



# Judicial Council of California

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## CIRCULATING ORDER MEMORANDUM TO THE JUDICIAL COUNCIL

Circulating Order Number: CO-25-01

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**Title**

Equal Access Fund: Distribution of Fund  
Augmentation for IOLTA-Formula Grants

**Action Requested**

VOTING MEMBERS ONLY: Submit votes  
by responding to the transmittal email.

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

None

**Please Respond By**

February 14, 2025

**Recommended by**

Michelle Curran  
Administrative Director  
Charlene Depner, Director  
Center for Families, Children & the Courts

**Date of Report**

February 10, 2025

**Contact**

Melanie Snider, 916-263-5442  
[melanie.snider@jud.ca.gov](mailto:melanie.snider@jud.ca.gov)

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*California Rules of Court, rules 10.5(h) and 10.13(d), allow the Judicial Council to act on business between meetings, including urgent matters, by circulating order. This memorandum is not a Judicial Council meeting; circulating orders are conducted via electronic communications. Prior public notice of a proposed circulating order is not required.*

### Executive Summary

Senate Bill X1 2, signed into law by Governor Gavin Newsom on February 7, 2025, amends the Budget Act of 2024 to augment the Equal Access Fund by \$10 million to be distributed by the Judicial Council to the Legal Services Trust Fund Commission of the State Bar of California. The commission will distribute the funds as Interest on Lawyers' Trust Accounts (IOLTA)-Formula grants to legal services providers and support centers pursuant to the formula required by existing law. SBX1 2 states the funds will be used for legal services in civil matters "for vulnerable persons at risk of detention, deportation, eviction, wage theft, intimate partner violence, and other actions that put their safety at risk, as a result of potential or actual federal actions." (Sen. Bill X1 2, § 5.26(a)(1)(A).) Due to the high priority the Legislature has given this augmentation, staff recommend that the Judicial Council approve the distribution of this funding, as required by SBX1 2 through this circulating order process.

## Recommendation

Judicial Council staff recommend that the Judicial Council, effective February 14, 2025, approve the distribution of the \$10 million augmentation to the Equal Access Fund to the Legal Services Trust Fund Commission of the State Bar of California, as directed by Senate Bill X1 2, including \$9,750,000 for Equal Access Fund IOLTA-Formula Grants and \$166,667 for State Bar administrative costs, with \$83,333 reserved for Judicial Council administrative costs.

## Relevant Previous Council Action

The Judicial Council has approved the distribution of Equal Access IOLTA-Formula Grants consistent with the state Budget Act since 1999. Most recently, the Judicial Council distributed and approved the allocations of the Equal Access funds authorized in the Budget Act of 2024 in September 2024.<sup>1</sup>

## Analysis/Rationale

Since 1999, the state Budget Act has appropriated funds to the Equal Access Fund and directed the Judicial Council to distribute the funds through the Legal Services Trust Fund Commission of the State Bar to qualified legal services providers and support centers to improve equal access and the fair administration of justice.

On November 7, 2024, Governor Gavin Newsom issued a proclamation to convene an extraordinary session of the California Legislature to support and fund certain legal and administrative actions such as those included in Senate Bill X1 2 (Link A). Due to the high priority the Legislature has given this augmentation, the judicial branch is expediting Judicial Council approval to distribute this funding. Senate Bill X1 2 provides that the funding augmentation be distributed by the Judicial Council, through the Legal Services Trust Fund Commission, as grants to qualified legal services projects and support centers to provide civil legal services for indigent persons.<sup>2</sup>

Senate Bill X1 2 requires the Legal Services Trust Fund Commission to make grant award distributions pursuant to the formula described in Business and Professions Code section 6216 (Link B) to legal services providers and support centers to be used for legal services in civil matters “for vulnerable persons at risk of detention, deportation, eviction, wage theft, intimate partner violence, and other actions that put their safety at risk, as a result of potential or actual federal actions.” (Sen. Bill X1 2, § 5.26(a)(1)(A).) In passing the legislation, both houses of the Legislature approved a Letter to the Journal further clarifying their intention in how the funding

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<sup>1</sup> Judicial Council of Cal., Staff Rep., *Equal Access Fund: Distribution of Funds for IOLTA-Formula and Partnership Grants* (Aug. 26, 2024), <https://jcc.legistar.com/LegislationDetail.aspx?ID=6803535&GUID=09C610FF-6FAE-4A39-8B72-EA51D22EAAF8>.

<sup>2</sup> A companion circulating order, CO-25-02, addresses the funding in SBX1 2 designated for distribution to the California Access to Justice Commission.

should be used. (Attachment A.) When he signed the bill, the Governor issued a signing message stating his intent as well. (Attachment B.)

Judicial Council staff will report to the Judicial Council on the commission's distribution of funds and, as required by Senate Bill X1 2, will also submit a mandated report to the Joint Legislative Budget Committee on the grant awardees, grant amounts, and grant period.

### **Policy implications**

The recommendation implements legislation and supports Goal I of *The Strategic Plan for California's Judicial Branch*—Access, Fairness, Diversity, and Inclusion—by increasing representation for low-income persons.

### **Comments**

Public comments were not solicited for this proposal because the recommendation implements legislation and is within the Judicial Council's purview to approve without circulation.

### **Alternatives considered**

No alternatives were considered because the funding is distributed as required by the Budget Act. Senate Bill X1 2 specifies that this funding be distributed pursuant to the formula required in existing law to legal aid and legal services providers who currently receive Equal Access funds.

### **Fiscal and Operational Impacts**

Judicial Council staff will work with the staff of the commission to oversee administration of the Equal Access Fund.

### **Attachments and Links**

1. Voting instructions, at page 4
2. Vote and signature pages, at pages 5–6
3. Attachment A: Letter to the Journal
4. Attachment B: Governor's Signing Message
5. Link A: Senate Bill X1 2,  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202520261SB2](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202520261SB2)
6. Link B: Bus. & Prof. Code, § 6216,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=6216.&lawCode=BPC](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=6216.&lawCode=BPC)

### **Author**

Don Will

Principal Manager II, Judicial Council Center for Families, Children & the Courts

## **Instructions for Review and Action by Circulating Order**

### **Voting members**

- Please reply to the email message with “I approve,” “I disapprove,” or “I abstain” by **February 14**.
- If you are unable to reply by **February 14**, please do so as soon as possible thereafter.

### **Advisory members**

The circulating order is being emailed to you for your information only. There is no need to sign or return any documents.

**CIRCULATING ORDER**  
**Judicial Council of California**  
**Voting and Signature Pages**

Effective immediately, the Judicial Council approves the distribution of the \$10 million augmentation to the Equal Access Fund to the Legal Services Trust Fund Commission of the State Bar of California, as directed by Senate Bill X1 2, including \$9,750,000 for Equal Access Fund IOLTA-Formula Grants and \$166,667 for State Bar administrative costs, with \$83,333 reserved for Judicial Council administrative costs.

My vote is as follows:

☒ Approve      ☐ Disapprove      ☐ Abstain

\_\_\_\_\_/s/  
 Patricia Guerrero, Chair

\_\_\_\_\_/s/  
 Maria Lucy Armendariz

\_\_\_\_\_/s/  
 Bunmi O. Awoniyi

\_\_\_\_\_/s/  
 C. Todd Bottke

\_\_\_\_\_/s/  
 Stacy Boulware Eurie

\_\_\_\_\_/s/  
 Carol A. Corrigan

\_\_\_\_\_/s/  
 Charles S. Crompton

\_\_\_\_\_/s/  
 Judith K. Dulcich

\_\_\_\_\_  
 Carin T. Fujisaki

\_\_\_\_\_/s/  
 Maureen F. Hallahan

\_\_\_\_\_/s/  
 Maria D. Hernandez

\_\_\_\_\_/s/  
 Brad R. Hill

My vote is as follows:

☒ Approve

☐ Disapprove

☐ Abstain

\_\_\_\_\_  
/s/  
Rachel W. Hill

\_\_\_\_\_  
Ann C. Moorman

\_\_\_\_\_  
/s/  
Gretchen Nelson

\_\_\_\_\_  
/s/  
Ricardo R. Ocampo

\_\_\_\_\_  
/s/  
Craig M. Peters

\_\_\_\_\_  
/s/  
Maxwell V. Pritt

\_\_\_\_\_  
/s/  
Thomas J. Umberg

\_\_\_\_\_  
/s/  
Tamara L. Wood

Date: 2/18/2025

Attest:

Michelle J. Curran  
Administrative Director and  
Secretary of the Judicial Council

**Legislative Intent—Senate Bill No. 2**

February 3, 2025

*Sue Parker**Chief Clerk of the Assembly  
State Capitol, Room 319  
Sacramento, California*

Dear Ms. Parker: We write as joint authors to SBX1 2 to clarify the intent of the bill with respect to its appropriation of \$25 million for civil legal assistance for Californians.

The intent of this funding is to support pro bono legal services for especially vulnerable Californians, including undocumented families and other immigrants, veterans, people with disabilities, homeless youth, seniors, members of the LGBTQ+ community, victims of domestic violence, wage theft and human trafficking, people facing evictions, and more.

None of the funding in SBX1 2 is intended to be used for immigration-related services for individuals with serious or violent felony convictions.

Sincerely,

JESSE GABRIEL  
Assembly Member,  
Forty-sixth District

SCOTT WIENER  
Senator,  
Eleventh District

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 3, 2025

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 1

And reports the same correctly engrossed.

SUE PARKER, Chief Clerk

Above resolution ordered on file.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND  
ASSEMBLY RULE 63**

Assembly Member Aguiar-Curry requested unanimous consent that Assembly Rule 63 be suspended to permit consideration of Assembly Concurrent Resolution No. 1, without reference to file.

Assembly Member Essayli withheld unanimous consent.

**PARLIAMENTARY INQUIRY**

Assembly Member Essayli arose to the following parliamentary inquiry:

What is Assembly Concurrent Resolution No. 1?

**Reply by Speaker pro Tempore Lowenthal**

The Speaker pro Tempore replied Assembly Concurrent Resolution No. 1 is relative to the adjournment of the First Extraordinary Session *sine die*.



## OFFICE OF THE GOVERNOR

FEB 07 2025

To the Members of the California State Senate:

I am signing Senate Bill X1 2, which will bolster funding for legal services programs that are vital to safeguarding the civil rights of California's most vulnerable residents, including people with disabilities, youth who are homeless, victims of human trafficking and wage theft, people facing unlawful evictions, immigrants and more.

None of the funding in this bill is intended to be used for immigration-related legal services for noncitizens convicted of serious or violent felonies. To the extent further clarification is necessary, I encourage the Legislature to pass subsequent legislation providing that this funding is to be allocated consistent with the restrictions set forth in paragraph 3 of subdivision (b) of Section 13303 of the Welfare and Institutions Code.

Sincerely,



Gavin Newsom