



2022

CALIFORNIA ACCESS TO JUSTICE COMMISSION

ANNUAL REPORT



Table of Contents

03

The Access
Commission's
Year in Review

04

A Message from
our Chair

05

Innovation &
Infrastructure
Grants and
Eviction Tsunami
Grants

06

Tax-Advantaged
Loan Repayment
Assistance
Program

07

Social Media
Messaging to
Narrow the
Knowledge Gap

08

Connecting Urban
Pro Bono Lawyers
with Rural Small
Business Clients

09

Webinars and
MCLE Programs

10

Our Strategic Plan
for 2023-2025

11

Commissioners
and Staff

12

Thank you



Our Year in Review

The California Access to Justice Commission broke new ground in 2022.

- With funding from the State Budget Act and The California Endowment, we made grants for the first time. Our State-funded Infrastructure and Innovation grants obtained \$5,000,000 to strengthen legal aid nonprofits and start new forms of legal help for low-income Californians. Our Eviction Tsunami grant program used \$750,000 to enable seven urban programs to partner with community organizations to reduce homelessness and mitigate its effects. This report provides detailed information about the immense good these grant programs did for people throughout California. We are deeply grateful to the State of California and to The California Endowment.
- Following our policy paper, **Legal Aid Recruitment, Retention, and Diversity**, we designed a program for tax-exempt Loan Repayment Assistance Programs for legal aid lawyers and we provided a series of webinars on how to obtain Public Service Loan Forgiveness. Together, these new projects can help enable legal aid nonprofits to overcome critical economic barriers to hiring new lawyers and retaining many who will stay in legal aid if they can afford it.
- With support from the State Bar of California, we have developed social media messages to overcome the Knowledge Gap – when people don't know they have legal rights and remedies, or don't know where to find help – on access to medical care and coverage. We are testing this new communication channel with Californians in all income categories and different locations.

We also conducted a planning process in 2022 that has resulted in a new **Strategic Plan for 2023 – 2025**. It will focus our work and enhance our impact in lowering barriers to access in the courts and making broader use of E-Justice to help Californians with legal problems – among other priorities.



Lawyers and judges are not the only ones responsible for envisioning and realizing a more open and equal legal system. The Access Commission was founded on this insight, and has operated for more than 25 years to bring together representatives of many constituencies to enhance equal access to justice for all Californians.

The dry words “civil justice system” describe vital dimensions of the world we inhabit together. Whether our families stay together and how and when they separate is bound up in our legal system – a part I inhabit as a Family Law judge. Whether we can be required to leave our housing, whether and how we can get needed health care, whether we can be bound by debts we may not have realized we were incurring – these are aspects of the “civil justice system.”

Our complex and wide-ranging relationships involve many legal rights, obligations, rules, and procedures. Unavoidably, lawyers are required to deal with many issues. But if we had to depend solely on paid lawyers to maneuver the legal dimensions of our world, we would be leaving out a huge portion of our population. Californians are fortunate, however, to have a state government that recognizes this, and is willing to fund lawyers to help some of the people whose incomes are too low to afford hired lawyers. The Access Commission supports legal aid nonprofits and works to extend their reach and enhance their effectiveness.

Legal aid is crucial, but not enough. Middle-income people also can't afford lawyers for many legal issues in their lives. The Access Commission works to create and strengthen other parts of a continuum of service – courts and dispute resolution institutions that are open to and can be understood by self-represented people, use of supervised nonlawyers to extend the reach of sources of legal help, self-help education and assistance extending beyond the courts, digital tools that can help people maneuver many legal issues effectively (and recognize when they need more help).

We are proud of the impact that the California Access to Justice Commission has had, and continues to have, in making the legal dimensions of California more maneuverable, open, and fair to all.

Judge Mark Juhas

Innovation & Infrastructure Grants



California legal aid organizations are chronically underfunded, as detailed in our 2022 report, ***Legal Aid Recruitment, Retention, and Diversity***. One consequence is that legal aid -- quite properly -- tends to devote as much money as they can bring in to serving current client needs. This can weaken the organizations in the areas of technology, systems upgrades, and other forms of “infrastructure.” It can also – again, quite properly – cause legal aid organizations to postpone or forego new projects that promise expanded or higher quality client service, but require a front-end investment.

The State of California addressed these chronic issues by appropriating \$5 million, from which the Access Commission funded 47 Infrastructure and Innovation Grants to nonprofit legal aid organizations. These grants have far-reaching impact, and serve a range of constituencies:

33 serve rural communities; 36 serve immigrants; 24 include partnerships with community-based organizations; 17 are statewide; 16 in SoCal; 16 in NorCal; and 5 in the Central Valley.

A new feature is funding 11 legal aid nonprofits that are not IOLTA recipients.

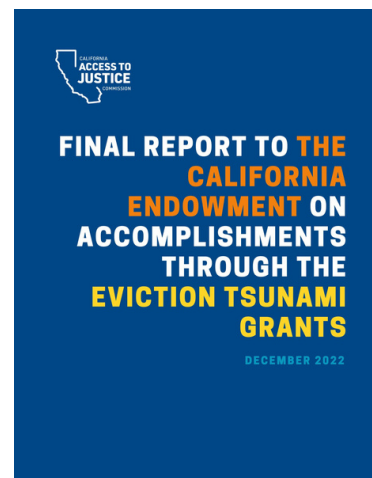
The Access Commission is now working now on selecting the next round of grants for 2023. The high quality of the applications shows that Californians are well served by continuing the Infrastructure and Innovation Grant program. [The most recent detailed report on the 2022 grants is here.](#)

Eviction Tsunami Grants

Responding to the prospect of homelessness, and consequent disruption and suffering especially for BIPOC and people in low-income communities, The California Endowment provided the Access Commission with \$750,000 to make grants in urban areas.

During the grant year, increases in eviction cases were as high as 250% of the level before the COVID-19 moratorium. Communities of color and other low-income or marginalized populations were hit hardest by the pandemic, and their families were the slowest to recover economically.

With these grants, seven legal aid nonprofits have been able to increase and restructure staff to provide more housing assistance, increase pro bono services, and most importantly, deepen community partnerships. They empowered tenants in low-income BIPOC communities, uplifted community partners, and freed up attorneys to increase representation in eviction cases. Communities served have been in Alameda, Contra Costa, San Mateo, Sacramento, San Francisco, Los Angeles, and San Diego Counties. [Detailed reports on these programs are here.](#)





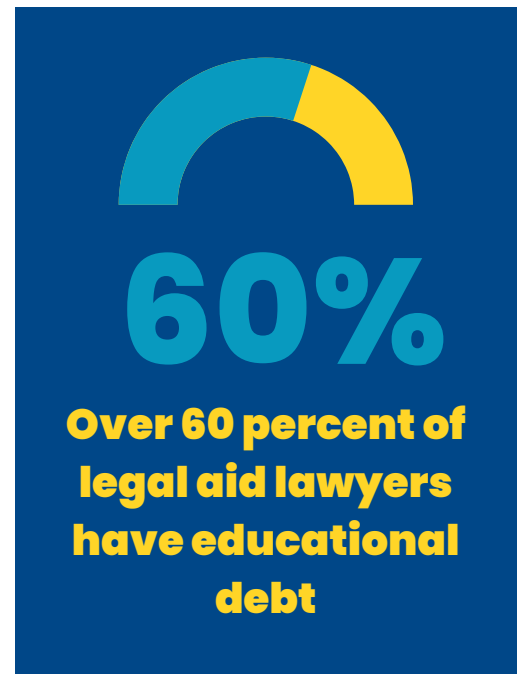
Tax-Advantaged Loan Repayment Assistance Program

Legal aid nonprofits face serious difficulties recruiting and retaining attorneys. Often, job openings can stay unfilled for months, and the burden of student loan debt compounds low compensation. Over **60 percent** of legal aid lawyers have educational debt, with the median amount being between \$125,000–\$149,000, and more than a third having \$200,000–\$300,000 or higher. The problem is even worse for legal aid lawyers of color with a median educational debt range of \$200,000–\$225,000 (2014 to 2018 graduates). Combining a tax-advantaged LRAP program with the revised federal Public Interest Loan Forgiveness program, lawyers at participating California legal aid organizations would know their federal student loans would be taken care of without cost to them if they stay in the job for ten years. This could be a powerful answer allowing the recruitment and retention of many lawyers who would work for legal aid if they could afford it.

Working with a national expert, the Access Commission designed a loan repayment assistance program (LRAP) that could cover and then forgive student loan principal and interest payments obligations in a way that would not be included in taxable income to the borrower. This option removes a weakness of many current LRAPs—the fact that

recipients otherwise must pay taxes on deemed income that they did not receive in cash.

In 2022 we sought State funding for such an LRAP program. When the \$55 million amount approved by the Legislature was not retained in the final budget, we created a plan for legal aid organizations to provide LRAP benefits that will not be taxable to the lawyers whose loans are covered. We will seek funding for the administrative costs of that program so that it can operate as a pilot to demonstrate the feasibility of a statewide tax-advantaged LRAP.



Social Media Messaging to Narrow the Knowledge Gap



A 2019 study by the State Bar addressed the Justice Gap – the shortfall between legal help and legal need in California. One component is known as the **Knowledge Gap: When people face a serious life problem and don't know that it is a legal problem, or don't know where and how to get effective help.**

The State Bar of California contracted with the Access Commission to engage communications consultancy, Media Cause, and create, disseminate, and test messages addressing a Knowledge Gap issue – legal support for people who need to obtain health care. Although other media could be used, the project uses social media because the messages can be targeted, and the cost of running and testing the effectiveness of the messages is much lower.



Messages are now running in English and Spanish on Facebook and as web-based advertising in selected geographic areas where legal aid nonprofits in the Health Consumer Alliance are serving the people who respond. Respondents who click on the ad are connected to a landing site where their answers to questions are transmitted by email to a legal aid intake – operating without a cap on income eligibility for this subject matter.

At the March 2023 meeting of the State Bar Board of Trustees, we will report on the results, cost, and effectiveness of reaching people in this way. We will address whether such messaging could benefit people affected by other Knowledge Gap issues, perhaps using a similar theme – such as “We’re fluent in []” -- that might become recognizable across different subject matters as a flag for a life problem that has a legal aspect, for which no-cost or low-cost help is available.

We thank the State Bar of California for supporting this potentially important study.

Connecting Urban Pro Bono Lawyers with Rural Small Business Clients

California's biggest cities have among the highest percentages of lawyers to residents in the world. They also have among the best pro bono legal cultures, and private lawyers' free legal work substantially adds to the capacity of legal aid nonprofits to meet the needs of people who can't afford to pay for a lawyer.

But the story is entirely different in most of California's rural areas—such as in Lake County, where there are only 84 active members of the California bar; or Lassen County, with only 24 lawyers. Yet the need for free legal help is real in rural areas.

California Lawyers Foundation has funded a project in which the Access Commission connects urban pro bono lawyers and rural clients. Well-established urban pro bono organizations serve people of limited means who want to create or expand small businesses – Start Small Think Big and Legal Services for Entrepreneurs (of the San Francisco Lawyers' Committee) in the Bay Area, and Bet Tzedek and Public Counsel in Los Angeles. Before and during the pandemic, these programs developed the capacity to serve their urban clients virtually.

Establishing an effective urban/rural pro bono pipeline requires a presence on the rural end. Our coordinator, Mairi McKeever, has developed partnerships with economic development agencies and local chambers of commerce in several urban counties. (We are grateful to the California Chamber of Commerce, and appointing entity for the Access Commission, for its assistance.) Our pilot program supports intake staff – who work for the Central Valley Hispanic Chamber of Commerce – to conduct outreach and support small businesses in Stanislaus County who receive pro bono help from Start Small Think Big.

By June 2023, the Access Commission will report to California Lawyers Foundation on lessons learned for other programs to provide help from urban pro bono lawyers to rural clients.



Webinars and MCLE Programs



Public Service Loan Forgiveness with Heather Jarvis

- [Public Service Loan Forgiveness Expanded to Previously Ineligible Borrowers](#)
- [Public Service Loan Forgiveness: Questions & Answers](#)
- [Public Service Loan Forgiveness: FAQs](#)



MCLE Programs with the California Lawyers Association:

- [Pro bono opportunities serving small businesses and entrepreneurs](#)
- [Use of Limited Scope Practice in Family Law](#)

The Access Commission was able to offer more webinars in 2022 due in part to the support of the California Lawyers Association. In addition, we are grateful for partnering with national student loan expert, Heather Jarvis, who presented three fantastic webinars for legal aid lawyers on Public Services Loan Forgiveness.



STRATEGIC PLAN FOR 2023-2025

Our Strategic Plan for 2023- 2025

In 2022, the Access Commission engaged in a strategic planning process for the years 2023 – 2025. In addition to continuing our grant programs and LRAP initiative, we will: work so every litigant can obtain a transcript of court proceedings; work on “E-Justice” including remote court proceedings and use of technology to provide legal help to unrepresented and self-represented people; and continue to support funding for legal aid, court-based self-help centers, and County Law Libraries.


[Read our Strategic Plan here.](#)

The Plan identifies five subject matter areas in which we will work, and priorities within those areas:

- Access to Courts
- E-Justice: Leveraging technology in ways that enhance access and avoid creating new barriers
- Access to Lawyers
- Access to Other Forms of Help
- Narrowing the Knowledge Gap

Our Commissioners & Staff





Thanks to the **State Bar of California, California Lawyers Association, California Lawyers Foundation, the State of California, and The California Endowment** for their financial support of the Access Commission.

Our work is done mainly by unpaid volunteers: the members of the Access Commission and over one hundred others who participate in committee and working groups, who draft reports, letters, and website posts without compensation. We depend on and are profoundly grateful for these contributions of creativity, time, and effort.

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