



Date: July 8, 2022

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

From: Erica Carroll, Lead Program Analyst

Subject: 2023 IOLTA/EAF Application Review: Primary Purpose, Pro Bono Allocation, Other Eligibility Issues

EXECUTIVE SUMMARY

Interest on Lawyers' Trust Accounts (IOLTA) and Equal Access Fund (EAF) grants are awarded to approximately 100 qualified legal services projects (QLSP) 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 QLSPs. 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. (Attachment A.) 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 QLSPs) or for training and other services to support such projects (for SCs).¹ (These are referred to as "qualified expenditures.") Where an organization's qualified 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.²

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

² Historically, the LSTFC has not approved an organization with qualified expenditures below 50 percent.

After establishing primary purpose, an additional pro bono allocation is available to QLSPs who recruit “substantial numbers of [volunteer] attorneys” and 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).)

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 issues: (1) Organizations failing to meet the presumption of primary purpose and function, and (2) Organizations seeking to qualify for the pro bono allocation through a narrative response rather than a numeric test.

BACKGROUND

Primary Purpose and Function

Business and Professions Code section 6213(a) requires a QLSP to have as its “primary purpose and function providing civil legal services without charge to indigent persons.” QLSPs may apply for funding in each county in which they provide these services. IOLTA and EAF grant amounts are based on a QLSP’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 a QLSP’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 a Support Center 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. Fifteen percent of the total amount of IOLTA and EAF funds available for distribution each year (after administrative expenses) is set aside for SCs. 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 SC 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 indigent persons or free 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.

QLSP Pro Bono Allocations

The IOLTA formula includes an additional allocation (10 percent of the funds in each county) for QLSPs 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 a different income eligibility threshold 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 legal service hours provided by volunteer attorneys exceeded the number of legal service hours worked by staff attorneys in the previous calendar year; or
- (B) Establish through a formula involving volunteer attorney and paralegal legal services hours compared with staff attorney and paralegal legal services hours that they meet the requirements. The applicant must show that:
 - (1) The attorneys recruited actually provided substantial free civil legal services;
 - (2) 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) 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 demonstrating the delivery of services principally through volunteer attorneys. (Eligibility Guidelines for Legal Services Projects, Guideline 2.9.)

DISCUSSION

Presumption of Primary Purpose and Function

The following five applicants reported qualified expenditures that fall below the 75 percent presumption to establish primary purpose and function:

1. Eviction Defense Collaborative: 61.81 percent
2. Family Violence Law Center: 66.41 percent
3. Centro Legal de la Raza: 70.19 percent
4. IEP Collaborative, Inc.: 71.37 percent
5. Disability Rights Education and Defense Fund: 74.11 percent

Primary purpose percentages of all 2023 IOLTA/EAF Applicants appear in Attachment B and narrative explanations for the five organization that do not meet the presumption appear in Attachment C.

In the cases of Eviction Defense Collaborative and Family Violence Law Center, both organizations have fallen below 75 percent in the past and been approved as demonstrating primary purpose, and the reasons for this have not changed significantly. Centro Legal de la Raza administered some temporary cash assistance programs in response to the pandemic that impacted its qualified expenditures, but staff believes these were provided as an extra resource, rather than shifting the organization's services away from legal services in any substantial way. IEP Collaborative is a first-year grantee, and staff is working with the organization to identify whether it possibly deducted some qualifying expenditures, which may bring the organization above the 75 percent presumption. Finally, as explained in its narrative, Disability Rights and Education Defense Fund often has qualified expenditures falling near the 75 percent threshold, and in this instance, it fell slightly below but its services remain consistent. Based on the narrative explanations provided in Attachment C, staff recommends finding that these organizations have established primary purpose.

QLSP Pro Bono Allocations

As indicated in the Background, an additional pro bono allocation is available to QLSPs 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)).

Eighteen applicants seek the pro bono allocation for grant year 2023, some in multiple counties. Of the 18 applicants, 17 receive the pro bono allocation in 2022. (Inland Empire Latino Lawyers Association, Inc. does not.) See Attachment D for a full list of pro bono allocation applicants, the counties for which they are requesting an allocation, and the test(s) under which they wish to qualify for the allocation.

A. Threshold Eligibility for Pro Bono for Allocation Applications

The Guidelines sets forth the criteria for QLSPs to qualify for pro bono allocations. The Commentary in Guidelines 2.6.3.1 requires that applicants meet a threshold test of recruiting substantial numbers of attorneys 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.”

Legal Aid Society of San Bernardino failed to meet this threshold test in Riverside County in its 2023 IOLTA/EAF application. (Its Test C application for San Bernardino County exceeded the threshold requirement.) Despite failing to meet the substantial numbers threshold, LASSB submitted a Test C narrative for Riverside County, which is included in Attachment E, but staff recommends finding LASSB ineligible for the pro bono allocation in Riverside in 2023 due to its inability to meet the substantial numbers test.³

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

If an applicant answers affirmatively to the substantial numbers threshold question, the commentary in Guidelines 2.9.2 sets forth the additional requirement that the applicant utilize

³ 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. 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.

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.

Seven applicants meet the threshold requirement and qualify for the pro bono allocation under either Tests A and/or B. These organizations are therefore deemed eligible for the allocation and do not require Committee review.

Eleven applicants have applied for the pro bono allocation under Test C. The narratives they submitted as part of their applications explaining how pro bono is their principal means of service delivery are in Attachment E. Most of the narratives reference ongoing challenges in the wake of the COVID-19 pandemic, including, but not limited to: declining volunteer participation; closed courthouses resulting in fewer volunteer opportunities; increased staff hours, either due to new hires that required training or more time invested in restructuring/redesigning pro bono systems in light of pandemic restrictions; and technological challenges.

Based on the narratives provided and staff’s holistic review of the applications, staff recommends that nine of these eleven organizations be deemed eligible for a pro bono allocation.⁴ Of the remaining two applicants, staff recommends that one be deemed ineligible for the pro bono allocation (LASSB in Riverside County, discussed above, due to its failure to meet the threshold requirement) and defers to the Committee regarding one applicant, LACBA Counsel for Justice (LACBA-CFJ).

LACBA-CFJ’s services are comprised of four distinct projects: AIDS Legal Services Project (ALSP), Domestic Violence Legal Services Project (DVLSP), Immigration Legal Services Project (ILSP), and Veterans Legal Services Project (VLSP). ISLP is the project that accounts for the most expenditures and legal services (more than half) but does not make significant use of volunteer assistance and charges for some of its services. The DVLSP uses the most volunteers but accounts for a third or less of LACBA-CFJ’s total services and has been undergoing significant staffing changes.

LACBA-CFJ met the criteria for Test A eligibility in 2020 but needed to request Test C approval in 2021 and 2022. Over those three years, LACBA-CFJ’s staff hours increased from about 5,600 hours to 9,425 hours on the current application, while their pro bono service hours fell from about 6,200 hours to 2,878 hours. The current application states that volunteers provided 23 percent of their total legal service hours last year. The State Bar’s primary organizational contact at LACBA did not immediately know who would be responsible for developing a plan to revive pro bono participation, and a recent State Bar monitoring visit noted that there does not

⁴ Staff is prepared to speak to the particulars of these applications should the Committee have any questions or concerns regarding any of the applicants recommended for approval of the pro bono allocation.

appear to be strong, centralized coordination among the projects from executive leadership. (LACBA-CFJ disputes this.)

The State Bar subsequently received a response detailing activities that the organization has taken or may undertake to increase pro bono participation, including increasing presentations and trainings to prospective volunteers, enabling more remote volunteering opportunities, and utilizing LACBA-CFJ's board and volunteer networks to increase recruitment. This is encouraging, but staff is unsure if the organization is well-positioned to revive their pro bono participation to the extent that it would represent their principal means of delivering legal services and thus defers to the Committee regarding this Test C application.

CONCLUSION

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

- Primary Purpose:
 - Find that all applicants with qualified expenditures falling below 75 percent have established their primary purpose and function through the narrative explanations provided, thus allowing the applications to proceed to a final eligibility determination
- Pro Bono Allocations:
 - Find the following organizations eligible for the pro bono allocation in 2023 under Test C analysis:
 - Bet Tzedek
 - Casa Cornelia
 - Community Legal Services in East Palo Alto
 - Harriett Buhai Center for Family Law
 - Inland Empire Latino Lawyers Association, Inc.
 - Justice and Diversity Center of the Bar Association of San Francisco
 - Legal Aid Society of San Bernardino (San Bernardino County only)
 - Public Counsel
 - Public Law Center
 - Veterans Legal Institute
 - Find the following organizations ineligible for the pro bono allocation in 2023 under the Test C analysis:
 - Legal Aid Society of San Bernardino (Riverside County only)
 - Staff defers to the Committee regarding the following Test C application:
 - LACBA Counsel for Justice

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. Primary Purpose Percentages of All 2023 IOLTA/EAF Applicants
- C. Narrative Explanations of Organizations with Qualified Expenditures Falling Below 75 Percent Presumption
- D. All 2023 IOLTA/EAF Applicants Seeking the Pro Bono Allocation
- E. Test C Narratives for Pro Bono Allocation

Primary Purpose Percentages of 2023 IOLTA/EAF Applicants

Number	Funding Opportunity	Organization	PERCENT OF QUALIFIED EXPENDITURES
1	IOLTA LSP	Eviction Defense Collaborative	61.81%
2	IOLTA LSP	Family Violence Law Center	66.41%
3	IOLTA LSP	Centro Legal de la Raza	70.19%
4	IOLTA LSP	IEP Collaborative, Inc.	71.37%
5	IOLTA LSP	Social Justice Collaborative	75.37%
6	IOLTA LSP	Los Angeles Center for Law and Justice	76.88%
7	IOLTA LSP	Open Door Legal	78.98%
8	IOLTA LSP	Legal Aid Society of San Mateo County	79.43%
9	IOLTA LSP	Dependency Advocacy Center	80.00%
10	IOLTA LSP	Legal Assistance for Seniors	80.18%
11	IOLTA LSP	Community Lawyers Inc.	80.38%
12	IOLTA LSP	California Indian Legal Services	82.20%
13	IOLTA LSP	Asian Americans Advancing Justice - Los Angeles	82.75%
14	IOLTA LSP	Watsonville Law Center	82.80%
15	IOLTA LSP	Legal Aid Foundation of Santa Barbara County	84.10%
16	IOLTA LSP	LACBA Counsel for Justice	85.07%
17	IOLTA LSP	USD School of Law Legal Clinics	85.27%
18	IOLTA LSP	Community Legal Services in East Palo Alto	86.74%
19	IOLTA LSP	Santa Clara County Asian Law Alliance	86.89%
20	IOLTA LSP	Justice & Diversity Center of the Bar Association of San Francisco	86.91%
21	IOLTA LSP	Community Legal Aid SoCal	87.44%
22	IOLTA LSP	Law Foundation of Silicon Valley	87.88%
23	IOLTA LSP	Alliance for Children's Rights	89.15%
24	IOLTA LSP	San Joaquin College of Law	89.49%
25	IOLTA LSP	Loyola Marymount University	89.75%
26	IOLTA LSP	Neighborhood Legal Services	91.21%
27	IOLTA LSP	Legal Aid Society of San Bernardino	91.50%
28	IOLTA LSP	Disability Rights California	91.73%
29	IOLTA LSP	Legal Access Alameda	91.90%
30	IOLTA LSP	Veterans Legal Institute	92.60%
31	IOLTA LSP	East Bay Community Law Center	92.82%
32	IOLTA LSP	Aids Legal Referral Panel	93.30%
33	IOLTA LSP	Disability Rights Legal Center	93.47%
34	IOLTA LSP	Legal Services of Northern California	93.61%
35	IOLTA LSP	Inland Counties Legal Services	93.69%

Information current as of July 5, 2022

Primary Purpose Percentages of 2023 IOLTA/EAF Applicants

36	IOLTA LSP	Public Advocates Inc.	93.70%
37	IOLTA LSP	Prison Law Office	94.06%
38	IOLTA LSP	Legal Aid at Work	94.47%
39	IOLTA LSP	Housing and Economic Rights Advocates	95.09%
40	IOLTA LSP	Central California Legal Services	95.25%
41	IOLTA LSP	Wage Justice Center	95.30%
42	IOLTA LSP	Elder Law & Advocacy	95.43%
43	IOLTA LSP	Legal Assistance to the Elderly	95.83%
44	IOLTA LSP	Legal Aid Society of San Diego	96.06%
45	IOLTA LSP	California Rural Legal Assistance, Inc.	96.23%
46	IOLTA LSP	Santa Barbara County Immigrant Legal Defense Center	96.36%
47	IOLTA LSP	Legal Aid of Sonoma County	97.60%
48	IOLTA LSP	Greater Bakersfield Legal Assistance	97.80%
49	IOLTA LSP	Learning Rights Law Center	97.85%
50	IOLTA LSP	Yuba-Sutter Legal Center for Seniors	98.18%
51	IOLTA LSP	Legal Aid Foundation of Los Angeles	98.33%
52	IOLTA LSP	Bet Tzedek Legal Services	98.38%
53	IOLTA LSP	Harriett Buhai Center for Family Law	98.46%
54	IOLTA LSP	Lawyers' Committee for Civil Rights	98.63%
55	IOLTA LSP	Asian Pacific Islander Legal Outreach	98.75%
56	IOLTA LSP	San Diego Volunteer Lawyer Program	98.79%
57	IOLTA LSP	Inner City Law Center	98.95%
58	IOLTA LSP	Santa Clara University Alexander Law Center	98.96%
59	IOLTA LSP	UnCommon Law	99.00%
60	IOLTA LSP	Advancing Justice - Asian Law Caucus	99.04%
61	IOLTA LSP	Public Counsel	99.56%
62	IOLTA LSP	Mental Health Advocacy Services	99.59%
63	IOLTA LSP	Bay Area Legal Aid	99.72%
64	IOLTA LSP	Public Law Center	99.73%
65	IOLTA LSP	Legal Services for Children	99.78%
66	IOLTA LSP	La Raza Centro Legal	99.86%
67	IOLTA LSP	San Luis Obispo Legal Assistance Foundation	99.96%
68	IOLTA LSP	Affordable Housing Advocates	100.00%
69	IOLTA LSP	Alameda County Homeless Action Center	100.00%
70	IOLTA LSP	Capital Pro Bono Inc.	100.00%
71	IOLTA LSP	Casa Cornelia Law Center	100.00%
72	IOLTA LSP	Contra Costa Senior Legal Services	100.00%

Information current as of July 5, 2022

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

1. Organization Name: Eviction Defense Collaborative

Organization Type: Legal Services Project

Primary Purpose Percentage: 61.81%

Narrative: Due to the continuing impact of the COVID-19 pandemic, the pool of tenants requiring EDC services expanded to include a broader swath of income levels. Although these households were financially impacted by COVID-19, they had a higher income level to begin with before experiencing COVID loss of wages and other COVID impacts. Serving tenants from a broader range of income levels therefore results in a lower percent of qualifying expenditures. EDC anticipates that our qualified expenditures will increase next year as inflation, a growing surge in rental costs, along with the unknown influence of the war in Ukraine on the U.S. economy will only increase San Francisco tenants' rent to income ratio across all income groups, deepening their rent burden.

2. Organization Name: Family Violence Law Center

Organization Type: Legal Services Project

Primary Purpose Percentage: 66.41%

Narrative: FVLC tracks expenditures in three different program areas: Legal Services, 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 \$560,604 in subcontractor expenses for fiscal year 2020-21, going to Centro Legal de la Raza, Bay Area Women Against Rape, the Alameda County Family Justice Center under LAV and/or CalOES grants; to Legal Access Alameda under our EAF Partnership grant, and to all of our CalWORKS Domestic Violence Collaborative subcontractors. 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 and the 11% of our legal clients who are not income qualified.

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. 83% 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. 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 97% of the therapeutic hours were spent directly supporting clients with active legal cases.

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.

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 2020-2021 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 75% 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 who 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.

FVLC's Legal Services Provision Continues to Expand: We currently have three full time Staff Attorney positions and three Senior Staff Attorneys in addition to a Managing Attorney, and our Executive Director is an attorney. Our attorneys, with the continued support of volunteer attorneys, have continued 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.

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 9 of our 12 directors are lawyers) we have increased the number of law firm donations received 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 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. 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 for continued IOLTA funding.

3. Organization Name: Centro Legal de la Raza

Organization Type: Legal Services Project

Primary Purpose Percentage: 70.19%

Narrative: Centro Legal de la Raza's primary purpose is to provide civil legal services to the indigent without charge. The change in our eligibility results is due to emergency response services established due to an unprecedented health and economic crisis due to COVID-19. During the pandemic, Centro Legal was selected to administer a significant amount of federal emergency rental assistance funds for low-income tenants through an Emergency Rental Assistance Program (ERAP) for Alameda County. This work increased our passthrough and related administrative expenses in FY 20-21.

The Oakland Undocumented Relief fund (OUR fund) is another temporary project that was established in response to the pandemic. OUR fund provided direct cash assistance to low-wage workers who lost income due to the pandemic and were excluded from other forms of relief. Administrative costs associated with this project were not included in our qualified expenditures.

In addition, Centro Legal is an administrator for Alameda County Housing Secure (ACHS), a collaborative of legal services agencies providing direct legal services and rental assistance. Through ACHS, Centro Legal administers emergency financial assistance to low-income tenants to prevent homelessness and displacement. ACHS is an ongoing project and administrative expenses associated with passthrough funds are not included in our qualified expenditures.

In summary, our primary purpose as an organization, and the bulk of our work, continues to be to provide free legal services to indigent individuals. Prior to FY 20-21, Centro Legal has met the eligibility threshold of 75%. Centro Legal has provided free legal services to low-income individuals for more than fifty years. Centro Legal's programs are purposely designed to serve historically marginalized and underrepresented populations, including low-income tenants, low-wage workers, day laborers, survivors of sexual assault and domestic violence, and unaccompanied minors and refugees. On average, 80-90% of our clients have a household income at or below 125% of the federal poverty level. We continue to provide free legal services to the following special client groups: non-English speaking, elderly, juvenile, and immigrants.

4. Organization Name: IEP Collaborative, Inc.

Organization Type: Legal Services Project

Primary Purpose Percentage: 71.37%

Narrative: Direct Legal Services Program (92.6% of total attorney time across programs): Overall, 75.77% (704.05/929.17 hours) of attorney program hours were spent delivering direct legal services to clients meeting the definition of being a person with a developmental disability under the DDAA. Accordingly, the direct legal services program qualified expenditures should largely have followed this 75.77% allocation. However, due to grant and employment contract limitations and general funding shortfalls, the majority of direct legal services client work was uncompensated outside of San Mateo County. Even within San Mateo County, over 110 hours of time attributable to work for clients meeting the definition of being a person with a developmental disability under the DDAA was uncompensated which affected the expenditure ratios in a way that is not reflective of the overall 75.77% (704.05/929.17 hours) balance of attorney program hours spent serving clients meeting the definition of developmental disability under the DDAA. For example, while the total attorney direct legal service program ratio of hours worked for clients meeting the definition of being a person with a developmental disability under DDAA (qualified) to unqualified clients within San Mateo County was 74.82% (641.71/857.76 hours), it falls to 71% or 529.2/745.25 when the uncompensated hours for clients meeting the definition of developmental disability are removed from the ratio. In 2022, the majority of our grant funding is not restricted by county. Accordingly, we expect our 2022 personnel expenditure ratio to more closely align with the disability status of clients served. Direct Legal Services Assistance to client outside of California (.628% of total attorney time across programs): We assisted a client with a developmental disability moving to California but out of state at the time of representation accounting for \$270 of otherwise qualified expenditures being removed from the calculation. The client's relocation to California includes special education law components that we were able to assist in an efficient manner making it less likely the client and the California school they will attend experience inefficiencies and resources challenges on the transition.

Presentations (6.23% of total attorney time across programs): We provided four special education presentations in San Mateo County. We did not receive surveys back from any attendees at 2 of the presentations due to staff leave at a partner organization and a technical polling glitch on another. Based on time sheet data, the surveys that were not returned were for two of the less labor-intensive presentations. However, because we cannot attribute the time either way, we have included it as unqualified time, reflecting 33.65 attorney hours (49.74% of the total 67.65 total attorney presentation time) spent delivering programming based on actual time allocable to each of 4 SMC based presentations and surveys returned. We have improved our presentation survey practices to account for this challenge moving forward.

Lobbying (.552% of total attorney time across programs): Although technically unable to be counted as qualified, our \$70.15 in unqualified ILAW activity expenditures arguably supported children with disabilities in California as a subset of all affected children in California. The work involved legislative advocacy supporting SB 682 addressing racial disparity in childhood chronic health conditions.

**** All Calculations subject to limitations of time entry data system retrieval and human error, which are believed to be negligible. The Organization has been awarded funding to secure and build a

comprehensive client and data management system in 2022. The anticipated vendor will build IEPC's required QLSP data calculations into the system

5. Organization Name: Disability Rights Education and Defense Fund

Organization Type: Support Center

Primary Purpose Percentage: 74.11%

Narrative: As detailed in Form II.1, DREDF is a law and policy center with a mission and vision to advance and protect the legal civil rights of people with disabilities. We do that via all of the modalities that we detail in Form IV, including legal technical assistance, advocacy support, legal information services, legal training, and participation in task forces and other collaborative activities. Headquartered in Berkeley, DREDF has deep expertise in California law, as well as federal law affecting Californians. Each year we consistently serve and collaborate with the majority of California QLSPs across the state, reaching all State Bar Districts. As detailed in our annual IOLTA-EAF budget submissions, we strictly segregate our legal services funding, to ensure that it is solely devoted to supporting QLSPs throughout the state. The modest amount of additional funding that we receive for other expenditures enables us to diversify our funding sources, and helps us to continue building the expertise and efficiency that undergirds our California legal services work. Our percentage of qualified expenditures has remained consistent over the years, generally in the range of 75%. While our qualified expenditure calculation for 2021 is technically below that, at 74.1%, it is effectively comparable to prior years.

2023 IOLTA/EAF Pro Bono Applicants

	Program Name	County	Test A	Test B	Test C
1	Alliance for Children's Rights	Los Angeles	YES	YES	
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	NO	NO	See narrative
		Santa Clara	NO	NO	See narrative
6	Disability Rights Legal Center	Los Angeles	NO	YES	
7	Harriett Buhai Center for Family Law	Los Angeles	NO	NO	See narrative
8	Inland Empire Latino Lawyers Association, Inc.	San Bernardino	NO	NO	See narrative
		Riverside	NO	NO	See narrative
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	YES	YES	
		Contra Costa	YES	YES	
		Imperial	YES	YES	
		Marin	YES	YES	
		Sacramento	YES	YES	
		San Francisco	YES	YES	
		San Mateo	YES	YES	
		Santa Clara	YES	YES	
12	Legal Access Alameda	Alameda	YES	YES	
13	Legal Aid Society of San Bernardino	San Bernardino	NO	NO	See narrative
		Riverside	NO	NO	See narrative—doesn't meet threshold
14	Public Counsel	Los Angeles	NO	NO	See narrative
15	Public Law Center	Orange	NO	NO	See narrative
16	Riverside Legal Aid	Riverside	YES	NO	
17	San Diego Volunteer Lawyer Program	San Diego	YES	YES	
18	Veterans Legal Institute	Los Angeles	NO	NO	See narrative
		Orange	NO	NO	See narrative

2023 IOLTA/EAF Pro Bono Allocation Test C Applicant Narratives

1. Program Name: 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. Volunteer engagement is a core and essential resource, and our commitment to pro bono service is reflected throughout the agency. 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 attorneys from the private bar. Bet Tzedek currently partners with nearly every major national law firm with 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 counsel. 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 transgender individuals, minority business owners, and abused seniors, 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.

While our total number of volunteer hours increased only slightly in 2021, Bet Tzedek engaged 1,214 individual volunteers this year, including 855 pro bono attorneys – 186 more attorneys than 2020, a 28% increase. The number of attorneys who donated their time to Bet Tzedek 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 2021, 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.

Further analysis of the trend of stagnant hours combined with increased pro bono engagement indicates that volunteers have less time to give during the pandemic, preferring to help with matters that can be resolved relatively quickly, which results 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 greater reticence to undertake representation in larger, more complex pieces of litigation. Further, many law firms have been impacted by “The Great Resignation,” a nationwide trend in which employees have reevaluated their career paths and quit their jobs amid the pandemic, which limits law firms’ capacity to take on additional pro bono assignments. Indeed, Bet Tzedek has received reports from law firm pro bono partners and managers

that they have been asked to cease circulating pro bono opportunities due to difficulties staffing private client cases. The result of this industry trend is that Bet Tzedek placed fewer cases that would have generated a large number of pro bono hours, despite our Pro Bono Department's success in engaging more volunteers.

To successfully adapt to the monumental shifts in client need and in the pro bono marketplace, Bet Tzedek continued to make a concerted effort to invest in our staff. In 2021, Bet Tzedek staff increased by another 9%, continuing our trend of expansion over the last five years. Most of our new hires came straight from law school, with the largest share being placed with our Preventing and Ending Homelessness Project (PEHP) and Eviction Defense Project (EDP). 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 train and supervise pro bono volunteers as we work to build a well-rounded and fully grounded staff which will, with time, have sufficient expertise to supervise additional pro bono attorneys on their own. The importance of strong, comprehensive training and supervision for pro bono volunteers cannot be overstated. Bet Tzedek's past success building a strong pro bono pipeline that has law firm and in-house counsel return to engage in pro bono matters is based almost entirely on its reputation for providing detailed, comprehensive training as well as time-intensive and comprehensive mentorship and support. For example, volunteers who assist with Bet Tzedek's SIJS practice not only receive a full CLE training on probate and immigration matters, they are provided access to our SIJS volunteer website that contains manuals, sample briefs, templates, and other resources, are provided access to a weekly call-in hour, and are assigned a mentor attorney. As a result of the high level of support provided volunteers, we routinely have volunteers return to engage in additional pro bono work with this team. Providing this high level of support requires extensive time and energy, however, time and energy that, as noted above, has at the moment been directed at building a strong base of staff attorneys that will, with greater experience, have the skills and experience needed to provide such support. Further, our eviction defense work is a dynamic and fast-paced area of litigation, making these cases extremely difficult to place with pro bono attorneys.

Bet Tzedek's staff expansion has been essential to match growing community needs in areas such as homelessness prevention, small business development, Holocaust reparations, and caregiver rights. A direct outgrowth of that expansion, however, is a reduction 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 and EDP teams – which have grown to 20 members in only five years. As noted, eviction defense work is fast-paced and time-sensitive, making pro bono placement difficult. Despite efforts, for example, to recruit volunteers to assist with eviction matters by connecting housing justice to racial justice efforts, it has remained difficult to place eviction matters with firms for full representation given that responses must be filed in an expedited manner and jury trials are set so quickly in these cases. In the alternative, however, Bet Tzedek has had success placing non-eviction housing-related cases, such as efforts by landlords to file cases to recoup unpaid rent, cases that do not have such quick timelines. A direct consequence of growing a practice that is sorely needed by the community but which, by its nature, must be less reliant on volunteers than other practice areas is that the added staff hours in the PEHP and EDP have not been offset by pro bono hours. Bet Tzedek 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, even as we all, including Bet Tzedek, experiment with

housing-related pro bono initiatives such as training volunteer attorneys to assist with Emergency Rental Assistance applications and organizing their participation in intake clinics. Additionally, providing person-centered, trauma-informed (PCTI) legal services to individuals experiencing housing insecurity requires a special skillset and robust training. With so many obstacles for our fastest-growing teams to place cases with pro bono attorneys, it has become increasingly difficult to meet the State Bar's Pro Bono Eligibility Tests A and/or B.

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 Bet Tzedek's clinics, which include: Self-Help Conservatorship, Small Business Legal Academy, Small Claims, Legal Name & Gender Marker Change, Advance Planning, Elder Abuse Restraining Orders, Workers' Rights, and Housing Rights. These clinics engage hundreds of volunteers 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. Although clinic work does not require a monumental number of hours, it makes a monumental difference by enabling us to operate high-volume clinics addressing urgent client needs. From ensuring a transgender person has accurate gender identity recognition under the law, to protecting a senior from abuse, to supporting a low-wage worker in obtaining a living wage and safe working conditions, our clinic volunteers ensure transformative outcomes in clients' lives.

The third member of our pro bono department is our In-House Pro Bono & Volunteer Coordinator. This individual works with our staff to 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 for Justice Clerkship Program, which routinely serves to increase our full-time legal staff by about 75% (for example, in 2021, 37 law student clerks and undergraduate interns joined our 52 staff attorneys) for over 10 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 100,000 community members per year.

While Bet Tzedek continued 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 working with us "in house" to serve clients. Each of Bet Tzedek's programs benefits from (and relies upon) these volunteer attorneys, paralegals, law students, and other community members to make our work happen. For example, our Call Center has the capacity to handle more than 8,000 incoming calls each year with only two full-time staff members because of our incredibly dedicated core of volunteers. In recent years, retired community members had become a critical part of our in-house volunteer program. Once the pandemic hit, some of our older volunteers continued volunteering remotely, while others opted out, uncomfortable with the remote environment or simply preferring to focus on their own health and family during the pandemic.

Although Bet Tzedek has historically qualified for the State Bar's pro bono allocation via the formulaic tests, our 2021 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 are subject to unique constraints and circumstances.

In 2021, as in prior years, the largest number of cases placed with pro bono by Bet Tzedek were from its Small Business Development Project. This is largely due 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, together with the fact that the project was initially designed as one supported solely by pro bono volunteers, with the program being housed in Bet Tzedek's pro bono department. Other practice areas with higher numbers of pro bono case placements included employment rights, guardianship, immigration services for undocumented foster youth and unaccompanied minors, and elder abuse prevention/intervention. While these matters typically required less time to resolve than many of our other cases, the pro bono "hours equivalency" metric does not capture the profound and irreplaceable impact that pro bono service has on the lives of each of these clients. Nor does it accurately measure the sense of relief pro bonos bring to our staff, or the solidarity of partnership it engenders between Bet Tzedek and the private bar community. In addition, these "simpler" matters engage new pro bono attorneys, including members of corporate law departments, and position them to take on more complicated matters in the future. Growing our small-hours/high-impact 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.

Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	60	64,255	855	19,523
Paralegals	14	17,438	132	1,680
Law Students	0	0	227	20,286
TOTAL	74	81,693	1214	41,489

2. Program Name: 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 County. In 2021, 372 volunteers donated 11,750 hours valued at \$404,816, which included 208 Volunteer Attorneys assisting 382 legal matters and donating 6,128 hours of service; 121 Volunteer Interpreters and Translators (VIT) donating 2,884 hours and Board members and other volunteers donating 2,738 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 challenges of working while the U.S./Mexico border is closed, changing immigration policy, even when this policy is more humane, and restrictive social distancing guidelines, which preclude Casa Cornelia from being more visible to its constituencies and engaging volunteer attorneys.

Although this administration has allowed more asylum seekers to be paroled and wait for their hearing in the community and extended temporary protected status (TPS) to countries in turmoil, including Haiti, Venezuela, and Ukraine, the U.S./Mexico border remains closed to the majority of asylum seekers. The effect of favorable policy changes has been incremental, resulting in a slight increase in the number of individuals allowed into the U.S. and, consequently, in the number of individuals seeking services from Casa Cornelia. This means that Casa Cornelia saw a slight decrease in volunteerism than it did before the pandemic.

Despite not responding to as many individuals as it did immediately before the pandemic, the services of the organization continue to be critical to asylum seekers. Even though asylum seekers who are paroled do not face detention, they are placed in removal proceedings. This means that they must fight an active deportation case against them and they must find qualified counsel in a timely manner. Otherwise, they may eventually face deportation.

In addition, some asylum seekers are still being detained, so Casa Cornelia continues to provide services to clients with defensive cases. Many of these individuals are detained at the Otay Mesa Detention in San Diego County and the Imperial Regional Detention Facility in Imperial County. These cases continue to move forward and are often fast-tracked through the immigration court system.

Although Casa Cornelia fully supports the new administration's move to issue parole rather than indiscriminately detain asylum seekers, the organization has realized that this may require changing the process of involving volunteers. Dedicated to the volunteer model, Casa Cornelia will continue to adjust processes to engage volunteers to the greatest extent possible as the organization's history has shown this is the best way to provide quality services to the broadest possible number of clients.

The lockdown and social distancing measures enacted to control the COVID-19 pandemic have made it difficult for Casa Cornelia's Victims of Crime (VOC) Program to help noncitizen victims of domestic violence, human trafficking, and other serious crimes to regularize their immigration status. This is

extremely troubling since reports of increased domestic violence and child abuse have been prevalent since the pandemic began.

Before the pandemic, the VOC program routinely conducted legal clinics once it had a sufficient number of applicants for service. The legal clinics were staffed by volunteer attorneys. Not conducting legal clinics has resulted in a missed opportunity to use volunteer attorneys. However, Casa Cornelia has recently launched a new project to send staff attorneys out into the community to give presentations at trusted community resource centers. This is expected to help meet clients where they are and to identify new clients that will benefit from full representation by a volunteer attorney.

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. These numbers will rebound as the pandemic continues to wane.

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, more volunteers were able 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.

Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	13	23,660	206	6,128
Paralegals	7	12,740	15	85
Law Students	0	0	11	754
TOTAL	20	36,400	232	6,967

3. Program Name: Community Legal Services in East Palo Alto

Counties: San Mateo and Santa Clara

Test C Narrative: Coordination of the recruitment of substantial numbers of attorneys in private practice to provide free legal representation to indigent persons or to qualified legal services projects in California has been essential for CLSEPA because of our commitment to low income communities and communities of color living in a region of great socioeconomic disparities. In the Silicon Valley region, vast wealth exists side by side with homelessness, overcrowding, skyrocketing rents and other signs of economic disparities. CLSEPA aims to marshal the legal expertise and resources of Silicon Valley tech, legal, and financial sectors to provide representation for the many individuals and families who experience exploitation, discrimination and systemic barriers to inclusion, to advocate on their behalf in the legal system, and to support their efforts to achieve justice.

The year 2021 was a full year of continued pandemic conditions, where the usual ways of identifying and matching clients and pro bono volunteers were no longer possible. Gone were the days of face-to-face consultation clinics with clients lining up before business hours to get representation. Essential workers faced daily threats to health, low wage employees and day workers lost jobs and homes, and the digital divide excluded people from pursuing legal support. Private attorneys faced remote work challenges and pro bono service moved further down the priorities list. CLSEPA was compelled to experiment with new ways to reach and engage attorneys and advocates in the private sector. Like many businesses during COVID, CLSEPA's pro bono operations needed to be completely reinvented. To meet all these changes and challenges, we needed to ramp up our staff time spent re-imagining, recruiting, training, mentoring, managing and operating the pro bono program. Our programs piloted various strategies for engagement, including texting, video, telephonic, and email. Our results showed that the virtual settings worked for some types of cases and pro bono participation, but not for others. Pro bono participation was also at the mercy of the court system which, when it was open at all, often operated on reduced hours--thus reducing potential pro bono service hours. We brainstormed with other legal service agencies to come up with new recruitment ideas; we connected with pro bono leads at firms and with our own attorney Board members; we prepared to improve marketing communications regarding pro bono opportunities--but some of these innovations launched very late in 2021 or in 2022. We have learned a lot and developed new organizational capacities, including initiatives in texting, email marketing, and virtual communications, that did not exist before. But the re-invention results did not come in time to positively impact our 2021 pro bono service hours and, since pandemic conditions continue, there continue to be constraints to volunteer engagement that are beyond our control in 2022 as well. According to Thrive Alliance for Nonprofits in San Mateo County, 60% of local community organizations experienced significant declines in volunteer engagement this past year. Despite pandemic challenges, CLSEPA continues to view pro bono participation as essential to our operations.

San Mateo Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	20	11,343	308	6,441.81

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Paralegals	2	1,298	72	1,787.16
Law Students	0	0	37	659.26
TOTAL	22	12,641	417	8,888.23

Santa Clara Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	5.9	4,861	133	2,760.78
Paralegals	0.9	556	32	765.94
Law Students	0	0	16	282.54
TOTAL	6.8	5,417	181	3,809.26

4. Program Name: Harriett Buhai Center for Family Law**County:** Los Angeles**Staff Recommendation:** Eligible**Test C Narrative:** (See supporting documentation attachment for formatted narrative)

Summary: The increases in volunteer hours and participation between 2020 and 2021 reflect the Center's continuing commitment to sustaining its program in the face of challenges attributable in whole or part to the Pandemic. Barriers to restoring return to prior performance levels and further growth of the Center's volunteer program are now attributable to two principal factors: 1) lack of remote capability and 2) lack of attorney staff. Although the Center's management and Board are acutely aware of these factors and addressing them within their capabilities, these circumstances are expected to last into 2022. The evidence which supports our continued entitlement to the pro bono allocation follows:

1. Stabilization and recovery of the Center's volunteer program from Pandemic challenges continued in 2021. Overall, volunteer hours increased by 21% from 2020, with gains showing in the number of attorney volunteers (16%) and attorney hours (23%).
2. Though not equal to pre-Pandemic numbers, the year 2021 reflected our adjustments to and modifications of our volunteer program as follows: 1) the largest share of the Center's attorney volunteers are currently engaged in the "Client Assessment and Orientation System" (COAS) providing legal assessment and advice. This includes review of existing court files if any, pre and post discussions with Center staff and volunteer supervisor attorneys for direction and guidance, lengthy interviews with clients by telephone and preparation of case memoranda; 2) a second group of lawyer volunteers are engaged in the Pro Bono Panel. These lawyers provide in court limited scope or full representation; 3) a third group of lawyer volunteers, far smaller than those already described, participate in the relatively recently created "Family Law Intensive Program (FLIP). Participating in the FLIP means that the lawyer will spend 3 months volunteering 15 hours a week under the supervision of a Center lawyer, handling cases; 4) the final group are law students recruited for internships during the summer and school year, with the majority in the fall semester participating through the Center's joint family law clinical education program with Southwestern Law School. To sustain its volunteers, each of these four programs were adapted to Pandemic conditions relying on increased use of some technology (e.g. Sharefile); additional costs to the Center (e.g. purchase of laptops to connect to the server), and with the exception of the Pro Bono Panel, a complete shift in communications from that of in person to telephone and email.
3. The number of funded positions dedicated, in whole or part, to the operation of the Center's volunteer program (including recruitment, supervision, training, and retention) remains at no less than 50% (all attorneys, including Pro Bono Director and the Executive Director, the Deputy Director, Volunteer Coordinator and Communications Manager. This budgetary investment reflects that the Center's service model fundamentally depends upon volunteers to provide nearly double the number of services provided to clients. It reflects that the staff infrastructure is built around the volunteer program.

4. Although the Center has a strong framework for its volunteer program, which has been imbedded in its service delivery model from its inception in 1982, two current major obstacles are preventing both a return to pre-pandemic performance levels and growth. They are :

a. Staffing vacancies: During 2021 the Center lost the two anchors of its volunteer program: the Volunteer Coordinator (April 2021) and the Pro Bono Director (September 2021). Although the Volunteer Coordinator position was filled three months later, the Pro Bono Director position remained unfilled through the end of the year. The loss of both individuals within six months of each other was a severe setback for the Center's volunteer program. These staff members possessed strong relationships with the volunteers, great familiarity with all the mechanics of all the programs, volunteer management expertise and substantial ties to the private bar family law community. With both missing or, in the case of the Volunteer Coordinator when hired, very new, the Center's volunteer program of necessity needed to be led by the Center's Executive Director and Director of Legal Services; a less than optimum arrangement. In addition to the loss of the Pro Bono Director as the volunteer program manager, her departure also contributed to the reduction in volunteer hours because of her participation as their supervisor for COAS appointments and owing to her role as the attorney in charge of recruitment and placement of pro bono cases destined for court representation. One of the Center's staff attorneys has taken on the management of the Pro Bono Panel in order to continue to refer out cases; again, an imperfect solution.

b. These personnel changes, and in the case of the Pro Bono Director, continuing vacancy, have hampered the progress the Center was making in building back its volunteer program to pre-pandemic levels and continue to have a profound effect on the Center's volunteer program progress. The hiring of the Pro Bono Director has been hindered by a very competitive public interest labor market in Los Angeles, the challenges of this position for many lawyers, and the Center's historically limited salary offerings.

c. Limited remote capability: In order to restore full volunteer capacity, the Center needs to install SharePoint software. This would allow remote connection for all participants and would not rely on having to provide a Center laptop to connect to its server for pro per legal work involving document drafting. With SharePoint technology, the Center will be in a strong position to offer volunteer opportunities to many individuals, potentially in other parts of the state in addition to LA. However, installing SharePoint requires the dedication of substantial time of the Director of Legal Services or her designee, in this case, one of the Senior Staff Attorneys, which neither can do because of lack of available time. Until and when SharePoint can be utilized, the Center's volunteer program offerings will be limited to the programs above, and aspects of its large pro per volunteer program cannot be re-introduced.

d. The loss of the Pro Bono Director and the absence of this experienced lawyer with its ripple effects on volunteer supervision and recruitment for the Pro Bono Panel for court representation represent a serious deficit. When combined with the inability to install and utilize SharePoint only exacerbates the problem. The Executive Director, Director of Legal Services, and the Board of Directors are making efforts to address these problems but are hindered by a lack of adequate funds to recruit and hire a sufficient number of Personnel.

5. In sum, the “volunteer hours problem” of the Center is not due to a lack of a strong infrastructure or a lack of interest of lawyers seeking to participate but rather to a deficit of trained staff to manage/supervise them and implement needed technology.

Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	8	10,752	128	4,040
Paralegals	1	1,298.94	39	1,479
Law Students	1	217	58	4,809
TOTAL	10	12,267.94	225	10,328

5. Program Name: Inland Empire Latino Lawyers Association**Counties:** Riverside and San Bernardino**Test C Narrative:**

To whom it may concern,

In our 30+-year history, IELLA has always relied on pro bono attorney recruitment as the primary means of providing legal services to clients. Before the coronavirus pandemic IELLA held up to 3 in-person legal aid clinics weekly and over 7 clinics monthly, in Riverside and San Bernardino counties. These legal aid clinics were staffed 100% by volunteers and pro-bono attorneys under the direction and guidance of our own staff attorney. At these clinics all of our clients with unlawful detainer matters were served by our pro bono attorneys specializing in Eviction Law. In addition, all clients of our expungement program whose expenses were allocated to the EAF grant (before EAF changed their minds about the handling of expungements)-were served by volunteer attorneys. Historically, we have primarily depended on volunteers and pro bono attorneys to assist in the in-person legal aid clinics. Due to our client demographic IELLA heavily relies on in-person clinics to both help its community and reach its numbers. A majority of our clients are low income, limited on technology resources, and at times have trouble reading and filling out the required paperwork.

Although it has always been difficult to recruit pro bono attorneys in the Inland Empire, participation in 2021 of attorneys dropped significantly given the many challenges brought on by the Covid-19 pandemic. Unfortunately, IELLA experienced a big drop in the number of volunteer hours in 2021. With that came a major cut in funding by the State Bar, and the risks of further negative review by the State Bar of IELLA.

In 2021 IELLA tried to recruit attorneys from an already small pool of attorneys available, but was not successful. Mostly because there were not enough committed to the tradition of volunteerism and the challenges of the pandemic. This made it more difficult for attorneys to want to volunteer for in-person clinics.

The fact is that the Inland Empire does not have the large law firms who support legal services as found in areas like Los Angeles county. Be that as it may, at the end of 2021 we began to see the light at the end of the tunnel. Led by our passion and strong commitment to serving our clients, by year's end we met the "threshold" test of having on our roster 30 volunteer attorneys for each county.

Now in 2022, we continue to be optimistic. IELLA is currently in the process of revamping IELLA's in-person clinics. With social distancing requirements ending (hopefully), and with increasing vaccination rates we anticipate attorneys will feel comfortable enough to recommit to volunteer time in person once again.

We strongly believe that 2021's drop in volunteer hours was an unforeseen interruption to our operations and we will be back on track in the coming year. Having met the 30 volunteer threshold for each county we serve, we hope the State Bar will positively consider IELLA for future grant applications.

San Bernardino Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	3	689	30	229
Paralegals	3	633	0	0
Law Students	0	0	0	0
TOTAL	6	1,322	30	229

Riverside Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	5	2,412	30	686
Paralegals	3	3,110	0	0
Law Students	0	0	3	522.5
TOTAL	8	5,522	33	1,208.5

6. Program Name: Justice and 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 starting on March 13, 2020. In 2021, JDC resumed some legal clinics, but at a much reduced capacity that only allowed us to serve a fraction of the clients we normally would with only a portion of the attorney volunteer hours usually contributed in a year.

This hiatus in in-person legal clinics caused the number of pro bono hours provided in 2020 and 2021 to decline sharply. Nonetheless, the recruitment and coordination 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. As a testament to this commitment to pro bono services, JDC significantly increased its pro bono hours in 2021 compared to 2020, and we expect that pro bono hours will soon exceed staff attorney hours as they have traditionally.

We hope that this COVID-19-related temporary drop in pro bono hours will not affect JDC's longstanding receipt of the pro bono allocation.

Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	28	48,776	1432	29,175
Paralegals	15	30,102.8	0	0
Law Students	0	0	24	236
TOTAL	43	78,878.8	1456	29,411

7. Program Name: LACBA Counsel for Justice**County:** Los Angeles**Staff Recommendation:** Defer to committee

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 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 2021, 235 attorneys volunteered a combined total of 2,878.55 hours, 22 paralegals contributed another 211.73 hours in free legal services, and 89 law students contributed 1,032 hours, with services valued over \$1,172,593. Well over 75% of these free services were provided to indigent persons. Once again, these numbers are down from the 2019 figures. This is largely due to the continuing 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 2021, 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, volunteer attorney participation and pro bono hours will increase to their pre-pandemic numbers.

Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	5	9,425	235	2,878.55
Paralegals	3	5,655	14	233
Law Students	0	0	75	1,032
TOTAL	8	15,080	324	4,143.55

8. Program Name: Legal Aid Society of San Bernardino**Counties:** San Bernardino**Staff Recommendation:** Eligible

Test C Narrative: Please note that although LASSB paid 7 attorneys during 2021, that number included short-term employees. At no time during 2021 did LASSB have 7 attorneys on staff. The actual number of attorney hours for our entire 2021 staff was equivalent to 4.79 FTEs.

Our volunteer attorneys are essential to our program. They provide consultation, advice, instructions for our staff, and legal services to our clients; they serve Riverside and San Bernardino County clients. LASSB could not possibly serve nearly 4,000 new clients per year, and continue with ongoing services for our returning clients, without the help of these volunteers.

Impoverished persons living in rural areas are often overlooked in the delivery of legal services, despite the prevalence and persistence of poverty. According to the 2000 Census, rural counties with poverty rates above the national average outnumber urban counties in that category at nearly a 5 to 1 ratio. San Bernardino County consists of over 21,000 square miles that includes a mountain range, two deserts and two military bases. The vast separation between those geographical anomalies have resulted in the development of many small, rural communities separated by vast land masses. Further,

San Bernardino County's rate of poverty (13.3%) is higher than state and national averages and is the highest among counties compared, except for Los Angeles and Miami-Dade, where 13.4% and 15.6%, respectively, of the population live in poverty.

While we strive to maintain a high volunteer count, with outreach, attorney support and various other marketing strategies, LASSB found itself struggling in 2021 to get new volunteers due to the pandemic.

Legal Aid was fortunate to obtain 35 volunteers with 1,514.34 hours for San Bernardino County and 12 Volunteers for Riverside County with 9.91 hours. LASSB has increased its volunteer program by expanding opportunities to all attorneys in both counties.

With the new Riverside Partnerships, LASSB hopes to continue to increase volunteer opportunities for Riverside attorneys.

Despite this overwhelming need for pro bono services, LASSB has faced challenges finding attorneys to volunteer to help the impoverished community. However, our organization continues to serve a larger population based on the assistance of volunteer attorneys. Volunteer attorneys provide services, insight, and knowledge that would otherwise be unavailable to Legal Aid.

LASSB's 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% of respondents had stopped volunteering because of the pandemic, 24% were volunteering "a lot" less, and 21% were volunteering "somewhat" less. By comparison, 23% reported volunteering the same amount, while 8% were volunteering "somewhat" more and 3% were volunteering "a lot" more. Of those who continued to volunteer, 65% did so through virtual or remote activities, while 35%

participated in in-person activities, compared with 19% and 81%, 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 seasoned volunteer attorneys were forced to revisit their technological challenges and found that their technology acumen was not up to par with 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 that resulted in a decrease in 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. Luckily, we were able to satisfy the volunteer attorney and hours total. However, we anticipate with the ongoing challenges, the overall hours/volunteers may continue to reduce.

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 4,000 new clients per year, and continue with ongoing services for our returning clients, without the help of these volunteers.

Although we have 6 staff attorneys, we have used the volunteer services of 36 attorneys who provided a total of 458.68 volunteer hours in 2020. In 2021, we had 35 attorneys who donated 1,524 hours. 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.

San Bernardino Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	7	5,230.8127	35	1,514.34
Paralegals	8	9,735.789	0	0
Law Students	0	0	0	0
TOTAL	15	14,966.6017	35	1,514.34

8. Program Name: Legal Aid Society of San Bernardino

County: Riverside

Staff Recommendation: Ineligible, fails to meet threshold

Test C Narrative: Please note that although LASSB paid 7 attorneys during 2021, that number included short-term employees. At no time during 2021 did LASSB have 7 attorneys on staff. The actual number of attorney hours for our entire 2021 staff was equivalent to 4.79 FTEs. We relied upon help from our volunteer attorneys to provide consultation, advice, instructions for our staff, and legal services to our clients. Our volunteers serve Riverside and San Bernardino County. LASSB could not possibly serve nearly 4,000 new clients per year, and continue with ongoing services for our returning clients, without the help of these volunteers.

Impoverished persons living in rural areas are often overlooked in the delivery of legal services, despite the prevalence and persistence of poverty in these areas. According to the 2000 Census, rural counties with poverty rates above the national average outnumber urban counties in that category at nearly a 5 to 1 ratio.

Both Riverside and San Bernardino County's rates of poverty are higher than state and national averages. In Riverside County 13.7% of the population for whom poverty status is determined (325k out of 2.37M people) live below the poverty line, a number that is higher than the national average of 12.3%.

Legal Aid has been fortunate to obtain 35 volunteers with 1,514.34 hours for San Bernardino County and 12 Volunteers for Riverside County with 9.91 hours. LASSB has increased its volunteer program by expanding opportunities to all attorneys in both counties.

With new Riverside Partnerships, LASSB hopes to continue to increase volunteer opportunities for Riverside Attorneys.

Despite this overwhelming need for pro bono services, LASSB has faced challenges finding attorneys to volunteer time to help the impoverished community. However, our organization continues to serve a larger population based on the assistance of volunteer attorneys. Volunteer

attorneys provide services, insight, and knowledge that would otherwise be unavailable to Legal Aid.

Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	7	98.63	12	9.91
Paralegals	8	212.38	0	0
Law Students	0	0	0	0
TOTAL	15	311.01	12	9.91

9. Program Name: 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 low-income people specifically through a pro bono model that engages volunteer attorneys and legal professionals who 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 the entirety of 2021, with only a handful of people entering the building to collect mail or complete a necessary project function that could not be completed remotely. Consequently, as was the case for much of 2020, in 2021 Public Counsel's legal practice areas and pro bono programs were significantly impacted and in many instances halted altogether as a result of the pandemic.

For example, active litigation in the courts in areas such as consumer rights and housing defense were severely cut back. A number of our court-based pro bono programs, including our Federal Pro Se Clinic, Bankruptcy Self-Help Desk, Guardianship Clinic, and Appellate Clinic remained closed throughout the year or operated in limited service frameworks. These operational constraints precluded any significant pro bono contributions to these programs.

Similarly, our direct service legal clinics located in churches and other community locations 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 in our country's immigration policies coupled with a backlog of cases in the immigration courts 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.

The complete closure of our physical office space for all of 2021 also had a more direct and deleterious impact on the level of volunteerism. The hundreds of volunteer lawyers, law students, and legal professionals who ordinarily would have been seated at desks in our building and working under the face-to-face supervision of our staff were presented with what for many was the less attractive option of having to volunteer from home with less frequent interaction with our staff. It is our belief, based on the informal surveying of our volunteers, that this dynamic caused fewer volunteers to work with us in 2021. And for those who did sign up last year, it is our experience that the remote nature of the work may have led them to donate fewer hours than in the past.

Especially for the many newer practitioners who came to our offices before the pandemic seeking live mentorship in an authentic law office environment, having fewer chances for face-to-face involvement with Public Counsel staff has been less than ideal. In addition, some of our retired volunteers have indicated they would prefer to have some live interactions with our staff during their work days as a way to stay in touch with their community.

The closure of our offices also diminished the size of our summer clerkship program, which has traditionally been a tremendous source of volunteer hour contributions. As in 2020, the challenges of supervising students remotely required our projects to hire fewer clerks during the summer of 2021.

Another factor that affected our pro bono hours was that our traditional private lawyer and law firm pro bono partners were increasingly occupied in pivoting their own business operations in response to the pandemic. As a result of these downward shifts in volunteer capacity, the many legal trainings Public Counsel would have ordinarily provided to volunteers in order to grow pro bono programming were either postponed or significantly reduced in number.

In addition, the uncertainties around COVID transmission rates, the emergence of new COVID variants, and the rapidly mushrooming private legal services job market (which was in turn causing widespread lateral associate and partner job changes within law firms and other traditional legal services employers) all combined to create a general atmosphere of caution amongst the volunteer base to engage in any significant new pro bono efforts. This increased hiring and job-shifting activity also hampered Public Counsel's ability to make its own new staff hires. The resulting staffing delays due to a much tighter labor market impacted our ability to create opportunities for volunteerism.

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 that 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 solid and focused in 2021, with the majority of Public Counsel's attorneys and legal staff continuing to cultivate, train, and mentor volunteer lawyers and other legal professionals to assist our clients.

Although Public Counsel's overall number of volunteers and volunteer hours went down somewhat in 2021 as compared to the prior year, we were still able to log over 52,000 volunteer attorney hours. This considerable pro bono contribution is a testament to our longstanding commitment and ability to secure extraordinary levels of volunteer legal support even under the most challenging circumstances.

Under the leadership of Public Counsel's new President, Mónica Ramirez Almadani, we also used 2021 to retool and revitalize a number of aspects of our Pro Bono Department's infrastructure, which has led to new positions being created and program initiatives being generated this year specifically to grow volunteerism. New initiatives in such critical areas as affirmative housing rights, small business assistance, and benefits advocacy for veterans are just a few of the innovative strategies Public Counsel is employing to expand pro bono programming as a tool to both combat the devastating impacts of the pandemic and address the long-term well-being of our communities.

Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	68.09	91,285	2145	52,635
Paralegals	13.71	15,018	365	5,522

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
Law Students	0	0	91	14,027
TOTAL	81.8	106,303	2601	72,184

10. Program Name: 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. During the first week 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 Legal Services 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. The event was a virtual one the last two years due to the COVID-19 pandemic. We look forward to welcoming our guests back to an in-person event on June 16.

4. We regularly provide case opportunities to volunteer attorneys. Every two weeks our Director of Legal Services 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/. 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 and our recently hired Pro Bono Coordinator Angela Mestre regularly conduct presentations at local law firms on how to be involved. They participate 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 2021, we are still primarily focused on providing services through volunteers. The total amount of volunteers – 710 – and volunteer hours 26,514 – are significant achievements. Our staff numbers are higher due to the addition of several new staff members between 2018 and 2021. 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 2021, we worked on impact litigation cases in immigration and housing, but again found ourselves waiting on several significant impact matters that were not yet ripe for filing, so fewer volunteer hours from impact litigation matters were reported. We anticipate an uptick in Housing Elements-related impact litigation in 2023 and beyond.

Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	28	38,665	490	15,603
Paralegals	17	20,411	39	1,346
Law Students	0	0	188	9,565
TOTAL	45	59,076	717	26,514

11. Program Name: 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 estimated numbers for hours and numbers of pro bono attorneys, pro bono paralegals, and pro bono law students serving indigent clients during 2021 for Los Angeles and Orange 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. 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 Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	11	4,597	72	537
Paralegals	4	0	1	130
Law Students	0	0	8	548
TOTAL	15	4,597	81	1,215

Orange Pro Bono County Table:

	# of People Paid	# of Hours Paid	# of People Volunteer	# of Hours Volunteer
POSITIONS				
Attorneys	11	4,597	142	1,074
Paralegals	4	1,464	2	260
Law Students	0	0	16	1,097
TOTAL	15	6,061	160	2,431