

**Equal Justice Authority Board  
Minutes Board Meeting  
June 2, 2025**

- . Welcome
  - . The meeting was convened at 4:01pm by board chair Matt Baca and was conducted via Zoom.
  - . The following board members and staff were present:
    1. Matt Baca, Toni-Anne Nunez, Charlie Willman, Ceasar Jimenez, Allison Esser, Renzo Reategui, Lauren Peach, and Elise Bechthold (staff).
  - . No members of the public were present.
- . Approval of Minutes
  - . Allison made a motion to approve the minutes and Toni-Anne seconded. The minutes of the May 12, 2025, board meeting were approved with no changes.
- . Finance/Insurance Update
  1. Charlie updated the board that they do have insurance secured and paid for, but that the broker informed him it could take up to 30 days to receive the policies.
  2. Charlie updated the board that new deposits have been received in the EJA account but with no accompanying backup documentation. The deposits appear to be from the Court of Appeals. He and Elise are following up on this with the State Court Administrator's Office. Charlie also heard from Denver County Court that there was an error with the ACH form, so this month EJA will receive a physical check. Charlie is correcting the error and EJA should receive ACH transfers from Denver County Court going forward.
  3. Charlie and Elise tested the ACH process by utilizing the first quarterly payment (\$43,860) to the Colorado Access to Justice Commission. The process worked smoothly.
  4. EJA has a new General Operating Budget spreadsheet in the shared folder. Charlie reviewed the budget and his estimated calculations for interest accrual and expenses.
  5. Charlie suggested that the board hold a small amount of funds back from grant disbursement to meet any unforeseen financial board needs prior to the next round of incoming Equal Justice Fee funds. The board discussed this suggestion, and asked Charlie for the recommended amount. Charlie recommended a \$5,000 total - \$1,000 in checking and \$4,000 in savings. The board agreed this was a prudent suggestion. Charlie made a motion to hold back \$5,000 from grant disbursement and Toni-Anne seconded the motion. The board voted unanimously in support of the motion.
- I. Staff Update
  1. Elise suggested the board consider a late summer/early fall gathering to meet each other in person. This can be discussed in more detail at a future meeting.
  2. Elise created a reimbursement form for board members to utilize for expenses they incur as part of the role as board members. An example is for Judge Esser who traveled from Weld County to Denver County for a recent meeting of the

Grant Application Scoring Committee. The board discussed this and also agreed meals should be covered as needed when there is travel. Matt suggested the board consider adopting a policy similar to the Colorado Attorney General's Office that has set amounts for reimbursement. The board agreed to discuss this further at an upcoming meeting.

## II. Recusals

1. Toni-Anne requested a list of applicants to be read aloud. Elise read aloud the list of 32 applicants.
2. Lauren revisited what is required of the recusal policy. She clarified that a conflict constitutes being directly involved or working with an organization, having a current relationship with that organization, and/or if you feel you cannot vote fairly due to the relationship with that organization. Board members must both disclose the conflict to the board chair, then disclose it again when voting in a public meeting so it can be documented on public record in the meeting minutes. She recommended the individual with a conflict of interest then leaves the meeting by signing off the virtual platform or by entering a breakout room that is sequestered from the rest of the board.
3. Board members then disclosed any conflicts of interest they had:
  1. Toni-Anne – Has a conflict of interest with the Denver Bar Association due to recent employment.
  2. Charlie – He does not have a current relationship with Alpine Legal Services but has a historical connection dating back to when they were Garfield Legal Services. He does not see this as a conflict of interest as it has been many years since he has had a direct relationship with the organization and has no decision-making authority.
  3. Cesar – Has a conflict of interest with Community Economic Defense Project, as he is a member of their executive leadership team.
  4. Renzo – Has a conflict of interest with Integrated Community (CIIC) and Justice and Mercy Legal Aid Center (JAMLAC), as he works directly with both organizations. He also stated a conflict of interest with Better tomorrow, as he had a recent advisory committee role with them.
  5. Matt – Has a conflict of interest for both the Colorado Center for Law and Policy and for Alpine Legal Services.
  6. Toni-Anne asked if Charlie needed to recuse himself from the Denver Bar Association due to his role as incoming Colorado Bar Association President. Charlie stated this was not a conflict of interest, as he did not have a direct role with the Denver Bar Association's legal aid program.
  7. Matt asked the Grant Application Scoring Committee how they plan to bring forward a motion for a vote at the next meeting. Judge Esser outlined the proposed next steps, suggesting the board first determine what information they need to vote on the committee's recommendations. She offered that they could provide a simple spreadsheet that includes applicant names, their final score, and the estimated amount they are to receive.
    1. She asked if the board wanted to vote overall or individually on this data and how they foresaw recusals coming into question. The

board discussed this issue. Charlie stated that he thinks voting on the whole is best and that everyone should participate. Cesar suggested that if they vote individually, to order it to begin with organizations that required board member recusals. After further discussion, Matt suggested that the full board votes on the recommendations and processes of the committee. If anyone votes no, then they can move to an individual voting method, with the facilitation of recusals. Lauren agreed and felt that this was the most objective way, sharing that the committee will also detail their process before the vote to ensure everyone understands the approach. The board agreed to this approach for voting next week, with the caveat that everyone will still put their conflicts of interest on the record prior to the vote.

### III. Application Reviewing/Scoring Discussion

#### 1. Overview

1. Elise provided an overview of the application reviewing and scoring process. The Grant Application Scoring Committee reviewed 32 applications and found 6 of them to be ineligible based on the statutory requirements. Each member of the Grant Application Scoring Committee reviewed and scored applications separately, then came together in a meeting to review scores and reach consensus. The committee reached a consensus on each application score. Additionally, the committee reached out to a handful of organizations for clarification on their answers.

#### 2. Pro Bono Attorney Discussion

1. Lauren reviewed a discussion the committee had on how to categorize pro bono attorneys in applicant scores. The committee determined that organizations who did not have any attorneys (employee attorneys, contracted attorneys, and/or pro bono attorneys) were not qualified for funding under the statute. However, they wanted to clarify with the board that they agree that funding organizations that only have pro bono attorneys is acceptable under the statute. Some applicants indicated they did not have funds to employ or contract with attorneys but had clearly defined relationships with pro bono attorneys. The Grant Application Scoring Committee suggested this be an area for clarity in future grant announcements, but at this time they recommend that pro bono attorneys should count under the funding decision.
  1. Toni-Anne shared that she agrees but does not think panels should count. Charlie said he reads the statute as allowing this, as it states an organization has to provide “legal representation and advice” and this can be done through pro bono attorneys. He emphasized the word “and” here, clarifying this must be done specifically through attorneys. Matt shared that he supported the approach the Grant Application Scoring Committee used and agrees with counting pro bono attorneys in the funding decision process.
2. Lauren also clarified that this impacted how attorney hours were counted and scored. For those who do not track attorney hours, they received a “0”

score on that question, but did receive scores for other categories. Judge Esser suggested that in award letters, EJA states that it is important to track attorney hours. Charlie and Matt agreed, but suggested the language state common issues seen in the grant application process to not identify any singular organization.

3. Charlie asked how the Committee intends to contact those who are not receiving funding. Elise shared Emo's suggestion of a phone call. Charlie liked that idea, but felt it was important to also have written documentation. Toni-Anne clarified that everyone should be notified at the same time.
  4. Matt expressed gratitude for the hard work of the committee.
- . Open Discussion
1. The next EJA Board meeting will be on June 9 at 3:00 p.m.
    1. Toni-Anne will be traveling out of state but will attend if she is able.
  2. Documents for Review for 6/9 Meeting
    1. Board members should plan to review the scoring spreadsheet, the draft approval letter, and the draft declination letter prior to the next board meeting.
- . Adjournment
- . The meeting was adjourned at 4:58pm.