



# The State Bar of California

## Advancing Access to Legal Services

The State Bar has provided leadership in advancing access to legal services for decades. A statutory change to the State Bar mission effective January 2019 states that access and inclusion are core to the Bar's public protection mission. Among the many ways we work to advance access are the following:

### Providing Significant Grant Support to Legal Aid in California

- Since 1984, the State Bar has disbursed approximately \$783 million for legal aid in California.
- In 2019, we will provide more than \$62 million in grants—up from \$50 million in 2018—to nearly 100 legal services organizations who provide free legal aid to low-income Californians. Funds come from:
  - **The Equal Access Fund:** \$20 million from the state General Fund and \$5 million from court filing fees annually.
  - **Interest on Lawyer Trust Accounts (IOLTA):** Interest from pooled attorney bank accounts that hold nominal or short-term client funds. Average daily balances in IOLTA accounts totaled almost \$4.8 billion in 2018.
  - **Deductions and Donations:** Received from law firms, lawyers, and the public. These include voluntary contributions and cy pres funds (class action residuals).
  - **Bank Community Stabilization and Reinvestment Grants:** In 2015 and 2016, the State Bar received approximately \$50 million from settlements by Bank of America and Citi with the U.S. Department of Justice. To date, the State Bar has allocated \$40.8 million to support 128 foreclosure prevention and community redevelopment projects.

### Increasing Access by Maximizing Grant Funds

- Since 1984, approximately 58 percent of State Bar legal aid grant funds have come from the Legal Services Trust Fund (IOLTA).
- IOLTA revenue depends on interest rates, which plunged in 2008 and remained low for 10 years.
- Under statute, attorneys are required to place IOLTA accounts in banks that pay IOLTA interest rates comparable to those paid to other depositors.
- The State Bar closely monitors bank remittances from IOLTA accounts. In 2018, we began recertifying the nearly 200 eligible financial institutions that offer IOLTA accounts. State Bar staff review IOLTA products to ensure that those interest rates comply with the requirements.
- These efforts, combined with rising interest rates, have yielded significant income growth: from a low of \$5 million in 2013 to \$21.5 million in 2018—and a projected \$39 million in 2019.

### Improving Access for Veterans and Vulnerable Populations

- For nearly a decade, the State Bar has partnered on free training for thousands of attorneys who provide pro bono help to California's nearly 2 million veterans, the largest population in the U.S.
- The State Bar provides online resources for attorneys, veterans, and their families. In 2018, we hosted a summit with select veterans' legal services providers and issued a report that recommended ways to better coordinate and innovate in addressing veterans' civil legal needs.

- We conduct outreach campaigns targeting legal needs in emergencies. For example, during the last two years of California wildfires, we recruited and trained pro bono attorneys; coordinated efforts with FEMA, national and local bar associations, legal services organizations, law schools, and the private bar; and issued fraud alerts in three languages for wildfire victims.
- Another current outreach and coordination campaign addresses the legal needs of immigrants. With new federal policies causing increasing alarm, we have responded with multilingual forms for reporting legal services fraud and attorney complaints and compiled a directory of legal aid support resources for immigrants.
- A similar outreach campaign provided resources for victims of the foreclosure crisis.

### **Undertaking California’s First Justice Gap Study**

- The justice gap is the gap between the need for civil legal assistance by low- and moderate-income Californians and available resources.
- To understand the current landscape, needs, and opportunities, enabling us to target efforts to increase access, the State Bar launched the first-ever California Justice Gap Study in early 2019.
- The year-long study includes a survey of Californians, an intake census by legal aid providers, and an evaluation of the costs of legal education impacting access to legal services.

### **Expanding Pro Bono**

- The State Bar funds legal services organizations who train and support pro bono attorneys.
- We also publish a directory of pro bono service opportunities and waive membership fees for eligible attorneys doing pro bono work.

### **Certifying Lawyer Referral Services**

- The State Bar helps Californians access reputable legal help by certifying lawyer referral service organizations.
- The 44 currently certified lawyer referral services together provide access in all 58 California counties.
- Certification protects the public by establishing minimum standards for participating attorneys and ensuring appropriate quality control measures for all lawyer referral services.
- The State Bar recommended changes to certification rules with the goal of reducing or eliminating barriers to access; these rule changes were approved by the California Supreme Court effective March 1, 2019.

### **Launching a Legal Tech Task Force**

- The State Bar’s groundbreaking Task Force on Access Through Innovation of Legal Services is studying whether regulatory changes are needed to better support and/or regulate the expansion of access through the use of technology.
- Scheduled to complete its work by December 2019, the task force’s recommendations will balance the dual goals of public protection and increased access to justice.