



The State Bar of California

Legal Services Trust Fund Commission Eligibility Budget and Review Committee Teleconference

Open Session Minutes
Friday, June 16, 2023
10:00 a.m.–12:00 p.m.

Time Meeting Commenced: Eligibility Budget and Review Committee meeting commenced in open session at 10:06 a.m.

Time Meeting Adjourned: 11:30 a.m.

Chair: Catherine Blakemore

Committee Coordinator: Erica Carroll

Members Present: Catherine Blakemore, Angie King, Hon. Clifford Klein, James Meeker, and Xavier Vargas

Members Absent: Banafsheh Akhlaghi, and Louise Bayles-Fightmaster

Advisor Non-Voting Absent: Hon. Brad Seligman

Liaisons Present: Lorin Kline, LAAC,
Zach Newman, LAAC,
Melanie Snider, Judicial Council
Laura Brown, Judicial Council

Liaisons Absent: None

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, no comments were made at this time.

3. Approval of Minutes

3.1 Open Session Minutes: April 26, 2023

Approval of April 26, 2023, Open Session Minutes

Moved by Angie King, seconded by Clifford Klein.

Ayes – (4) Blakemore, King, Klein, Vargas

Noes – (0)

Abstain – (0)

Absent – (3) Akhlaghi, Bayles-Fightmaster, Meeker

Motion carries.

4. Administrative Updates

4.1 Overview of 2024 IOLTA/EAF Application Process

Presenter: Erica Carroll, Lead Program Analyst, OA&I

Carroll reported 110 IOLTA/EAF applications were received, including 10 new applicants applying as qualified legal services projects. She then reviewed the purpose of application review and explained the funding formula.

5. Business

5.1 Review and Approve Remaining Impact Litigation and Advocacy Work (ILAW) Activities in 2022 ILAW Reports

Presenter: Erica Carroll, Lead Program Analyst, OA&I

Carroll summarized the requirements of ILAW reporting from the committee's last meeting. Among other things, discussion centered on the proportion of indigent persons in California affected, and identified a need for clarity about out-of-state ILAW activities, as this is currently being decided on a case-by-case basis.

RESOLVED, that the Eligibility & Budget Review Committee (committee) finds the following activity qualifying for purposes of the 2024 IOLTA/EAF application:

- Public Counsel's Stephen C. v Bureau of Indian Education case

And it is **FURTHER RESOLVED**, that the committee recommends that the Rules Committee consider adopting a definition regarding qualifying out-of-state work that impacts indigent California residents.

Moved by King, seconded by Meeker.

Ayes – (5) Blakemore, King, Klein, Meeker, Vargas

Noes – (0)

Abstain – (0)

Absent – (2) Akhlaghi, Bayles-Fightmaster

Motion carries.

5.2 Review and Approve Late Submitted 2024 IOLTA/EAF Applications

Presenter: Erica Carroll, Lead Program Analyst, OA&I

Carroll explained the governing authorities related to late submissions and highlighted a recent rule change that will allow staff more discretion after July 1. Four out of five of the late applications reviewed in this meeting came in within one business day of the deadline, mostly due to technical difficulties. The one that came in later than that was a new applicant unfamiliar with the process.

RESOLVED, that the Eligibility & Budget Review Committee accepts the following late 2024 IOLTA/EAF applications for eligibility review:

- Al Otro Lado
- Asian Pacific Islander Legal Outreach
- Centro Legal de la Raza
- Public Counsel
- Senior Citizens Legal Services

Moved by Meeker, seconded by Klein.

Ayes – (5) Blakemore, King, Klein, Vargas, Meeker

Noes – (0)

Abstain – (0)

Absent – (2) Akhlaghi, Bayles-Fightmaster

Motion carries.

5.3 Review and Approve Audit Extension Requests for 2024 IOLTA/EAF Applications

Presenter: Erica Carroll, Lead Program Analyst, OA&I

Audits are required as part of IOLTA/EAF application process. This year 12 organizations requested extensions past the deadline. With the aforementioned rule change, there will now be some discretion to accept late audits when there are no applicable extraordinary circumstances. The committee and commission will have the opportunity to impose additional conditions or corrective action as needed. The committee reviewed the history of each applicant's audit submissions in the past three years. Representatives from several of the affected organizations also attended and provided additional commentary regarding their particular delays.

- A. Haley Reimbold
- Haley Reimbold from National Center for Youth Law spoke up to clarify that the organization experienced a significant delay from their auditor due to staffing changes that coincided with their audit report process. They intend to work to ensure their audit is finalized on-time next year and will reach out to State Bar ahead of time if there are any issues.
- B. Monica Glick
- Monica Glick from Public Law Center has taken over as Executive Director as of January of this year. Their application was late due to the organization's longstanding accountant leaving in March of this year, however, they have enacted changes in their accounting process to ensure timely submissions going forward.
- C. Hannah Brady
- Hannah Brady, Deputy Executive Director of the Senior Advocacy Network, added that the organization had trouble securing a non-profit CPA after their former accountant left with short-notice. They recently contracted with an accounting firm, and are hopeful that with a larger accounting team, there will be fewer issues with timeliness going forward.
- D. Kevin Aslanian
- Kevin Aslanian from the Coalition of California Welfare Rights Organizations said the organization has taken remedial steps in their accounting, and is working to ensure timely submission of their audits.
- E. Caitlin Chan
- Caitlin Chan is the new Interim Executive Director of Legal Assistance for Seniors. There have been some issues with backfilling other roles, which was part of the reason for their late submission. The organization was able to review the draft audit earlier this week.
- F. Heather Hostler
- Heather Hostler of California Indian Legal Services stated that due to accounting changes, there were some requirements missing in their first audit which ultimately caused them to miss the submission deadline, however they are implementing new measures in their accounting process to ensure timely submissions going forward.
- G. Janet Guan
- Janet Guan, Director of Grants Management with Asian Americans Advancing Justice – Southern California wanted to highlight that it was the single audit requirement that caused a delay in their audit process.
- H. Zach Newman
- Zach Newman of LAAC mentioned that staff turnover caused delays for many organizations this year, and LAAC is supportive of the staff's recommendations.

RESOLVED, that the Eligibility & Budget Review Committee (committee) recommends that the Legal Services Trust Fund Commission (LSTFC) grant the

audit extension requests of the organizations listed in the memorandum dated June 16, 2023, that have already been received;

And it is **FURTHER RESOLVED**, that the committee recommends that the LSTFC grant extensions for those that are still pending only through June 30, 2023, and deny any requests for further extension;

And it is **FURTHER RESOLVED**, that the committee recommends that State Bar staff meet with the Center for Human Rights and Constitutional Law regarding their efforts to timely submit their audit moving forward.

Moved by King, seconded by Meeker.

Ayes – (5) Blakemore, King, Klein, Meeker, Vargas

Noes – (0)

Abstain – (0)

Absent – (2) Akhlaghi, Bayles-Fightmaster

Motion carries.

5.4 Identify Programs for Eligibility Review Conferences

Presenter: Erica Carroll, Lead Program Analyst, OA&I

RESOLVED, that the Eligibility & Budget Review Committee (committee) directs staff to schedule an Eligibility Review Conference (ERC) with Coalition of California Welfare Rights Organizations;

And it is **FURTHER RESOLVED**, that the committee delegates responsibility to staff to schedule any additional ERCs it deems necessary before the next committee meeting.

Moved by King, seconded by Vargas.

Ayes – (5) Blakemore, King, Klein, Meeker, Vargas

Noes – (0)

Abstain – (0)

Absent – (2) Akhlaghi, Bayles-Fightmaster

Motion carries.

6. ADJOURN