

**LEGAL SERVICES TRUST FUND COMMISSION  
ELIGIBILITY AND BUDGET REVIEW COMMITTEE MEETING**

**Meeting Summary and Action Items**

Friday, December 10, 2021, 10:00 a.m.–12:00 p.m.

State Bar of California (Conference Call via Zoom)

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**Roll Call**

**Members Present**

Chair Erica Connolly  
Banafsheh Akhlaghi  
Louise Bayles-Fightmaster  
Pamela Bennett  
Catherine Blakemore  
James Meeker  
Bob Planthold

**Liaisons**

Melanie Snider, Judicial  
Council  
Zach Newman, Legal Aid  
Association of California

**Public Members**

Christian Abasto, Disability  
Rights California (DRC)  
Eryn Baldrice-Guy, California  
Rural Legal Services, Inc.  
(CRLA)  
Richard Crowe, Asian  
Americans Advancing Justice  
– Los Angeles (AAAJ – LA)  
Janet Guan, AAAJ – LA  
Andy Imparato, DRC  
Karen Keene, DRC  
David Korsak, CRLA  
Danita Melton, Greater  
Bakersfield Legal Assistance  
Susan Podesta, CRLA

**Staff**

Erica Carroll  
Doan Nguyen  
Dan Passamaneck  
Kimberly Warmsley

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**Members Absent**

Corey Friedman  
Zahirah Mann

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**OPEN SESSION**

Chair Connolly called the meeting to order at 10:00 a.m.

**I. ROLL CALL**

Roll was called, and quorum was established.

**II. CALL FOR PUBLIC COMMENT**

Chair Connolly invited members of the public to comment on any items on the agenda. Grantee representatives in attendance as noted above stated that they were available to answer questions as relevant to the agenda and helpful to the Commission but made no comment at this time.

**III. CONSENT**

**A. Approval of Meeting Summary and Action Items from November 4, 2021 and November 17, 2021 Meetings**

The Eligibility and Budget Review Committee approved the November 4, 2021 and November 17, 2021 meeting summaries and action items by unanimous roll call vote (Blakemore moved, Planthold seconded).

#### **IV. UPDATES**

##### **A. Preview of 2022 Eligibility and Budget Review Committee Meetings Calendar**

Acting Program Supervisor Carroll reported that meeting dates for this committee for 2022 have been previously distributed to committee members. Meeting dates have been moved Fridays to the extent possible, and Carroll noted that the June, August, and November meetings have been set for earlier start times to accommodate commission meetings on those days.

#### **V. IOLTA/EAF BUDGET REVISIONS AND CARRYOVER REQUESTS**

##### **A. Discuss and Recommend Approval or Revision of Outstanding 2021 IOLTA and EAF Budget Revisions and Carryover Requests in Excess of 25 Percent of the Grant Award to Legal Services Trust Fund Commission**

Chair Connolly thanked working group members Banafsheh Akhlaghi, Jim Meeker, Doan Nguyen, and Erica Carroll for their work, and grantee organizations for their responsiveness, since the committee's last meeting, and reported as follows: Upon review and consideration, the working group recommends including the following messages as part of its recommendations regarding the remaining requests to carry over 2021 grants in amounts exceeding 25 percent of the total grant:

- The State Bar provides oversight over the allocation, budgeting, and expenditure of public grant funds. Staff strives to provide support to 100 or more applicants and grantees; the SmartSimple system was implemented in part to foster clarity and transparency regarding grantee requirements. The grantee support provided by State Bar staff does not supplant an organization's ultimate responsibility to know and meet its deadlines and submission requirements.
- Grants should be spent in the year for which they were granted rather than in subsequent years. Grantees should raise concerns about spend-down with staff but should not seek to carry State Bar grant funds forward as a regular budgetary practice.
- The working group recommends that the applications for carryovers and budget revisions be revised to request information about the grantee's plans to spend down any funds to be carried forward.
- Contrary to the practices undertaken in response to the extraordinary circumstances of 2020 and 2021, requests to carry forward more than 50 percent of a grant are unlikely to be approved in 2022 or going forward.

After discussion, the Eligibility & Budget Review Committee approved and recommended the following resolution to the commission by unanimous roll call vote (Planthold moved; Blakemore seconded):

**RESOLVED**, given extraordinary circumstances in 2020-2021, the Legal Services Trust Fund Commission has exercised its discretion to permit a flexible approach to carryover requests. In light of that exercise of discretion, the commission approves the remaining budget revision and carryover requests above 25 percent of the 2021 IOLTA/EAF grant awards. The commission does not anticipate such extraordinary circumstances going forward and therefore will no longer apply that flexible approach when considering future requests.

**B. Discuss and Recommend Approval or Revision of All Outstanding 2020 IOLTA and EAF Budget Revisions in Excess of 25 Percent of the Grant Award to the Legal Services Trust Fund Commission**

Acting Program Supervisor Erica Carroll reported that the 2020 grant carryover period will conclude at the end of 2021. Under the Functional Matrix, staff may approve revision requests of up to 25 percent of the total grant, but two programs requested to revise their carryover budgets by amounts exceeding that percentage. Both provided explanations, which were included with the meeting materials: Asian Americans Advancing Justice – Los Angeles (AAAJ-LA) asked to shift 34 percent of its funding from capital additions and administrative costs to personnel and program costs; and the Los Angeles Center for Law and Justice (LACJ) asked to revise 27 percent of its grant budget to accommodate unanticipated funding streams. AAAJ-LA Director of Grants Management Janet Guan further explained that organization's requested revisions. Staff recommended approval of both requests.

After discussion, the Eligibility & Budget Review Committee approved a resolution to recommend to the commission approval of the remaining 2020 budget revision requests by unanimous roll call vote (Blakemore moved; Planthold seconded).

**VI. ADJOURN**

Chair Connolly thanked commission member Zahirah Mann for her contributions, on the eve of her resignation from the commission. Members thanked both committee coordinator Erica Carroll and chair Erica Connolly for their work throughout the year.

There being no other business, the meeting was adjourned at 10:50 a.m.