



The State Bar *of California*

OPEN SESSION

AGENDA ITEM

8.1 MARCH 2023

LEGAL SERVICES TRUST FUND COMMISSION

DATE: March 24, 2023

TO: Members, Legal Services Trust Fund Commission

FROM: Legal Services Trust Fund Commission Partnership Grants Committee

SUBJECT: 2022 Partnership Grant Budget Revisions and/or Carryover Requests in Excess of 25 Percent of Grant Award

EXECUTIVE SUMMARY

Each year organizations that receive Partnership Grant funding have the opportunity to revise or request a carryover of their grant award. The 2022 budget revision and carryover request forms were released beginning October and were due January 31, 2023.

Requests equal to or exceeding 25 percent of the total grant award require Legal Services Trust Fund Commission (Commission) review and approval. In lieu of reviewing such requests during a noticed meeting, the Partnership Grants Committee delegated authority to an ad hoc working group to review requests over 25 percent and develop recommendations for the Commission. The approved spenddown period for carryover requests is from January 1, 2023, through June 30, 2023; unspent funds after June 30, 2023, must be remitted to the State Bar.

BACKGROUND

Grantees seeking to revise their budgets or carryover funds to the following grant year must submit a written request for revision. In the Legal Services Trust Fund Program General Grant Provisions, provision 7.01 states that recipients shall not materially deviate from the approved budget without first obtaining prior written approval. A budget revision request must fully delineate the reason for the revision and any effect on the recipient. According to the Commission's Functional Matrix, changes which are at or below 10 percent of the total award are self-approving. State Bar staff may review and approve requests that have a deviation

between 10 and 25 percent of the total award. If the deviation is equal to or greater than 25 percent, the Committee and Commission review the request and determine approval.

At its January 11, 2023, meeting, in lieu of scheduling an additional meeting, the Partnership Grants Committee delegated authority to an ad hoc working group to review requests greater than 25 percent and develop recommendations on behalf of the Committee. Committee members Diana Kruze and Jason Galkin served on this ad hoc working group.

DISCUSSION

Staff received two budget revision and four carryover requests from grantees (Attachment A). Of those requests, three carryover requests from one grantee were over 25 percent of the total grant award. The grantee noted unanticipated staffing changes, hiring delays, and changes in legislation as reasons for the carryover requests in its various projects. On March 3, 2023, the working group reviewed the requests and found the explanations reasonable, as the circumstances described were out of the grantee's control. Because the grantee also did not have a history of repeated carryover requests, the working group felt confident that the requested carryover amounts would be spent timely. Acting on behalf of the Partnership Grants Committee through its delegated authority, the working group recommends approval of all three carryover requests above 25 percent of the grant award for a period of six months (January 1 through June 30); unspent funds after June 30, 2023, must be remitted to the State Bar.

RECOMMENDATION

Should the Legal Services Trust Fund Commission concur in the proposed action, passage of the following resolution is recommended:

RESOLVED, that the Legal Services Trust Fund Commission recommends approval of all 2022 Partnership Grant carryover requests in excess of 25 percent of the grant award, as reflected in Attachment A.

ATTACHMENTS LIST

- A. 2022 Partnership Grant Budget Revision and Carryover Requests as of January 31, 2023

**2022 PARTNERSHIP GRANT BUDGET REVISIONS AND/OR CARRYOVER REQUESTS
IN EXCESS OF 25 PERCENT OF GRANT AWARD**

Organization	Project Name	Grant Type	2022 Grant Amount	Carryover Amount	Carryover Percentage
Bet Tzedek	Decedent's Estate Self-Help Clinic	2022	\$120,000	\$43,978	37%

Rationale: During the 2022 grant period, Bet Tzedek's Decedent Estate Clinic (DEC) experienced unanticipated staffing changes and delayed hiring, including the departure of the DEC Directing Attorney in September 2022, which resulted in lower staffing expenditures. To ensure that Bet Tzedek is able to spend all State Bar funding for the project, our leadership team appointed seasoned Directing Attorney Bertha Sanchez Hayden, who supervises the Self-Help Conservatorship Clinic (SHCC), to oversee the DEC as we look to hire a permanent replacement. Additionally, Bet Tzedek filled the new Decedent Estate Clinic Coordinator position, with the new hire starting on February 1. Now that these positions have been filled, Bet Tzedek will be able to spend both the 2022 carryover amount and the 2023 grant award.

Organization	Project Name	Grant Type	2022 Grant Amount	Carryover Amount	Carryover Percentage
Bet Tzedek	Remote Pro Se Technology Initiative	2022	\$120,000	\$45,642	38%

Rationale: During the 2022 grant period, recruitment for the Bet Tzedek's new Remote Pro Se Clinic Coordinator position took longer than expected, which resulted in lower staffing expenditures. According to the National Council of Nonprofits, the project's challenges with delayed hiring are part of a nationwide trend, as nonprofits across the country report "significant difficulties retaining staff and filling vacancies." A recent survey conducted by the Council found that 16% of nonprofits reported a 30% or higher job vacancy rate, 26% reported between 20%-29% vacancies, 34% reported between 10-19% vacancies, and 24% reported vacancies between 0-9%. They concluded, "what was initially considered a challenge has now become a workforce crisis in need of rapid remedy."

Bet Tzedek is pleased to report that, despite this challenge, in August 2022 we hired Alejandra Sanchez-Castro to fill the new Remote Pro Se Clinic Coordinator position. Alejandra received her BA from UCLA in Chicana/o and Central American Studies with a minor in Labor Studies at UCLA. In her short time at Bet Tzedek, she has already become an invaluable member of the team. With this job vacancy filled, Bet Tzedek is better positioned to spend both the 2022 carryover amount and the 2023 grant award.

Further, as noted in the "Other" costs section of our approved budget, Bet Tzedek expected to pay Transcend Translation \$50,000 in 2022 to create six video tutorials for Self-Help

Conservatorship Clinic (SHCC) litigants. Because newly enacted legislation will bring sweeping changes to probate conservatorship in 2023, we delayed this aspect of the project to ensure that the tutorials created with State Bar funding reflect these important legislative changes.

Organization	Project Name	Grant Type	2022 Grant Amount	Carryover Amount	Carryover Percentage
Bet Tzedek	Remote Pro Se Technology Initiative	PG 2.0 Supplemental	\$30,000	\$30,000	100%

Rationale: Bet Tzedek expected to pay Transcend Translation to create video tutorials for Self-Help Conservatorship Clinic (SHCC) litigants in 2022. However, because newly enacted legislation will bring sweeping changes to probate conservatorship in 2023, we delayed this expense to ensure that the tutorials created with State Bar funding reflect these important legislative changes and offer relevant and up-to-date guidance for litigants.

**2022 PARTNERSHIP GRANT BUDGET REVISION AND/OR CARRYOVER REQUESTS
BETWEEN 10 AND 25 PERCENT OF THE GRANT AWARD
(FOR REFERENCE ONLY: STAFF-APPROVED)**

Organization	Project Name	Grant Type	2022 Grant Amount	Budget Revision Amount	Budget Revision Percentage	Carryover Amount	Carryover Percentage
Legal Aid Society of San Bernardino	Caregivers and Small Estates Accessing Justice	2022	\$85,000	\$16,420	19%	N/A	N/A

**2022 PARTNERSHIP GRANT BUDGET REVISION AND/OR CARRYOVER REQUESTS
BELOW 10 PERCENT OF THE GRANT AWARD
(FOR REFERENCE ONLY: SELF-EXECUTING APPROVAL)**

Organization	Project Name	Grant Type	2022 Grant Amount	Budget Revision Amount	Budget Revision Percentage	Carryover Amount	Carryover Percentage
LACBA Counsel for Justice	LACBA Domestic Violence Legal Services Project	2022	\$80,000	\$5,779	7%	N/A	N/A
Senior Citizens Legal Services	Indigent Landlord/Tenant Services and Mediation	2022	\$108,000	N/A	N/A	\$7,403	7%