



The State Bar of California

**OPEN SESSION
AGENDA ITEM
MARCH 2023
LEGAL SERVICES TRUST FUND COMMISSION 7.2**

DATE: March 24, 2023

TO: Members, Legal Services Trust Fund Commission

FROM: Members, Legal Services Trust Fund Commission Homelessness Prevention Funds Committee

SUBJECT: Approve Changes to Homelessness Prevention (HP) Grant Reporting

EXECUTIVE SUMMARY

Governor Newsom signed Assembly Bill 179 to amend the Budget Act of 2022 (the Budget Act) on September 6, 2022. The Budget Act allocates \$30 million for competitive awards to qualified legal services projects (QLSPs) and support centers to provide homelessness prevention legal services.¹ This is the Legal Services Trust Fund Commission's fourth cycle of homelessness prevention (HP 4) grants. The initial HP 4 grants began in January 2023.

In late 2022, the State Bar finalized the first annual reports about the 2021-2023 homelessness prevention (HP 2) and 2021/2022-2024 homelessness prevention (HP 3) awards. While analyzing the HP 2 and 3 data, staff noticed that support centers did not have many opportunities to report numerically on their work for qualified legal services projects (QLSPs).

This memo recommends changes to HP 2, 3, and 4 reporting that would avoid foreseeable gaps in HP 2, 3, and 4 data for support centers. The Homelessness Prevention Funds Committee (Committee) met on January 23, 2023, to finalize these recommendations for the Commission meeting on March 24, 2023.

¹ The Budget Act of 2022 is available at leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB179.

BACKGROUND

In 2020, California amended the Government Code to provide \$31 million for homelessness prevention legal aid and support center services.² This state funding supports the HP 2 grants, which run from January 2021 through December 2023. The Budget Act of 2021 provides \$40 million in federal Coronavirus State Fiscal Recovery Funds for homelessness prevention grants to QLSPs and support centers.³ This funding supports the HP 3 grants, which run from December 2021 and January 2022 through December 2024. Finally, the Budget Act allocates an additional \$20 million in state funding for the HP 3 awards plus \$30 million in state funding for the HP 4 grants.⁴ The initial HP 4 grants run from January 2023 to June 2024. Although the HP 2, 3, and 4 grants have separate reporting requirements, this memo recommends refinements to how the State Bar would collect data on all of them.

DISCUSSION

While analyzing data from the first annual reports for the HP 2 and 3 grants, staff found that support centers would benefit from more opportunities to report numerically on their services to QLSPs. Updating the reporting requirements to better capture this data would enable support centers to communicate more effectively their contributions to homelessness prevention. It would also enable the Commission and other stakeholders to better assess their impact.

The major change proposed for HP 2, 3, and 4 grants is to add language that addresses the types of services that support centers provide to QLSPs. These include, e.g., homelessness prevention technical assistance, trainings, and convenings designed for QLSP advocates. Additional changes to the reporting requirements reflect efforts to make the requirements more uniform, such as replacing Roman numerals with Arabic numerals (e.g., replacing “HP II” with “HP 2”).

Attachments A, B, and C propose updated language for grantees about HP 4, 3, and 2 reporting, respectively. For comparison convenience, all three documents show redlined changes against the “reporting section” of their respective request for proposals. The redlines show how the reporting would change from what the committee originally communicated to programs.

² Government Code section 12531(E)(1)(B) is available at https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=12531.&article=2.&highlight=true&keyword=homelessness.

³ The Budget Act of 2021 is available at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB164.

⁴ See footnote 1, *supra*.

CONCLUSION

The recommendations described herein would improve the completeness and precision of HP 2, 3, and 4 data and by extension reports to the Legislature and public. In turn, these reports could make a stronger case for future funding for homelessness prevention legal aid.

RECOMMENDATION

Should the Commission agree with the Committee's recommendations, passage of the following resolutions is recommended:

RESOLVED, that the Legal Services Trust Fund Commission approves the changes to 2021-2023 Homelessness Prevention (HP 2) grant reporting, 2021/2022-2024 Homelessness Prevention (HP 3) grant reporting, and 2023-2024 Homelessness Prevention (HP 4) grant reporting as described herein including Attachments A, B, and C.

ATTACHMENT(S) LIST

- A.** Updated HP 4 Grant Reporting Language for Programs (Redline Version)
- B.** Updated HP 3 Grant Reporting Language for Programs (Redline Version)
- C.** Updated HP 2 Grant Reporting Language for Programs (Redline Version)



The State Bar of California

UPDATES TO 2023-2024 HOMELESSNESS PREVENTION (HP 4) GRANT REPORTING

(The proposed updates appear as redlines below. The non-redlined text is from the HP 4 competitive grant request for proposals.)

REPORTING REQUIREMENTS

Demonstrating effective use of these funds is critical to supporting future funds. Grantees must, therefore, report quantitative and qualitative data describing their clients and activities. This data includes outcomes (main and economic benefits) tied to individual characteristics that demonstrate the value of these grants.

HP 4 grants must comply with the existing framework for Equal Access Program reporting except where necessary to meet other state requirements. Reporting requirements may be subject to guidance from the Department of Finance and other agencies. As such, some requirements might become known to the State Bar at a later date.

Reporting requirements will include:

1. Annual Expenditure Reports

Grantees will have to submit annual spending reports that compare expenditures to the approved budget. Grantees will have to report budget variances exceeding 10 percent to the State Bar as soon as possible.

2. Annual Services/Case Reports

Grantees will have to submit annual reports with client-level data on:

- A. Main benefits for all cases according to those codes and definitions in the *California Legal Aid Reporting Handbook* that are relevant to HP 4 funds. Programs will specify whether or not the main benefit is verified.
- B. Geographic and demographic data, tied to verified/not verified outcomes, for all clients.
- C. (To the extent possible) Economic benefits for cases that resulted in an award for or savings to the client.

D. Highest levels of service for all cases where there was an attorney-client relationship and aggregated data about all other services (e.g. trainings) during the grant.

E. (For support centers) Quantitative and qualitative data about trainings, convenings, research, and other support for qualified legal services projects (QLSPs).

~~E.F.~~ Any other data necessary to comply with state reporting requirements.

3. A Final Evaluation Report

In addition to the regular services reports, organizations will have to submit a final evaluation about the following outputs and outcomes, among others:

- A. Service population: How did this project impact the people it served? What changed for them, or what negative outcomes were prevented?
- B. Community impact: Describe whether and how this project has changed the community it serves.
- C. Evaluation/Assessment: Describe the processes used to assess the effectiveness of this project and any lessons learned regarding the project itself or the community it serves.
- D. Reports: Upload any report completed regarding the evaluation or assessment of this project or demonstrating the effect of services rendered (e.g., client satisfaction survey results, pre and post test results, number of cases in which stipulations were reached, number of trials, outcome of trials, etc.).
- E. Other impacts: Will this project have any immediate or long-term impacts that are not already captured in main benefits reporting?
- F. Continuation of the project: Describe any plans to continue the project after the grant period.
- G. Publications: Describe any future publication or distribution plans for materials resulting from grant activities; provide the URL for online resources related to this project (web sites, resource libraries, etc.).
- H. Impact work and materials:
 - Overview of impact litigation cases: For any grant-funded impact cases your organization litigated as part of this project during the grant

period, whether open or closed, report the case name, number of individuals estimated to be impacted, date filed, venue, and any partners or co-counsel also participating.

- Overview of public policy advocacy activities: Describe any grant-funded public policy advocacy activities, such as regulatory advocacy, your organization engaged in during the grant period. Remember that the legislature prohibited using these funds for legislative advocacy.
- Training and support activities: Describe any grant-funded training or other support activities not identified above. For support centers, use this space to provide quantitative and qualitative data about trainings, convenings, research, and other support for QLSPs.



The State Bar of California

UPDATES TO 2021/2022-2024 HOMELESSNESS PREVENTION (HP 3) FORMULA AND COMPETITIVE GRANT REPORTING

(The proposed updates appear as redlines below. The non-redlined text is from the HP 3 competitive grant request for proposals, as amended at the Legal Services Trust Fund Commission meeting on March 11, 2022.)

REPORTING REQUIREMENTS

Appropriations for HP 3 grants comes from federal Coronavirus State Fiscal Recovery Funds. HP 3 awards, therefore, have unique reporting requirements set by the U.S. Treasury and/or state Department of Finance. Additionally, HP 3 reporting topics and deadlines are subject to change when necessary to comply with state and federal guidance.

Demonstrating effective use of these funds is critical to supporting future funds. Grantees must, therefore, report quantitative and qualitative data describing the clients they served and activities they performed. This data includes outcomes (main and economic benefits) tied to individual characteristics that demonstrate the impact/value of these grants.

HP 3 grants will comply with the existing framework for Equal Access Program reporting except where necessary to meet state or federal requirements. These requirements are generally subject to future guidance from the Department of Finance and other agencies. As such, some requirements might become known to the State Bar at a later date. At this time, reporting requirements for HP 3 formula and competitive awards include:

1. Quarterly Expenditure Reports

Organizations will have to submit quarterly spending reports that compare expenditures to the approved budget. Additionally, programs must report their quarterly spending—if any—on full-scope representation in eviction cases. Grantees must report budget variances of 10 percent or more to the State Bar as soon as possible.

2. Quarterly and Annual Services/Case Reports

Grantees will have to submit quarterly reports on the **total** number of persons they served with HP 3 funds. This includes total cases closed where there was an attorney-client relationship. It also includes total participants of other—e.g. information-only—services from self-help clinics, trainings, outreach events, and hotline calls. Grantees will have to submit annual reports with **client-level** data on the following:

- A. Main benefits for all cases according to those codes and definitions in the *California Legal Aid Reporting Handbook* that are relevant to HP 3 funds. Programs will specify whether the main benefit is anticipated or verified.
- B. Geographic and demographic data, tied to anticipated or verified outcomes, for all clients.
- C. Economic benefits for cases that resulted in an award for or savings to the client.
- D. Highest levels of service for all cases where there was an attorney-client relationship and aggregated data about all other services (e.g. trainings).
- E. (For support centers) Quantitative and qualitative data about trainings, convenings, research, and other support for qualified legal services projects (QLSPs).
- ~~E.F.~~ Any other data necessary to comply with state and federal reporting requirements.

As of January 2022, HP 3 grantees have to report data through the immediately preceding month/quarter. Due to very short timelines for reporting, however, the State Bar and Judicial Council of California are seeking permission from the Department of Finance for grantees to report one quarter in arrears. The State Bar will notify programs if this becomes an option.

3. Final Evaluation Report

In addition to the regular activity/services reports, organizations will have to submit a final evaluation about the following outputs and outcomes, among others:

- A. Service population: How did this project impact the people it served? What changed for them, or what negative outcomes were prevented?
- B. Community impact: Describe whether and how this project has changed the community it serves.
- C. Evaluation/Assessment: Describe the processes used to assess the effectiveness of this project and any lessons learned regarding the project itself or the community it serves.
- D. Reports: Upload any report completed regarding the evaluation or assessment of this project or demonstrating the effect of services rendered (e.g., client satisfaction survey results, pre and post test results, number of cases in which stipulations were reached, number of trials, outcome of trials, etc.).

- E. Other impacts: Will this project have any immediate or long-term impacts that are not already captured in main benefits reporting?
- F. Continuation of the project: Describe any plans to continue the project after the grant period.
- G. Publications: Describe any future publication or distribution plans for materials resulting from grant activities; provide the URL for online resources related to this project (web sites, resource libraries, etc.).
- H. Impact work and materials:
- Overview of impact litigation cases: For any grant-funded impact cases your organization litigated as part of this project during the grant period, whether open or closed, report the case name, number of individuals estimated to be impacted, date filed, venue, and any partners or co-counsel also participating.
 - Overview of public policy advocacy activities: Describe any grant-funded public policy advocacy activities, such as regulatory advocacy, your organization engaged in during the grant period. Remember that the legislature prohibited using these funds for legislative advocacy.
 - Training and support activities: Describe any grant-funded training or other support activities not identified above. For support centers, use this space to provide quantitative and qualitative data about trainings, convenings, research, and other support for QLSPs.



The State Bar *of California*

UPDATES TO 2021-2023 HOMELESSNESS PREVENTION (HP 2) FORMULA AND COMPETITIVE GRANT REPORTING

(The proposed updates appear as redlines below. The non-redlined text is from the HP 2 competitive grant request for proposals, as amended at the Legal Services Trust Fund Commission meeting on March 11, 2022.)

REPORTING REQUIREMENTS

The addition of \$31 million for homelessness prevention provides an excellent opportunity for legal services programs to demonstrate the efficacy of their work in addressing one of the most intractable problems in California. Demonstrating effective use of these funds is critical to supporting continued and/or additional funds for such purposes in the future. Grantees are required to report both quantitative and qualitative data describing the clients served and the work performed including outcomes achieved (main and economic benefits) tied to individual characteristics to demonstrate the impact/value of these additional funds.

I. Financial Reporting Requirements

Organizations are required to submit an annual Expenditures Report, comparing project expenditures to the approved project budget. Variances exceeding 10 percent over budget must be reported to the State Bar as promptly as possible. In addition, a final Expenditures Report will be due after the close of the grant period.

II. Evaluation

Organizations are required to submit an annual Evaluation Report including the following:

- A. What impact did this grant have in the community and for the people served? Describe the accomplishments in both quantitative and qualitative terms.
- B. Was a separate evaluation of the project performed? If so, please describe the results of the evaluation and your assessment of the project. Include both the weaknesses and the strengths of the project (a discussion that includes how problems were dealt with will be more helpful than one that focuses exclusively on the project's successes).

- C. What immediate (not already captured in main benefits reporting) and long-term impacts will result from the project?
- D. Describe any plans to continue the project after the grant period.
- E. Identify and provide the products produced during the project. This includes representative samples of completed work like training materials, copies of any mailing, fliers, newspaper releases, articles, or other media coverage. Also describe any future publication or distribution plans for materials resulting from grant activities. Provide the URL for websites.
- F. Identify and provide materials that document impact and outcomes of the project, including data demonstrating the effect of services rendered (e.g., client satisfaction survey results, pre and post test results, number of cases including number of cases in which stipulations were reached, number of trials, outcome of trials, etc.).
- G. If applicable, a report on any impact litigation and advocacy work including:
 - 1. Total number of impact litigation cases (include partner/co-counsel cases) both open and closed.
 - 2. Total number of advocacy activities both completed and ongoing.
 - 3. Narrative summary for individual cases and activities.
- H. Any other data necessary to comply with state reporting requirements.

III. Data Report

In addition to the qualitative information organizations are required to submit an annual Benefits Report including the following:

- A. All benefits (outcomes) for all cases according to those main benefit codes/definitions in the California Legal Aid Reporting Handbook that are relevant to HP 3 funds. Programs will specify whether the main benefit is anticipated or verified.
- B. Demographic data of the clients served.
- C. Economic benefits for any main benefit code that resulted in an award recovered for the client or savings for the client.
- D. Activities and services provided that are not specific to an individual client but

rather a large group of individuals.

E. Case summary on all cases (attorney-client relationship) and other services (no attorney-client relationship) during the grant period.

E.F. (For support centers) Quantitative and qualitative data about trainings, convenings, research, and other support for qualified legal services projects.