



The State Bar of California

Legal Services Trust Fund Commission (LSTFC) Eligibility and Budget Review Committee Meeting Teleconference

Open Session Minutes
Friday, August 12, 2022
9:00 a.m.–11:00 a.m.

Time Meeting Commenced: The Eligibility Committee meeting commenced in open session at 9:00 a.m.
Time Meeting Adjourned: 9:47 a.m.
Chair: Erica Connolly
Committee Coordinator: Erica Carroll
Members Present: Pamela Bennett, Catherine Blakemore, Erica Connolly, Judge Clifford Klein, James Meeker
Members Absent: Banafsheh Akhlaghi, Louise Bayles-Fightmaster

OPEN SESSION

1. Roll Call
Roll call was taken, and a quorum was established.
2. Call for Public Comment
Erica Connolly called for public comment, inquiring as to whether there were person(s) who wished to comment on any agenda item. There were no members of the public who wished to speak on any agenda item.

CONSENT CALENDAR

3. The following matters are considered to be routine and will be acted upon by a single vote. There will be no separate discussion of these items unless a member of the committee so requests, in which event the matter shall be removed from the Consent Calendar and considered separately.

3.1 Approval of Meeting Summary and Action Items from July 15, 2022 Meeting

RESOLVED, that the Eligibility and Budget Review Committee (committee) approves the meeting summary and action item draft as posted.

Moved by Meeker, seconded by Blakemore.

Ayes – (5) Bennett, Blakemore, Connolly, Klein, Meeker
Noes – (0)
Abstain – (0)
Absent – (2) Akhlaghi, Bayles-Fightmaster

BUSINESS

4. The following matters are considered to be discussion items. Each item will be considered separately.

4.1 Update on Central California Legal Services Monitoring Visit Findings

Lead Program Analyst Carroll reported Central California Legal Services (CCLS) recently had a monitoring visit during which two substantial fiscal findings were uncovered. First, the organization had a significant amount of unspent State Bar funding, which were mostly Partnership Grant funds and some IOLTA funds. State Bar staff are in the process of invoicing CCLS for these funds. The second issue related to inaccurate financial reporting. State Bar staff are working with the organization to correct their reporting and get it up to date. State Bar staff expect to recommend a follow-up monitoring visit with CCLS. Staff will report back to the committee when the program findings are finalized and when the State Bar receives the response letter from CCLS.

4.2 Discuss and Approve Committee Description for Role of Commission Document

Carroll reminded the committee that the commission is developing a document to outline the responsibilities of the commission, its committees, and staff. Attached to the meeting materials is a proposed description of Eligibility and Budget Review Committee's responsibilities.

The committee requested that language in the final section of the description, which references the committee's role to "propose a resolution" be edited to read "propose a recommendation" to the commission. The committee then passed the following resolution:

RESOLVED, that the Eligibility and Budget Review Committee (committee) recommends approval of the Eligibility and Budget Review Committee description as edited.

Moved by Blakemore, seconded by Meeker.

Ayes – (5) Bennett, Blakemore, Connolly, Klein, Meeker
Noes – (0)
Abstain – (0)
Absent – (2) Akhlaghi, Bayles-Fightmaster

Motion carries.

2023 IOLTA/EAF GRANT APPLICATIONS

5. The following matters are considered to be discussion items. Each item will be considered separately.

- 5.1 Discuss Coalition of California Welfare Rights Organizations Audit Extension and Any Remaining Issues Regarding Its Audited Financial Statement

Carroll reported Coalition of California Welfare Rights Organizations (CCWRO) originally submitted a reviewed financial statement rather than audit, even though the organization's expenditures exceeded \$500,000. The committee previously approved an extension through August 10. The State Bar received that audit on August 1. CCWRO has already engaged an auditor to begin the process for next year's application cycle. State Bar staff have no outstanding eligibility concerns with CCWRO and the organization has now submitted a completed application.

- 5.2 Approve Support Center Deeming Results

Support centers that were not in operation in California on Dec 31, 1980, must be deemed of special need by a majority of QLSPs, as required in statute. State Bar office practice is that each support center must be deemed every three years. Carroll reported that this year only one support center, the Center for Gender and Refugee Studies, needed to be deemed.

State Bar staff sent a survey to all QLSPs; the Center for Gender and Refugee Studies needed to receive 41 "yes" votes to be successfully deemed. The vote was as follows: 59 yes votes, 5 no votes, 1 abstention, and 15 QLSPs did not respond. State Bar staff treat non-responses as no votes.

The Committee discussed how QLSPs gain understanding of a support center's services if they don't regularly engage with that organization. State Bar staff require support centers to send a description of their services to all QLSPs at least twice annually.

- 5.3 Discuss Outstanding Eligibility Issues

Carroll reported no outstanding eligibility issues.

- 5.4 Recommend Applicants to the Legal Services Trust Fund Commission as Eligible or Ineligible for 2023 IOLTA/EAF Funding

Carroll summarized for the committee that the State Bar received 102 applications for 2023 IOLTA/EAF eligibility - 81 from QLSPs and 21 from support centers. Staff completed their application review and the committee has weighed in on several aspects of

eligibility thus far, including audit extensions, primary purpose assessments, pro bono allocation eligibility, support center deeming, and possible non-qualifying activities.

Staff recommend 101 of the 102 applications be found eligible. The one organization that is not recommended for eligibility, Santa Barbara County Immigrant Legal Defense Center, was denied an extension to obtain a financial review and therefore did not submit a complete application. After discussion, the committee then passed the following motion:

RESOLVED, that the Eligibility & Budget Review Committee recommends 101 applicants as eligible for 2023 IOLTA/EAF funding as reflected in Attachment B to the August 12, 2022, meeting memorandum.

And it is **FURTHER RESOLVED**, that the Eligibility & Budget Review Committee recommends Santa Barbara County Immigrant Legal Defense Center as ineligible for 2023 IOLTA/EAF funding due to submission of an incomplete application.

Moved by Blakemore, seconded by Meeker.

Ayes – (3) Bennett, Connolly, Klein

Aye, but abstain as to Disability Rights California – (1) Blakemore

Aye, but abstain as to Public Law Center – (1) Meeker

Noes – (0)

Abstain – (0)

Absent – (2) Akhlaghi, Bayles-Fightmaster

Motion carries.

ADJOURN