

LEGAL SERVICES TRUST FUND COMMISSION

RULES COMMITTEE MEETING

Meeting Summary and Action Items

Thursday, February 24, 2022, 12:00 p.m.–3:00 p.m.

State Bar of California (Conference Call via Zoom)

Roll Call		
Members Present	Advisor	Staff
Chair Amin Al-Sarraf	Judge Brad Seligman	Brady Dewar
Pamela Bennett		Danielle MacRae
Catherine Blakemore	Liaisons	Doan Nguyen
William Boschelli	Salena Copeland	Colleen Seto
Erica Connolly		-----
Jim Meeker	Public Members	Members Absent
	Zach Newman (LACC)	Louise Bayles-Fightmaster
		Corey Friedman

OPEN SESSION

Chair Al-Sarraf called the meeting to order at 12:02 p.m.

I. ROLL CALL

Roll call was taken, and quorum was established.

II. CALL FOR PUBLIC COMMENT

Chair Al-Sarraf invited members of the public to comment on any items on the agenda. No public comment was made.

III. CONSENT

A. Approval of Meeting Summary and Action Items from November 22, 2021 Meeting

The Rules Committee (Committee) approved the November 22, 2021 meeting summary and action items by unanimous roll call vote (Connolly moved, Meeker seconded).

IV. DISCUSSION AND ACTION ITEMS

A. Approve Recommendations Disallowing Late Submissions of Grant Applications, Budget Materials, and Evaluation Reports

Senior Program Analyst Danielle MacRae made a presentation on the “Codification of Grant Administration Practices: Late Submissions of Grant Materials. Recommendation from the Rules

Committee Working Group.” The working group included committee members Catherine Blakemore and Erica Connolly.

The presentation and subsequent discussion covered key topics, including but not limited to, when and whether to accept late grant applications and materials, and what consequences are appropriate under those circumstances. The proposal creates an infrastructure outlining decisions that are within staff’s discretion and those that require committee and/or commission review.

Salena Copeland from LACC provided further explanation on comments from the legal aid community feedback. The suggested two business days extension would not be an automatic extension. It would allow the State Bar staff authority to accept late applications up to two days. The other issue is around contacting the organization’s governing board. The organizations with late submissions usually submit within an hour beyond the posted deadline. Organizations wanted assurance that their board would not be notified if they submitted their application 10 minutes late. An example included late submissions due to technology glitches. However, for egregious delays, the organization’s board should be notified.

Discussion turned to the definition of a business day. Business day, as included in the memo’s footnote, exclude weekends and holidays. Holidays will be state recognized holidays.

Working group members noted that the recommendation was made from observing past patterns that showed late submissions were within one business day. There is not much to be gained by adding another business day.

Staff then answered committee questions about the distinctions between discretionary and non-discretionary (or formula) grants and how, for example, a history of late submissions is factored in for non-discretionary grants.

State Bar staff stated that for HP grants, programs will need to follow reporting deadlines. The attempt is to convey reporting deadlines compliance and encourage organizations to submit right away even if it is beyond the posted deadline.

The next discussion involved the organizations’ contacts and the responsibility of staff and grantees in ensuring contacts are receiving important updates. It was also noted that many reminder emails are sent out as a courtesy and not a staff obligation.

After the discussion, a motion was made on the working group’s proposed resolution. The Rules Committee (Committee) approved the recommendations by unanimous roll call vote (Blakemore moved. Connolly seconded.)

The motion was as follows:

RESOLVED, that the Rules Committee of the Legal Services Trust Fund Commission approve the working group’s recommendation regarding late submissions of grant materials as set forth in the February 24 memorandum.

B. Consideration of Amendments to the LSTFC Functional Matrix in Response to Business and Professions Code § 6210.5

Program Manager Doan Nguyen provided background summary on the LSTFC Functional Matrix that was passed in around 2019. The functional matrix carves out the roles of commissioners, staff, and board of trustees.

With the passage of SB 211 last year, the Commission felt that the functional matrix needs to be updated to reflect the current authority of the Commission. It is also an opportunity to revisit the Commission's role and staff's role. The working group included Doan Nguyen, Amin Al-Sarraf, and Erica Connolly.

The working group has made some draft changes and want to use it as a working document to then change into narrative form. The new functional matrix document will serve as guidance for the Commission. It may serve as part of Commissioners' orientation that is akin to a board book that would be included. It will be used with onboarding of new Commissioners as well as existing Commissioners, and as a tool for staff.

Nguyen will bring the proposed changes to the Commission on March 11. One additional request is for each of the respective committees to draft one or two paragraphs outlining the role and responsibilities of each committee to go along with this narrative that will draw from the functional matrix. Nguyen hopes the updated functional matrix will be finalized this year.

Nguyen presented on the functional matrix and walked through the high-level changes.

The substantive changes are with the role of the Board of Trustees. The update states that the Board must approve unless it conflicts with the statutory fiduciary legal obligation, consistent with the changes to the Commission's authority under SB 211.

Once the narrative is available, it will be sent to the legal aid community via LAAC for feedback.

A committee member addressed terminology consistency and definitions consistency across the different areas. Recommended providing further in the next iteration of the matrix.

C. Discuss 2022 Rules Committee Work Plan

Program Manager Doan Nguyen stated that there are several working groups that have no volunteers or only one. Nguyen encouraged committee members to look at their schedules for availability to volunteer especially for some upcoming issues.

V. ADJOURN

There being no other business, the meeting was adjourned at 1:26 p.m.

DRAFT