



## Judicial Council of California . Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

[www.courts.ca.gov](http://www.courts.ca.gov)

---

# REPORT TO THE JUDICIAL COUNCIL

For business meeting on August 31, 2012

---

Title	Agenda Item Type
Equal Access Fund: Distribution of Funds for IOLTA-Formula Grants	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	August 31, 2012
Recommended by	Date of Report
Legal Services Trust Fund Commission Hon. Ellen Pirie, Cochair Mr. David Lash, Cochair	July 26, 2012
	Contact
	Bonnie Rose Hough, 415-865-7668 <a href="mailto:bonnie.hough@jud.ca.gov">bonnie.hough@jud.ca.gov</a>

---

### Executive Summary

As stated in its report on the distribution of Equal Access Fund grants, the State Bar Legal Services Trust Fund Commission recommends approving the distribution of \$14,665,927 in IOLTA-Formula Grants for grant year 2012–2013, according to the statutory formula in the state Budget Act, and approving the commission’s findings that the proposed budget for each individual grant complies with statutory and other relevant guidelines.

### Recommendation

The Legal Services Trust Fund Commission recommends that the Judicial Council approve the distribution of \$14,665,927 in IOLTA-Formula Grants for grant year 2012–2013 according to the terms of the state Budget Act and approve the commission’s determination that the proposed budget of each individual grant complies with statutory and other guidelines.

The commission’s report on distribution of the grant funds is attached as a memorandum and Attachments A–D following this Judicial Council report.

## **Previous Council Action**

The Judicial Council has approved the proposed distribution of grant funds for each of the past 13 years based on the recommendations of the Legal Services Trust Fund Commission.

## **Rationale for Recommendation**

For the past 13 years, the state Budget Act has contained a provision for the allotment of \$10 million to an Equal Access Fund “to improve equal access and the fair administration of justice.” (Stats. 2012, ch 21, pp.14–18; Stats. 2011, ch. 33, pp. 17–21; Stats. 2010, ch. 712, pp. 21–25; Stats. 2009, ch. 1, pp. 18–22; Stats. 2008, ch. 268, pp. 32–36; Stats. 2007, ch.171, pp. 40–42; Stats. 2006, ch. 47, pp. 26–30; Stats. 2005, ch. 38, pp. 9–11; Stats. 2004, ch. 208, pp. 16–17; Stats. 2003, ch. 157, pp. 11–12; Stats. 2002, ch. 379, pp. 30–31; Stats. 2001, ch. 106, pp. 73–74; Stats. 2000, ch. 52, pp. 78–79; Stats. 1999, ch. 50, pp. 55–56.)

In 2005, the Uniform Civil Fees and Standard Fee Schedule Act was approved by the Legislature and the Governor. That act established a new distribution of \$4.80 per filing fee to the Equal Access Fund. The estimated revenue from filing fees for the fund is \$5.7 million per year. Those revenues have been collected by the trial courts since January 2007. Filing fee revenue has been greater than anticipated. Anticipated filing fee revenue has been estimated conservatively to maximize grantee ability to rely on budgeted grant amounts, thus, there is \$693,960 in undistributed prior-year filing fee revenue which must be distributed as well.

The budget control language (see Attachment A of the attached memorandum) requires the Judicial Council to distribute the Equal Access Fund monies to legal services providers through the State Bar Legal Services Trust Fund Commission. The State Bar created the commission to administer the law regulating attorneys’ interest-bearing (IOLTA; Interest on Lawyers’ Trust Accounts) trust accounts. (Bus. & Prof. Code, § 6210 et seq.; State Bar “Rules Regulating Interest-Bearing Trust Fund Accounts for the Provision of Legal Services to Indigent Persons,” rule 4.)

The Budget Act further requires that “[t]he Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. . . . The Judicial Council may establish additional reporting or quality control requirements . . . .” (The relevant sections of the proposed act appear as Attachment A of the attached memorandum.)

Under the Budget Act, the Chief Justice as chair of the Judicial Council appoints one-third of the voting members to the commission: five attorney members and two public members, one of whom is a court administrator. The Chief Justice also appoints three nonvoting judges to the commission: two trial court judges and one appellate justice. (The membership roster appears as Attachment B of the attached memorandum.)

The Legal Services Trust Fund Commission has approved a schedule for allocation of IOLTA-Formula Grants to legal services providers according to the formula established under the Business and Professions Code. The commission determined that because the funds are allocated based on a formula set out in that statute, eligible programs would be mailed application packets indicating the grant amount according to that formula. The commission approved a grant year of October 1, 2012, through September 30, 2013.

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

It is appropriate for the Judicial Council to approve the distribution of \$14,665,927 in IOLTA-Formula Grants awarded by the Legal Services Trust Fund Commission to allow distribution to the eligible organizations in October. The commission will return to request approval of the distribution of Partnership Grants after completing that selection process later this year.

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

The recommendations have been approved by the Legal Services Trust Fund Commission as required by law. The statutory scheme does not provide for public comment.

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

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

The IOLTA-Formula Grants require no court implementation. AOC staff will continue to work with trust fund commission staff to oversee administration of the Equal Access Fund. AOC staff support is covered by the provision for administrative costs in the Budget Act appropriation. Although the recommended allocations will have no direct fiscal effect on the courts, the courts will benefit indirectly from the assistance provided to self-represented litigants.

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

This recommendation helps to implement the judicial branch's strategic Goal I, Access, Fairness, and Diversity, by increasing representation for low-income persons.

### **Attachments**

1. July 20, 2012, Memorandum From the State Bar Legal Services Trust Fund Commission and the Legal Services Trust Fund Program to the Members of the Judicial Council, Including Attachments A–D.



# THE STATE BAR OF CALIFORNIA

## LEGAL SERVICES TRUST FUND PROGRAM

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 415-538-2252; FAX: 415-538-2529

### LEGAL SERVICES TRUST FUND COMMISSION – 2011-2012

David Lash, Esquire  
*Co-Chair*  
O'Melveny & Myers, LLP

Ellen Pirie, Esquire  
*Co-Chair*  
County of Santa Cruz

Donna Hershkowitz, Esquire  
*Vice Chair*  
Office of Governmental Affairs  
Judicial Council

Banafsheh Akhlaghi, Esquire  
Pars Equality Center

Jeffrey Ball  
Friendly Hills Bank

Tamara Lynn Beard  
Superior Court of California  
County of Fresno

Deborah F. Ching  
Nonprofit Consulting Group

Adrian Dollard, Esquire  
Qatalyst Partners

Jeanne Finberg, Esquire  
Office of the Attorney General

Mollie Gomez  
Public Member

Stephen Hicklin, Esquire  
Wright, Finlay & Zak, LLP

Monica Mitchell, Esquire  
Superior Court of California  
County of San Bernardino

Richard G. Reinis, Esquire  
Steptoe & Johnson LLP

LaQuita Robbins  
Soothing Visitation

Bonnie Rubin  
1<sup>st</sup> Century Bank

Christina S. Stokholm  
Law Offices of Mark Pachowicz

Judge John A. Sutro, Jr., Retired

Barry J. Tucker, Esquire

Melissa L. White  
Trinity Fruit Sales Corporate  
Counsel

Cristin M. Zeisler  
Manatt, Phelps & Phillips LLP

### JUDICIAL ADVISORS

Hon. Keith D. Davis  
Judge of the Superior Court  
County of San Bernardino

Hon. Faye D'Opal  
Judge of the Superior Court  
County of Marin

Hon. Maria P. Rivera  
Justice, First District Court of  
Appeal

DATE: July 20, 2012

TO: Members of the Judicial Council

FROM: David Lash, Co-Chair  
Ellen Pirie, Co-Chair  
Legal Services Trust Fund Commission

Stephanie L. Choy, Managing Director  
Legal Services Trust Fund Program

SUBJECT: Distribution of Equal Access Fund Grants – 2012-13 Grant Year

### EXECUTIVE SUMMARY

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

In 1999, you took action to implement this Fund, adopting procedures for the Chief Justice to appoint a third of the members of the Commission and approving the award of grants. You have approved the award of grants in each subsequent year.

Each year the Equal Access Fund is authorized by the State Budget Act. The Budget Act of 2012 includes a basic budgetary allocation from the General Fund of \$10,392,000 and additional funding from the Trial Court Trust fund in the amount of \$5,482,000 less \$274,100 (5% administration of funds). These funds are to be distributed in two parts: 90% of the funds are distributed according to the statutory Interest on Lawyers Trust Accounts ("IOLTA") formula, 10% of the funds are distributed as discretionary grants to partnership projects between legal aid and court programs.

*IOLTA-Formula Grants.* The \$14,579,968 in "IOLTA-Formula Grants" allocated for the 2011-12 grant year has already funded a wide range of legal services for low-income Californians. These funds were allocated according to a formula set forth in the IOLTA statute (Business & Professions Code sections 6210 et seq.) and pursuant to procedures already in place for determining eligibility and administering grants. Two categories of legal services providers are eligible for grants: "Qualified Legal Services Projects" and "Qualified Support Centers." A system of grant application, budget review, reporting and on-site visits, is used to monitor compliance with grant requirements.

The 2011-12 grant year will end September 30, 2012. We now request the Council approve the distribution of the IOLTA-Formula Grants for 2012-2013.

The Commission has already identified eligible or provisionally eligible legal services providers and the appropriate allocation of 2012-2013 Equal Access Fund grants in accordance with the IOLTA statute. Assuming the Council provides its requested approval of the 2012-2013 Equal Access Fund grants at its August 2012 meeting, then, subject only to the Commission's final approval of specific project budgets from grantees, staff will begin to distribute the grant funds as soon as practicable after the commencement of the grant year on October 1.

It is now timely and appropriate for the Council to approve the distribution of the IOLTA-Formula Grants for 2012-13 in the total amount of \$14,665,927 pursuant to the Budget Act of 2012, including interest earned and filing fee revenue received but not distributed in 2011-2012.

The Commission will request that the Council approve the distribution of the Partnership Grants at its December 2012 meeting.

## INTRODUCTION – THE BUDGET ACT

The Equal Access Fund, initially created by the Budget Act of 1999, has been continued in each subsequent Budget Act, including the 2012 Budget Act. The basic Equal Access Fund allocation under each Budget Act is allocated to the Council, to be distributed in grants to legal services providers through the Commission. The budget control language establishes two kinds of grants: IOLTA-Formula Grants and Partnership Grants. The budget also provides for funds for the cost of administration.

Since 2005, the basic Equal Access Fund budget allocation has been supplemented with the Uniform Civil Fees and Standard Fee Schedule Act, approved by the Legislature and the Governor. That Act established a new distribution to the Equal Access Fund of \$4.80 per filing fee. Through these fees, the Equal Access Fund has been supplemented by amounts ranging from about \$2.5 to \$6.4 million annually. In the past, the Council's practice has been to estimate anticipated filing fee revenue conservatively to maximize grantee ability to rely on budgeted grant amounts. Because filing fee revenue exceeded projected amounts last year, the Commission at this time requests the Council approve distribution of the additional \$693,960 in 2011-2012 filing fee revenue with EAF 2012-2013 grants.

Based upon past filing fee revenue for the Equal Access Fund, the Act anticipated filing fee revenue, payable from the Trial Court Trust Fund, has been increased to \$5,482,000, inclusive of administrative fees.

Based on the foregoing, total projected grant year income available for distribution in 2012-2013, is as follows:

The sum of (a) the basic budgetary allocation of \$10,392,000 pursuant to the Budget Act of 2012; (b) additional funding from the Trial Court Trust Fund in the amount of \$5,482,000, less \$274,100 (5% for administration of funds) pursuant to the budget Act of 2012; (c) undistributed prior-year filing fee revenue of \$693,960, and (d) \$1,614 of interest, results in an aggregate estimated 2012-2013 Equal Access Fund total of \$16,295,474.

Distribution will be pursuant to the language of the Budget Act:

- Ninety percent of the grant funds are to be distributed to IOLTA-eligible legal services providers according to a formula set forth in California's Interest on Lawyer Trust Accounts ("IOLTA") statute. Funds available for this category of grants, called "IOLTA-Formula Grants," equal \$14,665,927.
- Ten percent of the grant funds are set aside for Partnership Grants to IOLTA-eligible legal services providers for "joint projects of courts and legal services programs to make legal assistance available to pro per litigants." Funds available for Partnership Grants equal \$1,629,547.
- An amount equal to five percent of the grants has been set aside for administrative costs, in a total amount up to \$793,700, to be shared between the Council and the Commission.

(The relevant portions of the Budget Act of 2012 are attached as [Attachment A](#).)

The Chief Justice continues to appoint one-third of the members of the Commission, plus three judicial advisors. All of them participate actively in the Commission's work, with each serving or having served on one of its three standing committees. ([Attachment B](#) is a roster of Commission members as of the date of the Council's August meeting.)

## THE LEGAL SERVICES GRANTS PROGRAM

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

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

The fund helps the most vulnerable Californians when they face critical, life-changing legal issues affecting their basic needs, their safety, and their security – issues such as elder abuse, domestic violence, family support, housing or access to needed health care. Among those served are indigent people, the working poor, children, people who live

in isolated rural areas, veterans, those with limited English proficiency, people suffering abuse, people with disabilities and the frail elderly.

In March 2005, the Council submitted an extensive report to the Legislature evaluating the efficiency and effectiveness of the first five years of use of these funds. The report concluded that “nonprofit legal aid providers have efficiently and effectively used their grants to provide legal assistance to some of the most vulnerable Californians, but that there remains a tremendous unmet need.” The report included the following key findings:

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

In this current economy, legal service organizations are reporting increased need, and more dire need, among their service populations. At the same time, the legal aid organizations are faced with decreases in revenue – from IOLTA, local government, foundations, law firms and individual giving. Thus, the recommendations from the Council’s 2005 report resonate now more than ever: The Equal Access Fund should be increased to build on the statewide legal aid network serving low-income people; additional funding is needed to expand court-based self-help centers; and ongoing evaluation is needed to improve the delivery of legal assistance to low-income and marginalized Californians.

## **ELIGIBILITY AND DISTRIBUTION**

All grantees must be nonprofit corporations, must maintain quality control procedures approved by the commission, and must meet minimum levels of funding and services that are set out in the statute. [Business and Professions Code, §§6214-6215]

The requirements regarding eligibility and use of funds are reflected in regulating rules and grant conditions approved by the State Bar Board of Governors and incorporated into a written agreement with each grant recipient. To monitor compliance with these requirements, the commission administers a system of grant reporting and oversight that includes written reports, regular telephone contact and on-site visits.

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

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

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

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

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

The IOLTA statute also addresses the use of funds by recipient organizations. Qualified Legal Services Projects must use grants to provide free civil legal services to indigent persons in the counties for which the funds are allocated. In addition, Legal Services Projects shall make extra efforts to increase services to especially disadvantaged and underserved client groups within their service areas. Qualified Support Centers must publicize the availability of their services and demonstrate that they actually provide legal support to qualified Legal Services Projects on a statewide basis. [Business and Professions Code, §§6218, 6220, 6221, 6223]

**Partnership Grants.** Since 1999, 10% of the Equal Access Fund has been set aside annually in the Budget Act for a competitive grants program for projects that work with local courts to help provide legal services for self-represented litigants. In 2012, thirty-three projects throughout California are receiving \$1.62 million in total "Partnership Grants," in grant sums from \$25,000 to \$80,000. Only recipients of IOLTA and IOLTA-Formula Grants are eligible to apply for these grants, which are awarded to maximize the impact of this funding across areas of legal need, population types, and geographical regions. In the 2012-13 grant cycle, \$1,629,547 will be available for Partnership Grants.

The Partnership Grants process begins with evaluation of proposals by Legal Services Trust Fund Program staff and a committee of the Commission. This evaluation encompasses several criteria, including but not limited to assuring the impartiality of the services, providing meaningful referrals, assurances of program effectiveness and fiscal stability. Partnership Grants are considered "seed money" to encourage new projects; consequently, grants for ongoing projects have in the past been reduced significantly after three years of Partnership funding, and have generally been terminated after five years, unless extraordinary conditions dictate to the contrary, as defined by written commission protocols. Funding is provided on a calendar year basis.

The Request for Proposals for Partnership Grant projects for calendar year 2013 will be issued in August, and proposals will be due in late September. The commission, with the advice and participation of the Administrative Office of the Courts ("AOC") staff, will then select successful proposals and determine tentative allocations in November. The Council will have final responsibility for approving the Commission's recommendations and grant awards at its December 2012 meeting.

#### **NEXT STEPS: TRUST FUND COMMISSION AND JUDICIAL COUNCIL**

*Legal Services Trust Fund Commission.* At its meeting on March 29, 2012, the Commission reviewed eligibility applications and determined which legal services providers are eligible or provisionally eligible for IOLTA grants for the 2012-13 grant year.

**Based on the Budget Act and available undistributed funds,** the commission has provided grantees with tentative Equal Access Fund grant allocation amounts. Based on these tentative amounts, each grant recipient will be asked to prepare a detailed line item budget. Budgets will be reviewed by Legal Services Trust Fund Program staff and amendments will be proposed as needed between August 24 and October 5, when the Commission will meet in San Francisco to approve budgets. Thereafter, the State Bar will sign a grant agreement with each recipient program. (Attachment C is a form version of the grant agreement used last year. No major changes have been proposed for this year's agreement.)

The grant period for these distributions will be October 1, 2012, through September 30, 2012. Assuming timely administration of the contract and approval of funds from the State Controller's office, we will issue the first of four quarterly grant checks for distribution to recipients in late October. [A list of the 2012-2013 grant recipients, including their IOLTA Fund allocations (grant year from July 1, 2012 through June 30, 2013) and the proposed EAF IOLTA-formula grant amounts (grant year from October 1, 2012 through September 30, 2013), appears at Attachment D.]

The Commission and the Legal Services Trust Fund Program staff will be responsible for administration of these Equal Access funds in tandem with IOLTA revenues and contributions to the Justice Gap Fund. Along with the regular reporting we already require for IOLTA Fund Grants, grant recipients account separately for the Equal Access Fund IOLTA-Formula Grants, submitting quarterly expenditure reports as well as year-end program assessments.

We will continue to work closely with the AOC staff, providing regular reports reflecting how the grants meet the statutory requirements and other guidelines, as well as information needed to assist the Council in budget preparation. In 2004, consultants hired by the AOC together with AOC research department staff finalized mandatory reporting instruments and program-owned evaluative toolkits that were used to collect data for the comprehensive report to the Legislature. The Legal Services Trust Fund staff, working together with the AOC, continues to encourage legal services providers to make critical assessments of their work and its impact on the communities they serve.

*Judicial Council.* The Budget Act provides that “the Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines.” It is now timely and appropriate for the Council to approve the distribution of \$14,665,927 in IOLTA-Formula Grants for 2012-13 to those legal services providers determined by the Commission to be in compliance with the statutory and other applicable guidelines. The funds will be released by the Council to the State Bar in four equal disbursements, and will be paid out to the eligible legal services programs quarterly (or as close to quarterly as possible depending on contract timing), over the course of the grant period.

#### **SUMMARY OF COUNCIL ACTION REQUIRED**

In conclusion, it is timely and appropriate for the Council to approve, at its August 2012 meeting, the distribution of \$14,665,927 in IOLTA-Formula Grants pursuant to the Budget Act of 2012, and previously undistributed filing fee revenue and interest. Council approval is necessary to enable timely disbursement of the first quarter of funding to eligible organizations.

The Commission will return to request the Council’s approval of the distribution of \$1,629,547 in Partnership Grants after completing its selection process later this Fall, in advance of the Council’s December 2012 meeting.



**BUDGET ACT OF 2012:  
PROVISIONS GERMAINE TO THE EQUAL ACCESS FUND**

**Assembly Bill No. 1464  
CHAPTER 21**

Approved by Governor June 27, 2012. Filed with the Secretary of State June 27, 2012.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.00. This act shall be known and may be cited as the "Budget Act of 2012."

{....}

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

Schedule:

(1) 45.10-Support for Operation of the Trial Courts .....	6,201,000
(2) 45.55.010-Child Support Commissioner Program .....	54,332,000
(3) 45.55.020-California Collaborative and Drug Court Projects .....	5,748,000
(4) 45.55.030-Federal Child Access and Visitation Grant Program.....	800,000
(5) 45.55.050-Federal Court Improvement Grant Program .....	700,000
(6) 45.55.070-Grants-Other.....	745,000
(7) 45.55.080-Federal Grants-Other.....	775,000
<b>(8) 45.55.090-Equal Access Fund Program.....</b>	<b>10,392,000</b>
(9) Reimbursements.....	-59,665,000
(10) Amount payable from the Federal Trust Fund (Item 0250-101-0890).....	-2,275,000

Provisions:

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

2. The amount appropriated in Schedule (1) is available for reimbursement of court costs related to the following activities: (a) payment of service of process fees billed to the trial courts pursuant to Chapter 1009 of the Statutes of 2002, (b) payment of the court costs payable under Sections 4750 to 4755, inclusive, and Section 6005 of the Penal Code, and (c) payment of court costs of extraordinary homicide trials.

**0250-101-0932—For local assistance, Judicial Branch, payable from the  
Trial Court Trust Fund .....1,826,195,000**

Schedule:

(1) 45.10-Support for Operation of the Trial Courts.....	1,390,697,000
(2) 45.25-Compensation of Superior Court Judges .....	306,829,000
(3) 45.35-Assigned Judges .....	26,047,000
(4) 45.45-Court Interpreters .....	92,794,000
(5) 45.55.060-Court Appointed Special Advocate Program .....	2,213,000
(6) 45.55.065-Model Self-Help Program .....	957,000
<b>(7) 45.55.090-Equal Access Fund .....</b>	<b>5,482,000</b>
(8) 45.55.095-Family Law Information Centers .....	345,000

(9) 45.55.100-Civil Case Coordination .....	832,000
(11) Reimbursements .....	-1,000

Provisions:

1. The funds appropriated in Schedule (2) shall be made available for costs of the workers' compensation program for trial court judges.

2. The amount appropriated in Schedule (3) shall be made available for all judicial assignments. Schedule (3) expenditures for necessary support staff may not exceed the staffing level that is necessary to support the equivalent of three judicial officers sitting on assignments. Prior to utilizing funds appropriated in Schedule (3), trial courts shall maximize the use of judicial officers who may be available due to reductions in court services or court closures.

3. The funds appropriated in Schedule (4) shall be for payments to contractual court interpreters, and certified and registered court interpreters employed by the courts for services provided during court proceedings and other services related to pending court proceedings, including services provided outside a courtroom, and the following court interpreter coordinators: 1.0 each in counties of the 1st through the 15th classes, 0.5 each in counties of the 16th through the 31st classes, and 0.25 each in counties of the 32nd through the 58th classes. For the purposes of this provision, "court interpreter coordinators" may be full- or part-time court employees, and shall be concurrently certified and registered court interpreters in good standing under existing law.

The Judicial Council shall set statewide or regional rates and policies for payment of court interpreters, not to exceed the rate paid to certified interpreters in the federal court system.

The Judicial Council shall adopt appropriate rules and procedures for the administration of these funds. The Judicial Council shall report to the Legislature and the Director of Finance annually regarding expenditures from Schedule (4).

4. Upon order of the Director of Finance, the amount available for expenditure in this item may be augmented by the amount of any additional resources available in the Trial Court Trust Fund, which is in addition to the amount appropriated in this item. Any augmentation must be approved in joint determination with the Chairperson of the Joint Legislative Budget Committee and shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the chairperson of the joint committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine. When a request to augment this item is submitted to the Director of Finance, a copy of that request shall be delivered to the chairpersons of the committees and appropriate subcommittees that consider the State Budget. Delivery of a copy of that request shall not be deemed to be notification in writing for purposes of this provision.

5. Notwithstanding any other provision of law, upon approval and order of the Director of Finance, the amount appropriated in this item shall be reduced by the amount transferred in Item 0250-115-0932 to provide adequate resources to the Judicial Branch Workers' Compensation Fund to pay workers' compensation claims for judicial branch employees and judges, and administrative costs pursuant to Section 68114.10 of the Government Code.

6. Of the funds appropriated in Schedule (1), which will be transferred to the Trial Court Improvement Fund in accordance with subdivision (b) of Section 77209 of the Government Code, up to \$5,000,000 shall be available for support of services for self-represented litigants.

7. Upon approval by the Administrative Director of the Courts, the Controller shall transfer up to \$11,274,000 to Item 0250-001-0932 for recovery of costs for administrative services provided to the trial courts by the Administrative Office of the Courts.

**8. In order to improve equal access and the fair administration of justice, the funds appropriated in Schedule (7) are available for distribution by the Judicial Council through the Legal Services Trust Fund Commission in support of the Equal Access Fund Program to qualified legal services projects and support centers as defined in Sections 6213 to 6215, inclusive, of the Business and Professions Code, to be used for legal services in civil matters for indigent persons. The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. Upon approval by the Administrative Director of the Courts, the Controller shall transfer up to 5 percent of the funding appropriated in Schedule (2) to Item 0250-001-0932 for administrative expenses. Ten percent of the funds remaining after administrative costs shall be for joint projects of courts and legal services programs to make legal assistance available to pro per litigants and 90 percent of the funds remaining after administrative costs shall be distributed consistent with Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.**

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

10. Sixteen (16.0) subordinate judicial officer positions are authorized to be converted to judgeships in the 2012–13 fiscal year in the manner and pursuant to the authority described in subparagraph (B) of paragraph (1) of subdivision (c) of Section 69615 of the Government Code, as described in the notice filed by the Judicial Council under subparagraph (B) of paragraph (3) of subdivision (c) of Section 69615.
11. Notwithstanding any other provision of law, and upon approval of the Director of Finance, the amount available for expenditure in Schedule (1) may be increased by the amount of any additional resources collected for the recovery of costs for court-appointed dependency counsel services.
12. Upon approval of the Administrative Director of the Courts, the Controller shall transfer up to \$556,000 to Item 0250-001-0932 for administrative services provided to the trial courts in support of the court-appointed dependency counsel program.
13. Upon approval of the Administrative Director of the Courts, the amount available for expenditure in this item may be augmented by the amount of resources collected to support the implementation and administration of the civil representation pilot program.
14. Upon approval of the Administrative Director of the Courts, the Controller shall transfer up to \$500,000 to Item 0250-001-0932 for administrative services provided by the Administrative Office of the Courts to implement and administer the Civil Representation Pilot Program.
15. Notwithstanding any other provision of law, during the 2012–13 fiscal year, the Judicial Council shall allocate \$385,000,000 of reductions in funding contained in Schedule (1) as follows: (a) no more than \$235,000,000 shall be allocated to each trial court based on each court's proportionate share of total statewide trial court reserves, and (b) no more than \$150,000,000 shall be allocated based on each trial court's proportionate share of the 2011–12 fiscal year Trial Court Trust Fund allocation. Upon approval of the Director of Finance and no sooner than 30 days after notification in writing to the committees of each house of the Legislature that consider the State Budget, the Judicial Council may offset either of these reductions through transfers from any other item within the Judicial Branch's budget.
16. This item includes a one-time augmentation of \$73,000,000 to offset the reductions in trial court funding in the 2012–13 fiscal year, based on transfers as follows: (a) \$23,000,000 transferred from the State Trial Court Improvement and Modernization Fund, and (b) \$50,000,000 transferred from the State Court Facilities Construction Fund.
17. Of the amount appropriated in this item, \$46,000,000 of planned expenditures for the Court Case Management System project shall instead be redirected to offset reductions in trial court funding in the 2012–13 fiscal year.  
[....]

## Roster of Legal Services Trust Fund Commission Members: 2011-12

<p>David Lash, Co-Chair O'Melveny &amp; Myers, LLP 400 South Hope Street Los Angeles, CA 90071 ph: (213) 430-8366      fx: (213) 430-6407 e-mail: <a href="mailto:dlash@omm.com">dlash@omm.com</a> Attorney Member: 2007-2013 Judicial Council</p>	<p>Deborah F. Ching Principal Nonprofit Consulting Group 5416 Shenandoah Avenue Los Angeles, CA 90056 ph: (310) 748-7940      fx: (310) 568-8631 e-mail: <a href="mailto:dfching@earthlink.net">dfching@earthlink.net</a> Public Member: 2008-2011, 2011-2014 Judicial Council</p>
<p>Ellen Pirie, Co- Chair County of Santa Cruz 701 Ocean Street, Room 500 Santa Cruz, CA 95060 ph: (831) 454-2200      fx: (831) 454-3262 e-mail: <a href="mailto:ellen.pirie@co.santa-cruz.ca.us">ellen.pirie@co.santa-cruz.ca.us</a> Attorney: 2002-2007, 2007-2010, 2011, 2012 Board of Governors</p>	<p>Adrian Dollard Qatylst Partners Three Embarcadero Center, 6th Floor San Francisco, CA 94111 ph: (415) 844-7777      fx: (415) 391-3914 e-mail: <a href="mailto:aedollard@gmail.com">aedollard@gmail.com</a> Attorney Member: 2008-2012 Board of Governors</p>
<p>Donna Hershkowitz, Vice Chair Assistant Director, Office of Governmental Affairs Administrative Office of the Courts 770 L Street, Suite 700 Sacramento, CA 95814-3393 ph: (916) 323-3121      fx: (916) 323-4347 e-mail: <a href="mailto:donna.hershkowitz@jud.ca.gov">donna.hershkowitz@jud.ca.gov</a> Attorney Member: 2005-2011, 2011-2014 Judicial Council</p>	<p>Jeanne Finberg State of California Department of Justice Attorney General's Office 1515 Clay Street, Suite 2100 Oakland, CA 94612 ph: (510) 622-2147      fx: (510) 622-2121 e-mail: <a href="mailto:jeanne.finberg@doj.ca.gov">jeanne.finberg@doj.ca.gov</a> Attorney Member: 2008-2013 Board of Governors, Judicial Council</p>
<p>Banafsheh Akhlaghi Pars Equality Center 847 Sansome Street, Suite 250 San Francisco, CA 94111 ph: (925) 209-7136 e-mail: <a href="mailto:banafsheh.akhlaghi@yahoo.com">banafsheh.akhlaghi@yahoo.com</a> Attorney Member: 2010-2013 Board of Governors</p>	<p>Judge Holly J. Fujie Los Angeles County Superior Court 111 N. Hill Street - Dept. 87 Los Angeles, CA 90012 ph: 213-974-5573 e-mail: <a href="mailto:HFujie@LASuperiorCourt.org">HFujie@LASuperiorCourt.org</a> Attorney Member: 2010-2013 Board of Governors</p>
<p>Jeffrey Ball Friendly Hills Bank 16011 Whittier Boulevard Whittier, CA 90603 ph: (562) 947-1920      fx: (562) 947-3640 e-mail: <a href="mailto:jball@friendlyhillsbank.com">jball@friendlyhillsbank.com</a> Public Member: 2009-2012 Board of Governors</p>	<p>Mollie Gomez 11839 Allard Street Norwalk CA 90650 ph: (562) 868-2422      fx: (714) 571-5270 e-mail: <a href="mailto:molecue8@aol.com">molecue8@aol.com</a> Public Member Client: 2010-2013 Board of Governors</p>
<p>Tamara Lynn Beard Court Executive Officer Superior Court of California, County of Fresno 1100 Van Ness Avenue Fresno, CA 93724-0002 ph: (559) 457-2010 e-mail: <a href="mailto:tbeard@fresno.courts.ca.gov">tbeard@fresno.courts.ca.gov</a> Attorney Member: 2011-2014 Judicial Council</p>	<p>Stephen Hicklin Wright, Finlay &amp; Zak, LLP 4665 MacArthur Court, Suite 280 Newport Beach, CA 92660 ph: (949) 355-3969      fx: (949) 477-9200 e-mail: <a href="mailto:shicklin@gmail.com">shicklin@gmail.com</a> Attorney Member: 2009-2012 Board of Governors</p>

<p>Monica Mitchell  Supervising Attorney  Superior Court of California, San Bernardino County  655 West 2<sup>nd</sup> St, 2<sup>nd</sup> Floor  San Bernardino, CA 92415  ph: (909) 269-8820      fx: (909) 269-8505  e-mail: <a href="mailto:mmitchell@sb-court.org">mmitchell@sb-court.org</a>  Attorney Member: 2009-2012  Judicial Council</p>	<p>Barry J. Tucker  12676 Rue Parc  San Diego, CA 92131  ph: (619) 742-5062  e-mail: <a href="mailto:barrytucker@san.rr.com">barrytucker@san.rr.com</a>  Attorney Member: 2009-2012  Board of Governors</p>
<p>Richard G. Reinis  Steptoe &amp; Johnson, LLP  2121 Avenue of the Stars, Suite 2800  Los Angeles, CA 90067  ph: (310) 734-3200      fx: (310) 734-3300  e-mail: <a href="mailto:rreinis@steptoe.com">rreinis@steptoe.com</a>  Attorney Member: 2011-2014  Judicial Council</p>	<p>Melissa L. White  Trinity Fruit Sales Corporate Counsel  9479 North Fort Washington Road  Fresno, CA 93730  ph: (559) 433-3777      fx: (559) 433-3790  e-mail: <a href="mailto:melissaw@trinityfruit.com">melissaw@trinityfruit.com</a>  Attorney Member: 2011-2012  Board of Governors</p>
<p>LaQuita (Mary) Robbins  Soothing Visitation  5850 Reo Terrace, Unit C  San Diego, CA 92139  cell: (619) 981-8649      hm/fax: (619) 470-9095  e-mail: <a href="mailto:squirt9515@gmail.com">squirt9515@gmail.com</a>  Public Member Client: 2010-2013  Board of Governors</p>	<p>Cristin M. Zeisler  Manatt, Phelps &amp; Phillips, LLP  11355 West Olympic Blvd.  Los Angeles, CA 90064  ph: (310) 312-4194      fx: (310) 996-6996  e-mail: <a href="mailto:czeisler@manatt.com">czeisler@manatt.com</a>  Attorney Member: 2011-2012  Board of Governors</p>
<p>Bonnie Rubin  1<sup>st</sup> Century Bank  1875 Century Park East, Suite 1400  Los Angeles, CA 90067  ph: (310) 270-9511      fx: (310) 270-9599  e-mail: <a href="mailto:brubin@1stcenturybank.com">brubin@1stcenturybank.com</a>  Public Member: 2009-2012  Board of Governors</p>	<p><u>ADVISORS</u></p> <p>Hon. Keith D. Davis  Superior Court Judge, San Bernardino County  8303 Haven Avenue  Rancho Cucamonga, CA 91730  ph: (909) 285-3753 (Admin. Assistant)  e-mail: <a href="mailto:kddavis@sb-court.org">kddavis@sb-court.org</a>  Judge: 2006-2009, 2009-2012  Judicial Council</p>
<p>Christina S. Stokholm  Law Offices of Mark Pachowicz  771 East Daily Drive, Suite 230  Camarillo, CA 93010  ph: (805) 987-4975      fx: (805) 987-4980  e-mail: <a href="mailto:christina@pachowicz.com">christina@pachowicz.com</a>  Attorney Member: 2011-2012  Board of Governors</p>	<p>Hon. Faye D'Opal  Superior Court Judge, Marin County  P.O. Box 4988  San Rafael, CA 94913-4988  Cell: (415) 497-4209; (415) 444-7258 (Chambers)  e-mail: <a href="mailto:faye_dopal@marincourt.org">faye_dopal@marincourt.org</a>  Judge: 2011-2014  Judicial Council</p>
<p>Judge John A. Sutro, Jr., Retired  P.O. Box 641  Kentfield, CA 94914  ph: (415) 453-5878      fx: (415) 453-4465  e-mail: <a href="mailto:jasutro@msn.com">jasutro@msn.com</a>  Attorney Member: 2010-2013  Board of Governors</p>	<p><u>Hon. Maria P. Rivera</u>  <u>Justice, First District Court of Appeal</u>  <u>350 McAllister Street</u>  <u>San Francisco, CA 94102-4712</u>  <u>ph: (415) 865-7240      fx: (415) 865-7309</u>  <u>e-mail: <a href="mailto:maria.rivera@jud.ca.gov">maria.rivera@jud.ca.gov</a></u>  Judge: 1999-2001 Justice: 2002-2013  Judicial Council</p>

**Attachment C**  
**EAF Grant Agreement**

GRANT AGREEMENT

THE STATE BAR OF CALIFORNIA

LEGAL SERVICES TRUST FUND PROGRAM - EQUAL ACCESS FUND

This Grant Agreement is made as of October 1, 2011, (the "Effective Date") between The State Bar of California ("State Bar"), a California public corporation, and «PGNM27», a California nonprofit corporation ("Recipient").

RECITALS

Pursuant to California Business and Professions Code Section 6210-6228 (the "Act") and the Budget Act of 2011 (Statutes 2011, chapter 33, §2, item No. 0250-101-0001, schedule (8), provision 1, and item No. 0250-101-0932, schedule (8), provision 8, (the "Budget Act")) and Rules of the State Bar of California, Title 3, Division 5, Chapter 2 regarding the Legal Services Trust Fund Program (the "Rules") and The State Bar of California Legal Services Trust Fund Program General Grant Provisions (the "Grant Provisions"), a Legal Services Trust Fund Program ("Program") has been established in the State of California and will administer an Equal Access Fund ("Fund").

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

In reliance upon the representations and agreements made in the Application Materials, State Bar has determined that Recipient is eligible for a grant under the Program and the Fund for the period commencing on October 1, 2011 and ending on September 30, 2012 ("Grant Period").

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

AGREEMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Recipient: «PGNM26»  
«PGA126»  
«PGA226»  
«PGCY26», «PGST26» «PGZP26»  
Attention: «PGNM28»  
«PGTL28»

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

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

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

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

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

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

THE STATE BAR OF CALIFORNIA

RECIPIENT

By \_\_\_\_\_  
Robert Hawley  
Deputy Executive Director

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

DATE: \_\_\_\_\_, 2011

DATE: \_\_\_\_\_, 2011

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

By \_\_\_\_\_  
Name \_\_\_\_\_  
Chairperson

DATE: \_\_\_\_\_, 2011

DATE: \_\_\_\_\_, 2011



## List of Grant Allocations 2012-2013

Program Name	2012-13 IOLTA Grant Amount	2012-13 IOL-Formula EAF Grant Amount
AFFORDABLE HOUSING ADVOCATES	\$ 8,434	\$ 11,576
AIDS LEGAL REFERRAL PANEL	\$ 12,266	\$ 16,833
ALAMEDA CO BAR VOLUNTEER LEGAL SERVICES	\$ 21,509	\$ 29,520
ALAMEDA COUNTY HOMELESS ACTION CENTER	\$ 41,640	\$ 57,149
ALLIANCE FOR CHILDREN'S RIGHTS	\$ 170,439	\$ 234,954
ASIAN LAW CAUCUS	\$ 20,711	\$ 28,427
ASIAN PACIFIC AMERICAN LEGAL CENTER	\$ 222,219	\$ 306,894
ASIAN PACIFIC ISLANDER LEGAL OUTREACH	\$ 25,737	\$ 35,322
BAY AREA LEGAL AID	\$ 210,221	\$ 288,521
BENCHMARK INSTITUTE	\$ 72,857	\$ 99,994
BET TZEDEK LEGAL SERVICES	\$ 313,630	\$ 433,013
CALIF. ADVOCATES FOR NURSING HOME REFORM	\$ 72,857	\$ 99,994
CALIF. RURAL LEGAL ASSISTANCE FOUNDATION	\$ 72,857	\$ 99,994
CALIFORNIA INDIAN LEGAL SERVICES	\$ 93,753	\$ 128,733
CALIFORNIA RURAL LEGAL ASSISTANCE, INC.	\$ 953,070	\$ 1,308,057
CALIFORNIA WOMEN'S LAW CENTER	\$ 72,857	\$ 99,994
CASA CORNELIA LAW CENTER	\$ 70,781	\$ 97,145
CENTER FOR HEALTH CARE RIGHTS	\$ 57,324	\$ 79,203
CENTER FOR HUMAN RIGHTS AND CONST. LAW	\$ 72,857	\$ 99,994
CENTRAL CALIFORNIA LEGAL SERVICES	\$ 438,650	\$ 602,032
CENTRO LEGAL DE LA RAZA	\$ 14,104	\$ 19,357
CHAPMAN UNIVERSITY FAMILY VIOLENCE CLINC	\$ 18,454	\$ 25,328
CHILD CARE LAW CENTER	\$ 72,857	\$ 99,994
CHILDREN'S RIGHTS CLINIC	\$ 13,615	\$ 18,724
COALITION OF CALIF. WELFARE RIGHTS ORGS.	\$ 72,857	\$ 99,994
COMMUNITY LEGAL SVCS. IN EAST PALO ALTO	\$ 19,087	\$ 26,196
CONTRA COSTA SENIOR LEGAL SERVICES	\$ 10,131	\$ 13,904
DISABILITY RIGHTS CALIFORNIA	\$ 925,381	\$ 1,271,746
DISABILITY RIGHTS EDUC. AND DEFENSE FUND	\$ 72,857	\$ 99,994
DISABILITY RIGHTS LEGAL CENTER	\$ 117,654	\$ 161,989
EAST BAY COMMUNITY LAW CENTER	\$ 56,494	\$ 77,535
ELDER LAW & ADVOCACY	\$ 54,202	\$ 74,392
FAMILY VIOLENCE LAW CENTER	\$ 16,149	\$ 22,164
GREATER BAKERSFIELD LEGAL ASSISTANCE	\$ 205,886	\$ 282,572
HARRIETT BUHAI CENTER FOR FAMILY LAW	\$ 16,753	\$ 116,360
IELLA LEGAL AID PROJECT	\$ 42,849	\$ 58,809

IMMIGRANT LEGAL RESOURCE CENTER	\$ 72,857	\$ 99,994
IMPACT FUND	\$ 72,857	\$ 99,994
INLAND COUNTIES LEGAL SERVICES	\$ 511,722	\$ 702,320
INNER CITY LAW CENTER	\$ 86,655	\$ 119,728
INSIGHT CENTER	\$ 72,857	\$ 99,994
LA RAZA CENTRO LEGAL	\$ 20,445	\$ 28,060
LAW FOUNDATION OF SILICON VALLEY	\$ 123,208	\$ 169,100
LAWYERS' COMMITTEE FOR CIVIL RIGHTS	\$ 43,984	\$ 60,366
LEARNING RIGHTS LAW CENTER	\$ 26,665	\$ 36,842
LEGAL AID FOUNDATION OF LOS ANGELES	\$ 554,317	\$ 765,879
LEGAL AID FOUNDATION OF SANTA BARBARA	\$ 50,714	\$ 69,603
LEGAL AID OF MARIN	\$ 17,040	\$ 23,386
LEGAL AID OF NAPA VALLEY	\$ 11,500	\$ 15,782
LEGAL AID OF SONOMA COUNTY	\$ 30,120	\$ 41,338
LEGAL AID SOCIETY OF ORANGE COUNTY	\$ 358,900	\$ 493,311
LEGAL AID SOCIETY OF SAN BERNARDINO	\$ 105,256	\$ 144,461
LEGAL AID SOCIETY OF SAN DIEGO	\$ 248,153	\$ 340,581
LEGAL AID SOCIETY OF SAN MATEO COUNTY	\$ 39,360	\$ 54,020
LEGAL AID SOCIETY-EMPLOYMENT LAW CENTER	\$ 141,215	\$ 193,906
LEGAL ASSISTANCE FOR SENIORS	\$ 21,371	\$ 29,330
LEGAL ASSISTANCE TO THE ELDERLY	\$ 6,039	\$ 8,289
LEGAL SERVICES FOR CHILDREN	\$ 38,257	\$ 52,506
LEGAL SERVICES FOR SENIORS	\$ 20,944	\$ 28,745
LEGAL SERVICES OF NORTHERN CALIFORNIA	\$ 509,638	\$ 699,462
LEGAL SVCS. FOR PRISONERS WITH CHILDREN	\$ 72,857	\$ 99,994
LOS ANGELES CENTER FOR LAW AND JUSTICE	\$ 40,743	\$ 56,293
LOS ANGELES CO. BAR ASSOCIATION PROJECTS	\$ 27,247	\$ 37,560
MCGEORGE COMMUNITY LEGAL SERVICES	\$ 36,593	\$ 50,223
MENTAL HEALTH ADVOCACY SERVICES	\$ 39,902	\$ 55,131
NATIONAL CENTER FOR YOUTH LAW	\$ 72,857	\$ 99,994
NAT'L HEALTH LAW PROGRAM	\$ 72,857	\$ 99,994
NATIONAL HOUSING LAW PROJECT	\$ 72,857	\$ 99,994
NATIONAL IMMIGRATION LAW CENTER	\$ 72,857	\$ 99,994
NAT'L SENIOR CITIZENS LAW CENTER	\$ 72,857	\$ 99,994
NEIGHBORHOOD LEGAL SERVICES	\$ 334,577	\$ 462,272
ONEJUSTICE	\$ 72,857	\$ 99,994
POSITIVE RESOURCE CENTER	\$ 16,326	\$ 22,407
PRISON LAW OFFICE	\$ 187,194	\$ 257,313
PRO BONO PROJECT SILICON VALLEY	\$ 38,517	\$ 52,862
PUBLIC ADVOCATES	\$ 96,591	\$ 132,720
PUBLIC COUNSEL	\$ 437,371	\$ 602,927
PUBLIC INTEREST LAW PROJECT	\$ 72,857	\$ 99,994
PUBLIC LAW CENTER	\$ 161,244	\$ 221,302

PUBLIC SERVICE LAW CORP. OF RIVERSIDE	\$ 53,728	\$ 73,739
SAN DIEGO VOLUNTEER LAWYER PROGRAM	\$ 83,123	\$ 114,083
SAN FRANCISCO BAR ASSOCIATION VLSP	\$ 47,952	\$ 65,812
SANTA CLARA COUNTY ASIAN LAW ALLIANCE	\$ 17,643	\$ 24,214
SANTA CLARA UNIV. ALEXANDER LAW CENTER	\$ 24,433	\$ 33,533
SENIOR ADULTS LEGAL ASSISTANCE	\$ 11,513	\$ 15,801
SENIOR CITIZENS LEGAL SERVICES	\$ 11,357	\$ 15,587
SENIOR LAW PROJECT	\$ 6,573	\$ 9,021
UC DAVIS SCHOOL OF LAW LEGAL CLINICS	\$ 38,952	\$ 53,459
USD SCHOOL OF LAW LEGAL CLINICS	\$ 65,286	\$ 89,603
VOLUNTARY LGL. SVCS. OF NORTHERN CALIF.	\$ 51,399	\$ 70,543
WATSONVILLE LAW CENTER	\$ 21,548	\$ 29,573
WESTERN CENTER ON LAW AND POVERTY	\$ 72,857	\$ 99,994
WORKSAFE INC.	\$ 72,857	\$ 99,994
YOUTH LAW CENTER	\$ 72,857	\$ 99,994
YUBA-SUTTER LEGAL CENTER FOR SENIORS	\$ 12,062	\$ 16,556
Totals	\$10,685,783	\$14,665,872

