

The **ELIGIBILITY AND BUDGET REVIEW COMMITTEE (E&BR Committee)** is charged with responsibility for reviewing annual IOLTA and EAF applications for funding from the State Bar and resolving major eligibility questions. After applications are approved, the E&BR Committee is tasked with reviewing proposed IOLTA/EAF budgets to ensure they conform to requirements under all relevant governing authorities, as well as any large budget revisions and/or carryover requests.

Throughout the year, the E&BR Committee monitors general grant compliance, receiving regular updates regarding monitoring visit outcomes; the status of grant closeout for former grant recipients; and submission of quarterly expense reports and yearly evaluations. The E&BR Committee has discretion to seek additional information from grant applicants and recipients before making recommendations regarding eligibility for IOLTA/EAF funding, up to and including holding eligibility review conferences with committee members, grant applicants/recipients, and State Bar staff.

Staff responsibilities:

- Review and analysis of all application and budget materials submitted;
- Liaison between the committee and individual grant recipients, as appropriate;
- Presentation of eligibility recommendations to, and raising of eligibility questions with, the E&BR Committee;
- Presentation of budget proposal recommendations to, and raising of budgeting issues with, the E&BR Committee;
- Review and analysis of budget revision requests submitted by grantees, with recommendations to E&BR Committee for budget revisions over 25 percent;
- Review and analysis of carryover requests, with recommendations to E&BR Committee for carryover requests over 25 percent;
- Review and analysis of impact litigation and advocacy work (“ILAW”) reports with recommendations to E&BR Committee;
- Review and analysis of grantee pro bono allocation applications under Test C with recommendations to E&BR Committee

Staff discretion:

- Approval/denial of budgets submitted by grantees for budget revisions between 10 and 25 percent of total budget;
- Approval/denial of carryover requests between 10 and 25 percent of total budget¹;

Instances where the E&BR Committee has final decision-making authority delegated by the LSTFC include:

- Review and approval/denial of qualifying nature of activities detailed in grantee ILAW reports and IOLTA/EAF applications and budgets;
- Review and approval/revision of IOLTA/EAF budget proposals that include capital additions or deviate from recommended expense ratio guidelines;
- Acceptance of late-submitted IOLTA/EAF applications;
- Determination whether an organization has demonstrated its primary purpose and function if it fails to meet the presumption under State Bar Rule 3.671

¹ Grantees do not need approval for budget revisions or carryovers below 10 percent of total budget.

Issues where the E&BR Committee proposes a resolution to the full LSTFC include:

- Grants of extensions to submit a completed audit past the IOLTA/EAF application deadline;
- Determination which IOLTA/EAF applicants to find eligible for funding in the next grant year, as well as which applicants should be eligible for additional pro bono allocation;
- Approval/denial of proposed IOLTA/EAF budgets and funding allocations
- Approval/denial of any IOLTA/EAF budget revision and/or carryover request that exceeds 25 percent of the grant award
- Any other policy decisions related to interpretation of the governing authorities regarding eligibility for IOLTA/EAF formula grants not already addressed elsewhere in this section