



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 27, 2014

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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 28, 2014

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

None

**Date of Report**

September 24, 2014

**Recommended by**

State Bar Legal Services Trust Fund  
Commission  
Adrian Dollard, Cochair  
Christina Stokholm, 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 2014*, the State Bar Legal Services Trust Fund Commission notes that the Budget Act of 2014 includes \$14,456,350 in the Equal Access Fund for distribution to legal services providers and support centers. Equal Access funds are distributed primarily in two parts: 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 \$13,010,715 in IOLTA-Formula Grants for fiscal year 2014–2015, according to the statutory formula in the state Budget Act. It further requests that the Judicial Council approve distribution of \$1,445,635 in partnership grants for 2015 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 \$13,010,715 in IOLTA-Formula Grants for 2014–2015 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 \$1,445,635 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. **Bay Area Legal Aid:**
  - Housing Law Clinic (Contra Costa) ..... \$55,000
  - San Mateo County Consumer Debt Clinic ..... \$60,000
2. **Bet Tzedek Legal Services:**
  - Streamlining & Expanding Court-Based Conservatorship Clinics  
(Los Angeles County) ..... \$75,000
3. **Central California Legal Services, Inc.:**
  - Elder Abuse Access to Justice Partnership—Fresno County .....\$58,000
  - Tenant/Landlord Housing Law Clinic (Fresno) ..... \$50,000
4. **Community Legal Services in East Palo Alto:**
  - San Mateo County Unlawful Detainer Mandatory Settlement Conference ..... \$50,000
5. **East Bay Community Law Center:**
  - Civil Justice Self-Help Project (Alameda) ..... \$65,000
6. **Elder Law and Advocacy:**
  - Imperial County Bilingual Conservatorship/Guardianship Clinic ..... \$20,000
7. **Family Violence Law Center:**
  - Alameda County Domestic Violence Self-Representation Assistance ..... \$20,000
8. **Inland Empire Latino Lawyers Association:**
  - Small Claims Advocacy & Awareness Project (Riverside/San Bernardino) ..... \$25,000
9. **Justice and Diversity Center:**
  - Family Law Assisted Self-Help (FLASH) Project (San Francisco) ..... \$45,000

<b>10. Legal Aid Foundation of Los Angeles:</b>	
Long Beach Self-Help Legal Access Center .....	\$80,000
<b>11. Legal Aid of Marin:</b>	
Unlawful Detainer/MSC Calendar Assistance .....	\$45,000
<b>12. Legal Aid Society of Napa Valley:</b>	
Small Claims Assistance Project .....	\$25,000
<b>13. Legal Aid Society of Orange County:</b>	
Consumer Debt Workshop (Norwalk, Los Angeles).....	\$65,000
Limited Conservatorship Clinic .....	\$25,000
Unlawful Detainer Clinic .....	\$50,000
<b>14. Legal Aid Society of San Diego, Inc.:</b>	
Civil Harassment & Elder Abuse Restraining Order Program at the HOJ .....	\$60,000
San Diego County Conservatorship Assistance Project .....	\$55,000
<b>15. Legal Services of Northern California:</b>	
Civil Harassment and Small Claims Mediation Project (Butte) .....	\$30,000
Mother Lode Pro Per Project (Amador, Calaveras, El Dorado, Placer) .....	\$55,000
Guardianship and Clean Slate Project (Mendocino) .....	\$32,635
Consumer Assistance Clinic (Yolo) .....	\$55,000
<b>16. Neighborhood Legal Services of Los Angeles County:</b>	
Chatsworth Consumer Debt Relief .....	\$40,000
Pasadena Unlawful Detainer Assistance Project .....	\$70,000
<b>17. Pro Bono Project Silicon Valley:</b>	
Family Court Settlement Project (Santa Clara) .....	\$30,000
<b>18. Public Counsel:</b>	
Pro Per Guardianship Clinic (Los Angeles) .....	\$60,000
<b>19. Public Law Center:</b>	
Orange County Expanded Domestic Violence Assistance Project .....	\$45,000
Orange County “Finish My Case” Workshops .....	\$40,000
<b>20. San Diego Volunteer Lawyer Project:</b>	
North County Civil Harassment/Unlawful Detainer Self-Help Clinic .....	\$60,000
<b>Total .....</b>	<b>\$1,445,635</b>

The text of the commission’s report and its attachments are found at pages 7–70.

### **Previous Council Action**

The Judicial Council has approved the proposed distribution for each of the past 15 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.” (Sen. Bill 852, 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, 2016.

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 22–25.)

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<sup>1</sup> The Budget Act language is attached in the commission’s report, at pages 20-21.

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 12–15.

For the grant period funded by the 2014 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 \$13,010,715 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 \$1,445,635 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, 2015; the three-month period from October through December 2014 will also be funded under the 2014 Budget Act so grants do not lapse during this transition to a calendar-year schedule. 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 Operational Plan Objectives**

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

## **Attachments**

1. Attachment A: Report of the State Bar Legal Services Trust Fund Commission
2. Attachment B: Legal Services Trust Fund Commission and Relevant Committee Membership
3. Attachment C: Comparison of IOLTA and IOLTA-Formula EAF Grants for Calendar Year 2015
4. Attachment D: Partnership Grant Request for Proposal for 2015 Funding
5. Attachment E: Highlights of Recommended Partnership Grant Projects for 2015
6. Attachment F: IOLTA-Formula and Partnership Grant Agreement Exemplars



# THE STATE BAR OF CALIFORNIA

## LEGAL SERVICES TRUST FUND PROGRAM

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Associate Justice of the Court of  
Appeal, Third Appellate District

**DATE:** September 22, 2014

**TO:** The Judicial Council of California

**FROM:** Adrian Dollard, Co-Chair  
Christina Stokholm, 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 2014

### 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 \$14,462,203 in IOLTA-formula Grants allocated for the 2013-14 grant year 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 \$1,518,000 in Partnership Grants for 2013-14 (calendar year 2014) 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. This 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 2014. This new schedule will synchronize the three different grant periods the Trust Fund Program has historically administered, enabling the commission to report on recommendations for IOLTA-Formula grants and Partnership Grants in this single submission.

We request the Council approve the distribution of \$14,456,350 of Equal Access Funds for IOLTA-Formula and Partnership Grants under the 2014 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 2014, in the total amount of \$13,010,715, which amount includes the Basic Budget act allocation and projected filing fees.

The Commission identified eligible or provisionally eligible legal services providers and calculated the appropriate allocation of funds available for IOLTA- Formula Equal Access Fund grants under the Budget Act of 2014 in accordance with the IOLTA statute. The Commission has reviewed 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, 2014.

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 2014, to support activities during calendar year 2015, in the total amount of \$1,445,635. 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 2015 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 2014.

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 2014 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 ranging from about \$2.5 to \$6.4 million annually. In the past, the Council's practice has been to estimate anticipated filing fee revenue conservatively to maximize grantee ability to rely on budgeted grant amounts. However, in 2013-14, even that conservative estimate exceeded actual receipts, and a shortfall of \$453,000 has been deducted from anticipated 2014-15 filing fee revenue to account for that overestimate. This year's projected filing fee revenue is \$4,517,250, exclusive of administrative fees, payable from the Trial Court Trust Fund. Based on the foregoing, total grant year income available for distribution as Equal Access Fund grants under the 2014 Budget Act, has been projected as follows:

The sum of (a) the basic budgetary allocation of \$10,392,000 pursuant to the Budget Act of 2014; (b) additional funding from the Trial Court Trust Fund in the total amount of \$4,755,000 (or \$4,517,250 after deducting 5% for administration of funds) pursuant to the Budget Act of 2014; (c) less a projected shortfall of \$452,900 in estimated filing fee income from 2013-14, results in a conservative aggregate estimated \$14,456,350 available for Equal Access Fund grants under the Budget Act of 2014.

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 \$13,010,715.
- 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 \$1,445,635.
- 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 \$737,750, to be shared between the Council and the Commission (34% and 66% respectively).

(The relevant portions of the Budget Act of 2014 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 Eligibility and Partnership Grant committee members 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 is for a “five quarter” period beginning October 1, and ending December 2015, with the last quarter based on projected funding. While this report only includes grant allocations based on the Budget Act of 2014, grantees were asked to provide budgets for projected EAF through the end of 2015. 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.” The report included the following key findings:

- The Equal Access fund improves the lives of vulnerable Californians.
- Thoughtful and innovative delivery systems have been implemented to stretch Equal Access Fund dollars and maximize services to clients.
- The Equal Access Fund strengthens, expands, and is efficiently incorporated into the legal aid delivery system.
- The Equal Access Fund creates strong partnerships between the courts and nonprofit legal aid providers that benefit low-income litigants, the judicial system, and the public at large.

- Despite the gains, significantly more funding is necessary to serve California’s unrepresented litigants.

Legal service organizations continue to report tremendous need within their service populations, while still struggling with decreases in revenue – from IOLTA, local government, foundations, law firms and individual giving. Thus, the recommendations from the Council’s 2005 report continue to resonate: The Equal Access Fund should be increased to build on the statewide legal aid network serving low-income people; additional funding is needed to expand court-based self-help centers; and ongoing evaluation is needed to continue to improve the delivery of legal assistance to indigent and marginalized Californians.

## **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 statute. [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, 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 2014 (for the period from October 1, 2014 through September 30, 2015), together with their 12-month IOLTA grants for comparison, appears at [Attachment C](#).

**Partnership Grants.** Since its inception in 1999, 10% of the Equal Access Fund has been set aside annually in the Budget Act for a competitive grants program for projects that work with local courts to help provide legal services for self-represented litigants. In 2014, thirty projects throughout California are receiving \$1,518,000 in total Partnership Grants, in grant sums from \$23,000 to \$100,000.

Only recipients of IOLTA and IOLTA-Formula Grants are eligible to apply for these discretionary grants. Recipients are selected so as 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 2014, \$1,445,635 will be available for Partnership Grants for operations in calendar year 2015.

The Partnership Grants process begins with evaluation of proposals by Legal Services Trust Fund Program staff and a committee of the Commission. This evaluation encompasses several criteria,

including but not limited to assuring the impartiality of the services, providing meaningful referrals, assurances of program effectiveness and fiscal stability. Funding is provided on a calendar year basis.

### Request for Proposals

The Request for Proposals for Partnership Grant projects for calendar year 2015 were released in June and were due in July. Notice of the RFP also was distributed to local court personnel. (A copy of this RFP is attached as Attachment D.) The Commission has carefully reviewed Partnership Grant applications and made recommendations to the Commission, for final selection and allocations at its September 19 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 2014 meeting.

### Selection Criteria

The Budget Act contains four essential elements for Partnership Grants:

- Recipients must be organizations that are eligible for a Legal Services Trust Fund Program grant.
- 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 Administrative Office of the Courts 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. Grantees should include both new and continuing projects. Funding was considered "seed money" to help new projects succeed, and therefore grantees were advised that grants would be reduced after three years and terminated after five years of funding.

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. Since that time, deteriorating and stagnant economic conditions have proven the wisdom of this determination. This policy has therefore been continued to the present grant cycle.

Consequently, while this year's grantees include some new projects, there are also three projects that are being funded to continue services beyond their fifth year of service. These projects serve seriously under-resourced regions of California (namely, the counties of Fresno, Imperial, and Yolo), and address legal issues that are intensive both substantively and procedurally – conservatorship, and consumer protection.

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.
- 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 also developed additional reporting requirements and evaluation procedures to apply specifically to the work to be done under EAF Formula grants.

### 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 each assigned primary responsibility to review several applications, and were then divided into “evaluation teams” with a Trust Fund Program staff member providing support and background and conducting any necessary follow-up.

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. The full committee then met on August 22, 2014 to identify promising proposals and develop preliminary grant awards based on individual and team evaluations. This meeting also identified numerous issues for further investigation by Trust Fund staff.

The committee met again on the morning of September 19 to finalize its slate of grant recommendations, which was presented to the full commission for its approval later that day. 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 \$1,445,635 available for Partnership grants, the Commission received 35 applications totaling \$2,118,081. 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 28 of the 30 currently-funded projects, and from seven projects seeking first-time funding. Two applicants withdrew applications for new projects that did not conform to Budget Act requirements for Partnership projects; of the two projects funded in 2014 that did not seek

refunding, one had already received six years of Partnership Grant support. One withdrew after being notified of a proposed award less than requested.

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, courts, and local community groups. Several propose to utilize technology to make services more accessible, and all but one would be located at, or in close proximity to, the courthouse or local law library.

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 maximizing the impact of the grant. The Commission is requesting your approval for the following grant awards <sup>2</sup>

PROGRAM	PROJECT	RECOMMENDED GRANT
Bay Area Legal Aid	Contra Costa County Housing Law Clinic	\$55,000
<b>Bay Area Legal Aid</b>	<b>San Mateo County Consumer Debt Clinic</b>	<b>\$60,000</b>
Bet Tzedek Legal Services	Streamlining & Expanding Court-Based Conservatorship Clinics	\$75,000
Central California Legal Services	Elder Abuse Prevention and Conservatorship Project	\$58,000
<b>Central California Legal Services</b>	<b>Tenant/Landlord Housing Law Clinic</b>	<b>\$50,000</b>
Community Legal Services in East Palo Alto	San Mateo County Unlawful Detainer Mandatory Settlement Conference	\$50,000
East Bay Community Law Center	Civil Justice Self-Help Project	\$65,000
Elder Law & Advocacy	Imperial Court Bilingual Conservatorship/Guardianship Clinic	\$20,000
Family Violence Law Center	Domestic Violence Self-Representation Assistance Project	\$20,000
IELLA Legal Aid Project	Small Claims Advocacy & Awareness Project	\$25,000
Justice & Diversity Center	Family Law Assisted Self Help Project	\$45,000
Legal Aid Foundation of Los Angeles	Long Beach Self-Help Legal Access Center	\$80,000

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

Legal Aid of Marin	Mandatory Settlement Conference Calendar (MSC)	\$45,000
Legal Aid of Napa Valley	Small Claims Assistance Project	\$25,000
<b>Legal Aid Society of Orange County</b>	<b>Consumer Debt Workshop</b>	<b>\$65,000</b>
Legal Aid Society of Orange County	Limited Conservatorship Project	\$25,000
Legal Aid Society of Orange County	Unlawful Detainer Clinic	\$50,000
Legal Aid Society of San Diego	Civil Harassment & Elder Abuse Restraining Order Program at the HOJ	\$60,000
Legal Aid Society of San Diego	San Diego Conservatorship Assistance Project	\$55,000
Legal Services of Northern California - Butte	Civil Harassment and Small Claims Mediation Project	\$30,000
Legal Services of Northern California - Mother Lode	Mother Lode Pro Per Project	\$55,000
<b>Legal Services of Northern California - Ukiah</b>	<b>Guardianship and Clean Slate Project</b>	<b>\$32,635</b>
Legal Services of Northern California - Yolo County	Consumer Assistance Project	\$55,000
Neighborhood Legal Services of Los Angeles County	Chatsworth Consumer Debt Relief	\$40,000
Neighborhood Legal Services of Los Angeles County	Pasadena Unlawful Detainer Assistance Project	\$70,000
Pro Bono Project Silicon Valley	Family Court Settlement Project	\$30,000
Public Counsel	Pro Per Guardianship Clinic	\$60,000
Public Law Center	Orange County Expanded Domestic Violence Assistance Project	\$45,000
Public Law Center	Orange County "Finish My Case" Workshops	\$40,000
San Diego Volunteer Lawyer Program	North County Civil Harassment/ Unlawful Detainer Self-Help Clinic	\$60,000
<b>TOTAL GRANT AWARDS</b>		<b>\$1,445,635</b>

Highlights of each of project are listed in [Attachment E](#).

## NEXT STEPS: TRUST FUND COMMISSION AND JUDICIAL COUNCIL

### Legal Services Trust Fund Commission

Based on the Budget Act, the commission has provided 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 has been asked to prepare a detailed line item budget for each tentative allocation. Budgets have been reviewed by Legal Services Trust Fund Program staff, and the Committee will review and make recommendations to the Commission for approval at its November 14 meeting. Thereafter, the State Bar will sign a grant agreement with each recipient program. (Attachment F is a form version of the grant agreement 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 2014 will be October 1, 2014, through September 30, 2015, 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 account separately for the Equal Access Fund IOLTA-Formula Grants, submitting quarterly expenditure reports as well as year-end program assessments.

At its meeting on September 19, 2014, the Commission reviewed Partnership Grant proposals and selected projects to recommend to the Council for funding in the 2015 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 \$13,010,175 in IOLTA-Formula Grants under the Budget Act of 2014, 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), over the course of the grant period.
- the distribution of \$1,445,635 in 2015 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 2014 meeting, the distribution of \$13,010,175 in IOLTA-Formula Grants and of \$1,445,635 in Partnership Grants, pursuant to the Budget Act of 2014. Council approval is necessary to enable appropriate grant administration to fund projects for the period beginning January 1, 2015.

Senate Bill No. 852

CHAPTER 25

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 20, 2014. Filed with Secretary of State June 20, 2014.]

SB 852, Leno. Budget Act of 2014.

[.....]

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 2014.”

[....]

0250-101-0001--For local assistance, Judicial Branch: .....17,753,000

Schedule:

- (1) 45.10-Support for Operation of the Trial Courts..... 6,201,000
- (2) 45.55.010-Child Support Commissioner Program..... 54,332,000
- (3) 45.55.020-California Collaborative and Drug Court Projects..... 5,748,000
- (4) 45.55.030-Federal Child Access and Visitation Grant Program.....800,000
- (5) 45.55.050-Federal Court Improvement Grant Program ..... 700,000
- (6) 45.55.070-Grants-Other ..... 1,586,000
- (7) 45.55.080-Federal Grants-Other .....775,000
- (8) 45.55.090-Equal Access Fund Program.....10,392,000**
- (9) Reimbursements ..... -60,506,000
- (10) Amount payable from the Federal Trust Fund (Item 0250-101-0890) ..... -2,275,000

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.**

[....]

Attachment A: Relevant Portions of the Budget Act of 2014

0250-101-0932--For local assistance, Judicial Branch, payable from the Trial Court Trust Fund: .....2,335,226,000

Schedule:

- (1) 45.10-Support for Operation of the Trial Courts.....1,894,142,000
- (2) 45.25-Compensation of Superior Court Judges .....312,415,000
- (3) 45.35-Assigned Judges.....26,047,000
- (4) 45.45-Court Interpreters .....92,794,000
- (5) 45.55.060-Court Appointed Special Advocate Program.....2,213,000
- (6) 45.55.065-Model Self-Help Program.....957,000
- (7) 45.55.090-Equal Access Fund Program.....5,482,000**
- (8) 45.55.095-Family Law Information Centers.....345,000
- (9) 45.55.100-Civil Case Coordination.....832,000
- (11) Reimbursements ..... -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 of the Courts, 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: Legal Services Trust Fund Commission and Relevant Committee Membership

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Attachment B: Legal Services Trust Fund Commission and Relevant Committee Membership

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<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></p> <p>Attorney Member: 2013-2016</p> <p><i>Board of Trustees</i></p>	<p>Hon. Faye D’Opal          Superior Court Judge, Marin County          P. O. Box 4988          San Rafael, CA 94913-4988          cell: (415) 497-4209; (415) 444-7258 (Chambers)</p> <p><b>email: <a href="mailto:faye_dopal@marincourt.org">faye_dopal@marincourt.org</a></b></p> <p>Judge: 2011-2014          Judicial Council</p>
<p>Melanie Snider          Superior Court of California, County of Butte          One Court Street          Oroville, CA 95965          ph.: (530) 532-7186          email: <a href="mailto:msnider@buttecourt.ca.gov">msnider@buttecourt.ca.gov</a></p> <p>Judge: 2013-2016</p> <p><i>Judicial Council</i></p>	<p>Hon. William J. Murray, Jr.          Associate Justice of the Court of Appeal          Third Appellate District          914 Capitol Mall, 4<sup>th</sup> Floor          Sacramento, CA 95814          ph.: 916-654-0115          email: <a href="mailto:william.murray@jud.ca.gov">william.murray@jud.ca.gov</a></p> <p>Judge: 2013-2016          Judicial Council</p>

*Note: 2014-2015 Judicial Council appointments have not yet been announced*

**LEGAL SERVICES TRUST FUND COMMISSION  
COMMITTEE ASSIGNMENTS  
2013 - 2014**

**Eligibility and Budget Committee**

**Adrian Dollard, Chair (2014)**

Banafsheh Akhlaghi (2016)

Mark Conrad (2016)

Judge Faye D'Opal (2014)

Parrish Knox (2016 )

Richard Reinis (2014)

LaQuita Robbins (2016)

Kim Savage (2015)

Melanie Snider (2016)

Chen Song (2016)

Judge Jack Sutro, Jr. (2014)

**Partnership Grants Committee**

**Christina Stokholm (2014) Co-Chair**

Tamara Beard (2014)

Judge Michael Convey (2015)

Corey Friedman (2016)

Mollie Gomez (2016)

**Melissa White (2014) Co-Chair**

Donna Hershkowitz (2014)

Justice William Murray (2016)

Susan Ryan (2015)

Christian Schreiber (2016)

**2015 Calendar Year Grants by Program**

<u>Program Name</u>	<u>IOLTA Grant</u>	<u>IOLTA Formula - EAF Grant</u>
ADVANCING JUSTICE - ASIAN LAW CAUCUS	35,766	46,080
ADVANCING JUSTICE - LOS ANGELES	272,033	350,495
AFFORDABLE HOUSING ADVOCATES	7,587	9,776
AIDS LEGAL REFERRAL PANEL	10,042	12,938
ALAMEDA CO BAR VOLUNTEER LEGAL SERVICES	16,405	21,136
ALAMEDA COUNTY HOMELESS ACTION CENTER	39,339	50,686
ALLIANCE FOR CHILDREN'S RIGHTS	198,642	255,937
ASIAN PACIFIC ISLANDER LEGAL OUTREACH	22,111	28,489
BAY AREA LEGAL AID	192,457	247,969
BENCHMARK INSTITUTE	65,857	84,852
BET TZEDEK LEGAL SERVICES	322,036	414,922
CALIF. ADVOCATES FOR NURSING HOME REFORM	65,857	84,852
CALIF. RURAL LEGAL ASSISTANCE FOUNDATION	65,857	84,852
CALIFORNIA INDIAN LEGAL SERVICES, INC.	69,521	89,570
CALIFORNIA RURAL LEGAL ASSISTANCE, INC.	861,131	1,109,508
CALIFORNIA WOMEN'S LAW CENTER	65,857	84,852
CASA CORNELIA LAW CENTER	74,735	96,291
CENTER FOR HEALTH CARE RIGHTS	52,719	67,925
CENTER FOR HUMAN RIGHTS AND CONST. LAW	65,857	84,852
CENTRAL CALIFORNIA LEGAL SERVICES	402,271	518,298
CENTRO LEGAL DE LA RAZA	16,504	21,264
CHAPMAN	17,171	22,123
CHILD CARE LAW CENTER	65,857	84,852
CHILDREN'S RIGHTS CLINIC	5,200	6,699
COALITION OF CALIF. WELFARE RIGHTS ORGS.	65,857	84,852
COMMUNITY LEGAL SVCS. IN EAST PALO ALTO	26,123	33,657
CONTRA COSTA SENIOR LEGAL SERVICES	10,479	13,502
DISABILITY RIGHTS CALIFORNIA	959,441	1,236,181
DISABILITY RIGHTS EDUC. AND DEFENSE FUND	65,857	84,852
DISABILITY RIGHTS LEGAL CENTER	67,655	87,169
EAST BAY COMMUNITY LAW CENTER	53,734	69,232
ELDER LAW & ADVOCACY	59,680	76,894
FAMILY VIOLENCE APPELLATE PROJECT	65,857	84,852
FAMILY VIOLENCE LAW CENTER	16,024	20,646

Attachment C: Comparison of IOLTA and IOLTA-Formula EAF Grants for Calendar Year 2015

<b><u>Program Name</u></b>	<b><u>IOLTA Grant</u></b>	<b><u>IOLTA Formula - EAF Grant</u></b>
GREATER BAKERSFIELD LEGAL ASSISTANCE	194,369	250,431
HARRIETT BUHAI CENTER FOR FAMILY LAW	57,460	74,032
IELLA LEGAL AID PROJECT	47,867	61,674
IMMIGRANT LEGAL RESOURCE CENTER	65,857	84,852
INLAND COUNTIES LEGAL SERVICES	521,396	671,783
INNER CITY LAW CENTER	82,019	105,675
INSIGHT CENTER	65,857	84,852
JUSTICE AND DIVERSITY CENTER OF SAN FRANCISCO	43,472	56,010
LA RAZA CENTRO LEGAL	16,387	21,112
LAW FOUNDATION OF SILICON VALLEY	115,201	148,429
LAWYERS' COMMITTEE FOR CIVIL RIGHTS	44,569	57,426
LEARNING RIGHTS LAW CENTER	32,335	41,662
LEGAL AID FOUNDATION OF LOS ANGELES	402,285	518,317
LEGAL AID FOUNDATION OF SANTA BARBARA	39,520	50,920
LEGAL AID OF MARIN	19,631	25,294
LEGAL AID OF NAPA VALLEY	10,755	13,858
LEGAL AID OF SONOMA COUNTY	29,680	38,241
LEGAL AID SOCIETY OF ORANGE COUNTY	296,314	381,779
LEGAL AID SOCIETY OF SAN BERNARDINO	90,319	116,371
LEGAL AID SOCIETY OF SAN DIEGO	243,410	313,618
LEGAL AID SOCIETY OF SAN MATEO COUNTY	36,209	46,653
LEGAL AID SOCIETY-EMPLOYMENT LAW CENTER	145,033	186,864
LEGAL ASSISTANCE FOR SENIORS	16,489	21,245
LEGAL ASSISTANCE TO THE ELDERLY	5,001	6,444
LEGAL SERVICES FOR CHILDREN	27,484	35,410
LEGAL SERVICES FOR SENIORS	24,524	31,598
LEGAL SERVICES OF NORTHERN CALIFORNIA	476,399	613,807
LEGAL SVCS. FOR PRISONERS WITH CHILDREN	65,857	84,852
LOS ANGELES CENTER FOR LAW AND JUSTICE	27,468	35,390
LOS ANGELES COUNTY BAR ASSOCIATION PROJECT	25,575	32,950
MCGEORGE COMMUNITY LEGAL SERVICES	35,972	46,347
MENTAL HEALTH ADVOCACY SERVICES	24,819	31,978
NATIONAL CENTER FOR YOUTH LAW	65,857	84,852
NAT'L HEALTH LAW PROGRAM	65,857	84,852
NAT'L HOUSING LAW PROJECT	65,857	84,852

Attachment C: Comparison of IOLTA and IOLTA-Formula EAF Grants for Calendar Year 2015

<u>Program Name</u>	<u>IOLTA Grant</u>	<u>IOLTA Formula - EAF Grant</u>
NAT'L IMMIGRATION LAW CENTER	65,857	84,852
NAT'L SENIOR CITIZENS LAW CENTER	65,857	84,852
NEIGHBORHOOD LEGAL SERVICES	278,784	359,194
ONE JUSTICE	65,857	84,852
POSITIVE RESOURCE CENTER	15,040	19,378
PRISON LAW OFFICE	154,562	199,144
PRO BONO PROJECT SILICON VALLEY	35,298	45,479
PUBLIC ADVOCATES, INC.	108,534	139,842
PUBLIC COUNSEL	435,729	561,408
PUBLIC INTEREST LAW PROJECT	65,857	84,852
PUBLIC LAW CENTER	182,054	234,564
RIVERSIDE LEGAL AID	62,995	81,165
SAN DIEGO VOLUNTEER LAWYER PROGRAM	82,625	106,457
SAN JOAQUIN COLLEGE OF LAW	16,273	20,966
SANTA CLARA COUNTY ASIAN LAW ALLIANCE	22,394	28,853
SANTA CLARA UNIV. ALEXANDER LAW CENTER	23,701	30,538
SENIOR ADULTS LEGAL ASSISTANCE	10,282	13,248
SENIOR CITIZENS' LEGAL SERVICES	12,598	16,232
UC DAVIS SCHOOL OF LAW LEGAL CLINICS	43,353	55,858
USD SCHOOL OF LAW LEGAL CLINICS	67,035	86,370
VOLUNTARY LGL. SVCS. OF NORTHERN CALIFORNIA	52,344	67,442
WAGE JUSTICE CENTER	8,661	11,158
WATSONVILLE LAW CENTER	22,334	28,776
WESTERN CENTER ON LAW AND POVERTY	65,857	84,852
WORKSAFE INC.	65,857	84,852
YOUTH LAW CENTER	65,857	84,852
YUBA-SUTTER LEGAL CENTER FOR SENIORS	7,142	9,202
rounding	891	1,141
	<u>10,098,108</u>	<u>13,010,715</u>

**THE LEGAL SERVICES TRUST FUND PROGRAM  
EQUAL ACCESS FUND – PARTNERSHIP GRANTS  
2015 REQUEST FOR PROPOSAL**

**FORM A – PROJECT ABSTRACT**

1. **Project Name:** \_\_\_\_\_

2. **Program Name:** \_\_\_\_\_

3. **Program Contact:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **Email:** \_\_\_\_\_

4. **Amount Requested: \$** \_\_\_\_\_

5. **Cooperating Court:** \_\_\_\_\_

**Address, City, Zip:** \_\_\_\_\_

**Presiding Judge:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Other Court Contact  
and Title:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **Email:** \_\_\_\_\_

❖ If more than one court is cooperating on this project, provide the requested information for each additional court on the following page.

6. **Current Recipient of a Partnership Grant?**  Yes  No

Previous grant amounts (for this project only): 2009: \_\_\_\_\_

2010: \_\_\_\_\_

2011: \_\_\_\_\_

2012: \_\_\_\_\_

2013: \_\_\_\_\_

Attachment D: Partnership Grant Request for Proposal for 2015 Funding

\_\_\_\_\_

2014: \_\_\_\_\_

Partnership Grant funds remaining as of July 1, 2014: \_\_\_\_\_

**5. Cooperating Court(s): Continued**

**Cooperating Court:** \_\_\_\_\_

**Address, City, Zip:** \_\_\_\_\_

**Presiding Judge:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Other Court Contact and Title:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Cooperating Court:** \_\_\_\_\_

**Address, City, Zip:** \_\_\_\_\_

**Presiding Judge:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Other Court Contact and Title:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Cooperating Court:** \_\_\_\_\_

**Address, City, Zip:** \_\_\_\_\_

**Presiding Judge:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Other Court Contact and Title:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**(Abstract: Partnership Grant RFP Form A.)**

**7. Summary.** Provide a description of the core aspects of your proposed project.

**THE LEGAL SERVICES TRUST FUND PROGRAM  
EQUAL ACCESS FUND – PARTNERSHIP GRANTS  
2015 REQUEST FOR PROPOSAL**

**FORM B – PROJECT NARRATIVE**

**Program Name:** \_\_\_\_\_

**Project Title:** \_\_\_\_\_

1. Program’s Qualifications
  
2. Needs Assessment
  
3. Goals and Objectives
  
4. Types of Services
  
5. Evolution of the Project
  
6. Collaboration and Partnership with the Court
  
7. Site and Accessibility
  
8. Staffing, Training and Supervision

Attachment D: Partnership Grant Request for Proposal for 2015 Funding

9. Technology and Equipment

10. Litigant Eligibility and Subject Matter Screening

11. Collaborative Partners

12. Timetable

13. Independence of Existing Court Services

14. Serving Both Sides/Attorney Client Relationship/Conflicts

Do you plan to establish an attorney-client relationship?  Yes  No

**a.** Protocol for conducting conflict checks (if applicable).

**b.** Explanation for serving only one side of matter.

**c.** If serving both sides, state information provided to litigants regarding scope of services and lack of attorney-client relationship.

15. Referral Protocols

**a.** Procedures and protocols for information and referrals.

**b.** Services for ineligible patrons. Assurance of meaningful referrals.

## Attachment D: Partnership Grant Request for Proposal for 2015 Funding

16. Evaluation

17. Project Continuity

**THE LEGAL SERVICES TRUST FUND PROGRAM  
EQUAL ACCESS FUND – PARTNERSHIP GRANTS  
2015 REQUEST FOR PROPOSAL**

**FORM C – PROJECT ASSURANCES**

**Program Name:** \_\_\_\_\_

**Project Title:** \_\_\_\_\_

Applicant assures compliance with the following:

1. 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 of 2014, upon approval thereof, and any grant agreement it enters into with the Legal Services Trust Fund Program.
2. Applicant agrees to expend any grant funds solely on civil legal assistance to indigent self-represented litigants in California courts.
3. Applicant will not discriminate on the basis of race, color, national origin, religion, gender, handicap, age or sexual orientation.
4. Applicant will comply with quality control procedures adopted by the State Bar.
5. 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.
6. Applicant will comply with fiscal management and control procedures adopted by the State Bar.
7. Applicant agrees to consult with the Legal Services Trust Fund Program concerning media coverage of any project funded by a Partnership Grant.
8. 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.
9. 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

Attachment D: Partnership Grant Request for Proposal for 2015 Funding

extent applicant seeks to move some of the funding already committed to the project for use on other activities, then applicant will submit to the Commission an explanation of the need for the other activities, justifying the alternate use of the funds.

10. Applicant agrees it will cooperate with data collection processes or with research efforts of the Legal Services Trust Fund Program or the Administrative Office of the Courts to evaluate the Partnership Grants project.

Signed:

---

Executive Director  
Applicant Program

---

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

---

Print Name

---

Print Name and Title

---

Date

---

Date

**LEGAL SERVICES TRUST FUND PROGRAM  
EQUAL ACCESS FUND - PARTNERSHIP GRANTS  
2015 REQUEST FOR PROPOSAL**

**FORM D - PROJECT BUDGET**

<b>1. Program Name:</b>			
<b>Project Title:</b>			
<b>2. Prepared by:</b>			
<b>Email:</b>			<b>Phone/Ext:</b> <span style="border-bottom: 1px solid black;"></span>

ACCOUNT TITLE	PROPOSED PARTNERSHIP GRANT	OTHER TRUST FUND MONIES	NON-TRUST FUND MONIES	TOTAL	IN-KIND CONTRIBUTIONS (IF ANY)
<b>Personnel</b>					
3. Lawyers					
4. Paralegals					
5. Other Staff					
<b>6. SUBTOTAL</b>					
7. Employee Benefits					
<b>8. TOTAL PERSONNEL</b>					
<b>Non-Personnel</b>					
9. Space					
10. Equipment Rental & Maintenance					
11. Office Supplies					
12. Printing & Postage					
13. Telecommunications					
14. Technology					
15. Program Travel					
16. Training					
17. Library					
18. Insurance					
19. Audit					
20. Capital Additions					
21. Evaluation					
22. Contract Service to Clients					
23. Contract Service to Organization					
24. Other					
<b>25. TOTAL NON-PERSONNEL</b>					
<b>26. TOTAL</b>					
27. Projected Carry-Over Funds					
<b>28. Total Amount of Funds Available</b>					

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

End of worksheet

**THE LEGAL SERVICES TRUST FUND PROGRAM  
EQUAL ACCESS FUND – PARTNERSHIP GRANTS  
2015 REQUEST FOR PROPOSAL**

**FORM E - BUDGET NARRATIVE**

**Program Name:** \_\_\_\_\_

**Project Title:** \_\_\_\_\_

[See pages 10 through 12 of the Instructions for explanations of the expense categories listed on Form D.]

**THE LEGAL SERVICES TRUST FUND PROGRAM  
EQUAL ACCESS FUND – PARTNERSHIP GRANTS  
2015 REQUEST FOR PROPOSAL**

**FORM F – SUPPORT FROM COOPERATING COURT**

**Program Name:** \_\_\_\_\_

**Project Title:** \_\_\_\_\_

**A. Letter of Support**

Attach a Letter of Support signed by the **Presiding Judge** of each court cooperating on the proposed project. If the project will serve one side only, the court’s letter must confirm its support for such a program and clearly indicate that it understands the nature of the planned services.

Status of Letter:

- Signed by Presiding Judge and attached  
 Will be sent to Trust Fund Program no later than September 12, 2014

**B. Memorandum of Understanding**

All applicants must provide a copy of a formal agreement with the cooperating court setting forth the duties and responsibilities of each party as regards this project. This agreement should reflect all financial or in-kind support to be provided by each party, and all logistical and administrative matters reflected in the proposal.

**New Projects:** A Memorandum of Understanding with the cooperating court need not be included with the submission of a completed proposal for a **new project**. However, successful applicants must submit a fully-executed MOU to the Trust Fund Program no later than December 19, 2014. Grant funds will not be disbursed without receipt of a fully-executed agreement.

**Continuing Projects** must attach a copy of the Memorandum of Understanding now in effect. Identify any changes proposed for the upcoming term of the agreement and the reasons for such changes. Revised MOUs may be submitted subsequent to the Commission’s approval of a Partnership Grant, but no later than December 19, 2014.

Status of MOU:

Attachment D: Partnership Grant Request for Proposal for 2015 Funding

- Continuing MOU is enclosed and will be effective from January 1, 2015 through December 31, 2015.
- A new, fully-executed MOU is enclosed.
- A fully-executed MOU will be provided to the Trust Fund Program no later than December 19, 2014.

**THE LEGAL SERVICES TRUST FUND PROGRAM  
EQUAL ACCESS FUND – PARTNERSHIP GRANTS  
2015 REQUEST FOR PROPOSAL**

<p><b>FORM G STATUS REPORT FOR 2014 PROJECTS</b></p>
--

**Program Name:** \_\_\_\_\_

**Project Title:** \_\_\_\_\_

1. Are you applying for continued funding for the project listed above?

Yes  No

**If yes, you must complete this form.**

2. Describe the primary service goals and objectives for your project in 2014.

3. Are you on track to achieve the goals described above?

Yes  No

If not, please explain the factors that have affected your project's operations.

4. Please complete the table below, as applicable to your project.

<b>Services and Resources</b>	<b>Projections</b>	<b>Actual as of July 1, 2014</b>
Clinics/Workshops Conducted (Classroom Setting)		
→ Number of Individuals Served		
Training Sessions Conducted		
→ Number of Trainees		
Assistance to Individual Litigants		
Information to Individual Litigants		
Resource Materials Developed		
Other:		

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

PARTNERSHIP GRANT HIGHLIGHTS

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
1.	BAY AREA LEGAL AID	Contra Costa Housing Law Clinic	Contra Costa	Fourth year	The Clinic provides information, assistance, and referrals to low-income self-represented litigants (landlords and tenants) with legal issues related to landlord-tenant and unlawful detainer law. Assistance provided includes information on landlord and tenant rights and obligations, information on the UD process, document preparation for UD Judicial Council pleadings and other common pleadings, such as applications for a temporary stay of eviction, assistance with the submission and filing of the forms, and referrals to other social and legal service providers.	\$55,000
2.	BAY AREA LEGAL AID	San Mateo County Consumer Debt Clinic	San Mateo	New Applicant	Once-a-week Consumer Debt Clinics beginning with a 30-minute Know Your Rights presentation followed by one on one meetings with litigants to assist litigants preparing and filing answers, understanding and conducting settlement negotiations and ramifications, preparing discovery responses and responses to motions, preparing responses to dispositive motions.	\$60,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
3.	BET TZEDEK LEGAL SERVICES	Building Community & Expanding Access to Legal Services in L.A. County	Los Angeles	Third year	<p>Legal access to conservatorships will be expanded via two delivery models.</p> <ul style="list-style-type: none"> <li>■ The capacity of existing self-help clinics will be increased through integration of pro bono attorneys who will review documents prepared by Bet Tzedek staff and conduct “group signings” of completed petitions at various locations throughout the county.</li> <li>■ Technology will be utilized to expand access to litigants in remote locations. Bet Tzedek and the Judicial Council have worked to complete the development of a computer program that will allow litigants to prepare the necessary forms on their own, with remote assistance provided by BT. Once finalized, the software program will be loaded on computers in the Antelope Valley Courthouse’s Self-Help Center.</li> </ul>	\$75,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
4.	CENTRAL CALIFORNIA LEGAL SERVICES, INC.	Elder Abuse Prevention and Conservatorship Project	Fresno	Sixth year	The project provides services to self-represented petitioners and respondents and includes information and guidance on the necessary steps to obtain an elder abuse restraining order or conservatorship. Using the "Bet Tzedek model," besides preparing the documents and assisting with filing and preparing litigants for their court appearances, it serves the notices of hearing and proof of service, reviews the court's minute orders and submits the Order Appointing Probate Conservator, helps obtain enforceable orders after hearing, and obtains certified copies for litigants.	\$58,000
5.	CENTRAL CALIFORNIA LEGAL SERVICES	Tenant/Landlord Housing Law Project	Fresno	New Project	The Tenant/Landlord Housing Law Project would provide legal information to landlords and tenants. Each month, two one-hour workshops would be offered to landlords; the first would provide general information only. Landlords needing further assistance with unlawful detainers and form completion would be required to return to a second workshop. Similarly, tenants would be provided monthly workshop on rights and responsibilities and other housing topics not related to UDs. Two half-day clinics sited at CCLS' office (at least initially) will help tenants with UD matters.	\$50,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
6.	COMMUNITY LEGAL SERVICES IN EAST PALO ALTO	San Mateo County Unlawful Detainer Mandatory Settlement Conference	San Mateo	Second Year	The Mandatory Settlement Conference Project in San Mateo County provides both parties in an unlawful detainer action the opportunity to resolve their disputes without the pressure and risk of misunderstandings that make the trial stage so acrimonious and potentially harmful. CLSEPA staff members and volunteers offer individualized, on-site legal guidance to tenants who are representing themselves in mandatory settlement conferences. The project also employs a contract attorney to offer assistance to self-represented, indigent landlords	\$50,000
7.	EAST BAY COMMUNITY LAW CENTER	Civil Justice Self Help Project	Alameda	Second Year	This project will conduct clinics on eviction and housing assistance and consumer debt and defense. The project will provide legal intervention where low-income litigants are facing potentially life-changing consequences such as the loss of their homes, wage garnishments, or termination of employment. Each clinic will be staffed by a team of cross-training advocates to do legal problem solving for immediate issues and also interrelated legal issues. At these workshops, legal advocates will provide one-on-one counseling with participants, under the supervision of attorneys. Litigants will be seen on an appointment basis. A trained paralegal will do screening once space allows.	\$65,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
8.	ELDER LAW & ADVOCACY	Imperial Court Bilingual Conservatorship/ Guardianship Clinic	Imperial	Seventh year	In 2008, Elder Law & Advocacy and the Probate Department of the Superior Court of California created a conservatorship/guardianship clinic to assist self-represented litigants through the pro per conservatorship and guardianship processes. Unrepresented litigants received help through every step, from their initial meeting with the Clinic's attorney through the paperwork to be filed after the final hearing on their matter. The ICCP staff attorney will help to ensure that indigent self-represented litigants have the information they need post-hearing to understand the duties and responsibilities mandated by the orders of the court. This will help them to avoid preventable conflicts over the wording of vague orders, and the need to request future hearings because of these conflicts.	\$20,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
9.	FAMILY VIOLENCE LAW CENTER	Domestic Violence Self-Representation Assistance	Alameda	Fifth year	The DVSRA Project is a collaborative project of the Family Violence Law Center (FVLC), Alameda County Bar Association Volunteer Legal Services (VLSC), and the Self-Help Center of the Alameda County Superior Court (SHC). The DVSRA Project provides paperwork assistance for pro per petitioners and respondents seeking to file or respond to petitions for temporary restraining orders. FVLC and VLSC hold a joint weekly Domestic Violence Petitioner Clinic for DVPA petitioners at the Alameda County Law Library-Hayward Branch. VLSC also conducts clinics for respondents, and the SHC assists both petitioners and respondents who may not be served by the clinic model.	\$20,000
10.	IELLA LEGAL AID PROJECT	Small Claims Advocacy and Awareness Project (SCAAP)	Riverside, San Bernardino	Third year	SCAAP will conduct an all-day clinic at four locations each month. Clinics held at the San Bernardino Self Help Center will be conducted in Spanish. The clinics will focus on how to present a case in Small Claims Court and what happens after a hearing. The service model of the project will be three-session, all-day clinics: How to Present Your Claim (informational session); What Happens After Court (informational session); What Happens After Court Document Preparation Clinic	\$25,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
11.	JUSTICE & DIVERSITY CENTER	Family Law Assisted Self-Help Project (FLASH)	San Francisco	Fifth year	Information and assistance on family law issues (dissolution, separations, annulments, paternity, custody, visitation, support). Service delivery includes three substantive modes - mediation between self-represented litigants to assist in the resolution of custody and support issues, in-depth assessment through 1:1 appointments, and more extensive assistance for those with particularly complex matters. For Spanish monolingual customers, simple and complex matters are addressed.	\$45,000
12.	LEGAL AID FOUNDATION OF LOS ANGELES	Long Beach Self-Help Legal Access Center	Los Angeles	Second year	The Long Beach court has been designated one of the five Unlawful Detainer hubs. Additionally, the Self-Help Center provides individual assistance for family law, divorce, domestic violence issues (52%), housing (36.5%), civil complaints and harassment (6.5%) and civil complaints and debt collection matters (5%). Workshops will be conducted in the following areas: unlawful detainer, dissolution, and parentage, with some workshops provided in Spanish and Cambodian.	\$80,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
13.	LEGAL AID OF MARIN	Mandatory Settlement Conference Calendar -Unlawful Detainer	Marin	Fourth year	The Marin UD-MSC Calendar is held every other Thursday. Court staff email the calendar to Legal Aid of Marin (“LAM”) on Tuesday to give the program time to check for potential conflicts, to contact parties who may have been clients of LAM, and to schedule pro bono attorneys for the UD-MSC Calendar. Staff and volunteer attorneys provide face-to-face negotiations with all parties authorized to settle the matter prior to trial. Settlements are confirmed on the record and memorialized in writing. Stipulations after the MSC, should it be unsuccessful, can also be drafted on behalf of the settling parties if they are both self-represented.	\$45,000
14.	LEGAL AID OF NAPA VALLEY	Small Claims Assistance Project	Napa	Fourth year	The Small Claims Assistance Project provides in-person assistance regarding Small Claims Court matters in both English and Spanish. At each clinic, a LANV attorney is available to answer specific questions and offer personal assistance to individuals involved in small claims matters. This assistance includes helping individuals determine if they a claim that meets the small claims criteria, the documentation necessary to support or defend a claim, appropriate service of parties and preparedness for the court hearing.	\$25,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
15.	LEGAL AID SOCIETY OF ORANGE COUNTY	Consumer Debt Workshop	Los Angeles	New Project	This workshop will be provided on a weekly basis and will be conducted by a CLS contract attorney. The workshop will be additionally staffed by one bilingual paralegal and one or more credit counsellors. The workshop will offer a 30-minute informational PowerPoint, detailing the collections process both before and during litigation, in addition to posting judgment issues. The presentation will be followed by a question and answer period. All participants will be offered the opportunity to meet one-on-one with one of the workshop facilitators for in-depth counseling regarding the specific concerns relating to debt collection.	\$65,000
16.	LEGAL AID SOCIETY OF ORANGE COUNTY	Limited Conservatorship Clinic	Orange	Fourth year	Services will be provided to individuals seeking assistance with a limited conservatorship. One educational workshop and one follow-up clinic will be held each month at the courthouse. In the introductory workshop a volunteer attorney will provide a general overview of limited conservatorships. The attorney will also distribute and explain the pleadings necessary to file for a limited conservatorship. In the second clinic, LASOC staff and volunteers will provide assistance with completing the necessary court forms. Case	\$25,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
					files will be opened and advice, counsel, and limited assistance will be given.	
17.	LEGAL AID SOCIETY OF ORANGE COUNTY	Unlawful Detainer Clinic	Orange	Second year	This clinic will serve pro per litigants facing eviction with an overview of the eviction process and help complete responsive pleadings. E-filing will be encouraged. A general informational workshop will be provided three days a week, and two days a week selected and qualified litigants will receive direct assistance and advice during one-on-one clinics, including forms assistance and review of prior-completed forms.	\$50,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
18.	LEGAL AID SOCIETY OF SAN DIEGO, INC.	Civil Harassment & Elder Abuse Restraining Order Program at the HOJ	San Diego	Second year	The proposed program will offer assistance with completion of Civil Harassment and Elder Abuse court forms, formulation of an accurate declaration of facts, and provide users with information and options relating to their cases. Services will be offered on a one-on-one basis for those petitioning for or responding to Civil and Elder Abuse TROs. The project will go beyond the confines of the clinic and offer outreach presentations at local schools, libraries and community centers on neighborhood, elder and school violence, TROs and alternatives to TROs such as creative problem solving and mediation and will provide pro bono mediation services. The outreach and mediation components in 2015 will focus on the elderly community and on low-income youth and schools around the county.	\$60,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
19.	LEGAL AID SOCIETY OF SAN DIEGO, INC.	Conservatorship Assistance Project	San Diego	Third year	The project will run on a facilitator-type model and assist self-represented litigants with petitions for Conservatorship of the Person. Bilingual and bicultural staff and volunteers will provide one-on-one services on a “first-come first-serve” basis four half days per week. Assistance will, include help in correcting defects in the petition before filing and assistance after the hearing with additional forms and paperwork. The project will implement new Hot Docs software to allow volunteer attorneys to complete forms for clinic participants in their own offices.	\$55,000
20.	LEGAL SERVICES OF NORTHERN CALIFORNIA	Civil Harassment and Small Claims Mediation Project	Butte	Fourth year	The court refers eligible litigants to day-of-trial mediation for matters on the Civil Harassment and the Small Claims calendars. If an agreement is reached, a settlement agreement form is completed, signed by the litigants and filed with the court. If the case is not resolved, the case proceeds to trial with instructions from the attorney-mediators on next procedural steps. A wide range of underlying issues can also be addressed, often eliminating or reducing need for additional litigation. Opposing parties have concrete understandings of their respective obligations following the mediation.	\$30,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
21.	LEGAL SERVICES OF NORTHERN CALIFORNIA	Mother Lode Pro Per Project	Amador, Calaveras, El Dorado, Placer	Fourth year	The "road lawyer and paralegal" circuit ride to the clinic sites to provide one-on-one assistance in foreclosure, unlawful detainer, debt collection, general civil, small claims, family law as well as probate, guardianship and grandparent issues. Litigants are assisted in form completion, filing and preparation of orders after hearing.	\$55,000
22.	LEGAL SERVICES OF NORTHERN CALIFORNIA	Guardianship and Clean Slate Project	Mendocino	New Project	The project will provide one-on-one form completion and hearing preparation assistance by appointment to persons seeking guardianships and records clearing. Appointments would be primarily held at the Ukiah Self-Help Center, with monthly workshops followed by one-one-one assistance in the Ft Bragg courthouse. Patrons would be provided with information and checklists and would be encouraged to return for any further assistance. Educational legal workshops would be conducted at the SHLA. Outreach and community legal education are contemplated for senior centers, vocational rehabilitation centers, etc. Outreach to Latino and Native American communities, the disabled and elderly would be prioritized.	\$32,635

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
23.	LEGAL SERVICES OF NORTHERN CALIFORNIA	Consumer Assistance Project	Yolo	Sixth year	This clinic provides assistance with forms and pleadings assistance, discovery and settlement letters. Counseling and coaching, pre-trial and trial preparation is offered to litigants with consumer-related problems to prepare them to self-represent in court or resolve problems before trial, and to steer them toward long-term solutions. Specific areas of focus include disputed debts, credit agency errors, and identity theft. Litigants return for ongoing assistance due to complicated process required to resolve these matters. Services are available in Spanish.	\$55,000
24.	NEIGHBORHOOD LEGAL SERVICES OF LOS ANGELES COUNTY	Chatsworth Consumer Debt Relief	Los Angeles	Third year	NLSLA's self-help answer workshops help debtors facing consumer debt collection lawsuits make informed decisions about filing an answer. If they decide to file, assistance is provided in the preparation of the answer as well as all other required forms. NLSLA will conduct Consumer Debt Answer Workshops three times a month and a once-monthly Claim of Exemption Hearing Preparation Workshop.	\$40,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
25.	NEIGHBORHOOD LEGAL SERVICES OF LOS ANGELES COUNTY	Pasadena Unlawful Detainer Assistance Project	Los Angeles	Second Year	NLSLA seeks funding to resume its co-operation of the Self-Help Center in the Pasadena Courthouse and provide services to self-represented litigants with unlawful detainer matters. NLSLA plans to offer comprehensive self-help assistance in housing matters, family law matters and other civil areas. Project staff will help litigants prepare court forms and understanding court procedures and rules in English and other languages.	\$70,000
26.	PRO BONO PROJECT SILICON VALLEY	Family Court Settlement Project	Santa Clara	Fifth year	The Family Court Settlement Project will provide mediation and negotiated settlement services to parties who have filed or have responded to a Request for Order concerning custody and visitation in Santa Clara County Family Court. The Project will provide volunteer attorneys with backup staff attorneys to be available at self-represented Law and Motion Calendars. Attorneys will provide legal services to both the moving and responding party. The attorneys will meet individually with the parties and then meet jointly in a four party meeting to arrive at a settlement. If no settlement is possible, they will narrow the issues for the Court. A stipulated order will be prepared to implement the agreement and the attorneys will appear in court to present the stipulation for approval and signature(s).	\$30,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
27.	PUBLIC COUNSEL	Pro Per Guardianship Clinic	Los Angeles	Second year	The Clinic offers counsel and advice to pro per litigants about guardianships, visitation petitions, objections to guardianships, and numerous other guardianship issues including blocked accounts, dependency court orders, orders to show cause, ex parte applications, and probate court orders of factual findings for Special Immigrant Juvenile Status (SIJS) visa applicants. Clinic attorneys assist with document preparation, review pleadings prepared by pro per litigants, provide instructions on notice requirements, and advice on appearing in court.	\$60,000
28.	PUBLIC LAW CENTER	Orange County Expanded Domestic Violence Assistance Project	Orange	Second year	The Expanded Domestic Violence Assistance Project uses pro bono attorneys and trained law students to assist domestic violence victims write the declarations that accompany restraining orders. There is a delay in the implementation of a clinic at the court services facility in south Orange County to help self-represented domestic violence victims complete and electronically fax file restraining order requests following that courthouse's closure. PLC is exploring the possibility of assisting elder abuse victims in south county.	\$45,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
29.	PUBLIC LAW CENTER	“Finish My Case” Workshops	Orange	Third year	In 2015, PLC proposes to transition management of the series of three Dissolution-related workshops that have been funded by Partnership Grants to the Self-Help Center staff. For 2015, based on assessment of greater need, PLC would instead create a “Finish My Case” workshop that will provide individualized help, primarily for Spanish speaking litigants who cannot complete their dissolution through regular workshops and require additional, individualized assistance. These workshops will be held twice a week, serving 10 litigants per clinic referred by the court. Pro bono attorneys will be recruited to augment assistance offered by bilingual staff.	\$40,000
30.	SAN DIEGO VOLUNTEER LAWYER PROGRAM	North County Civil Harassment/Unlawful Detainer Self-Help Clinic	San Diego	Second year	The CHRO/UD provides advice and assistance in UD and civil harassment restraining order processes. Assistance includes completion of all necessary documents, information and advice regarding filing and service, legal rights and responsibilities of unlawful detainers, consequences of the CHTRO, trial preparation and potential resources for legal advocacy or assistance at the hearings. Civil Harassment assistance is provided on a one-on-one basis. Staff has Spanish language capacity and materials are available in Spanish. Legal services are	\$60,000

Attachment E: Highlights of Recommended Partnership Grant Projects for 2015

2015 PARTNERSHIP GRANT RECOMMENDATIONS						
NO.	PROGRAM LEGAL NAME	PROJECT NAME	COUNTY	NEW OR RETURNING APPLICANT	DESCRIPTION	PROPOSED ALLOCATION
					delivered by volunteer attorneys and law students overseen by a staff attorney and a managing attorney to supervise to the legal work.	
	TOTAL OF ALL GRANTS					\$1,445,635.00

F: sample grant agreements, IOLTA-Formula and Partnership

GRANT AGREEMENT

THE STATE BAR OF CALIFORNIA

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

This Grant Agreement is made as of October 1, 2013, (the “Effective Date”) between The State Bar of California (“State Bar”), a California public corporation, and <PROGRAM NAME>, 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 a grant under the Program and the Fund for the period commencing on October 1, 2013 and ending on September 30, 2014 (“Grant Period”).

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

AGREEMENTS

1. Pursuant to the Program and Fund and in reliance upon the promises and representations made by Recipient, State Bar grants to Recipient \$<GRANT AMOUNT> (“Grant Amount”).
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

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

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;

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

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.

Attachment F: IOLTA-Formula and Partnership Grant Agreement Exemplars

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 94105-1617  
Attention:       Stephanie L. Choy, Managing Director  
                  Legal Services Trust Fund Program

Recipient:       <GRANTEE NAME>  
                  <GRANTEE ADDRESS>  
                  <GRANTEE CITY STATE ZIP>

Attention:       <PROGRAM DIRECTOR>  
                  <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 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.

Attachment F: IOLTA-Formula and Partnership Grant Agreement Exemplars

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

THE STATE BAR OF CALIFORNIA

RECIPIENT

By \_\_\_\_\_  
Mary Lavery Flynn  
Senior Director, Legal Services Outreach

By \_\_\_\_\_  
<PROGRAM DIRECTOR>  
<TITLE>

DATE: \_\_\_\_\_, 2013

DATE: \_\_\_\_\_, 2013

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

By \_\_\_\_\_  
Print Name \_\_\_\_\_  
Print Title \_\_\_\_\_

DATE: \_\_\_\_\_, 2013

DATE: \_\_\_\_\_, 2013

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, 2014 (the "Effective Date"), between The State Bar of California ("State Bar"), a California public corporation, and <GRANTEE NAME>, a California nonprofit corporation ("Recipient").

RECITALS

Pursuant to California Business and Professions Code Section 6210-6228 (the "Act"), the Rules of the State Bar of California, Title 3, Division 5, Chapter 2 regarding the Legal Services Trust Fund Program (the "Rules") and The State Bar of California Legal Services Trust Fund Program General Grant Provisions (the "Grant Provisions"), 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 Partnership Grant from the Fund, pursuant to the Request for Proposals for Partnership Grants Component of Equal Access Fund issued by the Legal Services Trust Fund Commission. As part of the Proposal for Partnership Grant, Recipient has completed, executed and submitted to State Bar, Assurances, Attachments, and a Proposed Budget (collectively, including the Proposal for Partnership Grant, 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 under the Program and the Fund for the period commencing on January 1, 2014 and ending on December 31, 2014 ("Grant Period").

The Board of Directors, the officers and similarly empowered staff of Recipient have read and understand the Act, Budget Act, Rules, the Grant Provisions and the Proposal Materials. Recipient has familiarized its staff with the requirements of the Act, Budget Act, Rules, the Grant Provisions and the Proposal Materials.

AGREEMENTS

1. Pursuant to the Program and Fund and in reliance upon the promises and representations made by Recipient, State Bar grants to Recipient \$<GRANT AMOUNT> ("Grant Amount") for your Northern San Mateo County Restraining Order Clinic.

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

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

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 30 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.

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 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 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 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

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

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

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 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, and shall provide the 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:

Attachment F: IOLTA-Formula and Partnership Grant Agreement Exemplars

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: <GRANTEE NAME>  
<GRANTEE ADDRESS>  
<GRANTEE CITY STATE ZIP>

Attention: <PROGRAM DIRECTOR>  
<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 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 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.

Attachment F: IOLTA-Formula and Partnership Grant Agreement Exemplars

THE STATE BAR OF CALIFORNIA

By \_\_\_\_\_  
Kelli Evans  
Director, Legal Services

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

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

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

RECIPIENT

By \_\_\_\_\_  
<PROGRAM DIRECTOR>  
<TITLE>

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

By \_\_\_\_\_  
Name \_\_\_\_\_  
Chairperson or identify title:

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