



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 22-076

For business meeting on March 11, 2021

Title

Sargent Shriver Civil Counsel Act:
Continuation of Funding for San Francisco
Pilot Project

Agenda Item Type

Action Required

Effective Date

March 11, 2022

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

February 17, 2022

Recommended by

Shriver Civil Counsel Act Implementation
Committee
Hon. Terry B. Friedman (Ret.), Chair

Contact

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Executive Summary

The Sargent Shriver Civil Counsel Act (Assem. Bill 590; Stats. 2009, ch. 457) provides that one or more pilot projects selected by the Judicial Council are to be funded to provide legal representation and improved court services to low-income parties on critical legal issues affecting basic human needs. On May 15, 2020, the Judicial Council approved the recommendation of the Shriver Civil Counsel Act Implementation Committee, based on a competitive application process, to fund 11 pilot projects and defer another three applications for additional consideration. On May 21, 2021, the Judicial Council approved funding for one of the deferred projects for one year through May 31, 2022. The committee now recommends that the project be funded through September 31, 2023, to coincide with the grant cycle for the other Shriver projects. The grant will allow provision of legal representation and improved court services in child custody matters for low-income litigants.

Recommendation

The Shriver Civil Counsel Act Implementation Committee recommends that the Judicial Council, effective March 11, 2022, approve a Sargent Shriver Civil Counsel Act grant for the

period June 1, 2022, through September 30, 2023, in an amount not to exceed \$565,872, to the Justice and Diversity Center and the Superior Court of San Francisco.

Relevant Previous Council Action

On April 29, 2011, the Judicial Council approved Sargent Shriver Civil Counsel Act grants in an amount not to exceed \$9.5 million for distribution to seven legal services agencies and superior courts for pilot projects to provide legal representation and improved court services to eligible low-income litigants. On August 21, 2014, the Judicial Council renewed those grants to six legal services agencies and their superior court partners. On July 17, 2017, the Judicial Council approved grants to seven legal services agencies and their superior court partners. On November 15, 2019, the Judicial Council approved distributing an additional \$2.5 million of general funds on a pro rata basis to the projects. On May 15, 2020, the Judicial Council approved funding 11 pilot projects and deferred for future consideration three other pilot projects, based on a competitive application process.¹ On May 21, 2021, the Judicial Council approved funding for the Justice and Diversity Center and the Superior Court of San Francisco in an amount not to exceed \$452,698 for the period June 1, 2021, through May 31, 2022.²

Analysis/Rationale

The Sargent Shriver Civil Counsel Act (Assem. Bill 590; Stats. 2009, ch. 457) provided that, commencing in fiscal year 2011–12, one or more pilot projects selected by the Judicial Council are to be funded to provide legal representation and improved court services to low-income parties on critical legal issues affecting basic human needs. The pilot projects will be operated by legal services nonprofit corporations working in collaboration with their local superior courts.

Government Code section 68651(b)(5) requires the Judicial Council to appoint a committee to select pilot projects to recommend to the Judicial Council for funding. The Shriver Civil Counsel Act Implementation Committee was appointed by Chief Justice Ronald M. George on September 1, 2010. A current roster of committee members is found at Link A.

Request for applications

The Judicial Council issued a request for applications (RFA) on January 6, 2020. Fourteen proposals were received, with requests totaling \$15,240,868 in the first year. Nine of those proposals requested continuing their projects and five were for new projects. Eleven pilot projects were funded and three were deferred for future consideration.

The RFA stated: “In September 2019, Governor Gavin Newsom signed Assembly Bill 330 (Gabriel; Stats. 2019, ch. 217). This bill amended the language of the Government Code to

¹ Judicial Council of Cal., Advisory Com. Rep., *Sargent Shriver Civil Counsel Act: Selection of Pilot Projects* (Apr. 7, 2020), <https://jcc.legistar.com/View.ashx?M=F&ID=8278882&GUID=452643A3-72F2-4512-913D-C8F3E85AD4F0>.

² Judicial Council of Cal., Advisory Com. Rep., *Sargent Shriver Civil Counsel Act: Selection of Additional Pilot Project* (Apr. 23, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9340257&GUID=513B6B89-7607-458C-9B4B-C9271BEB1946>.

increase specified fees that fund the Shriver project from \$10 to \$25 per filing. The Judicial Council anticipates that this change will increase the amount of funds available to the program by approximately \$11 million to approximately \$18 million per year. Because these amounts are estimates based on revenue projections, the Judicial Council may award amounts that are less than the full projection in the initial year and then consider increases to the grants in future years, stage implementation of new grants, or other steps to ensure sufficient funding for all awards.” (See Link B.)

In fiscal year 2021–22 and ongoing, the committee anticipates that an additional \$500,000 per year is available to the Shriver project for staging implementation of new grants.

Policy implications

The work performed by the projects helps to implement Goal I (Access, Fairness, and Diversity) of the judicial branch’s strategic plan by increasing representation and court services for low-income persons.

Comments

The recommendations for the selection of the pilot projects have been made by the Shriver Civil Counsel Act Implementation Committee as provided by Government Code section 68651(b)(5). The statutory scheme does not contemplate public comment.

Alternatives considered

In the report to the council for the meeting on May 15, 2020, the committee noted that three applications were deferred and will be reconsidered by the committee for recommendation at a future meeting:

**Justice and Diversity Center of the Bar Association of San Francisco
Superior Court of San Francisco County**
Child Custody Pilot Project\$452,698

**Los Angeles Center for Law and Justice
Superior Court of Los Angeles County**
Domestic Violence Pilot Project\$853,485

**Neighborhood Legal Services
Superior Court of Los Angeles County**
Housing Project—Requested Increase.....\$2,121,660

The RFA anticipated that additional grants could be staged based on available funding, and therefore it is not necessary to conduct another solicitation process. Since the available funding, prorated, would only meet a small percentage of the three proposed budgets (15 percent of the total of the proposed budgets), the committee determined that funding 100 percent of the continued San Francisco pilot project was the preferred alternative.

Fiscal and Operational Impacts

Costs for Judicial Council staff support and the mandated evaluation are covered by the provision for administrative costs in the Budget Act appropriation.

Attachments and Links

1. Link A: Shriver Civil Counsel Act Implementation Committee Roster,
<https://www.courts.ca.gov/documents/shriver-roster.pdf>
2. Link B: Sargent Shriver Civil Counsel Act, as amended by AB 330 (Gabriel),
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB330