



# The State Bar of California

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## Legal Services Trust Fund Commission Teleconference

Open Session Minutes  
Friday, March 24, 2023  
12:00 p.m.–4:00 p.m.

**Time Meeting Commenced:** The Legal Services Trust Fund Commission (LSTFC) meeting commenced in open session at 12:03 p.m.

**Time Meeting Adjourned:** 4:07 p.m.

**Chair:** Christian Schreiber

**Committee Coordinator:** Doan Nguyen

**Members Present:** Christian Schreiber, Amin Al-Sarraf (joined late), Erica Connolly (joined late), Banafsheh Akhlaghi, Jeff Ball, Catherine Blakemore, William Boschelli, Venetta Campbell, Efrain Escobedo, Jason Galkin, Eric Isken, Angie King (joined late), Hon. Clifford Klein, Joseph Lee (joined late), Tammy Mahoney, James Meeker, Patience Milrod

**Members Absent:** Louise Bayles-Fightmaster, Hon. Diana Kruze

**Advisors Present:** Justice Victor Rodriguez

**Advisors Absent:** Judge Brad Seligman, Hon. Bryant Yang

**Liaisons Present:** Lorin Kline (LAAC), Laura Brown (Judicial Council), Melanie Snider (Judicial Council)

**Staff Present:** Erica Carroll, Brady Dewar, Elizabeth Hom, Doan Nguyen

## OPEN SESSION

### 0. Call to Order

The LSTFC was called to order by Chair Schreiber.

### 1. Roll Call

Roll call was taken and a quorum was established. Before public comment, Chair Schreiber invited two new members, Efrain Escobedo and Patience Milrod, to introduce themselves.

### 2. 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.

- Cindy Panuco of Public Counsel stated that she and a colleague are available for questions during agenda items that concern Public Counsel.

### **3. Approval of Minutes**

#### **3.1 Open Session Minutes: December 13, 2022**

**RESOLVED**, that the Legal Services Trust Fund Commission approves the minutes as posted on the agenda.

*Moved by Isken, seconded by Akhlaghi.*

*Ayes – (13) Akhlaghi, Ball, Blakemore, Boschelli, Campbell, Escobedo, Galkin, Isken, Klein, Mahoney, Meeker, Milrod, Schreiber*

*Noes – (0)*

*Abstain – (0)*

*Absent – (7) Al-Sarraf, Bayles-Fightmaster, Connolly, King, Kruze, Lee, Vargas*

*Motion carries.*

### **4. Grants Administration**

#### **4.1 Report from the Chair of the Legal Services Trust Fund Commission**

**Presenter:** Christian Schreiber, Chair, LSTFC  
Doan Nguyen, Program Director, Office of Access & Inclusion (OA&I)

Chair Schreiber reminded other commissioners about recruitment efforts and encouraged interested applicants to contact staff. Director Nguyen reviewed current commissioner term end dates, appointing entities for anticipated openings, and application process pathways.

#### **4.2 Report from the Directors of the Office of Access & Inclusion (OA&I)**

**Presenter:** Doan Nguyen, Program Director, OA&I  
Elizabeth Hom, Program Director, OA&I

Nguyen reported on office staffing increases and restructuring that resulted in the recent hire of a third director, Rocío Avalos, to assist with streamlining processes and protocols around grants administration.

Hom reported on the State Bar's Diversity, Equity and Inclusion report to the Legislature and encouraged commissioners to review.

#### **4.3 Discussion of Required Statement of Economic Interests (Form 700) Reporting for Commission Members**

**Presenter:** Brady Dewar, Assistant General Counsel, Office of General Counsel

Dewar provided a reminder and overview of Form 700 reporting requirements, including recusal obligations and examples of personal and/or financial interest.

#### **4.4 Update on 2023 Legal Services Trust Fund Commission Work Plan**

**Presenter:** Doan Nguyen, Director, OA&I  
Erica Carroll, Lead Program Analyst, OA&I

Nguyen provided an overview of updates to the work plan. Carroll gave a brief update on a working group exploring possible uses for IOLTA administrative funds beyond strictly grants administration.

#### **4.5 Update on IOLTA Projections**

**Presenter:** Doan Nguyen, Director, OA&I  
Michael Cheng, Program Supervisor, OA&I

Presentation and discussion only.

Nguyen gave background on the importance of IOLTA revenue and distribution determinations. Cheng covered current projections and highlighted decision points for the commission at its June meeting. He also previewed a tentative IOLTA reserve policy proposal.

Committee discussion included the following: the current banking environment given recent bank failures; historical swings in IOLTA revenue; considerations of maintaining a reserve and stability from year to year while ensuring most funds are distributed; recommendations to provide additional training and technical assistance to grantees regarding budgeting and organizational health/sustainability, among other things.

#### **4.6 Approve Delegation of Authority to Executive Committee to Approve Law School Fellowship Grant Committee Recommendations**

**Presenter:** Elizabeth Hom, Director, OA&I

Hom discussed the purpose and parameters of funding for summer law school fellowships. Given the timeline for preparing these grants and obtaining approval, she requested that the LSTFC delegate final approval to the Executive Committee.

**RESOLVED**, the LSTFC delegates authority to its Executive Committee to approve the Law School Fellowship Grant Committee's award recommendations for the 2023 Law School Fellowship Grants.

*Moved by Boschelli, seconded by Milrod.*

*Ayes – (14) Akhlaghi, Ball, Boschelli, Campbell, Escobedo, Galkin, Isken, King, Klein, Lee, Mahoney, Meeker, Milrod, Schreiber*

*Noes – (0)*

*Abstain – (0)*

*Absent – (6) Al-Sarraf, Bayles-Fightmaster, Blakemore (absent for this vote), Connolly, Kruze, Vargas*

*Motion carries.*

#### **4.7 Discuss Proposed Changes to Annual Legal Aid Reporting Requirements for 2024 Grants**

**Presenter:** Christal Bundang, Lead Program Analyst, OA&I

Bundang presented on a staff proposal that would implicate the annual legal aid reporting requirements. This change would require a more specific breakdown of educational workshops and outreach events than is currently captured in the Case Summary Report and would be implemented for 2024 grants.

**RESOLVED**, that the Legal Services Trust Fund Commission approve staff's recommendations regarding proposed changes to the Annual Legal Aid Reporting Requirements, which will be implemented for the 2024 grant recipients.

*Moved by Galkin, seconded by Ball.*

*Ayes – (15) Al-Sarraf, Akhlaghi, Ball, Boschelli, Campbell, Escobedo, Galkin, Isken, King, Klein, Lee, Mahoney, Meeker, Milrod, Schreiber*

*Noes – (0)*

*Abstain – (0)*

*Absent – (5) Bayles-Fightmaster, Blakemore, Connolly, Kruze, Vargas*

*Motion carries.*

### **5. Executive Committee**

#### **5.1 Update on the Community Assistance, Recovery, and Empowerment (CARE) Court Grants**

**Presenter:** Chris McConkey, Program Supervisor, OA&I

McConkey provided background on a new law creating CARE courts and the counties involved in the first planning cohort; 18 organizations (15 QLSP and 3 SCs) applied and received planning grants. He also provided an overview of considerations regarding distribution of funding (e.g., formula or competitive) and the proposed timeline for application release and approval.

Discussion included the following: understanding the purpose of these courts; voicing support for the role of social workers; the need for administrative funds; opposition to the program in the legal aid community; pending litigation regarding this program; and establishment of a new committee devoted to assisting the LSTFC with reviewing these grants and providing guidance and direction to staff, among other things.

## **5.2 Approve Creation of New CARE Court Committee and Delegation of Authority to Approve 2023 CARE Court Grants**

**Presenter:** Chris McConkey, Program Supervisor, OA&I

McConkey noted that three to four commissioners would be needed for the new committee, if established, and some commissioners volunteered. The following resolution was then presented:

**RESOLVED**, the LSTFC creates a CARE Court Grants Committee; and it is

**FURTHER RESOLVED**, that the commission delegates authority to the committee to approve a timeline and application for making 2023 CARE Court grants and—if consistent with the Budget Act of 2023—a request for proposals, scoring rubric, and reporting requirements; and it is

**FURTHER RESOLVED**, that a commissioner-staff team will review the 2023 CARE Court grant applications in consultation with the committee and that the committee will make award recommendations to the commission.

*Moved by Blakemore, seconded by King.*

*Ayes – (15) Al-Sarraf, Ball, Blakemore, Boschelli, Campbell, Connolly, Escobedo, Isken, King, Klein, Lee, Mahoney, Meeker, Milrod, Schreiber*

*Noes – (0)*

*Abstain – (2) Akhlaghi, Galkin*

*Absent – (3) Bayles-Fightmaster, Kruze, Vargas*

*Motion carries.*

## 6. Eligibility & Budget Review Committee

### 6.1 Discuss and Act on 2022 IOLTA/EAF Budget Revisions and/or Carryover Requests in Excess of 25 Percent of the Grant Award

**Presenter:** Catherine Blakemore, Member, LSTFC  
Erica Carroll, Lead Program Analyst, OA&I

Carroll provided background on the standard for approving budget revisions and/or carryover requests, as well as details regarding the four organizations with budget deviations and six organizations with carryovers. Blakemore summarized committee discussion and rationale before presenting the following resolution:

**RESOLVED**, the LSTFC approves all 2022 IOLTA/EAF budget revision requests in excess of 25 percent of the grant award, as reflected in Attachment B to the memorandum.

And it is **FURTHER RESOLVED**, the LSTFC approves all 2022 IOLTA and EAF carryover requests in excess of 25 percent of the grant award, as reflected in Attachment B to the memorandum; IOLTA funds not spent by June 30, 2023, and EAF funds not spent by December 31, 2023, must be returned to the State Bar.

*Moved by Blakemore, seconded by Milrod.*

*Ayes – (17) Al-Sarraf, Akhlaghi, Ball, Blakemore, Boschelli, Campbell, Connolly, Escobedo, Galkin, Isken, King, Klein, Lee, Mahoney, Meeker, Milrod, Schreiber*

*Noes – (0)*

*Abstain – (0)*

*Absent – (3) Bayles-Fightmaster, Kruze, Vargas*

*Motion carries.*

### 6.2 Discuss and Act on Previously Unapproved 2020 and 2021 Budget Deviations Disclosed During 2022 Monitoring Visits

**Presenter:** Catherine Blakemore, Member, LSTFC  
Erica Carroll, Lead Program Analyst, OA&I

Carroll presented on the circumstances surrounding budget deviations that went unreported at the time of their occurrence. Blakemore presented on the committee discussion and rationale. There was discussion regarding staff efforts to determine if this has occurred in the past, the possible consequences for subsequent noncompliance, and the form of a warning before proposing the following resolution:

**RESOLVED**, that the LSTFC approves 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 LSTFC warns 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 Blakemore, seconded by Milrod.*

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

*Noes – (0)*

*Abstain – (2) Akhlaghi, Lee*

*Absent – (3) Bayles-Fightmaster, Kruze, Vargas*

*Motion carries.*

## **7. Homelessness Prevention Funds Committee**

### **7.1 Approve 2021-2023 Homelessness Prevention (HP 2) and 2021/2022-2024 Homelessness Prevention (HP 3) Budget Revision Requests that Exceed 25 Percent of the Award**

**Presenter:** Jennifer Zelnick, Senior Program Analyst, OA&I

Zelnick summarized the standard for budget revisions generally before presenting on the four revision requests above 25 percent of the grant award, including a request for a budget reduction from Public Counsel regarding two of its awards. There was discussion regarding use of returned funds. After discussion, the following resolution was presented:

**RESOLVED**, that the Legal Services Trust Fund Commission (Commission) approves the recommendations for 2021-2023 Homelessness Prevention (HP 2) and 2021/2022-2024 Homelessness Prevention (HP 3) grant budget revisions, including that the total amount of Public Counsel's HP 3 Formula funds will be reduced from \$2,600,319 to \$1,433,183, and Public Counsel's HP 3 Competitive funds will be reduced from \$1,100,000 to \$537,397 as described in the Legal Services Trust Fund Commission Homelessness Prevention Funds Committee's memo dated March 24, 2023.

*Moved by Mahoney, seconded by Ball.*

*Ayes – (16) Al-Sarraf, Akhlaghi, Ball, Blakemore, Boschelli, Campbell, Connolly, Escobedo, Galkin, Isken, King, Klein, Lee, Mahoney, Meeker, Schreiber*

*Noes – (0)*

*Abstain – (0)*

*Absent – (4) Bayles-Fightmaster, Kruze, Milrod (absent for this vote), Vargas*

*Motion carries.*

## **7.2 Approve Changes to Homelessness Prevention (HP) Grant Reporting**

**Presenter:** Jennifer Zelnick, Senior Program Analyst, OA&I

Zelnick reported that staff noted that Support Centers had fewer opportunities to report quantitative data in their HP reports than QLSPs and wanted to make updates to capture the totality of the work they are accomplishing. There was discussion about grantee feedback on these proposed changes and the possible administrative burden. Staff is asking for data that grantees already collect for purposes of applications and other evaluations. Staff confirmed grantees can bill reporting requirements to the grant. After discussion, the following resolution was presented:

**RESOLVED**, that the Legal Services Trust Fund Commission approves the changes to the 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 in the Legal Services Trust Fund Commission Homelessness Prevention Funds Committee's memo dated March 24, 2023, and in Attachments A, B, and C.

*Moved by Meeker, seconded by Connolly.*

*Ayes – (17) Al-Sarraf, Akhlaghi, Ball, Blakemore, Boschelli, Campbell, Connolly, Escobedo, Galkin, Isken, King, Klein, Lee, Mahoney, Meeker, Milrod, Schreiber*

*Noes – (0)*

*Abstain – (0)*

*Absent – (3) Bayles-Fightmaster, Kruze, Vargas*

*Motion carries.*

## **7.3 Report on HP 3 Grant Spending and Services**

**Presenter:** Chris McConkey, Program Supervisor, OA&I

Presentation and discussion only.

McConkey shared that staff and the HP funds committee will look at individual grantee spending this summer to see if it would be appropriate to reallocate some funding midway through the grant term. The goal would be to maximize each grantee's chances of spending the full amount by the end of the grant period.

## **8. Partnership Grants Committee**



### **8.1 Approve 2022 Partnership Grant Budget Revisions and/or Carryover Requests in Excess of 25 Percent of Grant Award**

**Presenter:** Jason Galkin, Member, Partnership Grants Working Group  
Christal Bundang, Lead Program Analyst, OA&I

Bundang presented background on the creation of the working group due to timing concerns and summarized the three carryover requests above 25 percent, all from Bet Tzedek. Galkin presented on the working group's process and rationale for the recommendation. The following resolution was presented:

**RESOLVED**, that the Legal Services Trust Fund Commission approve the Partnership Grant Committee's recommendation regarding the 2022 carryover requests received by Bet Tzedek Legal Services.

*Moved by Blakemore, seconded by Akhlaghi.*

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

*Noes – (0)*

*Abstain – (2) Isken, Lee*

*Absent – (3) Bayles-Fightmaster, Kruze, Vargas*

*Motion carries.*

## **9. Bank Grants Committee**

### **9.1 Delegate Authority to Make the 2024-2025 Bank Grants**

**Presenter:** Jennifer Zelnick, Senior Program Analyst, OA&I

Zelnick provided background on the Bank Grants program's inception in 2015-2016, and several rounds of formula and RFP funding thereafter. With \$4,758,503 remaining for 2024-2025 awards, the Bank Grants committee requested the commission to delegate authority to the committee to approve a request for proposal, scoring rubric, and timeline prior to the June 2023 Commission meeting.

**RESOLVED**, that the Legal Services Trust Fund Commission (Commission) delegates authority to the Bank Grants Committee (Committee) to approve the grantmaking timeline, request for proposals, scoring rubric, and reporting requirements for the 2024-2025 bank grants, and to a commissioner-staff team to score applications in consultation with the Committee to make recommendations for final approval by the Commission.

*Moved by Blakemore, seconded by Isken.*

*Ayes – (17) Al-Sarraf, Akhlaghi, Ball, Blakemore, Boschelli, Campbell, Connolly, Escobedo, Galkin, Isken, King, Klein, Lee, Mahoney, Meeker, Milrod, Schreiber*

*Noes – (0)*

*Abstain – (0)*

*Absent – (3) Bayles-Fightmaster, Kruze, Vargas*

*Motion carries.*

## **10. Rules Committee**

### **10.1 Report on Public Comment Response to Proposed State Bar Rules Changes Related to Grants Administration**

**Presenter:** Doan Nguyen, Director, OA&I  
Erica Carroll, Lead Program Analyst, OA&I

Nguyen and Carroll summarized the feedback received regarding the first slate of proposed rule changes from the LSTFC to the Board of Trustees (BOT). None of the critical feedback spoke to the substance of the proposed rules, so no changes to the rules were recommended. Staff will present to the BOT requesting final approval at the BOT's May meeting, and the commission will be able initiate public comment moving forward.

## **11. Liaison Reports**

**11.1 Judicial Council Report on Program Developments**  
There was no update.

**11.2 Legal Aid Association of California Report on Program Developments**  
Salena Copeland reported that LAAC and the Judicial Council are planning to hold a Family Law Self-Help conference later in 2023. She also reported that an executive director retreat for grantees will be held in April. Finally, she shared an update regarding the end of this round of Shriver grants in September 2023 and planned evaluations.

## **12. Adjourn**

The meeting adjourned at 4:07 p.m.