

Equal Access Fund

A REPORT TO THE
CALIFORNIA LEGISLATURE

MARCH 2005



ADMINISTRATIVE OFFICE
OF THE COURTS

CENTER FOR FAMILIES, CHILDREN
& THE COURTS

**Equal Access Fund:
A Report to the California Legislature**

Judicial Council of California
Administrative Office of the Courts
Center for Families, Children & the Courts
March 2005



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& THE COURTS

Judicial Council of California
Administrative Office of the Courts
Center for Families, Children & the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3688

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EQUAL ACCESS FUND: A REPORT TO THE CALIFORNIA LEGISLATURE

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due those legal aid advocates from around the State who enthusiastically joined the “frequent evaluators club.” We hope that this process has been as helpful for them as it has been informative for us.

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EXECUTIVE SUMMARY AND KEY FINDINGS

By creating the Equal Access Fund in 1999, the Legislature has made an important contribution towards achieving equal justice in California. 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. In recognizing the need and establishing the Equal Access Fund under the Judicial Council, the California Legislature joined 37 other states in providing funds to address the need for civil legal aid. The ten million dollars per year that it provides, and its effective use by legal aid providers working with local courts, has helped California become a national leader in ensuring equal access to justice in its courts.

The Equal Access Fund provides a crucial supplement to other public and private funds available in California for the 99 nonprofit legal aid providers striving to meet the civil legal needs of the low-income, the elderly, and people with disabilities. Ninety percent of the Equal Access Fund grants to providers go directly to free civil legal services for these clients. The remaining 10 percent support court-based self-help centers run by legal aid providers in partnership with local courts.

Although the total available funding falls far short of the need found by the recent *Path to Equal Justice* report, thousands of low-income Californians who would otherwise have gone unassisted have received legal help since 1999 because of the Equal Access Fund.

This report responds to the following charge from the Legislature:

The Judicial Council shall report to the Joint Legislative Budget Committee no later than March 1, 2005 on the efficiency and effectiveness of the operations of programs funded from the Equal Access Fund including an assessment of the program's success in meeting the unmet needs of unrepresented litigants. In addition, the report shall include

"I came to this place when I was confused, desperate and nobody could give me any advice. My family was under violent situations day to day. This place was helpful to me and my sons. I'm thankful for this legal aid office, I don't have enough words to express how different we live, and I just have to recognize their valuable help."

—Domestic violence victim



Eighty-five-year old Alma is confined to her bed and needs 24-hour assistance because of a hip condition. A live-in caregiver, Connie, handled her finances, and a second caregiver looked after her in the evenings. Over time, Connie became verbally abusive toward Alma, and one day she simply left for the day without feeding her. The evening caregiver arrived and found Alma terrified and hungry.

The county Adult Protective Services Agency contacted a legal aid attorney. The attorney prepared a restraining order petition that day, went to Alma's home that evening to get her signature, and by the next morning had an order for the police to remove Connie from Alma's home. Subsequently, it was discovered that Connie had been taking money from Alma's accounts, and the matter was referred to the district attorney's office for prosecution.

recommended changes to the program to increase efficiency and effectiveness.

The report concludes that nonprofit legal aid providers have efficiently and effectively used their grants to provide legal assistance to some of the neediest Californians, but that there remains a tremendous unmet need.

Key Findings

1. The Equal Access Fund improves the lives of vulnerable Californians.

Equal Access Fund projects provide help to low-income Californians and others who are the most vulnerable to injustice. Among those served are indigent people, the working poor, members of ethnic minorities, children, people who live in isolated rural areas, veterans, those with limited English proficiency, abused women, people with disabilities, the institutionalized, and the frail elderly.

Nonprofit legal aid providers address varied and complex legal and human needs. The legal assistance received by low-income Californians reflects the range of challenging problems they face. Equal Access Fund projects provide legal assistance to ensure the safety and security of children and families, protect threatened homes, maintain needed income, and gain access to required health care.

Legal aid providers collaborate, form partnerships, and build relationships with one another to help clients solve their problems. Serving the needs of low-income people in California requires innovative models of collaboration and partnership. The Equal Access Fund has supported efficiency and effectiveness through better coordination among legal aid providers as well as through relationship-building with the broader community.

Low-income Californians are better educated about their legal rights and responsibilities. To use resources efficiently, Equal Access Fund grants are often employed to educate clients about their rights and legal procedures. Many projects give clients the tools necessary to advance their own cases and address issues in their communities, providing additional help as needed to achieve a just resolution of their problems.

2. Thoughtful and innovative delivery systems have been implemented to stretch Equal Access Fund dollars and maximize services to clients.

Services are closely tailored to meet client needs. Maximum benefits are produced most efficiently by providing a continuum of service, from advice and referral through self-help assistance and limited representation to full administrative, trial, and appellate representation. By providing only as much representation or assistance as people need, and helping them solve their own problems to the extent they are able, Equal Access Fund grantees make the most of scarce resources and assist clients to take control of their own lives.

Pro bono services provided by volunteer attorneys are expanded. Many nonprofit legal aid providers use volunteer attorneys to augment the services they provide. Projects supported by the Equal Access Fund recruit, train, and supervise volunteer attorneys in order to expand existing services to clients and extend services to a wider range of legal problems that clients typically face.

Effective use of technology leverages scarce resources. The Equal Access Fund leverages resources by increasing the effective use of technology within the delivery system. Many projects use Web and other technologies to increase the reach and the impact of direct services. These innovative projects include a statewide resources and referral Web site; telephone hotline systems that extend program services to outlying areas; and software tools that enable clients to understand and prepare their own letters, affidavits, and pleadings, and to file for the Earned Income Tax Credit.

The network for providing legal help to low-income people is strengthened. The fund fosters partnerships among providers and allows them to join with other community-based organizations, the court system, executive branch agencies, and private law firms in providing a range of assistance to low-income Californians and their communities that would not otherwise be available.

3. The Equal Access Fund strengthens, expands, and is efficiently incorporated into the legal aid delivery system.

Skilled staff members provide direct service to clients. Virtually all Equal Access Fund money pays for staff who provide either direct services to clients or back-up support, such as training, advocacy materials, and assistance with major litigation.

Scarce resources combine to further increase assistance to clients. Most Equal Access Fund projects combine funding from

Carmen, a Spanish-speaking mother with young children, paid \$800 a month to live in a garage with no bathroom, running water, or insulation. The landlord's bathroom was useable at the landlord's discretion. When her landlord evicted her and threw her belongings in the gutter, Carmen went to a legal aid office. Advocates counseled her on her rights, recovered her lost rent and moving costs, and assisted Carmen in finding safe, affordable housing.

“California has achieved phenomenal progress in a few short years. California is still the leading force in caring, support, and concern for justice issues that affect low-income people. We at LSC are truly indebted to the leadership and support of our programs in California from the State Bar of California, the Access to Justice Commission, the Legal Services Trust Fund Commission, and the Legal Aid Association of California.”

—Anh Tu
Senior Program Counsel,
Office of Program
Performance,
Legal Services Corporation

multiple sources to create larger and more stable service delivery systems. They further expand the funded services by partnering with other organizations and the courts, and by making extensive use of volunteer attorneys and law students.

Grants are administered efficiently. Equal Access funds are efficiently distributed using an existing system set up by the State Bar of California's Legal Services Trust Fund Program, and overseen by the Judicial Council. This system ensures effectiveness by granting funds to well-established, respected nonprofit legal aid providers using widely recognized quality control systems to ensure maximum efficiency.

Evaluation improves services to clients. The ability to document and evaluate legal aid efforts, while still in the early stages of development in most programs around California (and indeed the country), is growing. Also growing rapidly is the understanding that high-quality evaluation efforts can be economically undertaken and provide valuable information to improve the effectiveness and efficiency of service delivery to clients. The process of preparing this report has identified and supported some of the most comprehensive and creative of those evaluation efforts, many of which are being followed around the country.

Clients consistently report high levels of satisfaction with the assistance they get from nonprofit legal aid providers. Across a wide range of services and issues addressed, the clients surveyed reported very high levels of satisfaction with the help they received. When asked about areas of improvement, clients usually responded by suggesting the services or hours be expanded.

4. 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.

Low-income unrepresented litigants obtain increased access to courts. The move toward providing self-help or limited-scope services, if appropriate, is gaining momentum and includes the enthusiastic participation of many courts. In addition to the Equal Access Fund partnership grants specifically earmarked for that purpose, legal aid providers have allocated non-partnership grant Equal Access money to self-help centers, along with funds they receive from other sources. Courts contribute scarce resources such as staff time, office space, computers, copiers, telephones, and money.

Self-help services have saved resources. Judges and court personnel express widespread support for partnership grant self-help

Jody, the oldest of five, took in her younger siblings, Debbie, Zack, Austen, and Katie. The four had been neglected and abused, frequently going without food and shelter. A relative had molested Debbie. They had moved seven times in five years, often missing school. Jody contacted a legal aid office, and advocates helped her obtain guardianships. Now the children live in a stable environment and are excelling in school. Zack participates in a gang prevention program, where he receives counseling and participates in community service.

centers, which allow many more low-income persons to be served efficiently and fairly by the courts. Court staff report that working in partnership with legal aid providers helps them to identify systemic problems for low-income people that can be addressed by changes in the way the court functions. Ultimately these changes may positively impact all litigants.

Court services are streamlined through coordination among those working with the court system. The state judicial system, legal aid providers, law libraries, local volunteer attorneys, and other groups are working together to improve access to justice for all Californians regardless of income or language ability. These coordinated efforts help identify gaps in service and avoid duplication of effort, which is crucial given the lack of adequate resources.

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

Legal aid providers cannot meet the demand for help. The recent *Path to Equal Justice* report found that only 28 percent of the legal needs of low-income Californians were being met, and that statewide there are some 10,000 low-income people per legal aid attorney.

Funding has not kept up with the escalating poverty rate in California. Since 1989 California has consistently had a higher poverty rate than the national average. The situation for children is even worse since California alone accounts for the net national increase of 800,000 children in poverty since the late 1980’s. Limited funding and increasing numbers of eligible clients hamper the efforts of legal aid providers to serve the most critical legal needs confronting their clients and their ability to help make the judicial system work more fairly and efficiently.

Existing court-based self-help centers meet only a small portion of the unmet need. The partnership grants established by the fund have filled a great need, but the requests for assistance far outstrip the resources available. The 25 self-help centers created, expanded or improved by the Equal Access Fund over the past five years cover only a small fraction of the court locations throughout California. The centers that exist lack the resources to stay open during all court hours, offer services in all areas needed by self-represented litigants, reduce waiting times, and provide the kind of one-on-one assistance that litigants and provider staff report is the most beneficial.

“One of the main benefits is that it turns around the idea that the courts are only for rich people and their problems.”

—Superior court judge

Recommendations

If the Equal Access Fund is to truly fulfill its purpose, it must be increased to build on the statewide legal aid network that serves low-income people. Comparing the services made possible by the Equal Access Fund to the demonstrated total need shows that many low-income persons in California do not have access to a legal aid provider or to services in areas of major concern, such as family law, housing, and income maintenance. Only on a very limited basis can Equal Access Fund grantees provide services beyond brief advice and counsel, or in languages other than English.



Additional funding is needed to expand court based self-help centers. Funding is needed to create centers in the courts that do not now have them, to provide adequate resources to allow the centers to stay open during all court hours, and to offer services for the full range of legal needs of self-represented litigants.

Ongoing evaluation will continue to improve the delivery of legal assistance to low-income and marginalized Californians. Well-developed evaluations use small amounts of money to obtain large insights that lead to better use of resources and improved services to clients. The Judicial Council and the State Bar's Legal Services Trust Fund Program must continue to provide their oversight and technical assistance to ensure that evaluation continues, that evaluation results inform program decision making, that the evaluation capacity is increased, and that efficient practices are shared with all legal aid providers.

California has much to celebrate at its five-year Equal Access Fund anniversary. The legislature has a remarkable opportunity to reflect on these successes, and use the lessons learned. By continuing and expanding the fund, it can multiply access to justice and assert its leadership role in addressing the needs of its most vulnerable citizens.

CHAPTER 1

THE NEEDS OF LOW-INCOME AND VULNERABLE CALIFORNIANS FOR CIVIL LEGAL AID

The high cost of private legal representation puts legal help out of reach of low-income families when they face critical legal issues such as elder abuse, adoption or guardianship, domestic violence, and lack of access to health care. At the same time, continuing lack of adequate funding makes it impossible for legal aid providers to handle most of the legal needs of their client communities. The California Commission on Access to Justice estimated that, as of the year 2000, only 28 percent of the legal needs of this population were served by legal aid.¹

The strategic plans of both the Judicial Council and the State Bar place a high priority on the goal of expanding access to justice. Recent bench-bar collaborative efforts provide important support to legal aid providers across the state. Meanwhile, the state court system provides critical leadership and helps implement efforts to increase access to the courts and improve services for self-represented litigants—ultimately enhancing trust and confidence in the judicial system.

Over the past several years, a nationwide effort has been building to expand access to the judicial system using several strategies. These include providing more self-help and limited legal assistance to low-income clients, incorporating new electronic technologies into court processes, and developing collaborative projects with other legal aid and social service assistance providers.



¹ California Commission on Access to Justice, *Path to Equal Justice: A Five-Year Status Report on Access to Justice in California* (2002), pp. 3 and 30.

Although he had received a Cross of Gallantry and a Presidential Citation, Wally's time fighting in the jungles of Vietnam had left him with serious psychological injuries. The Veterans' Administration had repeatedly denied his requests for assistance. With the help of a legal aid attorney, Wally was able to prove that the Administration had made a mistake. The back payments and benefits he now receives have allowed him to buy a home for his family, help send his son to college, and get the medical and psychiatric services he needs.

The Equal Access Fund is used to support all these types of efforts. The funding it provides has helped California to become a recognized leader in creating courts that are more accessible to those who need them, and providing representation for those who cannot afford an attorney.

1. Establishment of the Equal Access Fund

The California Legislature established the Equal Access Fund as part of the Budget Act of 1999, joining 37 other states already providing state funding for civil legal aid. These state funding mechanisms are designed to make progress toward the goal of ensuring that the most vulnerable members of society have access to civil legal assistance if they face critical legal issues.

The resources provided through the Equal Access Fund are an important supplement to the other public and private funds that are available in California for the nearly one hundred local nonprofit legal aid providers attempting to meet the civil legal needs of those who cannot afford an attorney. Although the total funding available falls far short of the need, many more low-income Californians would be going without legal assistance were it not for the Equal Access Fund.

The Equal Access Fund was established under the supervision of the California Judicial Council “in order to improve equal access and the fair administration of justice.” It has been included in the Governor’s proposed budget every year since its establishment in 1999. The fund has received \$10 million in each Budget Act from 1999 through 2004.² The Judicial Council has provided ongoing oversight to this fund since its inception, approving distribution of grants, ensuring quality-control procedures are in place, and appointing one-third of the members of the State Bar’s Legal Services Trust Fund Commission that directly administers the fund.

In establishing the fund, the Legislature took advantage of an existing statutory distribution system for civil legal aid for low-income people: the Legal Services Trust Fund Program. This statutory allocation mechanism ensures that the Equal Access Fund is distributed

² The January 2001 proposed budget included a 50 percent increase in the Fund that was subsequently reduced back to the \$10 million level in the final budget because of the economic downturn.

throughout the state in a fair, efficient manner, using a well-functioning system and avoiding duplication of administration. By statute, the Equal Access Fund is allocated as follows:

- *Ninety percent to nonprofit legal aid providers.* Ninety percent of the funds are distributed to organizations providing free civil legal aid to low-income people, according to a formula set forth in California’s Interest on Lawyer Trust Accounts (IOLTA) statute;
- *Ten percent to court/legal aid self-help centers.* Ten percent of the funds are dedicated to partnership grants to nonprofit legal aid providers for “joint projects of courts and legal aid providers to make legal assistance available to pro per litigants.”

2. Types of Help Needed by Legal Aid Clients and Impact of Legal Aid on Other Government Services

Legal problems faced by California’s low-income community involve very basic issues of housing, family, safety, and employment—problems often caused by or exacerbated by the family’s lack of resources. Social science data is scant concerning how often a family in poverty may need a legal advocate to achieve basic goals that others take for granted, but legal aid offices receive daily requests for critical assistance, such as:

- Victims of domestic violence who need legal assistance to separate themselves from abusive partners;
- Families that need a legal advocate to establish guardianships, finalize adoptions, or address foster care improprieties;
- Children with disabilities and special education needs who require help obtaining care and accommodations;
- Families that need assistance dealing with child support, child custody, or other divorce-related issues;
- Veterans who need legal assistance to obtain services and resources they have earned;

With their frequently homeless mother suffering from AIDS and cancer, Jessica, Lisa, and Kara often had to fend for themselves, finding food and shelter wherever they could. Legal aid advocates obtained guardianships for these teenage sisters to give them a stable home. Today they attend school and get the health care they need, while still being able to spend time with their mother in her hospice program. Jessica says, “I finally feel happy to come home every day.”

- Elderly persons who need legal help to escape abuse or neglect by a family member or caregiver, or to undo an illegal foreclosure resulting from home improvement fraud or identity theft;
- Families facing a medical emergency who cannot obtain health care;
- Individuals transitioning from welfare to work who need legal assistance to reinstate a driver's license needed for employment, or to ensure access to child care that enables them to work;
- Immigrants, who are particularly vulnerable and may need assistance to address unfair and deceptive business practices such as fraud in the purchase and sale of a used automobile, deceptive insurance sales, predatory fringe lending, or illegal debt collection practices; and
- Families in unsafe housing who need advocacy to obtain critical repairs.

3. Legal Aid Delivery System

California's legal aid delivery system is an established network of locally based organizations and support centers working together to serve the civil legal needs of low-income people in every county. Approximately one hundred local nonprofit legal aid providers and statewide support centers, including staffed legal aid organizations, pro bono projects that use volunteer lawyers to provide services, and self-help centers, form the core of this delivery system.³ These providers coordinate their efforts to avoid duplication and to improve efficiency and effectiveness. These core legal aid providers are the recipients of the Equal Access Fund.

Providers receiving Equal Access Fund grants work closely with other nonprofit organizations, the courts, and state and local agencies that address legal issues confronting California's low-income population. Equal Access Fund grants to legal aid support centers help them provide technical expertise, training, and coordination to address gaps in service. Appendix F, Organizations Working to Support And Coordinate the Statewide System of Delivering Legal Aid to the Poor,

³ The number of legal aid providers receiving money from the Equal Access Fund has varied slightly over the last five years as some smaller organizations have merged and other organizations have only recently established eligibility.

describes the work of those statewide organizations that support, organize, and collaborate with this network of local service providers. The participants in this statewide civil justice community adopted the following vision statement:

California shall have an inclusive, client-centered justice community of clients; legal services programs; bench and bar; academia; community groups; and government, business, and civic leaders sharing responsibility for effectively meeting the essential legal needs of the poor—no matter where they live or what language they speak—and for removing barriers to achieving self-sufficiency and true access to justice.

Vision of the State Justice Community for the Delivery of Legal Services, adopted May 2002, Statewide Stakeholders Conference.

4. Legal Aid for Low-Income People—A Nationally Coordinated Effort

The system for providing legal aid to low-income Californians is part of a nationwide effort to address the legal needs of those who cannot afford an attorney. Several national organizations are devoted, in whole or in part, to achieving equal access to justice, and the components of California’s legal aid delivery system work closely with these national organizations:

- The *Legal Services Corporation* is a federal nonprofit agency that oversees the congressionally appropriated funds for nonprofit legal aid providers.
- The *National Legal Aid and Defender Association* serves as a coordinator for the country’s civil as well as public defender legal aid providers.
- The *American Bar Association* supports legal aid for low-income people in many ways, particularly through its Standing Committee on Legal Aid and Indigent Defendants.

Together these organizations provide a public-private matrix of service provision and rights protection on behalf of low-income individuals and families across the country.

Since the federal contribution to legal aid providers decreased dramatically in the mid 1990's, states have taken more responsibility for funding and coordinating the legal aid available to people within their borders. As states work to reduce gaps in service, the coordination afforded by the efforts of national programs across state lines is critical to maintaining effective legal aid services. The coordination efforts allow for the dissemination of good practices developed elsewhere, and for the strengthening of a national network of courts and legal aid providers working together to achieve equal access to justice.

Maria and Ricardo live with their three children in a rural town. Four years after they purchased their small home, their mortgage payments suddenly increased substantially, jeopardizing their ability to pay. Maria determined that the mortgage company had placed unnecessary flood insurance on her property, but was unable to get the charge removed. With the help of hotline legal advice, however, she learned she had a right to discontinue the coverage, and learned the proper procedures to do so. With the hotline's help, Maria not only got the unnecessary coverage removed, she also obtained a refund of her past payments for the insurance.

5. Providing a Range of Delivery Methods and a Coordinated Network of Services

In order to provide legal aid in California that is responsive to the needs of the indigent family or individual, while being as efficient as possible, the courts, legal aid providers, and other components of the state's legal aid delivery system have developed a range of services appropriate to different levels of need. A statewide framework is now in place for providing legal aid to the low-income community that seeks to address client need in a comprehensive manner. While the system cannot meet existing demand, the network of services helps ensure the most efficient use of the resources that are available. Together with volunteers at all levels of professional training, services are provided by lawyers, lawyer-supervised paralegals, and other nonlawyer advocates.

Community legal education and other services. Nonprofit legal aid providers offer a wide range of assistance to their client communities in addition to direct legal representation and advice. These services include legal education designed to help members of the community understand law-related issues they face and avoid litigation wherever possible. They also include support for other nonprofits focused on community economic development, domestic violence, and other community issues, and collaborative efforts with other agencies in their service area dedicated to serving the needs of the low-income community.

Self-help assistance. Some types of legal problems faced by families can be handled without formal representation if the families are provided with self-help legal information and support. Part of this support has been provided by family law facilitators that were established in the trial courts in every county beginning in 1997. In addition, a number of court-based self-help centers and family law information centers are now located in many courts throughout the state. These family law facilitators alone serve over 450,000 individuals each year through workshops and one-on-one assistance, supplemented by videotapes and written materials. One of their key functions is to refer litigants to appropriate legal and community services, particularly if self-representation is not a good alternative for that person; given the scarcity of resources, however, appropriate referrals are not always available, particularly in rural areas.⁴

Some self-help centers are run by the courts themselves, while others are offered by legal aid providers working in conjunction with their local superior court. These types of collaborative projects have been expanded greatly as a result of partnership grants provided through the Equal Access Fund. Legal aid providers and pro bono projects also offer self-help assistance through clinics and hotlines that individuals can call to get information or brief advice to help them deal with a variety of legal concerns, particularly in rural areas that lack direct access to a legal aid office.

Limited scope legal assistance. Even those who can represent themselves frequently need the help of a lawyer for part of their case. Legal aid attorneys and pro bono lawyers offer limited scope assistance, sometimes called “unbundling” or “discrete task representation,” giving advice at various stages, helping with a court appearance, or drafting documents. For example, legal aid clinic and hotline staff can write letters or make phone calls for clients, which often help resolve disputes at an early stage. This targeted assistance to individuals who would otherwise not have any legal help makes efficient use of the limited attorney resources available to low-income litigants. Court-based self-help centers often have information about the availability of such limited scope legal help, and lawyer referral services are beginning to offer limited scope legal panels.

Rosario was able to start a cleaning cooperative with the help of a community development organization (CDO) and legal aid advocates. These advocates also assisted the CDO with the legal work needed to acquire and rehabilitate a dilapidated apartment building. Rosario moved into an apartment and joined in the CDO's Individual Development Account (IDA) program, which allows tenants to earmark part of their rent payment for a savings account that can later be used for buying a home, going to school, or starting a business.

After a year, Rosario had saved enough to purchase a home. With the help of the legal aid advocates this purchase was finalized, and Rosario and her new husband moved into their first home.

⁴ See *Child Poverty in Rural America* (Washington, DC: Population Reference Bureau, 2004); see also *The State of the Great Central Valley of California* (Modesto, CA: Great Valley Center, 2004); see also *Poverty amid Prosperity: Immigration and the Changing Face of Rural California* (Washington, DC: Urban Institute Press, 1997).

Representation. Other matters require the ongoing involvement of an attorney because the case or other matter involves complex legal issues, the opposing party is represented by an attorney, or the individual is not a good candidate for self-representation for other reasons. This is the model most used in private practice, but given the lack of resources, is not available for all low-income people or groups of low-income people facing critical legal problems. The level of representation varies greatly and can involve negotiation, appearances before administrative bodies, court hearings, discovery, trials, and appeals.

See Appendix B, Equal Access Fund Projects, and Appendix C, Partnership Projects, for brief descriptions of the wide range of services provided by legal aid providers with their Equal Access Fund grants.

Lily lived in fear for her life. Married to a man who was physically abusive, she was dependent on him for legal residency. Her fear of deportation made her powerless against her husband's violence.

On the advice of legal aid advocates, Lily applied for U.S. residency under the Violence Against Women Act. Advocates also helped her get a restraining order to keep her abusive husband away, and assisted her in filing for divorce. Lily now lives secure in the knowledge that she cannot be deported and that she need never suffer physical abuse again.

6. Role of Volunteer (“Pro Bono”) Attorneys

The amount of representation and other legal assistance that can be provided to low-income clients depends in part on the commitment of local attorneys to do volunteer work. Most nonprofit legal aid providers use volunteer attorneys in some capacity. Most commonly, staff members interview potential clients and link them up with an appropriate volunteer lawyer, sometimes co-counseling with that lawyer. The legal aid provider offers support and training for the volunteers, as well as quality control and follow-up to ensure clients receive the assistance they need. This greatly expands the amount of legal help the providers can offer; as a result, while they clearly cannot entirely fill the gap in funding, pro bono attorneys represent a significant additional resource to help low-income clients.

Pro bono is a critical supplement to the work done by legal aid providers, although it is important to recognize that pro bono assistance cannot exist in a vacuum. Its success depends on the key roles played by the staff of legal aid providers and independent pro bono programs to coordinate, train, and support those volunteers.

7. Tailoring Solutions to Meet the Need

Self-help and other limited assistance with legal problems provide a greater number of individuals access to the legal system by enabling them to resolve their legal issues themselves—to the extent they are able to do so. Such services have the added benefit of freeing up other resources to provide more in-depth representation if that is needed. Through the Partnership Grant Program, the Equal Access Fund is being used to advance this trend significantly by helping determine what kind of self-help assistance works best and for whom. While this is an important advance, these self-help services are only able to meet a portion of the need. Many people are simply not able to represent themselves due to the complexity of their legal problem or their inability to understand or explain their situation to the court. It is critical that legal aid providers continue to have lawyers to represent those for whom self-help and limited scope services are not adequate.

8. Benefits of Legal Aid to Our Communities

Legal aid providers are having an impact far beyond what is immediately evident, reducing the need for many state services and increasing public trust and confidence in the court system and other branches of government.

Legal aid helps families escape domestic violence, avoid homelessness, obtain needed mental health care, access basic support services, and resolve many other problems that threaten the well-being of families and their children. Preventing homelessness saves taxpayer dollars and improves the well-being of the community. Ensuring individuals receive preventive medical care to which they are entitled lowers costs to the health care system by treating problems before they become expensive emergencies. Supporting victims of domestic violence and elder abuse can prevent a pattern of escalating abuse, save medical and social services costs, and help stabilize lives. Law enforcement personnel and district attorneys across the state have been working closely with legal aid providers to reduce domestic violence and other crimes.



After working for many years, Miriam was injured and became unable to work. Initially her medical expenses were covered by an HMO policy through her husband, Bob. Although Bob and Miriam had been married many years, they had also been separated for a long time when Bob suddenly terminated Miriam's coverage.

Since she had no money of her own to pay for medical insurance, Miriam contacted a legal aid provider, who arranged for pro bono representation. The volunteer attorney was able to obtain a legal separation, the terms of which include HMO coverage and monthly alimony for Miriam.

Legal advocacy also plays a key role in helping to reduce or avoid poverty-related family dysfunction and child abuse and neglect, and in helping special needs children and their families to rely less on public institutions. Supporting community economic development and welfare-to-work efforts helps indigent people secure stable employment and attain self-sufficiency. Accessible legal assistance is therefore critical to the maintenance and improvement of civil society.

9. Those Who Remain Unserved

Notwithstanding the Equal Access Fund, which is a vital source of state funding, California's low-income population continues to have a high level of unmet legal need. As stated before, it is estimated that in the year 2000 only 28 percent of the legal needs of low-income Californians were served by legal aid. In that year, 6.4 million Californians lived in poverty, including nearly one in five children.⁵ The rate of poverty in California in 2000 was 12.9 percent, 1.6 percent higher than the national average. Since 1989 the poverty rate in California has consistently exceeded the national average, sometimes by as much as 3 percent, thereby posing significant challenges for the state's network of legal aid providers beyond those faced by many other states.⁶ The situation for children is even worse since California alone accounts for the net national increase of 800,000 children in poverty since the late 1980's.⁷

Due to the lack of adequate resources, local providers are forced to turn away many needy clients who do not fit within their established priorities. For example, many legal aid providers are unable to provide assistance with family law. If a provider offers services to victims of domestic violence, it may require clients to show recent violence in order to be eligible for services. Otherwise, it must refer them to another self-help service in the community, if one exists. There are simply many more people who need help than can currently be served

⁵ See California Commission on Access to Justice, *Path to Equal Justice: A Five-Year Status Report on Access to Justice in California* (2002).

⁶ California Budget Project Report, September 27, 2001.

<http://www.cbp.org/2001/qh010927.pdf>. By 2002, the poverty rate in California had risen to 13.1 percent, still a full percentage point higher than the national average. California Budget Project Report, January 2004.

<http://www.cbp.org/2004/2004chartbook.pdf>.

⁷ See National Center for Children in Poverty, *The Changing Face of Child Poverty in California* (August, 2002).

by the nonprofit legal aid provider community, leaving almost three-quarters of the need unmet.⁸

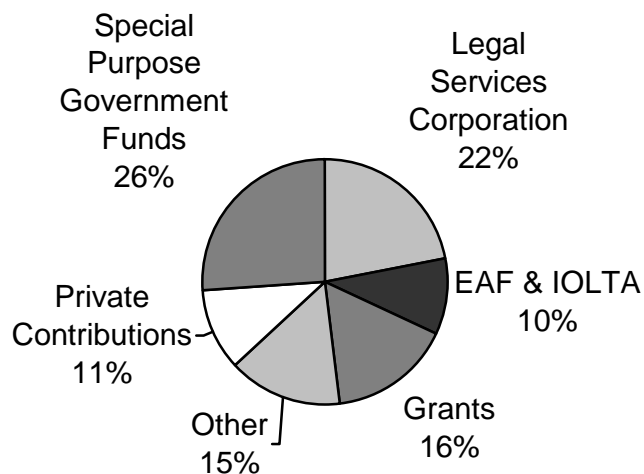
10. Resources Available for Civil Legal Aid

In addition to the Equal Access Fund, public sources of funding for civil legal aid for low-income Californians include the federal Legal Services Corporation which supports nonprofit legal aid providers throughout the country; funding derived from the interest on lawyer trust accounts, administered by the Legal Services Trust Fund Program of the State Bar of California (see Appendix F, Organizations Working to Support And Coordinate the Statewide System of Delivering Legal Aid to the Poor); and special purpose government funds, primarily from the federal government. Examples of the latter include Older American Act funding for senior services, Department of Justice funding through the Violence Against Women Act, the Ryan White Comprehensive AIDS Resources Emergency, and protection and advocacy funding for services to the developmentally disabled. Additional private resources for legal aid providers come from individual attorneys, law firms, private foundations, corporations, special events, and other fundraising activities (see Chart 1).

⁸ California Commission on Access to Justice, *Path to Equal Justice: A Five-Year Status Report on Access to Justice in California* (2002), p. 7.

Chart 1

*Funding for Legal Services in California:
Source and Percent for 2003*



Total funding from all sources = \$181,600,000

All sources of funding for legal aid combined provided only \$150 million in 2000, the year following establishment of the Equal Access Fund. This allowed legal aid providers in the State to address only about 28 percent of the legal needs of the 6.4 million indigent Californians who were eligible for help in 2000.⁹ By the year 2003, the total funding available for civil legal aid for low-income people in California was \$181,600,000, a 15 percent increase when adjusted for inflation.

Many factors contribute to the increase. Because California's share of the eligible low-income population, compared with other states, increased between the 1990 and the 2000 census, a larger share of federal legal aid funding comes to the state. Legal aid providers have become better at raising funds from private individuals and getting grants from government agencies and private foundations. While this

⁹California Commission on Access to Justice, *Path to Equal Justice: A Five-Year Status Report on Access to Justice in California* (2002), pp. 3 and 30.

higher level of funding is extremely valuable, the total funding available is still far short of the need.

11. Additional Funding Still Needed

The *Path to Equal Justice* report released by the California Commission on Access to Justice estimated that the total resources needed to provide full access to justice for all low-income Californians in 2000 would have been approximately \$533 million per year. Since the state's combined public and private investment in legal aid was about \$150 million that year, the resulting “access gap” was approximately \$383 million. By 2003, increases in funding had reduced the funding gap to approximately \$352 million. While the goal of full access still seems elusive, even this incremental progress represents valuable additional services for low-income Californians.

Even with the creation of the Equal Access Fund in California in 1999, the federal and state governments are shouldering a smaller share of the funding responsibility for legal aid than at any time in the past three decades.¹⁰ For the past decade, the federal government has been shifting to the states more and more responsibility for providing social services, including legal aid to low-income people. This presents a challenge to the state—both to maintain a consistent level of funding, or possibly to make inroads against the funding gap, and also to maintain the highest possible level of federal funding committed to legal aid for low-income Californians.

Tien and her children lived in constant fear. Tien's husband had been convicted of spousal abuse, armed robbery, and drug possession and was constantly threatening her with violence. A legal aid attorney helped Tien petition for a change of name, allowing her to relocate and get a fresh start. Now, Tien and her young children are free from violence and abuse.

12. Progress in Achieving Access to Justice

The Equal Access Fund makes an important contribution to meeting the unmet needs of low-income Californians. The courts and nonprofit legal aid providers working together have made important progress in the past few years, and the Equal Access Fund has made a real difference in meeting the unmet legal needs of low-income and vulnerable Californians. The fund makes a difference not only because of the financial support and stability that it gives to providers serving the legal needs of California's low-income population, but also because of the opportunity it provides to facilitate collaborative efforts among legal aid providers, the private bar, the California courts, community organizations, and local governments.

¹⁰ California Commission on Access to Justice, *Path to Equal Justice: A Five-Year Status Report on Access to Justice in California* (2002), pp. 2 and 18.

The fund has helped California's legal aid providers become more efficient and creative in the provision of legal aid. Fund-supported projects have developed new and innovative ways to provide quality services to greater numbers of low-income Californians. The effective use of technology and improved coordination have increased the efficiency of the legal aid delivery system. Finally, periodic self-evaluation ensures that programs remain responsive to the needs of the clients they serve.

The innovations created with the Equal Access Funds, including partnerships between legal aid providers and the courts to identify and address barriers and serve people in the most effective manner possible, have improved access to justice for low-income Californians. Nonetheless, despite the great strides and accomplishments described in this report, the establishment of the Equal Access Fund, other increased resources devoted to civil legal aid, and the more efficient use of those resources, the need for services remains far from satisfied.

CHAPTER 2

EQUAL ACCESS FUND PROJECTS, SERVICES, AND EVALUATION

Introduction

This chapter describes the services provided by Equal Access Fund projects and the populations served, and assesses the impact of those services. The chapter provides data on budgets for the grant period from October 1, 2003 through September 30, 2004, reports on case services and other matters completed during the first six months of that period, and reports on evaluations provided by the projects (see also Appendix D, Methodology).

Most grants (90 percent) are given to nonprofit legal aid providers who incorporate the money into one or more specific projects. Occasionally these grants fund an entire project, but more typically the funds are combined with money from other sources. These projects enable the provider to develop new types of service or focus on particular unmet legal needs or underserved low-income populations. A description of each of the projects is found in Appendix B, Equal Access Fund Projects.

1. Types of Legal Needs Addressed

The most common legal needs addressed by Equal Access Fund supported projects are housing, family law, individual rights, and income maintenance (see Chart 2). Specific examples showing how projects meet some of those needs are presented below.

At age 61, Hung suffered a stroke and had emergency surgery. He was then mistakenly billed for education and training rehabilitation benefits. Because he could not understand the bill and could not pay, the account was sent to collection. Advocates discovered that Hung had not received any education or training, and that the hospital had erred in coding the bill. The hospital withdrew its charges and the collection matter ceased.

Chart 2
Number of Projects Addressing Legal Need

Type of Need Addressed	Number	Percent
Housing	46	28%
Family	44	27%
Individual rights ¹¹	39	24%
Income maintenance ¹²	41	19%
General (no special areas targeted)	27	16%
Health	24	15%
Consumer/Finance	21	13%
Employment	17	10%
Education	12	7%
Juvenile	8	5%
Other legal needs ¹³	18	11%

Total number of projects = 164. Percentages do not total 100 since some projects address more than one legal need. Source: Project budgets 2003–2004.

Housing

Some examples of the varieties of legal assistance provided in the area of housing follow.

Increasing the supply of low-income housing. Central California Legal Services’ Housing Rights Project in Tulare County seeks to protect and increase housing for low-income residents in a county in which nearly one-quarter of the population lives below the federal poverty line. During its first six months, the project opened 263 new housing cases relating to real property ownership, landlord-tenant disputes, unlawful detainer actions, and issues with federally subsidized housing. Community outreach and legal education efforts provided information to large numbers of low-income, monolingual Spanish-speaking individuals who “had little or no knowledge of their housing rights under California law.”

¹¹ “Individual rights” refers to immigration, naturalization, mental health, prisoner’s rights, rights of the physically disabled, and other individual rights.

¹² “Income maintenance” refers to CalWORKs, TANF, Food Stamps, Social Security, SSI, Unemployment Compensation, Veterans’ Benefits, Workers’ Compensation, CAPI, or other income maintenance.

¹³ “Other legal needs” refers to incorporation, corporate dissolution, Indian and tribal law, license (auto and others), torts, wills, estates, and other.

Peter bought and financed a new car. After a year, his financial circumstances changed, and he missed car payments. A repossession agent learned Peter had AIDS and threatened to expose his condition to Peter's family and friends. Advocates were able to halt these illegal collection practices and prevent further breaches of Peter's privacy rights. The repossession agent was fired and the car company has adopted new policies, agreeing to never again ask for, store, or misuse individuals' HIV-related information.

Protecting the homes of seniors. To protect vulnerable seniors from losing their homes due to fraudulent second mortgage lenders or unscrupulous relatives, the Senior Citizens Legal Services Elder Abuse Prevention project works to preserve homes, if possible, and recover lost funds. The project used a range of services, from limited assistance to litigation, to bring to closure 19 cases during the first six months, representing a total benefit of \$80,000 to the clients.

Creating homes for former foster youth. The Smart Growth Through Affordable Housing project made use of a Legal Aid Foundation of Los Angeles attorney to assist a local effort to build a transitional housing facility for youth released from the foster care system with no place to go. The facility recently opened with 16 beds, and that same attorney is currently working with the local nonprofit group to acquire property for a second house that will house another 16 former foster children.



Family Law

In the area of family law, domestic violence prevention and guardianship assistance are frequently addressed issues.

Protecting low-income minority women from abuse. During the first six months of the year, the Domestic Violence Prevention Project of Bay Area Legal Aid provided direct legal service to 380 people who were seeking restraining orders against their abusers in six San Francisco Bay Area counties. Most of the project's clients are women, and the majority of them are Latina, African-American or Asian-American. Another 1,261 individuals received self-help assistance in preparing and filing their own restraining order actions. In San Francisco and Alameda Counties, the project worked with city administrators and officials to revise policies, enhance enforcement efforts, and protect funding for services that provide critical support to victims of domestic violence.

Self-help guardianship assistance. The Public Service Law Corporation of the Riverside County Bar's Guardianship Assistance Project has successfully developed a method to help self-represented litigants initiate and complete the complex guardianship process, thereby helping families protect their vulnerable relatives from abuse. It does this by providing contract attorneys to assist clients with filing and prosecution of their guardianship actions. Clients are able to talk with an attorney at any time during the process. An attorney is present during the guardianship hearings in court to assist with any difficulties, and, should legal complexities arise, arrangements can be made for full representation. Follow-up interviews showed that 54 of the 72 clients

helped during the six-month reporting period had guardianships granted or were waiting for a hearing. Only four petitions were denied.

Individual Rights

Individual rights covers a wide range of issues from immigration to the well-being of people with disabilities. One common area concerns the treatment of individuals in institutions, whether there for treatment or rehabilitation.

Protecting the rights of incarcerated youth. The Children's Rights Clinic/Whittier Law School, General Children's Advocacy Clinic seeks to protect children who are in non-parental custody situations, such as the juvenile dependency or delinquency systems. The project, in part, provides counsel, advice, and on-going support for youth in institutions regarding issues such as the use of pepper spray on children or services available to them while in custody. The project has resolved 50 juvenile hall-based cases during the six-month reporting period (exactly one-half of the full year's goal).

After recovering from a grave illness, 88-year-old Rosa agreed to sell her home and give her granddaughter Jenny the proceeds. A new home was to be purchased, where Rosa would be cared for by Jenny. Rosa's name did not appear on the title to the new home and there was no written agreement. After 18 months, Jenny began to treat Rosa badly. Jenny threatened to evict Rosa by putting her in a taxi and sending her off. Advocates filed an elder abuse lawsuit and Rosa recovered her funds. Now, Rosa lives in a safe environment with her funds available for her personal needs.

In addition to looking at the priorities of projects regarding the types of legal issues legal aid providers are prepared to address, it is important to look at the types of services they actually provide (Chart 3). Legal aid providers do a vast range of work, from brief service to extensive major litigation, from public education seminars to community economic development. This makes it challenging to measure the volume of work. Two measures are widely used by government funders—notably the federal Legal Services Corporation and state entities like the Legal Services Trust Fund Program. Providers reported the number of "cases closed" and the number of "matters" completed during the reporting period. A "case" is the provision of legal assistance to an eligible client (or group of clients) with a legal problem or a closely associated set of legal problems. A case is considered "closed" once legal assistance has ceased and is not likely to resume. Cases include legal advice and brief service as well as much more extensive assistance. "Matters" cover those activities legal aid providers engage in that do not involve giving legal advice, representation, or referrals to clients. They include such things as legal education workshops and the distribution of legal education and self-help materials.

The number of cases closed by projects during the study period¹⁴ shows that, across all projects, the relative emphasis on a particular legal need is consistent with the number of cases actually handled in that area (*Compare Chart 2 with Chart 3*). For example, 28 percent of the projects planned to address housing issues and 27 percent of the cases closed during the study period concerned housing needs. Projects were evenly split between those providing case services to one type of legal problem (55 percent) and those providing them to more than one case type, with over one-quarter of all projects providing services in five or more legal problem areas.

Chart 3
Number of Cases Closed by Legal Need
 October 1, 2003, to March 31, 2004

Type of Legal Need	Number	Percent
Housing	7,505	27%
Family	6,944	25%
Income maintenance ¹⁵	2,951	11%
Consumer/Finance	1,789	6%
Employment	1,663	6%
Individual rights ¹⁶	1,605	6%
Juvenile	1,310	5%
Health	1,255	5%
Other legal needs ¹⁷	2,092	8%
Not reported	501	2%

Total number of projects reporting = 94. Source: Report on Project Results, October 1, 2003, to March 31, 2004.

In addition to addressing the specific legal needs of their clients, many projects also have a goal of addressing larger, more systemic problems faced by low-income people. By far the biggest category is the effort to serve the special needs of underserved groups of clients. Such a group

A Mandarin speaking immigrant, Wei worked as a cook 10-12 hours a day in a kitchen. He never received overtime, rest or meal breaks, and though he worked more than 60 hours a week, he was never paid for more than 40. Wei tried to bring a wage claim to the Labor Commissioner, but he could not communicate in English. He contacted legal aid attorneys, who represented him at his labor hearing. Wei was awarded \$25,000 for unpaid overtime and vacation. Wei is glad to be a role model for workers in substandard conditions, encouraging them to step forward despite fears of retaliation.

¹⁴ October 1, 2003, through March 31, 2004.

¹⁵ “Income maintenance” refers to CalWORKs, TANF, Food Stamps, Social Security, SSI, Unemployment Compensation, Veterans’ Benefits, Workers’ Compensation, CAPI, or other income maintenance.

¹⁶ “Individual rights” refers to immigration, naturalization, mental health, prisoner’s rights, rights of the physically disabled, and other individual rights.

¹⁷ “Other legal needs” refers to non-profit incorporation, corporate dissolution, Indian and tribal law, license (auto and others), torts, wills, estates, and other.

A legal services office worked with the local housing authority to amend its housing rules to assist domestic violence victims. Previously, an abuser could take a victim's rent money, destroy property, or force the victim to flee from an apartment, and then leave the victim to face the consequences of eviction, damages owed, or loss of a unit based on abandonment. Now, the housing authority affirmatively takes abuse into account prior to taking any action adverse to a domestic violence victim. The legal aid attorneys are seeking to expand this policy to other housing authorities in the region.

might include, for example, Vietnamese-speaking communities, low-income people in rural areas, or teen mothers. Efforts to serve underserved groups like these and others were reported by 46 percent of the projects. Of course, given the large unmet need among low-income clients, virtually all projects can be said to serve underserved populations. Other systemic issues addressed include housing and homelessness (22 percent of projects), domestic violence (13 percent), access to health care and the prevention of illness or injury (12 percent), and community economic development (5 percent).

2. Range of Services Provided

Projects provide a range of legal services, with advice or brief service most common (Chart 4).

Chart 4
Types of Services Provided by Projects

Type of Service	Number	Percent
Advice or brief service	85	52%
Community legal education, outreach, and other community work	66	40%
Full legal representation	64	39%
Administrative representation	38	23%
Direct training or support for advocates and other staff	36	22%
Production of advocacy training or resource materials	35	21%
Referrals	34	21%
Assistance to self-represented litigants	31	19%
Administrative or legislative advocacy	25	15%
Nonlitigation advocacy and project development	13	8%
Investigation and enforcement of regulations or court orders	9	5%
Litigation support and co-counseling	7	4%
Interpreter services	5	3%
Other	8	5%

Total number of projects = 164. Percentages do not total 100 since some projects provide more than one type of service. Source: Project budgets 2003–2004.

The majority of cases were closed after counsel and advice. Projects reported that of the 27,600 cases closed during the six-month reporting period, 47 percent were closed after counsel and advice, 25 percent were closed after brief service, 10 percent were closed after settlement or decision, and 5 percent were referred (the type of service on the remaining 13 percent of cases was reported as Other or Unknown).

The range of case services provided varied by case type. Almost three-fourths (72 percent) of housing cases were closed after receiving counsel and advice, while only one-third of family cases were closed after counsel and advice. Family cases were more likely (52 percent) to be closed after brief service. The case category most likely to be referred was juvenile, with 33 percent of all juvenile cases closed after referral. Income maintenance cases were the most likely to be closed after a settlement or decision. Examples follow of the range of services provided.

Counsel and advice. The Inland Counties Legal Services Client Services Center is a hotline project that provides primarily counsel and advice via the telephone to its widely dispersed, often rural, clientele in Riverside and San Bernardino Counties. During the reporting period, the center assisted 1,375 low-income callers, mainly with landlord-tenant problems and divorce issues, providing a benefit to over 4,000 affected family members. As with many other hotline projects, additional help was available as needed, with the project itself representing clients in some 40 court matters where decisions were reached during the first half of the grant year.

Brief service. In response to the increasing number of girls entering the juvenile justice system, the Legal Services for Children Young Women Empowerment Project seeks to provide comprehensive help for troubled girls with complex and overlapping legal and social service issues. Brief assistance (as well as advice and representation if needed) is given regarding issues of domestic violence, paternity/child support and child custody (for teen mothers), guardianship, foster care, emancipation, public benefits, education, health care, and employment. Thus far, the project has helped 90 percent of its clients achieve legal results that stabilize their situations (exceeding their goal of 75 percent).

Referrals. Referrals are another important service provided by projects (Chart 4). There are many reasons a project might refer a case to another organization. The case may not be within the priorities or resources of the project, in which case referral to a more suitable

A disabled mother of two, Veronica lives 75 miles from the nearest legal aid office. Her new landlord had agreed to make repairs but failed to follow through. She called the legal services hotline to ask for housing advice. Veronica was advised of her rights as a tenant, and received information on small claims court process. Because of the hotline, Veronica was successfully able to receive legal services in a remote rural area.

source of help is appropriate. Another common reason, as illustrated below, is that the client's situation calls for services from several very different types of providers. This is true in many instances of domestic violence.

The Domestic Violence Law Project of the Harriett Buhai Center for Family Law in Los Angeles has formed close working relationships with a local family crisis center and a local child advocacy agency that addresses the needs of abused children and troubled families. In addition, contacts with the local jail and sheriff's department provide a needed source of law enforcement referrals. Taken as a whole, these relationships enable the project to help its clients attend to all their needs (shelter, counseling, child care, protection) in addition to helping them obtain domestic violence restraining orders.

While the numbers of cases resolved by court decisions or negotiation are necessarily smaller, most projects provide some form of this assistance or make arrangements to provide it.

Full legal representation. Bet Tzedek Legal Services Housing Law Project in Los Angeles provides several levels of service resulting in final decisions about cases: negotiation and settlement, individual court decisions, multiple client court decisions, and enforcement actions. The grant enabled this project, in part, to hire a new senior attorney who litigated 40 housing cases during the six-month study period, obtaining 39 favorable verdicts. The project is also involved in several large pieces of litigation, one of which settled during this period and resulted in 125 low-income apartments being renovated—thereby providing safe, habitable housing for hundreds of low-income tenants.

An elderly Farsi speaking client, Atour was denied an apartment rental because his credit record showed an outstanding medical bill. Advocates ascertained that since Atour has both Medicare and Medi-Cal coverage, his bills should be fully covered. The provider agreed to bill Medicare and Medi-Cal and cancel the negative credit entry. The advocate also contacted the apartment manager where Atour wished to live, and Atour was able to rent the apartment he badly needed.

3. Types of Clients Served

Based on reports of the characteristics of clients served, most of the people receiving case-related services (72 percent) from Equal Access Fund grantees are between the ages of 18 and 59. Seniors, who make up 6 percent of all persons in poverty in California, make up 13 percent of the clients served, while juveniles under 18 make up 9 percent.¹⁸

¹⁸ Total projects reporting = 107. Percentages do not add up to 100 because the age of some people was not recorded. Source: Report on Project Results, October 2003 to March 2004.

The ethnicity of project clients generally mirrors the ethnicity of low-income persons in California. Thirty two percent of the clients are Hispanic, 30 percent are White, and 20 percent are Black. Those percentages drop considerably for Asian/Pacific Islanders, who constituted only 4 percent of the clients, and Native Americans who made up 1 percent. This may indicate a continuing need to focus on underserved Asian/Pacific Islanders and Native Americans, as a number of projects are already doing, since they represent approximately 11 percent of all adults in poverty in California. Women make up the majority of project clients (63 percent), while men account for 34 percent.¹⁹

A different look at the specific groups of people served by the projects is provided in Chart 5, which shows the priorities projects described in their budget proposals. It indicates how projects try to focus on particular needs and characteristics of clients. While some projects serve all income-eligible clients within their service area, many others focus their work on specific subgroups of that client base. The most commonly reported focus of projects (30 percent) is service to those who speak limited or no English. Other populations that receive a relatively large amount of attention are senior citizens (20 percent), persons with disabilities (17 percent), and immigrants (16 percent). One-fifth (21 percent) of the projects said they serve anyone who is income-eligible—though it should be noted that projects usually limit the legal need addressed and the type of service provided. Another 21 percent of projects—often those run by nonprofit legal aid support centers - primarily provide assistance to other legal aid providers.



¹⁹ Total projects reporting = 107 projects. Percentages do not add up to 100 because the gender of some people was not recorded. Source: Report on Project Results, October 2003 to March 2004.

Chart 5
Specific Client Populations Served by Projects

Client Population	Number	Percent
Non-English or limited English speaking	50	30%
General income-eligible client	34	21%
Seniors	32	20%
Mentally or physically disabled	28	17%
Immigrants	27	16%
Low wage workers	22	13%
Children	20	12%
Families	18	11%
Rural residents	12	7%
Facilities residents ²⁰	12	7%
Migrant farmworkers	10	6%
Homeless	9	5%
Other populations served	19	12%

Total number of projects = 164. Percentages do not total 100 since some projects serve more than one type of client population. Source: Project budgets 2003–2004.

Carlos, a farm worker in rural California, was ordered to eat dozens of unwashed, pesticide-sprayed grapes every day to test for sweetness and ripeness. Along with his co-workers, Carlos experienced serious side effects from this job requirement, including nausea, headaches, stomachaches, weakness, and numbness of the lips. Legal aid attorneys took Carlos' employer to court, and the grower agreed that its 1300 employees should no longer be required to taste grapes as part of their employment agreement.

Two of the greatest types of need regarding language assistance in California center around communities from East and Southeast Asia and those from Latin America (which includes Spanish and numerous indigenous languages). These vast geographical areas hold within them many different languages and dialects, a fact that presents special challenges for those trying to provide access to the courts and other essential services.

Asian/Pacific Islander language assistance. Neighborhood Legal Services of Los Angeles (NLS) recognized that there were a number of Asian/Pacific Islander (API) communities in the heart of the provider's service area, and that members of those communities encountered both difficulties gaining access to existing services and a dearth of advocates available to them that are sensitive to their cultural backgrounds and able to represent them. In response, NLS put together the Asian/Pacific Islander Advocacy Project to better train its staff in

²⁰ "Facilities residents" includes people in institutions for mental or physical disabilities, seniors in nursing facilities, or juveniles and adults in correctional facilities.

cultural competency, increase the availability of API language help, conduct extensive outreach and community education campaigns, develop an intake system focused on API clients, and form more extensive collaborations with appropriate community groups. As a result the number of API clients served increased from 200 to over 1,100 per year. The staff language capacity has increased to include Chinese, Vietnamese, Korean, Thai, and Khmer, and the provider has increased its presence and recognition in the API communities and successfully recruited over 50 API bilingual pro bono attorneys to volunteer their services. In addition, the project has provided immigration workshops to nearly 1,000 monolingual API residents in its service area.

Outreach to the Southeast Asian Khmer community. The Asian Law Caucus Southeast Asian Task Force provides telephone assistance to a wide variety of API clients, over a range of case types. A portion of this community, however, was found to be even more isolated than the Chinese, Korean, and Vietnamese clients who made up the majority of the people served. Through evaluation, it was found that the Southeast Asian Khmer community did not respond at first to the hotline concept and needed to physically see the person helping them before trust could be created. By setting up in-person outreach at a respected Cambodian community-based organization two days per week, the project advocate is able to establish trust and clients have less reluctance to use the hotline.

Spanish and indigenous language assistance. The California Rural Legal Assistance Special Populations project has made it possible to address the needs of low-income, non-English-speaking workers in its 24-county rural service area more effectively. Its attorney and outreach workers have represented clients directly and conducted hundreds of community presentations and radio spots using many different languages, including Hmong, Spanish, Mixteco Alto, Mixteco Bajo, Triqui, Zapoteco, and Kanjoba. The results have benefited the individuals represented and helped enhance the credibility of the legal system as the appropriate resource for redress of grievances among these marginalized communities.

Even within non-English-speaking communities some groups are more underserved than others. In addition to people isolated because of culture and language, some clients face isolation because of a disability.

Tou, a young Cambodian-American student, was threatened with a removal action by the immigration authorities after a short trip abroad. A legal aid attorney determined that Tou was a United States citizen, and could not be deported. The attorney filed a motion to terminate the removal, and assisted the client in obtaining a certificate of citizenship.

Outreach to people with disabilities in non-English-speaking communities. Protection and Advocacy, a statewide provider, has an Advocacy Services for Californians With Disabilities from Language and Ethnic Distinct Communities Project that strives to increase access to the courts for this population by bringing information, training, and direct representation to its clients regarding access to special education and assistive technology, and language access for individuals deaf or blind in schools, hospitals, and other public facilities. While the focus is on providing information and training, direct representation of those deprived of their rights is also provided, and a substantial amount of effort is being directed toward working with potential defendants to ensure access to services for this often forgotten, and easily ignored, population.

4. Education, Training, and Collaborative Services

Support Centers

Early in the development of legal aid in the United States, it was recognized that there were no sources of expertise in the area of “poverty law,” and that such sources would have to be developed from within the legal aid community itself. Thus was born the idea of a “support center” to provide expert training, research capacity and litigation support to the front line legal aid providers. Support programs serve local legal aid providers and leverage local resources by centralizing the expertise in either core substantive areas (e.g., housing, health care, community economic development, public benefits, education) or with regard to serving specific populations (e.g., immigrants, seniors, youth, people with disabilities). Most support centers specialize in a particular area of the law, and all offer a range of services that can include technical assistance and brief advice, training, co-counseling or advocacy.

Support for direct service legal aid providers. The National Economic Development and Law Center On-Site Assistance project provides legal aid providers in California that are active in community economic development (CED) with on-site technical assistance and in-service trainings on how to meet the organizational and operational legal needs of eligible client groups. The providers are either new to the CED field, have staff that are new to this field, or have had turnover in the staff that manages their CED work. The center’s efforts are intended to enhance staff skills in providing CED assistance and thus enable the provider to better meet the needs of clients.

In November, 2003, a statewide support center held a major training on dealing with predatory lending. Support center attorneys taught housing advocates how to spot predatory mortgage lending and take proactive actions to prevent this financial abuse. The support center has also published articles about anti-predatory lending laws and credit/lending issues in other states that may help Californians enact better consumer protections.

Technology

Technology developments over the last ten years have changed the face of the delivery of legal services. Several Equal Access Fund projects harness the power of technology to expand services to clients.

Software to assist advocates. The Legal Aid Society of Orange County developed a software tool to enable low-income taxpayers to apply for federal and state earned income tax credits. This tool has been shared with programs throughout California, and Central California Legal Services and California Indian Legal Services allocated Equal Access grant funds to develop programs utilizing this tool to serve hard to reach clients in their service populations. These tax credits, intended by Congress to help low-income wage earners, are frequently unclaimed because low wage earners either do not know about the credit or are unable to apply for it without help. Many tax preparers charge exorbitant fees and as a routine practice offer loans against refunds, without advising of the high fees and interest charges associated with such loans. Through Consumer Law Team Clinics, Central California Legal Services helped rural populations obtain tax credits, many for the first time. With extensive outreach and community education through health centers, tribal offices, and Native American community organizations, California Indian Legal Services provided relief to California's Native American communities.

Web based resources. The Public Interest Clearinghouse developed LawHelpCalifornia.org, an online resource designed to provide important links to free or low-cost legal help for clients. The site provides links to California legal aid providers, court services, and certified lawyer referral services as well as information about basic legal rights. Not only does the site serve as an important resource for clients, the site has rapidly become a critical tool for effective referral by legal aid and other client service agencies. Approximately 15,000 advocates and legal consumers access the site for legal referral and legal information every month. Lauded by the press as “quite remarkable for the scope and depth of legal information it provides its users,” the site is the result of a collaborative effort by legal aid organizations, the State Bar and the courts to enhance scarce resources in the legal aid community.

“Before we had LawHelpCalifornia, we basically worked off of some old paper referral lists that had been willed down from all the various different counties. We were always pausing, always putting someone on hold to dig through the papers looking for that one agency you think that might have done something like what the client is asking for, but you can’t quite remember where it is. That’s what we did before LawHelpCalifornia.

—Intake advocate for legal aid provider

Community Legal Education

In addition to representing clients directly, most projects (74 percent) provided services not directly related to specific cases, including legal education and materials for self-represented litigants. Some projects (12 percent) provided these services but did not represent clients.

Community legal education services (which are designed to create a greater awareness of legal rights and responsibilities in the client community, providing people with knowledge to avoid having a legal problem) were offered by 77 percent of projects reporting.

Presentations to community groups and distribution of legal education brochures were the most common activities. During the six months of the reporting period 82 projects provided community legal education. Over 56,000 people attended presentations made by 74 of the projects, while over 300,000 legal education brochures were distributed by 56 of the projects. Fifteen projects wrote newsletter articles and 11 posted legal education materials on Web sites (Chart 6).

Chart 6

Community Legal Education Services
October 1, 2003, to March 31, 2004

Type of Community Legal Education	Number Served	Number of Projects
Participants in presentations to community groups	55,100	74
Legal education brochures distributed	314,400	56
Number of pages of legal education materials accessed on Web sites	71,900	11
Number of newsletter articles addressing legal education topics distributed	181,800	15
Persons viewing video legal education	2,500	3

Total number of projects reporting = 107. Source: Report on Project Results, October 2003 through March 2004.

Tenants' rights education. The Central California Legal Services Housing Rights Project of Tulare County works to educate low-income, mostly Spanish-speaking clients living in this rural county about their rights and responsibilities as tenants. Covering subjects such as housing discrimination, tenants' rights, return of security deposits, and eviction notices, this project (which also provides direct representation and legal advice) gave nine community presentations at

different locations around the county, distributing some 1,500 legal education brochures and copies of its tenants' rights handbook.

Assistance specifically addressed to self-represented litigants (who already have an identified legal problem) was provided by 39 percent of projects reporting. Workshops or clinics and printed materials were the most common categories of assistance to these individuals. During the six months of the reporting period, 17,000 self-represented litigants attended workshops or clinics provided by 27 of the projects, and 35,000 copies of printed materials were distributed by 16 of the projects. A smaller number of projects provided materials on Web sites (11 projects) or conducted a self-help center at the court (7 projects) (Chart 7).

Chart 7

Services to Self-Represented Litigants
October 1, 2003, to March 31, 2004

Type of Service to Self-Represented Litigants	Number Served	Number of Projects
Workshops or clinics (participants)	17,100	27
Self-help printed materials (number distributed)	35,200	16
Self-help materials posted on Web sites (pages accessed)	17,100	11
Help center at court (persons assisted)	24,100	7

Total number of projects reporting = 107. Source: Report on Project Results, October 2003 to March 2004.

Community economic development education. Legal Services of Northern California's Community Economic Development project identifies communities that need to enhance their economies and infrastructure, and then brings focused training and education to bear on specific local concerns. During the six-month study period, program staff attended 100 local community meetings where they gave presentations on legal strategies for improving housing, strengthening the local economy, and creating new resources for dozens of communities throughout northern California. The presentations included trainings that reflected local interests and needs.

Collaborations

Many nonprofit legal aid providers develop joint projects with other organizations that assist low-income people. One example is the

Legal aid staff have built strong partnerships with the county health and human services offices in many places. In one county, advocates regularly make presentations about their services to participants in the county's CalWORKs program. These lectures allow advocates to connect directly with potential clients, and allow them to demystify the legal issues involved with CalWORKs. This system also assists in identification of problems that may be easily solvable early in the administrative processes.

separate Partnership Grant Program that uses the Equal Access Fund to develop self-help centers in partnership with local courts. Those projects are described separately in Chapter 3, Equal Access Fund Partnership Projects, Services, and Evaluation. In addition to the Partnership Grants, many providers use Equal Access Fund grants to engage in joint projects with other legal aid providers, local governments and community agencies serving low-income people. These collaborative efforts allow legal aid providers to expand the effectiveness of their services by participating in multidimensional approaches to problems associated with poverty.

Partnerships with community service organizations

Guardianship assistance for families. The Alliance for Children's Rights Guardianship Program not only helps families in Los Angeles with guardianships but also works closely with support groups to provide ancillary legal services as needed, working to ensure that clients receive holistic services. The overall goal is to provide the foundation crucial to the development of whole and healthy family environments, and educate relative caregivers on their rights and responsibilities. Accordingly, the project works with a variety of social service agencies, along with the county's Commission on Children and Families and the state's Department of Children and Family Services.

Housing assistance. The Legal Aid Foundation of Los Angeles Smart Growth Through Affordable Housing Project works to provide more affordable housing for low-income clients. It depends on a highly collaborative network of five community-based developers who bring resources together and help ensure that residents of low-income neighborhoods are involved in the planning and development process. The project also works with development consultants who, together with the other partners, inform them about issues of importance to nonprofit developers and allow them to continue to provide a high level of service to these unique clients.

Other joint projects, such as with other legal aid providers, allow this housing group to provide improved or expanded legal representation. By co-counseling with other providers, the legal expertise brought to bear on a client's problem can be greatly expanded. Projects can also increase the breadth and volume of legal services provided by using volunteer attorneys to provide services. One side benefit of those partnerships is greater understanding of the needs of low-income people by other actors in the legal system. Finally, partnerships with

providers of other kinds of services often allow legal aid providers to strengthen their relationships with client communities.

Partnerships with other legal aid providers

The Whittier Law School Children's Rights Clinics has a General Children's Advocacy Clinic that provides legal assistance to young people. It collaborates with four other nonprofit legal aid providers who together provide referrals, self-help electronic kiosks, self-help clinics in shelters, and representation and expert advice for its juvenile hall initiative.

The number and percent of projects that listed outside partners is set out in Chart 8.

Chart 8
Projects With Partners

Type of Partner	Number	Percent
Social service and community organizations	107	65%
Volunteers	92	56%
Other legal aid providers	83	51%
Courts	28	17%

Total number of projects = 164. Percentages do not total 100 since some projects have partnerships with more than one entity, while others do not have partnerships. Source: Project budgets 2003–2004.

Volunteers

Many legal aid providers get some help from attorneys who donate their services to the clients.

Volunteer attorneys. The Legal Aid Foundation of Los Angeles Consumer Law Project offers debt relief counseling and, if needed, bankruptcy assistance to low-income debtors. With the help of their Equal Access Fund grant, they have increased the number of volunteer attorneys participating in their monthly Debt Crisis Clinic. This allows them to serve more clients and provide more assistance in preventing or stopping creditor harassment, reviewing credit reports, assisting in cases of identity theft, and providing more pre-bankruptcy assistance—which often avoids the need to file for bankruptcy.

Angela suffers from an acute bipolar condition, necessitating frequent hospitalizations. In October, 2002, Angela fell behind on her mortgage and then was hospitalized. Two individuals came to “help her out,” telling her they had purchased her home and would give her \$5,000 to find another home. Angela was tricked into signing her property over and they subsequently proceeded to evict her. Legal aid and pro bono attorneys represented Angela, who then received the entire equity value of the property.

In addition to donated legal help, an array of civic-minded community members volunteer their time and expertise to help legal aid providers better serve their clients. Equal Access Fund projects benefit from that assistance, and some depend and plan on it as an integral part of their service delivery system.

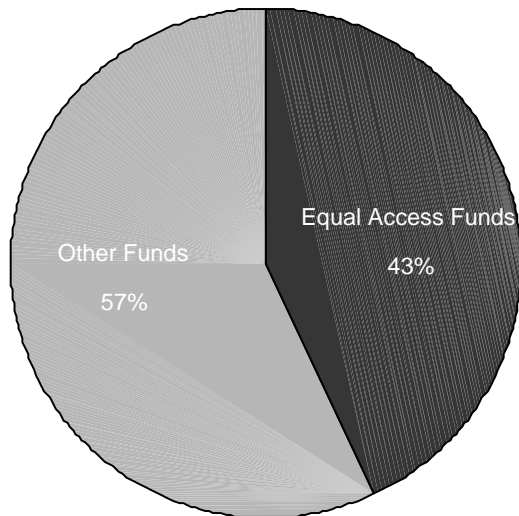
Other volunteer help. The Neighborhood Legal Services Workers' Rights Project in Los Angeles has a varied mix of volunteers to assist clients in its multiple clinics. They help over 20 people per clinic per week using one supervising attorney and a mixture of law students, college students, paralegals, and even high school students. All of these volunteers are recruited, trained, and supervised by project staff.

5. Incorporation of Equal Access Fund Money Into Projects

Grants Combined With Other Sources of Revenue

In grant year 2003–2004 there were 164 funded projects operated by 99 nonprofit legal aid providers. As illustrated in Chart 9, the total funding for these projects came to \$19,804,067, with the Equal Access Fund accounting for 43 percent of that amount at \$8,529,161. The fund plays a crucial role in the work conducted by the projects, augmented by other sources of funding that providers have successfully used to increase the effectiveness and reach of the fund's resources.

Chart 9
*Equal Access Fund and Non-Equal Access Fund
Contributions to Project Funding*



Total number of projects = 164; Total funding = \$19,804,067

Size and Share of EAF Contribution to Projects

The total project budgets themselves ranged from quite small (\$5,473) to fairly large (\$978,636). Likewise, the Equal Access Fund contribution to the projects ran from very small (\$2,265) to large (\$291,501).²¹ This grant money has been used to support small parts of relatively large projects, whole projects ranging from small to large, and significant portions of many medium-size projects. The funds have been employed in ways that address a wide variety of local needs, and in many cases have been used to supplement, or even obtain, additional funding. Clearly there are a great variety of funding needs, demonstrating the many ways these and other funds can be used to meet the legal needs of low-income people.

²¹ This mirrors to some extent the distribution of the grants to programs, which ranged from \$2,265 to \$758,040. The amount of the grant to each legal services provider, however, was determined by the legislatively mandated formula, whereas the providers themselves decided how much money to put into each project.

Most of the grant amounts applied to specific projects were fairly small—\$75,000 per year or less. This accounted for 133 (81 percent) of the 164 projects funded. The remaining 31 projects each received grant funds of more than \$75,000. Approximately half the total dollar amount went to the group of projects getting the smaller amounts, while the other half went to the group getting the larger amounts. The dispersion of the money into specific projects is illustrated in more detail in Chart 10. Legal aid providers receiving larger total grants typically spread the money among several projects. While the number of projects conducted by a particular provider ranged from one to eight, 70 percent of the providers used their grants for just one project and 20 percent for only two projects.

Chart 10
Number and Percent of Projects by Amount of Equal Access Fund Funding

Amount of Funding	Number	Percent
\$0–\$25,000	54	33%
\$25,001–\$50,000	45	27%
\$50,001–\$75,000	34	21%
\$75,001–\$100,000	11	7%
\$100,001–\$150,000	11	7%
\$150,001–\$200,000	4	2%
\$200,001–\$250,000	3	2%
\$250,001–\$300,000	2	1%
Total number of projects	164	100%

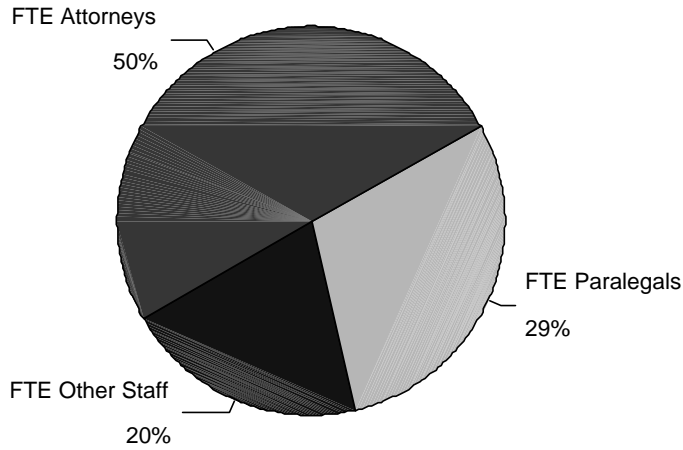
Source: Project budgets, 2003–2004.

Contribution to Staff Salaries

Grant guidelines required providers to use most of the money to pay for personnel and associated costs, or otherwise to increase services in a demonstrable way.²² Looking at the overall staffing mix on projects provides an indication of how the money was used. As shown in Chart 11, and measured by the total full-time equivalent (FTE) positions in the projects, attorneys make up the largest share of project personnel.

²² See Chapter 4, Administration of the Equal Access Fund.

Chart 11
FTE Staff on Projects



Total number of projects = 164

Looking at the of the staff that was paid for by the fund also provides some insight into the impact of the grants. Overall, grant funds paid for about half the staff of the various projects (Chart 12).

Chart 12
Equal Access Fund and Other Contributions to Staff Funding

Type of Staff	Grant-Funded FTE	Other FTE	Total FTE
Attorneys	69	81	150
Paralegals	43	44	87
Other staff	23	37	60
Total	135	162	297

Total number of projects = 164. Source: Project budgets, 2003–2004.

Other Sources of Funding for Projects

Almost all of the funded projects also receive funding from other sources. As shown in Chart 13, there is a broad spectrum of funding sources.

Chart 13

Sources of Revenue for Projects in Addition to Equal Access Fund Grants

Source	Number	Percent
Special purpose government funds (federal, state, and local)	38	23%
Private foundations	34	21%
Interest on lawyer trust accounts	33	20%
Federal Legal Services Corporation	28	17%
Contributions/donations	23	14%
General operating funds	20	12%
Other	35	21%

Total number of projects = 164. Source: Project budgets, 2003–2004. Percentages do not total 100 because some projects receive funding from multiple sources.

6. Project Evaluations

The process of reporting to the state Legislature on the effectiveness and efficiency of the Equal Access Fund has an important opportunity to build the capacity of legal aid providers to carry out evaluation and has encouraged evidence-based decision making. The Legal Services Trust Fund Program and the Administrative Office of the Courts gave all providers training, technical assistance, and tools to conduct their own evaluations. About half of the providers conducted evaluations of their services during the period covered by this report (see Appendix E, Progress On Self-Evaluation and Case Studies, for more detail on the self-evaluation effort). This section summarizes the results of the most extensive of the evaluations. The summaries are grouped by the issues the evaluations addressed, including outcomes of services, client satisfaction, and reaching target populations. Information on the evaluation methodology and responses is contained in Chart 14, Evaluations by Selected Providers and in Appendix E, Progress On Self-Evaluation and Case Studies.

Outcomes of Services

A number of projects conducted evaluations of the outcomes of a service's impact on clients' cases. Outcome evaluations are costly and difficult to design but provide the most powerful measures of effectiveness.

The Family Violence Law Center Domestic Violence Services Collaborative provides legal services that address the problem of homelessness resulting from family violence, either by ensuring that clients filing restraining orders can stay in their home, by linking clients to shelters, or by assisting law enforcement in enforcing orders to remove the violent party from the family home. A telephone survey of former clients found that nearly all clients interviewed were able to remain in their home or to secure alternate housing as a result of the legal services provided by the project, which is located in Alameda County.

The Legal Aid Foundation of Los Angeles Removing Barriers to Employment Project holds clinics to help low-income persons obtain valid driver's licenses when lack of a valid license prevents them from training for, entering, or staying in jobs. A survey of clinic attendees found that over one-half had made progress toward or obtained a valid driver's license, and that one-fifth of respondents had obtained or kept a job, or were training for a job, that required a valid driver's license. Given that it can take clients up to three months to obtain a valid driver's license, the project expects the data on job outcomes to improve over time.

The Legal Aid Society of San Diego Community Response Team provides legal advice on a range of case types by telephone. Using a range of methods to assess outcomes, the project found that clients who received services from the project were more likely to appear at hearings and were better able to communicate in court than litigants who received no assistance. A file review showed that the great majority of project clients studied had been able to file an answer to an unlawful detainer action, and that in 75 percent of cases in which the client had obtained a dismissal of the case, the client was using possible legal defenses identified by the project staff. Based on results of the evaluation, the project identified the need to provide more advice on the importance and basics of negotiating a settlement to a case, rather than focusing solely on what to say at trial.

Mary is a certified nurse's assistant who recently lost her certification when the California Department of Health discovered a 30-year-old criminal conviction. Advocates worked tirelessly to help her to get her record expunged and her certification fully reinstated, so that she could again pursue her career in the health care industry.

The Mental Health Advocacy Services Juvenile Hall Advocacy Clinic in Los Angeles collects information on the outcome of the cases of clients served and codes the outcome data as fully favorable, partially favorable, or unfavorable. The project found that of those clients receiving extended representation, 38 percent received fully favorable outcomes and 44 percent received partially favorable outcomes, exceeding the project's goal of favorable outcomes in 80 percent of its cases.

The San Diego Volunteer Lawyers Program Domestic Violence Prevention Project conducted a case file review and found that, of the 186 clients filing for temporary restraining orders, 176 (95 percent) were granted. Of these, 58 cases (33 percent) were granted restraining orders after the hearing. The project infers from this data that the limited number of restraining orders granted after hearing is due to the lack of legal representation in court. The data on the low proportion of restraining orders granted at hearing leads the project to identify the need to provide advocates in the courtroom and attorneys for victims (both outside the scope of the current project).

Client Satisfaction

Client satisfaction studies are another way of learning whether the service provided met the needs of the client. They are particularly useful when linked to outcome studies, as illustrated by the following two examples.

The Legal Aid Society of San Diego Community Response Team surveys a portion of its clients on an on-going basis, using a mail-out written survey.²³ They receive completed surveys from about 15 percent of the people to whom they are sent. The project asked whether clients were satisfied with the service provided by the legal hotline, whether the information was given in a manner that could be understood and followed by the client, and whether the information provided helped the client to achieve a better outcome in court. Over 80 percent of clients who returned surveys indicated that they were very satisfied on all of the above dimensions with the assistance provided.

²³ Certain types of clients, such as those who cannot reliably be reached by mail or those exposed to domestic violence, are not part of the surveyed population.

The San Diego Volunteer Lawyers Program Domestic Violence Prevention Project surveyed every client on whether the clinic was helpful, whether it prepared them to take the next steps needed on their case, and whether the staff was respectful and courteous. Eighty-six clients responded, representing about 29 percent of all clients served during the 12-month study period. All persons surveyed provided favorable feedback on the services received.

Many other projects conducted client satisfaction surveys. The Law Center for Families Domestic Abuse Prevention Project in Alameda County sampled 30 clients and conducted phone interviews with 12 of these, learning that non-English-speaking clients were grateful that project staff could communicate in their language. The Alliance for Children’s Rights Guardianship Program surveys families who attend their Los Angeles workshops on the guardianship process and completion of court forms. Client feedback on the workshops averaged 4.9 on a scale where 5.0 was the highest possible answer. The Santa Clara University Community Law Center Workers’ Rights Advice Clinic asked clients to rate services received at the clinic on a scale from "Excellent" to "Needs Improvement." The vast majority of clients rated the services provided by the clinic as "Excellent."

Reaching Target Populations

Three providers evaluated intake data to gauge whether their services were reaching a representative cross-section of the population in need.

The Inland Counties Legal Services Telephone Legal Assistance Project records demographic and usage information on clients served by their hotline in Riverside and San Bernardino Counties. Demographics on the 1,375 clients served during the study period were analyzed and compared to the demographics of persons in poverty in the hotline service area. Client usage of the hotline was also analyzed by case type and service type. The project found that the clients served were representative of clients in poverty in the service area, and that hotline cases were within the project’s priorities of housing, family, and consumer law.

The Mental Health Advocacy Services Juvenile Hall Advocacy Clinic in Los Angeles records the client demographics and client needs as part of an intake interview. In this case the key evaluation question was whether the needs and issues of clients served constituted an adequate range of service. Analysis of data on 180 clients found that a wide



range of needs was being addressed, including mental health (35 percent of clients), medical issues (24 percent), education issues (20 percent), visitation (27 percent), advocacy with court personnel (35 percent), living conditions (22 percent), and complaints against institution staff (16 percent).

The Asian Pacific American Legal Center Asian Language Legal Intake Project offers a range of services centered around a hotline that provides service in Mandarin, Cantonese, Korean, Cambodian, and Vietnamese. Interested in whether it was serving its target population, the project analyzed client intake data and found that the client population consisted of approximately 16 percent Cantonese-speakers, 43 percent Mandarin, and 40 percent Vietnamese (with other languages accounting for the remaining 1 percent). The project used the evaluation to identify needed changes in service: making the referral process more user-friendly and making efforts to assist clients who fail to follow through on the advice or information they are given.

Assessing the Services Provided

Projects used intake and follow-up data to assess the quality of service provided, looking at dimensions such as timeliness, range of service, and suitability of the service provided to the client's need.

The Inland Counties Legal Services Telephone Legal Assistance Project (see also "Reaching Target Populations") reviewed a random sample of case files (5 percent or 66 files) and matched the results to the project's intake data. The project found that the service provided was timely, with 77 percent of callers receiving service on the same day they called. A review of the files concluded that proper advice was being given, the legal assistance was being provided at all stages of unlawful detainer litigation, and that appropriate referrals were made for legal assistance. The types of assistance provided included counsel and advice (89 percent), referral to brief service (7 percent), and extended legal service (4 percent).

The Center for Health Care Rights Expanded Legal Services and Outreach to Underserved Medicare Beneficiaries conducted a telephone survey of 50 of the 253 clients who received services during the six-month study period. The results of the survey indicated that clients had received appropriate information and advice about Medicare and Medi-Cal eligibility, and that educational material about these programs was mailed to most of these clients. The project intends

to examine further how many individuals using the service successfully applied for Medi-Cal coverage.

Effective Training of Advocates or Community-Based Organizations

California Rural Legal Assistance Foundation Workers Rights Litigation Project trains attorneys, community outreach workers, and law clerks throughout the state to better serve the needs of farmworker clients. The results of questionnaires distributed after trainings indicated that the training helped respondents better represent clients and better serve their community. Analysis of results also indicated that the project's training is most beneficial to advocates with fewer than five years of legal experience, and that more experienced advocates would appreciate more technical training. Based on its evaluation, the project intends to add services that would be more useful to advocates with more than five years of legal experience.

The Child Care Law Center Increasing Equity and Access to Child Care Subsidies provides statewide training and support to advocates for low-income parents and guardians in the area of increased access to child care. Project staff interviewed advocates who had used the training and support services. Respondents indicated that they valued the services of the project, and they gave a number of concrete suggestions for topics on which more support and training were needed. As a result of the evaluation, the project has restructured its work to provide more in-depth rather than broad services.

The University of California at Davis School of Law Legal Clinics King Hall Immigration Project trains law students to assist immigrant detainees. The project gave a questionnaire to all student staff and supplemented the questionnaire results with interviews with staff and immigration court judges. All participants found the project valuable, with one judge saying that he valued the work of the law students because they "dotted their i's and crossed their t's." The findings also indicated that students, while generally aware of the obstacles faced by immigrant detainees, could be made more aware of the "richness" and "depth" of immigration law. Based on its evaluation, the project intends to provide more training to law students on counseling skills useful for effectively serving immigrant clients.

The Public Interest Law Project Redevelopment and Protecting Low-Income Neighborhoods and Their Residents provides statewide

technical assistance, training, and co-counseling to address the displacement of low-income residents from their homes. The project interviewed four attorney co-counselors in cases that achieved final relief or a significant milestone in litigation during the study period. Interviewees indicated that the project provided extremely high quality and effective co-counseling services. Additional services recommended included more litigation planning to address limited resources of local providers, and coordination of legal and community-based strategies.

Chart 14

Evaluations by Selected EAF Providers

Provider/Project	Description	Response
The Family Violence Law Center/Domestic Violence Services Collaborative	Telephone interviews with former clients.	100 former clients were contacted, 27 were interviewed.
The Legal Aid Foundation of Los Angeles/Removing Barriers to Employment Project	Mail survey with phone follow-up of all clinic attendees in the first three months of the project.	54 clinic attendees were contacted, 41 responded.
The Legal Aid Society of San Diego/Community Response Team	Courtroom observation of clients matched to litigants who were not clients. File review of clients.	Courtroom observation was matched sample of 7 clients and 7 non-clients. Court case file review of 26 clients.
The Mental Health Advocacy Services/Juvenile Hall Advocacy Clinic	File review of all clients receiving extended representation.	55 clients.
The San Diego Volunteer Lawyers Program/Domestic Violence Prevention Project	Case file review of project clients.	299 clients.
Law Center for Families/Domestic Abuse Prevention Project	Phone interviews.	30 clients sampled, 12 reached for interviews.
The Alliance for Children's Rights/Guardianship Program	Surveys of workshop attendees.	150 attendees.
Santa Clara University Community Law Center/Workers' Rights Advice Clinic	Survey of clients.	190 clients surveyed, 52 responded.
Inland Counties Legal Services/ Telephone Legal Assistance Project	Analysis of intake data.	Intake data on 1,375 clients.
Mental Health Advocacy Services/Juvenile Hall Advocacy Clinic	Analysis of intake data.	Intake data on 180 clients.
Asian Pacific American Legal Center/Asian Language Legal Intake Project	Analysis of intake data.	Intake data on 1,148 clients.
Inland Counties Legal Services/ Telephone Legal Assistance Project	Case file review.	Matched a random 5% sample of clients (66) with project intake data.
Center for Health Care Rights/Expanded Legal Services and Outreach to Underserved Medicare Beneficiaries	Telephone survey.	50 clients contacted. No response information.
California Rural Legal Assistance Foundation/Workers Rights Litigation Project	Surveys distributed following trainings and seminars.	75 surveys distributed, 34 returned.
Child Care Law Center/Increasing Equity and Access to Child Care Subsidies	Interviews with advocates who use the project's training and support services.	30 advocates interviewed.
Davis School of Law Legal Clinics/King Hall Immigration Project	Survey of student staff.	No information.
Public Interest Law Project/Redevelopment and Protecting Low-Income Neighborhoods	Interviews of co-counselors.	4 co-counselors interviewed.

Source: Evaluation reports submitted by EAF grantees.

CHAPTER 3

EQUAL ACCESS FUND PARTNERSHIP GRANTS— PROJECTS, SERVICES, AND EVALUATION

1. Overview and Goals of Partnership Grant Program

One of the most innovative aspects of the Equal Access Fund has been the Partnership Grant Program, in which 10 percent of the funds are designated for nonprofit legal aid providers to operate self-help centers in collaboration with local courts. These partnerships were designed to help local courts respond to the growing numbers of self-represented litigants in courts throughout the state. Court data indicates that as many as 80 percent of family law litigants are unrepresented, and that as many as 90 percent of tenants in landlord-tenant cases do not have attorneys.²⁴ A major side benefit of the Partnership Grant Program has been the establishment of close working relationships between many of the projects and the courts that they serve, allowing both courts and legal aid providers to address systemic barriers to access to justice in a more efficient and effective manner.



The partnership grants have become a critical part of the growing framework of services for self-represented litigants offered by the California courts. Working with family law facilitators, family law information centers, small claims advisors, and other court-based self-help centers, legal aid providers bring their extensive experience providing self-help to low income communities..

²⁴ “Report of the Task Force on Self-Represented Litigants,” approved by the Judicial Council February 27, 2004.

<http://www.courtinfo.ca.gov/reference/documents/selfreplitsrept.pdf>

While many legal aid providers have offered assistance at courthouses in the past, this is the first time that such efforts have been encouraged on a statewide basis and that grant conditions require identifying and planning ways to resolve potential areas of concern—such as maintaining the role of the court as a neutral entity. The solutions and new opportunities posed by these collaborations are providing models for other such self-help collaborations throughout the state and the nation. A description of each of the partnership projects is found in Appendix C, Partnership Grant Projects.

2. Description of Partnership Projects

“ . . . The greatest benefit of the program is timesavings! Time is saved at the clerk’s window and in the courtroom because the parties are better prepared and have accurate paperwork. They don’t have to have their papers processed over and over again, so we spend less time dealing with the same parties.”

—Court Administrator

A partnership project is a self-help center at the superior court, often sharing office space with the family law facilitator or other program. Partnership projects are always staffed by attorneys, with assistance from paralegals, law students, or clerks. Projects are usually open to the public between 10 and 30 hours per week. The public is served on a walk-in basis, and the core service consists of one-on-one contacts with self-represented litigants. The attorney or other staff person will usually screen each customer to ensure that the case or other issue falls within the purview of the project. If people do not meet these requirements, they are referred to another service. One-on-one assistance from partnership projects includes explaining the legal process, providing the necessary forms packets, and helping fill out forms. Many parties, particularly those with family law cases, return to the partnership project numerous times in the course of their case, as new papers are required or new issues arise. Most projects focus on a single case type, with family law cases being the most common. Partnership projects are generally able to provide assistance to persons with limited or no reading and writing proficiency and to persons with limited or no English language proficiency, particularly if those litigants speak Spanish. During the year-long period studied for the partnership grant projects, 16 partnership projects employing approximately 14 full-time equivalent attorneys and 10 additional full-time equivalent staff provided one-on-one services to over 20,000 people.²⁵

²⁵ Nineteen projects received partnership grants during the 2003–2004 fiscal year. Staffing data for three projects was not available.

Partnership projects provide a variety of services beyond one-on-one consultations. Workshops and clinics, offered by about one-quarter of the projects, give information on legal processes or assistance in filling out forms to a group of attendees. All projects develop and distribute written informational materials, provide education to organizations in the community, and do outreach to community groups to inform the community of the availability of the service.

3. Types of Persons Served²⁶

The majority of self-represented litigants served by partnership projects (92 percent) are between the ages of 18 and 59 (Chart 15). This reflects the concentration of partnership projects on family law case types. Projects concentrating on housing and income maintenance issues report a higher proportion of customers over the age of 59.

Chart 15
Age of Persons Served by Partnership Projects

Age Group	Percent
Under 18 years	1%
18 to 59 years	92%
60 and over	7%

Total number of customers with age reported by 12 projects = 17,800. Source: 2003 year-end project reports.

Chart 16 shows that persons identified as Hispanic or Latino are the largest group served, at 39 percent of all customers. Non-Hispanic White customers are the next largest group at 30 percent, with African Americans the third largest group at 15 percent. Asian/Pacific Islanders, however, make up 3 percent of customers while they represent 11 percent of all adults in poverty. This may reflect the need for expanded non-English-language services and the fact that there is a documented low usage of the courts among this broad ethnic category.

“People who have been to the program exhibit a much lower level of anxiety in the courtroom. It is very readily apparent from the bench. They are calmer and have a better understanding of what is happening to them. The program helps them interact effectively in the courtroom.”

—Court Commissioner

²⁶ Client descriptive figures are based on case resolution or “closing” data reported by projects. They reflect a count of individuals served by the project through some type of in-person or one-on-one contact. They do not include individuals served through large gatherings like community education sessions or reached through mass media or mass distribution of written materials such as brochures.

Chart 16

Ethnicity of Persons Served by Partnership Projects

Ethnicity	Percent
Hispanic or Latino	39%
White non-Hispanic	30%
African American	15%
Asian/Pacific Islander	3%
Native American	1%
Not reported	12%
Total	100%

Total number of customers reporting ethnicity data by 12 projects = 17,800. Source: 2003 year-end project reports.

“Thank God for this clinic, I’ve been looking for help for three years.”

Almost two-thirds of partnership project customers are women. This is consistent with the representation of women in all Equal Access grant-funded projects (63 percent) (Chart 17).

Chart 17

Gender of Persons Served By Partnership Projects

Gender	Percent
Female	63%
Male	26%
Not reported	11%
Total	100%

Total number of customers reporting gender data by 12 projects = 19,100. Source: 2003 year-end project reports.

4. Types of Legal Issues Addressed

The most common type of cases addressed by partnership projects were in the area of family law, with 12 of 19 projects addressing family law issues (Chart 18). The other major case types were housing, consumer/finance, and education/employment. Many projects address multiple case types but specialize in a particular type of case. For

example, while 5 projects handled consumer/finance cases, 664 of the 695 cases were handled by only one of those projects.²⁷

Within case types, partnership projects specialize in particular legal issues. In family law, the primary legal issues addressed were divorce (13 projects), domestic violence restraining orders (8 projects), child custody (7 projects), and child support (7 projects). In housing cases, projects specialized in unlawful detainer and evictions (10 projects). A few projects had a primary focus on small claims and civil harassment restraining orders (4 projects), and one project focused on guardianship issues.²⁸



Chart 18
Direct Case Assistance by Case Type

Type of Legal Need	Number of Projects	Number of Cases Closed
Family	12	13,300
Housing	8	1,885
Consumer/finance	5	695
Education/employment	5	129
Individual rights ²⁹	6	54
Health	3	47
Income maintenance ³⁰	3	24
Juvenile	2	3
Other ³¹	8	2,384

Total number of cases reported by 12 projects. Source: 2003 year-end project reports.

²⁷ Based on "case closing" statistics reported by 12 of the 19 projects at the end of calendar year 2003.

²⁸ This information is based on project descriptions submitted by all 19 projects in their budget proposals for 2003.

²⁹ "Individual rights" refers to immigration, naturalization, mental health, prisoners' rights, the rights of people with disabilities, or other individual rights.

³⁰ "Income maintenance" refers to CalWORKs, TANF, food stamps, social security, SSI, unemployment compensation, veterans' benefits, workers' compensation, or other income maintenance.

³¹ "Other legal needs" refers to incorporation, corporate dissolution, Indian and tribal law, license (auto and others), torts, wills, estates, other.

“Your staff was very helpful and experienced. I received guidance and information that you can’t put a value on or that normal folks could even afford. Thank you very much, and all should be commended for a job well done and for their service to the community.”

5. Types of Assistance Provided

Most partnership projects provide direct, one-on-one assistance to customers (16). The primary forms of direct assistance are information about the legal process (12), providing forms and packets (11), and help in preparing forms (11). Most projects also refer customers to other services when appropriate. A few projects provide services primarily through workshops and other forms of community education and information dissemination (4).

Almost all projects provide services in languages other than English, through bilingual staff or access to interpreters. Almost 90 percent of projects provide services in Spanish (17), three provide services in Chinese, and one in Korean.

Most partnership projects were unable to be open to the public the same number of hours that their partnering courts were open. Projects reported hours of service ranging from a low of 6 hours to almost 40 hours per week, with most open 10 to 30 hours per week.

6. Nature of Assistance

Each partnership project was asked to provide counts or estimates of the number of self-represented litigants served in 2003 by service type.

Direct assistance. Approximately 22,000 self-represented litigants were served through direct assistance, based on 14 projects reporting. This assistance included providing information about the legal process, forms, and help in completing forms. This accounts for roughly two-thirds of the 34,000 people helped overall. Most of the remaining people were assisted through distribution of printed materials, with over 2,500 people being helped by workshops or clinics. The projects did not provide estimates for the numbers of people reached through Web-based materials or electronic kiosks.

Chart 19

Direct Assistance by Type of Assistance

Type of Assistance	Number of Persons Served
One-on-one assistance	21,400
Distribution of forms and packets	10,100
Workshops or clinics	2,500

Total number of customers reported by 14 projects. Source: 2003 year-end project reports.

Outreach and community legal education. Most partnership projects also provide assistance other than direct assistance to customers (Chart 20). The major form of this assistance is community legal education—the production and distribution of materials and presentations to assist self-represented litigants. These materials and presentations are designed to explain how the legal system works and to build a basic understanding of a particular community’s legal rights and responsibilities. In 2003 the partnership projects served large numbers of individuals in the community through writing and distributing brochures and newsletter articles and giving presentations to community groups. While partnership projects are beginning to distribute information through the Internet, this still plays a small role in legal education.

Chart 20

Community Legal Education

Type of Community Legal Education	Number of Persons Served
Brochures distributed	40,000
Newsletter articles distributed	11,000
Presentations attended	11,000

Total number of customers reported by 12 projects. Source: 2003 year-end project reports.

Referrals. Another type of assistance provided by partnership projects is referrals to other service providers (Chart 21). The most common form of referral is to a full-service legal aid provider. These referrals are made for people who have legal needs not addressed by the center or who, because of the complexity of their case or the

difficulties they might have in representing themselves, need a lawyer. A related but much less frequently made type of referral is to pro bono projects providing volunteer services by the private bar. Legal aid programs also work closely with volunteer lawyers, so a referral to a legal aid program could result in assistance from a volunteer lawyer. Referrals to lawyer referral services, pro bono programs, and other private bar referrals are made either because the self-represented litigant is ineligible for legal aid services due to income or other limitations, or the case appears to be one that will generate a fee. A large number of referrals are also made to a wide variety of social service agencies that assist people with nonlegal needs such as housing, health care, child care, or food.

Chart 21
Individuals Referred by Partnership Projects

Type of Referral	Number of Persons
Nonprofit legal aid provider	6,000
Social services agency	3,900
Private bar/lawyer referral services/pro bono	1,900
Other	1,000

Total number of customers reported by 19 projects. Source: 2003 year-end project reports.

7. Funding and Staff

In 2003, \$950,000 of Equal Access Fund money was awarded to 19 partnership projects (Chart 22). Grants ranged from \$20,000 to \$74,000, with the average grant around \$50,000. As with the other Equal Access Fund grants, partnership grants are almost always combined with other sources of funding to create a viable court-based self-help center. Overall, Equal Access Fund money accounts for a little less than half the revenue needed for the centers to operate.

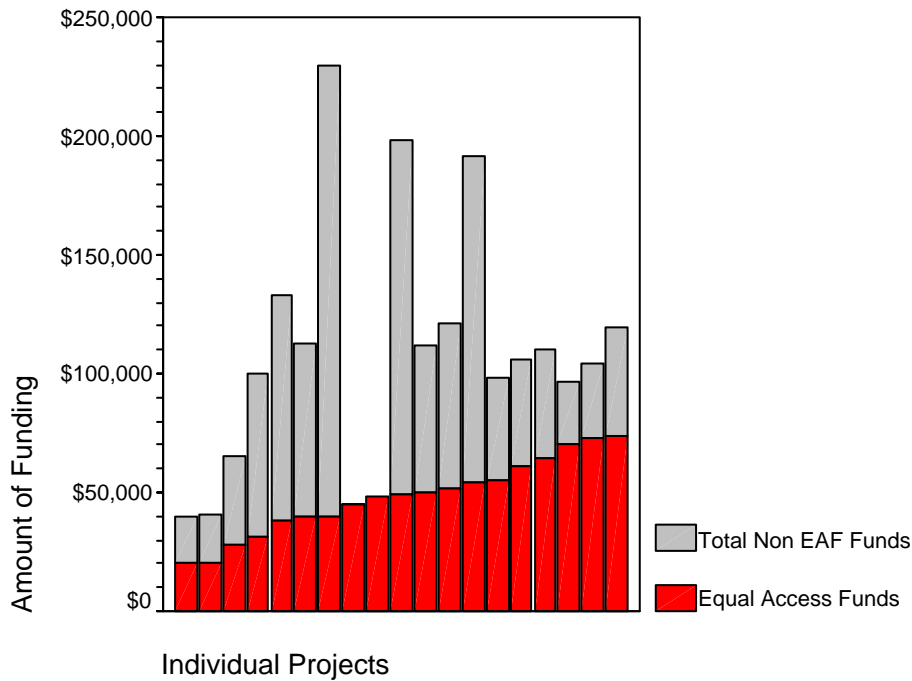
Chart 22
Project Funding for 2003

Source	Minimum	Maximum	Total for all Projects
Equal Access funds	\$20,000	\$74,000	\$950,000
Non-Equal Access funds	\$261	\$189,254	\$1,160,686

Total number of projects = 19. Source: 2003 year-end project reports.

Chart 23 illustrates the diversity of funding combinations used by the various partnership projects to create their self-help centers. EAF funding has spawned a great deal of creative thinking and innovation that makes use of local opportunities and responds to local needs.

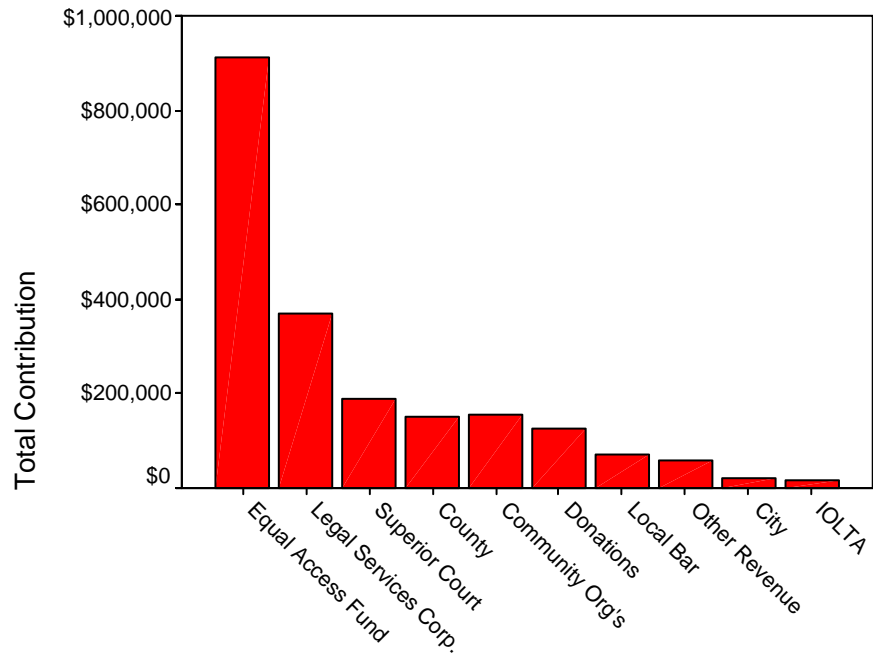
Chart 23
Total Project Funding by EAF and Non-EAF Funds



Total number of projects = 19. Total revenue = \$2,072,421

The partnership projects are both creative and determined in seeking additional funding and support. Notable among these sources are funds contributed by cities and counties. Funds have also been contributed by local bar associations, and projects have used some of their IOLTA funding to support the work of the centers (Chart 24).

Chart 24
Sources of Project Funding



Total number of projects = 19. Total revenue = \$2,072,421.

Similar to other Equal Access Fund projects, the partnership projects are staffed 51 percent with attorneys and 49 percent with nonattorneys. The nonattorney staff is divided equally between paralegals (24 percent) and other staff (25 percent).

“Let me give you an example. Our self-help center was closed one afternoon, and our judge spent over one hour explaining procedure to pro pers in the courtroom.”

—Court Administrator

8. Partnership Grant Evaluations

Origin of Partnership Evaluation Efforts

When the Partnership Grant Program started in 1999, there was little research about the efficacy of self-help assistance. While self-help services had been offered throughout the state for several years, many were concerned that it was not helpful for litigants. This program was seen as an ideal opportunity to ask projects to evaluate their activities and the effectiveness of their efforts to guide future funding. A group of experts in legal aid, self-help, and evaluation strategies developed a list of outcomes that they hoped would be achieved, and projects were encouraged to develop evaluation strategies to address these questions. These evaluation strategies have become national models.

Large Numbers of Litigants Assisted

The number of persons assisted by the partnership projects is truly remarkable. The projects employed, on average, less than one full-time equivalent attorney, while providing direct one-on-one assistance to more than 34,000 self-represented litigants.³² The ability to reach so many low-income litigants appears to be due to a number of factors, the primary one being the nature of the assistance, which generally consists of brief services and referrals. Other factors include the location of the projects in the courthouse, where many litigants naturally come for assistance, and the ability to serve all low-income persons who have a legal question avoiding the loss of significant amounts of time doing intakes and screening for conflicts.

Successful Partnerships With Courts and Local Organizations

As previously described, the partnership projects have been able to combine Equal Access Fund money with other funds to such an extent that, overall, non-Equal Access Fund grants and contributions account for more than half of project revenues (see Chart 22, above). This does not include additional in-kind assistance that the partnership projects may receive from the courts. Judicial officers interviewed by the Administrative Office of the Courts staff characterize the partnerships as having significantly increased the efficiency of the court and improved public trust and confidence in the court. All of the partnership staff who commented on the topic of relationships with the court reported that judicial officers and court staff were very pleased with the self-help center's performance, and felt that the center's services saved the court valuable time and resources by helping self-represented litigants better prepare pleadings, organize their evidence, and present their cases effectively. Many noted that the centers had been able to provide assistance to the court to help address more systemic issues caused by large numbers of self-represented litigants, such as coordinating calendars and identifying the need for bilingual staff.

Partnership projects report receiving 7 percent of their funding from community-based organizations and 7 percent from counties. Twelve

"This program has resulted in my being able to use the time I spend on the bench more efficiently."

—Superior Court Judge

"It's a 'win-win' for the court and for the pro per litigants."

—Court Administrator

³² Total litigants served, from all 16 projects reporting staffing data in 2003.

projects report serving 64,000 persons through a range of community legal education activities. Projects also report a wide range of referrals made to court, community, and other agencies (Chart 25).

Chart 25
Partnership Projects Making Referrals to Other Agencies

“Having a knowledgeable person to bounce their problem off of gives them some reality about the court. They have a lower anxiety level, which is readily apparent from the bench. They are calmer, understand better what is happening to them and can interact more effectively in the courtroom.”

—Superior Court Judge

Type of Referral	Number of Projects
Nonprofit legal aid provider	19
Social services agency	13
Family law facilitator	12
Private attorney (not pro bono)	9
Pro bono attorney	7
District attorney/police	5
Housing agency	4
Public benefits	4
Counseling/shelter	1
Other	6

Total number of projects reporting referrals = 19. Source: 2003 year-end project reports.

Partnership Project Services Effective

Services to self-represented litigants result in high rates of customer satisfaction. All the projects measured customer satisfaction, with 15 of the 19 projects conducting customer exit surveys (see Appendix E, Progress on Self-Evaluation and Case Studies). Feedback from the self-represented litigants was reported as highly positive, with all but one project reporting that survey or other results indicated that self-represented litigants were satisfied with the assistance they received.³³

The projects themselves rated their impact as highest in the area of the self-represented litigants’ expectations and understanding of the legal process. Projects rated the reasonableness of customers’ expectations of the legal process before their service at the partnership project as

³³ That project reported that most self-represented litigants “reported overall satisfaction with the service, explaining that they gained information about their legal rights, a better understanding of the court process, the resources available to them and how to access those resources.” It was somewhat less clear, however, whether litigants using that project felt their overall situation had improved as a result of going to the project.

extremely low. Thirteen of 19 projects rated customers' expectations before the service as either unreasonable or mixed. Only one project said that self-represented litigants' expectations before the service were reasonable. One project reported that most self-represented litigants "had little idea about what to expect, their rights or the merits of their case." Another noted that their customers "found the legal process 'vexing.' ... Many had received bad advice or had bad experiences in the past." For example, "one common misconception is that a restraining order can be obtained simply by calling the courthouse." Another common misconception concerned their expectations of the court: "Prior to the service, (the self-represented litigants') expectations tended to be unreasonably high regarding what a court could accomplish. Many people think that the court order will be able to change the personality and habits of their ex-partner, e.g., because the court has ordered that a father show up on time to pick up a child he will do so, or mothers who get an order for child support expect that they will automatically get the money owed them."

Projects also said that their service was able to change the self-represented litigants' expectations, although most confined this improvement to a better understanding of the legal process in general (Chart 26). A few projects reported the people served by the center had a more in-depth understanding of their particular case, but the limited nature of the services provided by self-help centers would generally not allow them to make a detailed assessment of individual cases.

Chart 26
Did Self-Represented Litigants' Expectations Change Following Assistance?

Change in Litigant Expectation	Number of Projects
Yes: Better understanding of the legal process	11
Yes: Better understanding of how the facts of their particular case might result in a positive or negative result	4
Unknown	4

Number of projects reporting = 19. Source: 2003 year-end project reports.

Case Types Most Amenable to Self-Help Services

Projects were asked to list the types of legal problems that they thought were most appropriate for self-help assistance (Chart 27). Responding to an eviction action leads that list, along with filing an uncontested divorce, paternity or custody action, and requesting a domestic violence restraining order. Filing simple responses to a divorce petition and responding to an order to show cause were also mentioned as appropriate for self-represented litigants. Other legal problems amenable to self-help assistance included any simple, uncontested matter, filing proofs of service or judgments, civil restraining orders, small claims matters, modification of custody or visitation orders, and elder abuse restraining orders. It should be noted the projects offered opinions only about the types of legal issues handled by the project, so that a center that only handled family law matters did not comment on the appropriateness of self-help in the area of eviction responses.

Vicky, a low-income tenant, was the victim of identity theft. An unknown person had rented an apartment using Vicky's name and identification. The person had been evicted for failure to pay rent. The landlord sought to execute a judgment against Vicky and placed a lien on her wages.

The project helped Vicky file an emergency motion to have the lien removed promptly. If Vicky hadn't received this assistance, she would not have been able to pay her own rent, as her wages were frozen, and she might have become homeless as a result.

Chart 27

Legal Problems Reported as Amenable to Self-Help Services

Type of Legal Problem	Number of Projects
Eviction response	5
Uncontested divorce	4
Response to divorce	3
Paternity/custody	4
Domestic violence restraining order	4
Motion—temporary order	2
Response to motion	2

Total number of projects reporting = 19. Source: 2003 year-end project reports.

Case Types Less Amenable to Self-Help Services

Fewer projects responded to questions about legal problems that were not amenable to self-help. Of those that did, most frequently mentioned were cases involving complex legal or factual issues. Case types that were specifically mentioned were contested custody, discrimination, and debt collection. Several projects felt that guardianships were too complex for self-represented litigants to handle on their own, although many other projects reported successfully providing guardianship assistance.

For example, Public Counsel was able to assist self-represented litigants complete approximately 1,200 guardianships in 2003. Their evaluation found that guardianships of the person were appropriate for self-help assistance, and the clinic's assistance in particular was most beneficial to those who had difficulty understanding the paperwork and procedures (especially monolingual Spanish-speaking individuals, a majority of the clinic's customers). Guardianships or conservatorships of the estate were not generally amenable to low-income self-represented litigant assistance because they usually required a bond, which the bonding company in the courthouse would not grant to low-income litigants.

In addition to providing case types, the reports generally stressed that the feasibility of being able to self-represent effectively was the result of an interaction between three factors: the type and complexity of the legal issues, the factual complexity of the case, and the abilities of the party. Opinions varied about the effect of a fourth factor, the abilities or legal representation of the opposing party. Nonetheless, there is something of a consensus that the advisability of proceeding as a self-represented litigant should be determined by carefully weighing these factors rather than by looking at any one factor alone.

A final factor mentioned by several projects was the timing of the assistance. People who came in the day an answer was due, or even later, made rendering effective self-help assistance difficult or impossible.

Pilar came to the clinic with visible bruises inflicted by her husband and many emotional scars from the domestic violence she had experienced during 10 years of marriage. Attorneys met with Pilar many times over the following months until, in January 2004, she returned for her final judgment to be prepared.

By that time she had obtained a three-year restraining order, primary physical custody of the parties' three children, control of when and where the father's visits were to take place, and an order for \$1,439 per month, which enabled her to leave welfare. Pilar had a new energy and hope easily visible to the advocates. She was delighted with the assistance and said she could barely believe the outcome.

Models for Addressing More Difficult Case Types

As cases become more complex, the advisability of proceeding as a self-represented litigant diminishes. Slightly more complicated matters may simply call for more assistance, primarily forms preparation and follow-up visits to discuss how to proceed and the next steps to be taken. Projects felt self-represented litigants could handle somewhat more complicated matters if they got these slightly more elaborate services. Many projects also worked with their partner courts to identify systemic problems that could be addressed through changes in court procedure to make it easier for self-represented litigants to present their cases. By providing comments to the Judicial Council on forms changes, projects further worked to ensure that court processes became more accessible for self-represented litigants.

All projects also developed referral systems to help provide additional assistance to self-represented litigants who might be able to prepare their paperwork with the assistance of the partnership program, but they might need additional services such as strategic advice, help with negotiations, or in-court representation.

As projects develop ways to assist litigants with these more complicated cases, this information is being distributed to legal aid providers through educational seminars, meetings, and best practices resources.

“These programs fill a niche that we now couldn’t do without. You know you’ll always limp along somehow as we did before, with help from the local bar. But having a court program whose purpose is to help pro pers helps the court as well as the litigants—and ultimately saves the taxpayers money by saving time.”

—Court Administrator

Effective Assistance for Non-English-Speaking Litigants

With the large number of non-English-speaking litigants in California, the issue of how to provide effective and appropriate access to the courts is a critical one. All projects provided services to non-English speakers, and three of them focused primarily on services to Spanish-speaking litigants. The evaluation results indicated that these services were effective and allowed non-English-speaking litigants to proceed with their cases and obtain appropriate results in divorce and domestic violence matters.

Limited English proficiency was identified as a key reason for the need for services in addition to self-help assistance if litigants are to effectively represent themselves in court. In certain areas, such as domestic violence, if an interpreter is provided by the court, or in family law cases that proceed by default, it appears that self-help

services alone can be effective for non-English speakers in many cases. One other way that a number of projects were working to serve

Spanish and Vietnamese speaking litigants was to incorporate I-CAN!, an interactive software program that helps litigants complete common pleadings such as domestic violence restraining orders, fee waivers, and unlawful detainer matters by asking simple questions that are then entered onto the appropriate Judicial Council form. Each software module has been translated into Spanish, and the evaluation of that project indicates that 80 percent of Spanish speakers found it easy to use.³⁴ Part of that success is due to the fact that the questions are written in plain language and the project also utilizes video to ask the questions posed in English or Spanish, thus assisting persons with limited literacy.

One-on-One Assistance Most Effective

Projects almost uniformly responded that one-on-one assistance was the most, if not the only, effective assistance (Chart 28). In particular, one-on-one assistance was considered most useful for self-represented litigants with low levels of literacy. Other forms of assistance were mentioned as being effective primarily if offered in conjunction with one-on-one assistance.

Chart 28
Most Effective Types of Assistance

Type of Assistance	Number of Projects
One-on-one assistance	16
Introductory workshops	4
Written materials	3
Follow-up sessions	2
Other	1

Total number of projects reporting = 19. Source: 2003 year-end project reports.

A teenage mother came to the center, desperately trying to get help to find her one-year-old daughter who had been taken by the father. The woman had recently moved to California with the father and their daughter. After a few months, the couple broke up and the father disappeared with the child.

Not knowing where to get assistance, she came to the courthouse and was referred to the center. The center was able to assist her with the paperwork and get custody. She represented herself before a family law judge. She was able to argue her case persuasively and the judge awarded her sole custody. The father was found and the mother and daughter were joyfully reunited. The young woman now lives with her parents, where she and her child have a safe, stable home.

³⁴ This evaluation of the Legal Aid Society of Orange County's Interactive Community Assistance Network (I-CAN!) Project was authored by James W. Meeker and Richard Utman, University of California, Irvine, May 22, 2002.

Since few projects offered workshops, there was a limited basis for comparison between one-on-one services and workshops. It was often noted that workshops, written self-represented litigant packets, and other self-help materials were useful primarily as an adjunct to the individual assistance. Although they were felt to be useful, they were not seen as being sufficient to allow most self-represented litigants to adequately prosecute or defend their case in court. One project did mention, however, that workshops seemed more efficient when teaching self-represented litigants about filling out initial dissolution paperwork. Projects that surveyed the self-represented litigants about types of assistance they had received found that they preferred individual help.

Positive Effect of Services on Outcomes of Cases

Sixteen projects reported that properly completing forms at the center helped self-represented litigants become better prepared. More mixed results were reported by 2 projects based on court clerk impressions. The projects reporting that self-represented litigants had complete forms also reported anecdotal evidence that the cases of self-represented litigants who visited their center were less time consuming for bench officers and clerks. The other 2 projects reported more mixed results in that area as well.

Eleven projects reported that self-represented litigants using the self-help center were satisfied with their opportunity to make their case in court, while 3 projects said this outcome was mixed (generally depending on the judge), and 5 said they did not know.

“It has taken the heat off the clerk’s office—a relief to the staff. They are not faced with such long lines and questions they either can’t answer or are not sure they should answer—they can refer people to the self-help center.”

—Court Administrator

While 10 projects reported that people who were helped achieved better results, the remaining projects were not able to report on that issue. Very few projects were able to afford any meaningful outcome measurement system such as courtroom observations or follow-up interviews. Many noted that the better self-represented litigants understood their cases, the more likely they were to achieve a positive, or more positive, result.

One improvement in outcomes reported anecdotally by some projects was in landlord/tenant cases. The ability to file an answer to an eviction complaint can significantly improve the self-represented litigants’ chances of retaining their home.

A domestic violence restraining order clinic that was able to have an attorney observe self-represented litigants in court reported them to be “less nervous because they better understood the process, more satisfied with the opportunity to make their case, and better able to hold their own against the other side. Self-represented litigants were able to get restraining orders, live without violence, become more financially stable because of support, defend against allegations (that) no violence had occurred, and get fees waived where appropriate.”

Referral Networks for Those Who Could Not Be Served

Self-represented litigants who could not be helped were referred to other services. Most common among these was referral to a full-service legal aid organization. While legal aid is a referral used by almost all projects, it is not the only source of legal assistance. Lawyer referral services, the family law facilitator’s office, and pro bono projects are also significant sources of help used by many projects. Aside from more in-depth legal help, customers also come to self-help centers with nonlegal needs. These are reflected in referrals to social service agencies, counseling, shelters, public benefits, and housing agencies. Referrals to the local district attorney or police department indicate that some customers are crime victims. Finally, other referrals included conflicts panels of local bar associations, law libraries, family court services, and local mediation or conciliation services.

The most common reason given for referral was the complexity of the case (Chart 29). Referrals because of the subject matter of the legal problem and for reasons of language were made by most of the projects, indicating that there are unmet needs at the self-help center level that could be addressed with more funding. Special needs of the customer were reasons for referral to social service agencies. Other litigants are listed as being referred because of income ineligibility or because they requested a referral. A few projects reported referring customers because of lack of project resources, the other party having legal representation, and the degree of acrimony in the case.

Chart 29
Reasons for Referral

Reasons	Number of Projects Reporting Referrals
Complexity of case	14
Subject matter	10
Language needs	10
Special needs	9
Income ineligibility	5
Customer request	2

Total number of projects reporting = 19. Source: 2003 year-end project reports.

“Yes—we want to continue the program. If I didn’t have it, my life would be miserable.”

—Superior Court Judge

Evaluation Results Used to Improve Quality of Services

Providing court-based self-help legal assistance is a relatively new area of service, and the partnership projects have used the results of their evaluation to improve services to the public. For example, one project found out, from focus groups of litigants that they had assisted, that many litigants felt they were unprepared to present their case by themselves in court. As a result of this information, that program added a special workshop to help self-represented litigants prepare for court by role playing.

Another program found that one judge believed that the program was not effectively describing what would happen in court. Program staff attended court hearings, met with the judge, and was able to use this to establish a better working relationship with the judge and identify areas of miscommunication.

CHAPTER 4

ADMINISTRATION OF THE EQUAL ACCESS FUND

1. Fund Uses Existing Administrative Structure

To administer the Equal Access Fund the Legislature took advantage of an existing statutory system for distributing grants to provide civil legal aid for low-income people—the Legal Services Trust Fund Program of the State Bar of California. This distribution system was created in 1981 to distribute interest on lawyer trust accounts in order to “expand the availability and improve the quality of existing free legal services in civil matters to indigent persons, and to initiate new programs that will provide services to them.” (Business and Professions Code section 6210) In 20 years of operation, this program has granted, and supervised the spending of, more than \$250 million from the Legal Services Trust Fund Program.³⁵

The 1981 law sets out conditions for funding legal aid providers and a formula for allocating funds among the eligible organizations. State Bar rules, guidelines, and procedures create a structure for administering and managing the grants and for holding the grant recipients accountable for spending the funds. A Legal Services Trust Fund Commission appointed jointly by the State Bar and the Judicial Council oversees day-to-day operations.

The system was designed to simplify distribution, minimize administrative costs, and assure that decisions about how the money is spent would be made locally, within certain limits. Oversight is provided by the Judicial Council, which reviews the work of the Trust Fund Commission to ensure that the conditions set out in the legislation are met. The council also provides support for the

³⁵ For a description of the other source of funding for the Legal Services Trust Fund Program, see Appendix F, Organizations Working to Support And Coordinate the Statewide System of Delivering Legal Aid to the Poor.

partnerships between legal aid providers and the courts.

2. Streamlined Grant Decisions and Funding for a Range of Legal Aid Providers

The statutory system for administering these grants uses an allocation of funds based on objective standards, aimed at spreading the money throughout the state but still keeping it concentrated enough to make a difference in the provision of services. Grants go to organizations with a primary purpose of providing free legal aid.

Two basic kinds of legal aid providers are eligible for grants: “qualified legal services projects” and “qualified support centers.”

- *A qualified legal services project* is a nonprofit corporation that provides, as its primary purpose, civil legal services without charge to persons who are indigent. Each organization must have at least a minimum level of cash funding, demonstrated community support for the operation of a viable ongoing program, and quality control procedures approved by the State Bar of California. (Business and Professions Code, §§ 6213(a) and 6214)
- *A qualified support center* is a nonprofit corporation that provides training for legal aid attorneys, technical and advocacy assistance on cases, and other backup support to qualified legal services projects, without charge and as its primary purpose. Support centers, too, must have quality control procedures approved by the bar. If they were created after 1981, they must also be deemed to be of special need by the majority of the qualified legal services projects that they serve. (Business and Professions Code sections 6213(b) and 6215) Support centers usually focus on a particular client group (National Senior Citizens Law Center, for example, or Immigrant Legal Resource Center), or they are experts in a particular field of the law (National Housing Law Project or National Health Law Program, for example). Support centers may be national organizations, but they must actually provide a significant level of service from an office in California.

For the Equal Access Fund, the Budget Act requires that funds “are to be distributed by the Judicial Council through the Legal Services Trust Fund Commission to qualified legal services projects and support centers:

- Ten percent of the Equal Access Fund is set aside for grants to eligible organizations “for joint projects of courts and legal services programs to make legal assistance available to pro per litigants.” The system for administering these grants—referred to as “partnership grants”—is described below.
- The remaining 90 percent of the funds are to be “distributed consistent with Sections 6216 through 6223 of the Business and Professions Code,” the system for allocating and spending grant funds that was created by the Legal Services Trust Fund Program statute in 1981.
- Up to \$500,000 (5 percent of the original \$10 million Equal Access Fund) is available from the amounts above for the cost of administering the fund and the grants.

3. Fund Shared Equitably Throughout California

The grants that constitute 90 percent of the Equal Access Fund, which are distributed according to a formula, are referred to as “formula grants” to distinguish them from the “partnership grants” that are discussed separately below.

The law sets out specific guidelines for distribution of the formula grants. First, 85 percent of the money is allocated to counties based upon their share of the state's more than 6 million indigent persons. Within counties, the money is divided annually among all other "qualified legal services projects" in each county according to a formula that is tied to each organization's previous year's expenditures. For example, if one provider's expenditures represented 65 percent of all the money spent the previous year by legal aid providers in that county, that provider would receive 65 percent of that county's trust fund allocation in the following year.

In any county where one or more providers use volunteer (“pro bono”) attorneys as their principal means of delivering legal services, 10 percent of the funds are specially set aside for those organizations. If there are no eligible pro bono projects in a given county, this rule is waived.

The result of this system is the distribution of grant funds to a network of local organizations that provide legal services to a vast range of eligible low-income clients in all 58 counties of the state. Local boards made up of lawyers and community representatives set priorities for using limited funds, while the State Bar provides oversight through a centralized system for grant administration and management, and the Judicial Council has ultimate review.

4. Statewide Grants Provide Efficient Backup and Support

The remaining 15 percent of the funds (the portion that is not divided among the counties) is distributed to “qualified support centers” in equal shares. These support centers provide training, technical assistance, and other forms of support for the local providers. Support centers are staffed by attorneys who have special expertise in particular fields of law or in working with particular client groups. They make their services available to the local providers so that all providers can share in the centralized expertise.

Support centers are governed by experienced boards of directors who are knowledgeable about each center’s work. Each board sets priorities for its center’s work after consultation with legal aid attorneys, members of the private bar, and eligible clients. The result of this system of statewide support centers is an efficient sharing of expertise, as demonstrated further by the descriptions and examples of the work performed by support centers with their Equal Access Fund grants.

5. Strict Rules Governing Administration of Grants

By statute, funded nonprofit legal aid providers must use their grants to provide free civil legal services to low-income people. They must adopt financial eligibility guidelines. They may not use any funds for fee-generating cases or for services in criminal proceedings. They must ensure the maintenance of quality service and professional standards, and must preserve the attorney-client privilege and the attorney’s professional responsibility to clients.

Legal aid organizations submit annual applications that include financial statements audited by independent certified public accountants. Once the grant amounts have been established, each eligible organization prepares and submits a proposed budget for using

the allocated grant funds. The budgets are reviewed by the Legal Services Trust Fund Commission, and funds are not disbursed until compliance with the statutory requirements has been verified.

During the course of the grant year, the organizations report quarterly on all expenditures of grant funds. The State Bar monitors compliance with grant conditions through a combination of document review, regular telephone contact, and on-site visits. A number of documents provide guidelines for administration of these grants:

- Regulating Rules
- Eligibility Guidelines
- General Grant Provisions
- Standards for Financial Management and Audits
- Annual Grant Agreement, which is signed by each recipient legal aid provider

The Legal Services Trust Fund Program has an extensive system for reviewing not only compliance with the grant conditions but also the quality of services provided by the funded organizations. The review is performed by experienced State Bar staff and by members of the Legal Services Trust Fund Commission who are appointed by the State Bar Board of Governors and the Chair of the Judicial Council (the Chief Justice).

6. Grant Recipients Must Demonstrate High Quality Services

Quality control systems are an important part of the requirements for the nonprofit legal aid providers that receive these grants. As part of the application process, the commission and staff review the descriptions of quality control procedures that each applicant is required to provide. In addition, bar staff and commission members conduct there are on-site visits to do programmatic and fiscal reviews.

The standards for quality control are the *Standards for Providers of Civil Legal Services to the Poor* approved by the American Bar

“The Legal Services Trust Fund Commission sets high standards for accountability and performance for its grantees. Their administration of the Equal Access Fund brings out the best in legal aid providers.”

—Gary Smith
President, Legal Aid
Association of California

Association House of Delegates. The standards address a full range of factors that affect the quality of legal aid:

- Relations with clients
- Internal systems and procedures
- Quality assurance
- Legal representation
- Special kinds of representation such as negotiation, administrative hearings, etc.
- Provider effectiveness
- Governance

Oversight of the system for delivering legal services is provided both by the board of directors of each organization and by qualified staff. As to specific staff and projects, the legal aid providers are expected to conduct periodic and regular reviews of the legal work done as a part of the project, by experienced attorneys with relevant expertise in the subject matter covered.

7. Accountability to the Judicial Council

When the Equal Access Fund was created in 1999, this system for grant administration and management had operated successfully for more than 15 years and had distributed \$200 million in Legal Services Trust Fund Program grant funds. An experienced bar staff and volunteer commission were already in place to administer the program, with full-time grants administrators working directly with grantee organizations.

The Legislature relied on this history and added to it an extra layer of accountability: the Judicial Council. The council reviews the State Bar's proposed awards, selection criteria, and administrative guidelines in order to determine that the awards comply with statutory and other relevant guidelines. Additionally, the Budget Act in 1999 required the Board of Governors of the State Bar to amend its rules in order to provide that one-third of the appointments to the commission to oversee the Equal Access Fund would be made by the Chair of the Judicial Council, and to create three advisory positions for judges, one of whom must be an appellate justice.

The Legal Services Trust Fund Commission now has 21 members. Fourteen voting members are appointed by the State Bar Board of Governors, 10 of them attorneys and 4 nonattorneys. Two of the bar's appointees must be low-income individuals eligible for service under the statute. Seven voting members are appointed by the Chair of the Judicial Council (the Chief Justice), five of them attorneys and two nonattorneys. The Chair also appoints the three nonvoting judges as advisors to the commission.

Commission members have a range of experience and knowledge relating to the delivery of legal aid services to low-income people. They include members of the private bar, government attorneys, bankers, and current and former government officials. A roster of current members of the commission is included in Appendix F, Organizations Working to Support and Coordinate the Statewide System of Delivering Legal Aid to the Poor.

Immediately after passage of the 1999 state budget, the staff of the Judicial Council Administrative Office of the Courts and the State Bar Legal Services Trust Fund Program began working together to implement the administrative structure required by the Budget Act. The bar called together a broad group of stakeholders that included representatives of the AOC, the Trust Fund Commission, and nonprofit legal aid providers. This group discussed and arrived at recommendations about many issues, including applications for grants, budgeting guidelines, grant period, reporting requirements, and so forth.

Subsequently the Administrative Office of the Courts and the State Bar entered into a contract designating their respective responsibilities and providing a process for reimbursing the bar's costs for administering the fund.

The bar's responsibilities are to distribute the funding in grants, to conduct on-site visits to evaluate both effectiveness and fiscal soundness, to select and fund partnership grant projects, and to provide technical assistance to legal aid providers. The bar also is responsible for providing planning and support of the statewide network of recipients of these funds. This task has been accomplished in part by a subcontract with the Public Interest Clearinghouse to provide statewide coordination.

"Your accomplishments are not to be taken lightly, for each success has directly improved the quality of life for California families and communities. From securing grant funds to creating cooperative ventures between courts and legal service programs to establishing the Equal Access Fund, you have contributed to the building of a legal services community that performs efficiently and effectively to serve the needs of thousands of Californians."

—Darrell Steinberg
Former State Assembly
Member

The Judicial Council and the AOC oversee the distribution of grants and the operation of the fund, review and approve requests for disbursement of the administrative cost budget, and provide technical assistance to grant recipients and courts, especially regarding the partnership grants.

8. Grants Fund Identifiable Legal Aid Projects

A key decision made by the Trust Fund Commission in cooperation with the Legal Aid Association of California, the Commission on Access to Justice, and the Judicial Council was to ask grant recipients to fund something new with the EAF grants, rather than to roll the funds into existing operating budgets. This ensured that the badly needed funding would result in increased help for clients. This decision has also made it possible from the beginning of the fund to describe directly the additional services that are provided as a result of the funding. Specifically, grant recipients were given three ways to spend the funds:

1. To create new services or start a new project.
2. To expand an existing project.
3. To sustain an existing project for which other funding has been terminated.

The new grants were used to hire additional staff or make other changes that would increase services in a demonstrable way.

The request presented a challenge, because the funding had been approved in the 1999–2000 budget on a one-time basis only. There were difficulties involved in embarking on new activities that might have to be dismantled after just one year. Initiatives that come and go are hard on both clients and staff. The need was great, however, and legal aid providers were determined to begin achieving results as quickly as possible. The fact that the decision had been made in concert with key stakeholders from the legal aid community also helped to elicit a high level of cooperation from the grant recipients.

The Trust Fund Program and the Commission on Access to Justice reviewed the grant budgets and prepared a summary of some of the services provided (see Appendix A, *The Equal Access Fund: A Wise Investment*).

Some of the projects funded in that first year had a limited term, and grant recipients went on to begin new projects or expand others in subsequent grant years. Others are still in existence and have evolved from the first year to include additional funding and to reach out to more clients and community organizations. A report prepared in 2002, describing the work being done with grants in the 2001–2002 grant year, described “enormous variation in the projects funded under this program.”

9. Unique Partnerships Created Between Legal Aid Providers and Local Courts

By the terms of the Budget Act, 10 percent of the grant funds are reserved “for joint projects of courts and legal services programs to make legal assistance available to pro per litigants.” These grants must go to “qualified legal services projects” or “qualified support centers” as they are defined in the Legal Services Trust Fund Program statute. Unlike the formula grants, however, the funds are not distributed to every qualified provider. The Trust Fund Commission and the Judicial Council have considerable leeway to select the most promising proposals.

This exercise of discretion requires more staff and commission resources (per grant) than the distribution of the formula grants. It also provides an opportunity to be strategic about the use of these funds to create new and innovative projects and ensure an appropriate balance of funding; in the five grant years, partnership grants have created, expanded or improved 25 different self-help projects at courthouses in all parts of the state.

A group of Trust Fund Commission members, court staff, legal aid directors, and AOC and State Bar staff identified and discussed questions and issues that might arise for the legal aid providers that would be applying for these grants. That group concluded that it would be important to give courts and legal aid providers considerable latitude to develop effective models to address their particular needs and resources, while still having general guidelines that all projects would be required to meet.

“The extent and success of the work of the courts and legal aid providers in California to increase access for self-represented litigants is phenomenal. The Equal Access Fund contribution to this – 25 new and improved self-help centers throughout the state in five years – is far-sighted and a model for the whole country in building a comprehensive access system.”

–Richard Zorza
Access to Justice Consultant

It was the commission's goal to fund a range of projects to address different needs. It notified the Judicial Council, for example, that it hoped to receive and fund applications from both urban and rural areas, from larger and smaller counties, addressing different areas of the law, and including other such types of diversification. This approach would provide the maximum opportunities to develop model projects to serve the diverse legal needs of Californians. Proposals were invited in the range of \$30,000 to \$80,000 each, for grants for a one-year period, with a note that grants could vary above or below that range depending on the complexity of the work proposed, the client need described, and the availability of other resources.



The commission identified for the council several criteria it intended to consider in selecting successful proposals:

- Each proposal must have the support of the applicable court's presiding judge.
- Applications should indicate how the joint project and any existing self-help center, including the family law facilitator, would work together.
- Proposed projects should provide for lawyer assistance and for direct lawyer supervision of paralegals and other support staff.
- Proposals should address how they would avoid conflicts, how they would structure the relationship between the provider and the pro per litigant, and how they would maintain the court's impartiality.
- Proposals should address how they would meet the needs of litigants not within the legal aid provider's service area or otherwise ineligible for their services.
- Grant recipients should propose ways to address the needs of unrepresented litigants who do not meet the financial eligibility requirements (for example, by using other funds to serve those individuals or by providing general information in the form of local information sheets, videos, or workshops).

For the first year of funding, the commission issued a request for proposals and received 34, seeking a total of \$2,760,945. The commission selected 12 proposals to share in the \$950,000 available. These were approved by the council. In subsequent years the commission and council have followed similar procedures for the partnership grants. Brief descriptions of all the projects funded are in Appendix C, Partnership Grant Projects.

Each year the commission has received proposals for these grants that substantially exceed the \$950,000 available. In light of that, and in recognition of the innovative approach represented by many of the projects, the commission envisions the partnership grants as a form of seed money. The grants should encourage the development of new projects and the expansion of these kinds of self-help centers to more locations and a broader range of services. After a certain period it is expected that the legal aid providers will find funding from other sources, which will free up partnership grant resources to fund more new projects.

Consequently the commission has opted to decrease the funds available for successful projects after the first or second year of full funding. After three years of funding, grants have been generally decreased more substantially, with a plan to cease funding of ongoing projects after five years of funding except in extraordinary circumstances. The commission has developed a set of criteria for making these decisions about continued funding.

10. Support for Meaningful Self-Evaluation a Key Element of Equal Access Fund Administration

The call for this report to the Legislature coincided with national initiatives to help nonprofit legal aid providers assess the efficiency and effectiveness of their own work. Providers throughout the country are developing tools for evaluation and a culture of examining the results of their services for the purpose of improving their performance. With the help of research staff at the Judicial Council's Administrative Office of the Courts, Center for Families, Children & the Courts, many Equal Access Fund grantees have become leaders in this new development.

The partnership grants from their inception required successful applicants to undertake an ambitious series of evaluations. A group of academics, lawyers, judges, and court administrators developed an evaluation protocol designed to learn what concrete effects the services have for the self-represented litigants they are designed to assist.

To expand this practice of evaluation to the work done with the project grants, the AOC and the State Bar developed an *Evaluation Toolkit* that is described in Appendix E, Progress On Self-Evaluation And Case Studies, and a variety of training materials. At four statewide

“California is a national leader in fostering self-evaluation that is both realistic and ambitious. The combination of reporting on services provided and provider-designed outcome evaluation is exactly what is needed to improve the efficiency and effectiveness of legal aid services.”

—Patricia Pap
Executive Director,
Management Information
Exchange, a national center
for training and exchange of
information for legal services
programs.

conferences and a series of smaller meetings by telephone conference, beginning in 2000 and continuing through 2004, legal aid staff from 63 offices have received training on evaluation and discussed their evaluation experience and progress with one another.

This process continues and remains part of the long-term strategy to use the opportunities presented by the Equal Access Fund to evaluate and improve the delivery of civil legal aid to low-income Californians.

11. Fund Benefits From Collaborative Relationships

The administration of the Equal Access Fund gains from a collaborative relationship that exists among nonprofit legal aid providers, the Legal Services Trust Fund Commission, and the staff of the State Bar and the Administrative Office of the Courts.

For more than five years the statewide legal aid community has engaged in a planning process that coordinates the work of providers. Annual statewide meetings and a variety of other forums for ongoing communication create structures for identifying and addressing unmet needs. For example, the need for more training for local advocates outside the Los Angeles and San Francisco areas led to regular “traveling trainings” by the statewide support centers.

From its inception, the Legal Services Trust Fund Commission has consulted with the legal aid providers, educating itself about their needs and responsibilities in order to best support their strengths. The Equal Access Fund has offered additional opportunities for this approach. A specific example is the development of the design for this evaluation and the toolkit of materials to assist in local evaluations, described above. This type of collaborative model has become popular with private funders, as it appears to be more efficient and effective than traditional, more distanced models; but it is rarer in the public sector.

In recent years several factors have helped to expand this collaboration to include the state’s courts and the Judicial Council and its staff. The Judicial Council’s community-based court planning process brought advocates for low-income Californians into a dialogue with their local courts, for example. The commitment of the Chief Justice and the council to addressing the problems and needs of unrepresented litigants is what has made it possible to create the Equal Access Fund

partnership grants. Ongoing assistance from the council and the Administrative Office of the Courts has also been critically important.

12. Funds Administered Efficiently and Effectively

Administration of the Equal Access Fund began with an effective existing structure. The State Bar's Legal Services Trust Fund Program, which has been distributing grants for free legal help for low-income Californians for 20 years, used its experience to allocate the funds quickly and efficiently to a range of nonprofit legal aid providers throughout the state. Existing systems for accountability and quality control have been enhanced by the State Bar and the Judicial Council during the five years of the fund's operation. The bar and the Administrative Office of the Courts have taken the occasion of this report to increase the quantity and quality of evaluations of legal aid activities in the state.

The result is that the administration of the fund has contributed to the efficiency and effectiveness of the services ultimately provided to low-income Californians who need free legal help.

CHAPTER 5

FINDINGS AND CONCLUSIONS

Since 1999, approximately a hundred nonprofit legal aid providers have been using the Equal Access Fund to help the most vulnerable members of society when they face critical, life-changing legal issues that affect their basic needs, their safety, and their security—such as elder abuse, domestic violence, family support, housing, or access to needed health care. This report and its conclusions are based on the nationally recognized efforts of those organizations to document and evaluate their work. Their evaluations demonstrate the following points.

1. The Equal Access Fund improves the lives of vulnerable Californians.

Equal Access Fund projects provide help to low-income Californians and others who are the most vulnerable to injustice. Equal Access Fund–sponsored projects improve the lives of low-income and vulnerable Californians by resolving outstanding legal issues that threaten their health, safety, or well-being. The Equal Access Fund helped support 99 non-profit legal aid providers give legal assistance to over 50,000 clients a year. Legal aid advocates also provide legal education directly to over 100,000 low-income people a year, and indirectly to hundreds of thousands more through self-help materials and other tools. These services help victims of elder abuse and domestic violence, assist families facing loss of their housing or health care, ensure veterans receive the services they need, and support individuals in a successful transition from welfare to work.

Nonprofit legal aid providers address varied and complex legal and human needs. The Equal Access Fund-sponsored projects respond to a wide range of basic human needs in our society. The projects address these basic needs, with 27 percent of all projects providing assistance in housing cases, 25 percent in family law cases, and 11 percent in income maintenance cases. Projects also provide assistance

in a wide range of other case types. While all projects serve low-income Californians, over one-half of them make a special effort to reach out to and assist particularly underserved low-income people, including those with limited English skills, such as Latin Americans and East Asians (30 percent of projects), residents of isolated rural communities (7 percent), people with mentally or physically disabilities (17 percent), senior citizens (20 percent), and the homeless (5 percent).

Legal aid providers collaborate, form partnerships, and build relationships with one another to help clients solve their problems. Many legal problems raise additional legal and nonlegal issues. For example, assisting a client in obtaining a domestic violence restraining order can reveal child support, child custody, and income protection issues as well as additional needs for shelter and counseling. While sixty three percent of the projects focus on one or a few direct legal services, providers also address additional unmet needs by collaborating with other organizations and making referrals. Common collaborations are EAF projects that provide assistance with identifying legal issues and offering advice or limited assistance within a specified range of those issues; clients with needs outside the project's priorities are then referred to other organizations that provide such assistance (both legal and nonlegal). Over one-half (52 percent) provide advice or brief service, and 21 percent of projects make referrals to other organizations. Projects also lend legal expertise to community organizations such as nonprofit low-income housing developers. Another important type of network building involves the recruitment and use of volunteer attorneys. Over one-half of projects work with attorney volunteers to increase the amount of services available to their clients, enhance their own expertise through co-counseling arrangements, and foster greater understanding of the needs of low-income people in other sectors of the legal system.

Low-income Californians are better educated about their legal rights and responsibilities. Education efforts inform clients of their legal rights and responsibilities and in some cases allow clients to handle problems on their own. Approximately three-quarters of the projects engage in legal education efforts or the production of self-help materials. Talking to community groups and handing out brochures are the most common methods of providing legal education. In the six months from October 2003 through March 2004, legal aid providers reached over 50,000 people directly and distributed over 300,000 brochures. In addition, almost 40 percent of the projects provide some

form of assistance to self-represented litigants, including workshops, printed materials, Web-based legal education materials, and video presentations.

2. Thoughtful and innovative delivery systems have been implemented to stretch Equal Access Fund dollars and maximize services to clients.

Services are closely tailored to meet client needs. Equal Access Fund projects provide a range of services in order to make the best use of available resources while ensuring clients get the help they need. Seventy-two percent of cases are closed after providing counsel and advice on how the client can best handle the problem or brief service such as phone calls or letters to opposing parties. Five percent of cases are referred to other legal aid providers or community resources, and 10 percent of cases receive full representation resulting in settlement or court or administrative decision.³⁶

Pro bono services provided by volunteer attorneys are expanded. Fifty-six percent of the projects provide referrals to volunteer attorneys. Typically, volunteer attorneys are used to provide necessary services outside the stated scope of the project (and often outside the priorities of the legal aid provider that runs the project), or to provide additional assistance for cases that are within the scope of the project but are more complex or too numerous to be handled using in-house resources. Projects train and supervise these pro bono attorneys, effectively expanding the level and quantity of services they provide.

Effective use of technology leverages scarce resources. Technology developments over the last ten years have changed the face of the delivery of legal services. Many projects use Web and other technologies to increase the reach and the impact of direct services, as well as to facilitate communication and sharing of information between nonprofit legal aid organizations and their partners. These innovative projects include a statewide resources and referral web site that provides links to California legal aid agencies, courts services and certified lawyer referral services, as well as basic “know-your-rights” information; telephone hotline systems that extend program services to outlying areas; videoconference systems to facilitate statewide

³⁶ Based on “case closing” statistics reported by 94 projects from October 1, 2003, through April 30, 2004.

meetings, training and collaboration; and, special software tools that enable clients to prepare their own letters, affidavits and pleadings and to file for the federal and state earned income tax credit.

The network for providing legal help to low-income people is strengthened. Since meeting the unmet legal needs of California's low-income population would require three to four times the funding now available, it is essential that all resources for legal aid be used efficiently. The Equal Access Fund has been used successfully to expand resources by supporting projects that form networks to share scarce resources and that coordinate their services to avoid duplication of effort. Co-counseling and referral arrangements with volunteer attorneys greatly multiply the impact of a single Equal Access funded attorney staff member. Collaborations between the courts and legal aid providers create more effective core support of self-represented litigants. Well-connected networks of providers (legal, community and government) identify client issues and ensure that appropriate services are available to effectively resolve them.

3. The Equal Access Fund strengthens, expands, and is efficiently incorporated into the legal aid delivery system.

Skilled staff members provide direct service to clients. Overall, Equal Access Funds provide 43 percent of the revenue for the projects described in this report. The grant terms specify that this money must be used to provide direct service (rather than simply being folded into existing operating budgets) by either creating new services, expanding existing services, or replacing funds that have been lost in order to sustain a needed service. The result is that fully half the money goes to pay for attorney salaries, approximately 30 percent pays for paralegal salaries, and the remaining 20 percent pays for other staff that deliver services to target populations.

Scarce resources combine to further increase assistance to clients. Equal Access Fund money contributes 43 percent of the revenue needed to fund the projects described in this report. Other sources of revenue include grants from foundations, the federal Legal Services Corporation, state and local government, attorney fees, donations, and the state IOLTA program. While the percentage of other contributions varies widely from project to project, in all cases they serve to create a more diversified revenue stream, thereby helping ensure project

stability and continuity. The efforts of projects to meet the legal needs of clients beyond the assistance they can provide directly is reflected by the 51 percent of projects partnering with other legal aid providers, and the 56 percent of projects that work with volunteers, many of them volunteer attorneys. Finally, and in addition to the specialized partnership grants devoted to legal aid–court partnerships, 17 percent of the projects are working directly with courts to improve services and access for low-income people.

Grants are administered efficiently. The Equal Access Fund takes advantage of a well-established fund distribution system (set up by the State Bar of California’s Legal Services Trust Fund Program and overseen by the Judicial Council), thereby ensuring tested, efficient, and effective administration. This system provides streamlined decision-making and ensures that a range of nonprofit legal aid providers are funded (totaling 99 providers with 163 projects overall). Eighty-five percent of the money³⁷ is equitably distributed based on a formula that takes into account the number of low-income persons in the provider’s service area and the amount of service that provider was able to offer in the previous year (based on expenditures). The remaining 15 percent goes to legal aid support centers in equal shares. Grantees only use the money to serve eligible clients, and they are required to demonstrate that they provide a high quality of service (using well-established quality control procedures and mandatory reporting of planned budgets, expenditures, and results achieved).

Evaluation improves services to clients. The inception of the Equal Access Fund and this report to the Legislature coincide with a national trend among nonprofit legal aid providers toward self-evaluation to assess and improve efficiency and effectiveness. The Legal Services Trust Fund Program and Judicial Council staff have encouraged this development in California by retaining a nationally recognized consultant to help the grantees to begin or expand self-evaluation efforts.³⁸ The consultant also worked closely with the staff of the Trust Fund Program, Judicial Council, and the Legal Aid Association of California to develop an “evaluation toolkit” containing instruments and instructions for providers to use in assessing their Equal Access Fund projects.

³⁷ Not counting the 10 percent that goes to partnership projects.

³⁸ Self-evaluation, or “program-owned” evaluation as it has come to be known in the legal aid community, was chosen because it offers providers the greatest flexibility in tailoring the evaluation to their specific needs and circumstances, while still allowing it to be conducted economically.

Currently, approximately 60 providers are engaging in systematic evaluation—most for the first time—and 26 were able to complete interim analyses for this report. Those efforts looked at the outcomes of case services, the satisfaction levels of clients, the effectiveness of outreach efforts, and the usefulness of advocate and community trainings. If evaluation indicated the need for project improvement, legal aid providers responded with needed improvements. As a direct result of program evaluation, legal aid providers implemented such program improvements as, increased training for staff and volunteers, better systems for communication among referring organizations, and an in-person presence rather than phone availability for certain hard-to-reach populations.

Clients consistently report high levels of satisfaction with the assistance they get from nonprofit legal aid providers. Many of the legal aid providers conducting evaluation measured client satisfaction. They found consistently high levels of satisfaction on a variety of measures, including the utility of services provided in languages other than English, the positive impact of the service on the client’s case, and the helpfulness of staff providing the services. There is value to society when disenfranchised individuals and populations receive needed services. Research indicates that a litigant who understands judicial procedures and has a sense of fair treatment may have increased trust and confidence in the judicial system, even without “winning” a case.

4. 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.

Low-income unrepresented litigants obtain increased access to courts. In 2003, Equal Access Fund-supported legal aid–court partnerships closed cases on over 17,000 low-income Californians needing self-help legal assistance.³⁹ Of these, the majority, 13,300 cases, involved family law issues, with housing assistance accounting for another 1,885. Fourteen projects reported helping some 22,000 people via one-on-one assistance. Another 3,000 people were served using self-help workshops or clinics. During the year, 11,000 forms and self-help packets were distributed. Less direct assistance was provided to pro per litigants through the distribution of 40,000 self-help brochures, and community legal education presentations were given to approximately 11,000 people. Finally, almost 8,000 people

³⁹ Year-end reports filed by 12 of 19 partnership grant projects.

were referred to nonprofit legal aid providers, and volunteer and private bar attorneys. The self-help centers are located at the superior court, and the courts donate the space and often supplies and assistance. Direct access to court personnel offers an opportunity to discuss how to improve services to customers. Non-partnership grant projects have participated in the growing movement to assist self-represented litigants. Overall, 42 projects provided such services.

Self-help services have saved resources. According to judicial officers interviewed, the partnership projects have noticeably increased the efficiency of the court and improved public trust and confidence in the justice system. The staff of the partnership projects likewise reported that judicial officers and court staff said they were very pleased with the work done by the centers, which they said saved the court valuable time and resources by helping self-represented litigants have better prepared pleadings, more organized evidence, and more effective presentation of their cases. Further evidence of support is provided by reports from many project staff that they have helped the courts address general concerns caused by large numbers of unrepresented litigants, such as better coordination of calendars and identifying the need for more bilingual staff.

Court services are streamlined through coordination among those working with the court system. The state judicial system, legal aid providers, law libraries, local volunteer attorneys, and other groups are working together to improve access to justice for all Californians regardless of income or language ability. These coordinated efforts help identify gaps in service and avoid duplication of effort, which is crucial given the lack of adequate resources.

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

Legal aid providers cannot meet the demand for help. Overall funding for legal aid in California has only been sufficient to handle around 25 percent of the estimated need of low-income people.⁴⁰ Even though progress has been made over the past five years, the state and federal government now shoulder a smaller share of the burden than at any time in the past 30 years. The result is that, based

⁴⁰ Compare “And Justice for All: Fulfilling the Promise of Access to Civil Justice in California” (1996), pp. xvii and 22 with “Path to Equal Justice: A Five-Year Status Report on Access to Justice in California” (2002), pp. 3 and 30.

on 2000 figures, the 6.4 million Californians living in poverty have only one legal aid attorney for every 10,000 low-income people—thereby leaving many pressing legal needs unaddressed. This has serious negative consequences to the provision of justice for all low-income people in California.

Funding has not kept up with the escalating poverty rate in California. Since 1989 California has consistently had a higher poverty rate than the national average, and California alone accounts for the net national increase of 800,000 children in poverty since the late 1980's. Inadequate funding and increasing numbers of eligible clients hamper the efforts of legal aid providers to serve the most critical legal needs confronting low-income people, and limit the ability of providers to help make the judicial system work more fairly and efficiently.

Existing court-based self-help centers meet only a small portion of the unmet need. The creation of the legal aid–court partnership grants marked an innovative and new direction in the delivery of legal help to low-income people. Despite the large numbers of people served, the unmet legal need remains great. The 25 self-help centers created, expanded, or improved by the Equal Access Fund cover only a small fraction of the court locations throughout California. In addition, the centers are not able to match the hours the courthouses they are located in are open. Based on hours reported, self-help centers generally operate between 10 and 30 hours per week, with most offering less than 20 hours of service for two or three days during the week. While in some cases legal clinics and workshops can help increase the numbers of people helped during the hours that centers can be open, they generally provide only subject-limited services (such as help with domestic violence protection orders). Many other problems are not addressed, or require additional assistance, like guardianships or more complex divorce matters. Add this to what customers most frequently cite as needing improvement—eliminating long lines and creating more waiting room—and the need for additional support is clear.

Recommendations

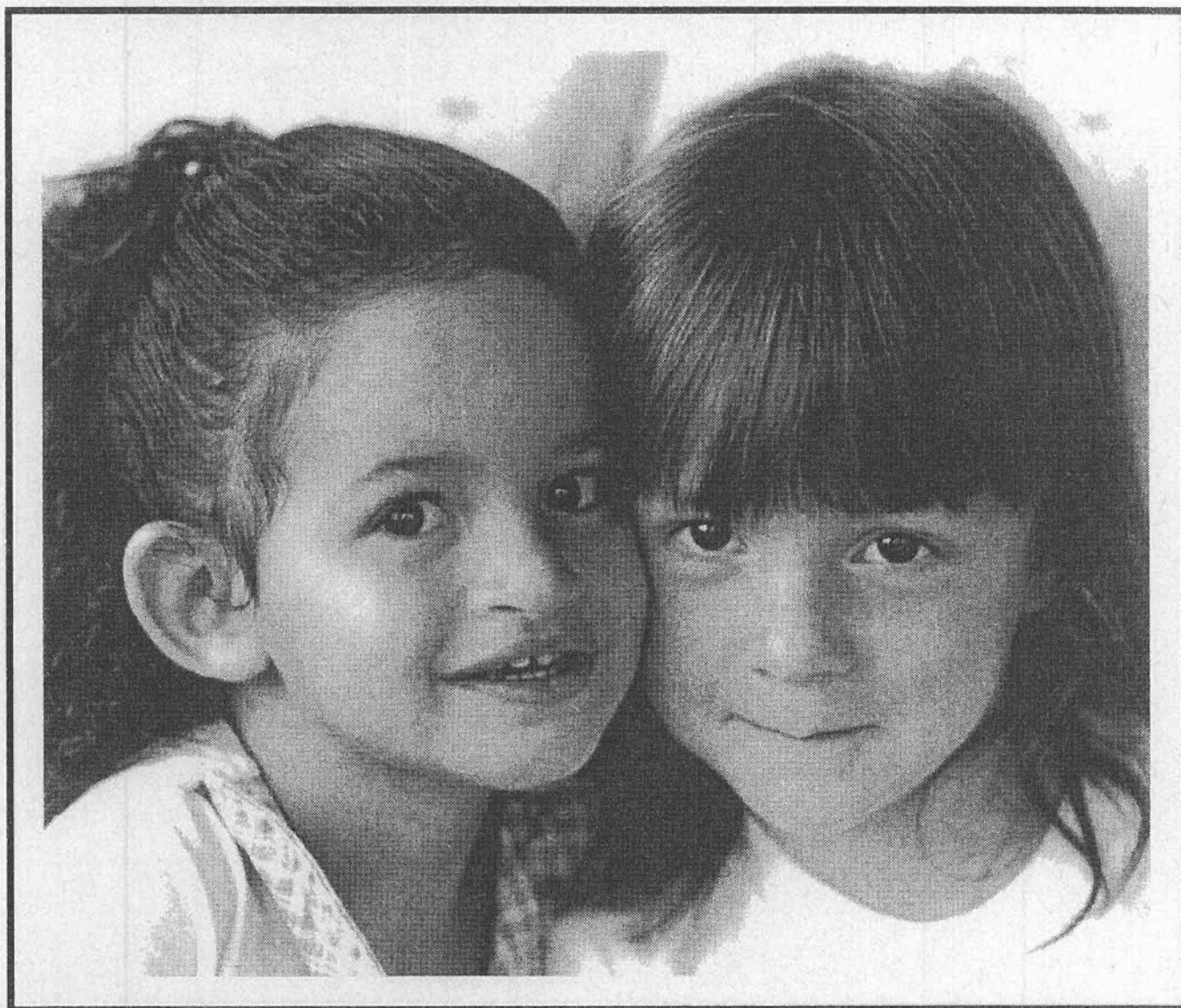
If the Equal Access Fund is to truly fulfill its purpose, it must be increased to build on the statewide legal aid network that serves low-income people. Comparing the service made possible by the Equal Access Fund to the demonstrated total need shows that many low-income persons in California do not have access to a legal aid provider or to services in areas of major concern, such as family law, housing, and income maintenance. In addition, grantees are able only on a very limited basis to provide services other than brief advice and counsel or in languages other than English.

Additional funding is needed to expand court based self-help centers. Funding is needed to create centers in the courts that do not now have them, to provide adequate resources to allow the centers to stay open during all court hours, and to offer services for the full range of legal needs of self-represented litigants.

Ongoing evaluation will continue to improve the delivery of legal assistance to low-income and marginalized Californians. Well-developed evaluations use small amounts of money to obtain large insights that lead to better use of resources and improved services to clients. The Judicial Council and the State Bar's Legal Services Trust Fund Program must continue to provide their oversight and technical assistance to ensure that evaluation continues, that evaluation results inform program decision making, that the evaluation capacity is increased, and that efficient practices are shared with all legal aid providers.

THE EQUAL ACCESS FUND

A WISE INVESTMENT



CALIFORNIA COMMISSION ON ACCESS TO JUSTICE

EQUAL ACCESS FUND A WISE INVESTMENT

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CALIFORNIA COMMISSION ON ACCESS TO JUSTICE

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November, 2000

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Dear Colleague:

The California Commission on Access to Justice has compiled this report to describe the valuable work made possible by California's Equal Access Fund. Yet there remains an enormous unmet need for civil legal assistance among poor Californians. For this reason, we are urging that the Legislature and Governor Gray Davis increase this year's appropriation for the Equal Access Fund.

Our bipartisan and multi-disciplinary Commission was established in 1997 to address the issues preventing equal access to justice for the poor and middle-class in California. Our Board includes appointees from the Office of the Governor, the California Judicial Council, State Bar of California, California Judges Association, Consumer Attorneys of California, California Chamber of Commerce, California Council of Churches, California Labor Federation, League of Women Voters, the Attorney General, the Speaker of the Assembly and the President Pro Tem of the Senate.

Studies reveal that *the civil legal needs of millions of low-income Californians are not met at all*, and that the needs of others are met only partially. Those Californians who often need legal representation on matters critical to their survival include battered women, children, the disabled, the elderly, families in need, the homeless, and victims of crime.

Prior to 1999, California provided no state funding for legal services. In 1999, California became the 38th state to provide funding to support civil legal services. In that year, and in FY 2000, the Legislature and Governor Gray Davis approved \$10 million for the Equal Access Fund. This is an important first step toward meeting the need. However, because of the size of our population, this appropriation amounts to an expenditure of less than \$2.00 per poor person in California, in contrast to a number of other states which appropriate many times that amount. Unfortunately, this funding cannot meet the need for legal services among the majority of California's poor. Additional funding is necessary to move us toward our goal of access to our legal system for all Californians, regardless of income.

We hope the 2001-2002 state budget will include a substantial increase in the amount provided for the Equal Access Fund, an increase supported by both the California Judicial Council and the State Bar of California. After reviewing these documents we believe you will agree that ensuring the continuation and expansion of this fund is an important goal for all Californians.

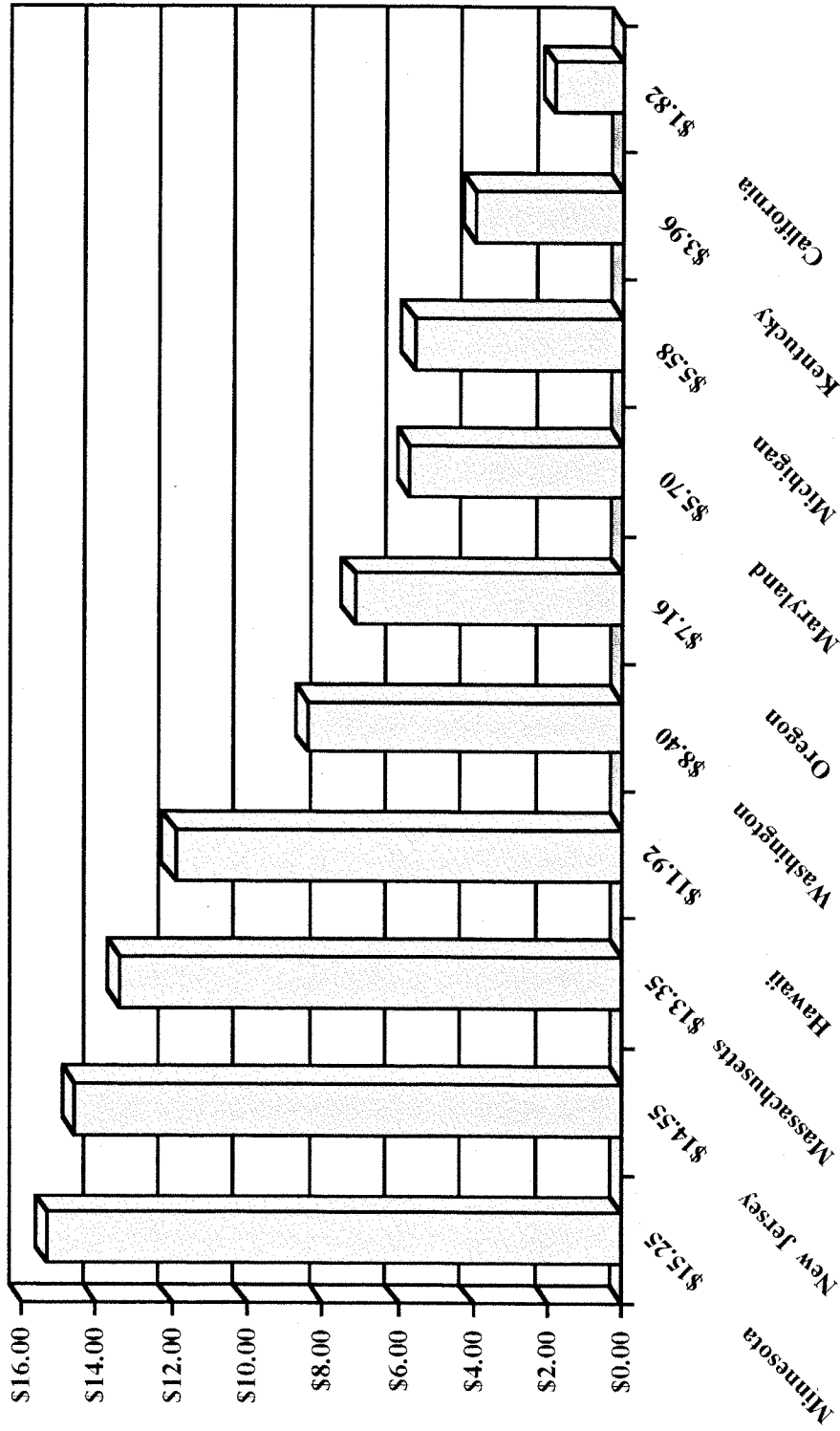
Sincerely,

Hon. James R. Lambden
Chair, California Commission on Access to Justice

Harvey I. Saferstein
Funding Committee Chair, California Commission on Access to Justice

COMPARISON OF STATE FUNDING FOR LEGAL SERVICES PER POOR PERSON

The following graph compares several states' financial contribution to legal services to the poor, comparing how much they provide per poor person.*



*This information is based on data compiled by the ABA and the Census Bureau. Although the indigent are eligible for legal services if they make 125% of the federal poverty income guidelines, this chart uses 100% of poverty based on 1996 data because that is the most recent information available. The chart includes current funding levels. Each state's amount per poor person will be adjusted accordingly when the complete breakdown of the 2000 census figures is available.

THE EQUAL ACCESS FUND

A WISE INVESTMENT

The Equal Access Fund supports essential legal assistance to California's poor.

In 1999 California became the 38th state to provide funding for free civil legal services to our poorest citizens. Established by a state appropriation, the Equal Access Fund has helped

- battered spouses seeking freedom from violence;
- families trying to secure benefits for disabled children;
- elderly victims of home equity fraud;
- grandparents trying to become guardians for grandchildren;
- homeless veterans seeking job training and health benefits they qualify for but do not receive.

Yet the funding level of the Equal Access Fund lags behind the need, at great cost to individuals compelled to go without help, and to society at large.

Preventive legal aid can save taxpayers money and benefit the entire society.

- Legal aid promotes the peaceful resolution of disputes. Law enforcement representatives support the Equal Access Fund because it promotes healthy communities and stable families, in turn avoiding violence and reducing crime.
- Legal aid offices supplement civil law enforcement efforts with services that county prosecutors cannot always provide, such as protecting the elderly against home equity fraud.
- Self-help centers run by legal services programs prepare unrepresented parties for hearings – saving court time.
- Preventing an illegal eviction and resulting homelessness greatly benefits society. A legal aid program can prevent homelessness at a fraction of the cost of the public funds and charitable contributions it would take to care for that person in a homeless shelter.

THERE IS BROAD PUBLIC SUPPORT FOR FUNDING LEGAL SERVICES:

A recent national poll found that 82% of the American public support government funding of legal services for the poor. A partial list of supporters includes:

- Chief Justice Ronald George
- Senate President Pro Tem
John Burton
- Assembly Speaker
Robert Hertzberg
- Assembly Judiciary
Committee Chair
Darrell Steinberg
- Senate Judiciary Committee
Chair Martha Escutia
- Senator Elect Sheila James
Kuehl

- Assembly Member
Dion Aroner
- Sheriff Leroy D. Baca
- Sheriff Michael Hennessey
- Dan Terry, California
Firefighters
- District Attorney
Tony Rackauckas
- District Attorney
Thomas J. Orloff
- Rabbi Uri D. Herscher

- Rabbi Harold M. Schulweis
- Cardinal Roger Mahony, D.D.
- Richard Ziman
- Daphna Ziman
- Bruce G. Whitmore
- John A. Schulman
- Dr. Dale R. Laurance
- Bruce A. Karatz
- Bryant C. Danner
- Karen Randall
- Palmer Brown Madden

The Equal Access Fund is distributed fairly and efficiently through an existing statutory formula.

The California Judicial Council distributes the Equal Access Fund through the State Bar's Legal Services Trust Fund Program.

Ninety percent of the fund is distributed according to an existing statutory formula to 100 local nonprofits that provide free civil legal services to the indigent.

New Court/Legal Services Partnership Projects receive ten percent of the fund to set up self-help centers for low-income litigants without lawyers.

Legal Services provide essential support for bipartisan policy initiatives and priorities.

In recent years, elected officials have designed programs, appropriated funds and streamlined government efforts to achieve the following:

- facilitate adoptions;
- provide health insurance to poor children;
- improve public education;
- reduce domestic violence, elder abuse, consumer fraud and homelessness;
- increase accessibility of childcare, movement from welfare to work, and affordable housing; and
- support community economic development.

California legal services programs further these policy initiatives and help ensure their success.

Critical shortages of legal assistance for the poor still exist.

As a society, we have never come close to meeting the legal needs of the poor. Nearly 47 percent of the state's children – 4.5 million – live at or below twice the poverty level. California's poor often require legal assistance to secure food, shelter, and a subsistence income – things most people take for granted. Even with the new Equal Access Fund, 75% to 80% of the legal needs of the poor are going unmet.

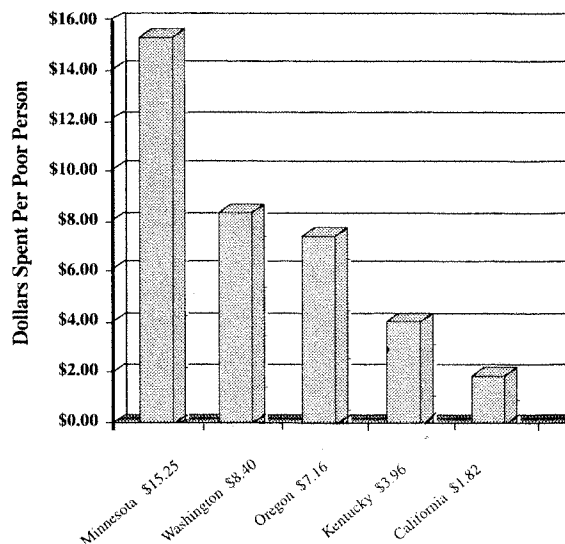
California must respond to significant cuts in Legal Services funding in recent years.

California lost over \$20 million per year in legal services funding since the early 1990's, while the number of people eligible for services increased by almost half – from 5 million in 1990 to more than 7.2 million today. Funds from the Interest on Lawyer Trust Account (IOLTA) Program plummeted from \$23 million in 1992 to \$11 million in 1999. Five years ago, federal support for California civil legal services decreased by one-third (from \$41 million to \$31 million). The \$10 million Equal Access Fund helped fill the resulting gap, but services are still down from the beginning of the decade.

The Equal Access Fund provides less than \$2 in state funding per eligible poor person.

At least 4 states spend more than \$10 per poor person, and others provide more than twice as much as California does. Even when funding levels were higher, only about a quarter of the legal need was filled. To truly meet the legal needs of California's poor would take another \$250 million to \$300 million. The initial Equal Access Funding was a critical first step toward meeting this great need – and an increase in that Fund is now needed to continue to fill the critical gap that exists.

COMPARISON OF STATE FUNDING FOR LEGAL SERVICES PER POOR PERSON



For more information, contact: Mary C. Viviano
Special Assistant for Legal Services • State Bar of California • (415) 538-2251

THE EQUAL ACCESS FUND IMPROVES THE LIVES OF INDIGENT CALIFORNIANS

Grants to 100 local and statewide legal services programs fund a vast range of help for California's indigent – legal aid that makes a real difference to real people. Low-income clients receive telephone hotline advice and self-help packets to understand their rights and solve problems early, and a lawyer to represent them when necessary. Low-income community groups receive legal advice and transactional help to bring economic development and jobs, fair housing, child care, and better schools to their neighborhoods.

Local legal aid boards set priorities for using their limited funds, expanding successful projects and launching important new work.

These are examples of some of the tens of thousands of indigent Californians being helped through projects funded by the Equal Access Fund.

CHILDREN

- **Adoptions.** Nearly 2,000 children in foster care in Los Angeles will be adopted this year with the help of a full-time attorney and hundreds of volunteers (lawyers, law students and paralegals) who do the legal work, in an existing project expanded with these funds. This makes it possible for disadvantaged children, many of them hard to place and with special needs, to get permanent homes.
- **Health Care.** In a Health Care Partnership for Children, attorneys teamed up with hospitals and medical centers to solve the legal problems of health care for another 750 children in foster care in Los Angeles. The attorneys handle Medi-Cal issues, get court approval for medical procedures, and address special legal needs of disabled children. The project is expanding to include poor children living with parents.
- **Guardianship.** Over 100 guardianships allowed caregivers, mostly relatives, to stabilize the lives of San Francisco Bay Area minors who cannot live with their parents, helping prevent unnecessary foster care placements. Such services, also offered in other counties, can protect children from an abusive parent, prevent a return to an unsafe home, and ensure appropriate educational opportunities.

FAMILIES

- **Education.** Improving the quality of public education in low-income neighborhoods is the goal of project in Los Angeles County. A "Know Your Rights" campaign teaches 2,500 children and parents to take full advantage of educational opportunities and participate in making the schools stronger. The project recently testified at the request of the school district at a hearing about legal issues that affect the need to build new schools.
- **Domestic Violence.** Five hundred victims of domestic violence in San Bernardino County will get help from a legal advocacy project this year. The project is making special efforts to reach people who would otherwise have no help, including those in outlying areas of the county, immigrant women, ethnic minority elderly persons, and the deaf and hearing impaired. Clients often need help not only to get restraining orders, but also with their family law cases. They may face eviction because of repeated police calls, and may need to file immigration petitions under a federal law designed to protect immigrant victims of domestic violence.

SENIORS

- **Rural Outreach.** Homebound and institutionalized elderly people in Lake and Mendocino Counties are getting legal help as the result of a

small \$6,000 grant that reaps big rewards: a ten percent increase in services makes it possible to serve those who cannot make it to a senior center to see their lawyer.

■ **Medicare.** In Los Angeles a telephone hotline that provides information and advice about legal problems related to Medicare coverage and HMO's has increased its staffing so the number of people it can serve is up about 15,000 from previous years.

■ **Alzheimer's Patients.** Low-income victims of Alzheimer's Disease and their families in Los Angeles are helped by a bilingual attorney who deals with their special legal problems. In a typical case a destitute elderly couple could not refinance their home because the wife was not competent to sign. With a court order, the husband could handle the refinance; and the couple is self-sufficient again.

■ **Home Equity Fraud.** Elderly victims of home equity fraud are the focus of both new and expanded projects. Recent dramatic increases in property values have stepped up the activities of "foreclosure specialists" who skim off home equity through refinancing schemes. In one current case, an elderly victim is fighting the loss of an estimated \$300,000 in home equity and all of her possessions just from an initial delay in paying off a \$2,400 loan.

WELFARE-TO-WORK

■ **Child Care.** A statewide support center offers legal support to poor communities to increase child care, so more parents can enter the work force. Lawyers educate low-income family day care providers and their landlords about their legal protections and responsibilities; they work to reduce zoning barriers to child care and to increase the use of tax credits for child care in new housing; and they provide information about how the ADA applies to the estimated 15 to 20 percent of children on welfare who have some degree of disability.

■ **Evening Hotline.** In Orange County a hotline that answers legal questions, provides legal advice, and makes referrals to appropriate agencies has expanded services to stay open until 8:00 four days a week to better serve the substan-

tial number of its indigent clients who work full time. Two paralegals, supervised by an attorney, are helping an extra 2000 clients a year during the evening hours.

■ **Barriers to Employment.** Low-income people often face substantial barriers when they try for a living wage job. Projects in several areas of the state have been asked for help by community-based organizations that do job training and placement to get people off welfare. Legal aid has gotten agreements from employers to hire low-income people on publicly-funded projects; has provided information about the rules for expungement of criminal records; and has run legal clinics about DMV rules for valid driver's licenses and insurance coverage.

HOUSING AND HOMELESSNESS; COMMUNITY ECONOMIC DEVELOPMENT

■ **New Enterprise.** As counsel to the West Fresno Coalition for Economic Development (a community-based group of residents in a blighted area of Fresno) legal aid provided an example to the whole state when it helped bring 250 new permanent jobs to the neighborhood in the form of a fully leased shopping center, soon to be followed by a police field operations office, a pediatric clinic, and a targeted housing improvement program. With the Equal Access Fund, a new staff unit will offer the kind of services that produced this success to low-income community groups in surrounding counties.

■ **Individual Development Accounts.** In 23 counties in northern California, one project offers legal expertise and help with complicated legal transactions to community initiatives for affordable housing, welfare-to-work transition centers, child care programs, and "living wage" job placements. One result is Individual Development Accounts that let tenants in publicly-subsidized housing earmark part of their rent payment to a savings account they can use later to buy a home, go to school, or start a business. The amounts, matched by a community organization, increase when the property is well-maintained. Tenants have an incentive to stay, and a way of building capital to reach the first rung on the ladder to economic independence.

■ **Veterans.** A client of a Homeless Veterans Project in Los Angeles suffered from a head injury and amnesia after a fall that resulted from an inner ear problem. A staff paralegal established the man's identity by researching his tattoos, which showed he had belonged to an army infantry unit. This led to his military records, an application for VA benefits and an ID that allowed him to get temporary housing, General Relief and Food Stamps, and eventually a job and a rented home. For other clients, the project helps get disability pensions, job training, vocational rehabilitation, veterans' preference for government jobs, and health care.

■ **Evictions.** In San Francisco, a project coordinates 160 volunteer *pro bono* lawyers who contribute 4,000 hours of legal work to represent low-income tenants at risk of eviction, about half of them families with children. Judging from past experience, 20 percent of the tenants will win the right to stay in their current housing and about 70 percent will settle with their landlords and be better able to find other housing and avoid becoming homeless.

■ **Affordable Housing.** A 94-unit low-income housing development in Redding was nearly uninhabitable because of years of neglect. With help from lawyers, the remaining residents were able to postpone a HUD foreclosure, find a non-profit developer to rehabilitate the buildings, and preserve the living units for very low income persons for the next 55 years.

DISABLED CHILDREN AND ADULTS

■ **Fair Housing.** Developmentally and mentally disabled individuals can consult with a lawyer about their problems with housing, including housing discrimination on the basis of a disability and land use and zoning issues that create barriers to housing for people with disabilities.

■ **Mental Health.** Children and youth with mental health needs often fall through the cracks because of confusion about services

available for evaluation and treatment. A statewide project helped get a thorough review for an 11-year-old with many psychiatric hospital admissions; the result was better control of his illness with fewer medications. A support center publishes information and answers questions from local advocates about services that can help these children with special needs.

■ **Assistive Devices.** Severely disabled people often struggle without the most basic help, either because of uncooperative vendors or unclear policies that result in denial of essential services. A statewide project enabled a man who could not speak following a stroke to get a device that allowed him to communicate, a woman to get a replacement for a defective wheelchair, and people all over the state to get prompt emergency wheelchair repairs.

COURTHOUSE HELP FOR THE UNREPRESENTED

■ **Self-Help Centers.** Low-income people who must handle their own court cases can get help filling out the paperwork, manuals with self-help instructions, and other assistance at offices based in about 20 different courthouse locations around the state. Depending on the area, clinics and/or one-on-one assistance help with family law cases, domestic violence, debt collection defense, consumer matters, landlord-tenant disputes, wage claims, and small claims court.

■ **Benefits to Courts.** Besides helping poor people, these projects produce benefits for the courts, where unrepresented litigants take extra time and need extra help. A judge reported about one project, "I can already see that people are coming in here better able to present to the court what they need and what they want." In another county the court clerk said, "[T]he services and assistance at the Center saves time for the clerks, the typed forms are really beneficial, and we just wish you were open every day."

SUPPORTERS OF THE EQUAL ACCESS FUND

LEGISLATORS

"As legislators, we believe that effective legal assistance in civil matters is clearly necessary for a stable social and economic climate."

- **John Burton**, Senate President Pro Tem
- **Robert Hertzberg**, Assembly Speaker
- **Darrell Steinberg**, Assembly Judiciary Committee Chairperson
- **Sheila James Kuehl**, Senator-elect
- **Martha Escutia**, Senate Judiciary Committee Chairperson
- **Dion Aroner**, Assembly Human Services Chairperson
- **Hannah-Beth Jackson**, Assembly Member

THE JUDICIARY

"Access and fairness in the courts are not abstract philosophical principles – they are basic to preserving the rule of law."

- **Chief Justice Ronald M. George**

"The California Judges Association ... offers its appreciation to the Governor and the Legislature for establishing the Equal Access Fund... The judges of this state are in a position, daily, to appreciate the problems of low-income litigants who need legal assistance. This investment by the state will not only benefit the public, but will expedite the work of the courts as well."

- **California Judges Association**

BUSINESS AND CIVIC LEADERS

"Even in a state as populous as California, a budgetary appropriation of this relatively modest amount does indeed make a real difference and speaks eloquently about our collective priorities."

- **Richard Ziman**
Arden Realty

- **Daphna Ziman**
Edwards Entertainment, Int'l
- **Bruce G. Whitmore**
ARCO
- **John A. Schulman**
Warner Bros.
- **Dr. Dale R. Laurance**
Occidental Petroleum
- **Jay S. Wintrob**
SunAmerica, Inc.
- **Louis Meisinger**
The Walt Disney Company

and forty-one other supporters and board members of Public Counsel and Bet Tzedek, Los Angeles

"We believe that continuation of the state's commitment to legal services for the poor is essential to the productivity and vitality of our state... The California business community recognizes the substantial economic benefits resulting from the work legal services programs do to help low-income people become financially self-sufficient."

- **Karen Randall**
Universal Studios
- **Bruce Karatz**
Kaufman & Broad Home Corp.
- **John H. McGuckin, Jr.**
Union Bank of California
- **Bryant C. Danner**
Southern California Edison
- **Harvey D. Hinman**
Chevron Corporation
- **Stanley S. Stroup**
Wells Fargo
- **Jack Brigham**
Hewlett-Packard
- **Fred Main**
California Chamber of Commerce

and several other members of California Business Community for Legal Services

SUPPORTERS OF THE EQUAL ACCESS FUND

"Legal services programs have a substantial impact on the communities where poor children are being raised, and this new Fund has been critical in allowing these services to continue and expand... Your initiative in creating the Equal Access Fund is admired around the country."

- **Peter Edelman**, *Prof. of Law, Georgetown University Law Center*

LAW ENFORCEMENT

"Legal services programs ultimately help to promote the safety and well-being of our communities by helping families move from welfare to employment, assisting them with efforts to obtain better health care and nutrition, and reducing family violence."

- **Dan Terry**,
California Firefighters

"These programs...have a positive influence on the communities that we serve, decreasing crimes of violence and substance abuse. I believe that legal services for the poor is essential to the safety and well-being of our communities."

- **Leroy D. Baca**, *Sheriff, Los Angeles*

"As Sheriff, I am committed to restoring to victims their safety and dignity. As a lawyer, I am committed to making the justice system available to all in need of its protections. The Equal Access Fund is crucial to these efforts."

- **Michael Hennessey**, *Sheriff, City and County of San Francisco*

"This is a great program because it helps provide civil legal services to the poor throughout the State."

- **Tony Rackauckas**, *Orange County District Attorney*

"It is a daily occurrence that citizens come to the District Attorney's Office seeking legal assistance in civil matters. Unfortunately, the District Attorney is prohibited from representing individuals in civil matters. Sometimes frustration rises to a level where the danger of acting out the frustration is very real. Access to legal services for the poor who need assistance can go a long way toward peaceful dispute resolution."

- **Thomas J. Orloff**, *Alameda County District Attorney*

RELIGIOUS LEADERS

"The work of legal services lawyers avoids devastating court battles, protects the vulnerable, and assures that justice is within reach of those who otherwise could not afford an attorney. . . [T]he Equal Access to Justice Fund is a vital component in battling these tragedies and assuring that the concerns of the less fortunate can be addressed by lawyers and our judicial system in time to save the lives that we know can still be reached."

- **Cardinal Roger Mahony**, *Archdiocese of Los Angeles*

"As leaders of religious communities around the state are aware, the need for the indigent among us to hire lawyers can be extremely important...I see often how elders are defrauded, how children need assistance, and how families struggle to keep their lives together. Being able to face these dilemmas with an attorney can often make a profound difference in the outcome."

- **Rabbi Steven Z. Leder**

SUPPORTERS OF THE EQUAL ACCESS FUND

"The ability of indigent people to secure competent attorneys has to rate as a major humanitarian goal...That our state under the leadership of Governor Davis has seen fit to support the Equal Access to Justice Fund makes me very proud."

- **Uri D. Herscher**, *President, Skirball Cultural Center*

"Is there a more important undertaking than to defend the defenseless and to be a voice for the voiceless?"

- **Rabbi Harold M. Schulweis**,
Valley Beth Shalom

THE ORGANIZED BAR

"This funding supports collaborative efforts by the bar, legal services programs, and the courts to promote equal access to the civil justice system."

- **Palmer Brown Madden**
President, State Bar of California

"The entire society has a stake in ensuring that no one is excluded from having access to the civil justice system."

- **Patricia M. Schnegg**, *Past President,*
Los Angeles County Bar Association

"Over the past 16 years, governmental funding for legal assistance to the indigent has been under constant attack and remains at an alarmingly inadequate level."

- **Donald S. Gray**, *Past President,*
Orange County Bar Association

"Legal services programs...are positioned to leverage even a small number of dollars into tremendously valuable services...It is impossible to overestimate the resources that can be leveraged by this critical appropriation of funds."

- **Fred W. Alvarez**, *President,*
Bar Association of San Francisco

"California's Constitution guarantees all citizens equal protection of the laws, but that promise is hollow unless all citizens have meaningful access to the courts in which those laws are administered."

- **Craig G. Riemer**, *President,*
Riverside County Bar Association

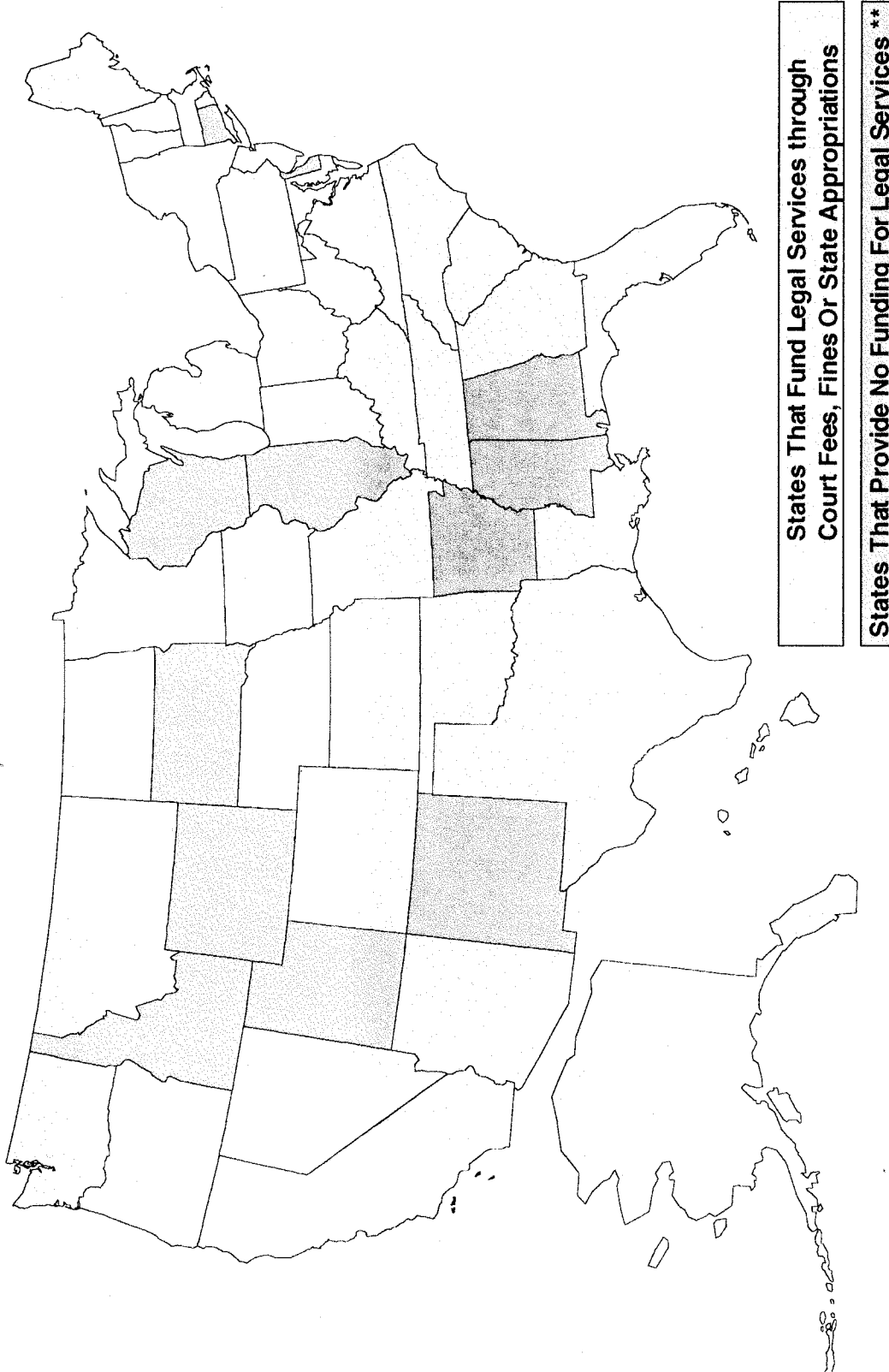
"Ensuring equal access to justice for all citizens . . . reflects one of the fundamental values of an ideal system of justice."

- **Abby Hyman**, *President,*
San Bernardino County Bar Association

THE PUBLIC

82% of the American public supports government funding of legal services, according to a recent poll conducted by the Washington, D.C. firm of Belden Russonello & Stewart.

38 States, Including California, Currently Fund Legal Services *



* This chart was compiled using data provided by the Project to Expand Resources for Legal Services (PERLS), a project of the ABA Standing Committee on Legal Aid and Indigent Defendants.

** This does not include funding from IOLTA, which is present in all 50 states.

CALIFORNIA COMMISSION ON ACCESS TO JUSTICE

The broad-based California Commission on Access to Justice is dedicated to finding long-term solutions to the chronic lack of representation available for poor and moderate income Californians. The Access Commission's composition is one of its key strengths. Because improving the justice system and working to achieve equal access to that system is a societal responsibility and not an obligation of the legal profession alone, the Commission includes members of the civic, business, labor, education and religious communities.

The Commission is pursuing long-term strategies designed to make significant progress toward the goal of improving access to justice, including developing cooperative efforts among the judiciary, local bar associations, legal services providers and the broader community. The Commission is seeking both new financial resources to expand the availability of legal services advocates and pro bono attorneys as well as systemic improvements that will make the law more accessible to the poor, the near-poor and those of moderate means.

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(Listed by Appointing Entity)

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Office of the Family Law Facilitator
Los Angeles Superior Court

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Speaker of the Assembly

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Judicial Council of California

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Associate Justice, Court of Appeal
First Appellate District, San Francisco

Honorable Ronald L. Taylor

Judge of the Consolidated Superior and
Municipal Courts of Riverside County

California Judges Association

Honorable Paul Boland

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United States Magistrate Judge
United States District Court
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Deputy Attorney General
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Honorable Terry J. Hatter, Jr.

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*"Access and fairness in the courts are not abstract philosophical principles – they are basic to preserving the rule of law."
- Chief Justice Ronald M. George*

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APPENDIX B

EQUAL ACCESS FUND PROJECTS

These descriptions of projects funded in the 2003-2004 grant year (October 1, 2003 to September 30, 2004) demonstrate the vast range of legal services to low-income Californians that are made possible by the Equal Access Fund. In each description, the name of the nonprofit legal aid provider that conducts the project is followed by the title of the project. The providers include both those that deliver services directly to individual clients or groups of clients and also statewide support centers that provide back-up service to local providers. For further information about these providers and projects, see Chapter 2.

AIDS Legal Referral Panel. *Housing-Related Legal Services for People with HIV* provides legal advice and representation to people with HIV/AIDS who are at risk of losing their rental housing. Two attorneys serve clients throughout the San Francisco Bay Area. Extensive outreach to organizations primarily devoted to helping people of color or individuals in recovery ensures services are available to underserved groups, including people with substance abuse disorders or mental illness. A large and growing portion of this population has a combination of HIV, mental illness, and/or chemical dependency. The elimination of the stress of housing problems and the prevention of homelessness can increase the success rate of complex HIV treatment regimens and mental illness or substance abuse treatment.

Alameda County Bar Association Volunteer Legal Services Corporation. *The Pro Per Family Law Clinic* coordinates several clinics each month where volunteer attorneys give legal advice to self-represented family law litigants in the areas of dissolution, child custody, visitation, paternity, child support, and general family law. These clinics assist some of the 85 percent of family law litigants in Alameda County who are self-represented. Monolingual clients who speak Spanish, Cantonese, Mandarin, or Vietnamese and clients with limited English proficiency are assisted in the clinics through a partnership with the Legal Language Access Project that provides low-cost translation and interpretation services.

Alameda County Homeless Action Center. *Legal Clinics for Homeless People* provides legal advice, assessment, and referrals at drop-in centers for homeless people in Alameda County. Individuals who both are homeless and have mental health concerns are the primary focus as they generally have a difficult time accessing services. A new Supplemental Security Income application clinic was added this year to help mentally ill clients file their own applications. When clients receive this financial assistance, it helps their economic self-sufficiency and ability to find and keep permanent housing.

Alliance for Children's Rights. The *Guardianship Program* provides legal protection for children in Los Angeles County who live with grandparents, relatives, or others. An attorney and a paralegal assist caregivers in becoming legal guardians, and provide other legal assistance necessary for the caregivers to obtain health care and other needed services for the children. A new aspect of this project helps create joint guardianships with other relatives for the children of low-income parents with life-threatening illnesses. The Guardianship Program works in partnership with community organizations, child welfare agencies, and the Department of Children and Family Services.

Asian Law Caucus. The *Southeast Asian Task Force* is a collaboration of the Asian Law Caucus, Cambodian Community Development, Laotian Community Development, American Viet League, and the Southeast Asian Assistance Center. The task force provides community legal education and legal assistance clinics to the Southeast Asian community in the San Francisco Bay Area and the Sacramento Valley. Their clients are primarily Vietnamese, Cambodian, Laotian, Mien, or Hmong. The primary focus is on immigration issues, with a secondary focus on employment/labor and housing. This project was recently expanded to include outreach to nail salon workers, who are largely Vietnamese women with limited English proficiency, to provide them with community legal education about workplace health and safety issues.

Asian Pacific American Legal Center. The *Asian Language Legal Intake Project* provides centralized intake to low-income monolingual or limited-English-proficient Asian-language-speaking callers in the greater Los Angeles area who need legal services. The project is a partnership between the Asian Pacific American Legal Center, Legal Aid Foundation of Los Angeles, Neighborhood Legal Services, and Legal Aid Society of Orange County. Individuals call one of the toll-free hotlines that has an advocate who speaks their specific language: Mandarin, Cantonese, Vietnamese, Korean, and Khmer (Cambodian). The advocates give callers counsel and advice, some brief service, and referrals on a wide variety of legal issues. If callers need additional legal assistance or representation, they are referred to one of the partner agencies that provides that assistance. The Equal Access Fund grant pays for bilingual attorneys and paralegals who speak Mandarin, Cantonese, and Vietnamese.

Asian Pacific Islander Legal Outreach. The *Asian/Pacific Family Violence Project* provides multilingual legal services to survivors of elder abuse and domestic violence in San Francisco and Alameda Counties. Grant funds are used to reach underserved Mien, Cambodian, Laotian, Vietnamese, Thai, Filipino, and other South Asian communities. An advocacy team of an attorney and an advocate or social worker provides assistance with obtaining restraining orders, custody, support, and other family and elder law issues, as well as representation in immigration matters. The teams also work with volunteer attorneys who provide representation of project clients.

Bar Association of San Francisco Volunteer Legal Services Program. The *Eviction Prevention Project* of the Homeless Advocacy Project focuses on preventing unnecessary evictions and curtailing homelessness for low-income renters, especially those who have mental disabilities. Clients receive legal counseling from volunteer attorneys and staff advocates and

representation in court in eviction actions. The project also provides trainings for management and desk clerks in hotels and subsidized housing and for low-income and disabled renters about tenant rights and responsibilities, particularly accommodation requirements of the Americans with Disabilities Act.

Bay Area Legal Aid. The *Domestic Violence Prevention Project* provides legal services to victims of domestic violence in Alameda, Contra Costa, San Mateo, San Francisco, and Santa Clara Counties, including advice and counsel, brief services, full representation, and community outreach and education. Advocates help clients gain safety and stability for themselves and their families by providing assistance with restraining orders, residence exclusion orders, child or spousal support, and related housing or public benefits issues. Advocates also partner with the courts, law enforcement departments, the media, and other public and private agencies to address systemic problems and build public opinion against domestic violence. The project was expanded to San Mateo County this year where the regional office now provides a comprehensive legal services program addressing various needs of domestic violence survivors. A domestic violence regional counsel (funded in part with grant funds) ensures cross-county coordination of services for victims who flee from county to county.

Bay Area Legal Aid. The *Low-Income Persons with Disabilities Project* in Marin County conducts outreach and education to low-income disabled communities and their service providers. In addition, the project expanded this year to provide direct legal assistance to clients who have disabilities. The services are focused primarily on obtaining public benefits and health coverage, and include advice and counsel, brief service, and representation at administrative hearings. A primary goal is to assist clients in obtaining Supplemental Security Income to help them receive an income sufficient to meet their basic living needs.

Benchmark Institute. The *Online Learning Project* is an ongoing effort to expand low-cost and easy-access training resources for legal aid staff. The project is developing Web-based legal writing materials that will include resources to help users develop writing skills on the job, along with guides for supervisors and mentors. The project piloted a legal writing tutorial where advocates assessed their skills, completed assignments, and received feedback. The project also offers training materials in other skills and substantive areas, and hosts a statewide Public Benefits e-mail list for legal aid staff in California.

Bet Tzedek Legal Services. The *Family Caregiver Project* assists low-income clients in Los Angeles County who care for elderly and disabled relatives in their own homes by helping families obtain benefits that help them provide in-home care, thus avoiding costly and impersonal institutional alternatives. Legal assistance is provided on such issues as Medicare, Medi-Cal, In-Home Supportive Services, and conservatorship. Educational programs are presented to social workers, case managers, and caregiver support groups. The project targets underserved communities of color, including Latinos, African-Americans, and Asian Pacific Islanders.

Bet Tzedek Legal Services. The *Home Equity Fraud Task Force* provides services to low-income homeowners with accumulated equity who have fallen prey to perpetrators of home equity fraud, predatory lending, and other forms of consumer fraud. Fraud and predatory lending

have a disproportionate impact on seniors, particularly low-income seniors whose primary or sole asset is their home. A task force attorney funded by the Equal Access Fund provides affirmative litigation and community education, helping low-income communities of color in south central Los Angeles and the Asian-American and Latino communities in eastern and central Los Angeles as well.

Bet Tzedek Legal Services. The *Employment Rights Project* represents low-wage workers with wage and hour cases in Los Angeles County. Domestic workers, day laborers, and garment workers routinely are paid less than they are promised and sometimes not paid at all for their work. The project conducts extensive outreach to make sure workers are aware of their legal rights and their ability to seek assistance from the justice system, if needed. Volunteer attorneys are used extensively, providing most of the staffing for the evening clinics, representing numerous clients at hearings, and co-counseling in larger cases.

Bet Tzedek Legal Services. The *Housing Law Project* provides legal assistance to tenants in Los Angeles County facing eviction actions and illegal housing conditions. The elderly and persons with disabilities are the focus of much of the service because they are often targeted for eviction in order to circumvent the rent stabilization laws and bring in new tenants at higher rents. The project's attorney represents these clients, develops solutions to systematic housing legal problems, and recruits, trains, and supervises a network of volunteer attorneys.

Bet Tzedek Legal Services. The *Bet Tzedek Fellowships Program* creates an opportunity for committed public interest attorneys to serve the Los Angeles community while obtaining invaluable career training. Two Fellows represent primarily Spanish-speaking clients in matters including unlawful eviction actions, housing conditions, wage/hour and unemployment hearings, and administrative appeals from denials of public benefits. The Fellows provide effective legal representation during the two-year fellowship program and receive an experience that will prepare and encourage them to continue to work on behalf of the underserved after the conclusion of their fellowships.

California Advocates for Nursing Home Reform. The *Residents' Rights Project* works to prevent and deter transfer trauma for elderly and disabled residents of California's skilled nursing homes who would otherwise be abruptly and illegally transferred. Legal assistance provided to residents of long-term facilities threatened with closure includes prevention of closures, representation of clients at transfer/discharge hearings, and prevention of illegal transfers of residents. The project also provides technical assistance, training, and support materials to legal aid providers that are handling such cases.

California Advocates for Nursing Home Reform. The *Medi-Cal Outreach Project*, through a training and advocacy program for California legal aid providers, enables the providers to assist Medi-Cal-eligible clients aged 55+ and those who are residents of long-term care facilities to receive Medi-Cal and keep the family home under Medi-Cal home exemption rules. The project also trains advocates to represent clients in estate recovery appeals.

California Center for Law and the Deaf. The *Court Access for Deaf and Hard-of-Hearing People Project* seeks to improve training and policies and procedures in California courts for

interaction with deaf individuals who need to use court services and participate in judicial proceedings. The project attorney meets with court staff, evaluates the courts' current policies and procedures, and offers materials, presentations, and training to improve services to the deaf community, including communication accommodations. Project staff also works with the Administrative Office of the Courts to improve court access more generally, including distributing the project's court access booklet and assisting the AOC in being a resource for local courts on "deaf friendly" policies and procedures. In addition, the project provides community presentations to inform deaf survivors of domestic violence in the San Francisco Bay Area about their court access rights and how to secure them.

California Indian Legal Services. The *Acorn Project* addresses the need for greater availability of legal resources for Native Americans in California through several interrelated strategies. The development and implementation of a new statewide intake/legal hotline provides intake services as well as advice and brief services for Native American clients, resulting in better access to legal services for those Native Americans who live a long distance from a legal aid office. The creation of self-help and legal education materials on Indian law issues help Native Americans resolve common legal problems without the assistance of an attorney. The distribution of self-help materials through the statewide legal services Web site increases availability of legal information to Native Americans in remote areas of California.

California Rural Legal Assistance. The *Rural Minimum Access Project* added six staff attorneys in offices in Modesto, Stockton, Madera, Coachella, Oxnard, and Salinas. They provide legal assistance and community education for clients on a variety of issues, including domestic violence, consumer fraud, landlord/tenant problems, wage claims, garnishment and attachment of wages, Temporary Assistance to Needy Families, Unemployment Insurance, and Social Security.

California Rural Legal Assistance. CRLA staff who are community workers of the *Field Sanitation Project* perform field inspections to monitor implementation of agricultural worker health and safety regulations throughout the Central Valley and Central Coast of California. The community workers speak Spanish and five indigenous languages. These inspections have led to an increased awareness among farm labor contractors and growers in California of their need to comply with health and safety laws in the fields. When an inspection finds violations that are not corrected after notice to the responsible individuals, CRLA attorneys pursue other appropriate remedies. The project's community workers also do outreach and speak to farm workers about their rights at a variety of places, including labor camps, clinics, schools, churches, parks, and laundromats.

California Rural Legal Assistance. The *Special Populations Project* extends legal services to often invisible and highly marginalized non-English speakers. Communities served by the project include native speakers of pre-Columbian languages whose isolation in the rural areas of the Central Valley is particularly acute. The project also works with the Southeast Asian Hmong community whose cultural clashes with more mainstream rural California culture have led to community misunderstandings and lack of adequate access to economic opportunity. The project serves 24 counties.

California Rural Legal Assistance. The *Technology Support Project* provides funding for a centralized database that streamlines record-keeping and time-keeping for CRLA advocates and management. It also provides for quicker and easier legal conflict checks and more timely reports to management for oversight of funds and legal work in CRLA's 24-county service area.

California Rural Legal Assistance Foundation. The *Worker's Rights Project* provides statewide legal training, technical assistance, and advocacy support to legal aid providers on workers' rights issues. Project attorneys offer training on such topics as how to prevent or document wage and hour violations and how to prepare and present claims for civil rights violations, such as sexual harassment in the fields. Project attorneys also co-counsel with legal aid attorneys representing agricultural and other low-wage workers. In addition, the project provides training to state agencies on the hazards of the short-handled hoe and other unsafe tools used by agricultural workers.

California Women's Law Center. The *Civil Rights of Pregnant and Parenting Teens Project* is dedicated to protecting pregnant and parenting students' civil rights in California, including the right to remain in their home school and participate in school activities. The project conducts outreach and training about potential discrimination and the law center's Model Policy on the Civil Rights of Pregnant and Parenting Teens. The project focuses on advocates who work with Latina girls and girls from low-income families, collaborates with other legal aid providers, and advocates for school districts to implement more comprehensive policies protecting these students.

Casa Cornelia Law Center. The *Volunteer Attorney Project* represents indigent asylum seekers detained at the detention facility in Otay Mesa, California, who are escaping persecution and torture in their home countries. The project recruits, trains, and mentors volunteer attorneys and conducts orientations at law firms to acquaint attorneys with the compelling need for representation for asylum seekers. Project staff conducts educational sessions to train interested attorneys in asylum law and representation, and experienced staff mentors the volunteer attorneys to ensure quality representation.

Center for Community Advocacy. The *Comité Outreach and Legal Assistance Project* assists low-income individuals, primarily farmworkers, to improve their housing conditions in labor camps, apartments, and trailer parks in Monterey and Santa Cruz Counties. The project trains farmworker tenant committees about their rights and provides legal assistance if landlords retaliate against them for speaking out. The comités traditionally negotiate over repairs to their housing units, but increasingly they are also negotiating about rent increases, which is critical because Monterey and Santa Cruz Counties rank among the least affordable housing markets in the nation.

Center for Health Care Rights. The center's *Expanded Outreach and Legal Services to Low-Income and Multicultural Medicare Beneficiaries Project* ensures that these two underserved populations in Los Angeles County are able to fully access Medicare and Medi-Cal for their health care needs. Outreach strategies include telephone hotline access to legal services provided in 10 languages. Materials and presentations are directed to specific geographic areas with large numbers of low-income older adults. Information about Medi-Cal and Medicare prescription

drug programs is given to clients, in addition to other information needed to improve their access to health care services.

Center for Human Rights & Constitutional Law. The *Rights of Late Amnesty Applicants Project* implements a settlement agreement that provided for immigration legalization to 250,000 long-term residents a year. The project informs applicants of their rights under the settlement agreement, gives referrals to nonprofit legal aid providers, recruits and trains legal aid advocates, and offers ongoing technical support. In addition, the project provides technical assistance to legal aid providers handling LIFE Act applications for legalization. Individuals who are assisted achieve immigration status that helps ensure family unity and stability.

Center for Human Rights & Constitutional Law. The *Rights of Immigrant and Refugee Minors Project* helps immigrant and refugee children detained by the Bureau of Immigration and Customs Enforcement (formerly the INS) and the Office of Refugee Resettlement. A settlement agreement in *Reno v. Flores* established uniform standards of care and treatment for these children. The project visits the detained children in California, monitors their care and treatment, and initiates court actions, as needed. In addition, the project provides technical assistance and legal support to legal aid providers representing unaccompanied minors.

Center for Law in the Public Interest. The *Heritage Parkscape Project* works to ensure that underserved low-income communities of color have better access to parks, open spaces, and recreation throughout Los Angeles. Compared to other major cities, Los Angeles has very few parks, and it particularly lacks parks in low-income neighborhoods. This multifaceted project works with a diverse coalition of community groups and government agencies to bring needed outdoor resources to low-income communities.

Central California Legal Services. The *Voluntary Legal Services Program* in Fresno County expands legal services available to Fresno County's low-income, rural residents. The project has conducted a major recruitment effort, has worked with the Volunteer Legal Services Program of the Bar Association of San Francisco to recruit urban attorneys to help in rural areas, and has obtained the Fresno County Bar Association's help with materials and training. These efforts increase the amount of free legal assistance that is available in Fresno County, particularly in the areas of consumer law, taxes, immigration, and economic development.

Central California Legal Services. The *Representation of Domestic Violence Victims Project* provides comprehensive legal services to domestic violence victims in Fresno County. The project's goal is to empower underserved populations, including low-income women and immigrants, by providing them legal representation so they will be safe and receive support when leaving an abusive relationship. Legal assistance is given in the areas of child custody, support, visitation, and divorce. In addition to providing legal services, the project works with battered women's shelters, advocacy agencies, the community, and the private bar to increase awareness of and support services for victims of domestic violence.

Central California Legal Services. The *Public Benefits Advocacy Project* funds a full-time advocate to provide legal assistance for clients who encounter difficulties with their applications or eligibility for public benefits that provide cash, health care coverage, or other basic services.

The project offers assistance with a number of public benefit programs including In-Home Supportive Services, Medi-Cal, Social Security, and Unemployment Insurance. Outreach is targeted toward Latino, Southeast Asian, and African-American communities, and individuals for whom English is a second language, in Merced, Mariposa, and Tuolumne Counties.

Central California Legal Services. The *Housing Rights Project* in Tulare County provides legal assistance on housing-related matters, including eviction defense and housing conditions, and education on fair housing laws. In collaboration with local community-based groups, a special effort is made to reach farmworkers, persons with disabilities, and large families (including those in racial and ethnic groups), because of the difficulties these individuals face in locating adequate housing.

Central California Legal Services. The *Outreach and Education Project*, in collaboration with Kings County Family Network, a consortium of schools, parents, and community groups, works to establish neighborhood resource centers that offer outreach and education services. The project places an advocate at each of the seven centers on a rotating weekly schedule to provide families with information on legal matters such as tenants' rights, public benefits, and education. Clients in need of additional legal services are connected with a staff attorney in Visalia.

Centro Legal de la Raza. The *Housing Improvement Program* provides legal assistance on a range of housing issues to low-income renters in Alameda County. Services are targeted toward low-income monolingual Spanish-speaking immigrant families who suffer greatly from a shortage of affordable housing. They often lack familiarity with their rights as renters and are more susceptible to intimidation and threats by landlords. The project provides tenant education workshops, direct advocacy for tenants with landlords, and coordination and collaboration with other groups and government agencies to improve housing standards. It also helps prepare affirmative lawsuits for volunteer attorneys to bring against landlords of multiunit apartment complexes that have grossly uninhabitable conditions.

Child Care Law Center. The *Project to Increase Equity and Access to Child Care Subsidies for Legal Services Clients* pursues the policy development and litigation required to ensure that low-income families in California receive the child care subsidies needed as a work support. The project works with legal aid providers to identify policy advocacy issues, such as the need for retroactive payments to parents, and also advocates for solutions in the California Legislature. The project analyzes improper delegation of child care policy and procedures from the California Department of Education to child care agencies, and develops strategies with legal aid providers for correcting these issues, including negotiation, administrative advocacy, public education, and litigation. In addition, the project developed and distributes a comprehensive child care manual for legal aid advocates.

Children's Rights Clinic of Whittier Law School. The *General Children's Advocacy Clinic* addresses the civil legal needs of minor children in Los Angeles and Orange Counties who are out of the custody of their natural parents. Most clients are in the care of nonparent relatives or are part of the juvenile dependency or delinquency systems. Law students, under the supervision of the clinic's staff, provide children with advice and counsel or direct representation in probate guardianship or family law custody actions, in collaboration with four other legal aid providers.

The project's goal is for the child to reside outside of the juvenile justice system, in a safe and stable home with a caregiver equipped to meet the child's social needs.

Coalition of California Welfare Rights Organizations. The *Fair Hearings Trainings Program* provides training to volunteer attorneys and legal aid advocates on administrative welfare issues. The trained attorneys and advocates then represent legal aid clients in administrative fair hearings, with any needed technical assistance provided by the staff of the coalition.

Coalition of California Welfare Rights Organizations. The *Traveling Training Program* provides training to legal aid attorneys and paralegals in California. A number of workshops are offered on substantive areas that affect low-income clients. The coalition provided workshops on welfare advocacy and fair hearing representation and other major welfare issues.

Contra Costa Senior Legal Services. The *Elder Abuse Project* provides assistance to individuals over the age of 60 who are the victims of abuse. The project gives free legal advice and counseling, as well as assistance in obtaining and enforcing protective orders. Elderly individuals who are frail, low-income, or minority are targeted for services. These services are designed to protect clients from further harm by their abusers, who are usually family members.

Disability Rights Education and Defense Fund. The *Deinstitutionalization Project* works statewide on behalf of disabled persons who are institutionalized or at risk of institutionalization, often due to a lack of affordable, accessible housing and long-term care services. The project researches public housing and subsidized private housing, particularly in areas with a chronic shortage of accessible units (including the San Francisco Bay Area), to see if priority is given to persons with disabilities. The project also assists in California's efforts to implement a plan, as mandated by the U.S. Supreme Court, to prevent unnecessary institutionalization of the state's most vulnerable population and provide for movement out of institutions at a reasonable pace. In addition, the project's attorney provides technical assistance to legal aid attorneys who represent institutionalized individuals.

Disability Rights Education and Defense Fund. The *Special Education Under the New IDEA Project* provides expertise about the Individuals with Disabilities Act (IDEA) to legal aid advocates and parent support centers throughout California. The project attorney provides extensive analysis of the IDEA, prepares materials, and provides training and technical assistance to ensure that children with disabilities receive the special education services required under federal law.

East Bay Community Law Center. The *Family Advocacy Services Team* assists families in Alameda County to lift employment-related sanctions through compliance with the work requirements of CalWORKs, or to obtain an exemption for disability or other reasons. Using a unique multidisciplinary model, the team negotiates with the social services agency, connects adults with education, job training, and employment opportunities, and links entire families with health, domestic violence, and other supportive services. The team also educates clients and community organizations about CalWORKs, monitors the local implementation of CalWORKs, and collaborates with other agencies to identify solutions to problems, such as meeting the needs of clients with mental health and language access concerns.

Elder Law and Advocacy. The *Litigation Department* focuses on cases that address emerging legal issues and systemic problems affecting elders as a whole in San Diego and Imperial Counties. Such issues include financial investments fraud, predatory lending, and nursing home residents' rights. Community education is also given to educate and warn elderly individuals of possible illegal consumer schemes.

Family Violence Law Center. The *Domestic Violence Services Collaborative* provides legal services to low-income victims of family violence in Hayward, in collaboration with the Alameda County Bar Association's Volunteer Legal Services Corporation. Services include advice, preparation of petitions and orders, and representation to secure restraining, harassment, and child support and custody orders. Many victims of domestic violence are unable to obtain these orders, which increase their safety, without representation. Clients served by the collaborative are primarily low-income women of color.

Greater Bakersfield Legal Assistance. The *Rural Hotline Project* provides counsel and advice, brief service, self-help assistance, and referrals to low-income individuals in the poorest rural communities of Kern County. Many of these rural residents are undereducated, speak limited or no English, and have mobile employment opportunities (agricultural) that are seasonal and unstable. Legal assistance is provided in the areas of housing, domestic violence, public benefits, consumer issues, and access to health care.

Greater Bakersfield Legal Assistance. The *Food Stamp Project* works to end hunger in Kern County by changing the way the Food Stamp program is operated and administered. The project assists applicants by ensuring that applications are processed correctly and wrongful denials are reversed. It also works with appropriate agencies to address systemic problems. The project's objective is to enhance the effectiveness of the Food Stamp program through increased participation of eligible individuals.

HIV and AIDS Legal Services Alliance (HALSA). The *Enhancing Access Through Outreach Project* makes legal services available to people living with HIV/AIDS at geographically convenient locations in Los Angeles County where they also receive HIV case management services and medical care. A program specialist conducts on-site intake as well as legal needs assessments that triage clients' legal needs. A HALSA staff or volunteer attorney then provides legal assistance in the areas of public benefits, housing, health benefits access, and discrimination. The program specialist also educates HIV-related service providers about HALSA's services so they can convey this information to their clients.

Harriett Buhai Center for Family Law. The *Domestic Violence Law Project* provides comprehensive legal assistance to victims of domestic violence in Los Angeles County, through both staff and volunteers. Clients are given legal advice, assistance with representing themselves, and legal representation directed at prevention and cessation of abuse, creation of parental plans for custody and visitation, and establishment of support orders. Referrals are made to a variety of partners, including legal aid providers that assist with Violence Against Women Act petitions that help a domestic violence victim leave her abuser.

Homebase/The Center for Common Concerns. The *Responding to the Legal Needs of Chronically Homeless People in Securing Housing Project* works to increase appropriate housing for chronically homeless people throughout California. It compiles and disseminates data about best practice housing models, develops issues briefs on homelessness, and presents that information to members of the California Legislature and administration. The project also provides trainings on homelessness to key stakeholders and decision makers, educates chronically homeless persons about their rights and available services, and provides in-depth assistance, including legal and policy advice, to communities that are developing housing projects for the chronically homeless.

Immigrant Legal Resource Center. The *Assisting Immigrant Clients' Advocates Project* assists legal aid providers who represent clients in immigration cases statewide. The project develops accurate, understandable legal materials covering a wide range of immigration areas that help legal aid attorneys and advocates who do not specialize in immigration law. The project also trains legal services providers on immigration options available to abused immigrants and facilitates communication that assists with cases under the Nicaraguan Adjustment and Central American Relief Act, a statute that gives immigration options to individuals from Guatemala, El Salvador, and some Eastern European countries.

Inland Counties Legal Services. The *Client Services Center* provides legal assistance in Riverside and San Bernardino Counties to tenants, consumers, and individuals with family law problems, primarily through a telephone hotline, with follow-up assistance and representation where appropriate. Videoconferencing technology is being developed for centralized screening of emergency walk-in cases in branch offices. The center holds eviction defense housing clinics at five branch offices, conducts a tenant/landlord project at the Riverside Civil Court five afternoons a week, and develops and distributes landlord/tenant educational materials, all to assist clients in keeping their housing.

Inland Counties Legal Services. The *Domestic Violence Advocacy Project* targets services to victims of domestic violence in San Bernardino County who are traditionally underserved, including immigrant women, teens in the High Desert, ethnic minority elderly individuals, as well as victims who are deaf or hearing impaired. Project attorneys provide counsel and advice, brief services, and extended representation on issues such as paternity, child custody and visitation, restraining orders, child support, evictions involving the police, and immigration self-petitions.

Inland Empire Latino Lawyers Association. The goal of the *One Step Further Teen Parent Project* in Riverside and San Bernardino Counties is to educate and empower minor parents to establish parental relationships with their children and terminate any abusive relationships with other adults. The project educates teen mothers and fathers about their right to establish custody; provides one-on-one sessions with a staff attorney to discuss the teen parent's specific legal needs; prepares legal documents needed for legal custody, visitation, child support, and protective orders; and offers courtroom representation for the teen parent.

Inner City Law Center. The *Slum Housing Abatement Project* takes a multipronged approach to dealing with the problem of slum housing in the inner city communities of Los Angeles. Many

of the project's clients are immigrants with children. The project first attempts to obtain voluntary compliance from landlords to bring housing up to code. The project also works with regulatory agencies entrusted with enforcing the various housing and health codes. If voluntary compliance and regulatory pressure are insufficient, the project files suit on behalf of its clients, seeking compensation for the tenants' injuries and subjection to uninhabitable conditions.

La Raza Centro Legal. The *Immigrant Outreach Project* gives immigrants in the San Francisco Bay Area information about their legal rights, making them better able to protect themselves from unfair or unlawful proceedings. Materials are regularly updated to ensure they contain the most accurate and up-to-date information. Populations served by the project are low-income immigrants, primarily monolingual Spanish speakers, who are day laborers, domestic workers, restaurant workers, janitorial workers, senior citizens, or persons with disabilities.

Law Center for Families. The *Domestic Abuse Prevention Project* in Alameda County provides advice, brief service, and legal representation on family law issues and other legal issues related to domestic violence. Assistance with restraining orders, custody and visitation orders, child and spousal support, and property division help achieve physical safety and stability and reduce the risks of homelessness and financial dependence. The project also conducts community outreach and education, particularly to immigrant women, and works in collaboration with other organizations that provide services needed by victims of domestic violence to ensure their transition to a nonviolent life.

Law Foundation of Silicon Valley. The goal of the *AIDS Legal Services Project* in Santa Clara County is to provide individuals living with HIV and AIDS with the legal assistance necessary to alleviate stressful and complicated legal situations so their health conditions will remain stabilized. The project provides assistance in the areas of housing and employment rights, estate planning, debt relief, public and private health and financial benefits, and confidentiality protections. The project attorney also conducts community outreach and education aimed at minorities within the HIV/AIDS community, to help them protect their legal rights.

Law Foundation of Silicon Valley. The *Fair Housing Law Project* provides free legal representation to individuals who have experienced housing discrimination based on race, national origin, religion, sex, marital status, sexual orientation, the presence of children, age, disability, source of income, or another arbitrary characteristic. The project recently spearheaded the Fair Mortgage Terms Initiative, an anti-predatory lending collaborative of more than 20 government and private agencies, because many seniors and non-English speakers have been the victims of predatory home loans, losing their home equity or the home itself to unethical mortgage brokers. The project also conducts extensive outreach to residents, landlords, and social services agencies to educate them about illegal and unfair housing and lending practices.

Law Foundation of Silicon Valley. The *Guardianship Project* provides direct legal representation to children who need guardianships in order to remain in a stable, court-sanctioned placement without fear of being removed by an unstable parent. The project social worker determines whether a guardianship will serve a child's best interest; if so, a project or volunteer attorney provides the representation so that the guardian is legally entitled to seek

benefits and protections for the child. This project is part of Legal Advocates for Children and Youth at the law foundation

Law Foundation of Silicon Valley. The *Housing Rights Project* provides outreach and legal services to individuals with mental health or developmental disabilities. A project attorney assists with fair housing rights, evictions, habitability problems, landlord/tenant conflicts, and abuse and neglect in residential care. Racial and ethnic minorities are specifically sought out; for example, community education is offered to all Vietnamese-speaking welfare-to-work participants through the Santa Clara County Housing Authority. This work is part of the Mental Health Advocacy Project at the foundation.

Law Foundation of Silicon Valley. The *Anti-Slumlord Campaign* of the foundation's Public Interest Law Firm provides legal representation for groups of tenants who have experienced systematic habitability problems in rental property. The majority of tenants represented are members of racial and ethnic minorities. Project staff performs the investigation through photographs, public records review, and client and witness interviews. Volunteer attorneys then provide representation in seeking to abate the substandard conditions.

Lawyers' Committee for Civil Rights of the San Francisco Bay Area. The *Human Trafficking Project* advocates for the rights of trafficking victims through direct service, education, outreach and policy work. These are individuals brought to the United States and forced to work in industries such as the garment, domestic service, agricultural, and commercial sex industries who are subject to abuses and forced into servitude through debt bondage, threats of deportation, and sometimes torture and imprisonment. The project brings employment law cases and assists the victims with immigration relief and social services available under federal law. Realizing that there is a severe lack of public awareness about human trafficking, the project also engages in extensive outreach and educational efforts to government and nongovernment agencies to help them identify and assist victims.

Lawyers' Committee for Civil Rights of the San Francisco Bay Area. The *Voting Rights Project* monitors elections to elected entities—such as city councils, school boards, and water districts—to identify election systems that abridge or dilute the voting rights of protected classes of voters. Under California law, if minority voters can show that an at-large election system causes wholesale disenfranchisement of particular residents, they can secure a shift from the at-large system to district representative systems (which tend to be more representative of minority voting interests). These cases seek to improve the currently disproportionately low representation of racial and ethnic voters in California.

Legal Aid Foundation of Los Angeles. The *Smart Growth Through Affordable Housing Project* provides legal representation to community-based and nonprofit developers in Los Angeles County who will build affordable housing and other needed community facilities such as youth centers, transitional homeless shelters, and community technology centers in urban areas. This development provides needed housing and services for low-income inner-city dwellers, who can then take advantage of existing infrastructure and proximity to jobs, child care, and public transportation. Project staff provides individualized legal and technical assistance often on a “project counsel” basis. Such legal assistance includes drafting, review, and negotiation of

development team agreements; drafting, reviewing, and negotiating purchase and sale agreements; reviewing and negotiating limited partnership agreements with tax credit investors; drafting general contractors' contracts or bid documents; assisting with preparing applications for funding and property tax exemptions; and offering counsel and advice on various legal issues that arise through the development process.

Legal Aid Foundation of Los Angeles. The *Removing Barriers to Employment Project* is designed to remove a major legal barrier—the lack of a valid driver’s license—to getting a job that leads to self-sufficiency employment. The project provides self-help driver’s license clinics at community-based job placement and/or job training centers, including those located in public subsidized housing. Clinic participants hear a general information presentation and receive a project-developed self-help manual, with appropriate supplementary materials, including court forms. Volunteer attorneys then provide individual counsel and advice to the participants.

Legal Aid Foundation of Los Angeles. The goal of the *Housing Improvement Project* is to improve and increase affordable housing stock in Los Angeles through outreach, litigation, and policy advocacy. The project formed the Slum-Free Zone Alliance, which includes a variety of housing and health care groups and brings in significant resources from private attorneys—including some from three law firms engaged in slum litigation. This team of experienced litigators works with the Healthy Homes Collaborative to bring litigation when other advocacy strategies fail to achieve the goal of decent, safe, and sanitary housing. The alliance is focusing on one block at a time in the most dilapidated parts of the city.

Legal Aid Foundation of Los Angeles. The *Homeless Veterans Project* in Los Angeles helps homeless veterans get off the street and into decent housing and have a livable income, whether from obtaining Veterans Administration benefits or employment. The project assists veterans in filing for VA benefits and makes sure that homeless veterans’ claims are expedited as required by law. It also seeks to change confusing agency policies that can result in disqualifying a veteran from filing a VA claim. In addition, the project assists veterans to open electronic transfer accounts so they do not have to walk around the dangerous skid row area with a month’s worth of cash, and it helps them find housing and jobs and, if needed, get into recovery programs.

Legal Aid Foundation of Los Angeles. The *Consumer Law Project* is designed to protect low-income consumers from the loss of income, their home, and other assets due to unfair debt collection practices, identity theft, predatory loans, and payday loans. Project staff conducts outreach and education within the community where likely victims can be found, such as senior centers, churches, and community fairs. Individuals who have already been victimized receive assistance or representation. Debt crisis clinics for bankruptcy counseling and representation are also held. Additionally, the project is designed to remove barriers to employment by correcting erroneous credit reports and expunging misdemeanor records. This enables clients to obtain jobs or job training, which leads to self-sufficiency.

Legal Aid Foundation of Los Angeles. The *Domestic Violence Prevention Project* provides assistance to domestic violence victims with obtaining restraining orders and custody orders. The assistance is provided at the Long Beach courthouse on a walk-in basis with priority given to

emergency cases. Project staff and a volunteer attorney explain the family court process, prepare all the necessary paperwork, and review the file if problems occur. An advocate from the local shelter assists the clients with safety planning and referrals for counseling and shelter.

Legal Aid Foundation of Los Angeles. The *Southeast Asian Community Project* provides outreach to Asian and Pacific Islander (API) individuals in some of the most isolated and hard-to-reach communities concentrated in the Long Beach and South Bay areas. The Cambodian community is a particular focus because of its high poverty rate (46 percent), illiteracy rate (45 percent), and English nonproficiency rate (72 percent). The project helps to better understand the legal needs of the API communities, establishes and nurtures relationships with community groups, makes presentations about legal issues to client groups, staffs legal clinics located at local community organizations and the courthouse, and works on cases in a culturally sensitive manner.

Legal Aid Foundation of Los Angeles. The *Long Beach Eviction Defense Project* provides assistance to low-income renters facing eviction. Assistance includes preparing claims for individuals who will represent themselves and assisting others through legal representation in court, as well as training community groups in how to assist tenants with self-representation. With this assistance, low-income tenants with meritorious claims that their housing is not habitable can maintain their residences while compelling landlords to correct housing conditions. Others can be helped to resolve their disputes or negotiate for additional time to move and sometimes find relocation assistance. Because there are so few options for replacement housing when they are turned out of their units, eviction becomes the gateway to homelessness for many low-income tenants. This project helps to close that gateway.

Legal Aid Foundation of Santa Barbara. The *Subsidized Housing Tenant Protection and Eviction Defense Project* seeks to prevent the loss of housing for low-income tenants. Project attorneys and paralegals provide legal counseling, assistance to those who represent themselves, and attorney representation in evictions from public housing and at informal conferences and hearings where vouchers that subsidize housing costs are at risk of termination. The project also monitors changes in subsidized housing made by the local housing authority, and advocates on behalf of tenants when the changes are potentially illegal.

Legal Aid of the North Bay. The *Countywide Outreach Clinics for Marin Project* provides access to legal services in five locations away from the main office. Most of the locations are designed to reach senior citizens and Hispanic immigrants, and much of the assistance is given by volunteer attorneys. The clinics include Seniors Against Investment Fraud seminars because an alarming number of seniors are victims of or at risk for investment fraud, particularly low-income seniors and those with limited resources.

Legal Aid of the North Bay. The goal of the *Outreach for Napa Project* is to help low-income individuals in Napa County who are unable to travel to access legal services. A part-time attorney provides assistance to the elderly, immigrants, and those with limited English proficiency.

Legal Aid Society—Employment Law Center. An *Employment Law Paralegal* helps support claims of clients who have suffered employment discrimination or other employment wrongs in complex cases brought to improve the working conditions and employment opportunities of Californians with low income or limited English proficiency. The paralegal organizes and records large productions of documents, develops databases for evidence, and prepares for trial. These activities are essential in ensuring that evidence is recorded and documented for review by the courts.

Legal Aid Society—Employment Law Center. A *Language Coordinator* helps to ensure that monolingual workers receive linguistically accessible legal services in the Bay Area. The coordinator recruits and manages volunteer translators and interpreters. This is essential to all aspects of the organization's work, from obtaining the translation of fact sheets to interpreting for monolingual clients in litigation. In addition, the coordinator provides translation and interpretation services in Mandarin and Cantonese and has helped to increase the numbers of Chinese-speaking clients served.

Legal Aid Society—Employment Law Center. A grant-funded staff attorney oversees the *Unemployment and Wage Claims Project* and helps meet the needs of a growing population of low-wage workers who have been harmed by increases in layoffs and terminations or who have moved off the welfare rolls and taken low-wage work. The claims project provides assistance to individuals who have been denied wages or unemployment insurance. The staff attorney supervises law students who volunteer at workers' rights clinics and provide advice, brief service, and direct representation in administrative proceedings. The staff attorney also develops self-help materials for claimants that the project is unable to represent.

Legal Aid Society—Employment Law Center. An attorney for the *Educational Access for Disabled Students Project* helps ensure that disabled students in California have equal access to educational opportunities. Because of architectural and programmatic barriers, children and young adults with disabilities are unable to participate in many of the programs, services, and activities that are offered to students without disabilities, severely compromising their ability to use their education to become participants in the workforce. The program assists in creating broad-based partnerships with community and advocacy groups to advance the educational rights of disabled students under state and federal law. Through written materials, community outreach, "know your rights" trainings, and referrals to public and private attorneys, the program empowers disabled students and their parents to work together to compel educational institutions to comply with relevant laws.

Legal Aid Society of Orange County. The goal of the *Health Consumer Action Center* is to assist low-income underrepresented consumers in accessing the health care system in Orange County and southeastern areas of Los Angeles County. The project provides community education to consumers, staff of community organizations, and health care providers about how to access health care coverage and about consumers' health care rights. It helps consumers navigate the health care system to obtain the coverage and medical benefits they are entitled to receive, and works with health care agencies and collaborative partners to develop policies that ensure meaningful and effective health care access.

Legal Aid Society of Orange County. The *Homeless Legal Outreach and Assistance Program* is a collaboration with the Public Law Center and several Orange County homeless shelters. The program provides comprehensive legal services to homeless clients who are receiving transitional housing and supportive services. Most of the clients are victims of domestic violence, seniors, and families with substance abuse problems. This approach that provides a full range of supportive services, including legal services, can be the bridge that moves homeless individuals and families to self-sufficiency.

Legal Aid Society of Orange County. The *Community Education and Outreach Services Project* produces materials both to increase public awareness of legal aid programs and to educate the client community in Orange County and southeastern areas of Los Angeles County. The project utilizes media such as TV, radio, the Web, newspapers, and other printed materials to distribute legal information. In addition, training materials are developed for community organizations and agency staff to teach them to prevent, recognize, and resolve clients' legal problems. The project also has been instrumental in the ongoing design improvements of a computerized client assistance system called I-CAN! (Interactive Community Education Network), by producing national public service announcements and the on-screen video guide that verbally leads clients through the process of creating pro per pleadings online. Court staff report increased accuracy and better informed self-represented litigants among the I-CAN! users.

Legal Aid Society of Orange County. The *Asian Language Legal Access Project* is a consortium of four legal aid providers in Orange and Los Angeles Counties that work together to expand the availability of legal services to the indigent within the Asian and Pacific Islander (API) communities, by reducing the language and cultural barriers that prevent many API individuals from accessing legal services. A centralized telephone hotline and intake system utilizes a specialized "800" number for each Asian language, and calls are answered by bilingual advocates who immediately screen clients for eligibility, provide initial consultation, gather basic information, and transfer those needing on-going assistance to the appropriate provider. All of the legal aid providers in the project are connected technologically so a caller is transferred directly to the collaborative member best able to provide the additional legal assistance needed. As part of the broader effort, specific improvements in access for Vietnamese clients have been made at the Legal Aid Society of Orange County, including direct access to a Vietnamese speaker, new outreach flyers in Vietnamese, revisions in the Vietnamese I-CAN! computer modules, and the addition of a Vietnamese attorney who works at legal clinics on health care access and taxpayer issues.

Legal Aid Society of Orange County. The *Domestic Violence Prevention Program* provides trained legal personnel to assist victims of domestic violence in getting restraining orders. The program operates in the Compton and Norwalk courthouses. Program staff and volunteers help to prepare applications for orders and related documents. They also advise clients regarding court and law enforcement procedures and prepare protective orders following court hearings. Clients are referred to the local legal aid office for additional legal assistance in appropriate situations and to other agencies for housing, counseling, and other support services. The program gives victims of domestic violence the assistance necessary to help them remove themselves from abusive situations and begin to create a sense of personal well-being, safety, and self-sufficiency.

Legal Aid Society of Orange County. The *Evening Hotline Project* allows the Legal Aid Society's telephone hotline to be open in the evening to more effectively serve the working poor and reduce the wait for callers to speak to an intake worker. Callers receive advice and counsel and referrals to appropriate agencies. Clients needing clinic or in-depth legal services are scheduled for an office or clinic appointment. Law students from across the country perform internships for law school credit or volunteer their time to answer hotline calls and assist clients with cases under the supervision of staff attorneys.

Legal Aid Society of San Bernardino. The *Unlawful Detainer—Residential Law Project* assists tenants in community locations in Barstow, Victorville, and Chino. Renters facing eviction are given consultation and advice, documentation preparation, procedural instructions, and direct representation when the client's claims involve uninhabitable premises, retaliatory litigation, or lack of due process. The project, which brings legal services to the more remote areas of San Bernardino County, makes a particular impact on the elderly, persons with disabilities, young single parents, and native Spanish speakers.

Legal Aid Society of San Bernardino. The *Seniors' Project* provides legal assistance to elderly individuals at the senior center in Chino once a month. A project or volunteer attorney provides consultations and brief service, primarily regarding evictions, bankruptcy, creditor/debtor issues, durable powers of attorney, wills, and living trusts. The provision of these services in the West End gives access to legal services that many senior citizens otherwise would not have because of their inability to travel.

Legal Aid Society of San Diego. The *Community Response Team* staffs a full-time hotline service for low-income residents throughout San Diego County. Intake specialists screen calls for subject matter, income and geographic eligibility, and then refer callers to a team of attorney-supervised paralegals who provide timely, specific, problem-solving advice and brief service to hundreds of callers each month. Most calls involve family law, housing CalWORKs, or various urgent legal issues. For callers who need more extended service or whose problems are more complex, the intake specialist or paralegal can refer the call directly to an attorney experienced in the relevant legal issues. The hotline incorporates customer-focused attributes such as automatic call-back and call-queuing with wait-time announcements to improve call retention and minimize hang-ups. The project extends the program's capacity to reach the most isolated and poorest residents of this large county, while at the same time enhancing the ability of program advocates and attorneys to provide more and higher-quality services by relieving them of intake and screening concerns and allowing them to focus on substantive problems and solutions.

Legal Aid Society of San Mateo County. The *First Five Years Project* focuses on the legal, social, and health problems of low-income children aged five and under. The screening process identifies at-risk children, including those with disabilities, with inadequate health care or unmet health needs, and with teenage parents, as well as those who witness domestic violence. The project offers advice, counsel, and representation on these and other legal issues impacting family life. Volunteer attorneys often give the assistance, particularly in guardianship cases. Referrals are made to other collaborative organizations to help families build a network of support for themselves and their children.

Legal Assistance for Seniors. The *Elder Abuse Prevention: Legal Protection and Response Project* provides a continuum of legal services for victims of elder abuse in Alameda County. Using a community education strategy, information is presented to seniors, family members, service providers, and others about risk factors, prevention measures, remedies, and required reporting. The presentations are given at senior citizen facilities, senior fairs, health fairs, and faith-based organizations. The project also provides individual legal assistance for clients experiencing physical, emotional, and/or financial abuse. Such assistance includes obtaining temporary restraining orders for clients suffering physical abuse or neglect, executing durable powers of attorney for clients to protect assets such as bank accounts, and providing basic estate planning.

Legal Assistance to the Elderly. The *Expedited Intake Project* is designed to provide elderly San Franciscans with easy access to a knowledgeable individual who can quickly evaluate a problem, make an appropriate referral to a social service provider or government agency, or refer the matter to a member of the legal staff, to another legal aid provider, or to the private bar. The project has resulted in quicker intake and services for clients and an increase in the number of elderly receiving service. Priority assistance is given in the areas of housing, health care, income maintenance, and physical and financial abuse.

Legal Center for the Elderly and Disabled. The *Elder Abuse Prevention and Redress Project*, operating in Sacramento, San Joaquin, El Dorado, and Placer Counties, is for homebound and/or severely disabled individuals and isolated seniors at risk of unnecessary institutionalization or exploitation who need legal assistance and counseling to safely live independently in their own homes. The project's emphasis is on "planning for incapacity," which enables elderly, disabled individuals to make decisions about where and how they want to live for the remainder of their lives, while they are still mentally alert. Alternatives to conservatorship, such as durable powers of attorney, are explored with clients. The project also provides representation of elderly and/or disabled victims of financial exploitation.

Legal Services for Children. The goal of the *Young Women Empowerment Project* is to advocate for greater safety, stability, and permanency for at-risk adolescent girls in San Francisco, in order to ultimately prevent their involvement with the juvenile justice system. Legal advice and representation is provided to pregnant and parenting teens regarding domestic violence situations, paternity/child support, and child custody proceedings, and to address legal barriers to appropriate education and physical and mental health care. Assistance with guardianship, foster care, and emancipation helps to ensure safe housing and permanence. Outreach to the clients through existing providers of social services for at-risk girls is a major component of the project.

Legal Services for Prisoners with Children. The goal of the *Prisoners and Family Justice Project* is to assist legal aid providers statewide in serving prisoners with children with civil legal problems such as child care and custody, visitation, other family matters, and immigration. The project develops manuals and other material to educate prisoners, their families, and legal aid providers. The project recently updated the *Family Advocacy Manual*, which helps family members advocate for themselves on issues such as medical care, compassionate release, transfers, emergency leave, and re-entry. They also train individuals on conviction expungement

for adults and juveniles, providing critical information for individuals who want to prevent or preclude discrimination against ex-offenders, particularly in finding employment.

Legal Services for Seniors. The *Homebound/Outreach Legal Project* provides access to legal services for the elderly in Monterey County who have physical health or transportation difficulties. The project attorney offers workshops and presentations and sees individual elderly clients by appointment at various senior nutrition sites, in low-income housing facilities, and at other senior organizations. The attorney also visits homebound clients in their homes or care facilities. Clients receive advice and brief service on legal issues involving housing, consumer fraud, debt collection, health care, and estate planning.

Legal Services of Northern California. The *Affordable Housing Creation and Preservation Project* works to create and retain affordable housing for low-income individuals in 23 Northern California counties. A regional counsel ensures that project staff properly monitors jurisdictions' compliance with state law requirements, particularly their obligation to plan for sufficient housing for all income levels. This work is done jurisdiction by jurisdiction, in collaboration with community groups who advocate on behalf of low-income residents in each county. The project also monitors property owners' compliance with laws regarding the preservation of existing housing, particularly federally subsidized housing, and with fair housing, code enforcement, and other housing laws. The goal is to preserve as many affordable units as possible, with a secondary goal of obtaining benefits or other alternatives for clients when preservation is not possible. The project uses a combination of advocacy strategies, including litigation.

Legal Services of Northern California. The *Welfare and Public Assistance Project* serves clients throughout California's 23 most northern counties who are eligible for CalWORKs and other state-administered public assistance, such as Food Stamps and Medi-Cal. Specifically targeted are isolated, ethnic, non-English-speaking communities and families with disabilities. Many families are terminated from cash benefits because of alleged "procedural noncompliance," much of which can be prevented by education and/or advocacy. Other families are wrongly sanctioned off of cash benefits and do not receive the child care, transportation, education, and other supportive services to which they are entitled to help them obtain and keep employment. The project works with community groups to educate them and their members and staffs about the legal rights regarding public assistance, and it provides legal assistance to families affected by these problems.

Legal Services of Northern California. The *Community Economic Development Project* has four initiatives that work with community groups, who take the lead, with project staff providing the legal expertise. The Home Ownership Initiative works with low-income families and community groups to expand home ownership opportunities. Much of this work involves assistance with securing properly zoned and entitled land upon which to build. The Capital Accumulation Initiative works to increase low-income families' and neighborhood assets by using strategies such as Individual Development Accounts (IDAs), Earned Income Tax Credit (EITC), and lending circles. The Jobs and Child Care Initiative employs a variety of strategies, including assisting community groups in creating child care programs and negotiating new job agreements. The Housing for Special Needs Populations Initiative works to create housing with supportive services for disabled and homeless individuals and families, children aging out of

foster care, migrant farm workers, and isolated ethnic groups by providing assistance in the acquisition, financing, entitlement, and development of housing projects to meet their needs.

Los Angeles Center for Law and Justice. The *Roybal Clinic Satellite Office* serves the low-income, elderly, and disabled residents of Los Angeles County's southeastern cities. The area has a disproportionately high poverty rate and a population that is primarily Latino and Spanish-speaking. The satellite office provides legal advice, counsel, and representation in the areas of family law, consumer law, housing, immigration, and government benefits. Staff of the office also gives regular community outreach presentations in English and Spanish so residents can learn about their legal rights and the legal resources available to them.

Los Angeles County Bar Association. The *Pro Bono Representation Panel* provides legal advice and consultation for non-English-speaking immigrants at initial hearings before the immigration court. Volunteer attorneys go to U.S. Citizenship and Immigration Services (formerly the INS) courtrooms where respondents are told they can meet with an attorney. After meeting, the volunteer attorney attends the hearing with the respondent. The panel also provides respondents with materials outlining their potential access to experienced immigration attorneys through the lawyer referral service of the Los Angeles County Bar Association and the Mexican American Bar Association.

McGeorge School of Law Community Legal Services. The *Immigration Clinic* provides assistance on immigration matters to low-income individuals in Sacramento County. Law students who are supervised by a clinic faculty member and a private attorney who specializes in immigration law provide legal advice, form preparation, brief service, and direct representation to immigrants. Clients are assisted with applications for citizenship, family-sponsored petitions, self-petitions under the Violence Against Women Act, and other immigrant petitions. The clinic also conducts community outreach to a variety of community groups and government agencies seeking information about immigration law and immigrant rights. Additional benefits of the clinic's work include providing experience for law students who may want to practice in the area of immigration law and helping the students recognize the on-going need to volunteer to provide free assistance to low-income clients.

Mental Health Advocacy Services. The *Juvenile Hall Advocacy Clinic*, a collaboration between Mental Health Advocacy Services, Public Counsel, and Whittier Law School, addresses the needs of minors being detained in three juvenile halls in Los Angeles by advocating for improved treatment and conditions at the facilities. The clients are children with serious mental and/or developmental disabilities. Project attorneys, along with volunteer law students, visit the facilities once or twice a week to meet with the juvenile detainees and provide legal assistance to resolve grievances related to their treatment, violation of rights, and conditions in the facilities. For relatively minor issues, project staff immediately contacts facility staff to resolve the issues. Other problems require more assistance or representation. For example, if a child is being denied mental health treatment, the project negotiates with the departments of probation and mental health to ensure that children are assessed and provided the mental health service they need. In addition to individual advocacy, project staff meets regularly with probation department officials to address systemic issues.

Mexican American Legal Defense & Education Fund. The *Developing California Voting Rights Act Through Cases Project* seeks to assist legal aid providers in California to file cases under the California Voting Rights Act. This act permits minority voters to challenge at-large elections systems for such bodies as city councils, school boards, water boards, and other special district boards. At-large systems can prevent minority communities from attaining representation commensurate with their size. The project is setting precedent and developing guidelines that make it easier for legal aid programs to file cases under the new act.

National Center for Youth Law. The *Juvenile Mental Health Court Project* organizes and trains legal aid advocates and volunteer lawyers who assist youth involved in the Santa Clara Juvenile Mental Health Court and their families. Court personnel make referrals of low-income youth whose delinquent behavior stems from unmet mental health needs to the advocates and volunteer attorneys. The advocates and attorneys then assist the youth to enroll in public benefits programs, particularly those that provide long-term mental health care so they receive help and do not re-enter the juvenile justice system.

National Center for Youth Law. The *California Child Support Project* works to improve the child support system in California so more low-income single parents receive this critical source of financial stability. The project provides materials with step-by-step instructions to low-income parents and provides trainings to legal aid and volunteer attorneys so they can assist clients with the application for and enforcement of child support orders. In addition, the project comments on draft regulations and policies that are implementing the reforms and meets monthly with state officials to discuss issues of mutual concern.

National Economic Development & Law Center. The *On-Site Assistance Project* provides specifically tailored on-site assistance to legal aid programs active in community economic development (CED) in California. The assistance includes CED training for staff, client organizations, and volunteer attorneys on local economic development needs; discussions of current CED issues; discussions of the legal aid providers' current and future CED plans, priorities, and management; and other CED assistance as requested. The project and the legal aid provider then prepare a follow-up plan with the actions to be taken by each as a result of the on-site assistance, and they monitor their increased effectiveness in CED efforts.

National Health Law Program. The *Medi-Cal Training* provides basic training about Medi-Cal to legal aid advocates in California. The targeted audience includes new advocates who are unaware of Medi-Cal eligibility and services and more experienced attorneys who need updates on the rapidly changing Medi-Cal program. Trained advocates are equipped to better advise low-income individuals with health care needs and Medi-Cal issues.

National Health Law Program. The *Issue Brief* is a publication that keeps California legal aid advocates informed of developments in California's Medicaid waiver process. Changes in Medi-Cal affect low-income individuals' ability to access health care and what benefits will be covered. The *Issue Brief* gives advocates information necessary for them to properly advise their clients in need of health care.

National Housing Law Project. The goal of the *Public Housing Plan and Self-Sufficiency Project* is to assist California legal aid advocates to change local public housing authority (PHA) plans to improve residents' opportunities and rights under various PHA policies and programs, particularly the family self-sufficiency programs. The project develops and distributes model comments that are used by advocates to comment on PHA plans to comply with federal training, contracting, employment, self-sufficiency, and community service program requirements. The project also provides training sessions on PHA obligations to employ low-income public housing residents. In addition, it provides technical assistance to legal aid providers involved in the PHA plan processes in their areas, helping them to ensure that PHAs maximize opportunities to increase the self-sufficiency of their residents.

National Housing Law Project. The *Predatory Lending Initiative* conducts a series of training events in Northern and Southern California that provide assistance to legal aid advocates on predatory lending issues. They also suggest methods by which to challenge predatory lending through direct individual representation and the marshaling of local legal and nonlegal resources. The initiative provides individual technical assistance to legal aid advocates representing victims of predatory lending, most of whom are persons of color and/or elderly. The initiative's goal is to reduce the number of families who lose their homes as a result of predatory lending practices in California.

National Immigration Law Center. The *Project to Expand Legal Representation of Immigrants With Emphasis on Needs of Low-Wage Immigrant Workers* provides trainings and materials to California legal aid advocates on immigrant employment issues, particularly on the special problems encountered by immigrants in bring claims for violations of minimum wage, employment discrimination, and health and safety laws. The project also provides technical assistance about the Legal Services Corporation's regulation regarding representation of immigrants by legal services programs funded by LSC. Although the regulation allows representation of immigrants under certain circumstances, it is confusing and can result in legal services programs not representing eligible immigrants.

National Senior Citizens Law Center. The *Public Benefits and the "Fugitive" Penalty Project* was designed to provide training, technical assistance, and informational materials to legal aid advocates and volunteer attorneys about an eligibility issue called the "fugitive" penalty, under which individuals are found to be "fleeing" and thus ineligible for benefits even though they had no intent to flee and may have been unaware of any criminal charges. The project assists advocates and attorneys in California to recognize the problem and devise strategies for effective representation.

National Senior Citizens Law Center. The *Immigrant Benefits Access Project* was designed to provide technical assistance to legal aid advocates on immigrant eligibility and language access issues that arise in Supplemental Security Income, Social Security, Medicare, and the Cash Assistance Program for Immigrants. Language access problems are especially severe for individuals of an advanced age who have much greater difficulty learning a new language. Better implementation of the Social Security Administration's interpreter policy and written notices in more languages are two goals of the project's policy advocacy.

Neighborhood Legal Services. The *Asian Pacific Islander Advocacy Project* employs multiple strategies to improve low-income Asian Pacific Islander (API) communities' access to and use of legal aid resources and services in northern and eastern Los Angeles County. The project is increasing the availability of legal aid staff who are bilingual in API languages and who are sensitive to API community ethnic and cultural issues. The project also has a special API advocacy group that is the primary intake mechanism for API clients, handles the cases of API clients, and engages in extensive community education and outreach in low-income API communities in the San Gabriel Valley in collaboration with other community-based organizations and elected officials. In addition, the project continues its leadership role in the Asian Language Legal Intake Project in collaboration with three other legal aid providers.

Neighborhood Legal Services. The *Workers' Rights Project* seeks to increase low-income workers' knowledge of their legal rights as employees and to expand the availability of legal advice and representation to protect their rights. The project targets low-income workers from the Asian Pacific Islander and Latino immigrant communities centered in the San Gabriel, San Fernando, and Pomona Valleys in Los Angeles County. Two workers' rights clinics provide information on legal rights and self-help assistance and screen for possible representation. The clinics are bilingual in English/Spanish, English/Mandarin, and English/other API languages. Outreach is conducted in immigrant communities to increase awareness of employment rights and the availability of the workers' rights clinics. The project also provides direct representation and policy advocacy to change laws and policies to better protect the legal rights of low-income workers and their families.

Neighborhood Legal Services. The *Self-Help Advocacy Project*, through its new director of self-help advocacy, works to improve low-income communities' ability to effectively use the justice system without assistance in northern and eastern Los Angeles County. The project ensures the effective and efficient operation of the program's court-based self-help centers by standardizing services, forms, and materials; training staff; overseeing volunteer recruitment; and coordinating with the courts. The project also conducts training for the courts, the local bar, community-based organizations and agencies, and the public on the value of self-help assistance.

Prison Law Office. The *Health Care Project* works on behalf of California prisoners to ensure they have minimally adequate dental care. Through a settlement in a class action about the prisons' medical care delivery system, the project makes 40 monitoring visits per year to investigate compliance. Although the settlement did not include dental care, the project is allowed to interview prison dental staff during the visits. Through these interviews and letters from prisoners who have received notice about their health and dental care rights, the project is investigating whether the dental care in the prisons meets the Eighth Amendment guarantee of access to a minimally adequate medical care system. Dental records, gathered from prisoners who write the project, will be given to an expert to determine the quality of individual care.

Prison Law Office. The *Self-Help Project* provides materials to California prisoners that the Prison Law Office is unable to represent. Thousands of prisoners request assistance from the project each year. A response is sent to each prisoner with relevant self-help materials, including pamphlets and form letters. These self-help materials, on a variety of topics, are developed and updated by the project.

Pro Bono Project of Silicon Valley. The *ACCESS Project* provides specialized services for clients who have difficulty working with volunteer attorneys and/or the court system because of personality, disability, culture, and/or language. Project staff works closely with these clients so volunteer attorneys will take their cases and not have inordinate time demands put on them. Specialized services performed by the staff include being the primary contact for communication, finding client papers needed for the case, securing interpretation and translation, and other case management services needed to assist clients who have barriers to making the best use of legal assistance provided by volunteer attorneys.

Protection & Advocacy. The *Southern California Children and Young Adult Initiative* provides advocacy regarding special education, regional center, and Medi-Cal mental health services to children and young adults with disabilities who are in or have left the dependency, delinquency, or special education systems. The initiative focuses particularly on children and youth who are non-English speaking and come from underrepresented communities. The initiative provides a greater advocacy presence at Metropolitan State Hospital and other residential facilities in Southern California, so that fewer children and young adults are placed or remain in such restrictive settings.

Protection & Advocacy. The *Advocacy Services Project for Californians with Disabilities from Language and Ethnically Distinct Communities* provides information and training statewide to targeted individuals about services that are available to assist them. The project also translates self-help and other disability rights educational materials into the targeted languages, including Spanish, Mixteco, Hmong, and Chinese. Mixteco and Hmong materials are also audio taped to ensure greater access, as many individuals do not read Hmong and Mixteco. Direct representation focuses on remedying systemic barriers facing specific underserved communities such as access to special education services and assistive technology; language access for individuals with sensory disabilities (deaf, blind); and language access in schools, hospitals, and other public agencies.

Protection & Advocacy. The *Investigation of Abuse and Neglect Project* investigates allegations of abuse and neglect of persons with disabilities in California, including those residing in state institutions, skilled nursing facilities, and community care facilities. Investigations are initiated when the project receives a complaint or determines that probable cause exists to believe that abuse or neglect has occurred and there appears to be a practice that requires a more systemic evaluation. Priorities for this year have included an investigation into a series of genital lacerations in a state developmental center and investigating deaths or serious injuries proximately related to the use of behavioral restraints and/or seclusion. Policy work continues on banning the use of dangerous prone restraints.

Protection & Advocacy. The *Access to Health Care, Financial Entitlement, and Other Benefits Project* assists individuals with learning, sensory, and physical disabilities to obtain access to health care and financial and other benefits that enable them to live in the community. It enforces the rights of these individuals to self-determination in health care decisions, personal relationships including parenting, and privacy. The project, for individuals in the 39 counties served from an office in Sacramento, provides information, short-term assistance, and direct

representation. The project's advocate also conducts trainings at independent living centers and multipurpose senior services programs to increase the ability of individuals to advocate for themselves.

Protection & Advocacy. The purpose of the *Community Integration of Individuals with Disabilities Project* is to increase community living options for persons with disabilities, including access to services, supports, and homes in the community. Project strategies include representation of nursing home residents who need assessment for services they require to live in the community; administrative advocacy to ensure that the state implements the U.S. Supreme Court-mandated plan to ensure that no disabled individual who could live in the community remains in an institution; and policy advocacy to increase access to homes, services, and supports in the community for disabled individuals. All services are provided as co-counsel with legal aid providers and volunteer attorneys or in collaboration with disability organizations and consumers.

Public Advocates. The *Housing Project* seeks to improve affordable housing opportunities for households with low and very low incomes in the San Francisco Bay Area. The project provides legal assistance to community housing advocacy groups who are working with their local jurisdictions to develop and implement effective five-year affordable housing plans required by federal law. The assistance, which is tailored to local groups, includes drafting comments, negotiating with local planners and elected officials, helping local advocates inform oversight agencies about the shortcomings in local housing plans, and assisting advocates in ensuring that housing policies are implemented fully and in a timely way. In addition, the project is helping to build a regional coalition of local affordable housing advocates.

Public Advocates. The *Education Project* seeks to improve educational opportunities for California's low-income students, students of color, and English language learners. The project conducts trainings on educational rights for community groups, researches and analyzes legal issues impacting educational equity, develops policy proposals, and works with the California Quality Education Commission in its efforts to define the minimum quality education all children need. Access to books and the percentage of credentialed teachers are two of the educational equity issues the project works to improve.

Public Counsel. The *Children's Rights Project* works to dramatically increase the number of children being adopted out of the Los Angeles County foster care system. The project, through a network of staff and volunteers (attorneys and others), works to eliminate the backlog of adoption cases and move newer cases along. The project places particular emphasis on children who are Native American or have special educational needs or other mental or physical difficulties. After identifying unmet mental, emotional, and physical needs of foster care children, a staff social worker then advocates on behalf of the children and their adoptive families to secure needed educational and health benefits. The project ensures that foster care children can achieve a permanent, loving home and an opportunity for a better future.

Public Counsel. The *Consumer Law Project* assists clients in Los Angeles with a variety of consumer issues including identity theft, unscrupulous home improvement contractors, auto fraud, home equity fraud, notario fraud, unfair debt collection practices, and bankruptcy. Weekly

legal clinics to assist low-income consumers are held in collaboration with other legal aid programs. Project attorneys and hundreds of volunteer attorneys provide legal advice and direct representation. Community outreach and education is also conducted, particularly to minority communities.

Public Counsel. The *Homelessness Prevention Law Project* strives to reduce the number of homeless individuals in Los Angeles County by focusing on the needs of populations that are at high risk of becoming chronically homeless. Law students, along with attorneys from 40 law firms, provide critical legal advocacy services in multiple Department of Public Social Services offices to homeless individuals and those at risk of becoming homeless. Pro bono attorneys also provide representation before administrative agencies to homeless individuals and families to secure food, shelter, clothing, and other vital benefits. In addition, the project advocates for systemic changes to the General Relief program in order to more swiftly and efficiently deliver food and shelter to homeless and hungry individuals, and it trains social service and agency personnel to increase their understanding and effectiveness on behalf of the homeless population. The clients assisted increasingly include the working poor who need programs such as Food Stamps to help feed their families.

Public Counsel. The *Immigrants' Rights Project* provides legal assistance in Los Angeles County to individuals in the areas of asylum, special immigrant juvenile status matters, and self-petitions under the Violence Against Women Act (VAWA). Self-petitions for immigration status are allowed for immigrants who have been physically abused or subjected to extreme mental cruelty by a U.S. citizen or permanent resident who is a spouse or parent. This process allows the battered immigrant to leave an abusive relationship without being subject to deportation. The project provides counsel and advice, direct representation, translation services, and document preparation in support of VAWA petitions.

Public Interest Clearinghouse. The *CalJustice Technology Project* is a multifaceted project that coordinates the development of technology to benefit legal aid programs and clients in California. The project coordinates the development of the statewide Web site that provides legal education information for the client community and resources for legal aid advocates. The project is also developing computer software to audit and improve legal aid management practices and a computerized intake module for predatory lending cases. In addition, the project coordinates the CalJustice Advisory Committee, consisting of representatives from legal aid programs, the courts, and the State Bar of California, which provides valuable input into the development of technology for legal aid programs and clients.

Public Interest Law Project. The *Redevelopment and Protection of Low-Income Neighborhoods and Their Residents Project* provides assistance to legal aid providers and public interest advocates to ensure effective advocacy. This program develops training materials and provides training on redevelopment issues, with an emphasis on relocation assistance and replacement housing obligations as well as the interrelationship of redevelopment laws with other land use and planning laws. The project also uses litigation to enforce relocation and replacement housing statutes. In addition, the project, in collaboration with the Western Center on Law and Poverty, advocates for legislative and regulatory changes to strengthen anti-displacement protections for low-income residents and their communities.

Public Law Center. The *Southeast Asian Legal Outreach Project* provides legal assistance to Orange County's large Vietnamese population, which is predominantly monolingual Vietnamese-speaking. The project provides the community with linguistically and culturally appropriate information and representation at clinic settings in the Vietnamese community. The clinics are staffed by the project's Vietnamese-American attorney and volunteer attorneys and law students recruited primarily from two local minority bar associations. Assistance is given in the areas of family, housing, benefits, immigration, and consumer law. In addition, the project conducts extensive outreach into the Vietnamese community using a variety of media, including radio, newspapers, and "know your rights" brochures.

Public Law Center. The *Community Legal Clinic Project* conducts legal clinics for low-income individuals, particularly targeting homeless persons and the large Latino population in Orange County. The clinics are held at a variety of places in the community, including a homeless services provider in Costa Mesa and a Santa Ana community center. The clinics, staffed primarily by volunteer attorneys and law students, are used to provide counsel and advice and brief services to clients and to be a point of entry for more extended services for more complicated matters. Most cases are in the areas of family, housing, benefits, immigration, and consumer law.

Public Service Law Corporation of the Riverside County Bar. The *Guardianship Assistance Project* provides assistance to individuals filing for guardianship of children in the probate courts. Many individuals assisted are grandparents who are caring for their grandchildren. The court branches have agreed to hear all self-represented guardianship matters on specific days of the week. The project attorney is in court at the time the guardianship calendar is called and is available to provide immediate assistance to litigants having difficulty with court procedures. If litigants need more than brief advice, volunteer or contract attorneys and project staff give further service as appropriate.

San Diego Advocates for Social Justice. The *Civil Society Project* provides legal support to three nonprofit organizations and their low-income constituents for affordable housing and tenant rights' advocacy. Each of the nonprofits works with hundreds of low-income individuals and families through community and congregation-based organizations in low-income neighborhoods. As issues are identified by the residents, the project provides research, analysis, drafting of documents, and advocacy support. If requested, project staff also attends meetings or negotiations with or on behalf of the organizations and their constituents. Issues the project works on include code enforcement, just cause evictions, and community planning processes.

San Diego Volunteer Lawyer Program. The *Domestic Violence Prevention Project*, a court-based program organized in collaboration with the Superior Court of San Diego County, provides legal assistance to victims of domestic violence in completing the application for a temporary domestic violence restraining order. Staff attorneys, volunteer attorneys, and other volunteers supervised by one of the attorneys instruct victims on the filing process and give referrals for ongoing legal assistance, counseling, shelter, and other appropriate support services. The project's goal is to serve all unrepresented individuals. Those targeted are female victims of

domestic violence and their children, seniors in abusive domestic circumstances, and those who are monolingual in Spanish.

Santa Clara County Asian Law Alliance. The *Citizenship Assistance Project* in Santa Clara County uses a two-pronged strategy to assist immigrants and refugees who are applying for citizenship. First, outreach and community education presentations are given on the procedures and benefits of applying for U.S. citizenship. Targeted outreach is conducted at senior centers, community organizations, and English as a Second Language centers, and radio, TV, and print media are also used to reach out to the community. The second prong involves assisting immigrants with completing citizenship applications, obtaining needed documents, preparing for the citizenship interview, and completing the disability exception form. The project targets its services to limited-English-speaking Asian and Pacific Islander refugees and immigrants with a special emphasis on the elderly and disabled.

Santa Clara University's Katharine and George Alexander Community Law Center. The *Workers' Rights Advice Clinic* provides assistance to low-wage workers, most of whom work in service industries and many of whom are currently unemployed. More than half the clients do not speak English and the large majority are immigrants. Law students, under the supervision of a faculty member, provide legal advice at weekly clinics. Assistance is given with wage claims, discrimination complaints, unemployment benefit claims, and wrongful termination cases. The law students receive law school credit for their participation. Many clients receive money for lost wages, unpaid overtime, and penalties after they are given information and assistance in filing the necessary paperwork.

Senior Adults Legal Assistance. The *Legal Assistance to Underserved Elders Project* provides legal assistance to Santa Clara County elders to support their efforts to live independently, safely, noninstitutionalized, and with dignity. The project focuses on elders with low income or at risk of abuse, exploitation, or premature institutionalization. A project attorney meets with clients through monthly sessions at both north and south county senior centers. Legal assistance is given primarily in the areas of public benefits, housing, elder abuse, long-term care, Medi-gap issues, HMO disputes, and advance health care directives.

Senior Advocacy Project of Northern California. The *Expanded Outreach Services Project* provides services to the rural areas of five counties. Services include legal advice, self-help assistance, document review, preparation of legal documents, and representation before administrative agencies and courts. The project assists with areas of law that include elder abuse, estate planning, wills, advance health care directives, durable powers of attorney, and debt relief counseling. A new area is grandparents raising grandchildren, in which the project provides consultation and representation to grandparents seeking guardianship of their grandchildren.

Senior Citizens Legal Services. The *Elder Abuse Prevention Project* assists seniors in Santa Clara and San Benito Counties who are at risk of suffering from financial, physical, or emotional abuse or neglect. The project advocates on behalf of seniors whose property or income, necessary for their survival, is threatened or already stolen by fraud or deceit. The project also assists institutionalized seniors in nursing homes with neglect issues and seniors who need conservatorships in order to prevent possible financial abuse or neglect. Services include advice,

counsel, and representation. In addition, the project works with law enforcement organizations to coordinate local government and nonprofit services available to address both criminal and civil aspects of elder abuse cases.

Senior Law Project. The *In-Home Supportive Services Advocacy Project* works with elderly individuals who receive In-Home Supportive Services (IHSS) and advisory committees in Lake and Mendocino Counties to advocate for reforms that will make IHSS more accessible to recipients, particularly those with severe mental and/or physical disabilities. The project attorney is working particularly with the advisory committee in Lake County to fine-tune and implement recommended operating procedures, protocols, and policies for reform of Lake County's IHSS program. The project attorney also provides counsel and representation to individuals who have been improperly denied IHSS benefits and advises elderly individuals on home-care rights and options.

Sonoma County Legal Aid. The *Self-Help Access Center* is a walk-in center located at the Sonoma County Court, Hall of Justice. The center provides information and referrals to the public and more in-depth services for low-income clients, including consultation and legal needs assessment, legal forms preparation, coaching for court appearances, and referral to other appropriate organizations. The targeted populations are low-income self-represented litigants with family law and housing problems and Spanish-speaking litigants. In addition to services provided by staff of the center, volunteer attorneys provide advice and counsel to the clients, and volunteer interpreters assist Spanish-speaking litigants with intake forms and translate during consultations. The Superior Court of Sonoma County is a strong partner with the center, playing an active role in coordinating all court-based self-help services.

Sonoma County Legal Aid. The *Home Loss Prevention Project* is an early intervention strategy to protect low-income families, particularly women with children, from becoming homeless due to lack of information, access to the courts, and representation during eviction proceedings. Legal information and services are available to low-income tenants facing eviction through a clinic staffed by volunteer attorneys and the Self Help Access Center located at the Sonoma County courthouse. The focus of the project is negotiation with the landlord and/or opposing counsel to save the tenancy or obtain extra time to move. In addition to legal advice and form preparation, clients view a video that prepares them to represent themselves more effectively in court. Clinic volunteer attorneys also provide legal representation at trial, when appropriate, and the project provides information and referrals to organizations that address the underlying and ancillary problems resulting in the eviction, such as lack of unemployment or drug use.

The Impact Fund. The *Strategic Training in Impact Litigation Project* seeks to increase the number of public interest lawyers who have the skills and abilities to successfully bring impact litigation that will ensure justice to low-income communities in California. The project provides practical training to new and experienced attorneys in the area of complex public interest litigation in locations around the state. The project also helps arrange partnering of less experienced legal aid attorneys with more seasoned practitioners to co-counsel on impact litigation.

The Impact Fund. The *Strategic Advocacy in Support of Public Interest Litigation Project* undertakes advocacy efforts to protect and enhance the means for bringing public interest litigation in California. The project monitors legislative and judicial developments that affect impact litigation. When judicial decisions threaten impact litigation mechanisms, the project prepares and files *amicus* briefs on behalf of legal aid providers that would be affected. Legislative and other advocacy is undertaken to protect, and possibly improve, the available remedies. The project's work helps keep impact litigation, primarily in the area of civil rights, available for clients who need protection and enforcement of their rights.

UC Davis School of Law Legal Clinics. The *King Hall Immigration Detention Project* assists detainees in immigration detention with legal orientations and representation. Law students, under the supervision of a clinical instructor, investigate detention cases and advise detainees as to bond eligibility and relief from removal. KHID also provides technical assistance to volunteer attorneys who assist detainees in immigration proceedings. Additionally, KHID provides technical assistance to public defenders regarding the immigration consequences of criminal convictions, mandatory immigration detention and post-conviction relief. Cases selected for representation depend on various criteria including the potential for law reform, issues involving post-removal detention, asylum-seekers and detainees with criminal convictions.

USC Law School Litigation Clinics. The *Detained Immigrant Mental Competency Project* provides representation to detained mentally ill immigrants in immigration removal proceedings at the immigration detention facility on Terminal Island. The immigration judges refer individuals who suffer from a mental impairment to the project. USC graduate psychology students, under the supervision of a clinical psychology professor, perform psychological assessments of each detainee and conduct independent evaluations to determine the detainee's ability to competently assist with the case. If the detainee is found mentally competent, the project represents that client with whatever form of relief may be available before the immigration court. If the detained client is found not competent, the project works with mental health professionals to advocate for appropriate medical and psychological care and monitors the provision of that care to the extent possible. Legal representation in connection with the immigration removal proceedings is provided at a later date if it becomes appropriate.

USC Law School Litigation Clinics. The *799 Habeas Project* assists incarcerated battered women who request assistance in filing a civil habeas petition under a new California law that allows for overturning convictions of a homicide crime under certain circumstances. Project attorneys and law students interview the women requesting assistance and investigate whether they may have a case under this new law—if the woman can demonstrate that she was battered by the victim, did not have expert evidence on the effects of battering presented at her trial, and her case was prejudiced by the lack of such evidence. If a woman's case has merit, the project represents her or refers her to a volunteer attorney. The project also works with the California Women's Law Center to identify and train the volunteer attorneys.

USC Law School Litigation Clinics. The *Mariel Cuban Detainee Project* represents Mariel Cuban detainees at Lompoc Federal Penitentiary. Each detainee is entitled to an interview with an immigration and customs officer once a year. Volunteer attorneys and law students who have

been trained by the project review the client's file, interview the client, obtain support letters and other release plan information, and then represent the client in their interview.

USD Legal Clinic. The *Small Claims Clinic* provides assistance in San Diego County to low-income self-represented litigants with limited English proficiency who need more assistance than the small claims court advisors can provide. Law students, under the supervision of an attorney, provide one-on-one assistance in the law and in preparing the facts for those clients who are already in the system. Students negotiate with the opposing party and attempt to resolve the case prior to trial. If a case is going to trial, students help clients to prepare their oral presentation, to obtain and organize exhibits, and to subpoena and examine witnesses, if appropriate. If a losing defendant appeals, the clinic may represent the plaintiff on appeal as both sides can be represented by counsel during appeals. The clinic also conducts outreach to promote understanding of the functions and procedures of small claims court.

USD Legal Clinic. The *Special Education Outreach Project* partners with a community-based resource center to provide information, technical assistance, consultation, and advice to Spanish-speaking low-income parents of children with disabilities that qualify them for special education services under the Individuals with Disabilities Act. The project distributes materials in Spanish that explain how to access special education services and the timelines and levels of service. These materials are then made available at the resource center, enabling families to request the needed services from the schools. The project attorney and law students answer questions, guide families through the special education process, and provide further services to some families.

Voluntary Legal Services of Northern California. The *Employment Law Clinic* educates and advises low-income individuals in Sacramento County about their legal rights when they encounter a job-related problem. Clinic staff, volunteer attorneys, and law students provide clients with brief service, as well as extended representation where appropriate. They assist with unemployment insurance appeals, wage and hour claims, discrimination complaints, and demand letters to employers ranging from workplace defamation to access to personnel records. Workers who are able to solve their past employment problems are able to return to work more quickly or receive money owed to them; workers encountering problems with their present employers are able to resolve their problems without jeopardizing their jobs.

Voluntary Legal Services of Northern California. The central purpose of the *Debt Collection Defense Clinic/Bankruptcy Clinic* is to educate low-income families about their rights and responsibilities when they are in debt and to provide guidance and support to self-represented litigants. Debt collection clinics empower clients to represent themselves in court, handle abusive collection tactics employed by collection agencies, negotiate settlements with creditors, and correct erroneous information contained in their credit reports. The clinics also provide extended services when needed. The bankruptcy clinic provides assistance to self-represented petitioners, helping to reduce the errors that individuals make when filing their petitions and decreasing the likelihood their petitions will be dismissed. The bankruptcy clinic's target populations are the working poor and vulnerable or elderly individuals with health issues exacerbated by creditor harassment. Clinic are staffed by project staff and volunteer attorneys, paralegals, and law students.

Western Center on Law and Poverty. *Getting and Keeping Medi-Cal Benefits: An Advocates' Guide to Medi-Cal Eligibility*, a manual written by project staff, imparts a “big picture” understanding of the Medi-Cal program and refers advocates to applicable state and federal statutes, regulations, and treatises to aid in their in-depth research on behalf of clients. The manual is distributed to legal aid providers and other health advocates in California to better inform them about the complex Medi-Cal eligibility categories and rules and about the interplay of the Medi-Cal eligibility/retention rules and rules of other programs, such as CalWORKs or Food Stamps. Advocates are then better able to represent their clients with Medi-Cal applications, benefits, and retention.

Western Law Center for Disability Rights. An Equal Access attorney in the *Civil Rights Litigation Project* in Los Angeles provides legal representation to people with disabilities who are encountering discrimination in violation of their civil rights. The attorney works with law students from Loyola Law School and volunteer attorneys on a variety of impact cases involving disability rights. The project reaches out to members of underserved minority groups, including the Hispanic and Asian Pacific Islander communities.

Youth Law Center. The *Foster and Kinship Care Advocacy Project* provides assistance to legal aid advocates and their clients on legal issues related to adoption and relative caregiver issues. The project attorney provides training, technical assistance, and consultation on issues such as foster care, guardianships, CalWORKs, Kin-Gap, and Adoption Assistance benefits so legal aid advocates can give better legal assistance to the growing number of low-income grandparents who are caring for their grandchildren. The project distributes the *California Relative Caregivers Guide* on CD to each legal aid program, increasing their ability to research legal issues for relative caregivers.

Yuba Sutter Legal Center. The *Rural Outreach Project* provides legal assistance to seniors in local sites monthly in Brownsville in Yuba County and in Live Oak in Sutter County. The project attorney also goes to seniors' homes if they lack transportation to an outreach site. Services, including advice and counsel and preparation of legal forms, are given by the project attorney in the areas of SSI, Social Security, health care, debt relief, housing, and elder abuse.

Yuba Sutter Legal Center. The *Institutionalized Outreach Project* provides legal assistance to seniors who are institutionalized in one of Sutter County's nursing homes or board and care homes. The project paralegal visits facilities weekly to meet with seniors who request assistance. The project provides legal advice, prepares legal documents, and represents clients in administrative hearings. Many legal issues involve SSI, Medi-Cal, or powers of attorney. The assistance results in the seniors being able to assert their legal rights, plan their futures, and improve their quality of life.

APPENDIX C

PARTNERSHIP GRANT PROJECTS

These are descriptions of the partnership projects funded for calendar year 2003, which are described and analyzed in more detail in Chapter 3.

Alameda County Bar Volunteer Legal Services Corporation (VLSC) and East Bay Community Law Center (EBCLC). A Collaborative of VLSC and EBCLC provided services in two separate self-help centers in Alameda County during the 2003 grant year. At the Wiley E. Manual Self-Help Center in downtown Oakland, the two providers offer housing law assistance. EBCLC provides one-on-one advice and forms assistance to low-income tenants in defending all phases of unlawful detainer actions and in prosecuting rent board petitions. VLSC provides attorney assistance to low-income landlords. At the Fremont Hall of Justice during grant year 2003, VLSC provided drop-in advice, individual appointments, and self-help clinics in the areas of family law, debt collection, and other consumer-related matters.

Bay Area Legal Aid. The *Domestic Violence Pro Per Clinic*, serving Contra Costa County, is located in the courthouse in the city of Richmond. An attorney sees self-represented litigants who are filing or responding to domestic violence-related restraining order applications, assisting people who drop in on an individual basis to complete the applications and review the pleadings to ensure they are appropriate for filing. The project operates in partnership with STAND! Against Domestic Violence, a community-based organization serving battered women.

Central California Legal Services. The *Rural Access Partnership* increases access to courts for victims of domestic violence who are rural residents of Fresno and Tulare Counties. The project uses technology (video-conferencing equipment) and co-locates staff at rural sites and the family law facilitator's office. A strong community education component complements the direct services. In Fresno County staff are at three sites, two in rural communities. An attorney is placed with the family law facilitator in Fresno and in Selma to provide services to individuals in need of a restraining order. In Huron, video-conferencing equipment facilitates access for rural residents of western Fresno County.

Greater Bakersfield Legal Assistance. The *Pro-Se Legal Assistance Project* serving Kern County provides legal assistance with domestic violence filings to low-income self-represented litigants. The project uses a part-time bilingual Spanish-speaking paralegal to assist individuals

in seeking relief through restraining orders. This work is done out of both the Delano and the Shafter courthouses. Respondents to domestic violence petitions are served by the family law facilitator.

Inland Counties Legal Services. The *Family Law Access Partnership Project* serving Riverside County is in partnership with the Public Service Law Corporation of Riverside County and the Inland Empire Latino Lawyers Association. Project attorneys provide legal assistance to self-represented indigent family law litigants at the Family Law Assistance Center in Riverside and at the Family Law Assistance Center at the Larson Justice Center in Indio. This project assists Spanish-speaking litigants in accessing the family law court.

Inland Counties Legal Services. The *Proyecto Ayuda Legal/Legal Help Project* in San Bernardino County provides legal information, form completion, and referrals to self-represented litigants in family, guardianship, and eviction cases. Services are focused on monolingual Spanish and limited English speaking persons at the San Bernardino, Rancho Cucamonga, and Victorville Facilitation Center offices.

Legal Aid Foundation of Los Angeles. The *Inglewood Self-Help Legal Access Center* in Los Angeles County was opened to serve the high number of unrepresented litigants (85–90 percent) utilizing the Inglewood courthouse. The Los Angeles County Board of Supervisors helps fund the self-help center, which is modeled after a similar center in Van Nuys. The partnership grant supplements the staff of one attorney with a paralegal and a screener. Staff helps litigants with any civil problem they bring in, the majority of which are landlord-tenant and family law issues, civil harassment temporary restraining orders, and case filings in small claims court.

Legal Aid Foundation of Los Angeles. The *Torrance Family Law Clinic* in Los Angeles County has expanded a domestic violence clinic located in the Torrance Courthouse to address a full range of family law issues. Many domestic violence clients have other family law problems that are now addressed by counsel and advice, preparation of forms, and referrals. The project serves low-income people in the communities of the Southwest Judicial District who seek help with domestic violence, child abduction, paternity, custody and visitation, spousal and child support, divorce, and domestic violence–related immigration issues.

Legal Aid Foundation of Santa Barbara. The *Self-Represented Litigant Resource Center* in Santa Barbara County consists of two centers, situated in the law libraries of the two county courthouses. The purpose is to assist self-represented litigants in understanding and handling their cases. Each center is staffed by a supervising attorney and equipped with computers, books, and self-help materials. Volunteers from the legal community and the local law school assist in the delivery of services, which are free to anyone who has filed a case in the Superior Court of Santa Barbara County.

Legal Aid of the North Bay. The *Legal Self-Help Center of Marin/Centro Auto-Asistencia Legal de Marin* grew out of Marin County’s Self-Represented Litigant Planning Team (made up

of representatives from some 20 organizations, including the Superior Court of Marin County and Legal Aid of the North Bay). The self-help center is part of the new Marin Justice Center, where it plays an integral part, not only in providing a complete array of information services to self-represented litigants but also in screening users for direct referral to other legal assistance agencies and services throughout Marin County.

Legal Aid Society of San Diego. The *Family Law Center for Legal Assistance* in San Diego County supplements the services of the family law facilitator in the south county and east county courts where the facilitator's services are provided only part time. As a result, services are now available five days a week in one court and four days a week in the other. The additional staff is bilingual in English and Spanish, and provides a full range of self-help services in family law..

Legal Aid Society of San Diego. The *Unlawful Detainer Assistance Program* is located at the east county courthouse in San Diego County and in the public law library nearby. The project runs a legal clinic five half-days a week, staffed by an attorney and paralegal. Together the advocates help financially eligible tenants complete fee waivers and answers to unlawful detainer petitions and related consumer issues.

Legal Services of Northern California. The *Mother Lode Pro Per Project* consists of an attorney and paralegal who circuit-ride on an established schedule to nine different self-help service centers established in cooperation with the courts in five counties: Placer, El Dorado, Alpine, Amador, and Calaveras. Services include consultations on legal procedures, self-help materials, and assistance with legal forms and documents in all areas of civil law, with emphasis on unmet needs in family law.

Neighborhood Legal Services of Los Angeles County. The *Lancaster Self-Help Legal Access Center* in Los Angeles County is a court-based self-help center that serves the remote desert communities of the Antelope Valley. The Antelope Valley Center is a partnership between the court, the bar, legal aid, and educational institutions, assisting low-income community members with family law, housing issues, and general civil matters. Services include one-on-one assistance, workshops, and self-help materials. The Antelope Valley Center is open two days a week.

Public Counsel. The *Pro Per Guardianship Legal Clinics Program* works in collaboration with the Superior Court of Los Angeles County and the Los Angeles County Bar Association. Public Counsel operates legal clinics at superior courts throughout Los Angeles County to assist self-represented litigants with guardianships and other related issues. Public Counsel created a user-friendly guide to assist litigants with guardianship proceedings, including form pleadings, filing instructions, notice requirements, and advice on appearing in court. At the clinics, on-site

computer technology is provided to assist litigants with completing the applicable forms (in English and Spanish).

San Diego Volunteer Lawyer Program. The *Domestic Violence Prevention Project* is a collaboration of the San Diego Volunteer Lawyer Program (SDVLP) and the Superior Court of San Diego to assist domestic violence victims in obtaining legal protection and referral for counseling, shelter, support, and ongoing legal services as appropriate. The project employs the clinic model of service delivery whereby SDVLP staff and volunteers provide legal advice and assistance to victims in completing the domestic violence restraining order application which they will file themselves. Services are offered at the court's Madge Bradley Building in central San Diego and at its North and East County Regional Centers.

San Francisco Bar Association Volunteer Legal Services Program. The *Family Law Assisted Self-Help Project* provides self-help services to low-income parties in family law matters, enabling them to represent themselves better in court. The clinics provide clients with papers drafted for them by clinic staff and volunteers. The clinics also educate clients about how to pursue their cases and how to conduct effective self-representation in court. Follow-up clinics and videos on various areas of family law ensure that the clients have ongoing support for self-representation.

Sonoma County Legal Aid. The *Self-Help Access Center*, located at the Sonoma County main court complex, provides direct and immediate assistance to low-income litigants as well as referral to more in-depth services provided by affiliate organizations. The center features a comprehensive library of self-help materials, instruction packets, videotapes, and periodic information workshops and clinics conducted by volunteer attorneys. The center's staff attorney provides individual consultation and assistance as appropriate. The center's coordinator, assisted by interns, prepares required legal forms. Services are offered in the areas of family law, elder law, housing, personal injury, and probate.

APPENDIX D

METHODOLOGY

I. Legislative Charge

In 1999 the California Legislature created the Equal Access Fund (EAF) “to improve equal access and the fair administration of justice.”¹ The initial allocation of ten million dollars has been renewed in each subsequent year. The fund is distributed to non-profit legal aid providers by the Legal Services Trust Fund Commission of the State Bar of California, overseen by the Judicial Council. The State Budget Act of 2001 requires the Judicial Council to send a report to the Joint Legislative Budget Committee by March 1, 2005, on the efficiency and effectiveness of the operations of projects funded from the EAF, including an assessment of the fund’s success in meeting the unmet needs of unrepresented litigants and recommended changes to the program to increase efficiency and effectiveness.

II. Background to Research Design

This evaluation was designed and carried out by staff from the Administrative Office of the Courts (AOC), Center for Families, Children & the Courts (CFCC) in conjunction with the staff and commission of the State Bar of California Legal Services Trust Fund Program (LSTFP). Given the collaborative nature of the grant administration and the diversity of the 164 projects supported by the EAF, the involvement of EAF grantees and other legal aid experts was a high priority in constructing the evaluation. The initial design was developed by consultants from the Resource for Great Programs (RGP) in 2002 and 2003. RGP conducted a series of conference calls, focus groups, and meetings that included directors from 50 non-profit legal aid providers. An assessment of the available and potentially available data was completed, an approach for conducting the evaluation was developed, and preliminary data from budget proposals and year-end reports were collected and analyzed.

One of the primary outcomes of the collaborative design process was the determination that non-profit legal aid providers in California have developed diverse responses to the needs of their client communities. The 164 projects situated within 99 legal aid providers use a variety of service models, with some providers focusing on direct representation; others on brief advice and counsel to clients; and others on legal education in the community, partnerships with the courts,

¹ Stats. 1999, ch. 50, § 2, item No. 0250-101-0001, sched. (hx), prov. 2; SB 160.

or capacity building for other organizations. EAF grantees also vary by size, the amount of EAF funding they receive, and the proportion of the project that is funded by EAF and the proportion funded by other sources.

These varied service models made the development of a traditional evaluation model with standardized outcome measures impossible. Instead, the consultants, legal aid provider staff, AOC staff, and LSTF staff designed a series of indicators that could be collected across all provider types and that would address the Legislature's charge of reporting on the efficiency and effectiveness of the projects and on the success of meeting the unmet needs of self-represented litigants. These indicators follow:

1. Report on clients: *What are the unmet needs of low-income Californians, including unrepresented litigants?*
 - a. Who were the clients served by the projects supported by the EAF during the 2003–2004 funding cycle?
 - b. What were the legal needs of people served by the EAF during the 2003–2004 funding cycle?
 - c. What special populations were served (such as non-English speakers or the elderly)?
2. Report on services: *What is the efficiency and effectiveness of funded projects? What is the EAF's success at meeting unmet needs?*
 - a. What was the range of legal services supported by EAF during the 2003–2004 funding cycle?
 - b. What legal education was provided to clients and community members?
 - c. What collaborations and partnerships were conducted by EAF grantees?
3. Report on funding: *How have the EAF funds been used to meet the needs of unrepresented litigants and other low-income people?*
 - a. How were EAF resources used across all funded projects?
 - b. How were additional resources employed?

In addition, the evaluation team provided resources and technical assistance to build project capacity to design and carry out their own outcomes-based evaluation. The results of these self-evaluations are used throughout the report to provide information on the effectiveness of individual projects.

III. Research Methods

1. Participants

The participants in this study are 99 non-profit legal aid providers that received a grant from the Equal Access Fund (EAF) during the 2003–2004 grant year. Since most of these providers received EAF money continuously since the fund’s inception in 1999, they provide a reasonable overview of how the majority of the money has been spent over time. While the specific projects, activities, and staff costs covered by the grants have varied more over the years than the amount of money each provider has received, in most cases these too have remained substantially the same. As a result, data from this single grant year provides an accurate cross-sectional look at how the money was used.

In accordance with the legislative requirements,² there are two types of legal aid providers that received grants from the fund. The first and most numerous type, nonprofit legal aid providers, offers an array of legal and law-related services directly to eligible clients. These providers are further divided into two subtypes: independent organizations and law school clinics (attached to law schools), both of which provide free legal services to indigent people.³ The second type of provider, support centers, primarily provides free legal training, technical assistance, or advocacy support to the legal aid providers mentioned above.⁴

2. Summary of Data Sources and Reporting Periods

Different time periods are covered in this report, depending on the type of project (EAF grantee or EAF partnership grantee), and the nature of the data reported. For EAF grantees, some data is taken from proposed budgets for FY 2003–2004, which ran from October 1, 2003, through September 30, 2004. Other data was taken from interim final reports covering October 1, 2003 through March 31, 2004. Data is also reported from those projects that conducted self-evaluations, covering various time periods between October 1, 2003 and July 31, 2004. All data used to describe and evaluate EAF partnership grantees came from calendar year 2003 (which is also the fiscal year for those projects).

EAF Grantees: In August 2003 EAF grantees submitted to LSTF project descriptions and proposed budgets for grant year 2003–2004. The evaluation team developed a coding system to abstract standardized information from these project descriptions and reports, including descriptive data on clients served, services provided, and the manner in which EAF funds were incorporated into provider budgets (see attachment 1).

Beginning with grant year 2003–2004, providers were also asked to report outcome data on each EAF-funded project they ran. Outcome data included the number and type of direct legal

² CAL. BUS. & PROF. CODE §§ 6213 (a), (b) (Deering 2003).

³ CAL. BUS. & PROF. CODE § 6213 (a) (Deering 2003).

⁴ CAL. BUS. & PROF. CODE § 6213 (b) (Deering 2003).

services provided to individual clients, and the number and type of legal education and other services provided to individuals or community organizations. Those results covered the period from October 1, 2003, through March 31, 2004 (see attachment 3).

The providers that engaged in self-evaluation of individual projects also submitted reports on the evaluations. Those reports covered a variety of time periods between October 1, 2003, and July 31, 2004.

EAF Partnership Grantees: Partnership grantees operate on a calendar year funding cycle and had slightly different reporting requirements. The reports on their activities in 2003 were submitted to LSTF in early 2004. These year-end reports serve as the primary source of information about the partnership projects. The reports included descriptive and outcome data similar to that reported by the EAF grantees, but tailored to the work of the self-help centers. They also included answers to evaluation questions that were given to the projects at the beginning of 2003 (see attachment 4). A coding system was developed to capture descriptive, outcome, and evaluation information (see attachment 2).

Partnership grant proposals for 2003 also served as a source of descriptive information about those projects. In addition, some projects submitted extensive year-end reports that went beyond the requirements of their EAF grants. Data from both those sources is incorporated in this report.

3. Sources of Data

Most of the data in this report comes from three sources: (1) annual budget proposals submitted by providers prior to the start of each grant year; (2) annual reports, including standard Legal Services Corporation case and matters closing statistics, that cover what a project has accomplished; and (3) reports on self-evaluation efforts, submitted in conjunction with the annual reports, including data showing whether goals and objectives were met. The data was gathered by the EAF grantees, reported to LSTF staff, and forwarded to AOC staff for analysis. Detailed descriptions of each source are set out below.

Budget Proposals for non-partnership grants. In August of each year, budget proposals for each project are submitted to LSTF staff and reviewed. Beginning with the 2002—2003 grant year and continuing with the 2003-2004 grant year, a coding system was developed to capture important information from these proposals (see attachment 1). Data used in this report comes from the 2003-2004 budget proposals.

- a. Who submitted the data. Each provider that received EAF funding for grant year 2003—2004 had to complete a proposed budget and submit it to LSTF. The grant year for these projects began October 1, and proposed budgets were due in August 2003.
- b. Who collected the data. The data to complete the budgets was initially collected by the legal aid providers receiving EAF grants. The budget proposals are currently held by LSTF in paper format and AOC has copies of these.

- c. How the data was collected. Quantitative data was collected using the in-house case-tracking or record-keeping systems employed by the individual providers. These vary widely from paper and pencil systems to sophisticated computer-based systems. Qualitative data consists of narratives written by provider personnel in response to questions posed by LSTF.
- d. Period of time covered by the data. This data covers October 1, 2003, to September 30, 2004, and is a prospective description of what will be done, based on current needs.
- e. Who coded and analyzed the data. These budget proposals were coded by LSTF staff. Reliability coding was done by AOC staff.
- f. Method of data analysis. The data was abstracted using a standardized coding system. Once coded, the data was entered into a social science statistical analysis program and descriptive analyses were produced using frequencies and cross-tabs.

Annual Report for non-partnership grants, grant year 2003–2004. An interim, six-month report was submitted by legal aid providers with projects funded by the EAF, with a separate report submitted for each project. Each report covered three basic areas: (1) narrative reports of project goals, implementation, and outcomes; (2) case closing and “matters” reporting spreadsheets detailing the outcomes of cases closed and services provided by grantees; and (3) data from self-evaluations regarding project services and accomplishments. This preliminary version of the annual report (covering the first six months of the grant period) is the first phase of what will become an annual reporting requirement.

- a. Who submitted the data. Each provider that received EAF funding for grant year 2003–2004 was required to complete an interim version of the annual report.
- b. Who collected the data. The data was initially collected by the legal aid providers receiving EAF grants. The results of the data collection were reported in the interim annual report and any self-evaluation reports that were attached to it. LSTF collected these reports in electronic format, transferred the summary statistics into a database, and forwarded them to the AOC.
- c. How the data was collected. Quantitative data was collected using the in-house case-tracking or record-keeping systems employed by the individual providers. These vary widely from paper and pencil systems to sophisticated computer-based systems. Qualitative data in the form of interview or focus group write-ups was also collected by the individual providers. Summaries and excerpts of these were transmitted to LSTF in electronic format. Finally, data in the form of narrative answers to annual report questions were collected by LSTF from provider representatives. All data collected by LSTF was transmitted to AOC for further analyses.
- d. Period of time covered by the data. This data covers October 1, 2003, to March 31, 2004, and is a retrospective report of the outcomes of project strategies and services. The data from the case closing and matters reporting spreadsheets covers a uniform time period for all projects, October 1, 2003, through March 31, 2004. Data from self-evaluation efforts covers varying periods of time from October 1, 2003 through July 31, 2004, depending on the type of evaluation performed.

- e. Who coded and analyzed the data. Narrative portions of this data were coded by AOC staff. Quantitative portions of the data from the case closing and matters spreadsheets were analyzed by AOC staff. Data from self-evaluations was processed by the providers that collected it, and results in the form of a brief report were sent to LSTF.
- f. Method of data analysis. Three methods were used to analyze the data from these reports, based on the type of data collected. A random sample of approximately 25 percent of the narrative reports of progress, along with narrative examples of services provided and objectives achieved, was analyzed qualitatively. The data was read one or more times and grouped into categories based on similar strategies, development, and experiences. The reports were summarized within these categories, and specific, illustrative examples were quoted.

A coding system was also developed that captured evaluation strategies and progress made in developing effective evaluations. Once coded, the data was analyzed using descriptive statistical techniques.

Case and matters closing data was analyzed quantitatively using descriptive techniques.

Annual Report for partnership grants, grant year 2003.

- a. Who submitted the data. Each legal aid provider that received EAF funding for grant year 2003 was required to complete an annual report.
- b. Who collected the data. The data was initially collected by the legal aid providers receiving EAF partnership grants. The results of the data collection were reported in the annual report and answers to self-evaluation questions that were attached to it. LSTF collected these reports in paper format, entered the summary statistics into a database, and forwarded them to the AOC. In addition, data submitted by partnership grantees was coded into a database by LSTF staff and sent to AOC staff for analysis (see Attachment 2 for coding system).
- c. How the data was collected. Quantitative data was collected using the in-house case-tracking or record-keeping systems employed by the individual partnership projects. These vary widely from paper and pencil systems to sophisticated computer-based systems. Qualitative data in the form of interview or focus group write-ups was also collected by the individual partnership projects. Summaries and excerpts of these were transmitted to LSTF in electronic format. Finally, data in the form of narrative answers to annual report questions were collected by LSTF from project representatives. All data collected by LSTF was transmitted to AOC for further analyses.
- d. Period of time covered by the data. This data covers January 1, 2003, to December 31, 2003, and is a retrospective report of the outcomes of project strategies and services.
- e. Who coded and analyzed the data. Narrative portions of this data were coded by LSTF staff and further analyzed by AOC staff. Quantitative portions of the data from the case closing and matters spreadsheets were analyzed by AOC staff. Data from self-evaluations was processed by the projects that collected it, and results in the form of a brief report were sent to LSTF.

- f. Method of data analysis. Two methods were used to analyze the data from these reports, based on the type of data collected. The reports were read one or more times and grouped into categories based on similar strategies, development, and experiences. The reports were summarized within these categories, and specific, illustrative examples were quoted. Case and matters closing data was analyzed quantitatively using descriptive techniques.

APPENDIX D—ATTACHMENT 1

CODING SYSTEM FOR DESCRIBING NONPARTNERSHIP GRANTEES USING PROPOSED BUDGETS FOR FISCAL YEAR 2003–2004

Reviewer:

Provider number:

Provider name:

Project title:

Comments, follow-up:

1. Areas of legal need addressed (check all that apply):

- Consumer/finance
- Education
- Employment: Job discrimination; Wage claims; Other
- Family: Adoption; Custody and visitation; Dissolution; Guardianship; Name change; Parental rights termination; Paternity; Domestic violence; Child support; Other
- Juvenile: Delinquency; Dependency; Other
- Health: Medicaid; Medicare; Access to mental health services; Other
- Housing: Public housing rights; Home ownership; Landlord/tenant; Other
- Income maintenance: TANF/ CalWORKs; Food stamps; Social security; SSI; Unemployment compensation; Veterans benefits; Workers compensation; General relief; Earned income tax credit; Other
- Individual rights: Immigration; Mental health; Prisoner's rights; Disability rights; Other
- All (no special issues targeted)
- Other

2. General issues addressed (check all that apply, if any):

- Welfare to work
- Housing and homelessness
- Equal access to justice—assistance for unrepresented litigants
- Community economic development
- Underserved groups based on geography (isolated rural, underserved urban)
- Underserved groups based on characteristics (e.g., language, ethnicity, age, disability)
- Domestic violence
- Access to health care, including efforts to prevent illness or injury
- Training and access to technology for service providers
- Wraparound or “holistic” services
- Income support for low-wage workers
- Other

3. Services provided by project (check all that apply):

- Advice or brief service
- Referrals

- Self-represented litigant assistance
- Administrative representation
- Full legal services, including court representation
- Litigation support/co-counseling
- Nonlitigation advocacy and project development, including CED
- Community legal education, outreach, and other community work
- Production of advocacy training or resource materials
- Direct training and support for advocates and other provider staff
- Watchdog: investigation and enforcement
- Interpreter service
- Administrative support only (administrative support positions not otherwise included under others).
- Legislative/administrative advocacy
- Other

4. Services provided with EAF funding, only if different from the answer to C:

5. Method of client contact and service delivery:

- Call-in
- In person, largely one-on-one
- Group meeting or class
- Mass advertising or distribution of flyers or brochures
- Web-based services
- Other

6. Services in languages other than English?

Yes ___ No ___ Unknown ___

7. Results sought (classify according to primary result sought—enter "1" for primary outcome identified by grantee; if project seeks a mix of outcomes, enter "2," "3," etc., to indicate relative emphasis as reflected in budget materials):

- ___ Information and education: people informed about legal rights and responsibilities
- ___ Brief assistance: relatively simple solutions to uncomplicated legal problems and/or partial solutions to more complex problems
- ___ Extended representation: solutions to more complex legal problems
- ___ Collaborative mixed-model: solutions to complex problems having legal and nonlegal dimensions (e.g., holistic projects, community economic development)
- ___ Systemic change: change in rules, practices, systems affecting large segments of low-income population (e.g., impact litigation, legislative/admin. advocacy)
- ___ Support: more efficient and effective legal aid delivery (e.g., training and technical assistance for advocates, task force coordination)
- ___ Other:

8. Measures of success (check all that apply; do not include methods covered in “quality control” questions):

- Quantitative measures of services
- Client/customer satisfaction surveys
- Client/customer follow-up surveys
- Focus groups
- Advocate-recorded outcomes
- Community partner surveys
- Court observation/file review
- Peer review
- Other

9. First year the project was funded with EAF money:

10. Does EAF replace money lost from other sources (only if it's possible to tell from this year's budget)?

Yes ___ No ___ Unknown ___

11. Is EAF matching funds for another grant (only if it's possible to tell from this year's budget)?

Yes ___ No ___ Unknown ___

12. Client population served by project (check all that apply):

- Legal aid providers and advocates
- General income eligible
- Children
- Mentally or physically disabled
- Facilities residents
- Families
- Homeless
- Non-English/limited English
- Low-wage workers
- Rural residents
- Seniors
- Immigrants
- Migrant and other farm workers
- Other

13. Partners (check all that apply):

- Courts
- Other legal services providers
- Other organizations
- Volunteers

14. Quality assurance systems in place (check all that apply):

- Performance evaluations
- Reviews of legal work

Oversight of system

15. Staffing, expenditures, and revenue

Total funding: \$ _____ EAF funds: \$ _____
Total funding includes allocated overhead? Yes ___ No ___ Unknown ___
Total attorneys FTE: _____ EAF attorneys FTE: _____
Total paralegals FTE: _____ EAF paralegals FTE: _____
Total others FTE: _____ EAF others FTE: _____

16. Sources of other funding (check all that apply):

- IOLTA
- LSC
- Other government
- Foundations
- Contributions
- General operating support
- Other

17. Geographic coverage:

Statewide ___ Regional ___ County ___ Other

18. Underserved client group(s):

APPENDIX D—ATTACHMENT 2

CODING SYSTEM FOR PARTNERSHIP GRANT FINAL REPORTS, 2003

Reviewer:

Provider number:

Provider name:

Project title:

Comments, follow-up:

1. Type of service (check all that apply):

- Information and advertising (e.g., distributing brochures and fact sheets, participating in community fairs and other public events, participating on boards and advisory councils)
- Pro per packets
- Individual forms
- One-on-one nonlegal advice
- One-on-one legal advice
- Preparation of forms ready to sign
- Community workshops for clients
- Training staff of social service agencies
- Referral to other agency, provider, or assistance
- Other _____ (describe)

2. Primary legal issues or needs addressed (check all that apply; if indicated, enter a “1” if it is a primary focus of the service, enter a “2” if it is only an occasional or secondary service—otherwise code everything as “1”):

- ___ Bankruptcy
- ___ Debt collection
- ___ Domestic violence—assistance with restraining orders
- ___ Domestic violence—assistance with victim and witness assistance petitions
- ___ Civil harassment
- ___ Employment
- ___ Family law—dissolution of marriage
- ___ Family law—paternity
- ___ Family law—child custody
- ___ Family law—child support
- ___ Guardianship
- ___ Housing—landlord/tenant; unlawful detainer (*tenant evictions*)
- ___ Housing—other (non-landlord/tenant issues such as mortgage assistance, foreclosures, etc.)
- ___ Personal injury
- ___ Probate (wills, estates, and other issues pertaining to passing wealth from one generation to the next)
- ___ Other _____ (describe)

3. Language of service (check all that apply):

- English
- Spanish
- Chinese
- Other _____ (describe)

4. Client populations served:

- General income eligible
- Other _____ (describe—"other" would have to be based on personal characteristics such as sex, language ability, disability status, age, or the like; it would not be based on the type of problem the client has, such as domestic violence or eviction; those qualities will be picked up in other sections)

5. Hours of operation:

Average hours per week center is open to the public. _____ (you may have to calculate this, especially if the center's hours changed over the year)

Was there a significant change (more than 10%) in the center's hours during the year?

- Yes, increased
- Yes, decreased
- No
- Mixed
- Unclear, unknown, or missing

6. Evaluation instruments used (check all that apply):

- None listed or described
- Informal evaluation (unstructured discussions or other collection of information about service without a plan for getting a representative sample or key informants; may include reflections of provider personnel or director)
- Administrative data analysis (counts of clients served, client characteristics, type or number of services provided, number of service hours, etc.)
- Case file review—court cases
- Focus groups (structured or semistructured discussions with groups of clients, judicial officers, court personnel, community partners, or others based on some kind of representative sample, cross-section, or key informants)
- Individual interviews (structured or semistructured interviews of clients, judicial officers, court personnel, community partners, or others based on some kind of representative sample, cross-section, or key informants)
- Observations—courtroom
- Outcomes (client outcomes recorded by provider personnel at case closing or service completion)
- Survey—client exit (conducted immediately after completion of service; may include forms given to client on completion of service but mailed in at a later date; generally used to determine such things as how client felt about service and treatment, whether client understood and could make use of advice, or what client plans to do next)
- Survey—client follow-up (conducted at some point after service has been completed to determine such things as whether client used information, followed up on advice given, or generally what happened next—along with client's opinions about service; may use follow-up phone calls, mail; or other means of contacting client)
- Survey—partner (includes community organizations and other legal service providers, judicial officers, court personnel, or other nonclient sources)

- Other _____ (describe)

7. Legal problem types most amenable to effective self-help assistance (check all that apply):

- None mentioned
- Uncontested dissolutions of marriage with few or no assets
- Responses to dissolution of marriage complaints
- Initial filings in paternity/custody actions
- Requests for temporary orders through the filing of orders to show cause
- Responses to orders to show cause
- Counsel and advice on debtor-creditor matters
- Domestic violence restraining orders
- Unlawful detainer—first responsive pleading
- Other _____ (describe)

8. Legal problem types for which self-help assistance is not effective (check all that apply):

- None mentioned
- Custody disputes that are seriously contested
- Complicated asset/debt situations
- Complex legal issue cases
- Complex factual issue cases
- Other _____ (describe)

9. Types of assistance that are most effective (check all that apply) (check only those listed as being particularly helpful; for example, statements that written materials may be helpful to some people, but one-on-one plus workshop assistance is generally what is called for, should only be coded one-on-one and workshop):

- Introductory workshops
- Written materials
- Videos
- One-on-one assistance
- Follow-up sessions
- Other _____ (describe)

10. Were self-represented litigants more prepared after using the services by having more complete forms?

- Yes (all, generally, mostly so)
- No (all, generally, mostly so)
- Mixed
- Unknown (explicitly stated or inferred from lack of comment)

11. Were cases less time-consuming for bench officers and clerks?

- Yes (all, generally, mostly so)
- No (all, generally, mostly so)
- Mixed
- Unknown (explicitly stated or inferred from lack of comment)

12. Where were litigants referred for representation or more complete assistance? (check all that apply):

- Housing agencies
- State or federal welfare services (CalWORKs, food stamps, SSI)
- Counseling/shelter services
- Treatment programs
- Other social service agencies or community-based organizations
- Pro bono private attorneys
- Legal services providers
- Family law facilitator
- Lawyer referral service
- District attorney
- Other _____ (describe)

13. For what reasons were litigants referred? (check all that apply):

- Client requested referral
- Complexity of subject matter
- Relative skills/special needs (e.g., low functioning, disabled, or elderly clients)
- Language barriers
- Needs outside of or beyond services provided by project
- Other _____ (describe)

14. Were self-represented litigants' expectations reasonable before receiving assistance?

- Yes (all, generally, mostly so)
- No (all, generally, mostly so)
- Mixed
- Unknown (explicitly stated or inferred from lack of comment)

15. Did self-represented litigants' expectations change following assistance?

- Yes (all, generally, mostly so)—Better understanding of the legal process
- Yes (all, generally, mostly so)—Better understanding of how the facts of their particular case might result in a positive or negative result for them
- No (all, generally, mostly so)
- Mixed
- Unknown

16. Were self-represented litigants satisfied with the assistance they received from the project?

- Yes (all, generally, mostly so)
- No (all, generally, mostly so)
- Mixed
- Unknown (explicitly stated or inferred from lack of comment)

17. Were self-represented litigants satisfied with their opportunity to make their case?

- Yes (all, generally, mostly so)
- No (all, generally, mostly so)
- Mixed depending on judge
- Mixed depending on how early in the process they came for help
- Unknown (explicitly stated or inferred from lack of comment)

18. Were the outcomes of cases changed as a result of self-help assistance?

- Yes (all, generally, mostly so)
- No (all, generally, mostly so)
- Mixed
- Unknown (explicitly stated or inferred from lack of comment)

19. Did the representation of opposing parties affect the effectiveness of self-help assistance?

- Yes (all, generally, mostly so)
- No (all, generally, mostly so)
- Mixed
- Unknown (explicitly stated or inferred from lack of comment)

20. Did self-represented litigants achieve results more consistent with the law and facts in their case as a result of receiving assistance?

- Yes (all, generally, mostly so)
- No (all, generally, mostly so)
- Mixed
- Unknown (explicitly stated or inferred from lack of comment)

APPENDIX D -- ATTACHMENT 3

NON-PARTNERSHIP GRANTEE REPORT FOR PERIOD FROM 10/1/2003 TO 3/31/2004

[NOTE: A slightly different form was used for Support Centers]

General Instructions

Please complete a report package for your Grantee Report for the period from [Date] to [Date]. Please feel free to contact the Legal Services Trust Fund staff to discuss any questions you have while you are in the process of completing the report package.

The forms are due by e-mail by 5:00 p.m., _____, _____ to trustfundprogram@calbar.ca.gov. No hard copy is required at this time.

The forms, once completed, will give a clear description of how your organization spent the grant funds, as well as a report on the results of the grant. Trust Fund Commission members will use your report, along with the summary project description that was part of your EAF budget submission, to describe your project's goals and results to the legislature, the private bar, the judiciary and the general public.

There are five forms to complete. Two of them are "packaged" in a single word-processor (MS Word or Word Perfect) file, called the "Narrative" package:

Narrative Package

Form A: Narrative Report on Project Results

Form B: Examples Illustrating Major Results Achieved

The other three forms are provided in spreadsheet (MS Excel) format. For single-project grantees, they are packaged in a single Excel "Workbook":

Data Package for Single-Project Grantees

Form C: Financial and Staffing Report

Form D: Case Services Report

Form E: Report on Legal Services Other than Cases ("Matters")

Form A: Narrative Report on Results.

Complete a separate Form A for each Equal Access Fund project. If you completed a "program-owned" evaluation of the project, attach a report of the evaluation and do not answer question (e).

Form B: Examples Illustrating Results.

Complete a separate Form B for each Equal Access Fund project. Provide descriptions of **two** specific examples of the project's services. The examples can fall under any of the three questions and should total only two for each project.

Form C: Project Staffing, Expenditures and Revenue.

Complete a separate Form C worksheet for each Equal Access Fund project. You may use estimates for the amounts of non-EAF funds used for the project.

Definitions for Form C

PERSONNEL

Lawyers: Salaries and wages paid to attorney employees, whether full-time, part-time or temporary. On Form C, state the number of full-time equivalents positions.

Paralegals: Salaries and wages paid to paralegal employees (including law graduates, legal assistants and law students), whether full-time, part-time or temporary. Paralegals are persons working under the supervision and control of an attorney, whose duties consist primarily of such activities as intake interviewing, case investigations, checking court records, legal research, client representation at administrative hearings and outreach and community work. On Form C, state the number of positions, their full-time equivalents, and the percentage of salaries that will be paid with this grant allocation.

Other Staff: Salaries and wages paid to all other staff, whether administrative/clerical or others, and whether full-time, part-time or temporary. On Form C, indicate the number of positions, their full-time equivalents and the percentage of salaries that will be paid with this grant allocation, and specifically identify those positions.

Employee Benefits: Fringe benefits and payroll taxes paid on behalf of employees, such as retirement, FICA, health and life insurance, workers' compensation, unemployment insurance, and other payroll-related costs.

NON-PERSONNEL

Contract Payments to private attorneys, consultants or organizations who

Services to Clients: provide professional services to clients specifically with regard to the project(s) funded by the Equal Access Fund Grant.

Other: All expenses specifically with regard to the project(s) funded by the Equal Access Fund grant, and not included in contract services to clients.

Form D: Case Services Report.

Complete a separate form D worksheet for each Equal Access Fund project. Use the following definitions to categorize the data for this report.

Closed Case is a case in which there is a resolution of the client's problems or in which the client's problem is not resolved but it is determined that no further action will be taken on the case.

Major Reason Case Closed describes the circumstances or event causing the program to determine that no further action is to be taken on the case. If the case is closed for more than one reason, select the single major reason that best describes why the case was closed. The following are brief descriptions of the major reason cases are closed:

Counsel and Advice refers to preparing and providing advice to the client, e.g., reviewing relevant information and counseling the client on how to take action to address a legal problem.

Brief Service Other than Counsel and Advice refers to action taken at or soon after intake on behalf of a client that resolves a case, e.g., preparing short letters, making a telephone call.

Referred after Legal Assessment refers to circumstances in which, *during the course of providing assistance*, a client is referred outside the program because new intake information or developments in the case indicate that the program should not handle the case, or that the client would be better served by a referral outside the program. *This category does not include referrals made at the time of intake.*

Insufficient Merit to Proceed applies to situations where it is determined that there are no legal grounds upon which to pursue the issue because of new facts or circumstances even though the applicant was initially accepted as a client.

Client Withdrew or Did Not Return includes cases in which the client failed to return to the program during the course of the case and could not be contacted by the program. It also includes all cases in which the client decided not to proceed with the case, e.g., client in an eviction case decided to move out instead of proceeding with legal action.

Negotiated Settlement Without Litigation applies to those cases that are resolved through negotiation prior to the initiation of a court or administrative action.

Negotiated Settlement With Litigation applies to those cases that are resolved through negotiation after initiation of a court or administrative action, e.g., resolution of a dispute after suit has been filed.

Administrative Agency Decision applies to all cases that are resolved as a result of action by an administrative agency or body, e.g., a welfare department.

Court Decision applies to all cases that are resolved as a result of action by a court.

Change in Eligibility Status refers to cases in which an applicant whom has been accepted as a client is found no longer eligible for services because of failure to meet the “indigent person definition” as expressed in the statute due to new circumstances, e.g., employment or income changes.

Other refers to cases that do not fit any of the preceding ten CSR case closure categories. Cases in which there is no opposing party, but in which the services provided are too extensive to fit the brief service category, such as the preparation of a complex contract or a complex medical power of attorney, may be closed in this category. Cases which fit two or more CSR categories may not be closed in this category, but should be closed in the category which best reflects the level of service provided.

Form E: Report on Legal Services Other Than Cases (“Matters”).

Complete a separate Form E worksheet for each Equal Access Fund project. Do not include on this form any services in which an attorney-client relationship has been established; report those using Form D.

You do not need to include on this form services that do not represent a significant part of the project’s work. In other words, if distributing legal education materials is an important feature of your project, include the numbers here. If you simply provide an educational packet to an occasional client, however, you do not need to keep track of that.

Form A: Narrative Report on Project Results

You must complete ONE narrative for EACH "project" funded in whole or in part with your organization's EAF grant.

1. Executive Summary

Please provide one short paragraph for items "a" through "c" below. You may use more space for "e," but the total for this Executive Summary should not exceed three pages.

- a. Description of the project (*including population served*):
- b. Needs of the low income population addressed by this project:
- c. Strategy used to address the needs:
- d. Did your organization carry out a "program-owned" evaluation of this project during this reporting period?
 - (1) ___ No -- *Please go on to "e."*
 - (2) ___ Yes -- *Please provide a copy of the evaluation report. You do not have to complete item "e."*
- e. Major results achieved from the strategy outlined in "c:"
 - (1) Most significant results achieved for clients (*use quantitative as well as qualitative information, if available*)
 - (2) Other major achievements
 - (3) Relationship between these results and the goals expressed in your budget submission for this grant year. *Referring to the approved budget narrative for this project, please briefly assess the extent to which the results outlined in "e.(1)" and "e.(2)" met the goals expressed in the approved budget. Indicate what action or steps have been taken either to address gaps or grasp opportunities indicated by this assessment.*
 - (4) Impact of EAF funding on the results achieved
Describe if applicable: increase in access to and level of services due to EAF funding and/or how NOT having EAF funding would have affected results achieved.
 - (5) Contribution of partners to these results
Check below all that are applicable and describe role of each.
 - (a) Courts – indicate which, if any, courts are involved and their roles they will play:
 - (b) Other legal services providers -- indicate which, if any, organizations are involved and their roles they will play:
 - (c) Other -- indicate which, if any, others are involved and their roles they will play:
 - (d) Volunteers – indicate if pro bono lawyers or other volunteers are involved and their roles they will play:

2. Attachments

Please check all of the following that are being submitted with this report:

- a. Self-evaluation report (if your organization performed an evaluation of this project)
- b. Project brochure or other promotional materials
- c. Press clippings about results achieved by the project

Form B: Examples Illustrating Major Results Achieved

Please use this form to provide two (2) vignettes (brief narrative examples, or snapshots) of typical results achieved by this project. These vignettes should be suitable for use in reports and other materials describing the work of EAF grantees to legislators, private bar members, the judiciary and the general public. You may choose to submit vignettes illustrating any of the following types of work that are applicable to your project. Leave the items that do not apply, or which you decide not to use, blank.

- Direct legal services to low income people (item "1");
- "Impact" cases, class actions or other "impact" work (item "2");
- Other services such as community legal education, self-represented litigant assistance, technology based services (e.g., web-based) or training of other legal services advocates (item "3").

1. Examples of Direct Legal Services to Low Income People

Please provide not more than two vignettes (brief narrative examples, or snapshots) of typical cases that this project handled in the reporting period, if your organization handles such matters. Please keep each example to 150 words or less. Your text will wrap to the next page as needed to accommodate the examples you have provided.

- Use actual examples (not hypotheticals) of services delivered during this reporting period.
- Write for a lay audience; avoid legalese and technical language.
- Select examples that show how your services meet the needs of the target population addressed by your project -- for example, children, seniors, people with disabilities, victims of abuse and other vulnerable people.
- Describe the flow from a compelling need to effective legal assistance resulting in a successful conclusion for the client.
- Describe how the outcome of the service improved the client's situation.
- Include news clippings or other interesting descriptive materials, if available, related to the examples you have provided here.

2. Examples of "Impact" Cases, Class Actions or Other "Impact" Work

Fill out this section if during the reporting period your project had activity on one or more "impact" cases or projects - i.e., efforts that meet the following definition: An "impact" case or project is an effort that (1) affects significant segments of the eligible population, and (2) achieves or is expected to achieve relatively permanent improvement; in legal rights or basic living conditions of those affected.

A key element that distinguishes impact work is the concept of addressing a fundamental problem for the benefit of many people affected by that problem. An example of an impact *case* is an action to eliminate a major landlord's illegal harassment of low income tenants. An example of an impact *project* is administrative advocacy aimed at effecting a change in eligibility criteria for a major benefits program. An impact case or project is not defined solely by complexity or high level of effort - for example, a case should not be deemed "impact" simply because it took 100 hours to resolve.

Do not include any information that might violate the attorney/client privilege.

Provide brief narratives describing one or more impact cases or projects for which there was significant activity in the reporting period below.

- *Examples of "milestones" might include a decision by a court, a settlement negotiated with an opposing party, a change in behavior by a major employer of low income people, etc.*
- *Examples of "impacts" might include "25 families were enabled to avoid possible homelessness", "75 individuals were enabled to gain access to job training", etc.*
- *Write for a lay audience; avoid legalese and technical language.*
- *Make your description as brief as possible - 150 words, maximum.*

3. Examples of Other Services (“Matters”)

- If your project provided important services OTHER than those covered by "1" or “2” above, you may use the space on this page to provide no more than two brief narrative examples, each describing typical service provided by your project during the reporting period.
- Examples of types of services covered by this item could include community legal education, self-represented litigant assistance, referral network and technology-based services (e.g., web-based), or training of other legal services advocates.
- Describe the flow from a compelling need to effective service resulting in a successful conclusion for the recipient.
- Refer to other instructions for item "a" above (avoid "legalese," etc.).
- Please limit your response to 150 words or less.

Form C:
Project Staffing, Expenditures and Revenue
for Period _____ to _____

Program Name:

Project Title:

1. Expenditures and Staffing, By Line Item, For This Project

Cost Category	Number of Staff (FTE)	Cost		Total
		EAF Funds	Non-EAF Funds	
A. Personnel Costs:				
1. Lawyers				\$0
2. Paralegal				\$0
3. Other Staff				\$0
4. Subtotal	0.00	\$0	\$0	\$0
5. Employee Benefits				\$0
6. Total Personnel Costs		\$0	\$0	\$0
B. Non-Personnel Costs:				
1. Contract Service/Clients				\$0
2. Other Non-Personnel Costs				\$0
3. Total Non-Personnel Costs		\$0	\$0	\$0
C. Grand Total		\$0	\$0	\$0

2. Sources of Revenue For This Project

Funding Source	EAF	Non-EAF	Total
A. Equal Access Fund			\$0
B. IOLTA			\$0
C. LSC			\$0
D. Other <i>(list in decreasing order by funding amount.)</i>			\$0
1.			\$0
2.			\$0
3.			\$0
4.			\$0
5. All Other			\$0
E. Total*	\$0	\$0	\$0

* Amounts in this line should equal "Grand Total" amounts in section "1.c." above.

Form D: Case Services Report

Program Name:

Project Title:

1. Cases closed during reporting period.

Legal Problem	Major Reason Case Closed:											Total ¹
	a. Counsel and Advice	b. Brief Service other than Counsel and Advice	c. Referred After Legal Assessment	d. Insufficient Merit to Proceed	e. Client Withdrew or Did Not Return	f. Negotiated Settlement Without Litigation	g. Negotiated Settlement With Litigation	h. Administrative Agency Decision	i. Court Decision	j. Change in Eligibility Status	k. Other	
Consumer/Finance												-
Education/Employment												-
Family												-
Juvenile												-
Health												-
Housing												-
Income Maintenance												-
Individual Rights												-

Miscellaneous													
Total Cases	-	-	-	-	-	-	-	-	-	-	-	-	-

¹The numbers on this form should not include individuals who only receive information or attend community education programs; statistics regarding these services should be reported in Form E.

2. Ethnicity of clients in cases reported above

Client Profile	Under 18	18 - 59	60 and Over	Total
White - Not of Hispanic Origin				-
Black - Not of Hispanic Origin				-
Hispanic				-
Native American				-
Asian or Pacific Islander				-
Other				
Total	-	-	-	-
Disabled				-

3. Gender of clients served

	Clients
Male	
Female	
Unknown	
Total	-

Form E: Report on Legal Services Other than Cases ("Matters")

Project Name:

1. Community Legal Education

This section provides an opportunity for your program to describe any community legal education services it provides directly to low income individuals.

o Do not include services in which an attorney-client relationship has been established (report those using Form D).

a. Models Used	Number of People Receiving Service		
	(a) <i>Measured</i>	(b) <i>Estimated</i>	(c) <i>Total</i>
(1) Presentations to community groups <i>Total number of people in audiences</i>	-	-	-
(2) Legal Education Brochures <i>Total number of copies distributed</i>	-	-	-
(3) Legal Education Materials posted on Web sites <i>Total number of page visits</i>	-	-	-
(4) Newsletter articles addressing Legal Ed topics <i>Total number of copies distributed</i>	-	-	-
(5) Video legal education materials <i>Total number of people to whom shown</i>	-	-	-
(6) Other - List below	-	-	-
	-	-	-
	-	-	-
	-	-	-
Total Number of People Receiving Service	-	-	-

b. Estimation Methods

If you indicated above that you estimated the numbers of people directly receiving these services, please describe briefly below the estimation methods and sources of data used.

2. Pro Per Assistance Not included in "Case Services" statistics

This section provides an opportunity for your program to describe any legal assistance you provided to individuals in clinics, workshops, or other settings to help them prepare to represent themselves in pro per proceedings.

Do not include services in which an attorney-client relationship has been established (report those using Form D).

a. Models Used	Number of People Receiving Service		
	(a)	(b)	(c)
	Measured	Estimated	Total
(1) Workshops or clinics <i>Total number of participants</i>			-
(2) Help center at court <i>Total number of people assisted</i>			-
(3) Self-help printed materials e.g., Divorce Kits <i>Total copies distributed</i>			-
(4) Self-help materials (e.g. forms) posted on web sites <i>Total page visits on these materials</i>			-
(5) Self-help materials (e.g. forms) posted on kiosks <i>Total page visits on these materials</i>			-
(6) Other - List below	-	-	-
			-
			-
			-
Total Number of People Receiving Service	-	-	-

b. Estimation Methods

If you indicated above that you estimated the numbers of people directly receiving these services, please describe briefly below the estimation methods and sources of data used.

3. Referred Not included in "Case Services" statistics

- o Do not include services in which an attorney-client relationship has been established (e.g. no legal assessment) (report those using Form D).
- o Use this form, e.g., for a free-standing telephone intake unit or hotline which provides no direct legal assistance itself that qualifies as "case" services, but which has the significant function of referring applicants to other appropriate providers of legal services.
- o When you refer people to more than one other location, count them in the first appropriate category on the list. For example, if you refer someone to another legal services provider **and** to a social service agency, count it in number (1).

a. Referred To:	Number of People Receiving Service		
	<i>(a)</i> <i>Measured</i>	<i>(b)</i> <i>Estimated</i>	<i>(c)</i> <i>Total</i>
(1) Other provider of civil legal services to low income people	-	-	-
(2) Private bar (LRS or individual private lawyers not affiliated with program)	-	-	-
(3) Provider of human or social services (non-legal)	-	-	-
(4) Other source of assistance , none of the above	-	-	-
Total Number of People Receiving Service	-	-	-

b. Estimation Methods

If you indicated above that you estimated the numbers of people directly receiving these services, please describe briefly below the estimation methods and sources of data used.

APPENDIX D -- ATTACHMENT 4

EAF PARTNERSHIP GRANTEE REPORT FOR FY 2003

Overview

Each partnership grant recipient must collect evaluative data and report both qualitative and quantitative analysis to the Commission. Projects may employ a variety of methods to collect and analyze the data requested and use whatever methods and forms are best for each individual project, provided that projects collect basic data that responds to the specific questions listed below or explains why that data is not available, and includes outcome measurements in its evaluation plans.

The data collection and evaluation plan that each project designs for itself will be subject to approval by the Trust Fund staff. Commission staff is available to consult with recipients in the development and implementation of evaluation plans.

Recipients may design the forms they use in their own projects. However, the forms and other evaluation tools used must prepare the projects to respond to the high-priority questions described below, which are to be the basis for their evaluation. The Trust Fund Office is available to assist projects in the development of forms and intake sheets, best practices, and other model information.

In summary, recipients are required to submit:

1. *Status Reports.* A brief interim status report and one final report on implementation of the project, including progress toward achieving project goals, success in raising other funds, coordination with the cooperating court and other service providers, and other updates. The inclusion of anecdotal information from users of the project as well as comments of judicial personnel, pro bono lawyers, and others about the effectiveness of the project and any recommended changes is encouraged.
2. *Evaluation Plan.* The evaluation plan must be submitted to the Trust Fund for approval. This should be done as soon as possible, but by no means later than July 1, unless correspondence with the Trust Fund Office explains in advance why that deadline cannot be met.
3. *End-of-Year Case Service Reports.* End-of-year case service reports include statistical information about the activities of the project, as described below under “service counting methods”, and are due thirty days following the end of the grant period, on a date to be identified by the Trust Fund Office.
4. *Final Expenditure Report.* This report is due thirty days following the end of the grant period, on a date to be identified by the Trust Fund Office. Use the same form as is used for other Trust Fund expenditure reports.
5. *Final Evaluation Report.* The details of which are described below, is due forty-five days following the end of the grant year, on a date to be identified by the Trust Fund Office. Programs may request approval for submitting the evaluation report at a later date, if additional time is needed to complete the evaluation.

6. *Copies of materials.* Submit copies of materials developed for the project, or the index to lengthy manuals used by staff and volunteers, as attachments to the Final Evaluation Report.

Goals for Self-Represented Litigant Assistance

The following general goals for self-represented litigant assistance provide the basis for the Partnership Grant projects. The listing of these goals is followed by the specific questions about self-represented litigant assistance that will be the subject of evaluation.

The following general goals for self-represented litigant assistance provide the basis for the partnership grant projects. The listing of these goals is followed by the specific questions about self-represented litigant assistance that will be the subject of evaluation.

- Self-represented litigant assistance can improve public trust and confidence in the judicial system by providing individuals with their day in court and an opportunity to be heard.
- Self-represented litigant assistance can educate individuals so that their expectations are reasonable in light of the law and facts and then can help them achieve what they believe is appropriate from the judicial procedure.
- Self-represented litigant assistance can help increase the likelihood that cases are decided on the law and the facts, free of inappropriate influences, and that litigants are referred to legal representation where necessary.
- Self-represented litigant assistance can have an impact on the actual results of the case. In other words, assistance can help self-represented litigants obtain a fairer result, based on the law and facts, than if they had not had any assistance.

High-Priority Questions as Basis of Required Evaluation

The following questions are of the utmost concern, and each project's final evaluation report must respond to each of these questions. Please do not deviate from this order of questions when providing your answers. During a program's first grant cycle, these answers may lead to more subjective and less quantitative answers because there has not yet been time for adequate evaluative planning and due to the need to balance evaluation with the provision of services. However, projects should use the combination of methods they determine will enable them to respond as well as possible. Individual projects may need to respond to specific questions by explaining why that question could not be answered fully, is not applicable to their project, or must be adapted to provide relevant data regarding their project.

1. Which case types were most amenable to effective self-help assistance, and are there case types where self-help assistance is not effective?

2. Which types of assistance (introductory workshops, written and video materials, one-on-one assistance, follow-up sessions) were most effective in various legal matters?
3. Were self-represented litigants more prepared after using a self-help center? Were forms more adequately prepared and, on balance, were cases less time-consuming for bench officers and clerks after self-help assistance?
4. Where, and for what reasons, were litigants referred for representation or more complete assistance? Was the referral due to the complexity of the subject matter; due to personal reasons, such as their relative skills, language barriers, etc.; or due to other reasons?
5. To what extent did self-represented litigants have reasonable expectations before they received self-represented litigant assistance, and did expectations change as a result of the assistance?
6. Were self-represented litigants satisfied with the assistance they received from the project?
7. Were self-represented litigants satisfied with their opportunity to make their case?
8. Were the outcomes of cases changed as a result of self-help assistance?
9. Did the representation of opposing parties interfere with the effectiveness of self-help assistance?
10. On average, did self-represented litigants achieve results more consistent with the law and facts in their case, after receiving self-help assistance?

Service Counting Methods

Recipients must report both the number of individuals served by their Partnership project as well as number of services provided. Projects that provide individual counsel and advice or other brief services (such as reviewing relevant information and counseling the client on how to take action, or helping the client negotiate with the opposing party) should include the number of clients to whom such services were provided in their annual case summary report to the Trust Fund Commission. The number of clients should also be maintained separately for the Partnership Grant project and reported in an annual report for the project. To the extent that it is possible to count the total number of contacts with those clients, we encourage you to collect this data; otherwise an estimate of the total number of client contacts based on a reasonable sample will be satisfactory.

In addition, projects should count the quantity of services they provide that do not include individual counsel and advice or other brief legal services to clients. (We are aware that this second set of reports will probably involve some duplication because one individual may take advantage of various services offered. Information on total users of the system, without any duplication, is also required; see the last report below.)

Quantitative reports should include the following:

- a. Number and type of informational workshops, video presentations or legal clinics conducted and total number of individuals attending each such session.
- b. Number of one-on-one meetings to provide information to self-represented litigants for each area of law and type of assistance offered.
- c. Number of information packets distributed for each area of law.
- d. Number of pro bono attorneys working with the project and total number of hours of assistance they provided.
- e. Number of referrals to other organizations, or to the parent legal services program, based either on an actual count or on a reasonable sample. If possible, this should include a count by organization and information about the reason for referral.
- f. A count, or an estimate based either on a reasonable sample or on a client survey, of the total number of individuals served (as opposed to the number of client contacts), regardless of how many different services were used by any one individual. Programs may also want to calculate the total number of persons helped by their services, including family members, etc. However, this number should be reported separately from the total number of individuals served directly.

The Trust Fund Program recognizes that Partnership projects may be innovative and experimental. This will mean that in some cases the project will be tracking data other than those described above. It may also mean that the project, and the data it should collect, may change over the course of the grant period. Please contact the Trust Fund office if your project needs to establish different service counting methods.

Outcome Measurement

All recipients will be asked to include some outcome measurements, even in their first year evaluations. In subsequent years, programs will be required to undertake a more thorough measurement and evaluation of the projects. Outcome measurements and analysis of those measurements should be included in the responses to the high-priority questions listed above. Each project's plan for measuring results, as part of an overall evaluation plan, should be approved by the Trust Fund Program, and the quality of these plans will be a factor in funding decisions. The Trust Fund will provide support to programs requesting assistance with this aspect of the Partnership project.

Project staff should identify and define specific desired outcomes for self-represented litigants who receive service, and develop a plan for measuring how frequently these results are achieved. Outcomes to be measured may also include effects on the court, and on the legal services program itself. For example, a study of a statistical sampling of cases involving those using the self-help center could compare the following information with a baseline:

- were more judgments completed?
- were fewer defaults entered?

- was service more often completed appropriately?
- were fewer hearings continued due to procedural problems?
- were more stipulations reached?
- did the litigant’s legal situation appear to improve as a result of self-represented litigant assistance?

Suggested methods for measuring outcomes include:

1. Individual interviews with judges, court clerks, private attorneys and unrepresented litigants both who were and were not users of the self-help center;
2. Focus groups with the same types of individuals;
3. Phone calls to a random sampling of users of the services;
4. Written questionnaires, including client satisfaction forms, submitted immediately upon receiving assistance, as well as questionnaires mailed to users shortly after their court hearing. These questionnaires could ask for satisfaction, level of preparedness, and suggestions for improving the project;
5. Analyzing a selection of court files. An expert could look at case files and, aware of the inherent limitations of depending solely on the written case file, seek to make a determination as to the effectiveness of the litigant’s self-representation.
6. The use of court watchers – possibly students or other volunteers – who view self-represented litigants who have been assisted and note their ability to self-represent and the outcome of the hearing; court watchers could also attend hearings in other courtrooms in similar subject matters where no assistance has been provided, for comparison purposes. Although court watchers would obviously be limited in their ability to actually evaluate the outcome of an individual case, their overall impression of the abilities of self-represented litigants could be a valuable part of an evaluation plan that includes several other components.

Financial, Staffing, Case and Matters Reporting

Forms for reporting financial, staff, case and “matters” data were similar to those set out in attachment 4, above.

APPENDIX E

PROGRESS ON SELF-EVALUATION AND CASE STUDIES

A. Introduction

A major goal of this evaluation has been to assist legal aid providers with developing and carrying out self-evaluation, using the results to make decisions about changes in service delivery. In 2002, focus groups and meetings were held with legal aid providers receiving Equal Access Fund (EAF) grants and other stakeholders to determine the best approach to statewide evaluation design. Given the range of cases, services, and clients served by projects, it was determined by the evaluation team that no single statewide design could encompass the measures and outputs of all the EAF projects in the state. As a result, two decisions were made:

1. To base this evaluation on administrative program data, narrative project descriptions provided by the programs, the case closing and other matters data required by the Federal Legal Services Corporation, and individual project evaluations completed by programs before May 2004.
2. To provide the necessary support and technical assistance to implement good evaluation practice at the program level. Local evaluation practice is referred to as self-evaluation in this report.

This appendix reports on the statewide evaluation project's success at implementing and encouraging self-evaluation efforts.

B. History

Consultants from The Resource for Great Programs assisted in developing the self-evaluation strategy. Programs were invited to discuss and begin developing their specific evaluation plans, objectives, and measurement tools at a statewide meeting of legal aid directors on October 30, 2002. Following that meeting, a series of subject matter-focused phone conferences were held to begin an exchange of ideas on how to best evaluate different types of projects. The consultants and staff from the Administrative Office of the Courts (AOC), the Legal Services Trust Fund (LSTF), and the Legal Aid Association of California (LAAC) created a "Toolkit" of research

instruments for evaluating the work of legal aid organizations. Work on assembling the Toolkit and a set of instructions on how to utilize it was conducted during the spring and summer of 2003. The Toolkit itself was finalized and distributed (both in hard copy and via the Web) in early fall 2003. A summary of its contents is included at the end of this appendix.

Following distribution of the Toolkit, another statewide conference was held in January, 2004. Representatives from approximately 40 legal aid organizations from around the State attended this one day workshop on program evaluation. The morning consisted of a training on the basics of program evaluation research. In the afternoon, the attendees were broken into groups of five to eight people to work on developing an implementation plan for their own evaluation projects. As a follow-up to the workshop, over the next several months another series of subject matter-oriented phone conferences was held in order to exchange program evaluation ideas and strategies. Programs were also encouraged to discuss questions about research issues with AOC and trust fund staff. This process continues, and it remains part of the long-term strategy to use the opportunities presented by the Equal Access Fund to evaluate and improve the delivery of legal aid to low-income Californians.

For purposes of the current report, programs were invited to submit, along with the required data reported in chapter 2, an interim report on their program evaluation efforts for the 2003–2004 fiscal year. A one-page outline was provided regarding the content of the report. Programs were asked to limit the reports themselves to no more than five pages. Those programs that were conducting more extensive evaluations for other purposes (such as to meet the requirements of foundation grants) were invited to submit those reports in lieu of the form suggested.

Self-evaluation will become an on-going part of program reporting. The trust fund will continue to require annual reports on progress toward creating and improving self-evaluations – as well as reporting on the evaluations themselves. The research staff at the CFCC expects to continue to work with the trust fund and LAAC to provide on-going technical support and revision of the Toolkit evaluation instruments. Those programs that have not yet done so will be encouraged to begin moving from narrative evaluations to more formal assessments of their efforts using data collection instruments and structured analyses.

C. Results of Progress in Conducting Project Evaluations

Approximately one-half of all projects reported that they conducted some phase of self-evaluation in 2003. One-half of these 69 projects that conducted self-evaluation *began* their evaluation effort in 2003. Forty-one percent reported never having engaged in evaluation before this current effort. While there is much room for improvement in data gathering and analysis, this is a substantial increase as a result of trust fund and CFCC efforts.

Sixty-nine projects indicated that they were in the process of doing more formal project evaluations that involved collecting data. As of the writing of this report, 26 of those had

completed and submitted evaluation reports covering the period of time from October 1, 2003, through May 2004.¹ CFCC staff developed an evaluation progress coding system and trust fund staff reviewed the materials that had been submitted or described by the 69 projects conducting program evaluations. The results of that coding are set forth below. Following that, 8 in-depth summaries of project evaluation efforts are presented as exemplars of legal aid evaluation.

Of the projects indicating they had planned or developed an evaluation strategy (69), most had also selected evaluation instruments (68) and begun data collection (65). About 75 percent (52) further reported that they had completed their data collection. About 46 percent (32) of the projects indicated they were conducting qualitative data analysis, while 35 percent (24) reported that they were conducting quantitative data analysis. Forty-six percent (42) indicated they had completed their data analysis. As mentioned above, 26 reports were submitted to the trust fund. These results are set out in Chart E-1.

Chart E-1

Progress in Self-Evaluation

Stage of Evaluation	Number	Percent
Evaluation planned or developed	69	100
Evaluation instruments selected	68	99
Data collection implemented	65	94
Data collection completed	52	75
Evaluation report written	46	67
Qualitative data analysis conducted	32	46
Data analysis completed	32	46
Quantitative data analysis conducted	24	35

Number of projects reporting = 69

Chart E-2 shows the distribution of evaluation methodologies selected by the 68 projects reporting instrument selection. Most, 59 percent, indicated they were conducting a survey. In general, based on a review of submissions and statements made in project reports, these were mainly client satisfaction or exit surveys. The next largest category, 21 percent in each case, consisted of interviews and some form of client or case outcome measurement. File review accounted for 13 percent, while 9 percent conducted focus groups and 7 percent did tracking of cases and outcomes using in-house case management data. Courtroom or other observation strategies were relatively rare at 3 percent.

¹ Most of the projects reporting data on the number of cases handled, clients helped, or services rendered reported for the six months from October 1, 2003, through March 31, 2004.

Chart E-2

Self-Evaluation Methodology

Type of Instrument	Number	Percent
Survey	40	59
Interviews	14	21
Client or case outcome measurement	14	21
File review	9	13
Focus group	6	9
Service provision tracking	5	7
Courtroom or other observation	2	3
Other	2	3

Number of projects reporting = 68

The majority of projects, 73 percent, collected data from income-eligible clients, as shown in Chart E-3. The other two major sources of information came from community-based partner organizations (20 percent) and other legal service providers (17 percent). Twelve percent reported using other sources of data such as census information.

Chart E-3

Population Studied in Evaluation

Population Studied	Number	Percent
Income-eligible clients	48	73
Community-based partner organizations	13	20
Legal service providers	11	17
Other	8	12

Number of projects reporting = 66

Chart E-4 shows the methods used with specific populations. Of the 48 projects collecting data from income-eligible clients, most (69 percent) conducted surveys. Client or case outcome measures were used by 29 percent of the projects, while 21 percent conducted interviews. File reviews were used by 19 percent of the projects doing evaluations.

Chart E-4
Methods Used to Evaluate Populations

	Number	Percent
Income-eligible clients		
(number of projects = 48)		
Survey	33	69
Client or case outcome	14	29
Interview	10	21
File review	9	19
Legal service provider		
(number of projects = 11)		
Survey	7	64
Interview	4	36
Client or case outcome	3	27
Community-based partner organizations		
(number of projects = 13)		
Survey	10	77
Interview	5	38
Focus group	5	38

For the 11 projects collecting data from other legal service providers, 64 percent fielded surveys, 36 percent did interviews, and 27 percent looked at client or case outcome data. The 13 projects getting feedback from community-based partner organizations used a similar mix of surveys (77 percent), interviews (38 percent), and focus groups (38 percent).

D. Evaluation Exemplars

Below are examples of some of the more advanced evaluations conducted by projects during the study period. They are offered here as models of good evaluation practice, keeping in mind that much remains to be achieved, and that evaluation itself is an ever-evolving practice with no fixed end-point.

Asian Pacific American Legal Center, Asian Language Legal Intake Project

Evaluation Overview: Legal aid hotline evaluated using multiple types of data.

Project description

The Asian Language Legal Intake Project (ALLIP), an over \$300,000 initiative with a contribution from EAF of \$127,000, is an effort to increase access to the legal system for those who speak Mandarin (43 percent), Cantonese (16 percent), or Vietnamese (40 percent). The service delivery model centers around a telephone hotline that allows project staff to provide counsel and advice on legal matters such as family, immigration, public benefits, housing, employment, and consumer law. Staff also assists in completing legal forms and documents, provides education about common legal issues, distributes legal information materials, engages in brief service and advocacy on behalf of clients if possible, and refers clients to other sources of in-depth assistance if needed. During the one-year study period detailed below, the project received 6,500 calls.²

Evaluation methodology

This evaluation was conducted by a paid, nonprofit consultant, the money for which was built into the project's initial planning budget. The project evaluation focused on four factors: (1) type of client served through the intake system; (2) types of services provided; (3) level of satisfaction of clients with the services provided; and (4) outcomes of those services for the clients. Data for the study were collected using four different methods: (1) telephone interviews with a random sample of clients one to nine months after completion of service; (2) interviews with all project leaders; (3) analysis of project database statistics for all cases; (4) telephone interviews with staff at four partner organizations that represent clients referred by the project.

Interviews with clients were conducted by project staff and volunteers, while other interviews were conducted by a paid, outside consultant who also analyzed the data and wrote a final report. The interviews were conducted over the telephone using a standard written form on which responses were recorded. The project data was gathered via a standard client intake form.

Results

Telephone interviews were conducted with 41 clients who had received service from ALLIP in the previous one to nine months. Twenty-one (51 percent) of the respondents stated that the hotline was "greatly" helpful or "quite a bit" helpful. Only two (5 percent) found the hotline "not at all helpful." Those respondents who stated that the hotline was not very helpful generally had issues that were either unresolvable within the limits of the law or were of a nature that rendered them unlikely to be successfully resolved through a hotline type of service.

² The study period for this project was May 2002 through March 2003.

Clients who got service directly from the hotline were more satisfied than those who were referred elsewhere. While about half the clients were very satisfied with the hotline services, only about 25 percent of those who were referred elsewhere for help felt that way.

Sixty-one percent of the clients said they followed through with the advice they were given, while about one quarter stated they did not. Common reasons clients gave for not following through were that the suggestions were “too hard,” clients also saying that they lacked confidence or were afraid or discouraged. In other cases, clients said they had simply changed their minds about what they wanted to do (most common in divorce and other family law issues). Of those who followed through with the advice, 61 percent said it worked “very well” and another 17 percent said it “sort of” worked.

Nearly half (47 percent) of the clients achieved at least partial resolution of their problem. Those who did not achieve a resolution stated that it was either too early to tell or they had dropped the matter. Of the 27 percent of clients who stated that their problem was not resolved, most of those cases involved issues that either could not be resolved within the limits of the law or were not within the scope of hotline services.

Eighty-six percent of the clients reported at least some improvement in their situation, with 69 percent reporting that they were able to get at least some of what they wanted. The hotline was successful in helping clients feel they had been listened to, with 70 percent replying in the affirmative. Finally, 76 percent said they would use the hotline again.

Interviews with six staff members of four partner organizations of ALLIP revealed that those organizations feel that ALLIP serves a valuable function, frees up partner attorneys to do more in-depth work, fosters collaboration on the issues involved in serving the target population, and provides high-quality referrals.

Conclusions

Based on the data gathered during the study period, the services provided by ALLIP led to an improvement in the clients’ situations and generated a good degree of client satisfaction with its services. The project fosters collaboration among the legal aid providers in the greater Los Angeles area in addressing the challenges of serving this hard-to-reach population. Suggestions for future improvements in the program include an analysis of whether there are specific ways that the referral process could be made more user-friendly, consideration of whether more could be done to assist clients who fail to follow through on the advice or information they are given, and an examination of whether a single point-of-intake system for the target population would be better than the current multiple point-of-intake system currently in place.

California Rural Legal Assistance Foundation, Worker's Rights Project

Evaluation Overview: Legal aid support center training and assistance to advocates evaluated using customer satisfaction questionnaire.

Project description

The Worker's Rights Project, operated by the California Rural Legal Assistance Foundation, uses annual revenues of approximately \$73,000 per year (\$55,000 from EAF) to train frontline advocates representing migrant farmworkers in the areas of labor, education, and immigration rights. The project uses a half-time attorney and half-time paralegal to conduct training seminars, offering seven training events to a total of 344 attendees (67 from qualified legal aid providers, 277 from other organizations) during the six-month reporting period. Four of those trainings used a single instructor format, while three were panel presentations. The project also provides more individual training and assistance through technical advice and co-counseling arrangements, serving some 15 organizations in this manner during the study period (11 qualified legal aid providers, 4 other organizations).

Evaluation methodology

The evaluation goal was to assess the effectiveness of the trainings, technical assistance, and co-counseling arrangements. A short questionnaire developed by project staff was distributed to 75 customers following trainings or after assistance was provided. Thirty-seven completed evaluations were returned. Participants' legal experience ranged from 3 months to 30 years. The questionnaires asked these questions: (1) Did advocates gain new information or skills that would help them better represent clients; (2) Did advocates gain basic knowledge to prosecute wage and hour claims or other worker's rights claims; (3) What additional training would best meet their current needs.

A short questionnaire was also distributed to those with whom the project worked as technical advisor or co-counsel, asking (1) whether advocacy skills had improved; (2) whether advocates were now more confident about filing impact litigation; (3) whether impact litigation filed would have been filed without project support; (4) what improvements could be made in the support provided.

Results

Results, analyzed qualitatively, were compiled from the 37 completed questionnaires. Thirty-four of the respondents said that project services had provided them with support that enabled them to better represent their clients. Twenty-nine people said they were able to serve their community better as a result of project support. Fifteen of those responding indicated that their skills as advocates had improved as a result of the training or assistance they received. Meanwhile, 12 respondents stated they would not have been able to bring the worker's rights cases they had without the co-counseling assistance of project staff.

Further analysis of the data revealed that advocates with less than five years of experience found the trainings and co-counseling assistance to be of the most help. Advocates with more than five years experience found co-counseling arrangements to be the “most effective way to represent the greatest number of affected clients.” Advocates with more than five years experience also found the educational materials and information about policy changes affecting their client communities to be particularly helpful.

Areas for improvement that were noted included more training on education and immigration issues.

Conclusions

This evaluation revealed that the project’s substantive trainings and skills development activities were most helpful to those with less than five years legal experience. Those with more than five years experience benefited most from the technical assistance and advocacy support, which they felt helped them to serve more clients more effectively. The results also uncovered a desire for more training in the area of education, particularly for less experienced advocates. In response, the project hired an advocate to work on education and health issues.

Child Care Law Center, Increasing Equity and Access to Child Care Subsidies for Legal Services Clients

Evaluation Overview: Legal aid support center training and assistance to advocates evaluated using semistructured, open-ended interviews.

Project description

This project provides training and support to field program advocates working on increasing access to high-quality child care for low-income families and children. It operates on an overall budget of slightly over \$777,000, about \$55,000 of which comes from the EAF. Although the project regularly seeks feedback on its trainings and publications, traditionally devoted to the areas of subsidy and regulation, the purpose of this evaluation was to assess the utility of the project’s efforts to broaden the focus of its work to include training and materials on increasing the availability of child care in low-income communities, and the inclusion in such child care of resources for children with special needs.

Evaluation methodology

This evaluation focused on uncovering the opinions of legal aid advocates and other support center partners on the priorities of the project, especially with regard to its efforts to broaden its focus. The evaluation format consisted of five open-ended interview questions administered by a senior project staff attorney, who met with a total of 30 people (24 from field programs and 6 from other support centers). All people interviewed had worked with the project during the last three years, and an attempt was made to draw from a variety of programs. The interviews lasted

30 minutes or more, were conducted in person or over the phone, and involved both structured and follow-up probing questions. The questions were developed by project legal staff and the executive director.

Each of the interviewees was asked (1) how the organization does intake; (2) whether there were written scripts for conducting intake, focusing on issue spotting, and whether written materials are mailed to callers; (3) what kind of child care issues your organization encounters; (4) are there specific projects you have implicating child care issues; (5) what assistance this project could most effectively render to your organization.

The interviews were qualitatively analyzed by project staff. First, the interviewer summarized the responses based on interview notes, focusing on common themes. The program's executive director also reviewed the interview notes. As themes were developed, they were discussed by legal staff at weekly meetings. A final report on common themes was written and reviewed by legal staff at a special meeting, then presented to the program's board of directors.

Results

The work of the project was valued by the interviewees, with child care subsidies the major focus of requests for additional assistance and training from the project. The evaluation also identified issues for the program to focus on in the future, including educating funding and oversight agencies on their role in providing child care. A need to better inform parents about their rights and responsibilities regarding child care subsidies was also identified, as were several specific areas of need such as non-English language assistance.

Advocates need current written information such as an in-depth manual and checklist of issues to look for in child care cases. Overburdened advocates also need more training in child care issues that they do not have time to learn about on their own. In the alternative, advocates are looking to the Child Care Law Center to directly take on more child care cases for their clients. While anecdotal evidence nationwide indicates the nature of welfare advocacy has changed with the advent of welfare reform, there is conflicting evidence as to whether this has resulted in an increase or decrease in clients with child care issues, since some programs report increases while others report decreases. Information from client community groups, however, indicates there is a need for more awareness of these issues on the part of direct service providers.

Conclusions

As a result of the interviews, it became apparent that the assistance provided by the project should focus on child care subsidies, rather than broadening into the area of increasing the supply of available child care. Direct service legal aid providers need more training in child care subsidy issues. This will increase the number of advocates who are able to spot child care issues and ask the project for technical assistance.

Inland Counties Legal Services, Client Services Center

Evaluation Overview: Legal assistance hotline for landlord/tenant, family, and consumer issues evaluated using review of case management data, project case files, and court docket data.

Project description

The Client Services Center is a telephone legal assistance hotline that provides immediate advice and counsel regarding housing, family, and consumer legal issues—with an emphasis on landlord/tenant issues. The hotline advises both tenants facing eviction and low-income landlords needing to evict. Assistance is also given regarding family law and consumer issues, consisting of intake screening, advice, and/or referral to branch offices, pro se clinic assistance, or other appropriate assistance. The project budget is about \$348,000 (including about \$286,000 EAF) for the 2003–2004 fiscal year, and the project operates using a managing attorney, 4 paralegals, and 2 other staff. Clients call a toll-free number, are screened for eligibility, and most (some need call-backs) receive immediate assistance. The results sought were 2,800 to 3,000 customers served per year. During the six-month study period, the project assisted 1,375 customers, 1,221 of whom received counsel and advice, 94 received brief service, 50 needed more extensive assistance or representation, and the rest were closed for other reasons, including referrals to other organizations.

Evaluation methodology

Case management data on all 1,375 clients was examined for this evaluation. A sample of 5 percent (66 cases) of the total population was also selected for client case review. In addition, 2002 census data was analyzed to uncover poverty rates and areas of housing shortage within the service area. For cases that resulted in litigation or for which assistance with court forms was provided, on-line court case dockets were printed.

To determine the effectiveness and quality of service, the evaluation examined how cases were handled by the center. More specifically, evaluators asked the following questions: (1) Is the center on track to meet its numerical goals, and are clients calling from throughout the service area; (2) Are cases handled within the priority areas; (3) Is timely service provided; (4) Are proper advice, follow-up contact, and timely attorney review being provided; (5) Is eviction assistance provided prior to, during, and postjudgment; (6) Are a range of housing cases with diverse legal issues handled; (7) Are referrals appropriate; (8) Has the hotline generated important issues for litigation; (9) Are various levels of assistance provided; (10) Are staff adequately trained and supervised. To assess these issues, the evaluation used reports from the center's case management system, review of client case files, review of on-line court case dockets for those cases resulting in litigation, and interviews with key staff.

The instruments used included a spreadsheet that recorded case statistics—case number, date of first contact, total case hours, problem type, and number of direct client contacts. A case review instrument was developed, evaluating the sufficiency of facts recorded, whether correct legal

advice was given, whether there was attorney review of the case, and how the case was closed. The court docket review instrument tracked whether the case was dismissed, an answer was filed, the client appeared in court, the case was settled, and there was a benefit to the client. A geographical distribution of cases was also generated, showing customers by legal problem, county, city, and urban, rural, or mountain area.

Results

The results of the analysis revealed the following:

- Eligible clients throughout the 27,000 square mile service area are being served.
- Hotline cases during the relevant time period were within the housing (89 percent), family (6 percent), and consumer (5 percent) law priorities.
- Proper advice is being given (95.5 percent of sample customers), with 41 percent having more than one phone contact. All cases in the sample had been reviewed by the managing attorney.
- Service is timely (77 percent of all callers received same day service) and proper advice is given.
- Legal assistance is being provided at all stages of unlawful detainer litigation (59 percent prelitigation, 7 percent after eviction pending but no judgment, 33 percent postjudgment).
- Legal assistance is being provided in a range of housing cases addressing diverse legal issues including private rentals, Section 8 subsidized units, residential motels, and homes in foreclosure.
- Appropriate referrals are made for legal assistance (Dissolution of Marriage Self-Help Clinic, branch legal aid offices, and out-of-state legal aid programs).
- Significant cases were generated by the hotline.
- Types of legal assistance provided included counsel and advice (88.8 percent), brief services (6.8 percent), and extended services including direct representation (3.7 percent).

Conclusions

The evaluation showed that the center is achieving its primary goal of increasing access to legal services. Without the center's telephone intake assistance, thousands of persons annually would not benefit from legal assistance due to lack of access to public transportation and technology. They further demonstrate that the center's hotline is helping low-income people to remain in their homes by providing preventive legal advice about their due process notice rights and right to habitable premises. The center plans to investigate the following questions for future improvements to the program:

1. Implementation of a formal substantive, procedural, and case management system training for staff.

2. The development of specialization among the hotline's paralegals.
3. Development of standardized FAQs and answers in form letters that could be mailed to clients.
4. Establishment of a formal written hotline handbook with policies, procedures, and other protocols.

Finally, the analysis revealed that additional efforts need to be made to reach underserved segments of the client population, including senior citizens and Spanish-speaking resident aliens.

Legal Aid Foundation of Los Angeles, Removing Barriers to Employment

Evaluation overview: Driver's license clinic designed to help customers obtain a driver's license evaluated using a mailed client follow-up survey.

Project description

The project, operating with an annual budget of \$107,000 (\$53,000 EAF) is designed to help low-income persons whose denied, suspended, or revoked driver's license prevents them from entering or staying in the jobs or training for jobs with a career ladder and benefits that will lead to self-sufficiency. It uses one full-time attorney and a half-time support staff to operate driver's license clinics that give pro per legal advice to 30 persons per quarter at four community-based job placement or training centers. At the clinics, volunteer private attorneys that are trained by the Legal Aid Foundation of Los Angeles (LAFLA) annually give one-on-one specific advice and supplementary materials, including court forms, to each person who needs to proceed pro per to obtain a valid driver's license.

Evaluation methodology

The study population includes all participants in the driver's license clinics. The evaluation utilizes a one-page follow-up form asking participants if the clinic was helpful to them and to describe the outcome of their pursuit of both a driver's license and a job. Primary success measures are the percentage of positive to total responses and the percentage of persons making progress to getting a valid license. A secondary success measure is the percentage of persons entering or remaining in a job or training for a job with a career ladder and an average pay of \$12 per hour and benefits.

Three to three and a half months after each clinic, LAFLA mails a one-page, four-question survey to each participant along with a self-addressed stamped envelope. Ten to 14 days later, LAFLA begins calling participants who haven't returned responses. Follow-up calls continue for two weeks with the goal of reaching each participant. Quantitative and qualitative analyses are prepared for each clinic, which are stored electronically and in hard copy.

Results

The findings for October through December 2003 reveal that 75 percent (41 of 54 participants) of clinic participants responded to the survey. Of those, 88 percent (35) responded positively to the clinic's services, and 58 percent (23) made progress toward or got a valid license. Because it takes participants at least three months to get a license, only 20 percent of participants had, as a result, obtained or kept a job or training for a job with a career ladder and an average pay of \$12 per hour and benefits. Those that obtained or kept a job or job training are in truck-driving or construction jobs with pay ranging from \$24 to \$40 per hour.

Conclusions

The pro per clinics operated by the project were effective in helping the majority of clients obtain, or make progress toward obtaining, a valid driver's license. Further follow-up surveys, conducted six to seven months following each clinic, would help determine whether, as a result of getting a driver's license, clients were able to get or maintain substantial employment.

Legal Aid Society of San Diego, Inc., Community Response Team

Evaluation overview: Telephone legal advice line regarding housing cases (for purposes of this evaluation) evaluated using client satisfaction surveys, in-court observations, and court case file reviews.

Project description

The Legal Aid Society of San Diego operates the Community Response Team (CRT) project that provides free, over-the-phone legal advice to more than 250³ low-income clients per month in areas of law such as housing, family, government benefits, and consumer law. The CRT has an annual budget of just under \$625,000 (about \$227,000 EAF) and is staffed by a supervising attorney, six paralegals, and 5.2 fte support staff. While most cases are handled in a single phone call, others are referred to specialty teams for more extended services.

Cases typically start with a customer calling for legal help. An intake worker screens the caller for eligibility (five to ten minutes), with eligible callers being transferred to paralegals, or in some cases directly to a specialty team. The paralegal then verifies eligibility and ascertains the facts and legal issues in the caller's case. The caller is then given advice regarding the relevant law and the client's legal options, and encouraged to call back with follow-up questions as their case progresses. If the paralegal is unsure about the proper advice, the supervising attorney is consulted. Once the case is completed, the paralegal completes the case notes and forwards the file to the supervising attorney for review.

³The project handles about 300 service calls per month, which includes about 50 clients calling a second time for follow-up or other additional assistance.

Evaluation methodology

Three outcome measures were used: (1) Participants were asked in client satisfaction surveys if they were satisfied with the legal advice provided by the hotline, whether the information is given in a manner that is understood and can be followed by the client, and whether the information provided by CRT staff helped the client to achieve a better outcome in court; (2) The second measure used court observations of clients who receive brief services and then represent themselves in court as compared with court observations of similarly situated litigants who did not receive CRT assistance; (3) The final measure used court case file review involving a review of court files for 26 clients who were assisted by CRT and thereafter represented themselves in court.

The study population of the client satisfaction survey measure includes, with some exceptions, persons who receive assistance through the hotline. The study population of the court observation measure consists of a random selection of clients who received advice or counseling from CRT and went on to represent themselves in court. The study population of the court case file review measure consists of a random sampling of 26 unlawful detainer cases for which CRT provided advice between October 1, 2003, and March 20, 2004, and thereafter represented themselves in court.

A two-page survey was sent to most clients upon completion of services (usually after a single call). The survey forms were available in English and Spanish. The survey was mailed to the client with a self-addressed stamped envelope to encourage its return. Each week a CRT senior attorney reviewed the surveys. Data from the surveys was then summarized and pie charts were created and analyzed by a CRT senior attorney.

For the in-court observations, observers sat in on the hearings or trials of seven CRT clients with unlawful detainer cases in the Superior Court of San Diego County and seven similarly situated and randomly selected litigants who did not receive CRT services. Observation of unlawful detainer cases was chosen because housing clients constitute the largest category of clients served by CRT and because of the relative frequency of hearings or trials in unlawful detainer cases. Observers completed a standard evaluation form noting whether or not the litigants were adequately prepared for court and the outcome of the hearing or trial.

On several occasions in May and June 2004, a law clerk went to the downtown branch of the superior court, reviewed the files of 26 cases, and recorded basic information about each case and judgment on a printed form. The data was then summarized, charted, and analyzed by a CRT senior attorney.

Results

In an average month, 12–16 percent of the surveys are completed and returned. For the reporting period, 157 clients (about 15 percent of those surveyed) returned their surveys. Across all questions, 80–85 percent of respondents indicated that they were very satisfied with the

assistance provided by CRT. This indicates that the quality of the paralegals' communication style and the helpfulness of the legal advice given are of good quality.

Results of the observations showed that litigants who received CRT counseling were more likely to appear at the hearing and were better able to communicate in court than litigants who received no assistance. It should be noted, however, that people advised by the CRT who later represent themselves in unlawful detainer hearings generally have few or no legal defenses. If the CRT had identified possible legal defenses, it would have transferred the case to the organization's housing team for further development. Therefore, these self-represented litigants were unlikely to prevail in court, and none of the observed customers did prevail.

Of the seven self-represented litigants who received advice, four appeared in court. Five of the seven cases involved opposing counsel. All of the four litigants who appeared, however, were able to reach a settlement with the landlord. Since the terms of the settlements were not disclosed, it was not possible to ascertain what benefit the client may have received from the process. Of the seven litigants not helped by CRT, only one appeared in court and was successful in getting the case dismissed without prejudice. In five of the other cases in which the defendant did not appear, no definitive outcome was obtained as the case was either set for trial or continued to a later date.

Review of court files showed that hotline customers understood and followed the advice given by CRT paralegals about how to file an answer to an unlawful detainer action since 22 of the 26 clients reviewed had filed an answer.

Conclusions

In developing this evaluation, it became apparent that no single evaluation tool would suffice to provide useful answers. Consequently, several evaluation tools were devised to provide a multifaceted look as how well the project was doing and what needed to be improved. The results showed that CRT is generally providing useful legal advice in a manner that customers can understand and use. Customers report several benefits of the service, and, if litigation is involved, they are better able to achieve good outcomes as opposed to those who have not used the service.

More specifically, the high degree of positive responses suggests a connection between the two primary factors used to determine success: the quality of the CRT worker's communication style and the helpfulness of the legal advice given. The information gleaned in the courtroom observations suggests that pro per litigants who received advice from CRT were more likely to appear in court and to interact constructively with opposing parties and their attorneys. While it is impossible to extrapolate the entire story from a courtroom observation, these measures provide valuable information. For instance, the information has provided a solid basis for increasing advice on the importance and basics of negotiating a settlement of a case, rather than just what to say at trial.

Another conclusion drawn from the study confirms that one-on-one attention is the best service model. Finally, it is evident that if more and better evaluation is to be conducted, additional funding will have to be received for those endeavors.

Areas for future evaluation include expanding the court observations and case file reviews to family law cases. Another important investigation would be to refine the court observations to gather evidence on differences between what plaintiff landlords ask for in a complaint and what they eventually receive (either through court decision or negotiated settlement). It will also be important to look more closely at the effect of opposing counsel on a pro per litigant's chances of success.

Mental Health Advocacy Services and Public Counsel, Juvenile Hall Advocacy Clinic

Evaluation overview: In-person, on-site advocacy assistance for juveniles detained in juvenile facilities evaluated using a form summarizing case outcomes at close of service.

Project description

The Juvenile Hall Advocacy Clinic addresses the needs of minors being detained in two of Los Angeles County's juvenile detention facilities and advocates for improved conditions at the facilities. It is operated as a joint project between Mental Health Advocacy Services (MHAS) and Public Counsel. The clinic has a budget of about \$38,000 per year, all of which comes from the Equal Access Fund. The staff consists of a half-time attorney along with a small amount of time from a support person. The clinic also makes use of volunteer attorneys and law students who visit juvenile facilities regularly to meet with minors and provide legal assistance in resolving grievances related to treatment, violation of rights, and/or the conditions of the facility. Assistance is delivered through both "brief service" advocacy (up to four contacts) and extended representation. The results sought include (1) favorable resolution of problems for at least 80 percent of the clients receiving extended representation, and (2) improvement in the living conditions and treatment of minors being detained in the facilities. During the study period, the clinic served 98 clients, almost all of whom achieved a negotiated settlement without litigation.

Evaluation methodology

Data is collected for every client served by the project. The information collected includes (1) total number of clients assisted by the clinic, (2) number of clients receiving extended representation, (3) demographic data such as ethnicity and gender of clients, (4) types of issues addressed, and (5) case outcomes.

During each client's intake interview, project staff and volunteers collect and record information on client demographics and issues to be addressed; outcome information is recorded in the case notes in each client's file when the case is closed. Mental Health Advocacy Services periodically

requests data from Public Counsel to add to its own reports. The project utilizes a standardized intake form to record information, which allowed staff and volunteers to uniformly ask all clients a thorough set of questions to determine each client's need and the issues to be addressed.

Results

A total of 98 clients were served by the project during the relevant time period. Fifty-five of the clients received extended representation from MHAS. The data shows that a wide range of issues are being addressed, including mental health (34 percent of clients), physical health (24 percent), education (20 percent), visitation (27 percent), advocacy with court personnel (34 percent), complaints against institution staff (16 percent), and living conditions (22 percent). Of those clients who received extended representation from MHAS, 38 percent had fully favorable outcomes and 44 percent had partially favorable outcomes.

Conclusions

The project's goal for individual advocacy is to achieve favorable outcomes in 80 percent of its cases. Since the data shows that fully or partially favorable outcomes have been achieved in 82 percent of cases, MHAS is reaching this goal.

San Diego Volunteer Lawyer Program, Domestic Violence Prevention Project

Evaluation overview: Domestic violence restraining order clinic evaluated using a client satisfaction exit survey and court case file review.

Project description

The Domestic Violence Prevention Project, operated by the San Diego Volunteer Lawyer Program (SDVLP) consists of domestic violence restraining order clinics that are located in three Superior Court of San Diego locations. Together they operate on an annual budget of almost \$258,000, about \$105,000 of which comes from the EAF. The clinics are staffed by attorneys and provide free legal advice and assistance to victims of domestic violence in obtaining domestic violence restraining orders. The results sought from this project are to have all eligible clients get protection for themselves and their children through obtaining a domestic violence restraining order. During the study period the three clinics helped 2,250 customers, mostly by way of brief service.

Evaluation methodology

All clients of the clinic were asked to complete the client satisfaction questionnaire at the completion of their services. A case file review was done on 13 random weeks (at least one week for each month) during the 26 week period. The clinics use two evaluation measures: 1) Client satisfaction questionnaires; and 2) case file review. The questionnaire asks clients to rate whether the clinic was helpful and prepared them to take the next steps needed on their case, and whether

the staff was respectful and courteous. The case file review analyzed demographic and outcome data for cases. The Client Satisfaction Surveys were given to each client by the person at the clinic who assisted that client – either staff or volunteer. The case file review was conducted by both staff and volunteers. Originally, the client Satisfaction Questionnaire that was used contained 3 questions and space for comments. After reviewing information provided by the Equal Access fund, the client satisfaction questionnaire was revised to ask questions specifically targeted by the fund.

Results

From mid-March 2004 through April 30, 2004, a total of 86 questionnaires were completed by clients (out of a total of 300 clients). The experience of clinic personnel with this questionnaire is that most clients are in too much of a hurry to complete even the initial simple questionnaire. All of the questionnaires expressed satisfaction with the services. The only negative comment concerned the time involved and that more helpers were needed.

The Case File Review was conducted on downtown cases only. The results of this analysis showed that of the 421 clients who were assisted by the clinic in preparing DVROs during that period, 88 percent (369) filed for a Domestic Violence Temporary Restraining Order (DVTRO), and out of those, 96 percent (354) were granted. After hearing, the number of orders granted fell to 43 percent (which included those not granted at the party's request or the case being removed from the calendar because of lack of service or the petitioner's failure to appear).

Conclusions

The good news is the high percentage of clients who obtained a DVTRO after visiting the clinic and filing. This indicates that, for those who do file, the paperwork is in order. The high degree of client satisfaction with the service is also encouraging.

On the other hand, however, the large numbers of clients (57%) who filed and obtained an ex parte restraining order but did not obtain an Order After Hearing is disturbing. More research is needed to determine the reasons for this.

E. Equal Access Fund Toolkit Description

The following introductory material was sent to all Equal Access Fund grantees in the fall of 2003, along with a "Toolkit" of instruments for use in evaluating their services. The Toolkit is available on the internet at <http://www.pic.org/toolkits.htm>.

Introduction

Welcome to the Legal Services Trust Fund Program Evaluation Toolkit, a collection of resource material to help legal services programs evaluate their work.

Background

More and more legal aid offices and support centers are learning new ways to look at what they do and how it works. They are taking a good, hard look at how they can improve their programs and services to get the best results for clients and client communities. They are finding new and better ways to ask “How well did we do?” and “Could we do better?” – and then to communicate the value of the work they do.

In California, there is an extra incentive to increase the evaluation of legal services programs. Along with a \$10 million annual line in the state budget for free legal assistance to low-income individuals and communities comes a requirement for a report to the State Legislature on the “efficiency and effectiveness” of funded projects.

Program-Owned Evaluation: An Invitation

To help with the report, the Administrative Office of the Courts, the Legal Services Trust Fund Program, and the Legal Aid Association of California are inviting grant recipients to participate in an ambitious program-owned evaluation of the projects funded with Equal Access Fund grants. “Program-owned” means each organization will choose its own evaluation mechanism and do the evaluation itself, with help from this toolkit and other resources.

Strong legal services programs already do some program-owned evaluation. Everyone wants to do the best job possible for clients and other users of their services. Everyone has things they look for to figure out how they’re doing and to know when changes are needed. Everyone is accustomed to describing the effects of their work to communicate the importance of what they do. What legal services programs in California are being asked to do is to make that ongoing evaluation process more formal and structured.

The Evaluation Toolkit

The enclosed collection of “tools” for evaluation shows how others have already done this—examples of the forms they used, what they learned, the reports they wrote, and guidelines for following in their footsteps. Some of the examples are from highly evolved, structured evaluations that may look intimidating at first but are filled with good ideas. Others are first efforts from programs just starting out with evaluation that will encourage other beginners to see that this really is possible.

For programs willing to take on this challenge, the first step is to think about the planning that went into creating the project to be evaluated. What need was identified, what were the strategies for addressing it, and what results are being sought? The underpinning of a good evaluation is a clear sense of the goals and objectives of the project. The next question is, “How will we know whether we are achieving the desired results?” And then, “How do we gather the information that will help us answer that question?”

These are some ways legal services programs have collected evaluation information:

- User satisfaction surveys
- Follow-up interviews of clients and other customers
- Feedback from courts or other community partners
- Courtroom observation of self-help clients
- Review of court case files
- Systems for tracking client outcomes at case closing
- Focus groups

This toolkit contains examples and instructions for each of those ways of collecting information, for you to choose from or combine however they work best for your program (TABS 3 THROUGH 9). Each “tool” has three main elements:

1. A two-page “Summary” tells what the method measures and how, and lists some legal services programs that have already used it.
2. “Guidelines” suggests ways to use each method of collecting data, shares some cautions, and offers a variety of helpful tips.
3. Sample materials from other programs include the “instrument” used to gather evaluation data as well as examples from the evaluation reports.

Three sections that follow the seven tools address special evaluation challenges:

- Evaluating support and impact projects (TAB 10)
- Evaluating technology projects (TAB 11)
- Protocol for “partnership grant” evaluations (TAB 12)

These materials are supplemented by a few other resources. Some examples of comprehensive evaluation reports demonstrate the power of evaluation to improve and market legal services programs. Each is an evaluation of a California legal services project (TAB 13). Other useful material includes a set of guidelines for ethical research and discussions of a few other evaluation tools (TAB 14). The entire toolkit can also be found on the Web site of the Legal Aid Association of California at www.pic.org, where updates and links to other useful information about evaluation can also be found. To the extent possible, the survey instruments are available in editable formats on the Web site and by e-mail.

More Help Available

Behind TAB 2 is a list of people who can provide further help and information about how to contact them. The “champions” whose examples are in the toolkit have agreed to provide advice and technical assistance to others. Research staff from the Center for Families, Children & the Courts of the Administrative Office of the Courts can help in many ways, including advice about research techniques and practical help getting started. The staff of the Legal Aid Association of California will connect programs with others who can help them and will coordinate a schedule of working groups to talk about successes and share challenges.

The list also includes Web-based resources, giving general advice, directions for conducting effective research, and specific suggestions about evaluating legal services.

Authors

The Administrative Office of the Courts, the Legal Services Trust Fund Program, and the Legal Aid Association of California all greatly appreciate the expertise and dedication of The Resource for Great Programs that has made this evaluation toolkit possible. Ken Smith, President of The Resource, has led and coordinated the effort, with the excellent assistance of John Tull of John A. Tull Associates and John Scanlon of JSEA Management Systems. Ken, John, and John have brought to the project a wealth of knowledge about legal services programs, extensive experience with evaluation, and a talent for bringing people together to do creative things. Without them, this resource would not exist.

In Conclusion . . .

Good luck with your evaluations. We hope this toolkit will help strengthen your program and help you continually improve your critically important services to clients. Comments and other feedback about the tools, and suggestions for their improvement, will be much appreciated.

APPENDIX F

ORGANIZATIONS WORKING TO SUPPORT AND COORDINATE THE STATEWIDE SYSTEM OF DELIVERING LEGAL AID TO LOW-INCOME CALIFORNIANS

Legal Aid Association of California (LAAC)

As a statewide membership organization of individuals and programs that provide legal aid to low-income Californians, the Legal Aid Association of California (LAAC) serves as a unified voice for the California legal aid community. LAAC provides a forum for providers and clients to discuss tough issues and develop, coordinate, and implement strategies for more effective delivery of legal aid. LAAC has created training opportunities for advocates throughout the state to help programs with management and substantive legal issues. For example, LAAC has been instrumental in promoting the development and expansion of evaluation capacity by individual legal aid providers, helping provide technical assistance and support for programs to expand their use of innovative evaluation methods. Additionally, LAAC has a key role in developing statewide resources, such as the *LawHelpCalifornia.org* referral and legal information Web site for clients. A parallel site for legal advocates is in the design stage.

State Bar of California Office of Legal Services, Access, and Fairness Programs

- **California Commission on Access to Justice.** California's blue-ribbon access to justice commission is dedicated to finding long-term solutions to the chronic lack of representation available for low- and moderate-income Californians. The commission includes representatives from bench and bar, academia, business, and labor, as well as religious leaders and legal aid providers. Appointments are made by the Judicial Council, the State Bar, the Governor, Attorney General, legislative leaders, the Chamber of Commerce, the Labor Federation, the Council of Churches, and other statewide organizations. The commission is involved in efforts to address language barriers for litigants with limited English proficiency; increase resources for legal aid providers, including the establishment and maintenance of the Equal Access Fund; expand the availability of limited scope legal assistance for those who cannot afford full legal representation; and promote other efforts to increase the availability of legal assistance for low- and moderate-income Californians.

- **Legal Services Trust Fund Commission.** The Legal Services Trust Fund Commission was created by the California Legislature in 1981 and has responsibility for administering and interpreting the bar's rules that regulate the Interest on Lawyer Trust Accounts (IOLTA) program as well as the Equal Access Fund (EAF). The trust fund determines eligibility for more than \$18 million in IOLTA and EAF grants and reviews and approves proposed budgets for use of those funds. The trust fund is a multifaceted and invaluable resource to legal aid providers in California. It provides statewide system guidance and individual grant recipient assistance to improve the functioning of legal aid providers and enhance their ability to make the most effective use of grant funds.

California was the second state to set up a system for allowing attorney-client trust accounts to earn interest that could be used to fund legal aid for low-income persons. Frequently, lawyers are expected to handle money that belongs to their clients—including settlement checks, fees advanced for services not yet performed, or money to pay various court fees. Sometimes the amount of money handled for a single client is quite large, or will be held in trust by the lawyer for a lengthy period of time. In such cases, lawyers have always deposited the money into a separate trust account, where it can earn interest for the client.

Very often, however, the amount of money a lawyer handles for a single client is quite small, or will be held for only a short period of time. Traditionally, lawyers placed these deposits into combined, or "pooled," trust accounts also containing the small or short-term sums the attorney is handling for other clients. Before the law creating the trust fund program was passed, trust funds pooled in this manner earned no interest. Beginning in 1981, a movement began (and eventually spread to every state in the country) that changed the law so that lawyers who handle small or short-term funds belonging to their clients must place these funds in a single, interest-bearing trust account, and banks must forward all the interest earned on these accounts to the State Bar for the Legal Services Trust Fund Program.

The law leaves it up to the attorney to decide in each case whether a client's funds should be accounted for separately to earn interest on the client's behalf, or the money meets the "small or short term" standard and should be deposited in a pooled account to earn money for the Legal Services Trust Fund Program. The question is one of practicality. Funds are considered small or short term if it is not practical to segregate them to earn income for the clients.

A challenge to the constitutionality of IOLTA as a funding source in California was unsuccessful in 1984 (*Carroll v. State Bar of California*, 166 Cal.App.3d 1193, 213 Cal.Rptr. 305). A later challenge to a similar program in the State of Washington was resolved by the United States Supreme Court in favor of the IOLTA system in 2003 (*Brown v. Legal Foundation of Washington*, 538 U.S. 216 [123 S.Ct. 1406]). IOLTA programs now exist in all 50 states and the District of Columbia. For more information, see the Web site of the American Bar Association's Commission on IOLTA at <http://www.abanet.org/legalservices/iolta>.

- **The Standing Committee on the Delivery of Legal Services (SCDLS).** The standing committee works with program development staff at the State Bar to increase the availability of free legal assistance: to low-income people through assistance and support for legal aid and pro bono programs and reduced-fee legal aid, and to moderate-income people through assistance and support for lawyer referral services and other programs designed to assist persons with moderate means. It provides information and recommendations to the State Bar Board of Governors on issues of concern to low- and moderate-income persons. The standing committee actively works to increase and enhance pro bono participation through education, publicity, how-to manuals, and an annual awards ceremony at the State Bar's annual meeting. Many of the recipients of Equal Access Fund grants benefit from the work of the standing committee and are directly involved in its activities.

Judicial Council of California—Administrative Office of the Courts

The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of Chief Justice Ronald M. George, and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts serves as the council's staff agency. The Judicial Council has undertaken a comprehensive program to promote access to the courts. Since 1999, the Judicial Council has managed the Equal Access Fund, which is appropriated to the Judicial Council each year. The council oversees the administration of the fund; approves distribution of grants; appoints one-third of the members of the State Bar's Legal Services Trust Fund Commission, and contracts with the State Bar for direct distribution of the funds under council supervision. Other key Judicial Council efforts related to access for low-income persons follow:

- **Self-Help Web Site.** The Judicial Council has established the nation's most comprehensive court-sponsored online self-help center, containing over 900 pages designed to help individuals navigate the court system, learn about state law, work smarter with an attorney, represent themselves in some legal matters, and find low-cost legal assistance. The entire self-help Web site is available in English and Spanish, and much of the information is also available in several other languages. The self-help Web site links extensively with the new *LawHelpCalifornia.org* Web site that provides referrals to legal aid providers and information for low-income persons. These coordinated efforts have supported many recipients of the Equal Access Fund, and their availability has significantly improved fund recipients' efficiency.
- **Task Force on Self-Represented Litigants.** Established in 2002 and chaired by Justice Kathleen O'Leary, this task force is charged with helping the courts effectively respond to the needs of self-represented litigants. In February 2004, the Judicial Council approved a Statewide Action Plan for Serving Self-Represented Litigants prepared by the task force. The task force is now working to implement the recommendations in the plan which include establishing self-help centers in the courts, increasing ways for attorneys to provide legal

services, and coordinating the many efforts between the bench and the bar to provide services to low-income persons. The council also provides funding for local courts to develop and begin to implement their own action plans for serving self-represented litigants.

- **Self-Help Centers.** A system of family law facilitators has been in place since 1997 in all 58 counties. Facilitators, who are family law attorneys, guide some 30,000 litigants per month through procedures relating to child and spousal support. Most courts have now supplemented funds to allow a wider range of services. The council also funds three family law information centers and five model self-help program pilot programs designed to solve many common problems facing self-help programs. It provides technical support to courts that are creating their own self-help centers and works with the courts in developing strong partnership projects using the Equal Access partnership grant program.

Public Interest Clearinghouse (PIC)

The Public Interest Clearinghouse (PIC) acts as the hub of legal services to focus energy on statewide planning and coordination, advocacy and sharing of information and resources to expand the capacity and effectiveness of the legal aid community. In that capacity, PIC staffs both the Legal Aid Association of California and the California Legal Services coordinating Committee. Among its other roles, PIC develops technology resources for clients and providers, such as the resource and referral database at LawHelpCalifornia.org; and builds future generations of public interest oriented lawyers by fostering law student pro bono and counseling law students on the practice of public interest law.

Western Center on Law and Poverty (WCLP)

Through education, negotiation and litigation, WCLP works to ensure fairness and access to justice for low-income individuals and to effectuate broad-based change aimed at breaking the cycle of poverty. The Center's court cases, legislative work and administrative advocacy in the areas of health care, housing and public benefits help hundreds and often thousands of people at a time. As a legal aid support center, WCLP helps legal aid attorneys in their professional development and in the day-to-day representation of their clients – through expert advice, training, legal updates, legislative monitoring and the publishing of specialized poverty law manuals and other educational materials.

California Legal Services Coordinating Committee

The Legal Services Coordinating Committee, which includes representatives of all the statewide groups described above, is charged with the responsibility for institutional accountability, ensuring that access to justice planning is ongoing and that planned projects are coordinated. The coordinating committee sponsors an annual legal aid stakeholder conference, and all Equal Access Fund recipients are invited to share resources and plan together to improve the efficiency and effectiveness of the statewide delivery system.