



The State Bar *of California*

OPEN SESSION

AGENDA ITEM

JUNE 2024

LEGAL SERVICES TRUST FUND COMMISSION 3.3

DATE: June 21, 2024

TO: Members, Legal Services Trust Fund Commission

FROM: Members, Legal Services Trust Fund Commission Eligibility & Budget Review Committee

SUBJECT: Action on 2023 Impact Litigation and Advocacy Work (ILAW) Activities

EXECUTIVE SUMMARY

Business and Professions Code section 6216 prescribes the method for distributing Interest on Lawyer Trust Account (IOLTA) grant funds to qualified legal services organizations according to a formula based in part on the organization's "qualified" expenditures (i.e., expenditures for free civil legal services to indigent persons or in support of organizations that provide such services).¹ Each year, qualified legal services projects (QLSPs) and support centers (SCs) submit Impact Litigation and Advocacy Work (ILAW) reports to describe work that benefits a group of class of persons beyond the organization's individual or organizational clients. The purpose of the ILAW reports is two-fold. The reports provide evaluative detail to the State Bar and Legal Services Trust Fund Commission (LSTFC) on the work performed and outcomes achieved. They also are reviewed as part of the annual grant eligibility process to ensure the work performed is qualifying and the associated expenditures may be considered "qualified" in the organization's IOLTA/EAF application, due in May.

When an activity initially appears to be nonqualifying, or where the qualifying nature of the activity is unclear, staff brings the activity to the Eligibility & Budget Review (EBR) Committee for further review and decision. Expenditures related to activities found to be nonqualifying will be deducted in the 2025 IOLTA and EAF grant applications. A reduction in the amount of an

¹ Equal Access Fund (EAF) grants are also distributed according to the IOLTA formula.

organization's qualifying expenditures could reduce an organization's grant award and/or impact its primary purpose calculation.

BACKGROUND

GOVERNING AUTHORITIES

Business and Professions Code section 6216 provides for distribution of IOLTA funds to qualified legal services organizations based on a formula centered in part on the organization's "qualified" expenditures. An organization's determination of primary purpose and function as either a QLSP or SC is also based on its qualified expenditures under State Bar Rule 3.671. QLSPs and SCs have different requirements for what is considered a qualifying activity.

QLSP Requirements

State Bar Rule 3.674(F) requires QLSPs to report on legal services "for the benefit of a group or class of persons" beyond the organization's individual or organizational clients. They must submit a report for the ten largest activities, measured by staff hours, on which 50 or more staff hours were spent. These legal services include impact litigation and advocacy work.

According to Business and Professions Code section 6213(a), a QLSP's primary purpose is to provide civil legal services to indigent persons in California without charge. As such, to be considered qualifying, impact litigation and advocacy activities in a QLSP's ILAW report must (1) be civil legal services and (2) primarily benefit or disproportionately impact indigent Californians.

State Bar Rule 3.672(B) defines "legal services" (as distinct from legal support services) as "work that uses legal knowledge and skills to create, advance, protect, or enforce the legal rights of clients or communities." It encompasses both legal representation and non-representational services for individuals and groups. Business and Professions Code section 6213(d) defines "indigent person" as someone whose income is 200 percent or less of the federal poverty threshold, a senior, a person with a developmental disability, or a person who is eligible for Supplemental Security Income. QLSPs that receive a pro bono allocation may use a different income threshold under indigency guidelines issued by the Department of Housing and Urban Development (Bus. & Prof. Code § 6213(d)).

State Bar Rule 3.674(F) states a QLSP providing civil legal services for a group or class of persons beyond the organization's individual or organizational clients "may consider the services as civil legal services provided to indigent persons only if the legal matter is primarily for the benefit of indigent persons or disproportionately impacts indigent persons." State Bar rules further require QLSPs to use objective information to demonstrate how the majority of persons impacted are indigent or that the activity has a disproportionate impact on indigent persons. If a QLSP is engaged in impact litigation in California that pertains to a civil legal issue and the represented client or class is indigent, the activity is also generally considered qualifying. For

advocacy activities, such as drafting bills or regulations or otherwise supporting a campaign to change legislation or regulations or enforce existing law—if it pertains to a civil legal need and the QLSP can demonstrate that the majority of those impacted are indigent or indigent persons are disproportionately impacted—this is also considered qualifying.

Support Center Requirements

Unlike QLSPs, SCs are not restricted to providing services specific to indigent persons. According to Business and Professions Code section 6213(b), a SC’s primary purpose is the provision of legal training, technical assistance, or advocacy support for civil legal services without charge, and which provides a significant level of these support services to QLSPs on a statewide basis.

State Bar Rules and Support Center Eligibility Guidelines refine this definition, providing that direct representation to clients, including in impact litigation, is not considered a qualifying support service unless the case is:

- co-counseled with a QLSP (State Bar Rule 3.672(C);
- co-counseled at the request of a private attorney representing indigent clients without charge (Support Center Eligibility Guidelines 2.3(c)); or
- undertaken at the request of a QLSP that is unable to assist the client (State Bar Rule 3.672(C)).

Governing authorities do not define qualified advocacy work for SCs. However, similar to QLSPs, drafting bills or regulations or otherwise supporting a campaign to enact or change legislation or regulations or enforce existing law—as long as it would be of benefit to QLSPs (e.g., allow them to better serve and/or advocate on behalf of their clients)—it has been considered qualifying.

DISCUSSION

STAFF REVIEW PROCESS

Staff conducted an initial review of the ILAW reports according to the requirements for QLSPs and SCs discussed above. The overwhelming majority of activities have been marked as “approved” given their clearly qualifying nature. Others were marked as “approved” because they represent ongoing activities that were reviewed and approved by the EBR Committee in prior years, and the nature of each activity remains substantially similar. Additionally, some activities were already marked “nonqualifying” by staff based on the grantee’s acknowledgment at the time the organization prepared the report that the activity was nonqualifying and/or the grantee’s agreement that the activity was nonqualifying after conferring with staff.

However, State Bar staff were unable to conclude that the following QLSP activities were clearly civil legal services that either impact persons that are majority indigent or disproportionately impacts indigent persons, and therefore elevated them for EBR Committee review.

Dual Language Immersion/ Asian Language Bilingual Accreditation

Asian Americans Advancing Justice Southern California (AJ SoCal) is a QLSP focused on civil rights advocacy for the Asian American and Pacific Islander (AAPI) community. They submitted ILAW reports for two advocacy activities that staff elevated to EBR. The first pertains to *Dual Language Immersion/ Asian Language Bilingual Accreditation*. AJ SoCal reports the activity relates to increasing the number of fully accredited Asian Language bilingual teachers and states the initiative benefits Asian Language native speakers, English Learners, and bilingualism-seeking students. AJ SoCal believes the majority of those impacted are indigent because:

“Nearly 60% of all K-12 students in California are eligible for free or reduced-price meals, which means they come from families earning no more than 185% of the federal poverty level. Additionally, the poverty rate for immigrant Californians is 16.1%, compared to 10.0% per US-born; poverty among undocumented immigrants is higher still at 25.1%.”

Upon request for additional information, AJ SoCal provided reports demonstrating that about 25 percent of individuals with limited-English proficiency (LEP) lived in households with an annual income below the federal poverty line, compared to 14 percent of English-proficient persons and argued language access for LEP children creates a pipeline to a linguistically capable workforce.

The EBR Committee has found in the past that activities related to education equity for low-income students are generally considered qualifying; however, language access in education has not been contemplated.

AJ SoCal’s 2022 advocacy work related to this effort was determined to be nonqualifying. In 2022, AJ SoCal advocated for an allocation in the state budget for the Asian Language Bilingual Teacher Education Program Consortium to increase the number of fully accredited Asian Language bilingual teachers. Staff expressed concern about the activity’s nexus to indigency and AJ SoCal agreed they did not have data to demonstrate its majority or disproportionate impact for indigent Californians at that time. Their 2023 advocacy activity is a continuation of that work and focuses on conducting administrative advocacy and providing community outreach and education. AJ SoCal provided more data to demonstrate the activity’s impact on LEP and disproportionate impact for indigent LEP students when requested this year. The data indicates that LEP students are almost twice as likely to live in households below the poverty line and that increasing language access for LEP children would support a linguistically capable workforce, which is essential for connecting low-income LEP persons with services and benefits they are entitled to.

Given this activity was determined to be nonqualifying last year, State Bar staff elevated the item for discussion. After discussion, the members present at the April 26, 2024, EBR Committee meeting recommended this advocacy activity be found eligible.

Independent Redistricting Commission (AB 1248)

The second AJ SoCal advocacy activity relates to *Independent Redistricting Commission (AB 1248)*. In this legislative advocacy activity, AJ SoCal advocated for a bill that would mandate the use of independent redistricting commission (IRCs) in California counties, cities, and educational districts with more than 300,000 residents. AJ SoCal believes indigent Californians are disproportionately impacted because:

“Gerrymandering produces and maintains racial and economic inequalities. Left unchecked, local government redistricting practices are a tool for preserving racial and economic political hierarchies that harm low-income individuals and families. This bill would apply to cities with more than 300,000 residents and in many of California’s expensive urban centers, there are more people living in poverty than the official poverty measure implies.”

Upon request for additional information, AJ SoCal stated that while redistricting affects all Californians, the organization’s strategy and specific role in redistricting advocacy is to target and engage people who are low-income, LEP, and marginalized AAPI communities in the process. Much of their redistricting work was in collaboration with Korean/Latinx/Bangladeshi community organizations and leaders in Koreatown in Los Angeles, where the median income is \$44,836 and the poverty rate is 22 percent. Additionally, AJ SoCal provided reports that state communities of color are often targeted in partisan gerrymandering.

EBR has generally found ILAW activities related to redistricting to be nonqualifying, and specifically found redistricting advocacy work done by AJ SoCal in 2021 to be nonqualifying. In that 2021 activity, AJ SoCal collaborated with partner organizations to establish inclusive redistricting proposals, offered education about the redistricting process, garnered community feedback, monitored redistricting activities, and made recommendations to local boards regarding the boundaries of communities of interest.

AJ SoCal argues that while the majority of people impacted by this work may not be indigent, the organization believes indigent Californians are disproportionately impacted. The members present at the EBR Committee meeting on April 26, 2024, requested additional information from AJ SoCal on the nexus between the AAPI communities served and indigency, and on the number of staff hours comprised of legal and policy staff. After discussion, the EBR Committee recommended the advocacy activity be found eligible.

RECOMMENDATION

Should the commission concur in the proposed action, passage of the following resolution is recommended:

RESOLVED, that the Legal Services Trust Fund Commission finds qualifying for the purposes of the 2025 IOLTA/EAF application all activities that staff recommends without reservations and the following activities elevated for discussion:

- Asian Americans Advancing Justice Southern California – Dual Language Immersion/ Asian Language Bilingual Accreditation;
- Asian Americans Advancing Justice Southern California – Independent Redistricting Commission (AB 1248).

ATTACHMENTS

- A. Relevant Governing Authorities (State Bar Rule 3.672, State Bar Rule 3.674)
- B. Relevant Submitted ILAW Materials

Relevant Governing Authorities

*New State Bar Rules pertaining to defining “civil legal services” and defining “indigent persons”

State Bar Rule 3.672 Delivery of civil legal services

(A) “Civil” refers to legal issues, questions, or processes that arise under any body of civil law. The provision of legal assistance with respect to criminal proceedings is not civil legal services. Proceedings concerning expungements, record sealing or clearance proceedings not requiring a finding of factual innocence, or infractions are not criminal proceedings, and legal services related thereto are civil legal services. Legal services related to collateral civil issues such as public access, disability accommodations, and language access that arise during criminal proceedings are not legal assistance with respect to criminal proceedings, provided the civil issues do not directly affect determination of guilt, sentencing, or other disposition of the criminal proceeding.

(B) “Legal services” means work that uses legal knowledge and skills to create, advance, protect, or enforce the legal rights of clients or communities. This encompasses legal representation and non-representational services for individuals and groups. Examples of non-representational services include providing legal information, advice, trainings, and self-help resources. Non-representational services can also include studying legal needs and outcomes to inform legal aid delivery, investigating legal violations, and advocating directly to government bodies on issues of importance to the legal rights of clients or communities. Representation and non-representational services must be performed or supervised by an attorney. “Legal services” may also include complementary services provided they advance a legal outcome and serve as an integral part of an attorney’s strategy in a legal matter or case, and the attorney directs the work in that matter or case. Complementary services and other services by non-attorneys must uphold the attorney-client relationship and avoid interfering with the attorney carrying out their obligations to the client.

(C) “Legal support services” required by statute to be provided by a qualified support center include but are not limited to

- (1) professional services to qualified legal services projects; and
- (2) the direct provision of civil legal services to an indigent client of a qualified legal services project, provided the services are provided directly to the client
 - (a) as co-counsel with an attorney employed or recruited by a qualified legal services project; or
 - (b) at the request of an attorney employed or recruited by a qualified legal services project that is unable to assist the client.

State Bar Rule 3.674 Income and indigent persons

(A) “Income” means income as defined in section 1611.2(i) of Title 45 of the Code of Federal Regulations. If an applicant for services identifies as having a disability, income eligibility is calculated only after

deducting the costs of medical and other disability-related special expenses, and in the case of veterans with a service-related disability, any disability compensation from the United States Veterans Administration.

(B) Any of the following are considered “indigent persons”

- (1) Persons whose income is 200 percent or less of the current poverty threshold established by the United States Office of Management and Budget;
- (2) Persons eligible for Supplemental Security Income;
- (3) Persons who are 60 years of age or older;
- (4) Persons who identify as having a developmental disability as defined in section 15002 of Title 42 of the United States Code.

(C) All legal services projects may use the definition of indigent persons as described Rule 3.674(B) to establish eligibility as a qualified legal services project and to calculate their expenditures on free civil legal services for indigent persons. Only qualified legal services projects that the Legal Services Trust Fund Commission has deemed eligible for a pro bono allocation under Business and Professions Code section 6216(b)(1)(B) may use the definition of “indigent person” available “to a project that provides free services of attorneys in private practice without compensation” under Business and Professions Code section 6213(d).

(D) Pursuant to Business and Professions Code section 6218, qualified legal services projects shall establish financial eligibility guidelines consistent with this rule and other applicable law and regulations. Such guidelines may include provisions allowing qualified legal services projects to disregard income—or make income exceptions—in certain extenuating circumstances, including, but not limited to, the income of resident household members where intimate partner violence has occurred. The Legal Services Trust Fund Commission may reject such eligibility guidelines if it determines they are inconsistent with Business and Professions Code sections 6218(a) or 6213(d).

(E) Civil legal services provided by legal services projects to organizational clients will be considered services to “indigent persons” if the services provided to the organizational client will primarily benefit persons who are indigent under Business and Professions Code section 6213(d). Factors to be considered in determining whether the organizational client provides services primarily to indigent persons include, but are not limited to

- (1) whether the organization is a tax-exempt nonprofit corporation;
- (2) the organization’s primary purpose as stated in its articles of incorporation or by-laws;
- (3) the number and percentage of indigent persons on the board of directors or principal advisory body of the organization; and
- (4) the percentage of the organizational client’s members who are indigent persons.

(F) A legal services project providing civil legal services for the benefit of a group or class of persons beyond the legal services project’s individual or organizational clients may consider the services as civil

legal services provided to indigent persons only if the legal matter is primarily for the benefit of indigent persons or disproportionately impacts indigent persons.

(1) If a legal services project provided services to a group or class of persons in the prior year, the legal services project must complete a report describing the 10 activities that received the most support, as determined by the staff hours spent on each activity, limited to activities that met or exceeded 50 hours, unless the Legal Services Trust Fund Commission establishes a different reporting requirement. This report will be submitted for Legal Services Trust Fund Commission review as part of the application process under Rule 3.680.

(2) If a legal services project must complete a report under Rule 3.674(F)(1), it should demonstrate through objective information that a majority of persons impacted by the activity are indigent. A legal services project may meet this requirement by providing quantitative data based on independent research, internal organizational data, or data provided by other legal service providers or community-based organizations in the area where the legal services project operates, to demonstrate that a majority of those impacted by the activity are indigent.

(3) If a legal services project cannot demonstrate that a majority of those impacted by the activity are indigent, it must demonstrate that the activity has a disproportionate impact on indigent persons based on the nature of the activity and the specific anticipated outcomes for indigent persons if the activity succeeds. It must use independent research, its own internal data, or data from other legal service providers or community-based organizations to demonstrate a nexus between the legal issue addressed through the activity and the identified needs of the legal services project's client constituency.

Organization

Asian Americans Advancing Justice Southern California

1. Advocacy activity name

Dual Language Immersion/Asian Language Bilingual Accreditation

2. Advocacy activity status

Ongoing

3. Advocacy type

Administrative

4. Advocacy level

Local

5. Total Staff Hours

Report total staff hours spent on this activity in the evaluation year

175

6. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

0

7. Do you believe this to be an IOLTA qualifying activity as defined by B&P 6213 and State Bar Rule 3.672?

If you answered no, remember to deduct expenditures related to this non-qualifying activity in the next IOLTA/EAF grant application cycle.

Yes

5. Partner
Organizations:

Partner Organizations

State Bar Grantees

Other Organizations

9. Counties Impacted

Check all that apply

*Statewide

10. Area of Law

Check all that apply

Education, Employment

Describe "Miscellaneous"

11. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

12. Who benefitted from this advocacy

In 2023, AJSOCAL implemented our prior budget advocacy win to help K-12 students across California by increasing the number of fully accredited Asian Language bilingual teachers. This initiative ultimately benefits Asian Language native speakers, English Learners, and bilingualism-seeking students.

In the 2021–22 school year, there were approximately 1.128 million English learners in California public schools. A total of 2,360,744 students (English Learners and Fluent English Proficient) speak a language other than English in their homes. Vietnamese and Mandarin were the second and third most spoken languages in California K-12 schools.

13. Explain how the majority of those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Nearly 60% of all K-12 students in California are eligible for free or reduced-price meals, which means they come from families earning no more than 185% of the federal poverty level. Additionally, the poverty rate for immigrant Californians is 16.1%, compared to 10.0% for US-born; poverty among undocumented immigrants is higher still at 25.1%.

14. If the majority of those impacted are not indigent, describe how this advocacy activity will have a disproportionate impact on indigent persons based on the nature of the activity and the specific anticipated outcomes for indigent persons if the activity succeeds.

n/a

15. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Our 2023 advocacy efforts to implement this initiative included: community outreach and education, administrative advocacy via advocacy visits, support letters, funding distribution recommendations, and social media outreach/education campaigns, administrative advocacy to California State University Chancellor's Office, and California State University – Fullerton.

Organization

Asian Americans Advancing Justice Southern California

1. Advocacy activity name

Independent Redistricting Commission (AB 1248)

2. Advocacy activity status

Completed

3. Advocacy type

Legislative

4. Advocacy level

State

5. Total Staff Hours

Report total staff hours spent on this activity in the evaluation year

875

6. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

0

7. Do you believe this to be an IOLTA qualifying activity as defined by B&P 6213 and State Bar Rule 3.672?

If you answered no, remember to deduct expenditures related to this non-qualifying activity in the next IOLTA/EAF grant application cycle.

Yes

5. Partner
Organizations:

Partner Organizations

State Bar Grantees

Other Organizations

Other Partner Organization Type

Community-Based Organization

Community-Based Organization

Other Partner Organization Name

Common Cause

League of Women Voters

Partner Type

Collaborative Partner

Collaborative Partner

9. Counties Impacted

Check all that apply

*Statewide

10. Area of Law

Check all that apply

Miscellaneous

Describe "Miscellaneous"

Voting Rights

11. Constituencies Impacted

Check all that apply

Other (Explain)

a. Other
Constituencies:

If the constituencies
impacted are not
included, please list
them.

Communities of color

12. Who benefitted from this advocacy

The redistricting process in California has long been plagued by issues of gerrymandering, leading to unfair representation for voters and communities, particularly low-income Californians. Independent redistricting commissions (IRCs) have emerged as a solution to this problem, ensuring that district boundaries are drawn fairly and transparently, allowing historically disenfranchised communities to have a genuine voice in choosing their representatives.

Despite successful implementations at the state level and in some local jurisdictions, the majority of areas have not adopted IRCs, leaving many communities vulnerable to unfair practices. Political incumbents, motivated by self-interest, often resist relinquishing their power to manipulate boundaries, perpetuating gerrymandering and disenfranchisement.

To address this issue, AB 1248 proposed mandating the use of IRCs in larger counties, cities, and educational districts. By requiring the establishment of IRCs, the bill aims to level the playing field, ensuring that all communities, including low-income ones, have equal access to fair representation. Provisions such as prohibiting ex parte communications and providing stipends for commissioners aim to further enhance transparency and accountability within the redistricting process. In addition, the bill outlined detailed procedures for establishing IRCs and ensures diversity in commission membership to better reflect the state's population. By promoting large and diverse commissioner pools, the legislation seeks to empower marginalized communities and strengthen democratic principles. Ultimately, the use of IRCs benefits low-income Californians by giving them a voice in the political process and protecting their right to fair representation.

13. Explain how the majority of those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

n/a

14. If the majority of those impacted are not indigent, describe how this advocacy activity will have a disproportionate impact on indigent persons based on the nature of the activity and the specific anticipated outcomes for indigent persons if the activity succeeds.

Gerrymandering produces and maintains racial and economic inequalities. Left unchecked, local government redistricting practices are a tool for preserving racial and economic political hierarchies that harm low-income individuals and families. This bill would apply to cities with more than 300,000 residents and in many of California's expensive urban centers, there are more people living in poverty than the official poverty measure implies.

15. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Our advocacy efforts included: research, community outreach and education, legislative advocacy via legislative visits, support letters, budget committee public comments, and social media outreach/education campaigns, administrative advocacy to California Secretary of State, and Governor's Office.

Additional information provided pertaining to Asian Americans Advancing Justice Southern California's ILAW Activities

Independent Redistricting Commission (AB 1248)

- For our independent redistricting work, our engagement strategy is to target the communities who are the most likely to be disenfranchised or face barriers to engaging in the process. This means we focus our attention on areas and communities where we will reach those who have low levels of English proficiency, lower acculturation, and lower income levels. For example, we did a lot of redistricting work in coalition with local Korean/Latinx/Bangladeshi community organization and leaders in the ethnic enclave of Koreatown in the city of Los Angeles. Koreatown residents are largely Latinx, Korean and Bangladeshi limited English proficient immigrants with a median income of \$44,836 and 22% poverty rate. <https://datausa.io/profile/geo/la-city-centralkoreatown-puma-ca>. Other communities we targeted included Gardena and Long Beach so we could engage specifically with Samoan and Cambodian communities, who are historically disenfranchised as they are low income, highly immigrant, and marginalized from political systems. Although redistricting affects all Californias, AJSOCAL's strategy and specific role in redistricting is to target and lift up those who are low income, limited English proficient, and marginalized AAPI communities to be engaged in the process.
- See attached for a study that says "Social science has long shown that governments produce and maintain racial and economic inequalities. ... For decades, the urban literature on race and space has devoted significant attention to how elites manipulate or transform urban space to segregate...police...or displace low-income minority populations Redistricting serves as an additional instrument whereby local governments racialize space, particularly by eliminating challengers to the local political order." (internal citations omitted)
- This [Brennan Center report](#) says: "Targeting the political power of communities of color is also often a key element of partisan gerrymandering." Although the Brennan Center highlights issues that are particularly prevalent in the South, we have seen this play out in local California politics as well. Most notably, the Los Angeles City Councilmembers who were exposed in 2022 for their [racist conversations about redistricting maps](#) that would consolidate and secure power based on racial gerrymandering. The [city council continues](#) to grapple with racial gerrymandering and attempts to find political balance continue. "The redistricting process is overseen by a commission that is supposed to be independent, yet the members are appointed by council members who can also ignore whatever recommendations the commission makes."
- "For too long, redistricting has been used as a weapon against low-income and BIPOC communities — to break up, disempower, disenfranchise, erase them." — [Catalyst California](#)

Dual Language Immersion/Asian Language Bilingual Accreditation

- There is a strong nexus between being Limited English Proficient (LEP) and indigent. In 2013, about 25 percent of LEP individuals lived in households with an annual income below the official federal poverty line—nearly twice as high as the share of English-proficient

persons (14 percent). <https://www.migrationpolicy.org/article/limited-english-proficient-population-united-states-2013>

- This [study](#) explores the effects of being LEP on the socioemotional development of 5,268 Hispanic and 2,088 Asian American children from the Early Childhood Longitudinal Study data set (first 3 waves of data). Results from generalized estimating equation analyses revealed significant interactions between ethnicity and language status. English-proficient Asian American children fared better than Hispanic children, but Asian American children with LEP lagged behind their Hispanic counterparts in their approaches to learning, self-control, and interpersonal skills at the beginning of kindergarten.
- Long term, focusing in dual language for LEP children creates a pipeline to a linguistically capable workforce, which is essential to connecting low-income persons who are LEP to the services and benefits they're entitled to. CDSS itself recognizes that limited language access decreases access to safety net services: "Often, the language barrier between agencies and potential beneficiaries fuels mistrust and misunderstanding about program eligibility criteria and higher rates of wrongful denial of services." -[Pew Charitable Trust](#) "Social Service Programs Must Be Accessible to People Who Speak Limited English"
- [A study with California farmworkers during COVID-19](#) showed that increased language access to resources and trainings, such as the Occupational Safety and Health Administration's workplace health and safety training for immigrant workers, helped improve health-promoting behaviors, such as the use of personal protective equipment and frequent handwashing, both at work and at home.
- By 2030, the majority of Californians age 60+ will identify as Black; Latino/x; Asian, Native Hawaiian, or Pacific Islander; American Indian or Alaska Native; or multiracial, necessitating more culturally competent and linguistically appropriate services and providers. - [CA Master Plan for Aging](#)