



The State Bar of California

Legal Services Trust Fund Commission Eligibility Budget and Review Committee Teleconference

Open Session Minutes
Friday, March 10, 2023
12:00 p.m.–3:00 p.m.

Time Meeting Commenced: Eligibility Budget and Review Committee meeting commenced in open session at 12:00 p.m.

Time Meeting Adjourned: 2:30 p.m.

Chair: Catherine Blakemore

Committee Coordinator: Erica Carroll

Members Present: Comm. Louise Bayles-Fightmaster, Angie King, Hon. Clifford Klein, James Meeker, and Xavier Vargas

Members Absent: Banafsheh Akhlaghi

Advisor Non-Voting Present: Hon. Brad Seligman

Liaisons Present: Salena Copeland, LAAC

Liaisons Absent: Laura Brown, Judicial Council
Melanie Snider, Judicial Council
Kimberly Tyda, Judicial Council

OPEN SESSION

1. **Call to Order**

The Legal Services Trust Fund Commission Eligibility Budget and Review Committee meeting was called to order by Chair Blakemore.

2. **Roll Call**

Roll call was taken, and a quorum was established.

Call for Public Comment

Chair Blakemore called for public comment, inquiring as to whether any person(s) wished to comment on any agenda item. There were several members of the public who wished to speak.

A. Christian Abasto

- Christian Abasto, Legal Director, Disability Rights California, expressed support for greater flexibility as it relates to carryover requests.

B. Stephanie Valencia

- Stephanie Valencia, CFO, California Rural Legal Assistance, Inc. expressed support for greater flexibility as it relates to carryover requests.
- C. Leigh Ferrin
 - Leigh Ferrin, Program Director, OneJustice, expressed support for greater flexibility as it relates to carryover requests.
- D. Aarti Kohli
 - Aarti Kohli, Executive Director, Advancing Justice - Asian Law Caucus, reported that they have a carryover request and can hold her comments until that section of the agenda.
- E. Diego Cartagena
 - Diego Cartagena, Executive Director, Bet Tzedek, expressed support for greater flexibility as it relates to carryover requests.
- F. Tim Denari
 - Tim Denari, Director of Finance, Greater Bakersfield Legal Assistance, reported that they are be available for questions during that sections of the agenda that pertain to Greater Bakersfield Legal Assistance.

3. Approval of Minutes

3.1 Open Session Minutes: November 4, 2022

Approval of November 4, 2022, Open Session Minutes

The minutes were approved with the following correction:

RESOLVED, that the Legal Services Trust Fund Commission Eligibility and Budget Review Committee recommends that the LSTFC approve the 2023 IOLTA/EAF budget proposals as reflected in the list attached to the November 4, contingent upon ~~competition~~ **completion** of any staff requested corrections by the time of the LSTFC's November 16 meeting.

Moved by King, seconded by Meeker.

Ayes – (6) Bayles-Fightmaster, Blakemore, King, Klein, Meeker, Vargas

Noes – (0)

Abstain – (0)

Absent – (1) Akhlaghi

Motion carries.

4. Administrative Updates

4.1 Staff Report on Prospective Applicants for 2024 IOLTA/EAF Funding

Erica Carroll, Lead Program Analyst, reported that staff held a webinar for prospective applicants on March 2, 2023, there were 33 attendees. A total of 11 new organizations participated.

4.2 Overview of Impact Litigation and Advocacy Work (ILAW) Reporting and Review Process

Carroll reported that the ILAW reports will be reviewed at the next EBR meeting.

5. Grantee-Related Updates

5.1 Updates on Planned Follow-Up on 2022 Monitoring Visits, Committee/Grantee Check-In Calls, Grantee Expense Reporting, and Closeout of Former Grantee

Carroll reported that two follow-up monitoring visits will be conducted in 2023 stemming from 2022 monitoring. California Rural Legal Association, Inc. and Center for Human Rights and Constitutional Law will have follow-up monitoring visits in 2023.

Carroll reported that staff and Commission members met representatives from Western Center for Law and Poverty (WCLP) after its budget submission for 2023 was submitted after the deadline and partially incomplete. They had a productive conversation with WCLP, who reiterated its commitment to meeting its grant requirements.

Carroll reported that Public Counsel has brought to the staff's attention that it needs to correct some of its grant expense reports, since they were reported based upon budget instead of actual grant expenditures. Staff has been working with Public Counsel to provide technical assistance and will provide updates at future meetings as things progress.

Carroll reported that Family Legal Assistance at CHOC Children's received funding for the last time in 2021. Staff was able to get a final expenditure report and it does show full spend down. Staff is still working with the organization to get by County expense report since they received funding in multiple counties.

6. IOLTA/EAF Budget Revision and Carryover Requests

6.1 Discussion and Action on Previously Unapproved 2020 and 2021 Budget Deviations Disclosed During 2022 Monitoring Visit

Kim Kruckel from Child Care Law Center, Tim Denari of Greater Bakersfield Legal Assistance, Sylvia Quistorf of Inland Empire Latino Lawyers Association, all commented on the budget deviations and corrective actions each of their organizations have taken to avoid this in the future. The committee passed the following:

RESOLVED, that the Eligibility & Budget Review Committee recommends that the LSTFC approve the unreported 2020 and 2021 IOLTA/EAF budget deviations from

Child Care Law Center, Greater Bakersfield Legal Assistance, and Inland Empire Latino Lawyers Association, Inc.

And it is **FURTHER RESOLVED**, that the Eligibility & Budget Review Committee recommends that the LSTFC provide a formal warning to these three organizations that future unreported budget deviations will not be approved, and the LSTFC will pursue any of the remedies available to it under the General Grant Provisions.

Moved by Meeker, seconded by Bayles-Fightmaster.

Ayes – (5) Bayles-Fightmaster, Blakemore, King, Meeker, Vargas

Noes – (0)

Abstain – (0)

Absent – (2) Akhlaghi, Klein

Motion carries.

6.2 Discussion and Action on 2022 Budget Revisions and/or Carryover Requests in Excess of 25 Percent of the Grant Award

RESOLVED, the Eligibility & Budget Review Committee recommends approval of all 2022 IOLTA/EAF budget revision requests in excess of 25 percent of the grant award, as reflected in Attachment B, to the Legal Services Trust Fund Commission.

Moved by Meeker, seconded by Klein.

Ayes – (6) Bayles-Fightmaster, Blakemore, King, Klein, Meeker, Vargas

Noes – (0)

Abstain – (0)

Absent – (1) Akhlaghi

Motion carries.

AND IT IS FURTHER RESOLVED, the Eligibility & Budget Review Committee recommends approval of all 2022 EAF carryover requests in excess of 25 percent of the grant award, as reflected in Attachment B, to the Legal Services Trust Fund Commission, along with the requirement that funds not spent by December 31, 2023, be returned to the State Bar.

Moved by Bayles-Fightmaster, seconded by King.

Ayes – (6) Bayles-Fightmaster, Blakemore, King, Klein, Meeker, Vargas

Noes – (0)

Abstain – (0)

*Recuse – (1) Recusals as to individual organizations: King as to San Louis Obispo
Legal Aid Foundation*

Absent – (1) Akhlaghi

Motion carries.

AND IT IS FURTHER RESOLVED, the Eligibility & Budget Review Committee recommends approval of all 2022 IOLTA carryover requests in excess of 25 percent of the grant award, as reflected in Attachment B, to the Legal Services Trust Fund Commission, along with the requirement that funds not spent by June 30, 2023, be returned to the State Bar.

Moved by Meeker, seconded by Bayles-Fightmaster.

Ayes – (6) Bayles-Fightmaster, Blakemore, King, Klein, Meeker, Vargas

Noes – (0)

Abstain – (0)

*Recuse – (1) Recusals as to individual organizations: Meeker as to Public Law
Center*

Absent – (1) Akhlaghi

Motion carries.

RESOLVED, beginning with the 2023 grant year, the Eligibility & Budget Review Committee requires for carryover requests in excess of 25 percent of the grant award that grantees provide detailed information regarding their plans to spend the carryover amount as well as their plans to spend the current year grant award.

Moved by King, seconded by Bayles-Fightmaster.

Ayes – (6) Bayles-Fightmaster, Blakemore, King, Klein, Meeker, Vargas

Noes – (0)

Abstain – (0)

Absent – (1) Akhlaghi

Motion carries.

ADJOURN