



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 27, 2015

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**Title**

Equal Access Fund: Distribution of Funds for Partnership Grants and IOLTA-Formula Grants

**Agenda Item Type**

Action Required

**Effective Date**

October 27, 2015

**Rules, Forms, Standards, or Statutes Affected**

None

**Date of Report**

October 14, 2015

**Recommended by**

State Bar Legal Services Trust Fund  
Commission  
Adrian Dollard, Cochair  
Christina Vanarelli, Cochair

**Contact**

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### Executive Summary

As stated in its report on the *Equal Access Fund: Distribution of Funding for IOLTA-Formula Grants and Partnership Grants Under the Budget Act of 2015*, the State Bar Legal Services Trust Fund Commission notes that the Budget Act of 2015 includes an estimated \$14,192,000 in the Equal Access Fund for distribution to legal services providers and support centers. Equal Access funds are distributed primarily in two parts: Interest on Lawyers' Trust Accounts (IOLTA)-Formula Grants and Partnership Grants (with a small amount also distributed for administration). The State Bar Legal Services Trust Fund Commission requests approval of the distribution of \$12,773,000 in IOLTA-Formula Grants for fiscal year 2015–2016, according to the statutory formula in the state Budget Act. It further requests that the Judicial Council approve distribution of \$1,419,000 in partnership grants for 2016 and approve the commission's findings that the proposed budget for each individual grant complies with statutory and other relevant guidelines.

## Recommendation

The Legal Services Trust Fund Commission recommends that the Judicial Council approve the distribution of \$12,773,000 in IOLTA-Formula Grants for 2015–2016 according to the terms of the state Budget Act and approve the commission’s determination that the proposed budget of each individual grant complies with statutory and other guidelines.

The Legal Services Trust Fund Commission recommends that the Judicial Council approve the distribution of \$1,419,000 in Equal Access Fund Partnership Grants for distribution to the following legal services agencies for programs conducted jointly with courts to provide legal assistance to self-represented litigants:

1. **Alameda County Bar Volunteer Legal Services:**
  - Unlawful Detainer Mediation Project ..... \$55,000
  - Alameda County Family Law Day of Court Pilot Project.....\$60,000
  
2. **Bay Area Legal Aid:**
  - Housing Law Clinic (Contra Costa) ..... \$40,000
  - San Mateo County Consumer Debt Clinic ..... \$60,000
  
3. **Bet Tzedek Legal Services:**
  - Streamlining & Expanding Court-Based Conservatorship Clinics  
(Los Angeles County) ..... \$60,000
  
4. **California Rural Legal Services:**
  - San Luis Obispo County Rental Clinic for Self-Represented Litigants..... \$45,000
  
5. **Central California Legal Services, Inc.:**
  - Guardianship Project .....\$25,000
  - Tenant/Landlord Housing Law Clinic (Fresno) ..... \$50,000
  
6. **Community Legal Services in East Palo Alto:**
  - San Mateo County Unlawful Detainer Mandatory Settlement Conference ..... \$45,000
  
7. **East Bay Community Law Center:**
  - Holistic Legal Assistance Project (Alameda) ..... \$65,000
  
8. **Elder Law and Advocacy:**
  - Imperial County Unlawful Detainer/Elder Abuse Restraining Order Self-Help  
Clinic ..... \$65,000
  
9. **Family Violence Law Center:**
  - Domestic Violence Pro Per Project (Alameda) ..... \$25,000

<b>10. Inland Empire Latino Lawyers Association:</b>	
Small Claims Advocacy & Awareness Project (Riverside/San Bernardino) .....	\$20,000
<b>11. Justice and Diversity Center:</b>	
Family Law Assisted Self-Help/Case Resolution (FLASH/CARE) Project (San Francisco) .....	\$20,000
<b>12. Legal Aid Foundation of Los Angeles:</b>	
Long Beach Self-Help Legal Access Center .....	\$72,000
<b>13. Legal Aid of Marin:</b>	
Unlawful Detainer/MSC Calendar Assistance .....	\$35,000
<b>14. Legal Aid Society of Napa Valley:</b>	
Small Claims Assistance Project .....	\$25,000
<b>15. Legal Aid Society of Orange County:</b>	
Consumer Debt Workshop (Norwalk, Los Angeles).....	\$55,000
Limited Conservatorship Clinic .....	\$25,000
Unlawful Detainer Clinic .....	\$55,000
<b>16. Legal Aid Society of San Diego, Inc.:</b>	
Civil Harassment & Elder Abuse Restraining Order Program at the HOJ .....	\$45,000
San Diego County Conservatorship Assistance Project .....	\$40,000
<b>17. Legal Services of Northern California:</b>	
Civil Harassment and Small Claims Mediation Project (Butte) .....	\$25,000
Mother Lode Pro Per Project (Amador, Calaveras, El Dorado, Placer) .....	\$50,000
Guardianship and Clean Slate Project (Mendocino) .....	\$31,000
Small Claims and Consumer Law Self Help Clinic (Yolo) .....	\$40,000
<b>18. Neighborhood Legal Services of Los Angeles County:</b>	
Chatsworth Self-Help Legal Access Center Project .....	\$69,000
Pasadena Unlawful Detainer Assistance Project .....	\$55,000
<b>19. Public Counsel:</b>	
Guardianship Clinic (Los Angeles) .....	\$55,000
<b>20. Public Law Center:</b>	
Orange County Expanded Domestic Violence Assistance Project .....	\$40,000
<b>21. Riverside Legal Aid:</b>	
Small Estates Assistance Program.....	\$37,000

**22. San Diego Volunteer Lawyer Project:**

North County Civil Harassment/Unlawful Detainer Self-Help Clinic ..... \$60,000

**Total** ..... \$1,419,000

The text of the commission’s report and its attachments are found at pages 7–57.

**Previous Council Action**

The Judicial Council has approved the proposed distribution for each of the past 16 years based on the recommendations of the Legal Services Trust Fund Commission.

**Rationale for Recommendation**

Since 1999, the state Budget Act has contained a provision for the allotment of \$10 million to an Equal Access Fund “to improve equal access and the fair administration of justice.” (Assem. Bill 93, ch. 10, pp. 12–16; Stats. 2014, ch. 25, pp. 12–16; Stats. 2013, ch. 20, pp.11–15; Stats. 2012, ch. 21, pp. 14–18; Stats. 2011, ch. 33, pp. 17–21; Stats. 2010, ch. 712, pp. 21–25; Stats. 2009, ch. 1, pp. 18–22; Stats. 2008, ch. 268, pp. 32–36; Stats. 2007, ch. 171, pp. 40–42; Stats. 2006, ch. 47, pp. 26–30; Stats. 2005, ch. 38, pp. 9–11; Stats. 2004, ch. 208, pp. 16–17; Stats. 2003, ch. 157, pp. 11–12; Stats. 2002, ch. 379, pp. 30–31; Stats. 2001, ch. 106, pp. 73–74; Stats. 2000, ch. 52, pp. 78–79; Stats. 1999, ch. 50, pp. 55–56.)

In 2005, the Uniform Civil Fees and Standard Fee Schedule Act was approved by the Legislature and the Governor. That act established a new distribution of \$4.80 per filing fee to the Equal Access Fund. The estimated revenue from filing fees for the fund is \$5.7 million per year. Those revenues have been collected by the trial courts since January 2007.

The Budget Act requires the Judicial Council to distribute the Equal Access Fund monies to legal services providers through the State Bar Legal Services Trust Fund Commission. The State Bar created the commission to administer the law regulating attorneys’ interest-bearing trust accounts (IOLTAs). (Bus. & Prof. Code, § 6210 et seq.; State Bar Rules Regulating Interest-Bearing Trust Fund Accounts for the Provision of Legal Services to Indigent Persons, rule 4.)

The Budget Act states that “[t]he Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. . . . The Judicial Council may establish additional reporting or quality control requirements. . . .”<sup>1</sup> All recipients of partnership grants conduct an annual evaluation of the effectiveness of the programs, and are required to submit their evaluation results to the commission by March 1, 2017.

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<sup>1</sup> The Budget Act language is attached in the commission’s report, at pages 18–20.

Under the Budget Act, the Chief Justice, as Chair of the Judicial Council, appoints one-third of the voting members to the commission: five attorney members and two public members, one of whom is a court administrator. The Chief Justice also appoints three nonvoting judges to the commission: two trial court judges and one appellate justice. (The membership roster is attached in the commission's report at pages 21–23.)

There are two grant programs, IOLTA-formula grants and partnership grants. The Budget Act provides that 90 percent of the funds be distributed to legal services agencies according to a statutory formula (the IOLTA-formula grants). The remaining 10 percent of the funds are to be distributed as partnership grants to legal services programs for projects conducted jointly with the courts to provide legal assistance to self-represented litigants. The process for choosing the legal services programs to receive these partnership grants is stated in the commission's report at pages 10–14.

For the grant period funded by the 2015 Budget Act, the Legal Services Trust Fund Commission has approved a schedule for allocation of the part of the Equal Access Fund grants referred to as IOLTA-Formula Grants to legal services providers according to the formula established under the Business and Professions Code.

The commission's report on the allocation of the Equal Access Fund shows that the commission has followed the statutory requirements and the additional criteria adopted by the council at its August 1999 meeting.

It is appropriate for the Judicial Council to approve the distribution of \$12,773,000 in IOLTA-Formula Grants awarded by the Legal Services Trust Fund Commission to allow distribution to the eligible organizations in October. It is also appropriate that the council approve \$1,419,000 in Partnership Grants.

Distributing the funds to the commission will allow it to carry out the terms of the Budget Act and will put the funds of the Equal Access Fund into the hands of legal services providers to supply legal assistance to self-represented litigants. IOLTA-Formula Grants are to be distributed on a calendar-year basis beginning January 1, 2016. The fiscal year for the Partnership Grants commences January 1, 2015.

The commission's report on the allocation of the Equal Access Fund shows that the commission has followed the statutory requirements and the additional criteria proposed in a report to the Judicial Council at its August 1999 meeting.

### **Comments, Alternatives Considered, and Policy Implications**

The recommendations have been approved by the Legal Services Trust Fund Commission and its Partnership Grants Committee as required by law. The statutory scheme does not contemplate public comment.

There are no viable alternatives to distributing the funds according to the recommendations of the Legal Services Trust Fund Commission. The Budget Act requires the council to approve the distribution if it finds that the statutory and other relevant guidelines are met.

### **Implementation Requirements, Costs, and Operational Impacts**

The IOLTA-Formula Grants require no court implementation. Partnership grants will require the courts that have elected to participate in joint projects with local legal services providers to cooperate in the manner proposed in their grant applications.

Council staff will work with the staff of the Legal Services Trust Fund Commission to oversee administration of the Equal Access Fund, including fulfillment of requirements for reports on the commission's administration of the fund. Staff will also provide support to the commission (including the one-third of its members appointed by the Chief Justice) to facilitate administration of the Equal Access Fund.

The recommendation contained in this report will have no direct fiscal effect on the courts. Nevertheless, the courts will indirectly benefit from assistance provided to self-represented litigants. Council staff support will be covered by the provision for administrative costs in the Budget Act appropriation.

### **Relevant Strategic Plan Goals and Operations Plan Objectives**

This recommendation helps implement Goal I of the Judicial Council's strategic plan—Access, Fairness, and Diversity—by increasing legal representation for low-income persons.

### **Attachments**

1. Attachment A: Report of the State Bar Legal Services Trust Fund Commission
2. Attachment B: Roster of the Legal Services Trust Fund Commission and Relevant Committees
3. Attachment C: Comparison of IOLTA and IOLTA-Formula EAF Grants for Calendar Year 2016
4. Attachment D: Partnership Grant Request for Proposal for 2016 Funding
5. Attachment E: Highlights of Recommended Partnership Grant Projects for 2016
6. Attachment F: IOLTA-Formula and Partnership Grant Agreement Exemplars



# THE STATE BAR OF CALIFORNIA

## LEGAL SERVICES TRUST FUND PROGRAM

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**Hon. Brad Seligman**  
Superior Court of California  
County of Alameda

**DATE:** September 15, 2015

**TO:** The Judicial Council of California

**FROM:** Adrian Dollard, Co-Chair  
Christina Vanarelli, Co-Chair  
Legal Services Trust Fund Commission

Stephanie Choy, Managing Director  
Legal Services Trust Fund Program

**SUBJECT:** Equal Access Fund: Distribution of Funding for IOLTA-  
Formula Grants and Partnership Grants under the Budget  
Act of 2015

### EXECUTIVE SUMMARY

Since 1999, the Judicial Council (the "Council") budget has included the Equal Access Fund ("EAF") to provide grants for free legal assistance to indigent Californians. These grants are made through the Legal Services Trust Fund Commission of the State Bar of California (the "Commission").

In 1999, the Judicial Council took action to implement this Fund, adopting procedures for the Chief Justice to appoint a third of the members of the Commission and approving the award of grants. The Council has approved the award of grants each subsequent year since 1999.

Each year the Equal Access Fund is distributed in two parts: 1) 90% of the funds are distributed according to the statutory Interest on Lawyers' Trust Accounts ("IOLTA") formula; and, 2) 10% of the funds are distributed as discretionary grants for joint projects between court and legal service programs to make legal assistance available to pro per litigants.

IOLTA Formula Grants: The \$13,010,715 in IOLTA-formula Grants allocated for the 2014-15 grant period has funded a wide range of legal services for low-income Californians. These grant funds were allocated according to a formula set forth in the IOLTA statute (Business & Professions Code sections 6210 et seq.) and pursuant to established procedures for determining eligibility and administering grants. Two categories of legal services providers are eligible for grants: "Qualified Legal Services Projects" and "Qualified Support Centers."

A system of grant application, budget review, performance reports, and on-site visits is used to monitor compliance with grant requirements.

Partnership Grants: The \$1,445,635 in Partnership Grants for 2014-15 (calendar year 2015) funded 30 projects that enhance the ability of unrepresented litigants to pursue justice in civil courts across California.

Annually since the inception of the Equal Access Fund, the Commission has presented the Council with recommendations for approval of IOLTA-formula grants prior to the start of the grant year, and then separately presented recommendations for Partnership Grants a few months later. Last year the Commission determined, with the input and approval of staff of the Council, to implement a new schedule for administration of all its grants, including the two types of EAF grants under the Budget Act of 2015. Under this new schedule, the Commission synchronized the three different grants that the Trust Fund Program has historically administered. Pursuant to this new schedule, this year, Partnership Grants were reviewed first, and IOLTA-Formula EAF budget proposals are scheduled to be reviewed in early October in conjunction with IOLTA budgets. We request the Council approve the distribution of \$14,192,000 of Equal Access Funds for IOLTA-Formula and Partnership Grants under the 2015 Budget Act, as follows:

IOLTA-Formula Grants. It is now timely and appropriate for the Council to approve the distribution of the IOLTA-Formula Grants under the Budget Act of 2015, in the total amount of \$12,773,000, which amount includes the Basic Budget Act allocation and projected filing fees.

The Commission identified eligible or provisionally eligible legal services providers and will be calculating the appropriate allocation of funds available for IOLTA- Formula Equal Access Fund grants under the Budget Act of 2015 in accordance with the IOLTA statute. The Commission will review budgets to ascertain compliance with statute, rules and guidelines, and with the Council's approval, will begin distribution of EAF grant funds on October 1, 2015.

Partnership Grants. It is also timely and appropriate for the Council to approve the Commission's recommendations for Partnership Grants under the Budget Act of 2015, to support activities during calendar year 2016, in the total amount of \$1,419,000. These discretionary grants are only available to programs already eligible for IOLTA funding, and are awarded after a careful review and analysis of grant proposals based on established criteria. Partnership grants will, upon approval, be distributed to projects that have completed documentation as early in 2016 as practicable.

## **INTRODUCTION – THE BUDGET ACT**

The Equal Access Fund, initially created by the Budget Act of 1999, has been continued in each subsequent Budget Act, including the Budget Act of 2015.

Originally, a single general fund allocation for the Equal Access Fund was directed to the Council under each Budget Act, to be distributed in grants to legal services providers through the Legal Services Trust Fund Commission. In 2015 that general fund allocation is \$10,392,000.

Since 2005, this general fund allocation has been supplemented with revenues received through the Uniform Civil Fees and Standard Fee Schedule Act. That Act established a new distribution to the Equal Access Fund of \$4.80 per initial civil filing fee. Through these fees, the Equal Access Fund has been supplemented by amounts that have historically ranged up to as



much as \$6.4 million annually. The sum projected to be received through filing fee revenues has been consistently set at \$5,480,000 since the Budget Act of 2012.

The sum of (a) the basic budgetary allocation of \$10,392,000 pursuant to the Budget Act of 2015; (b) additional funding from the Trial Court Trust Fund in the total amount of \$3,800,000 results in an aggregate estimated \$14,192,000 available for Equal Access Fund grants under the Budget Act of 2015. Additionally, \$700,000 is allocated under the Budget Act for administrative fees of the Judicial Council and the State Bar.

This amount is only an estimate. In years in which filing fees have been higher than projected, undistributed amounts have been added to the amount available for distribution in the subsequent year. In recent years, filing fees have been less than projected, and in that case the Commission and Board of Trustees of the State Bar of California have approved covering any shortfall in the IOLTA-formula grants with IOLTA funds because IOLTA and IOLTA-formula grants are distributed to the same grantees on the same allocated share basis. Grantees are advised that should there be a shortfall in filing fees that impacts the Partnership Grants, those grants may be funded at less than 100%.

The budget control language establishes two kinds of Equal Access Fund grants: "IOLTA-Formula" Grants and "Partnership" Grants. The budget also provides for funds for the cost of administration. Distribution will be pursuant to the language of the Budget Act:

- Ninety percent of the grant funds are to be distributed to IOLTA-eligible legal services providers according to a formula set forth in California's Interest on Lawyers' Trust Accounts ("IOLTA") statute. Funds available for this category of grants, called "IOLTA-Formula Grants," equal \$12,773,000.
- Ten percent of the grant funds are set aside for Partnership Grants to IOLTA-eligible legal services providers for "joint projects of court and legal services programs to make legal assistance available to pro per litigants." Funds available for Partnership Grants equal \$1,419,000.
- An amount equal to five percent of the Budget Act grant allocations has been set aside for administrative costs, in a total amount up to \$700,000, to be shared between the Council and the Commission (34% and 66% respectively).

(The relevant portions of the Budget Act of 2015 are attached as Attachment A.)

The Chief Justice continues to appoint one-third of the members of the Commission, plus three judicial advisors. All of them participate actively in the Commission's work, with each serving or having served on one of its three standing committees. (Attachment B is a roster of current Commission members, and the members of the Eligibility and Budget and Partnership Grant committees, which were responsible for oversight of the 2015 grant processes.)

In 2014, as part of comprehensive efforts to improve efficiencies, the Trust Fund Program took steps to synchronize its various grant calendars to a single grant year beginning January 1, 2015. In order to shift EAF grants from its traditional October 1 start date, the transitional EAF grant last year was for a "five quarter" period beginning October 1, 2014 and ending December 2015, with the last quarter based on projected funding from the 2015 Budget Act. Therefore, the 2016 EAF grant will be based on the remaining three quarters of funds from the 2015 Budget Act, and projected funding for the last quarter from the 2016 Budget Act. Grant

agreement wording provides that grant funding is contingent on the appropriation and availability of funds.

## **THE LEGAL SERVICES GRANTS PROGRAM**

For each year of the Equal Access Fund, the budget control language has provided for the funds to be distributed “to qualified legal services projects and support centers as defined in sections 6213 through 6215 of the Business and Professions Code.” Those provisions of the IOLTA statute establish the basic eligibility requirements for these two categories of organizations that are entitled to receive funding:

- “Legal Services Projects,” which have as their primary purpose the provision of legal services in civil matters directly to indigent clients without charge. [Business and Professions Code, §6213(a)]
- “Support Centers,” which provide training, technical assistance and advocacy support to the legal services projects on a statewide basis. [Business and Professions Code, §6213(b)]

The fund helps the most vulnerable Californians when they face critical, life-changing legal issues affecting their basic needs, their safety, and their security – issues such as elder abuse, domestic violence, family support, housing or access to needed health care. Among those served are the working poor, children, people who live in isolated rural areas, veterans, those with limited English proficiency, people suffering abuse, people with disabilities and the frail elderly.

In March 2005, the Council submitted an extensive report to the Legislature evaluating the efficiency and effectiveness of the first five years of use of these funds. The report concluded that “nonprofit legal aid providers have efficiently and effectively used their grants to provide legal assistance to some of the most vulnerable Californians, but that there remains a tremendous unmet need.” At the time, the Council reported that the Equal Access Fund should be increased to build on the statewide legal aid network serving low-income people; that additional funding is needed to expand court-based self-help centers; and that ongoing evaluation is needed to continue to improve the delivery of legal assistance to indigent and marginalized Californians. Since 2005, legal service organizations continue to report tremendous accomplishments with the funding, but also tremendous continuing and heartbreaking unmet need within their service populations.

## **ELIGIBILITY AND DISTRIBUTION**

All Trust Fund grantees must be nonprofit corporations, must maintain quality control procedures approved by the commission, and must meet minimum funding and service criteria that are set out in the Business and Professions Code, §§6214-6215. The requirements regarding eligibility and use of funds are reflected in regulating rules and grant conditions approved by the State Bar Board of Trustees and incorporated into a written agreement with each grant recipient. To monitor compliance with these requirements, the commission administers a system of grant reporting and oversight that includes written reports, regular personal contact and on-site visits.

Oversight begins with the annual application for funding. The application includes extensive information about the legal services provider's activities and services, accompanied by an annual financial statement that must be audited (or reviewed if gross expenditures are less than \$500,000) by an independent certified public accountant. Following the commission's determination of eligibility and allocation of IOLTA-Formula Grant amounts, each applicant submits a proposed budget for use of the funds, with a narrative description of the services to be provided and how the efficacy and impact of those services will be measured and maximized. The commission reviews this budget to ensure that it complies with the requirements described above before any funds are actually distributed. Subsequently grant recipients provide written reports of their expenditure of grant funds, services provided, and clients or customers served.

On-site visits supplement review of the application documentation and budgets to monitor compliance with the statutory requirements and grant conditions as well as to evaluate provider effectiveness and monitor the provider's fiscal practices for the handling of grant funds. Teams of staff, sometimes joined by commission members, conduct these visits on a three-year cycle.

**IOLTA-Formula Grants.** Legal services providers have used the IOLTA-Formula Equal Access Fund Grants for a wide range of services and activities that reflect both the legal needs of poor people and the special strengths of the participating programs. A substantial share of the efforts funded by these grants has been aimed at legal needs of children (adoptions, guardianships and children's access to health care, for example) or the elderly (abuse cases, nursing home evictions, home equity fraud). IOLTA-Formula Grants have also supported efforts to address the needs of families, including a range of services to help overcome barriers to self-sufficiency and make welfare-to-work a reality. Others have focused on populations that are particularly at risk, such as people with disabilities, veterans, the homeless, or victims of human trafficking.

The Budget Act requires 90 percent of the Equal Access Fund to be distributed to qualified organizations under the same statutory allocation formula as IOLTA funds, consistent with sections 6216 through 6223 of the Business and Professions Code ("IOLTA-Formula Grants"). Business and Professions Code section 6216 establishes this formula:

- Fifteen percent of the grant money is reserved for Support Centers and is divided among those centers equally.
- The remaining eighty-five percent of the funds is allocated among all California counties based on poverty population, and then within each county among Legal Services Projects based on the amount each such organization spent in the prior calendar year providing free legal services to the indigent in that county. Programs that utilize volunteers as their principal means of delivering legal services share an additional allocation in each county where they so qualify.

The IOLTA statute also addresses the use of funds by recipient organizations. Qualified Legal Services Projects must use grants to provide free civil legal services to indigent persons in the counties for which the funds are allocated. In addition, Legal Services Projects must make extra efforts to increase services to especially disadvantaged and underserved client groups within their service areas. Qualified Support Centers must publicize the availability of their services and demonstrate that they actually provide legal support without charge to qualified Legal Services Projects on a statewide basis. [Business and Professions Code, §§6218, 6220, 6221,

6223] A list of the recipients to receive these grants under the allocations of the Budget Act of 2015 is attached as Attachment C.

**Partnership Grants.** Since its inception in 1999, 10% of the Equal Access Fund has been allocated for a competitive grants program for projects that work with local courts to help provide legal services for self-represented litigants. In 2015, thirty projects throughout California are receiving \$1,445,635 in total Partnership Grants, in grant sums from \$20,000 to \$80,000.

Eligibility of Partnership Grants is limited to organizations that have been found eligible by the Commission to receive IOLTA and IOLTA-formula grants as “Qualified Legal Services Projects” under Business and Professions Code section 6213(b). Recipients are selected to “seed” new projects, and also to maximize the impact of this funding across areas of legal need, population types, and geographical regions. In the grant cycle funded by the Budget Act of 2015, \$1,419,000 will be available for Partnership Grants for operations in calendar year 2016.

### Request for Proposals

The Request for Proposals for Partnership Grant projects for calendar year 2016 were released in April and were due in May. Notice of the RFP also was distributed to local court personnel. (A copy of this RFP is attached as Attachment D.) The Partnership Grants Committee carefully reviewed and discussed Partnership Grant applications and made recommendations to the full Commission, for final selection and allocations at its August 21 meeting. These recommendations are provided to the Council now. The Council has final responsibility for approving the Commission’s recommendations for grant awards at its October 2015 meeting.

### Selection Criteria

The Budget Act contains four essential elements for Partnership Grants:

- Recipients must be organizations that are eligible for Legal Services Trust Fund Program grants.
- The funds must be used for joint projects of legal services programs and courts.
- The services must be for “indigent persons” as defined in the Trust Fund Program statute.
- The services must be for self-represented litigants.

In 1999, the Commission convened court staff, legal services program directors, and staff of the Judicial Council to work with Trust Fund Program staff to develop grant-making processes and set criteria for partnership grants. This group concluded, and the Commission concurred, that it was important to give courts and legal services programs considerable latitude to develop effective models to address the needs within their particular communities. Each round of grants was envisioned as funding a range of projects, including projects in both urban and rural areas and in larger and smaller counties, and those that address different areas of law. Grant projects should include both new and continuing projects, with an eye towards maximizing the impact of this funding across areas of legal need, population types, and geographical regions.

In 2008, the Partnership Committee of the Trust Fund Commission reviewed and substantially reaffirmed most of the practices and priorities it had developed over the years for generating proposed allocations. However, the Commission did determine to soften the practice of terminating funding after five years, and to consider continuation funding for a short additional time where exceptional and compelling circumstances so dictate, particularly in rural areas or where disasters have struck. This year, there is only one project that is being funded to continue services beyond its fifth year; and, in this instance, the project has instituted a new component and modest funding is being provided to support only this new component.

As in past years, we received proposals that span a wide range of substantive, procedural, technical and programmatic solutions. All proposals must include:

- A letter of support from the applicable court's presiding judge.
- A written Memorandum of Understanding between the legal services programs and the cooperating court indicating how the joint project, the court, and any existing self-help center, including the family law facilitator (as appropriate), will work together.
- A plan for an appropriate level of direct supervision of paralegals and other support staff by a qualified attorney.
- A plan to anticipate and meet the needs of litigants who are not within the legal services provider's service area or are ineligible for their services.
- A plan to address the needs of unrepresented litigants who do not meet the financial eligibility requirements (e.g., by providing general information in the form of local information sheets, videos, workshops, etc.).
- A clearly stated policy regarding administration of financial eligibility standards, and established protocols to observe that policy.
- Protocols to minimize conflicts of interest, or to address them as needed, and to ensure the impartiality of services;
- A plan for project continuity, including efforts to identify and secure additional funding within three years and to be free of Partnership support after five years.
- A multi-phase evaluation plan including such components as surveys, interviews, focus groups, courtroom observations, and file reviews, with a commitment to report on both qualitative and quantitative project results within three months of the end of the grant year.

Additionally, applicants for refunding of existing Partnership projects were required to provide year-to-date status reports on the implementation and performance of their projects. This requirement began this year in place of requiring grantees to provide a separate mid-year status report, consistent with our ongoing streamlining efforts.

Because all recipients of the Partnership Grants are organizations that already receive IOLTA and IOLTA-Formula Grants through the Legal Services Trust Fund Program, they are already

subject to requirements for oversight and reporting that are in place. The Commission has been working for the past two years, with the support of Judicial Council staff, to develop evaluation and outcome data collection for reporting on all legal services that are provided by grantees.

### Review and Selection Process

The Chief Justice continues to appoint one-third of the members of the Legal Services Trust Fund Commission, plus three non-voting judges who serve as advisors. All of them participate actively in the commission's work, with each serving or having served on one of its three standing committees, which include the Eligibility and Budgets and Partnership Grants committees.

The Partnership Grants Committee is responsible for evaluating all Partnership Grant proposals and making funding recommendations to the full commission. (The judges participate fully – and vote – during committee considerations; they participate fully but do not vote in full commission deliberations.) A list of the members of the Legal Services Trust Fund Commission and the members of its Partnership Grants Committee is provided in Attachment B.

Committee members were divided into staffed “evaluation teams” and each member was assigned primary responsibility to review several applications, which for the first time they were able to do online on the Trust Fund Program's new cloud-based grantmaking portal.

After completing these individual reviews, evaluation teams met by conference call to review all assigned proposals and to discuss specific concerns and issues with respect to individual projects, which were then investigated by staff. The full committee then met on May 29, to identify promising proposals and develop preliminary grant awards based on individual and team evaluations. This meeting also identified additional issues for further investigation by Trust Fund staff. The committee met again on the morning of August 21 to reconsider and finalize its slate of grant recommendations, which was presented to the full commission for its approval that afternoon.

The commission is satisfied that all grant proposals represent well-conceived projects that warrant support with partnership grant funding.

### Overview of Applications and Proposed Grants

For the \$1,419,000 available for Partnership grants, the commission received 34 applications totaling \$1,968,781 in requests. The grant applications represent broad geographic diversity as well as diversity in substantive areas of law and the nature of services to be provided. The Trust Fund Program received proposals for refunding from 22 of the 30 currently-funded projects, and from 12 projects seeking first-time funding. Of the applications, two were not selected for funding, resulting in a total of 32 grant recommendations.

All of the recommended grants involve collaboration between at least one legal services program and one court. Some are creative partnerships among multiple legal services programs and courts. Several propose to utilize technology to make services more accessible, and all are primarily located at, or in close proximity to, the courthouse. The recommended grants reflect a mix of geographic areas and program types. All include a high quality of work to

be performed, high demand for services, and innovative approaches to maximize the impact of the grant. The Commission is requesting your approval for the following grant awards.<sup>2</sup>

PROGRAM	PROJECT	RECOMMENDED PARTNERSHIP GRANT
<b>Alameda County Bar Volunteer Legal Services</b>	<b>Unlawful Detainer Mediation Project</b>	<b>\$25,000</b>
<b>Alameda County Bar Volunteer Legal Services</b>	<b>Alameda County Family Law Day of Court Pilot Project</b>	<b>\$60,000</b>
Bay Area Legal Aid	Contra Costa County Housing Law Clinic	\$40,000
Bay Area Legal Aid	San Mateo County Consumer Debt Clinic	\$60,000
Bet Tzedek Legal Services	Streamlining & Expanding Court-Based Conservatorship Clinics	\$60,000
<b>California Rural Legal Assistance</b>	<b>San Luis Obispo County Rental Clinic for Self-Represented Litigants</b>	<b>\$45,000</b>
<b>Central California Legal Services</b>	<b>Guardianship Project</b>	<b>\$25,000</b>
Central California Legal Services	Tenant/Landlord Housing Law Clinic	\$50,000
Community Legal Services in East Palo Alto	San Mateo County Unlawful Detainer Mandatory Settlement Conference	\$45,000
East Bay Community Law Center	Holistic Legal Assistance Project (formerly "Civil Justice Self-Help Project")	\$65,000
<b>Elder Law &amp; Advocacy</b>	<b>Imperial County Unlawful Detainer/Elder Abuse Restraining Order Self-Help Clinic</b>	<b>\$65,000</b>
<b>Family Violence Law Center</b>	<b>Domestic Violence Pro Per Project</b>	<b>\$25,000</b>
IELLA Legal Aid Project	Small Claims Advocacy & Awareness Project	\$20,000
<b>Justice &amp; Diversity Center</b>	<b>Family Law Assisted Self Help/ Case Resolution (FLASH/CARE)</b>	<b>\$20,000</b>
Legal Aid Foundation of Los Angeles	Long Beach Self-Help Legal Access Center	\$72,000
Legal Aid of Marin	Mandatory Settlement Conference Calendar	\$35,000
Legal Aid of Napa Valley	Small Claims Assistance & Mediation Project	\$25,000
Legal Aid Society of Orange County	Consumer Debt Workshop	\$55,000

<sup>2</sup> Bolded items are new projects.

Legal Aid Society of Orange County	Limited Conservatorship Project	\$25,000
Legal Aid Society of Orange County	Unlawful Detainer Clinic	\$55,000
Legal Aid Society of San Diego	Civil Harassment and Elder Abuse Restraining Order Program at the HOJ	\$45,000
Legal Aid Society of San Diego	San Diego Conservatorship Assistance Project	\$40,000
Legal Services of Northern California - Butte	Civil Harassment and Small Claims Mediation Project	\$25,000
Legal Services of Northern California - Mother Lode	Mother Lode Pro Per Project	\$50,000
Legal Services of Northern California - Ukiah	Guardianship and Clean Slate Project	\$31,000
<b>Legal Services of Northern California - Yolo Yolo County</b>	<b>Small Claims and Consumer Law Self Help Clinic</b>	<b>\$40,000</b>
<b>Neighborhood Legal Services of Los Angeles County</b>	<b>Chatsworth Self-Help Legal Access Center Project</b>	<b>\$69,000</b>
Neighborhood Legal Services of Los Angeles County	Pasadena Unlawful Detainer Assistance Project	\$55,000
Public Counsel	Guardianship Clinic	\$55,000
Public Law Center	Orange County Expanded Domestic Violence Assistance Project	\$40,000
<b>Riverside Legal Aid</b>	<b>Small Estates Assistance Program</b>	<b>\$37,000</b>
San Diego Volunteer Lawyer Program	North County Civil Harassment/ Unlawful Detainer Self-Help Clinic	\$60,000
<b>TOTAL GRANT AWARDS</b>		<b>\$1,419,000</b>

A brief summary of each project is listed in [Attachment E](#).

NEXT STEPS: TRUST FUND COMMISSION AND JUDICIAL COUNCIL

Legal Services Trust Fund Commission

Based on the Budget Act, the Commission will provide grantees with tentative IOLTA-Formula Equal Access Fund grant allocation amounts, as well as IOLTA grant allocations. Based on these tentative amounts, each grant recipient will be asked to prepare a detailed line item budget for each tentative allocation. Budgets will be reviewed by Legal Services Trust Fund Program staff, and the Committee will review and make recommendations to the Commission for approval at its December 11 meeting. Thereafter, the State Bar will sign a grant agreement with each recipient program. ([Attachment F](#) is a form version of the grant agreements used last year. No major changes have been proposed for this year's agreement.)



The period for distribution of IOLTA-Formula EAF grants under the Budget Act of 2015 will be October 1, 2015, through September 30, 2016, with the final quarter of the 2015 grant year to be funded by next year's Budget Act allocation. Assuming timely administration of the contract, and approval of funds from the State Controller's office, we will issue the first of four quarterly grant checks for distribution to recipients in late November.

The Commission, working through staff, will be responsible for the administration of these Equal Access Funds in tandem with IOLTA revenues and contributions to the Justice Gap Fund. The Commission will continue its oversight of the EAF grant program, including review of expenditure reports and program-owned evaluation. Along with the regular reporting already required for IOLTA Fund Grants, grant recipients provide separate quarterly expenditure reports for Equal Access Fund IOLTA-Formula Grants. For the 2016 grant year, the Commission is developing uniform outcome measures and reporting for IOLTA and EAF grants combined.

At its meeting in August, the Commission reviewed Partnership Grant proposals and selected projects to recommend to the Council for funding in the 2016 grant year.

We will continue to work closely with the Council staff, requiring appropriate evaluation of grant funding, and providing regular reports reflecting how the grants meet the statutory requirements and other guidelines, as well as information needed to assist the Council in budget preparation. The Legal Services Trust Fund staff, working together with the Judicial Council staff continues to encourage legal services providers to use evaluative tools to make critical assessments of their work and its impact on the communities they serve.

### Judicial Council

The Budget Act provides that "the Judicial Council shall approve awards made by the commission if the Council determines that the awards comply with statutory and other relevant guidelines." It is now timely and appropriate for the Council to approve:

- The distribution of \$12,773,000 in IOLTA-Formula Grants under the Budget Act of 2015, for grants to legal services providers determined by the Commission to be in compliance with statutory and other applicable guidelines, in the amounts identified in Attachment C. The funds will be released by the Council to the State Bar in four equal disbursements, and will be paid out to the eligible legal services programs quarterly (or as close to quarterly as possible depending on contract timing), for the period October 1, 2015 through September 30, 2016.
- The distribution of \$1,419,000 in 2016 Partnership Grants to the projects, and in the amounts, identified in Attachment E.

### **SUMMARY OF COUNCIL ACTION REQUESTED**

In conclusion, it is timely and appropriate for the Council to approve, at its October 2015 meeting, the distribution of \$12,773,000 in IOLTA-Formula Grants and of \$1,419,000 in Partnership Grants, pursuant to the Budget Act of 2015. Council approval is necessary to enable appropriate grant administration to fund projects for the period beginning January 1, 2016.

Assembly Bill No. 93  
CHAPTER 10

An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, relating to the State Budget, to take effect immediately, budget bill.

[Approved by Governor June 24, 2015. Filed with Secretary of State June 24, 2015.]

AB 93, Weber. Budget Act of 2015.

[.....]

The people of the State of California do enact as follows:

SECTION 1.00.

This act shall be known and may be cited as the “Budget Act of 2015.”

[...]

0250-101-0001--For local assistance, Judicial Branch: .....	17,753,000
Schedule:	
(1) 0150010-Support for Operation of Trial Courts .....	6,201,000
(2) 0150051-Child Support Commissioner Program (AB 1058).....	54,332,000
(3) 0150055-California Collaborative and Drug Court Projects.....	5,748,000
(4) 0150075-Grants—Other.....	1,586,000
<b>(5) 0150083-Equal Access Fund.....</b>	<b>10,392,000</b>
(6) Reimbursements to 0150051-Child Support Commissioner Program (AB 1058)–	54,332,000
(7) Reimbursements to 0150055-California Collaborative and Drug Court Projects..	–4,588,000
(8) Reimbursements to 0150075-Grants—Other.....	–1,586,000

Provisions:

**1. In order to improve equal access and the fair administration of justice, the funds appropriated in Schedule (8) are to be distributed by the Judicial Council through the Legal Services Trust Fund Commission to qualified legal services projects and support centers as defined in Sections 6213 to 6215, inclusive, of the Business and Professions Code, to be used for legal services in civil matters for indigent persons. The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. Ten percent of the funds in Schedule (8) shall be for joint projects of courts and legal services programs to make legal assistance available to pro per litigants and 90 percent of the funds in Schedule (8) shall be distributed consistent with Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.**

[...]

Senate Bill No. 97  
CHAPTER 11

An act to amend the Budget Act of 2015 by amending Items 0250-101-0932 [...] Section 2.00 of, [...] that act, relating to the State Budget, and making an appropriation therefor, to take effect immediately, budget bill.

[Approved by Governor June 24, 2015. Filed with Secretary of State June 24, 2015.]  
SB 97, Committee on Budget and Fiscal Review. Budget Act of 2015.  
[.....]

The people of the State of California do enact as follows:

SECTION 1.

Item 0250-101-0932 of Section 2.00 of the Budget Act of 2015 is amended to read:  
[...]

0250-101-0932—For local assistance, Judicial Branch,  
Payable from the Trial Court Trust Fund:.....2,337,627,000

Schedule:

(1) 0150010-Support for Operation of Trial Courts .....	1,883,879,000
(2) 0150019-Compensation of Superior Court Judges .....	323,784,000
(3) 0150028-Assigned Judges .....	26,047,000
(4) 0150037-Court Interpreters .....	94,089,000
(5) 0150067-Court Appointed Special Advocate (CASA) program .....	2,213,000
(6) 0150071-Model Self-Help Program .....	957,000
<b>(7) 0150083-Equal Access Fund .....</b>	<b>5,482,000</b>
(8) 0150087-Family Law Information Centers.....	345,000
(9) 0150091-Civil Case Coordination.....	832,000
(11) Reimbursements to 0150010-Support for Operation of Trial Courts .....	-1,000

Provisions:

[...]

**7. In order to improve equal access and the fair administration of justice, the funds appropriated in Schedule (7) are available for distribution by the Judicial Council through the Legal Services Trust Fund Commission in support of the Equal Access Fund Program to qualified legal services projects and support centers as defined in Sections 6213 to 6215, inclusive, of the Business and Professions Code, to be used for legal services in civil matters for indigent persons. The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. Upon approval by the Administrative Director, the Controller shall transfer up to 5 percent of the funding appropriated in Schedule (7) to Item 0250-001-0932 for administrative expenses. Ten percent of the funds remaining after administrative costs shall be for joint projects of courts and legal services**

**programs to make legal assistance available to pro per litigants and 90 percent of the funds remaining after administrative costs shall be distributed consistent with Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.**

**8. Funds available for expenditure in Schedule (7) may be augmented by order of the Director of Finance by the amount of any additional resources deposited for distribution to the Equal Access Fund Program in accordance with Sections 68085.3 and 68085.4 of the Government Code. Any augmentation under this provision shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.**

[....]

**LEGAL SERVICES TRUST FUND COMMISSION  
OF THE STATE BAR OF CALIFORNIA  
2014-15**

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Attachment B: Roster of the Legal Services Trust Fund Commission and Relevant Committees

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<p>Luke A. Liss          Wilson Sonsini Goodrich Rosati          650 Page Mill Road          Palo Alto, CA 94304          ph: (650) 565-3751    fx: (650) 493-6811          email: <a href="mailto:lliss@wsgr.com">lliss@wsgr.com</a>          Attorney Member          Board of Trustees: 2014-2017</p>	<p>Parishh Knox          Office of City Attorney          Real Property &amp; Environment Division          200 N. Main Street          Los Angeles, CA 90012          ph: (310) 592-4130          email: <a href="mailto:parishh.knox@lacity.org">parishh.knox@lacity.org</a>          Attorney Member          Board of Trustees: 2013-2016</p>
<p>LaQuita (Mary) Robbins          Soothing Visitation          5850 Reo Terrace, Unit C          San Diego, CA 92139          ph: (619) 981-8649    hm/fx: (619) 470-9095          email: <a href="mailto:squirt9515@gmail.com">squirt9515@gmail.com</a>          Public Member          Board of Trustees: 2010-2016</p>	<p>Chen Song          Nathan Associates, Inc.          3 Park Plaza, Suite 1980          Irvine, California 92614          ph.: (949) 474-4938    fx: (949) 474-4944          email: <a href="mailto:csong@nathaninc.com">csong@nathaninc.com</a>          Public Member          Board of Trustees: 2013-2016</p>
<p>Susan D. Ryan          Superior Court of California, County of Riverside          P. O. Box 1547          Riverside, CA 92502          ph: (951) 777-3039    fx: (951) 777-3841          email: <a href="mailto:susan.ryan@riverside.courts.ca.gov">susan.ryan@riverside.courts.ca.gov</a>          Attorney Member          Judicial Council: 2012-2015</p>	<p>David Tsai          Perkins Coie, LLP          Four Embarcadero Center, Suite 2400          San Francisco, CA 94111          ph: (415) 344-7068    fx: (415) 344-7268          email: <a href="mailto:dtsai@perkinscoie.com">dtsai@perkinscoie.com</a>          Attorney Member          Board of Trustees: 2014-2017</p>
<p>Kim Savage          Law Office of Kim Savage          Post Office Box 41580          Long Beach, CA 90853          ph: (562) 930-1113    fx: (562) 930-0003          email: <a href="mailto:kim@kimsavagelaw.com">kim@kimsavagelaw.com</a>          Attorney Member          Board of Trustees: 2012-2015</p>	<p>Tania Ugrin-Capobianco, Court Executive Officer          Superior Court of California, County of El Dorado          2850 Fairlane Court, Suite 110          Placerville, CA 95667          Phone: (530)621-5155          Email: <a href="mailto:tania@eldoradocourt.org">tania@eldoradocourt.org</a>          Court Administrator          Judicial Council: 2014-2017</p>
<p>Christian Schreiber          Chavez &amp; Gertler LLP          42 Miller Avenue          Mill Valley, CA 94941          ph: (415) 381-5599    fx: (415) 384-5572          email: <a href="mailto:christian@chavezgertler.com">christian@chavezgertler.com</a>          Attorney Member          Board of Trustees: 2013-2016</p>	

Attachment B: Roster of the Legal Services Trust Fund Commission and Relevant Committees

**ADVISORS**

Hon. Michael J. Convey  
Superior Court of California, County of Los Angeles  
Stanley Mosk Courthouse  
Department 27 - Room 634  
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Judge  
Judicial Council: 2012-2015

Hon. Brad Seligman  
Superior Court of California, County of Alameda  
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Hayward, CA 94544  
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Judicial Advisor  
Judicial Council: 2014-2017

Hon. William J. Murray, Jr.  
Associate Justice of the Court of Appeal  
Third Appellate District  
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Judge  
Judicial Council: 2013-2016

*Note: 2015-2016 Judicial Council appointments have not yet been announced*

**LEGAL SERVICES TRUST FUND COMMISSION  
COMMITTEE ASSIGNMENTS  
2014 - 2015**

**Eligibility and Budget Committee**

**Adrian Dollard, Co-Chair (2015)**

**Parish Knox, Co-Chair (2016 )**

Banafsheh Akhlaghi (2016)

Chen Song (2016)

Herman De Bose (2017)

Richard Reinis (2015)

LaQuita Robbins (2016)

Kim Savage (2015)

Judge Brad Seligman (2017)

Melanie Snider (2016)

Judge Jack Sutro, Jr. (2015)

**Partnership Grants Committee**

**Christina Vanarelli, Co-Chair (2015)**

**Christian Schreiber, Co-Chair (2016)**

Mark Conrad (2016)

Judge Michael Convey (2015)

Justice William Murray (2016)

Susan Ryan (2015)

Tania Ugrin-Capobianco (2017)

Donna Hershkowitz (2017)



Attachment C on next two pages

**IOLTA AND EAF GRANT ALLOCATIONS FOR 2016**

<b>PROGRAM NAME</b>	<b>IOLTA Grant Amount</b>	<b>EAF Grant Amount</b>
ADVANCING JUSTICE - ASIAN LAW CAUCUS	40,700	46,790
ADVANCING JUSTICE-LOS ANGELES	330,370	379,900
AFFORDABLE HOUSING ADVOCATES	8,300	9,540
AIDS LEGAL REFERRAL PANEL	11,450	13,170
ALLIANCE FOR CHILDREN'S RIGHTS	206,060	236,950
ALAMEDA COUNTY BAR VOLUNTEER LEGAL SERVICES	13,280	15,280
ALAMEDA COUNTY HOMELESS ACTION CENTER	43,280	49,760
ASIAN PACIFIC ISLANDER LEGAL OUTREACH	32,600	37,470
BAY AREA LEGAL AID	209,230	240,600
CALIFORNIA RURAL LEGAL ASSISTANCE FOUNDATION	75,736	87,089
BET TZEDEK LEGAL SERVICES	378,060	434,730
CALIFORNIA INDIAN LEGAL SERVICES	74,640	85,770
CALIFORNIA ADVOCATES FOR NURSING HOME REFORM	75,736	87,089
CALIFORNIA RURAL LEGAL ASSISTANCE, INC.	963,420	1,107,860
CALIFORNIA WOMEN'S LAW CENTER	75,736	87,089
CENTER FOR HUMAN RIGHTS AND CONSTITUTIONAL LAW	75,736	87,089
CENTER FOR HEALTH CARE RIGHTS	61,930	71,220
CASA CORNELIA LAW CENTER	81,340	93,540
CENTRAL CALIFORNIA LEGAL SERVICES	455,040	523,260
CHAPMAN UNIVERSITY FAMILY PROTECTION CLINIC	23,070	26,530
CENTRO LEGAL DE LA RAZA	18,290	21,030
CONTRA COSTA SENIOR LEGAL SERVICES	9,140	10,510
COMMUNITY LEGAL SERVICES IN EAST PALO ALTO	32,500	37,370
CHILD CARE LAW CENTER	75,736	87,089
COALITION OF CALIFORNIA WELFARE RIGHTS ORGANIZATIONS	75,736	87,089
DISABILITY RIGHTS CALIFORNIA	1,029,000	1,183,190
DISABILITY RIGHTS EDUCATION AND DEFENSE FUND	75,736	87,089
DISABILITY RIGHTS LEGAL CENTER	64,060	73,660
EAST BAY COMMUNITY LAW CENTER	56,400	64,850
FAMILY VIOLENCE APPELLATE PROJECT	75,736	87,089
ELDER LAW & ADVOCACY	51,270	58,940
FAMILY VIOLENCE LAW CENTER	15,100	17,360
HARRIETT BUHAI CENTER FOR FAMILY LAW	58,710	67,510
GREATER BAKERSFIELD LEGAL ASSISTANCE	209,600	241,020
IMMIGRANT LEGAL RESOURCE CENTER	75,736	87,089
IELLA LEGAL AID PROJECT	30,020	34,510
IMPACT FUND	75,736	87,089
INLAND COUNTIES LEGAL SERVICES	588,460	676,670
INNER CITY LAW CENTER	86,380	99,320
INSIGHT CENTER FOR CED	75,736	87,089
JUSTICE IN AGING	75,736	87,089
JUSTICE & DIVERSITY CENTER OF THE SAN FRANCISCO BAR	48,020	55,220
LA RAZA CENTRO LEGAL	15,980	18,360
LAWYERS' COMMITTEE FOR CIVIL RIGHTS	54,690	62,880
LACBA COUNSEL FOR JUSTICE	31,840	36,600
LEARNING RIGHTS LAW CENTER	41,920	48,210
LAW FOUNDATION OF SILICON VALLEY	132,410	152,250
LEGAL AID FOUNDATION OF LOS ANGELES	399,370	459,240
LEGAL AID FOUNDATION OF SANTA BARBARA	27,680	31,830
LEGAL AID OF MARIN	21,810	25,080
LEGAL AID OF NAPA VALLEY	12,420	14,290
LEGAL AID OF SONOMA COUNTY	33,360	38,350

**IOLTA AND EAF GRANT ALLOCATIONS FOR 2016**

<b>PROGRAM NAME</b>	<b>IOLTA Grant Amount</b>	<b>EAF Grant Amount</b>
LEGAL AID SOCIETY OF ORANGE COUNTY	324,090	372,680
LEGAL AID SOCIETY OF SAN DIEGO	323,850	372,400
LEGAL AID SOCIETY OF SAN BERNARDINO	104,870	120,590
LEGAL AID SOCIETY OF SAN MATEO COUNTY	35,450	40,760
LEGAL AID SOCIETY-EMPLOYMENT LAW CENTER	147,610	169,730
LEGAL ASSISTANCE FOR SENIORS	16,980	19,530
LEGAL ASSISTANCE TO THE ELDERLY	5,320	6,120
LEGAL SERVICES FOR CHILDREN	33,680	38,730
LEGAL SERVICES FOR PRISONERS WITH CHILDREN	75,736	87,089
LEGAL SERVICES FOR SENIORS	25,470	29,290
LOS ANGELES CENTER FOR LAW AND JUSTICE	43,180	49,650
LEGAL SERVICES OF NORTHERN CALIFORNIA	561,400	645,560
MCGEORGE COMMUNITY LEGAL SERVICES	24,750	28,460
NATIONAL CENTER FOR YOUTH LAW	75,736	87,089
MENTAL HEALTH ADVOCACY SERVICES	25,970	29,870
NATIONAL HOUSING LAW PROJECT	75,736	87,089
NATIONAL HEALTH LAW PROGRAM	75,736	87,089
NATIONAL IMMIGRATION LAW CENTER	75,736	87,089
NEIGHBORHOOD LEGAL SERVICES	306,570	352,530
ONEJUSTICE	75,736	87,089
NEW AMERICAN LEGAL CLINIC	16,320	18,770
POSITIVE RESOURCE CENTER	16,950	19,490
PRISON LAW OFFICE	139,000	159,760
PUBLIC ADVOCATES INC.	105,290	121,080
PRO BONO PROJECT SILICON VALLEY	41,470	47,690
PUBLIC INTEREST LAW PROJECT	75,736	87,089
PUBLIC COUNSEL	445,630	512,430
PUBLIC LAW CENTER	230,100	264,590
RIVERSIDE LEGAL AID	95,840	110,210
SAN DIEGO VOLUNTEER LAWYER PROGRAM, INC.	80,380	92,430
SANTA CLARA UNIVERSITY ALEXANDER LAW CENTER	22,140	25,460
SENIOR ADULTS LEGAL ASSISTANCE	12,100	13,910
SANTA CLARA COUNTY ASIAN LAW ALLIANCE	24,500	28,170
SENIOR CITIZENS LEGAL SERVICES	16,250	18,680
UC DAVIS SCHOOL OF LAW LEGAL CLINICS	48,250	55,490
USD SCHOOL OF LAW LEGAL CLINICS	62,890	72,320
VLSP OF NORTHERN CALIFORNIA	56,810	65,320
WAGE JUSTICE CENTER	15,020	17,270
WATSONVILLE LAW CENTER	19,860	22,840
WESTERN CENTER ON LAW AND POVERTY	75,736	87,089
WORKSAFE, INC.	75,736	87,089
YOUTH LAW CENTER	75,736	87,089
YUBA-SUTTER LEGAL CENTER FOR SENIORS	12,710	14,610

**PARTNERSHIP GRANTS  
2016 REQUEST FOR PROPOSAL**

**FORM B – PROJECT DESCRIPTION**

**Project Title:** *(auto-fill)*

Answer the following questions as concisely as possible. The answers must be self-contained. Do not refer the reader to any other documents.

1. Program's Qualifications. What is the applicant program's experience providing assistance to self-represented litigants, including court-based services?
  
2. Needs Assessment. Describe the demographics of the target community, the geographic area to be served by the project, and why the target population is in particular need of the services to be provided.
  
3. Types of Services to be Provided.
  - a. Describe the legal issues to be addressed, and the type and level of services to be offered by the project. How will the planned services address the needs identified?
  
  - b. Identify any new resource materials to be developed and the individual(s) who will be responsible for preparing those materials. How will new materials differ from those materials already available, i.e. materials posted on [www.courts.ca.gov](http://www.courts.ca.gov), [www.lawhelpca.org](http://www.lawhelpca.org) or [www.CAlegaladvocates.org](http://www.CAlegaladvocates.org).
  
  - c. Describe language capabilities among staff and any plans for developing resource materials in multiple languages. If your service population includes persons who are monolingual in a language that staff does not speak, explain how the project will ensure services are available to those persons.
  
  - d. Describe how you will communicate the availability of services to litigants and the community.
  
  - e. What changes have been made to the project since it was first funded with a Partnership Grant, and why? *(applicants for refunding only)*
  
  - f. Provide information about current and planned collaboration with other legal services programs and other types of organizations in the community.

4. Goals and Objectives.

a. Specify numbers to be served per category of service (*quantitative goals*).

<b>Services and Resources</b>	<b>Goal</b>	
	<u># of Workshops/mo</u>	<u># of Individuals/mo.</u>
<u>Group-Setting Services</u>		
Information on Substantive Legal Options		
Information on General Court Processes and Procedure		
Document Preparation or Review		
Trial/Hearing Preparation		
Other ( <i>describe below</i> )		
<u>Individually-Delivered Services</u>		<u># of Individuals/mo.</u>
Information on Substantive Legal Options		
Information on General Court Processes and Procedure		
Document Preparation or Review		
Filing Assistance		
Mediation/Settlement Assistance		
Trial/Hearing Preparation		
Post-Trial/Hearing Assistance		
Other Extended Services		
Other ( <i>describe below</i> )		
<u>Other Services</u>	<u># of resource materials</u>	<u># distributed</u>
Resource Materials		
Other ( <i>describe below</i> )		

b. Describe services identified above as “other.” If any of the other numbers in the above chart require explanation, provide the additional explanatory text here.

c. Identify any anticipated goals for the project not quantified in the chart above.

d. If you will be providing workshops, please describe the format for those workshops. For example, will you utilize videoconference, or online document assembly? What is the goal of each workshop and what do you hope the customer will take away with them?

5. Location.

a. Services must be provided at the courthouse except in rare circumstances. Will services be provided at the courthouse?  Yes  No

b. If no, explain why services cannot be located at the court and measures that will be taken to ensure litigants follow-up with assistance received and otherwise overcome the distance barrier.

- c. Will all services strictly be provided at the project site?  Yes  No
- d. If no, what services will be provided or completed off-site?

6. Quality Control, including Supervision.

- a. Describe the staffing and supervisory structure for the project, identifying key personnel if possible. If onsite supervision is not possible for project staff, describe the steps that will be taken to ensure the highest levels of quality control.
- b. If the project is designed to utilize volunteers, indicate whether these will be attorneys, paralegals, law students, etc. Describe the work volunteers will undertake and explain how they will be trained and supervised.
- c. If the project includes document preparation, how will the project ensure that documents are completed correctly? Will the documents be reviewed by project staff, and if so, who will conduct the review, and when will the review be conducted?
- d. If a sub-grant of any Partnership Grant funds is envisioned, provide details for that arrangement, including plans for oversight and evaluation of the services provided by the sub-grantee.

7. Income Eligibility Guidelines. Explain how the project will verify income eligibility to ensure that Partnership Grant funds are only used to serve indigent individuals. (Business & Professions Code Section 6213(d))

8. Attorney-Client Relationship. Do you plan to establish an attorney-client relationship?  
 Yes  No

- a. Conflict of Interest? If yes, do you have a protocol for conducting conflict checks?  Yes  
 No

Describe the protocols that will be used to check for conflicts and how individuals will be served in the event a conflict is identified, i.e., referrals to a conflict panel, independent contractor, etc.

- b. If no, explain how litigants will be made aware of the scope of services to be provided and how customers will be informed that an attorney-client relationship will not be established.

9. Impartiality of the Court.

- a. Do you expect to serve only one party or side of a matter?  
 Yes  No

- b. If yes, which party or side of the matter do you plan to serve?
  - c. Explain why the project has established this limitation. What steps have been taken to explore all implications of this decision, and address any risk of an appearance of impartiality on the court's part?
10. Alternative Services. Describe the methods to be used to screen for subject matter eligibility and explain how the project will otherwise address the needs of unrepresented litigants. What information will be available for litigants who are ineligible for services due to income, subject matter, or residency? If the plan is to provide referral, explain how *meaningful* referrals will be made in situations where the project cannot provide services, such as when it serves only one party, lacks resources to provide service to all who seek it, or where a conflict arises.
11. Collaboration and Partnership with the Court
- a. Court's Role: Identify the general areas of responsibility that the court has agreed to assume, and those that will remain the responsibility of the applicant.
  - b. Describe plans for meeting with court personnel to discuss both substantive and logistical issues as they arise. Coordination meetings should be scheduled no less often than quarterly and should be conducted with formal agendas.
12. Timetable. Describe the proposed timetable for implementation of the project by quarter for the grant year (*new projects only*).
13. Evaluation.
- a. Provide a detailed plan describing how the project's services will be evaluated. The plan should include both an assessment of the benefit of the project's services for those seeking assistance as well as the impact of funded services on the court.
  - b. Identify the specific evaluation efforts to ascertain ways to improve services, including efforts in conjunction with the court, such as interviews with self-represented litigants, court personnel or other partners, survey parameters, case file review methodology, and details on any other evaluation process contemplated.
14. Project Continuity
- a. Describe plans to obtain other sources of funding to cover a portion of the project's costs after three years of operations, and to function independently from the Partnership Grants program after no more than five years. Include information about fundraising efforts, commitments of future funding, in-kind contributions, etc.

Attachment D: Partnership Grant Request for Proposal for 2016 Funding

- b. List all funding sources that have been approached in the last twelve months, the amounts requested and the revenue actually raised for project operations. Specifically identify any funds that were obtained by leveraging the Partnership Grant.
  
- c. Grants are awarded after the fifth year of funding only in rare and exceptional circumstances. Any applicant seeking funding beyond the fifth year must describe the circumstances that justify continued funding.



Attachment D: Partnership Grant Request for Proposal for 2016 Funding

PARTNERSHIP GRANTS  
2016 REQUEST FOR PROPOSAL  
FORM C - PROJECT BUDGET

Project Title: \_\_\_\_\_  
 Prepared by: \_\_\_\_\_  
 Email: \_\_\_\_\_ Phone/Ext: \_\_\_\_\_

ACCOUNT TITLE	PROPOSED PARTNERSHIP GRANT	OTHER TRUST FUND MONIES	NON-TRUST FUND MONIES	TOTAL
<b>Personnel</b>				
1. Lawyers				
2. Paralegals				
3. Other Staff				
4. SUBTOTAL				
5. Employee Benefits				
6. TOTAL PERSONNEL				
<b>Non-Personnel</b>				
7. Space				
8. Equip. Rental & Maintenance				
9. Office Supplies				
10. Printing & Postage				
11. Telecommunications				
12. Technology				
13. Program Travel				
14. Training				
15. Library				
16. Insurance				
17. Audit				
18. Evaluation				
19. Contract Service to Clients				
20. Contract Service to Orgs				
21. Other				
22. TOTAL NON-PERSONNEL				
23. TOTAL				
24. Projected Carry-Over Funds				
25. TOTAL AMOUNT OF FUNDS				

PROJECT STAFF	PARTNERSHIP GRANT (in FTEs)	OTHER TRUST FUND MONIES (in FTEs)	NON-TRUST FUND MONIES (in FTEs)	TOTAL TIME (in FTEs)
<b>1. Lawyers</b>				
a.				
b.				
c.				
<b>Total Lawyers</b>				
<b>2. Paralegals</b>				
a.				
b.				
<b>Total Paralegals</b>				
<b>3. Other Staff</b>				
a.				
b.				
<b>Total Other Staff</b>				
<b>4. TOTAL PERSONNEL</b>				

End of worksheet

**PARTNERSHIP GRANTS  
2016 REQUEST FOR PROPOSAL**

**FORM D – BUDGET NARRATIVE**

**Project Title:** *(auto-fill)*

Provide an explanation for each line item in the project budget. Identify the costs to be covered by the Partnership Grant, other Trust Fund monies, and any expenses to be covered with cash contributions by any organization, including the applicant, the cooperating court, or any third party partner. Also, identify the nature and source of all in-kind resources to be utilized by the project, the estimated value of such in-kind contributions, and the basis for the estimated value.

**PARTNERSHIP GRANTS  
2016 REQUEST FOR PROPOSAL**

**FORM E – PROJECT ASSURANCES**

**Project Title:** *(auto-fill)*

Applicant assures compliance with the following:

- Applicant agrees it will use any grant funds it receives from the Partnership Grants portion of the Equal Access Fund only for purposes allowed under the State Budget Act, upon approval thereof, and any grant agreement it enters into with the Legal Services Trust Fund Program.
- Applicant agrees to expend any grant funds solely on civil legal assistance to indigent\* self-represented litigants in California courts. (\*Business & Professions Code Section 6213(d))
- Applicant will not discriminate based on race, color, national origin, religion, gender, disability, age, marital or domestic partnership status, medical condition, or sexual orientation.
- Applicant will comply with quality control procedures adopted by the State Bar of California.
- Applicant will permit reasonable site visits and will present additional information deemed reasonably necessary to determine compliance with the terms of a grant under the Partnership Grants portion of the Equal Access Fund.
- Applicant will comply with fiscal management and control procedures adopted by the State Bar of California.
- Applicant agrees to consult with the Legal Services Trust Fund Program concerning media coverage of any project funded by a Partnership Grant.
- Applicant understands that any proposal submitted for a Partnership Grant, and all documents submitted pursuant to issuance of a Partnership Grant, are public documents, and may be disclosed to any person.
- Applicant assures that, to the extent this grant is being sought for an existing project, the funds will be in addition to and will not supplant current funding committed to that project. However, to the extent applicant seeks to move some of the funding already committed to the project for use on other activities, the applicant will submit to the Commission an explanation of the need for the other activities, justifying the alternate use of the funds.
- Applicant agrees it will cooperate with data collection processes or with research efforts of the Legal Services Trust Fund Program or the Judicial Council to evaluate the Partnership Grants project.
- Applicant acknowledges that it has read and will comply as fully as possible with the [Guidelines for the Operation of Self-Help Centers in California Trial Courts](#), as affirmed February 28, 2011.

Attachment D: Partnership Grant Request for Proposal for 2016 Funding

Signed:

---

Executive Director  
Applicant Program

---

Chair (or other officer), Board of Directors  
Applicant Program

---

Print Name

---

Print Name and Title

---

Date

---

Date

**PARTNERSHIP GRANTS  
2016 REQUEST FOR PROPOSAL**

**FORM F – PRESIDING JUDGE SUPPORT**

*(Add additional forms for each partner court)*

**Project Title:** *(auto-fill)*

1. Project Abstract: *(auto-fill)*
2. Attorney-Client Relationship: I understand the proposed project does *(not)* plan to establish an attorney-client relationship.
  - a. The proposed project does *(not)* have a protocol for conducting conflict checks:  
*(auto-fill)*
3. Impartiality of the Court: The applicant has advised the court that it does *(not)* intend to serve only one party or side of a matter, and has advised on the reasons for the limitation, the steps taken to explore all implications of this decision, and has addressed any risk of an appearance of impropriety on the court's part:  
*(auto-fill)*
4. Alternative Services: The applicant has described the methods to be used to screen for subject matter eligibility, and the information that will be available for litigants who are ineligible for services due to income, subject matter, or residency, including how the referral is ensured to be a meaningful one:  
*(auto-fill)*
5. Memorandum of Understanding: I understand that if the project is funded, the court and the applicant will memorialize the details of the partnership in a Memorandum of Understanding, which will reflect all aspects of the partnership, including the respective areas of responsibility of the Court and the applicant, as well as plans for regular coordination meetings.

Status of MOU:

- Continuing MOU is enclosed and will be effective during the grant term.
- A new, fully executed MOU is enclosed.
- A fully executed MOU will be provided to the Legal Services Trust Fund Program before the beginning of the grant term.

6. Additional comments:

As the Presiding Judge of the Superior Court of California, County of *(auto-fill)*, I have reviewed the application of *(auto-fill)* for a Partnership Grant to provide services to self-represented litigants in the court. I fully support the grant proposal, as described below:

Signed:

---

Presiding Judge

---

Date

**PARTNERSHIP GRANTS  
2016 REQUEST FOR PROPOSALS**

**PROJECT SUMMARY**

The following summary report will be shared with the Legal Services Trust Fund Commission and Judicial Council. **Please confirm that the information below is correct.** To edit the information below, return to the corresponding question within the RFP and edit the text as desired. For questions, contact the Legal Services Trust Fund Program. *(The field labels in the table below match to questions in the forms above. Ideally, the field labels below would link to the corresponding question in the RFP from which the data is being pulled so the applicant can easily edit their answer.)*

<b>Program Name</b>	<i>(auto-fill)</i>		
<b>Project Name</b>	<i>(auto-fill)</i>		
<b>Partner Court</b>	<i>(auto-fill)</i>		
<b>Project Location</b>	<i>(auto-fill)</i>		
<b>On-Site Days/Hours</b>	<i>(auto-fill)</i>		
<b>Project Abstract</b>	<i>(auto-fill)</i>		
<b>Personnel Categories</b>	<b>Project Staff</b>	<b>Total Project FTEs</b>	<b>PG Share of FTEs</b>
Lawyers	<i>(auto-fill)</i>	<i>(auto-fill)</i>	<i>(auto-fill)</i>
	<i>(auto-fill)</i>	<i>(auto-fill)</i>	<i>(auto-fill)</i>
	<i>(auto-fill)</i>	<i>(auto-fill)</i>	<i>(auto-fill)</i>
	<b>Lawyers Total</b>	<i>(auto-fill)</i>	<i>(auto-fill)</i>
Paralegals	<i>(auto-fill)</i>	<i>(auto-fill)</i>	<i>(auto-fill)</i>
	<i>(auto-fill)</i>	<i>(auto-fill)</i>	<i>(auto-fill)</i>
	<b>Paralegals Total</b>	<i>(auto-fill)</i>	<i>(auto-fill)</i>
Other Staff	<i>(auto-fill)</i>	<i>(auto-fill)</i>	<i>(auto-fill)</i>
	<i>(auto-fill)</i>	<i>(auto-fill)</i>	<i>(auto-fill)</i>
	<b>Other Staff Total</b>	<i>(auto-fill)</i>	<i>(auto-fill)</i>
<b>Services and Resources</b>		<b>Goal</b>	
<u>Group-Setting Services</u>		<u># of Workshops/mo</u>	<u># of Individuals/mo</u>
Information on Substantive Legal Options		<i>(auto-fill)</i>	<i>(auto-fill)</i>
Information on General Court Processes and Procedure		<i>(auto-fill)</i>	<i>(auto-fill)</i>
Document Preparation or Review		<i>(auto-fill)</i>	<i>(auto-fill)</i>
Trial/Hearing Preparation		<i>(auto-fill)</i>	<i>(auto-fill)</i>
Other		<i>(auto-fill)</i>	<i>(auto-fill)</i>
<u>Individually-Delivered Services</u>			<u># of Individuals/mo</u>
Information on Substantive Legal Options			<i>(auto-fill)</i>
Information on General Court Processes and Procedure			<i>(auto-fill)</i>
Document Preparation or Review			<i>(auto-fill)</i>
Filing Assistance			<i>(auto-fill)</i>
Mediation/Settlement Assistance			<i>(auto-fill)</i>
Trial/Hearing Preparation			<i>(auto-fill)</i>

Attachment D: Partnership Grant Request for Proposal for 2016 Funding

Post-Trial/Hearing Assistance		<i>(auto-fill)</i>	
Other Extended Services		<i>(auto-fill)</i>	
Other		<i>(auto-fill)</i>	
<u>Other Services</u>		<u># of resource materials</u>	<u># distributed</u>
Resource Materials		<i>(auto-fill)</i>	<i>(auto-fill)</i>
Other		<i>(auto-fill)</i>	<i>(auto-fill)</i>
<b>Attorney-Client Relationship</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<b>Conflict of Interest?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Income Eligibility Guidelines</b>	<i>(auto-fill)</i>		
<b>Alternative Services</b>	<i>(auto-fill)</i>		
<b>Court's Role</b>	<i>(auto-fill)</i>		
<b>Grant Year</b>	<b>Total Budget</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>
<i>(auto-fill historical data)</i> 2015	<i>(auto-fill historical data)</i>	<i>(auto-fill historical data)</i>	<i>(auto-fill historical data)</i>

Attachment E: Highlights of Recommended Partnership Grant Projects for 2016

2016 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
1.	ALAMEDA COUNTY BAR VOLUNTEER LEGAL SERVICES	Unlawful Detainer Mediation Project	Alameda	New	This project is a joint effort to help pro se litigants arrive at a fair and reasonable resolution of their eviction matters without trial. Pro se litigants can frequently work out a better result with assistance from a trained neutral mediator. Five or six volunteer mediators staff the calendar each week and try to help the parties reach settlement. Oversight is provided by the Court's Alternative Dispute Resolution Programs Administrator, a Court intern dedicated to the project and the CEO of VLSC (an experienced landlord-tenant attorney and mediator).	\$25,000
2.	ALAMEDA COUNTY BAR VOLUNTEER LEGAL SERVICES	Alameda County Family Law Day of Court Pilot Project	Alameda	New	The Alameda County Bar Association Volunteer Legal Services Corporation (VLSC) seeks funding for the Family Law Day of Court Pilot Project (DOC). This project will offer support to self-represented litigants who appear on Alameda County Family Court by bringing a staff attorney on-site to provide expanded services to litigants and oversight and support to the volunteers.	\$60,000
3.	BAY AREA LEGAL AID	Contra Costa County Housing Law Clinic	Contra Costa	Returning	Bay Area Legal Aid proposes operation of the Contra Costa County Housing Law Clinic (Clinic) conducted currently at the Richmond, Pittsburg and Martinez courthouses. The Clinic will assist low-income self-represented litigants in landlord-tenant and unlawful detainer law in Contra Costa County. Assistance provided includes: information on landlord and tenant rights and obligations; information on the Unlawful Detainer process; document preparation for unlawful detainer Judicial Council pleadings and other common pleadings such as applications for a temporary stay of eviction; and referrals to other social and legal service providers.	\$40,000



Attachment E: Highlights of Recommended Partnership Grant Projects for 2016

2016 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
4.	BAY AREA LEGAL AID	San Mateo County Consumer Debt Clinic	San Mateo	Returning	Bay Area Legal Aid in collaboration with the Superior Court of San Mateo County proposes funding to support its Consumer Debt Clinic. The goal of the Clinic is to empower consumers to negotiate better outcomes and to avoid illegal unfair and fraudulent tactics often employed by debt collectors. The Clinic starts with a Know-Your-Rights presentation followed by one-on-one meetings with supervised law student or pro bono attorney, who assists litigants with preparing and filing answers understanding and effectively conducting settlement negotiations preparing discovery responses.	\$60,000
5.	BET TZEDEK LEGAL SERVICES	Streamlining Court-Based Clinics	Los Angeles	Returning	Bet Tzedek began operating Self-Help Conservatorship Clinics (SHCC) in 2007 for people seeking conservatorships for their aging and/or developmentally disabled loved ones. In 2014 SHCC assisted 1 369 litigants at five courthouses – approximately 40 percent of all conservatorships filed in Los Angeles County. In 2016, Bet Tzedek seeks to help pro per litigants by providing SHCC at five county courthouses through: 1) Long-Term Capacity Building: Recruitment and training of law firms and corporate legal departments to provide pro bono assistance to litigants seeking conservatorships; and, 2) Streamlining: Use of technology to expand access through computer-based conservatorship assistance at courthouses throughout Los Angeles County.	\$60,000
6.	CALIFORNIA RURAL LEGAL ASSISTANCE INC.	San Luis Obispo County Rental Clinic for Self-Represented Litigants	San Luis Obispo	New	CRLA's Rental Clinic will be staffed by an English-Spanish bilingual attorney two days per week for 7 hours per day. The attorney staffing the clinic will review the entire eviction process beginning with the various types of notices their requirements and exceptions. The staff attorney will also be able to provide information on security deposits and habitability issues and tenants' rights against housing discrimination.	\$45,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2016

2016 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
7.	CENTRAL CALIFORNIA LEGAL SERVICES	Tenant/Landlord Housing Law Project	Fresno	Returning	Central California Legal Services Inc.'s Clinic addresses Unlawful Detainer (UD) matters in partnership with the Fresno Superior Court. Self-represented litigants (tenants and landlords) receive information on issues related to the unlawful detainer court process and assistance in completing the Judicial Council's forms. Services include: information on tenant/landlord rights and responsibilities; the UD process; document preparation; how to prepare for court; and referrals to other legal and social service providers. Four two-hour sessions are available weekly to assist litigants on-site at the courthouse.	\$25,000
8.	CENTRAL CALIFORNIA LEGAL SERVICES	Guardianship Project	Fresno	New	The Guardianship Project will assist self-represented litigants who need to obtain a guardianship for minor children. Self-represented litigants (petitioners and those who oppose) will receive information to help them understand what to expect and how to prepare for court. Services include information and guidance on the procedures necessary to obtain the guardianship. In a workshop setting staff will assist litigants to prepare and file their documents explain the process and prepare them for the court hearing. These services take place in a two-step workshop setting at CCLS offices. These activities will be supported through a partnership with the Fresno County Law Library.	\$50,000
9.	COMMUNITY LEGAL SERVICES IN EAST PALO ALTO	San Mateo County Unlawful Detainer Mandatory Settlement Conference	San Mateo	Returning	The mandatory settlement conference (MSC) process in San Mateo County provides both parties in an unlawful detainer (UD) action the opportunity to resolve their disputes without the pressure and risk that make the trial stage so acrimonious and potentially harmful. The partnership between Community Legal Services in East Palo Alto (CLSEPA) and the Superior Court of California for San Mateo County aims to make the most of the MSC process and reduce the burden on the court by shortening the UD trial docket.	\$45,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2016

2016 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
10.	EAST BAY COMMUNITY LAW CENTER	Holistic Legal Assistance Project (formerly "Civil Justice Self-Help Project")	Alameda	Returning	EBCLC's Holistic Legal Assistance Project provides legal intervention (but not representation) where low-income litigants are facing potentially life-changing consequences: the loss of their homes, the garnishment of wages, or the end of employment.	\$65,000
11.	ELDER LAW & ADVOCACY	Imperial County Unlawful Detainer Clinic	Imperial	New	The EL&A proposal is for operation of the Imperial County Unlawful Detainer/Elder Abuse Restraining Order Self-Help Clinic (ICUD/EA) located in the Access Center. The site is located at the Imperial County Superior Court courthouse in El Centro. Operating approximately 15 hours to provide information and assistance in the unlawful detainer and elder abuse restraining order processes.	\$65,000
12.	FAMILY VIOLENCE LAW CENTER	Domestic Violence Pro Per Project	Alameda	New	The Domestic Violence Pro Per (DVPP) Project is a collaborative project of Family Violence Law Center (FVLC) Volunteer Legal Services Corporation of the Alameda County Bar Association (VLSC) and the Self-Help Center of the Superior Court of California County of Alameda (SHC). The DVPP Project will provide critical legal assistance to pro per domestic violence litigants in Southern Alameda County through weekly Domestic Violence Petitioner Clinic for DVPA petitioners at the Fremont Hall of Justice.	\$25,000
13.	IELLA LEGAL AID PROJECT	Small Claims Advocacy and Awareness Project (SCAAP)	Riverside/ San Bernadino	Returning	SCAAP is jointly envisioned as a solution to help litigants obtain access to justice and to increase courtroom efficiency. The project is designed to focus on 'How to Present Your Claim' and 'How to Proceed After Court'. Since court self-help advisors only assist with general court paperwork information, SCAAP is not a duplication of a currently offered service by the courts or another nonprofit agency. IELLA and the Courts believe SCAAP fills this justice gap.	\$20,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2016

2016 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
14.	JUSTICE & DIVERSITY CENTER OF THE SAN FRANCISCO BAR	Family Law Assisted Self Help/Case Resolution (FLASH/CARE)	San Francisco	New	The Justice & Diversity Center proposes continuing its FLASH project, including a pilot component through which JDC will provide legal assistance at a new Family Centered Case Resolution calendar to be established by the Court in 2015. The purpose of the calendar is to move certain cases toward disposition in a timely manner. The calendar will be dedicated to managing cases involving but not limited to dissolution, legal separation, nullity, and parentage that have been inactive for 16 months or more.	\$20,000
15.	LEGAL AID FOUNDATION OF LOS ANGELES	Long Beach Self-Help Center	Los Angeles	Returning	In 2016 LAFLA proposes expand services to monolingual Asian persons. LAFLA would develop web-based Asian language videos of the Center's Dissolution and Unlawful Detainer workshops. Litigants would use the Center's computers to view educational and instructional videos and then complete the necessary Judicial Council forms. Funding would also enable LAFLA to explore ways to use technology to expand culturally and linguistically appropriate access for litigants across LAFLA's Self Help Legal Access Centers.	\$72,000
16.	LEGAL AID OF MARIN	Mandatory Settlement Conference Calendar	Marin	Returning	The Marin Unlawful Detainer ("UD") - Mandatory Settlement Conference ("MSC") Calendar Program provides access to legal services that extremely low income pro per litigants need when facing eviction. The program teaches landlords and tenants how to approach settlement, discuss the tenancy or present at trial. Since implementation of Marin UD-MSC in 2012 Legal Aid of Marin ("LAM") had the capacity to advocate for litigants in Court on all residential unlawful detainer matters. The advocates and the Court are flexible so that scheduling all of the proposed Conferences on a single calendar every other Thursday afternoon week becomes the most effective efficient use of resources.	\$35,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2016

2016 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
17.	LEGAL AID OF NAPA VALLEY	Small Claims Assistance & Mediation Project	Napa	Returning	Legal Aid of Napa Valley (LANV) will work with its Court partner to provide assistance to low-income individuals in Small Claims Court. Through the Small Claims Assistance Project (SCAP) LANV will assist unrepresented low-income individuals prepare the legal paper-work court filings and fee waivers necessary to assert and defend matters in Small Claims Court. SCAP will be staffed by one attorney from LANV for eight and one half hours a week, including being present before and during the Small Claims Court calendar. SCAP will be implemented in conjunction with the Self Help Center sharing office space and equipment to maximize resources.	\$25,000
18.	LEGAL AID SOCIETY OF ORANGE COUNTY	Limited Conservatorship Clinic	Orange	Returning	The Legal Aid Society of Orange County (LASOC) will continue to provide Limited Conservatorship Workshops and Clinics at the Central Justice Center. LASOC will serve pro per and expand the services offered by the Court to help bridge the service gap by addressing the unmet need of self-represented litigants who must obtain limited conservatorships over persons with developmental disabilities. This grant will allow the LASOC to disseminate information regarding limited conservatorships provide assistance with completing the relevant pleadings assist parties throughout the litigation process and with obtaining orders and letters of conservatorship.	\$55,000
19.	LEGAL AID SOCIETY OF ORANGE COUNTY	Consumer Debt Workshop	Los Angeles	Returning	The Legal Aid Society of Orange County (LASOC)/ Community Legal Services (CLS) will partner with the Court to conduct the Consumer Debt Workshop. This Workshop will be provided on a weekly basis and will be conducted by a CLS staff or contract attorney. The Debt Collections Workshop will educate inform and assist litigants who have questions about debt collection practices litigants who have been sued in court on debt collection issues and litigants who have had a debt collection judgment entered against them.	\$25,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2016

2016 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
20.	LEGAL AID SOCIETY OF ORANGE COUNTY	Unlawful Detainer Clinic	Orange	Returning	Legal Aid Society of Orange County (“LASOC”) will offer the Unlawful Detainer Clinic at the Central Justice Center in Santa Ana CA (the "Court") to serve pro per litigants facing eviction in Orange County. The Unlawful Detainer Clinic will enable LASOC to assist litigants at the Court, which is often the starting point for tenants facing evictions. Given the summary nature of unlawful detainer proceedings LASOC will offer three (3) workshops and one (1) clinic each week to provide timely assistance to pro per litigants seeking to file responses with the court.	\$55,000
21.	LEGAL AID SOCIETY OF SAN DIEGO	San Diego County Conservatorship Assistance Program	San Diego	Returning	The San Diego County Conservatorship Project (SDCCAP) proposes a fourth year of operation to assist families and friends of elderly and disabled adults in order that they may gain the authority they need to properly care for their loved ones. The program will continue to help individuals to petition for Conservatorship of the Person and provide information and assistance for Conservatorship of the Estate. SDCCAP will be operated by an on-site full-time staff attorney as well as by volunteer attorneys and law students.	\$45,000
22.	LEGAL AID SOCIETY OF SAN DIEGO	Civil Harassment and Elder Abuse Restraining Order at the HOJ	San Diego	Returning	The Civil Harassment and Elder Abuse Temporary Restraining Order (TRO) Project seeks to continue self-help services to low-income unrepresented individuals who need to petition for or respond to a Civil or Elder Abuse TRO. The project will help individuals know their legal options and to ultimately cut down on violence in local neighborhoods homes and schools. The program will do this by continuing to provide facilitator-like services and assist litigants to make more informed choices such as when and how to file and how to do so in a manner that is most effective and efficient for the litigant and the Court.	\$40,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2016

2016 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
23.	LEGAL SERVICES OF NORTHERN CALIFORNIA	2016 Civil Harassment and Small Claims Mediation Project	Butte	Returning	The LSNC - Butte Civil Harassment and Small Claims Mediation Project will provide mediation services to indigent self-represented litigants in Butte County Superior Court on Civil Harassment and Small Claims court calendars. Trained mediators will attend the court calendar sessions and be referred all eligible cases by the partnering court to assist the litigants in settling their legal conflicts.	\$25,000
24.	LEGAL SERVICES OF NORTHERN CALIFORNIA	Mother Lode Pro Per Project	Amador Calaveras El Dorado Placer	Returning	The Mother Lode Pro Per Project (MLPPP) proposes continued funding to provide direct one-on-one service to the residents of four rural counties (Amador Calaveras El Dorado and Placer) in all areas of civil law. The project enables self help services for these four rural counties which otherwise have very little assistance outside of their respective Family Law Facilitator programs.	\$50,000
25.	LEGAL SERVICES OF NORTHERN CALIFORNIA	Guardianship and Clean Slate Project	Mendocino	Returning	This program will provide in pro per litigants an increased level of service in the substantive areas of guardianships and criminal records clean-up remedies including "expungements." Attorneys, working with interpreter services will provide services primarily at the Ukiah courthouse. To effectively reach and provide access to outlying communities, phone hours will also be offered in addition to scheduled hours at the Fort Bragg courthouse (Ten Mile Branch). Besides assistance with form completion services will consist of special educational workshops and provision of self-help informational materials, including materials translated into Spanish.	\$31,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2016

2016 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
26.	LEGAL SERVICES OF NORTHERN CALIFORNIA	Small Claims and Consumer Law Self Help Clinic	Yolo	New	Legal Services of Northern California's Yolo County office (LSNC) and the Yolo County Superior Court propose to provide legal assistance to low income persons in small claims court and limited civil cases involving contract and debt collection matters. The new proposed project will be unique to the region and will fill a gap in services for self-represented litigants, in the new courthouse scheduled to open in August. The attorney will assist self-represented litigants with court forms and pleadings advise them about trial preparation bench trials and court procedures and offer monthly workshops on relevant topics.	\$40,000
27.	NEIGHBORHOOD LEGAL SERVICES	Pasadena Unlawful Detainer Assistance Project	Los Angeles	Returning	NLSLA proposes to continue its Partnership with the LASC to provide services to Self-Represented Litigants with family law and unlawful detainer matters and to train and implement the International Family Law Service workshop County wide so that litigants may obtain assistance at their local court instead of having to travel to Pasadena.	\$69,000
28.	NEIGHBORHOOD LEGAL SERVICES	Chatsworth Self-Help Legal Access Center	Los Angeles	New	NLSLA proposes to provide self-help services for Self-Represented Litigants in Housing, Family Law and continue its self-help consumer work at Chatsworth. In November 2014, the LASC relocated all family law operations from San Fernando to Chatsworth. There are currently no self-help services other than the Facilitator and the existing consumer workshops that NLSLA provides. NLSLA plans to house a bilingual attorney to provide self-help services in family law, housing and continue the consumer self-help services that exist at Chatsworth.	\$55,000



Attachment E: Highlights of Recommended Partnership Grant Projects for 2016

2016 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
29.	PUBLIC COUNSEL	Guardianship Clinic	Los Angeles	Returning	Public Counsel's Pro Per Guardianship Clinic provides brief counsel advice and referrals to pro per litigants from throughout Los Angeles County who are seeking guardianships or other actions in the probate court. The Clinic assists individuals by providing: Information about guardianships and other probate issues; Screening to ensure that the litigant's legal matter is appropriate for filing in Probate Court; Comprehensive needs assessments; review of pleadings prepared by the litigant to ensure accuracy for filing; User-friendly guides in English and Spanish to assist litigants with guardianship proceedings including form pleadings filing instructions notice requirements and advice on appearing in court; and computers to assist litigants with completing the applicable forms (in English and Spanish).	\$55,000
30.	PUBLIC LAW CENTER	Orange County Expanded Domestic Violence Assistance Project	Orange	Returning	The Expanded Domestic Violence Assistance Project is a partnership between the Public Law Center (PLC) Community Service Programs Inc. (CSP) and the Orange County Superior Court. PLC will provide legal aid to domestic violence victims through PLC bilingual staff attorneys bilingual intake specialists trained pro bono attorneys and volunteer law students. PLC also places self-represented restraining order petitioners with private pro bono attorneys as needed. The services are provided at the Lamoreaux Justice Center in Orange and will expand to the Superior Court Service Center when appropriate.	\$40,000
31.	RIVERSIDE LEGAL AID	Small Estates Assistance Program	Riverside	New	This project will provide a pro se self-help clinic at the Riverside Superior Court to assist unrepresented indigent litigants with probate administration and summary proceedings as well as answer general questions relating to decedents' estates. In addition the program will offer monthly public Probate Accounting Workshops to assist people with the lengthy complex local accounting forms packets. The clinic will operate only in Riverside and Indio in its initial year with an expansion to the Temecula branch the following year.	\$37,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2016

2016 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
32.	SAN DIEGO VOLUNTEER LAWYER PROGRAM INC.	North County Civil Harassment/Unlawful Detainer Self-Help Clinic	San Diego	Returning	The CHRO/UD clinic is a self-help clinic that provides information and assistance in the UD and CHRO processes. Eligible participants will receive assistance in preparing the requisite forms in their UD actions or for requesting or responding to CHROs. Resource materials and written information on the process for unlawful detainers and for obtaining civil harassment restraining orders including service of process and filing and participating at court hearings will be available in both English and Spanish.	\$60,000
TOTAL OF ALL GRANTS						\$1,419,000

## **GRANT AGREEMENT**

### **THE STATE BAR OF CALIFORNIA**

#### **LEGAL SERVICES TRUST FUND PROGRAM - EQUAL ACCESS FUND**

This Grant Agreement is made as of October 1, 2014, (the "Effective Date") between The State Bar of California ("State Bar"), a California public corporation, and «LEGALNAME», a California nonprofit corporation ("Recipient").

#### **RECITALS**

Pursuant to California Business and Professions Code Section 6210-6228 (the "Act") and Title 3 of the State Bar Rules (the "Rules"), a Legal Services Trust Fund Program ("Program") has been established in the State of California. The Program administers an Equal Access Fund ("Fund") that is funded pursuant to the annual California Budget Act (the "Budget Act") and the Uniform Civil Fees and Standard Fee Schedule Act of 2005 ("Fee Schedule Act").

Recipient has completed, executed and submitted to State Bar an Application for Funding under the Program and Fund. As part of the Application for Funding, Recipient has completed, executed and submitted to State Bar, Certifications, Assurances, Attachments, and a Proposed Budget (collectively, including the Application for Funding, the "Application Materials").

In reliance upon the representations and agreements made in the Application Materials, State Bar has determined that Recipient is eligible for an IOLTA-Formula Equal Access Fund grant under the Program and the Fund for the period commencing on October 1, 2014 and ending on December 31, 2015 ("Grant Period").

The Board of Directors, the officers and similarly empowered staff of Recipient have read and understand the Act, Budget Act, the Rules, the Application Materials, and the Legal Services Trust Fund Program General Grant Provisions (the "Grant Provisions"). Recipient has familiarized its staff with the requirements of the Act, the Rules, the Grant Provisions and the Application Materials.

#### **AGREEMENTS**

1. Pursuant to the Act, Rules, and Fund, and in reliance upon the promises and representations made by Recipient, State Bar grants to Recipient \$«EAFGRANT» ("Grant Amount").

Attachment F: IOLTA-Formula and Partnership Grant Agreement Exemplars

2. The Act, Budget Act, Fee Schedule Act, Rules, Grant Provisions and Application Materials, including any additions or amendments made to the Application Materials by agreement between the State Bar and Recipient, are incorporated into this Agreement as if set forth in their entirety in this Agreement. Recipient agrees to comply with the Act, Budget Act, Fee Schedule Act, Rules, Grant Provisions and Assurances and other agreements made in the Application Materials. Recipient agrees to comply with all lawful statutes, rules, regulations, guidelines, policies, instructions and similar directives pertaining to the Program and the Fund (collectively "Directives") issued by the State of California, the Supreme Court of the State of California or State Bar, including without limitation, any Directive adopted after the Effective Date.

3. State Bar will use its best efforts to pay the Grant Amount in accordance with the Grant Provisions. State Bar, however, will in no circumstances bear any liability to Recipient or to other persons or entities for delays in payments.

4. Notwithstanding the Grant Provisions or any other provision of the entire agreement regarding the payment of grants, Recipient acknowledges that the Grant Amount and all payments thereof shall be made from funds received by the State Bar pursuant to the Budget Act and Fee Schedule Act ("State Funding"); and are contingent upon the availability and sufficiency of such funds to the State Bar, as determined by the State Bar. Consequently, Recipient shall not be guaranteed any specific dollar amount in grant funds, or any grant funds at all, if funds received pursuant to State Funding are insufficient or unavailable to the State Bar. This Agreement shall terminate automatically if State Funding becomes unavailable. The State Bar shall not assume any liability whatsoever to Recipient for any failure to pay the Grant Amount or any part thereof that results because funds are insufficient or unavailable.

5. Recipient must spend funds received in connection with the Program and Fund in each county served in the amounts set forth in the Schedule of Grant Allocations, attached hereto and made a part hereof.

6. Recipient represents and warrants that Recipient's Application Materials for a grant under the Program and Fund do not contain any misstatement of a material fact or omit any material fact necessary to make the statements contained in the Application Materials not misleading. Recipient will notify State Bar promptly of any change in any material fact affecting Recipient's eligibility to receive funds under the Program and Fund, including without limitation, any change that affects the accuracy of any statement made in conjunction with Recipient's application for a grant under the Program and Fund.

7. In support of the State Bar's obligation to the Judicial Council to ensure full participation by Trust Fund grant recipients in maintaining and utilization of statewide on-line resources for legal advocates and consumers of legal services, Recipient will:

a) Ensure that, during the grant year, Recipient is accurately identified on the statewide legal services websites, including, as appropriate, in the:

- i. Client referral directory on LawHelpCalifornia.org;
- ii. Legal Services Directories (support center and field program directories); and
- iii. *Pro Bono* Opportunities Guide on CALegalAdvocates.org.

b) Include information about LawHelpCalifornia.org and CALegalAdvocates.org in trainings for new advocates; circulate information about the sites when received from state coordinators; encourage advocates to join the CALegalAdvocate.org Web site; and encourage participation in available brief trainings about the sites.

8. Recipient will permit State Bar's agents to inspect at any time any office or other premises maintained by Recipient or used by Recipient in connection with the expenditure of funds received under the Program. Recipient will cooperate with State Bar's agents during such inspections and will furnish the agents with any information that the agents reasonably request as relevant to determining Recipient's compliance with this Agreement. State Bar's right of access to Recipient's records for purposes of compliance will survive the expiration of the Grant Period. In complying with disclosure requirements of this Agreement and of the Program and Fund, Recipient may withhold any client-identifying information when Recipient reasonably determines that disclosure would violate the Act, the Rules or a rule or canon of professional responsibility.

9. The Act, Budget Act, Fee Schedule Act, Rules, Grant Provisions and Directives set forth requirements concerning use of Program funds and payment for subcontracts to provide legal services ("Subcontracted Services"). Recipient acknowledges its obligation to inform all providers of Subcontracted Services with the requirements of the Program and to obtain from all Subcontracted Services providers a written agreement to comply with all requirements of this Agreement as if that provider is the Recipient. Recipient assigns to State Bar all rights that Recipient has or will acquire to inspect the premises and records of providers of Subcontracted Services to ensure compliance with Program, provided that disclosure of client-identifying information by a provider of Subcontracted Services shall be governed by the provisions of paragraph 8 hereof.

10. (a) Recipient shall not represent or in any way suggest that it may obligate or pledge the credit of the State of California or of State Bar.

(b) Recipient agrees to indemnify, defend, and hold harmless State Bar (including its Board of Trustees, officers, agents, and employees, as the same may be constituted now and from time to time hereafter) from and against any and all liabilities, losses, damages, expenses or costs, whatsoever (including reasonable attorneys' fees, costs and expenses), which may arise against or be incurred by State Bar as a result of or in connection with (i) claims by any and all contractors, subcontractors, providers of consulting services, materialmen, laborers, or any other person, firm, or corporation retained by Recipient to furnish or supply work, service, materials, or supplies in connection with the performance of this Agreement; and (ii) claims by any person, firm, or corporation for injury or damage by Recipient or Recipient's agents in connection with the provision of legal services pursuant to this Agreement. Recipient shall further protect, indemnify and hold harmless the State Bar from and against all liabilities, losses, damages, expenses, or costs, whatsoever (including reasonable attorneys' fees, costs

and expenses), arising from or in connection with the State Bar's enforcement of its rights under this paragraph. This indemnity provision shall survive the termination or expiration of this Grant Agreement.

(c) Recipient will use reasonable efforts to have State Bar named as an insured party to any liability insurance policies purchased by or for Recipient.

11. This Agreement does not impose on State Bar any obligation to provide Recipient funds in excess of the Grant Amount or beyond the end of the Grant Period.

12. (a) All notices given in connection with this Agreement will be in writing and be made personally or by first-class, certified, registered or express mail addressed to the parties at the addresses stated below:

State Bar: The State Bar of California  
180 Howard Street  
San Francisco, California 94105  
Attention: Stephanie L. Choy, Managing Director  
Legal Services Trust Fund Program

Recipient: «COMMON\_NAME»  
«ADDRESS1» «ADDRESS2»  
«CITY», «STATE» «ZIP»  
Attention: «STAFFDIR»  
«TITLE»

Notices given by mail will be deemed to have been given five (5) business days after being deposited in a United States Postal Services mailbox or with an express courier mail service. Changes in address for purposes of giving notice will be effective two weeks after giving notice of the change in address.

(b) This Agreement, together with the Application Materials, Rules, Grant Provisions and Directives, contains and constitutes the entire agreement between State Bar and Recipient regarding the State Bar's grant of Equal Access Fund monies to Recipient and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement shall be binding upon agents and successors of both parties. No alteration of the terms of this Agreement will be valid or effective unless in writing and executed by each party.

(c) This Agreement was made and entered into by the parties in the State of California and shall be construed according to the laws of that state. Any action or suit brought to interpret, construe or enforce the provisions of this Agreement shall be commenced in the Superior Court of the State of California, in and for the county of San Francisco.

(d) Each party has full power and authority to enter into and perform this Agreement and the person signing this Agreement on behalf of each party has been properly authorized and empowered to enter into this Agreement. Each party further acknowledges that its

Attachment F: IOLTA-Formula and Partnership Grant Agreement Exemplars

Directors, Governors or similarly empowered persons have read this Agreement, understand it and agree to be bound by it.

(e) No term or provision herein shall be deemed waived and no breach excused unless such waiver or consent is in writing and signed by the party claimed to have waived or consented. No consent or waiver by one party to a breach of this Agreement by the other party, whether expressed or implied, shall constitute a consent to, waiver of, or excuse for any other, different, or subsequent breach. No amendment, consent, or waiver on behalf of State Bar shall be binding upon State Bar unless it is executed by the Executive Director of The State Bar of California or his/her designee.

By executing this Agreement below, the parties agree to its terms.

THE STATE BAR OF CALIFORNIA

RECIPIENT

Date: \_\_\_\_\_, 2014

Date: \_\_\_\_\_, 2014

THE STATE BAR OF CALIFORNIA

RECIPIENT

By: \_\_\_\_\_  
Sam Quan  
Interim Chief Financial Officer

By: \_\_\_\_\_  
«STAFFDIR»  
«TITLE»

By: \_\_\_\_\_  
Kelli Evans, Senior Director  
Administration of Justice

By: \_\_\_\_\_  
Name (Print):  
Title of Board Officer

## **GRANT AGREEMENT**

### **THE STATE BAR OF CALIFORNIA**

#### **LEGAL SERVICES TRUST FUND PROGRAM - EQUAL ACCESS FUND**

#### **PARTNERSHIP GRANT**

This Grant Agreement is made as of January 1, 2015 (the "Effective Date"), between The State Bar of California ("State Bar"), a California public corporation, and «Program\_LEGAL\_name», a California nonprofit corporation ("Recipient").

#### **RECITALS**

Pursuant to California Business and Professions Code Section 6210-6228 (the "Act"), and Title 3, Division 5, Chapter 2, of the Rules of the State Bar of California (the "Rules"), a Legal Services Trust Fund Program ("Program") has been established in the State of California. The Program administers an Equal Access Fund ("Fund") that is funded pursuant to the annual California Budget Act (the "Budget Act") and the Uniform Civil Fees and Standard Fee Schedule Act of 2005 ("Fee Schedule Act").

Recipient has completed, executed and submitted to State Bar a Proposal for a Partnership Grant pursuant to the Request for Proposals for Partnership Grants issued by the Program. As part of the Proposal for Partnership Grants, Recipient has completed, executed and submitted to State Bar, Assurances, Attachments, and a Proposed Budget (collectively, the "Proposal Materials").

In reliance upon the representations and agreements made in the Proposal Materials, State Bar has determined to award Recipient a Partnership Grant-for the period commencing on January 1, 2015 and ending on December 31, 2015 ("Grant Period").

The Board of Directors, the officers and similarly empowered staff of Recipient have read and understand the Act, Budget Act, Rules, and the Proposal Materials. Recipient has familiarized its staff with the requirements of the Act, Budget Act, Rules, the Legal Services Trust Fund Program General Grant Provisions ("Grant Provisions") and the Proposal Materials.

#### **AGREEMENTS**

1. Pursuant to requirements of the Program and Fund and in reliance upon the promises and representations made by Recipient, State Bar grants to Recipient \$«Final\_Allocation\_Decision» ("Grant Amount") for your «Project\_Name».

2. The Act, Budget Act, Rules, Grant Provisions and Proposal Materials, including any additions or amendments made to the Proposal Materials by agreement between the State Bar and Recipient, are incorporated into this Agreement as if set forth in their entirety in this Agreement. Recipient agrees to comply with the Act, Budget Act, Rules, Grant Provisions and Assurances and other agreements made in the Proposal Materials. Recipient agrees to comply with all lawful statutes, rules, regulations, guidelines, policies, instructions and similar directives pertaining to the Program and the Fund (collectively "Directives") issued by the State of California, the Supreme Court of the State of California or State Bar, including without limitation, any Directive adopted after the Effective Date.

3. State Bar will use its best efforts to pay the Grant Amount within 90 days after execution of this Agreement. State Bar, however, will in no circumstances bear any liability to Recipient or to other persons or entities for delays in payments.



## Attachment F: IOLTA-Formula and Partnership Grant Agreement Exemplars

4. Notwithstanding the Grant Provisions or any other provision of the entire agreement regarding the payment of grants, Recipient acknowledges that the Grant Amount and all payments thereof shall be made from funds received by the State Bar pursuant to the Budget Act and the Uniform Civil Fees and Standard Fee Schedule Act; and are contingent upon the availability and sufficiency of such funds to the State Bar, as determined by the State Bar. Consequently, Recipient shall not be guaranteed any specific dollar amount in grant funds or any grant funds at all, if funds received pursuant to the Budget Act and the Uniform Civil Fees and Standard Fee Schedule Act are insufficient or unavailable to the State Bar. This Agreement shall terminate automatically if state funding becomes unavailable. The State Bar shall not assume any liability whatsoever to Recipient for any failure to pay the Grant Amount or any part thereof that results because funds are insufficient or unavailable.

5. Recipient agrees to submit financial and program activity reports to the State Bar as requested, to provide the State Bar with copies of any materials produced with grant funds, and to cooperate with the State Bar in evaluating the results of this grant. Recipient agrees to submit to the State Bar a written agreement with the Cooperating Court(s) regarding the areas of cooperation set forth in the Proposal Materials.

6. Recipient represents and warrants that Recipient's Proposal Materials for a grant under the Program and Fund do not contain any misstatement of a material fact or omit any material fact necessary to make the statements contained in the Proposal Materials not misleading. Recipient will notify State Bar promptly of any change in any material fact affecting Recipient's eligibility to receive funds under the Program and Fund, including without limitation, any change that affects the accuracy of any statement made in conjunction with Recipient's application for a grant under the Program and Fund. Recipient will notify State Bar promptly of any material change in the planned activities or proposed budget contained in the Proposal Materials or any revision thereto.

7. For all publications produced with funding under the Program and Fund, Recipient hereby assigns to the State Bar a royalty-free, nonexclusive, irrevocable, world-wide right and license to reproduce, publish, display, distribute and use these materials. Recipient also hereby assigns to the State Bar a royalty-free, nonexclusive, and irrevocable right to authorize qualified legal services projects, support centers, and courts to use these materials.

8. Recipient will permit State Bar's agents to inspect at any time any office or other premises maintained by Recipient or used by Recipient in connection with the expenditure of funds received under the Program. Recipient will cooperate with State Bar's agents during such inspections and will furnish the agents with any information that the agents reasonably request as relevant to determining Recipient's compliance with this Agreement. State Bar's right of access to Recipient's records for purposes of compliance will survive the expiration of the Grant Period. In complying with disclosure requirements of this Agreement and of the Program and Fund, Recipient may withhold any client-identifying information when Recipient reasonably determines that disclosure would violate the Act, the Rules or a rule or canon of professional responsibility.

9. The Act, Budget Act, Rules, Grant Provisions and Directives set forth requirements concerning use of Program funds and payment for subcontractors to provide legal services ("Subcontracted Services"). Recipient acknowledges its obligation to inform all providers of Subcontracted Services with the requirements of the Program and to obtain from all Subcontracted Services providers a written agreement to comply with all requirements of this Agreement as if that provider is the Recipient. Recipient assigns to State Bar all rights that Recipient has or will acquire to inspect the premises and records of providers of Subcontracted Services to ensure compliance with Program, provided that disclosure of client-identifying information by a provider of Subcontracted Services shall be governed by the provisions of paragraph 8 hereof.

10. Recipient agrees to any additional requirements which may be set forth in any Exhibit or Addendum to this Grant Agreement, which are incorporated herein.

## Attachment F: IOLTA-Formula and Partnership Grant Agreement Exemplars

11. (a) Recipient shall not represent or in any way suggest that it may obligate or pledge the credit of the State of California or of State Bar.

(b) Recipient agrees to indemnify, defend, and hold harmless State Bar (including its Board of Trustees, officers, agents, and employees, as the same may be constituted now and from time to time hereafter) from and against any and all liabilities, losses, damages, expenses or costs, whatsoever (including reasonable attorneys' fees, costs and expenses), which may arise against or be incurred by the State Bar as a result of or in connection with (i) claims by any and all contractors, subcontractors, providers of consulting services, materialmen, laborers, or any other person, firm, or corporation retained by Recipient to furnish or supply work, service, materials, or supplies in connection with the performance of this Agreement; and (ii) claims by any person, firm, or corporation for injury or damage by Recipient or Recipient's agents in connection with the provision of services pursuant to this Agreement. Recipient shall further protect, indemnify and hold harmless State Bar from and against all liabilities, losses, damages, expenses, or costs, whatsoever (including reasonable attorneys' fees, costs and expenses), arising from or in connection with State Bar's enforcement of its rights under this paragraph. This indemnity provision shall survive the termination or expiration of this Grant Agreement.

(c) Recipient will use reasonable efforts to have State Bar named as an insured party to any liability insurance policies purchased by or for Recipient, and shall provide State Bar with these certificates of insurance.

12. This Agreement does not impose on State Bar any obligation to provide Recipient funds in excess of the Grant Amount or beyond the end of the Grant Period.

13. (a) All notices given in connection with this Agreement will be in writing and be made personally or by first-class, certified, registered or express mail addressed to the parties at the addresses stated below:

State Bar:	The State Bar of California 180 Howard Street San Francisco, California 94105-1617
Attention:	Stephanie L. Choy, Managing Director Legal Services Trust Fund Program
Recipient:	«Program_LEGAL_Name» «Address1» «City», «State» «Zip»
Attention:	«Executive_Director» Executive Director

Notices given by mail will be deemed to have been given five (5) business days after being deposited in a United States Postal Services mailbox or with an express courier mail service. Changes in address for purposes of giving notice will be effective two weeks after giving notice of the change in address.

(b) This Agreement, together with the Proposal Materials, Rules, Grant Provisions and Directives, contains and constitutes the entire agreement between State Bar and Recipient regarding the State Bar's grant of a Partnership Grant to Recipient and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement shall be binding upon agents and successors of both parties. No alteration of the terms of this Agreement will be valid or effective unless in writing and executed by each party.

(c) This Agreement was made and entered into by the parties in the State of California and shall be construed according to the laws of that state. Any action or suit brought to

Attachment F: IOLTA-Formula and Partnership Grant Agreement Exemplars

interpret, construe or enforce the provisions of this Agreement shall be commenced in the Superior Court of the State of California, County of San Francisco.

(d) Each party has full power and authority to enter into and perform this Agreement and the person signing this Agreement on behalf of each party has been properly authorized and empowered to enter into this Agreement. Each party further acknowledges that its Directors, Trustees, or similarly empowered persons have read this Agreement, understand it and agree to be bound by it.

(e) No term or provision herein shall be deemed waived and no breach excused unless such waiver or consent is in writing and signed by the party claimed to have waived or consented. No consent or waiver by one party to a breach of this Agreement by the other party, whether expressed or implied, shall constitute a consent to, waiver of, or excuse for any other, different or subsequent breach. No amendment, consent or waiver on behalf of State Bar shall be binding upon State Bar unless it is executed by the Executive Director of The State Bar of California or his/her designee.

By executing this Agreement below, the parties agree to its terms.

THE STATE BAR OF CALIFORNIA

RECIPIENT

By \_\_\_\_\_  
Kelli Evans, Senior Director  
Administration of Justice

By \_\_\_\_\_  
«PGNM28»  
\_\_\_\_\_  
Program Director

DATE: \_\_\_\_\_, 2014

DATE: \_\_\_\_\_, 2014

By \_\_\_\_\_  
Peggy Van Horn, Chief Financial Officer

By \_\_\_\_\_  
\_\_\_\_\_  
Title (Board Chair or Other Board Officer)

DATE: \_\_\_\_\_, 2014

DATE: \_\_\_\_\_, 2014