



The State Bar of California

OPEN SESSION AGENDA ITEM 8.3 JUNE 2023 LEGAL SERVICES TRUST FUND COMMISSION

DATE: June 23, 2023

TO: Members, Legal Services Trust Fund Commission

FROM: Christopher McConkey, Program Supervisor, Office of Access & Inclusion
Jennifer Zelnick, Senior Program Analyst, Office of Access & Inclusion

SUBJECT: Report on HP 2 Grant Spending and Services

EXECUTIVE SUMMARY

All 2021–2023 Homelessness Prevention (HP 2) grants except for two started on January 1, 2021, and end on December 31, 2023.¹ So far, HP 2 grantees have reported on their spending and services for years one and two of the grant period (2021 and 2022). This memo summarizes their activities during that time. Additionally, it concludes that most programs are on track to spend down and complete a high volume of homelessness prevention legal aid by December 31, 2023.

BACKGROUND

California Government Code section 12531 allocated \$31 million from the National Mortgage Special Deposit Fund for homelessness prevention legal aid. After administrative costs, 75 percent of the funds was for formula grants and 25 percent was for competitive grants to qualified legal services projects (QLSPs) and support centers.²

¹ An HP 2 formula award to AIDS Legal Referral Panel and an HP 2 competitive award to OneJustice both ended on December 31, 2022.

² Government Code § 12531(e)(1)(B).

In 2020, the Legal Services Trust Fund Commission (LSTFC) made 83 HP 2 awards—71 formula and 12 competitive—to 71 nonprofits. All the grants except for two started on January 1, 2021, and end on December 31, 2023:

Table 1. Original Distribution of HP 2 Funds³

Type of funding	Amount	Grants
Formula (75% after administrative costs)	\$22,087,500	71
Competitive (25% after administrative costs)	\$7,362,500	12
Admin. costs; State Bar and Judicial Council (5%)	\$1,550,000	-
Total	\$31,000,000	83

Table 2. Original Range of HP 2 Awards

Type of funding	Smallest award	Largest award	Average	Median
Formula	\$50,001	\$2,487,573	\$311,092	\$172,545
Competitive	\$244,000	\$950,000	\$613,542	\$650,000

DISCUSSION

EXPENSES IN YEARS ONE AND TWO

HP 2 grantees receive payments in equal installments for each year of their grant.⁴ In 2021 and 2022, they received a combined \$19,731,344. On average, grantees spent 94 percent (\$17,858,876 total) of their disbursed funds by the end of 2022.⁵ They left \$1,872,467 unspent. Grantees spent at least 75 percent of their payments for years one and two for 77 of the 83 awards.⁶

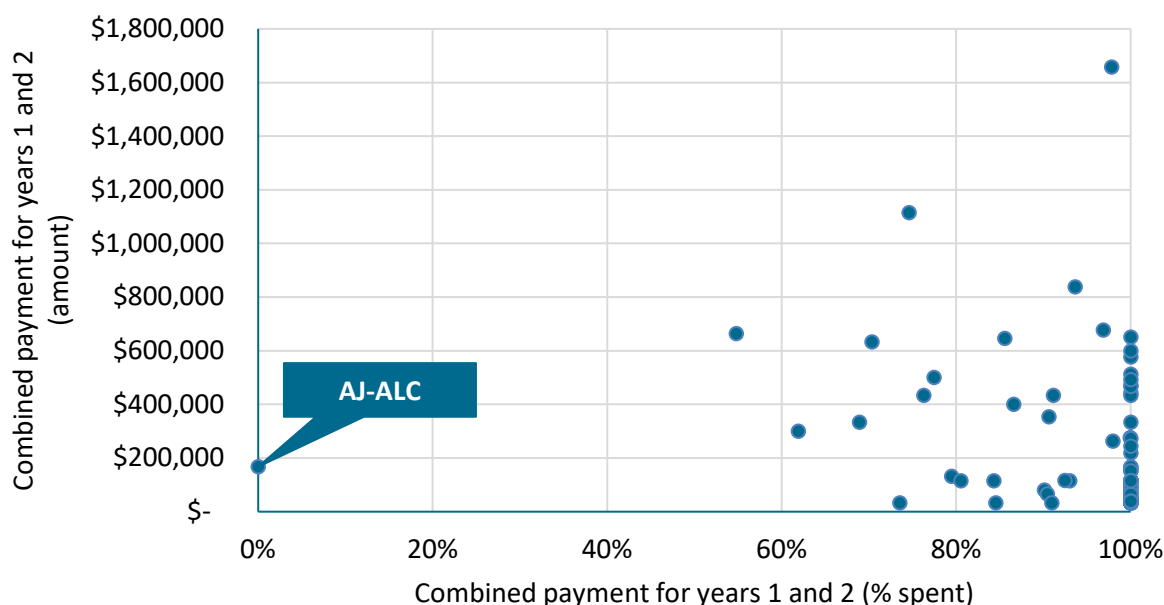
³ There are now 82 HP 2 awards with 70 organizations receiving funding. In December 2022, the LSTFC required Asian Americans Advancing Justice-Asian Law Caucus (AJ-ALC) to return its payments for years one and two. AJ-ALC then withdrew from its HP 2 grant in January 2023. The LSTFC Homelessness Prevention Funds Committee recommends reallocating AJ-ALC's award of \$251,271 to other HP 2 formula grantees. Please see the materials for agenda item 8.2 ("Approve 2021-2023 Homelessness Prevention (HP 2) Formula Grant Reallocations") at the June 23, 2023, LSTFC meeting.

⁴ Therefore, most grantees have received one-third of their award each year. AIDS Legal Referral Panel and OneJustice received one-half of their two-year formula and competitive awards (respectively) each year.

⁵ Total HP 2 spending during years one and two was actually \$238,313 higher (\$18,097,189). The difference is the amount that some programs reported spending in excess of their payments for the first two years. This memo excludes the \$238,313 to avoid masking the extent of underspending by other programs.

⁶ Staff's May 12, 2023, memo to the LSTFC Homelessness Prevention Funds Committee incorrectly stated that grantees spent at least 75 percent of their payments for years one and two for 67 of the 83 awards.

Figure 1. Spend Down of Payments for Years One and Two



See Attachment A for each grantee’s total spending in the first two years.

Although most grantees had received only two-thirds of their award by the end of 2022, State Bar staff (staff) contacted those that had spent 60 percent or less of their **entire** grant. Staff evaluated explanations about spending delays and provided technical assistance. The most common reason for underspending was difficulty hiring and/or retaining staff. Some grantees also reported delays common to launching a project, such as taking time to perform outreach, during the first year.

SERVICES IN YEARS ONE AND TWO

Staff also performed quantitative and/or qualitative analyses to gauge progress against first- and second-year deliverables. Quantitative analyses compared the number of legal outcomes, self-help clinics, workshops/trainings, outreach events, and hotline calls against application goals. Qualitative analyses included asking programs about services that are harder to count (e.g., housing policy work).

HP 2 grantees addressed 15,531 homelessness prevention legal needs in the first two years.⁷ These are matters creating an attorney-client relationship including “counsel and advice-only” cases. Grantees also reported the following services not typically creating an attorney-client relationship:

⁷ Grantees often help the same client with multiple legal issues such as eviction, unsafe housing, and loss of income. Sometimes multiple issues arise in a single case. Reporting total clients or cases, therefore, can understate the full extent of grantees’ services. Additionally, it might force grantees to pick just one outcome to describe a case that solved multiple, distinct needs. To better capture the amount of help that grantees provided, this memo refers to homelessness prevention legal needs addressed.

- 237 self-help clinics (with 4,576 participants);
- 2,874 workshops and trainings (with 21,528 participants);
- 662 outreach events (with 28,389 participants); and
- 4,128 hotline calls.

These totals do not fully capture the work of support centers that provided legal assistance to QLSPs. In 2021 and 2022, the HP 2 evaluations asked about common, client-facing services such as legal representation, clinics, and hotline calls. These tend to be the services on which QLSPs focus. While support centers directly serve clients too, they mainly provide legal expertise and other support to QLSPs. See Attachment B for examples of HP 2-funded support center work.

Assessing progress towards deliverables is subjective. Even measuring progress against numeric targets (e.g., 50 clinics in two years) can understate a project's impact. Nonetheless, staff endeavored to assess whether grants were at least 75 percent of the way towards their year one and two goals.

Staff contacted programs for at least 33 grants that it thought might be under target or about which staff was unsure. Those programs have since clarified or explained their progress. Staff again reviewed these explanations for reasonableness and provided technical assistance. Common reasons for services delays were hiring challenges, staff turnover, and low demand for services at project launch.

CONCLUSION

As of the end of 2022, most HP 2 grantees are on track to spend down by December 31, 2023. Additionally, grantees have made considerable progress towards their application deliverables. In just two years, they have addressed over 15,500 homelessness prevention legal needs, organized over 200 self-help clinics, hosted almost 2,900 workshops and trainings, and provided numerous other homelessness prevention legal services throughout the state. These totals suggest that the HP 2 grantees have already contributed greatly to preventing homelessness in California.

ATTACHMENTS LIST

- A.** 2021–2022 HP 2 Spending by Grantee
- B.** 2021–2022 HP 2 Services by Grantee

Table 3. HP 2 Spending from January 2021 to December 2022

HP 2 grantee	Formula or competitive	Award for years 1 and 2	Spending in years 1 and 2	% of payments spent
Advancing Justice - Asian Law Caucus*	Formula	\$167,514*	\$-	0%
Affordable Housing Advocates	Formula	\$33,334	\$50,001	150%
Aids Legal Referral Panel	Formula	\$50,001	\$75,000	150%
Alliance for Children's Rights	Formula	\$275,852	\$275,652	100%
Asian Americans Advancing Justice Southern California	Formula	\$577,028	\$591,000	102%
Asian Pacific Islander Legal Outreach	Formula	\$107,374	\$107,374	100%
Bay Area Legal Aid	Formula	\$263,176	\$257,778	98%
Bet Tzedek Legal Services	Formula	\$443,004	\$464,164	105%
California Advocates for Nursing Home Reform	Formula	\$115,030	\$115,030	100%
California Indian Legal Services	Formula	\$132,026	\$104,949	79%
California Rural Legal Assistance Foundation	Formula	\$115,030	\$115,030	100%
California Rural Legal Assistance, Inc.	Formula	\$1,114,882	\$831,831	75%
California Women's Law Center	Formula	\$115,030	\$92,622	81%
Central California Legal Services	Formula	\$663,598	\$363,658	55%
Central California Legal Services	Competitive	\$633,333	\$445,402	70%
Centro Legal de la Raza	Formula	\$165,968	\$165,968	100%
Child Care Law Center	Formula	\$115,030	\$96,979	84%
Coalition of California Welfare Rights Organizations	Formula	\$115,030	\$106,972	93%
Community Legal Aid SoCal	Formula	\$471,400	\$471,400	100%
Community Legal Aid SoCal	Competitive	\$433,333	\$433,333	100%
Community Legal Services in East Palo Alto	Formula	\$115,942	\$115,942	100%
Contra Costa Senior Legal Services	Formula	\$33,334	\$33,334	100%
Disability Rights California	Formula	\$1,658,382	\$1,622,348	98%
Disability Rights Education and Defense Fund	Formula	\$115,030	\$115,030	100%
East Bay Community Law Center	Formula	\$92,794	\$92,794	100%
Elder Law & Advocacy	Formula	\$80,522	\$72,553	90%
Eviction Defense Collaborative	Formula	\$33,334	\$33,334	100%
Family Violence Appellate Project	Formula	\$115,030	\$115,029	100%
Family Violence Law Center	Formula	\$33,334	\$44,613	134%

HP 2 grantee	Formula or competitive	Award for years 1 and 2	Spending in years 1 and 2	% of payments spent
Greater Bakersfield Legal Assistance	Formula	\$299,838	\$185,618	62%
Housing and Economic Rights Advocates	Formula	\$64,374	\$64,374	100%
Housing and Economic Rights Advocates	Competitive	\$333,333	\$333,334	100%
Inland Counties Legal Services	Formula	\$837,852	\$784,438	94%
Inland Empire Latino Lawyers Association, Inc.	Formula	\$50,622	\$50,623	100%
Inner City Law Center	Formula	\$272,280	\$272,280	100%
Inner City Law Center	Competitive	\$512,333	\$512,334	100%
Justice & Diversity Center of the Bar Association of San Francisco	Formula	\$79,734	\$83,817	105%
Justice in Aging	Formula	\$115,030	\$115,030	100%
Law Foundation of Silicon Valley	Formula	\$154,010	\$154,010	100%
Lawyers' Committee for Civil Rights	Formula	\$87,016	\$100,322	115%
Legal Access Alameda	Formula	\$33,334	\$33,334	100%
Legal Aid at Work	Formula	\$218,990	\$218,990	100%
Legal Aid at Work	Competitive	\$466,667	\$466,667	100%
Legal Aid Foundation of Los Angeles	Formula	\$646,320	\$553,023	86%
Legal Aid Foundation of Los Angeles	Competitive	\$433,333	\$330,510	76%
Legal Aid Foundation of Santa Barbara County	Formula	\$51,188	\$51,188	100%
Legal Aid of Sonoma County	Formula	\$74,038	\$74,038	100%
Legal Aid Society of San Bernardino	Formula	\$96,834	\$104,341	108%
Legal Aid Society of San Bernardino	Competitive	\$400,000	\$346,299	87%
Legal Aid Society of San Diego	Formula	\$492,840	\$442,946	90%
Legal Aid Society of San Mateo County	Formula	\$37,978	\$37,978	100%
Legal Assistance for Seniors	Formula	\$33,334	\$24,507	74%
Legal Assistance to the Elderly	Formula	\$33,334	\$34,127	102%
Legal Services for Children	Formula	\$41,734	\$41,733	100%
Legal Services for Seniors	Formula	\$65,624	\$65,624	100%
Legal Services of Northern California	Formula	\$677,162	\$655,786	97%
Mental Health Advocacy Services	Formula	\$34,472	\$34,472	100%
Mental Health Advocacy Services	Competitive	\$166,667	\$166,666	100%
National Center for Youth Law	Formula	\$115,030	\$115,030	100%
National Housing Law Project	Formula	\$115,030	\$172,545	150%

HP 2 grantee	Formula or competitive	Award for years 1 and 2	Spending in years 1 and 2	% of payments spent
Neighborhood Legal Services	Formula	\$500,558	\$387,678	77%
OneJustice	Formula	\$115,030	\$115,389	100%
OneJustice	Competitive	\$244,000	\$244,000	100%
Public Advocates Inc.	Formula	\$152,380	\$152,380	100%
Public Counsel	Formula	\$650,434	\$650,434	100%
Public Interest Law Project	Formula	\$115,030	\$115,030	100%
Public Interest Law Project	Competitive	\$333,333	\$229,696	69%
Public Law Center	Formula	\$353,962	\$320,838	91%
Public Law Center	Competitive	\$433,333	\$395,006	91%
Riverside Legal Aid	Formula	\$116,142	\$107,395	92%
San Diego Volunteer Lawyer Program	Formula	\$115,896	\$115,896	100%
San Luis Obispo Legal Assistance Foundation	Formula	\$33,334	\$33,334	100%
Santa Clara County Asian Law Alliance	Formula	\$40,176	\$40,176	100%
Senior Adults Legal Assistance	Formula	\$33,334	\$33,334	100%
Senior Advocacy Network	Formula	\$33,334	\$28,176	85%
Senior Citizens Legal Services	Formula	\$33,334	\$33,334	100%
USD School of Law Legal Clinics	Formula	\$66,806	\$60,409	90%
Veterans Legal Institute	Formula	\$33,334	\$100,002	300%
Watsonville Law Center	Formula	\$39,192	\$39,194	100%
Western Center on Law and Poverty	Formula	\$115,030	\$115,030	100%
Western Center on Law and Poverty	Competitive	\$600,000	\$600,000	100%
Youth Law Center	Formula	\$115,030	\$115,030	100%
Yuba-Sutter Legal Center for Seniors	Formula	\$33,334	\$30,324	91%

Total: \$19,731,344 \$18,097,189**

* In December 2022, the Legal Services Trust Fund Commission (LSTFC) required Advancing Justice - Asian Law Caucus (AJ-ALC) to return its payments for years one and two. AJ-ALC subsequently withdrew from its HP 2 grant in January 2023. The LSTFC plans to reallocate AJ-ALC's original award of \$251,271 to other HP 2 formula grantees this June.

** Total HP 2 spending during year one and two was \$18,097,189. Removing \$238,313 in overspending—see percentages above 100—total spending from years one and two payments was \$17,858,876.

Table 4. Select HP 2 Services from January 2021 to December 2022

Note: This table lists services (e.g., workshops/trainings) that feature most in HP 2 annual reporting. These services are the core of many HP 2 projects. Grantees may, however, use HP 2 funds to perform critically important work outside of these categories.

HP 2 grantee	Formula or competitive	QLSP or SC*	HP needs addressed**	Self-help clinics	Workshops/trainings	Outreach events	Hotline calls
Advancing Justice - Asian Law Caucus	Formula	QLSP	N/A	N/A	N/A	N/A	N/A
Affordable Housing Advocates	Formula	QLSP	0	0	0	0	0
Aids Legal Referral Panel	Formula	QLSP	81	0	0	2	0
Alliance for Children's Rights	Formula	QLSP	138	0	16	0	0
Asian Americans Advancing Justice Southern California	Formula	QLSP	366	19	17	9	343
Asian Pacific Islander Legal Outreach	Formula	QLSP	102	1	11	22	269
Bay Area Legal Aid	Formula	QLSP	235	1	3	1	1751
Bet Tzedek Legal Services	Formula	QLSP	276	35	7	0	0
California Advocates for Nursing Home Reform	Formula	SC	83	2	12	2	126
California Indian Legal Services	Formula	QLSP	41	0	1	0	0
California Rural Legal Assistance Foundation	Formula	SC	35	3	7	0	0
California Rural Legal Assistance, Inc.	Formula	QLSP	903	26	9	0	159
California Women's Law Center	Formula	SC	15	4	0	0	0
Central California Legal Services	Formula	QLSP	136	1	23	24	0
Central California Legal Services	Competitive	QLSP	137	0	53	38	0
Centro Legal de la Raza	Formula	QLSP	16	0	12	2	0
Child Care Law Center	Formula	SC	118	0	39	5	199
Coalition of California Welfare Rights Organizations	Formula	SC	0	0	0	0	0
Community Legal Aid SoCal	Formula	QLSP	1386	0	21	0	0
Community Legal Aid SoCal	Competitive	QLSP	153	0	0	0	0

HP 2 grantee	Formula or competitive	QLSP or SC*	HP needs addressed**	Self-help clinics	Workshops/trainings	Outreach events	Hotline calls
Community Legal Services in East Palo Alto	Formula	QLSP	42	0	0	0	0
Contra Costa Senior Legal Services	Formula	QLSP	306	9	11	1	0
Disability Rights California	Formula	QLSP	492	0	5	13	0
Disability Rights Education and Defense Fund	Formula	SC	0	0	1	0	0
East Bay Community Law Center	Formula	QLSP	36	0	0	0	88
Elder Law & Advocacy	Formula	QLSP	132	0	4	0	0
Eviction Defense Collaborative	Formula	QLSP	22	0	9	0	0
Family Violence Appellate Project	Formula	SC	0	0	0	0	0
Family Violence Law Center	Formula	QLSP	128	0	0	0	0
Greater Bakersfield Legal Assistance	Formula	QLSP	41	1	3	39	0
Housing and Economic Rights Advocates	Formula	QLSP	399	0	4	0	0
Housing and Economic Rights Advocates	Competitive	QLSP	450	0	2	0	0
Inland Counties Legal Services	Formula	QLSP	1401	0	0	0	0
Inland Empire Latino Lawyers Association, Inc.	Formula	QLSP	197	87	10	21	0
Inner City Law Center	Formula	QLSP	84	0	0	9	0
Inner City Law Center	Competitive	QLSP	198	3	31	12	0
Justice & Diversity Center of the Bar Association of San Francisco	Formula	QLSP	46	1	0	0	0
Justice in Aging	Formula	SC	0	0	5	0	0
Law Foundation of Silicon Valley	Formula	QLSP	11	0	0	0	0
Lawyers' Committee for Civil Rights	Formula	QLSP	46	0	0	0	0
Legal Access Alameda	Formula	QLSP	42	0	0	0	11
Legal Aid at Work	Formula	QLSP	29	0	55	21	0
Legal Aid at Work	Competitive	QLSP	53	0	25	28	0
Legal Aid Foundation of Los Angeles	Formula	QLSP	567	0	0	9	0
Legal Aid Foundation of Los Angeles	Competitive	QLSP	52	26	58	3	0

HP 2 grantee	Formula or competitive	QLSP or SC*	HP needs addressed**	Self-help clinics	Workshops/trainings	Outreach events	Hotline calls
Legal Aid Foundation of Santa Barbara County	Formula	QLSP	66	0	0	0	0
Legal Aid of Sonoma County	Formula	QLSP	114	0	2	21	0
Legal Aid Society of San Bernardino	Formula	QLSP	346	0	0	0	0
Legal Aid Society of San Bernardino	Competitive	QLSP	859	0	0	0	0
Legal Aid Society of San Diego	Formula	QLSP	294	0	0	0	0
Legal Aid Society of San Mateo County	Formula	QLSP	74	0	6	7	0
Legal Assistance for Seniors	Formula	QLSP	335	0	0	0	911
Legal Assistance to the Elderly	Formula	QLSP	141	11	0	0	0
Legal Services for Children	Formula	QLSP	13	0	12	0	0
Legal Services for Seniors	Formula	QLSP	1297	0	4	14	0
Legal Services of Northern California	Formula	QLSP	1139	0	19	14	0
Mental Health Advocacy Services	Formula	QLSP	48	0	0	0	0
Mental Health Advocacy Services	Competitive	QLSP	118	0	9	0	0
National Center for Youth Law	Formula	SC	0	0	0	0	0
National Housing Law Project	Formula	SC	0	0	4	0	0
Neighborhood Legal Services	Formula	QLSP	426	0	6	0	0
OneJustice	Formula	SC	0	0	1504	0	0
OneJustice	Competitive	SC	0	0	27	0	0
Public Advocates Inc.	Formula	QLSP	0	0	713	200	0
Public Counsel	Formula	QLSP	31	4	53	25	0
Public Interest Law Project	Formula	SC	5	0	0	0	0
Public Interest Law Project	Competitive	SC	6	0	0	0	0
Public Law Center	Formula	QLSP	249	0	0	0	0
Public Law Center	Competitive	QLSP	0	0	7	9	0
Riverside Legal Aid	Formula	QLSP	109	0	0	0	0
San Diego Volunteer Lawyer Program	Formula	QLSP	108	0	0	0	0
San Luis Obispo Legal Assistance Foundation	Formula	QLSP	28	0	3	0	0
Santa Clara County Asian Law Alliance	Formula	QLSP	267	0	29	1	0
Senior Adults Legal Assistance	Formula	QLSP	29	0	0	0	0

HP 2 grantee	Formula or competitive	QLSP or SC*	HP needs addressed**	Self-help clinics	Workshops/trainings	Outreach events	Hotline calls
Senior Advocacy Network	Formula	QLSP	0	0	0	66	20
Senior Citizens Legal Services	Formula	QLSP	41	0	2	0	0
USD School of Law Legal Clinics	Formula	QLSP	68	0	0	22	251
Veterans Legal Institute	Formula	QLSP	186	2	3	0	0
Watsonville Law Center	Formula	QLSP	69	0	0	0	0
Western Center on Law and Poverty	Formula	SC	0	1	11	19	0
Western Center on Law and Poverty	Competitive	SC	27	0	0	0	0
Youth Law Center	Formula	SC	0	0	6	3	0
Yuba-Sutter Legal Center for Seniors	Formula	QLSP	43	0	0	0	0

Total: 15,531 237 2,874 662 4,128

* This table focuses on legal aid to indigent Californians. While support centers (SCs) often serve these clients directly, they typically do so by providing legal support to QLSPs. The table, therefore, likely understates the volume of SC work. SCs will have more opportunities to report quantitatively about their HP 2 services starting in 2023.

In 2021–2022, HP 2-funded SCs provided:

- **Trainings:** SCs held legal trainings and workshops for QLSPs, other community-based organizations, and the public on a range of homelessness prevention law issues. Most events related to housing law topics such as eviction moratoria.
- **Technical assistance:** SCs provided substantive law and project design and evaluation advice to QLSPs and community advocates. They did this through consultations, resource libraries, and other written materials. Areas that technical assistance addressed included tenants' rights, mobile home owners' rights, and public benefits.
- **Advocacy support:** SCs provided policy and case advocacy in partnership with QLSPs. The advocacy support was in housing, immigration, disability, and health law, among other areas of law.

- **Meetings:** SCs participated in meetings with QLSPs, other community-based organizations, and government agencies to evaluate and guide developments in homelessness prevention law. These meeting often related to local and statewide housing laws, public benefits, disability rights, and protecting affordable housing.

** Grantees often help the same client with multiple legal issues such as eviction, unsafe housing, and loss of income. Sometimes multiple issues arise in a single case. Reporting total clients or cases, therefore, can understate the full extent of grantees' services. Additionally, it might force grantees to pick just one outcome to describe a case that solved multiple, distinct needs. To better capture the amount and types of help provided, this report focuses on homelessness prevention legal needs—i.e., HP needs—addressed.