hours on the Bet Tzedek side as we took over the work previously done by

5-6 individuals, while we worked arduously to secure new pro bono co-counsel. The latter took nearly a year due to complicated conflicts issues that prevented many firms who expressed interest in assisting from taking on the representation.

In May 2020 we learned that our unrelenting efforts paid off: the County of Los Angeles agreed to cancel the PACE program, thereby effectively halting a flood of foreclosures. This policy victory does not end the litigation, and we continue to resolve individual PACE matters with pro bono support.

In 2020, as in the previous year, the largest number of cases placed were in the small business arena; this owed largely to a major partnership with the City of Los Angeles to support small businesses struggling to survive and navigate the shifting legal landscape amidst the economic crisis. In addition, as we witnessed the massive unemployment numbers resulting from the pandemic and the frustration experienced by community members attempting to navigate a broken unemployment insurance system, our Employment Rights Project team stepped in and quickly became unemployment insurance experts. Fortunately, large law firms do not face conflicts issues with unemployment insurance cases (unlike with other employment matters our team handles), so we have been able to incorporate some law firm volunteers into this new program.

Pro bono attorneys and volunteers also made significant contributions in our Housing clinics; Advance Planning matters; self-contained portions of immigration cases for foster youth; and our Low-Income Tax Clinic, among others. These matters typically required less than 20 hours each to resolve. Some of the other short-term pro bono projects that proliferated in 2020 included the many Know Your Rights and Legal Information presentations and flyers that we developed to address COVID-specific issues. Again, these projects did not require numerous hours but were critical to informing the communities we serve, especially amidst the rapidly changing COVID-impacted legal landscape. In these and many other examples, the pro bono “hours equivalency” metric does not come close to capturing the profound, and irreplaceable, impact pro bono service has on the lives of our clients, nor does it accurately measure the sense of relief it brings to our staff, nor the solidarity of partnership it engenders between Bet Tzedek and the private bar community. In addition, placing more “easily digestible” matters helps us involve new pro bono attorneys, including members of corporate law departments and whet their appetite for more for future matters. Growing our number of small- hours/high-volume pro bono placements enables Bet Tzedek to engage a broader spectrum of the private bar in pro bono work that truly changes lives. Bet Tzedek exists to help private bar attorneys use (and expand) their existing capacities to meet community need through pro bono service. We do so proficiently and with acute sensitivity towards matching resources with need.

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	55	56,525	669	19,632
Paralegals	10	12,301	99	2,105
Law Students	0	0	212	18,956
TOTAL	65	68,826	980	40,693

## 2. Casa Cornelia Law Center

**County:** San Diego

**Staff Recommendation:** Eligible

### Test C Narrative:

Casa Cornelia's principal means of delivering services depends on the coordination of recruitment of Volunteer Attorneys in private practice, the recruitment of community volunteers with foreign language skills and other student and community volunteers. In conjunction, these groups of volunteers are an integral part of the organization's ability to deliver services to the indigent immigrant and asylum seeking population of San Diego and Imperial counties. In 2020, 399 volunteers donated 14,695 hours valued at \$492,205, which included 206 Volunteer Attorneys assisting 375 cases and donating 8,361 hours of service as well as 153 Volunteer Interpreters and Translators (VIT) donating 4,441 hours.

Unfortunately, these numbers reflect a sharp decrease from prior years and are not representative of Casa Cornelia's trajectory of service. Instead, these numbers reflect the duo challenge Casa Cornelia faced during the COVID-19 pandemic and instituted restrictive immigration policies. As the COVID-19 pandemic raged, the Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) agencies continued to detain and remove individuals and families. Early in 2020, the immigration system was thrown into a tailspin, as the Department of Homeland Security (DHS) did not issue clear guidance on how to proceed during the pandemic. While non-detained immigration court cases were intermittently processed and faced many delays, detained cases continued to proceed. Detained individuals found themselves at the mercy of COVID-19, as social distancing is logistically impossible in detention centers. Additionally, most filing deadlines continued to apply. Likewise, the closure of the U.S./Mexico border was managed arbitrarily. Officials stopped processing most adults attempting to cross the border and most minors turning themselves in to immigration authorities and removed them without due process.

The procedural changes described above resulted in a decreased opportunity for attorney volunteer participation in 2020, which accounts for the decrease in active volunteer attorneys and the hours they donated. Ongoing volunteer attorneys did not get the same opportunity to work on cases as in previous years because during the pandemic cases were intermittently processed. Similarly, the closure of the U.S./Mexico border resulted in a decrease in new applicants and, thus, a decreased opportunity for volunteer attorneys to begin new cases.

In addition, in an effort to comply with the social distancing guidelines and stay-at-home orders during the COVID-19 pandemic, Casa Cornelia ceased conducting legal clinics for the public. In the past, legal clinics have been staffed by in-house and volunteer attorneys. Ceasing to conduct legal clinics resulted in a missed opportunity to use volunteer attorneys.

The social-distancing guidelines and stay-at-home orders also had an impact on Casa Cornelia's training of volunteer attorneys. As Casa Cornelia's active volunteer attorneys decreased, so did the need for trainings. Thus, Casa Cornelia trained less volunteer attorneys during the pandemic, which resulted in less donated hours. In addition, to ensure full compliance with MCLE regulations requiring confirmation of presence and participation, the organization could not confer MCLE credit for virtual trainings given early in the pandemic. MCLE credit tends to attract more participants.

Working remotely did facilitate the participation of VITs in Casa Cornelia's service delivery. As interactions took place on the phone or online, VITs no longer had to travel in order to donate their services. Thus, Casa Cornelia was able to find more willing volunteers to take on interpreting assignments. VITs also took on more translation work, which can be performed from home and the isolation of the pandemic made it more appealing.

In sum, although Casa Cornelia was unable to recruit, train and mentor as many volunteers as in previous years, the organization continues to rely on their services in order to maximize its reach. The decrease in the use of volunteers is a direct result of the challenges brought forth by the pandemic. As the courts operated intermittently, volunteer attorneys were left with decreased opportunities to donate services. The closure of the U.S./Mexico border had the same effect. Lastly, social distancing guidelines limited Casa Cornelia's use of volunteer attorneys and volunteer interpreters and translators, while conducting clinics. As the intensity of the pandemic wanes, Casa Cornelia is already experiencing an increase in the needs for legal services in 2021. There are renewed opportunities for participation by the private bar which Casa Cornelia is anticipating and planning for in the months ahead.

	<b># of People Paid</b>	<b># of Hours Paid</b>	<b># of People Volunteer</b>	<b># of Hours Volunteer</b>
POSITIONS				
Attorneys	10	14,560	206	8,361
Paralegals	9	13,520	26	692
Law Students	0	0	11	1,193
TOTAL	19	28,080	243	10,246

### 3. Disability Rights Legal Center

**County:** Los Angeles

**Staff Recommendation:** Defer to Committee

**Test C Narrative:**

After a year of COVID impacted services, and a new Director of Litigation to lead our civil rights litigation work starting at the end of 2019, the importance of pro bono support for DRLC could not be more clear.

One of the added focuses of this our Director in 2020, beyond increasing the number of indigent clients that we serve, was to bring additional support from the legal community to support people with disabilities. Each of our active cases by the end of 2020 was staffed with pro bono support. This support allows us to leverage our staff to to significantly expand the number of people we serve. Using our legal expertise, the Litigation program will be able to leverage these resources to take on additional cases.

In particular, these efforts have led to our Litigation Team being able to take on additional special education cases (we had stopped taking new cases due to lack of staff capacity in November of 2018 but resumed in December of 2019), and expand services to children in need.

Additionally, the support of pro bono support allows DRLC to take on cases that are higher impact but would require the resources of a much larger team, that we have had to refer to other organizations over the past 2 years due to the inability to staff theses cases. There are several open investigations that DRLC believes has the potential to be high impact cases for indigent Californians that we would not be able to investigate without expected future pro bono support.

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	7	3,031	38	1,857.8
Paralegals	0	0	0	0
Law Students	0	0	0	0
TOTAL	7	3,031	38	1,857.8

#### 4. Harriett Buhai Center for Family Law

**County:** Los Angeles

**Staff Recommendation:** Eligible

**Test C Narrative:**

The Harriett Buhai Center for Family Law has been a Pro Bono Program for over 20 years. We have met Test B every year since 2012, with the exception of 2019 when the addition of two temporary employees whose work focused on specific projects caused our staff hours to be unusually high.

**Impact of COVID-19**

Prior to March 2020, we provided direct legal aid via in-person appointments providing limited scope services. All of our case files were hard copies and we had no existing remote volunteer opportunities except our Pro Bono Panel, where volunteer attorneys represent our clients in court.

Our staff had to fully redesign our program to function remotely when they had no prior experience working remotely themselves. Because we give legal advice and form an attorney-client relationship with our clients, we had to ensure that this redesign accounted for our responsibility to maintain inviolate the confidentiality of all client information. We have since rebuilt our volunteer program to operate remotely, and we continue to tweak and grow it.

The Los Angeles Superior Court, where all of our cases are heard, was closed to family law matters (with the exception of emergency restraining orders) from March 20, 2020 through June 22, 2020. Beginning June 22, 2020, the Family Law Division very gradually began hearing matters in a 4-phase tier system. These near-total to partial closures put our casework on hold for several months. One typical example is a Center client's initial request for temporary custody, visitation, child support, and spousal support: the Request for Order was filed on January 31, 2020; it was initially calendared for hearing on April 27, 2020; after several pandemic-related continuances made on the court's own motion, the matter was finally heard on November 13, 2020. There was minimal legal work to do in the interim until the matter could be heard by the court.

Additionally, when the courts reopened, many attorney volunteers had extremely packed calendars through the fall and winter for their private practice matters which had been on hold during the closures, giving them significantly less available time to volunteer.

Despite the many challenges, our law student program was especially successful in 2020. We had a total of 51 law student volunteers, a 31% increase over 2019. This is in part due to the Center's Family Law Clinic, a for-credit law school class taught by a Center staff attorney at Southwestern Law School. It is the only program of its kind in Los Angeles combining academics and practical case experience for law students supervised by our staff attorney. Many of the Center's attorney volunteers were law student interns or externs; our law student program is an investment in the future of the Center's volunteer programs.

**Program Design**

Our service model fundamentally depends upon volunteers to provide services to our clients and the entire staff infrastructure is built around our volunteers. The Center had the full-time equivalent of 8.75

attorneys on staff in 2020. Each staff attorney is responsible for supervising volunteer work on cases. This includes supervising volunteers who perform our robust initial consultations as well as supervising volunteers who prepare pleadings and assist in giving advice to clients representing themselves in pro per. Staff attorneys provide significant guidance and technical assistance to the volunteers. The Center provided legal services to over 700 clients in 2020; this volume is only possible with the generous assistance of our volunteers.

In addition to our staff attorneys, the Center also has on staff a Pro Bono Director and a Volunteer Coordinator, who are responsible for all aspects of the volunteer program, including tracking volunteer hours, volunteer training, and volunteer recruitment and retention. The Center gives Volunteer Awards each year for categories including, New Volunteer of the Year, Pro Bono Firm of the Year, and the Distinguished Service Award.

Volunteers at the Center have frequent and varied options for how to volunteer. They can do initial legal consultations with clients supervised by a staff attorney, they can join our Family Law Intensive Program (“FLIP”), which is an in-house incubator for volunteers who want to learn a lot about family law in a short period of time, and depending on their level of civil and family law experience, they can join our Pro Bono Panel and represent our clients in court. Particularly experienced family law attorney volunteers can become Pro Bono Mentors to provide case-specific guidance and feedback to newer members of our Pro Bono Panel.

All of our new volunteers receive training via our online system in substantive family law concepts, including custody and visitation, child and spousal support, domestic violence, and property division. Additionally, new volunteers to the Center’s initial consultation program, COAS, receive live training in trauma-informed and client-centered interviewing techniques. This live training is offered multiple times per year, and in 2020 was of course offered via Zoom.

The Center also arranges periodic Continuing Legal Education programs for our volunteers, and has bimonthly Study Groups for members of our Pro Bono Panel. Each Study Group features a different member of the Los Angeles Superior Court’s Family Law bench, who have presented on topics ranging from best methods for presentation of evidence to their courtroom “pet peeves.” The Center is deeply embedded in the family law community in Los Angeles, and we are the “go-to” organization for volunteers wanting to, provide assistance to low-income family law litigants including domestic violence survivors, learn family and build their practices.

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	10	11,111	110	3,287
Paralegals	1	1,232	40	960
Law Students	1	163	51	4,290
TOTAL	12	12,506	201	8,537



**5. Inland Empire Latino Lawyers Association, Inc.****Counties:** Riverside and San Bernardino**Staff Recommendation:** Ineligible – did not meet substantial numbers threshold**Test C Narrative:**

IELLA's mission is premised on providing free counsel and advice to low-income self-represented clientele through our pro bono attorney panel. Recruitment, training, and retaining pro bono attorneys for our panel is a critical part of our legal aid clinics.

2020 made pro bono a challenge because of COVID-19 social distancing mandates that closed our in-person clinics and made volunteers unavailable due to volunteers becoming ill, caregiving for an ill family member, having to assist children with distance learning, grief and loss, and increased cooking/cleaning/home upkeep responsibilities.

**Los Angeles**

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	3	541	9	180
Paralegals	3	498	0	0
Law Students	0	0	9	132
TOTAL	6	1,039	18	312

**Riverside**

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	3	938	18	320
Paralegals	3	863	0	0
Law Students	0	0	9	229
TOTAL	6	1,801	27	549

**6. Justice & Diversity Center of the Bar Association of San Francisco****County:** San Francisco**Staff Recommendation:** Eligible**Test C Narrative:**

Since its founding in 1977 as the Volunteer Legal Services Project, the Justice & Diversity Center of the Bar Association of San Francisco (JDC) has relied primarily on the efforts of volunteer attorneys for the provision of legal services for indigent persons in San Francisco. The majority of pro bono time and effort has traditionally been provided via in-person legal clinics. However, due to the COVID-19 pandemic, JDC was forced to halt all in-person legal clinics, from March 13, 2020, through the end of the year. This hiatus in in-person legal clinics caused the number of pro bono hours provided in 2020 to decline sharply. Nonetheless, the coordination of the recruitment of substantial numbers of attorneys in private practice to provide free legal representation to indigent persons remains JDC's primary means of delivering legal services. We hope that this COVID-19-related one-year drop in pro bono hours will not affect JDC's longstanding receipt of the pro bono allocation.

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	27	46,228	488	19,501
Paralegals	14	23,972	2	12
Law Students	0	0	44	520
TOTAL	41	70,200	534	20,033

## 7. LACBA Counsel for Justice

**County:** Los Angeles

**Staff Recommendation:** Eligible

### Test C Narrative:

For over 50 years, the LACBA Counsel for Justice's (CFJ) mission has been to provide free legal services to the most vulnerable members of our community by bringing together law firms and attorneys in private practice as the instrumental vehicle for delivering services to clients, the vast majority of whom are indigent persons. Project directors and staff consistently work to recruit and retain volunteer attorneys through trainings, outreach to LACBA membership, fostering relationships with pro bono coordinators and managers at local law firms, and assistance from CFJ Board members. Recruited volunteers engage in representation, advice and counsel to self-represented clients, as well as drafting documents including motions, declarations, petitions, and other court documents on a wide range of legal issues faced by four vulnerable populations, including survivors of domestic violence, people living with HIV, immigrants seeking relief, and veterans who are largely homeless, at risk for homelessness, disabled, unemployed or underemployed. Many of the pro bono attorneys are also recruited to utilize their special expertise in areas including immigration, business transactional matters, health benefits, and estate planning.

In the calendar year 2020, over 288 attorneys volunteered a combined total of 3,732.75 hours, 9 paralegals contributed another 171.25 hours in free legal services, and 59 law students contributed 1,149 hours, with services valued at \$1,510,223. Well over 75% of these free services were provided to indigent persons.

These numbers are notably down from the 2019 figures, which reflected over twice the amount of volunteer hours (8,300.5) and a greater number of volunteers (430). This is largely due to the effects of the COVID-19 pandemic and related safety restrictions and social distancing measures that were put into place county-wide. With two of the projects based in Courthouse buildings, which experienced closures and capacity restrictions in 2020, the projects were physically unable to accommodate the usual number of volunteers or assist the same number of clients. Replicating the in-person format in a virtual setting also proved challenging.

CFJ has full confidence that with the restrictions lifting and a safer return to in-person activities that in 2022, volunteer attorney participation and pro bono hours will increase to their pre-pandemic numbers.

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	5	7,782.5	288	3,732.75
Paralegals	4	7,540	9	171.25
Law Students	0	0	59	1,149
TOTAL	9	15,322.5	356	5,053

**8. Learning Rights Law Center****County:** Los Angeles**Staff Recommendation:** Defer to Committee**Test C Narrative:**

Learning Rights' team of 6.5 FTE attorneys would not have been able to provide brief legal services to over 250 students and direct representation to over 130 students without substantial support from attorneys in private practice. Learning Rights' Pro Bono Coordinator connected 33 attorneys and 9 law students to the organization, and oversaw their work to support Learning Rights' attorneys. Their research on legal issues, assistance with intakes for brief legal services, and support on due process filings is integral to the organization's work. An important portion possess language proficiency necessary to serve Learning Rights' non-English speaking client population.

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	5	9,273	33	275
Paralegals	1.1	2,128	0	0
Law Students	0	0	9	1,172
TOTAL	6.1	11,401	42	1,447

**Learning Rights Law Center****County:** Ventura**Staff Recommendation:** Defer to Committee**Test C Narrative:**

Learning Rights' team of 6.5 FTE attorneys would not have been able to provide brief legal services to over 250 students and direct representation to over 130 students without substantial support from attorneys in private practice. Learning Rights' attorneys partner with pro bono attorneys on particularly complex litigations, who assist with the intricacies of state and federal filings and the high volume of intakes and due process complaints for potential plaintiffs in these cases. Learning Rights could not conduct these types of cases without the help of pro bono attorneys with significant experience in them.

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	1.5	2,600	9	1,072
Paralegals	0.9	1,858	0	0
Law Students	0	0	0	0
TOTAL	2.4	4,458	9	1,072

## 9. Legal Aid Society of San Bernardino

**County:** San Bernardino

**Staff Recommendation:** Eligible

### Test C Narrative:

Legal Aid Society of San Bernardino (LASSB) serves the San Bernardino and Riverside County. While we strive to maintain a high volunteer count, with outreach, attorney support and various other marketing strategies, LASSB found itself struggling in 2020 to get new volunteers due to the pandemic. Additionally, LASSB rural area made it increasingly more challenging to recruit attorneys, forcing our organization to drop to Test C.

According to a survey of nearly five hundred Fidelity Charitable account holders conducted in August, the report, the role of volunteering in philanthropy (19 pages, PDF), found that 21 percent of respondents had stopped volunteering because of the pandemic, 24 percent were volunteering "a lot" less, and 21 percent were volunteering "somewhat" less. By comparison, 23 percent reported volunteering the same amount, while 8 percent were volunteering "somewhat" more and 3 percent were volunteering "a lot" more. Of those who continued to volunteer, 65 percent did so through virtual or remote activities, while 35 percent participated in in-person activities, compared with 19 percent and 81 percent, respectively, before the pandemic (Fidelity Charitable Report, 2020).

As the Covid-19 pandemic continued to spread, our client, advocate and volunteer community became fearful of contact with family and more so with strangers. Our volunteer program took a devastating blow. Our organization was forced to readjust the business model from one of brick and mortar to one in a virtual platform. Our seasoned volunteer attorneys were forced to revisit their technological challenges and found that their technology acumen was not up to part for the post-covid world. The challenges experienced by the seasoned attorneys resulted in a fear of volunteering for some and for others a learning curve which resulted in a decrease of volunteers. As the world faced exceptional challenges, LASSB reinvented its volunteering platform to a virtual platform which resulted in some attorneys volunteering minimal time but failed to reach the pre-Covid levels.

While we were able to satisfy the number of volunteer attorneys, we struggled to get the volunteer hours for Riverside and San Bernardino County. In an ever-changing situation like this, it is hoped that the State Bar would take the extraordinary challenges faced into consideration and provide an equitable solution.

Lastly, our volunteer attorneys provide consultation, advice, instructions for our staff, and legal services to our clients. We could not possibly serve nearly 3,000 new clients per year, and continue with ongoing services for our returning clients, without the help of these volunteers. Although we have 5 staff attorneys, we have used the volunteer services of 36 attorneys who provided a total of 458.68 volunteer hours in 2020. A few of our volunteer attorneys have taken on full representation of our clients in instances where the volunteer felt that the client had very little hope of prevailing in their case without representation. Our staff could not accomplish this work without the help of our volunteer attorneys.

"The role of volunteering in philanthropy." Fidelity Charitable report 11/11/2020.

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	4.75	7,599.51	36	482.82
Paralegals	6.65	3,448.5	0	0
Law Students	0	0	0	0
TOTAL	11.4	11,048.01	36	482.82

## 10. Public Counsel

**County:** Los Angeles

**Staff Recommendation:** Eligible

### Test C Narrative:

For over 50 years, Public Counsel's central mission has been to provide critical legal services to persons of low income specifically through a pro bono model that engages volunteer attorneys and legal professionals who are willing to donate their time and expertise. Enlisting the support of thousands of pro bono attorneys, law students, and other legal professionals each year is what Public Counsel has always done, and this past year was no exception. Due to the pandemic, however, Public Counsel's physical office space remained closed for 80% of 2020, and Public Counsel's legal practice areas and pro bono programs were significantly impacted and in many instances temporarily halted. For example, active litigation in the courts in areas such as consumer rights and housing defense were drastically minimized or temporarily placed on hold as the community addressed the more immediate health crisis. A number of our pro bono programs that are court-based and located within our local courthouses, including our Federal Pro Se Clinic, our Bankruptcy Self-Help Desk, our Guardianship Clinic, and our Pro Se Clinic in the California Court of Appeals, Second Appellate District, were temporarily closed and/or operating in manners that precluded the ordinarily robust pro bono attorney involvement Public Counsel traditionally relies upon. Similarly, our direct service legal clinics located in churches and other community-service centers were not able to operate or engage pro bono resources in the manner we were accustomed to prior to the pandemic. Uncertainty at our nation's borders and within our country's immigration policies, further diminished our ability to place immigration cases with pro bono attorneys (an area of our practice that has typically generated very high pro bono hour contributions).

As our private lawyer and law firm pro bono partners scrambled to reorient and protect their own business operations, all of which were being deeply affected by the stay-at-home orders, the many legal trainings Public Counsel ordinarily provides to these volunteers in support of our pro bono work were postponed or canceled. More significantly, the capacity of our traditional pro bono partners (e.g., the solo practitioners, law firms, and in-house corporate legal departments) to take on any additional pro bono work beyond what they may have already been handling for Public Counsel was severely compromised by the Covid outbreak. Some of our most reliable pro bono law firms, who would typically donate thousands of pro bono hours to our organization in a single year, were informing us they simply did not have the resources to take on any new cases. Law school programs and law students, who normally donate significant pro bono hours to Public Counsel during the academic year, were also scaling their volunteer contributions way back as they struggled to adjust to the new remote learning environment.

The combination of all of the foregoing pandemic-driven factors in 2020, monumentally impacted Public Counsel's ability to cultivate the level of pro bono volunteerism our organization has enjoyed during its many prior years of operation.

Notwithstanding the extraordinarily challenging circumstances presented by the pandemic, however, Public Counsel did not in any way change or diminish our pro bono-centric model, the model which has always been and still is our principal means of providing legal services. Our primary legal services



platform of coordinating and recruiting thousands of attorneys in private practice to provide free legal representation to those who need it the most remained strong and intact in 2020, with the majority of Public Counsel's attorneys and legal staff continuing to devote their time towards cultivating, training, and mentoring volunteer lawyers and legal professionals to assist our clients. Although due to the health crisis Public Counsel's overall number of volunteers and volunteer hours went down significantly in 2020, we were still --as reported above -- able to log nearly 60,000 volunteer attorney hours last year in service to the most vulnerable. This considerable pro bono contribution, is a testament to Public Counsel's longstanding commitment and ability to secure extraordinary levels of volunteer legal support even under the most challenging circumstances.

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	62.54	82,489	2454	58,399
Paralegals	12.84	15,649	460	6,816
Law Students	0	0	161	16,006
TOTAL	75.38	98,138	3075	81,221

## 11. Public Law Center

**County:** Orange

**Staff Recommendation:** Eligible

### Test C Narrative:

PLC meets the standard required under Business & Professions Code Section 6216 (b)(1)(B) and as set forth as Test C under the Commission's Eligibility Guideline 2.9.2 and its Application Instructions for the following reasons. 1. Since our founding in 1981 as the Orange County Volunteer Attorneys Program, dba Amicus Publico, pro bono has been at our core. For our first decade, we did virtually nothing but place cases with volunteer attorneys. As we began to grow our small staff in the 1990s, first as the Poverty Law Center and then later as the Public Law Center, pro bono placement continued to be the central method of our service delivery. With even greater growth in the past two decades, including expansion into subject matters never handled before (such as immigration, eviction defense, veterans' benefits and nonprofit and micro-entrepreneur assistance), we continue to place a central emphasis on recruitment, training, case placement and support of volunteer attorneys, law students and others. Indeed, every expansion into a new area of practice includes an analysis as to whether we will be successful in engaging pro bono volunteers into the area of work. 2. PLC staff members regularly receive reinforcement of the notion that pro bono engagement is at our core. On day one of their onboarding, all new staff members meet with the Executive Director Ken Babcock who stresses the central nature of pro bono to PLC. Staff members are told pro bono isn't a "maybe" or that we "do it when we can." Rather they're told that pro bono is "baked into our organizational DNA" and that on every new case that comes in the door we ask the question "will we be able to place this with a volunteer." Early in their onboarding all new staff members also meet with our Director of Litigation & Pro Bono Leigh Ferrin to get an overview of how pro bono is incorporated specifically into their unit and into all the other services PLC provides. We remind staff of the central nature of pro bono to PLC regularly through weekly case review meetings, monthly staff meetings and annual performance evaluations. 3. Our public persona as "the" place for pro bono in the Orange County legal community is well established. We market ourselves to the Orange County legal community as a pro bono centric legal services organization. Our mission statement states: "Public Law Center, Orange County's non-profit pro bono law firm, is committed to providing access to justice for low income residents. Through volunteers and staff, Public Law Center provides free civil legal services, including counseling, individual representation, community education, and strategic litigation and advocacy to challenge societal injustices." In our main marketing overview, we state PLC: "[f]or most lawyers and law students in Orange County, PLC is the place to turn when they think of volunteering to provide legal services." Since 2006, our principal gala fundraiser has been known as the "Volunteers for Justice Dinner" further emphasizing the importance of pro bono to PLC. The event, at which we honor a law firm and attorney of the year, has grown to become the largest event of the year in the Orange County legal community with over 800 in attendance for live events. This year and last year the event is a virtual one due to the COVID-19 pandemic; nonetheless celebrating volunteerism continues to be its focus. 4. We regularly provide case opportunities to volunteer attorneys. Every two weeks our Director of Litigation & Pro Bono Leigh Ferrin publishes a case list with new case opportunities for volunteers. Her list is a well-known publication throughout the Orange County legal community sent by e-blast to thousands and always available on our website at [www.publiclawcenter.org/volunteer/](http://www.publiclawcenter.org/volunteer/). When firms have a case that comes to them on

their own and they're looking for pro bono support, they often reach out to PLC for that support, knowing our expertise and experience with case placement. Leigh regularly conducts presentations at local law firms on how to be involved. She participates on local, regional and statewide committees and collaboratives to promote our pro bono work and network. We also have established relationships with firm pro bono coordinators, mostly in Orange County, but around the region and the state in some cases, for whom we identify cases for special placement. 5. Although we are reporting more staff legal services hours than volunteer hours in 2020, we are still primarily focused on providing services through volunteers. The total amount of volunteers – 1,100 – and volunteer hours – 31,617 – are significant achievements. Our staff numbers are temporarily higher due to the addition of several new staff members between 2018 and 2020. New staff typically focus more on case handling than case placement in large part so they develop the expertise to be better trainers and mentors for volunteers. Moreover, the overall nature of the work performed by volunteers tends to be more complex. Volunteers tend to handle more full representation, advanced service cases than do staff. We have had strong success in engaging volunteers in clinic opportunities, where the work is more brief service oriented, but because staff are involved in every clinic interaction we generate higher staff legal services hours as we add more clinic opportunities. 6. We co-counsel with a pro bono law firm or firms on every significant impact litigation case in which we are involved. Those impact matters typically generate large volunteer hours. In 2020, we found ourselves in between several significant impact matters so fewer volunteer hours from impact litigation matters were reported. We expect this situation to be temporary as cities throughout Orange County (and the state) begin to finalize their Housing Elements, which typically generates more significant impact litigation in which we're involved.

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	24	32,185	867	21,159.95
Paralegals	12	14,351	63	1,389.55
Law Students	0	0	170	9,067.9
TOTAL	36	46,536	1100	31,617.4

## 12. Riverside Legal Aid

**County:** Riverside

**Staff Recommendation:** Eligible

### Test C Narrative:

Riverside Legal Aid does several things to recruit volunteer attorneys in private practice. We recruit through our website. We recruit by attending various attorney organization functions. We recruit new admittees at their functions and bar associations. We maintain membership in various bar and other legal associations. We recruit from law firms whenever possible. All attorneys are given assignments at some level of our organization depending on experience or interest and also the needs of RLA currently.

Riverside Legal Aid experienced a strange set of circumstances during the calendar year 2020 partly because of the pandemic but also because of the funding situation. The pro bono allocation and EAF allocation for 2020 was the largest ever in our history and it necessitated our greatly rethinking our resources. Our organization was deemed to necessitate additional attorney resources because of the growing number of potential clientele and the great expansion of our homelessness prevention program. Therefore for the first time RLA hired staff attorneys, a total of 2, full time. This greatly increased our attorney hours. Almost immediately the pandemic struck causing all our services to become telephonic or internet based. It was difficult to recruit and even maintain volunteer staff for several reasons. Bankruptcy and federal services had always been live clinic based and also the same for most of our family law services. This greatly hampered our use of volunteers and training of volunteers, who in the past merely showed up for clinics. Paid attorneys handled most things telephonically and never thought to include volunteers. Recruitment was almost impossible since there were no bar meetings and other functions we normally attended. There was one exception. When the Supreme Court ruled that DACA had to continue in its previous form an attorney volunteered to start a DACA/Citizenship clinic on a volunteer basis. This attracted several volunteers, both attorney and interns and the hours began to pick up. This clinic remains staffed by several volunteers, both attorney and student volunteers and for now is one of the principal means of attracting other attorneys and students. As we are beginning to open back up this year many new volunteers have appeared and are working at live clinics and several are doing remote services as well as we have become adjusted to the new normal. Currently we have 3 attorney volunteers with immigration experience doing those cases. None of our other attorneys have any immigration experience. In our homelessness program, we have volunteer attorneys doing more extensive litigation such as mobile home parks and HOA issues. Staff attorneys do not have time for this type of litigation.

Currently we have 2 part time federal and bankruptcy attorneys and 2 volunteers. In family law we have 1 part time contract attorney and 4-5 volunteers. Family law volunteers will be able to go to court in more complex cases. In homelessness prevention we have 3 full and part time attorneys and 1-2 volunteers and we have 1-2 volunteers in small estates, conservatorships and guardianships with only 1 part time contract attorney.

Our immigration is all volunteer with about 4-5 attorneys and 3 interns. The number of volunteers is growing still and should continue since many previously closed clinics are reopening. Our student volunteers have increased quite a bit as well and should continue. Also due to lower funding in the

pandemic one of the paid staff attorneys will be laid off around the end of the year. It appears that the principal means of delivering legal services at RLA will continue to be volunteers.

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	5	4,350	14	1,041
Paralegals	5	10,000	0	0
Law Students	2	0	0	350
TOTAL	12	14,350	14	1,391

### 13. Veterans Legal Institute

**Counties:** Los Angeles and Orange

**Staff Recommendation:** Eligible

**Test C Narrative:**

Veterans Legal Institute (VLI) believes its principal means of delivering legal services is the coordination and recruitment of substantial numbers of attorneys in private practice to provide free legal representation to indigent persons in California.

As the table shows, there is a notable difference in the number of VLI paid staff to volunteers. VLI relies on pro bono attorneys as a larger part of its overall model. Given its humble staff size, VLI works with multiple law schools and law students to supervise work to have an exponential impact. Yearly, VLI supports dozens of law clerks from around the nation. While law students are limited in the hours they can work given their school schedule, many of them come to VLI to get personal supervision and help veterans in need while learning about the law. As a result, many clients who have short term needs including research, assistance with filling out forms or drafting declarations, referral requests, or other minor tasks, are able to get quick service by law clerks supervised by VLI attorneys. VLI supports a large number of law clerks each year given its small staff size to ensure greater legal services to its clientele.

VLI's humble staff also places its time and resources in providing technical support and educational assistance to its volunteers. Many volunteers request trainings in, among other areas, discharge upgrades, veteran benefits and military cultural competency that the VLI staff assists with. In turn, these attorneys assist a larger amount of clientele than one VLI attorney can assist on his/her own.

Paid VLI staff can only cover so many areas of the law and pro bono attorneys offer different diverse sets of experience. Therefore, VLI seeks out experts in different areas to accept cases pro bono so that more clients receive pointed and experienced assistance. Also, these pro bono attorneys leverage their own firm's paralegals, research, and technology, which substantially expands VLI's impact in serving more indigent veterans.

All numbers reported are actual numbers for hours and numbers of pro bono attorneys, pro bono paralegals, and pro bono law students serving indigent clients during 2020 for Los Angeles County. VLI has worked with the State Bar on reporting pro bono hours. VLI reaches out regularly to pro bono attorneys by email and phone in order to get updates on their cases which includes closing information about their outcomes/benefits achieved and number of pro bono hours. These hours are tracked in Clio, VLI's case management system. VLI also tracks pro bono attorney and volunteer hours in clinic rosters.

All clinics are designed to serve indigent veterans. Staff attorneys provide direct legal services to clientele including in the areas of family law, discharge upgrades, veteran benefits, landlord tenant, estate planning, and more. VLI staff attorneys and volunteers review applications, compile facts and documents related to the legal issue, and create summaries. These summaries are case listed and distributed by email to VLI's pro bono attorney network. VLI staff attorneys also reach out personally to pro bono attorneys to warmly place cases. Pro bono attorneys provide advice and counsel, document preparation, mediation, and representation. Also, pro bono attorneys lead clinics for Wounded Warriors, estate planning, family law, and the VA Hospital in Long Beach.

Because the pandemic placed our veterans at even greater risk of homelessness and suicide, VLI's pro bono network was life-changing for our indigent veterans. These pro bono attorneys have special expertise, often being veterans or military family members themselves. Early in the 2020, pro bono attorneys were available to travel the 30 miles one way to the VA Hospital in Long Beach when this monthly clinic was still in-person. Understanding the escalating confusion and anxiety brought on by the pandemic, these pro bono attorneys stepped up quickly to support VLI's switch from in-person clinics to virtual clinics so that free legal aid would continue without interruption. These pro bono champions were able to continue advocating for veterans, taking on cases and speaking with opposing parties, in order to ensure access to justice despite critical needs for pandemic parenting plans, patchworks of eviction projections, and job losses.

### Los Angeles

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	9	3,763	58	745
Paralegals	2	733	5	289
Law Students	0	0	72	1,515
TOTAL	11	4,496	135	2,549

### Orange

POSITIONS	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Attorneys	9	9,337	104	1,114
Paralegals	2	1,818	5	716
Law Students	0	0	72	3,760
TOTAL	11	11,155	181	5,590