



# The State Bar of California

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## Legal Services Trust Fund Commission Meeting

Hybrid Zoom

Open Session Minutes

Wednesday, November 16, 2022

12:00 p.m.–4:00 p.m.

<b>Time Meeting Commenced:</b>	The Legal Services Trust Fund Commission meeting commenced in open session at 12:11 p.m.
<b>Time Meeting Adjourned:</b>	4:02 p.m.
<b>Chair:</b>	Christian Schreiber
<b>Committee Coordinator:</b>	Doan Nguyen
<b>Members Present:</b>	Amin Al-Sarraf, Banafsheh Akhlaghi, Jeff Ball, Louise Bayles-Fightmaster, Catherine Blakemore, Will Boschelli, Venetta Campbell, Erica Connolly, Jason B. Galkin, J. Eric Isken, Angie King, Clifford Klein, Joseph Lee, Tammy Mahoney, James Meeker
<b>Members Absent:</b>	Hon. Diana Kruze, Xavier Vargas
<b>Advisors Present:</b>	Justice Victor Rodriguez, Judge Brad Seligman, Judge Bryant Yang
<b>Advisors Absent:</b>	None
<b>Liaisons Present:</b>	Salena Copeland, Bonnie Hough, Melanie Snider
<b>Liaisons Absent:</b>	None

## OPEN SESSION

1. Call to Order  
The Legal Services Trust Fund Commission (commission) was called to order by Chair Schreiber.
2. Roll Call  
Roll call was taken, and a quorum was established.
3. Call for Public Comment  
Chair Schreiber 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.
4. Approval of Minutes

#### 4.1 Open Session Minutes: August 12, 2022

This agenda item was withdrawn and tabled for December meeting

### 5. Grants Administration

#### 5.1 Report from Chair of the Legal Services Trust Fund Commission

Chair Schreiber suggested to developing a standing pool of potential commissioner candidates for recruitment purposes.

#### 5.2 Report from Directors of the Office of Access & Inclusion

Program Director Doan Nguyen reported that for the 2022 grant year, staff is on track to finish conducting 39 monitoring visits and for 2023, the staff will need to conduct 34 visits and 2 follow-up visits. Nguyen also reported that OA&I will be doing a second iteration of the Justice Gap study, which will be published at the end of 2024.

Program Director Elizabeth Hom noted that one significant finding from the 2019 Justice Gap Study was that there is a “knowledge gap” where people do not know what issues could be solved through a legal remedy. The State Bar has been working with the California Access to Justice Commission to develop a communication strategy around the knowledge gap, which will involve testing messages related to specific legal issues over social media.

Hom also reported that the State Bar will be launching a Leadership Seal program to encourage employers of California attorneys to publicly commit to advancing diversity, equity, and inclusion (DEI) in their workplaces.

#### 5.3 Discuss and Approve 2023 Legal Services Trust Fund Commission Work Plan

**Presenters:** Christian Schreiber, Chair, LSTFC  
Doan Nguyen, Program Director, Office of Access & Inclusion

The commission discussed the upcoming 2023 workplan and decided to table the vote until the next regular meeting in March 2023.

Commissioners Blakemore and Galkin volunteered to be members of the ad hoc working group to further review and report back on recruiting and retaining attorneys including a loan repayment assistance program (LRAP).

#### 5.4 Review of Committee Assignments

Program Director Nguyen reported that all commissioners have been contacted and are aware of their respective committee assignments.

#### 5.5 Review of Administrative Calendar

Staff will be sending out calendar invites for the 2023 meetings. In addition, Program Director Nguyen requested that commissioners accept or deny the invites to ensure a quorum is established for these meetings.

#### 5.6 Report on Leadership Bank Program and IOLTA Revenue

**Presenters:** Michael Cheng, Program Supervisor, Office of Access & Inclusion  
Heidi Slater, Senior Financial Analyst, Office of Access & Inclusion  
Dennis Yee, Senior Program Analyst, Office of Access & Inclusion

Senior Program Analyst Dennis Yee and Senior Financial Analyst Heidi Slater provided a brief overview of the IOLTA and Leadership Bank Program. Program Supervisor Michael Cheng presented a conservative projection of IOLTA revenue, which was higher than the Board of Trustees approved budget amounts due to the market's increased interest rates.

Staff suggested several ways to stabilize and maximize IOLTA revenue. The commission and Board of Trustees would approve changes in the fourth quarter of 2023, with the anticipated implementation in the second quarter of 2024.

Staff would like to create a working group comprised of two commissioners to work with the staff on exploring proposed changes and to develop an implementation plan for commission approval.

Chair Schreiber delegated to the Bank Grant Committee the task of working with staff to study possible ways to enhance IOLTA revenue.

#### 5.7 Report on CARE Court Funding and Approval of Delegation of Authority

**Presenters:** Christian Schreiber, Chair, LSTFC  
Doan Nguyen, Program Director, Office of Access & Inclusion

Chair Schreiber and Program Director Nguyen presented on the Community Assistance, Recovery & Empowerment (CARE) Act. This new initiative provides a new civil court process and authorizes the court to appoint counsel on behalf of a person subject to a CARE Court Petition. Chair Schreiber and Nguyen also offered an overview of the implementation process and a timeline for the

planning grants. In addition, they requested delegated authority for staff to decide who will receive the planning grants.

The commission passed the following resolutions:

**RESOLVED**, that the Legal Services Trust Fund Commission delegates authority to State Bar staff to administer and award the CARE Court planning grants.

And it is **FUTHER RESOLVED**, that the Legal Services Trust Fund Commission designates the Executive Committee to participate in the CARE Court implementation process.

*Moved by Schreiber, seconded by Connolly.*

*Ayes – (15) Akhlaghi, Al-Sarraf, Ball, Bayles-Fightmaster, Blakemore, Boschelli, Campbell, Connolly, Galkin, Isken, King, Klein, Mahoney, Meeker, Schreiber*

*Noes – (0)*

*Abstain – (0)*

*Absent – (3) Kruze, Lee, Vargas*

*Motion carries.*

## 5.8 Report on Law Student Summer Fellowships

**Presenter:** Elizabeth Hom, Program Director, Office of Access & Inclusion

Program Director Hom presented on the Law School Summer Fellowships, which aim to address pipeline and public interest drift issues in legal aid. The fellowships would be awarded as competitive grants open to all qualified legal services projects and support centers, with preference given to fellows serving rural or underserved communities and who serve clients regardless of immigration status or citizenship status.

The fellowship grants would be effective from January 1, 2023, to December 31, 2024. Any funds not allocated by January 1, 2025, will be distributed through the IOLTA formula. Staff estimates that approximately 50-75 fellows would receive grants ranging from \$10,000 to \$15,000.

The commission passed the following resolutions:

**RESOLVED**, that the Legal Services Trust Fund Commission, acting under its authority to administer these competitive grants, creates the Law School Fellowship Grants Committee.

**FURTHER RESOLVED**, that the commission delegates authority to the Law School Fellowship Grants Committee to approve the Request for Proposals, including the scoring rubric, for the 2023 Law School Fellowship grants and delegates authority to this committee to consider and approve the award determinations.

*Moved by Ball, seconded by Akhlagi.*

*Ayes – (15) Akhlaghi, Al-Sarraf, Ball, Bayles-Fightmaster, Blakemore, Boschelli, Campbell, Connolly, Galkin, Isken, King, Klein, Mahoney, Meeker, Schreiber*

*Noes – (0)*

*Abstain – (0)*

*Absent – (3) Kruze, Lee, Vargas*

*Motion carries.*

#### 5.9 Report on the Homelessness Prevention 4 Competitive Applications

**Presenter:** Jennifer Zelnick, Senior Program Analyst, Office of Access & Inclusion

Senior Program Analyst Jennifer Zelnick reported that 46 applications were submitted (37 QLSPs and 9 support centers), requesting a total of \$25,197,965. Since the total available funding for HP 4 is \$28,500,000, there are \$3,302,035 unallocated monies remaining. The HP 4 scoring team, comprised of HP Committee members and staff, recommend that the commission allow HP 4 grant recipients to apply for supplemental funding during the grant period to further support non-State Bar-funded partners and new subgrants for additional community-based organizations and local jurisdictions as appropriate.

### 6. IOLTA and Equal Access Fund (EAF) Grants

#### 6.1 Discuss and Approve Eligibility and Budget Review Committee Recommendations for 2023 IOLTA and EAF Budget Submissions

**Presenter:** Doan Nguyen, Program Director, Office of Access & Inclusion

Program Director Nguyen reminded the commission that it already approved funding for 101 eligible organizations with a distribution of IOLTA \$50.6 million and EAF \$31.6 million. The Eligibility and Budget Review Committee discussed and resolved all pending budget issues at its November 4, 2022, meeting and is seeking commission approval.

The commission passed the following resolution:

**RESOLVED**, that the Legal Services Trust Fund Commission approves the 2023 IOLTA/EAF budget proposals as recommended by the Eligibility & Budget Review Committee and reflected in the list attached to the November 16 meeting materials.

*Moved by Isken, seconded by Ball.*

*Ayes – (14) Akhlaghi, Al-Sarraf, Ball, Bayles-Fightmaster, Boschelli, Campbell, Connolly, Galkin, Isken, King, Klein, Mahoney, Meeker, Schreiber*

*Noes – (0)*

*Abstain – (6) Al-Sarraf (as to LAFLA only), Bayles-Fightmaster (as to Legal Aid of Sonoma County only), Isken (as to Bet Tzedek only), King (as to San Luis Obispo Legal Assistance Foundation only), Meeker (as to Public Law Center only), Schreiber (as to Impact Fund, Legal Aid at Work, and CLESPA only)*

*Absent – (4) Blakemore, Kruze, Lee, Vargas*

*Motion carries.*

## 7. Partnership Grants

### 7.1 Discuss and Approve Proposed Rubric for 2024 Partnership Grants

**Presenters:** Eric Isken, commissioner, LSTFC

Commissioner Isken presented proposed changes to the 2024 Partnership Grants scoring rubric as recommended by the Partnership Grants Committee to better reflect committee practice. These changes include updating the description funding priorities section and revising points for certain categories such as innovation and evaluation. If approved, the updated rubric would also be included in the 2024 request for proposal.

The commission passed the following resolution:

**RESOLVED**, that the Legal Services Trust Fund Commission approve the request for proposals (RFP) and scoring rubric for the 2024 Partnership Grants as described in the November 16, 2022, memorandum.

*Moved by Akhlaghi, seconded by Ball.*

*Ayes – (12) Akhlaghi, Al-Sarraf, Ball, Bayles-Fightmaster, Campbell, Connolly, Galkin, Isken, King, Mahoney, Meeker, Schreiber*

*Noes – (1) Boschelli*

*Abstain – (0)*

*Absent – (5) Blakemore, Klein, Kruze, Lee, Vargas*

*Motion carries.*

## 8. Rules Committee

### 8.1 Review of 2023 Committee Work Plan

Co-vice chair Connolly provided updates on the Rules Committee Work Plan and noted that six rules will be presented to the BOT the week of November 14, 2022, and another rule will be presented in May of 2023. Co-vice chair Connolly invited all commissioners to attend the Rules Committee meetings. Co-vice chair Connolly encouraged Commissioners to make public comments on items they feel passionate about and review the upcoming agendas.

## 9. Liaison Reports

### 9.1 Legal Aid Association of California (LAAC) Report on Program Developments

Executive Director Salena Copeland reported that LAAC is continuing its work around wellness, as many in the legal aid community continue to work through vicarious trauma, burn-out and lack of self-care. Over the next year, LAAC plans to hold several webinars that address wellness and will monitor several working groups.

### 9.2 Judicial Council Report on Program Developments

No report.

## 10. Adjourn

**CLOSED SESSION**

NONE