



LEGAL SERVICES CORPORATION

Office of Program Performance

Draft Report

for

Program Quality Visit

to

LAUREL LEGAL SERVICES

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**Laurel Legal Services
Program Quality Visit Report**

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INTRODUCTION

The Legal Services Corporation (LSC) Office of Program Performance (OPP) conducted a Program Quality Visit (PQV) to Laurel Legal Services (LLS) in Greensburg, PA October 20 - 23, 2014. The LSC team consisted of Senior Program Counsel John Eidleman, who was team leader; Program Counsel Joyce McGee and Nancy Glickman; and LSC Temporary Employee Patrick McIntyre.

Program quality visits are designed to evaluate whether LSC grantees are providing the highest quality of legal services to eligible clients. In conducting the evaluation, OPP relies on the LSC Act and regulations, the LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid. The on-site evaluation was organized to follow the four Performance Areas of the LSC Performance Criteria, which covers needs assessment and priority setting; access to services and engagement with the low-income community; legal work management and the legal work produced; and program management including board governance, leadership, resource development, and coordination with the delivery system.

In conducting its assessment, the team reviewed the documents provided by the program to LSC, including recent applications for funding, technology and PAI plans, workforce analysis charts, and case services and other services reports. The team also reviewed materials requested in advance of the visit, including documents relating to board governance, intake, legal work and case management policies and systems, advocates' writing samples, and the results of an online staff survey.

On site, the team visited the program's five offices located in Greensburg, Clarion, Kittanning, Indiana and Johnstown. The team interviewed program leadership, management and administrative, advocacy, and support staff. The team also interviewed members of the board of directors, judges, other funders, community partner organizations, other state justice stakeholders, and bar representatives. Due to scheduling and time constraints, some of these interviews were conducted by telephone.

SERVICE AREA and PROGRAM OVERVIEW

Laurel Legal Services (LLS) is a legal services program that was initially established in 1967 as an Office of Economic Opportunity (OEO) program.¹ The program originated as a single office and eventually expanded to serve Armstrong, Clarion, Indiana, Jefferson, and Westmoreland Counties. In 2001, LLS opened an office in Cambria County after LSC reconfigured the service area. Today, LLS receives funding from LSC for service area PA-5 and provides legal services to the six counties from five offices.² Laurel Legal Services is a member of the Southwestern Pennsylvania Legal Services Consortium (the Consortium), which includes two additional LSC-funded programs, Neighborhood Legal Services Association (NLSA) and Southwestern Pennsylvania Legal Services (SPLAS). The Consortium was created in 1997 to foster

¹ The Office of Economic Opportunity was developed as part of President Lyndon B. Johnson's anti-poverty initiative which created a large number of new programs and services for the poor, including legal services.

² The five offices include Greensburg, PA (Westmoreland County); Kittanning, PA (Armstrong County); Clarion, PA (Clarion County); Indiana, PA (Indiana County); and Johnstown, PA (Cambria County). LLS' Brookville, PA (Jefferson County) office was closed on June 29, 2012.

collaboration and coordination of activities among the three programs. As such, the Consortium holds substantive law meetings, training sessions, and pools its collective resources together to conduct needs assessments.

Laurel Legal Services is located in the southwestern part of the state of Pennsylvania and the service area covers 4,453 square miles. The total population in the LLS service area is 719,655, with roughly 13.1 percent living in poverty, compared to 14.9 percent nationally.³ The median household income in the state of Pennsylvania is \$52,267 compared to the national median of \$53,406. The largest population with limited English proficiency within the LLS service area is the Spanish-speaking population, and the number of Spanish speakers is estimated to be 1,223. In LLS' service area, the poverty population estimate is 125,104. Approximately 87% of the poverty population is White, 6% is African American, 1% is Native Hawaiian/Pacific Islander, 1% is another race, 3% identifies as two or more races, and 2% is Hispanic/Latino.⁴

Laurel Legal Services delivers a full range of legal services from its five offices. Due to declining resources, the program closed its Jefferson County office in Brookville, PA on June 29, 2012. Services to Jefferson County are currently provided by a staff attorney from the Clarion County office, which neighbors Brookville. Legal services are provided through an integrated service delivery system that addresses housing, family law, public benefits, consumer law, and domestic violence.

The program's total funding for 2014 was approximately \$1,848,665. The program's LSC grant for 2014 was \$619,213 (34% of total funding), and its non-LSC funding was \$1,229,452 (66% of total funding).⁵ Since 2010, the program's total funding has decreased by almost 20 percent and its LSC funding alone has decreased by 23 percent.

Over the past five years, LLS has lost 57 percent of its staff. In 2009, LLS had 35 total staff, including 18 attorneys and three paralegals. At the time of the LSC visit, LLS's total staff was 20, including 10 attorneys (the executive director and technology director are included in this number) and one paralegal. The Armstrong, Clarion, and Indiana County offices are each staffed by a single attorney and one secretary and the Clarion office covers two counties (Clarion and Jefferson Counties). The Johnstown office, located in Cambria County, is staffed by a managing attorney, one staff attorney, and one secretary.

In 2007, LSC visited the program for a joint visit conducted by OPP and the Office of Compliance and Enforcement (OCE). At the time of the 2007 visit, LLS had 17 attorneys and one paralegal. This included the executive director and three managing attorneys who carried caseloads. The OPP team in 2007 made 34 recommendations relating to the quality of legal services provided to eligible clients, the effectiveness of its legal representation, and its leadership, management, and administration. Shortly after LSC issued its joint report to the program, funding started to decrease and continued on a downward trend through 2012. As such, the primary focus of the program has been on managing with declining resources. Many of the recommendations made as a result of the 2007 PQV were not implemented as the program had intended due to its declining resources and staff. In some cases, the 2007

³ American Community Survey Table B17001, 1-year estimates, 2012.

⁴ American Community Survey Table B17001, 1-year estimates, 2012.

⁵ LSC 2014 Program Profile, Laurel Legal Services.

recommendations are mirrored in this report.

SUMMARY OF FINDINGS

As a result of the significant reductions in revenue and staffing, Laurel Legal Services is struggling to meet the high demand of legal needs facing the client-eligible population in its service area. The program conducted a comprehensive legal needs assessment in 2003 with updated assessments conducted in 2008 and 2011. Despite these processes, the program does not ensure that its core priorities are being adhered to in each office nor has LLS adjusted its priorities to meet the emerging needs of the client community.

LLS could benefit from adopting strategies to increase the efficiency and effectiveness of the overall delivery of legal services. The program's challenges have been compounded because it has not kept pace with technology and intake developments, nor has it developed a strategic plan for the program. Attention to and improvements in each of these areas would likely significantly increase the program's efficiency and effectiveness.

LLS is governed by a committed and dynamic board of directors who meet regularly, however, the board does not have a member with significant expertise in accounting and has not conducted an evaluation of its executive director for years. The 30-person board has nine vacancies and it does not appear that the board exercises judgment independent of the executive director. Further, the board has not received an adequate new member orientation process nor does the board sponsor training on nonprofit board governance roles and responsibilities. In addition, the program does not have a leadership succession plan to address unplanned absences or planned departures for the program's leadership.

LLS' financial and human resources functions are strong and appear to be adequately staffed and well-functioning. However, the LSC team concluded that the program could be functioning at a higher capacity by developing mechanisms to evaluate the effectiveness of its legal service delivery, operations, management, and technology and making adjustments and improvements, as needed. In addition, the LSC team recognized consistent confusion throughout the program about the vision for the organization, which could be easily improved by strengthening internal communication through regular updates and meetings.

LLS provides quality legal services to individual clients in cases that are accepted for extended legal representation. The attorneys at LLS are generally well-respected by the judiciary and within the legal community and service area. In light of declining revenues and the program's historical practices; and because of the LLS staff legal expertise, extended legal representation provided to clients from individual offices varies greatly throughout the program.

It appears that the supervision of attorneys and legal work is limited and not uniformly applied throughout the program. LLS is not proactively engaged in a strategic approach to legal work management program-wide. Advocates attend statewide trainings as needed, but funding for national trainings is non-existent. Private attorney involvement is managed differently in each of LLS' six counties, but includes the utilization of pro bono attorneys, reduced-fee attorneys, and

contract attorneys.

A number of advocates attend senior fairs and community agency meetings, however, participation is limited in scope and reserved for managing attorneys. As a member of the Consortium, LLS participates in statewide and regional legal assistance delivery systems and has close working relationships with the two other partner programs. The program functions as an integral part of the Consortium, coordinating activities on a regional scale to maximize its services to clients in common endeavors, while acting autonomously on issues unique to its client population.

FINDINGS, CONCLUSIONS, and RECOMMENDATIONS

PERFORMANCE AREA ONE. Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs.

Legal Needs Assessment

Finding 1: LLS completed a comprehensive legal needs assessment in 2003 and updated legal needs assessments in 2008 and 2011.

In 2003, the Consortium, which includes LLS and two neighboring legal service programs, used *The Resource for Great Programs*⁶ to assist in conducting a comprehensive legal needs assessment of the 14 counties it collectively serves in southwestern Pennsylvania. The 2003 comprehensive assessment included: 1) meetings with legal service providers, law school representatives, and stakeholders; 2) an analysis of the service area's demographic data using the 2000 census; 3) an analysis of other survey data available, including an ABA study of legal needs of the poor and a 1990 Pennsylvania legal needs study as applicable to the Consortium service area; 4) interviews with legal services personnel, stakeholders, judges, members of the bar, and community leaders of agencies working with the low-income population; 5) focus groups for low-income residents, community members, human service providers, board members, and others in each county served by the Consortium; and, 6) strategic planning sessions with the Consortium executive directors and fundraising experts. The program conducted updates in 2008 and 2011.⁷

The current priorities for LLS were readopted in October 2013 by the board as part of an annual review of the program's priorities. At the October 2013 board meeting, the executive director

⁶ *The Resource for Great Programs* is a national corporation providing strategic research and information services to legal services programs and coalitions that provide access to the civil justice system for low-income people.

⁷ In 2008 and 2011, the Consortium again used *The Resource for Great Programs* to assist in conducting the updated needs assessments. The 2008 updated assessment included: 1) a working session at an all-staff retreat for the Consortium; 2) client surveys, which included former legal aid clients and members of the general low-income population; and 3) meetings in all 14 counties with community agencies. The 2011 updated assessment included: 1) a review of population and poverty trends; 2) interviews with staff leaders; 3) surveys of Consortium staff and board members; 4) surveys of client-eligible people; and 5) an analysis of priorities with an emphasis on realigning them with the most compelling needs of the client population.

reported to the board that the priorities remain the same as the prior year and the board voted to readopt them. The team noted that the program's priorities have changed very little over the years and notwithstanding the various assessments. The current priorities, which are the same as they were in 2003, are: 1) Securing and preserving safe, decent affordable housing for low-income people; 2) Protecting the safety, health and independence of low-income individuals and the stability of low-income families; 3) Providing economic stability for low-income children, families and individuals; and 4) Developing, financing and launching new collaborative initiatives that have a legal aid component and address critical, high-priority needs of low-income residents of Southwestern Pennsylvania.

At the time of the LSC visit, the Consortium was in the midst of negotiating a new contract with *The Resource for Great Programs* to conduct another civil legal needs assessment which is expected to include: 1) a survey of the low-income population; 2) interviews with community stakeholders, partner agency leaders, staff, and board members; and 3) a work-session focused on emerging legal needs at an annual Consortium all-staff retreat.

Recommendation I.1.1.1*⁸:

LLS should follow through on its plan to engage in a new comprehensive civil legal needs assessment in 2015. The program should consider the use of GIS mapping, focus groups, surveying, or any other methods available to assess the most pressing needs of its client community.

Strategic Planning

Finding 2: LLS has not engaged in a comprehensive organizational strategic planning process that involves input from the board, staff, clients, and community stakeholders.

In 2007, a strategic planning committee was formed to address a sudden increase in revenue that occurred too rapidly for adequate planning in fiscal year 2006-2007. The joint committee included board members from the fiscal and personnel committees, who met to develop a strategic plan. The joint committee developed six operating principles that addressed new office locations, maintaining a fund balance, expanding staff, reviewing salary scales, reviewing new projects, and resource development. The LSC team maintained that these operating principles do not necessarily equate to the value provided an organization when it engages in a program-wide strategic planning process. Such a process would involve a clear evaluation and analysis of all aspects of the organization.

⁸ Recommendations in this report will have a Roman Numeral to identify the Performance Area, followed by three numbers identifying, respectively, the Criterion addressed by the recommendation, the number of the finding, and a number designating whether it is the first, second, third, etc., recommendation under that finding. For example, III.2.14.3 designates Performance Area III, Criterion 2, Finding 14, third recommendation under finding 14. There are two levels of recommendations in this report. In your next grant renewal application or competitive grant application, your program will be required to report what it has done in response to Tier One Recommendations instead of submitting a full narrative. Recommendations that are indicated with an asterisk are Tier One recommendation and are intended to have a direct and major impact on program quality and/or program performance.

A strategic plan describes how the ends (goals) will be achieved by the means (resources). A strategic planning process looks at the overall health of an organization and sets short- and long-term goals to improve quality, efficiency and effectiveness in all areas within a program. The ultimate goal of strategic planning is to specifically articulate the program's mission and vision and provide a plan for implementation that reflects the program's resources and considers long-term sustainability. In addition, a program does not need to hire a consultant or spend a significant amount of resources to engage in and complete a strategic planning process. Programs can seek guidance from statewide or national legal services programs with strong strategic planning experience.

The LSC team found that LLS has not adopted strategies for its delivery approaches and its representation and advocacy that are calculated to achieve specified goals and objectives, and the program has not adopted strategies for increasing efficiency and effectiveness in administration, finance, human resources, technology, resource development, and programmatic units.

The LSC team interviewed all staff members and found them collectively to be overwhelmingly unaware of any strategic plan, vision, or goals for the future of the program.

Recommendation I.2.2.1*:

LLS should engage in an organizational strategic planning process over the next year that addresses delivering high quality legal services and expands the reach of the program. The board should hold the leadership of the program accountable for engaging in a strategic planning process. The strategic planning process should include input from management, board, staff, clients, and community stakeholders. The plan should address long-term sustainability in a proactive and efficient manner through short- and long-term goal-setting for all departments within the program, including programmatic units, administration, finance, human resources, technology, and resource development.

Recommendation I.3.2.1*:

Following the development of a strategic plan, LLS should conduct an all-day retreat to discuss implementation of the plan with all staff and board members and develop a mechanism for tracking progress and reporting the same regularly to its board of directors.

Evaluation and adjustment

Finding 3: LLS does not have mechanisms in place to recognize and address the emerging needs of its client population.

The LSC team found no evidence that program management is focused on identifying trends or that they regularly consult with stakeholders and members of the client community to determine emerging needs. Further, it does not appear that LLS holds regularly scheduled advocacy meetings to discuss emerging trends. The LSC team found that substantive law groups within the Consortium meet twice a year, but LLS attorneys do not meet on a regular basis in any manner.

LLS has identified four core priorities for the program (*i.e.*, housing law, consumer law, family law, and new funding collaborations), however, the LSC team noted that there appears to be no one person or team of people charged with the responsibility to ensure that these core priorities are being adhered to in each office, neither is there a system to evaluate whether the core priorities need adjustment to meet the emerging needs of the client community.

Some of the LLS staff members who conduct intake are tracking cases that they refer to other civil legal service providers, to the PAI program, to social service agencies, and other resources. They track these cases manually on a sheet of paper by substantive area, however this practice is neither efficient nor does it appear to be uniformly used throughout the program. Irrespective of this, the LSC team found that the receptionists and secretaries who conduct intake do not meet regularly to discuss matters or share information. Staff interviews generally reflected that the staff did not know if the information was collected for any particular purpose, nor how it is used within the program.

Finding 4: LLS does not have mechanisms in place to evaluate the effectiveness of its legal representation and advocacy (i.e., comparison of results achieved and outcomes intended).

Although LLS distributes client satisfaction questionnaires at the conclusion of cases, the LSC team found no indication that the information contained in the survey responses is analyzed or used in any way to evaluate the overall effectiveness of the services provided to clients. In addition, the LSC team did not find any evidence that management or staff meet to review internal or external data to determine the effectiveness of their work and focus on strategies for the delivery of legal services.

Recommendation I.4.3.1*:

LLS should develop mechanisms to recognize and address emerging needs between comprehensive legal needs assessments and/or updated assessments.

Recommendation I.4.4.1*:

LLS should research different ways to internally assess and evaluate the effectiveness of its service delivery strategies. To the degree possible, the program should develop a clear, standardized methodology that considers the analysis of case benefit data collected in its case management system.

Recommendation I.4.4.2*:

LLS should engage in ongoing evaluations of the effectiveness of its delivery strategies and make changes between needs assessments in program goals, objectives and strategies, where appropriate.

PERFORMANCE AREA TWO. Effectiveness in engaging and serving the low-income population throughout the service area.

Intake

Finding 5: LLS' intake structure is not centralized.

Intake is conducted independently in each of LLS' five offices. Each office has its own toll-free number for applicants to call. A receptionist or secretary prescreens applicants for citizenship, conflict, financial eligibility and case type. An applicant who calls an office will receive a return call from an advocate if advice and/or brief service is needed. If the applicant is in need of extended services, an appointment will be scheduled with an advocate. The same process exists for walk-ins, although on rare occasions a walk-in applicant may be able to meet with an advocate immediately, if available.

All offices are open for intake Monday through Friday from 8:30 a.m. – 5:00 p.m., except from 12:00 p.m. – 1:00 p.m., when they all close for lunch. In addition, LLS has a helpline open after hours on Tuesday and Wednesday evenings from 5:00 p.m.–8:00 p.m., which is staffed by one attorney each night. There is no mention of intake hours or the evening helpline on LLS' website.

The Kemps case management system used by the program is inconsistently used among the staff members conducting intake. The receptionist in one office generates the first intake document directly on her computer using Kemps, however staff in other offices first conduct intake on eligibility worksheets in writing and will enter the data into the Kemps system at a later time. When the team inquired about the veracity of this practice, the program maintained that staff and management found fewer errors when they conducted intake by hand as compared to when staff input information directly into Kemps. As such, the program continues to gather information manually on paper and enter it into Kemps to avoid errors. It appears that inadequate training on Kemps may account for the errors when the program attempted to institute change.

LLS' intake process is not adequately supervised to ensure consistency, efficiency and effectiveness. This was also the case at the time of LSC's 2007 visit to LLS. At the time of the 2014 visit, the program had still not identified a person to supervise its intake process program-wide. The program's intake manual specifically describes the intake process; defines case acceptance priorities; describes the process of opening an intake in the Kemps case management system; and defines the financial eligibility guidelines and exceptions for domestic violence cases. However, the intake manual provided to the LSC team prior to the visit is dated 2010, includes program priorities from 2007, and contains eligibility guidelines for 2008. In addition, the LSC team did not find any evidence that the receptionists and secretaries who conduct intake ever meet to collaborate, discuss matters, or evaluate the overall intake process. Further, as was found during LSC's 2007 visit to LLS.

In each of the offices, attorneys make the decision on which cases to take for extended representation often without conferring with a supervisor. Although some attorneys will confer with their supervisor on whether to accept an extended case or not, the practice is not required

nor is it commonly practiced throughout the program. In some cases, the receptionist and/or secretary conducting the initial intake assigns cases to attorneys. It does not appear that anyone is supervising whether the case acceptance guidelines are being adhered to in each office and whether there is consistency in following them program-wide.

Recommendation II.1.5.1*:

LLS should revise its intake manual to reflect its current program priorities, intake procedures, and eligibility guidelines.

Recommendation II.1.5.2*:

LLS should develop a process for daily supervisory review of intake applications program-wide to ensure intake is being properly conducted, that services are being provided expeditiously, and to identify recurring legal issues and emerging trends.

Recommendation II.1.5.3*:

LLS should convene regular meetings of all staff who conduct intake for training, collaboration, and to regularly evaluate its overall intake system.

Engagement with and Access and utilization by the low-income population

Finding 6: Most of LLS' offices are conveniently located near the courthouse and social service agencies and LLS has several offices that present challenges for access.

LLS' offices in Armstrong, Clarion, Indiana, and Westmoreland are conveniently located near the courthouse and other social service agencies. In Cambria County, LLS' office is located in Johnstown, which is the largest urban area in Cambria County. The Johnstown office is close to social service agencies, but the courthouse and center of county government is located in Ebensburg, which is 25 miles away. In Jefferson County, where LLS closed an office in 2012, applicants must travel to the Clarion office for assistance. The Clarion office is roughly 18 miles from Jefferson County. Public transportation is very limited throughout the service area making it difficult for applicants without a vehicle to get to each of these offices.

All of LLS' offices are accessible to disabled persons, but a few of them present challenges for disabled clients. Office signage is minimal and directions intended to assist disabled persons in finding accessible entryways are complicated. The Kittanning office lacks a waiting room and does not have proper space to meet with clients confidentially. Oftentimes, clients at the Kittanning office wait in a hallway outside of the secretary's office, where they can easily overhear client intake and client interviews in the secretary's and the attorney's adjoining office. The office in Clarion lacked any signage for how disabled persons could access the office. The Greensburg office has accessibility in the back of the office, but directions on the front door instruct a disabled person to travel around the block to locate its accessible entryway and to call the program for someone to open the door. In 2007, the LSC team found that the offices were well maintained, easily accessible, professional, and provided privacy for confidential discussions.

Recommendation II.2.6.1*:

LLS should review the conditions of each of its offices to ensure that they adequately provide a client-friendly atmosphere, ensure confidentiality, and are easily accessible to all clients,

Finding 7: LLS does not appear to provide a program of robust outreach to the client community.

While LLS staff members routinely attend senior fairs and various community agency meetings, they do not appear to otherwise engage in targeted outreach to the client community. In preparation for the PQV, LLS submitted a list of its 17 outreach activities for the past 24 months. The program listed 14 outreach events conducted in 2013 by three attorneys and one paralegal reaching an estimated audience of 892 people. By comparison, the program listed three outreach activities in 2014 (one of which had not occurred yet at the time of the visit) conducted by two managing attorneys and one paralegal reaching an estimated audience of 374 people. The outreach activities consist mostly of senior fairs and making presentations at various community social service agency meetings. Without the outreach to senior events, the program would have reached an audience of 277 through 14 events in 2013 and an audience of 20 through three events in 2014. The outreach list submitted to the LSC team did not include any domestic violence shelters, homeless centers, low-income housing complexes, or health care facilities. In addition, all but one of the 17 outreach activities listed for the past 24 months were conducted by managing attorneys or the program's one paralegal. There does not appear to be any off-site or alternative locations for intake.

Recommendation II.2.7.1*:

LLS should develop an outreach plan that focuses on expanding its outreach activities to include all staff attorneys and is targeted to client-centered locations throughout the service area.

PERFORMANCE AREA THREE. Effectiveness of legal representation and other program activities intended to benefit the low income population in the service area.

Legal representation.

Finding 8: LLS is staffed by a group of highly skilled and highly experienced advocates.

The program has been successful in retaining highly skilled and highly experienced attorneys despite its declining resources in recent years. At the time of the visit, four of the program's 10 attorneys had more than 30 years of legal experience; three attorneys had between 20 and 29 years of experience; and three attorneys had between 10 and 19 years of legal experience. The 10 attorneys at LLS average more than 25 years of legal experience and average more than 20 years of legal experience with LLS or one of its predecessor programs. The program's only paralegal, who handles public benefits cases program-wide, has almost 14 years of experience. Over the past five or six years, the program has experienced a significant reduction in staff from 18

attorneys and three paralegals in 2009 to 10 attorneys and one paralegal at the time of the LSC visit in October of 2014. As a result, the program has lost a lot of young attorneys.

The combined expertise of the staff covers a wide range of program priorities, including family law, housing law, public benefits, consumer law, and domestic violence. Some attorneys operate as generalists, however, due to decreases in funding and past practices from a time when there were more attorneys on staff, almost half of the current attorneys engage in specialized practice. Three LLS attorneys hold the position of chairperson on three substantive task forces for the Consortium, including public benefits, disability, and housing.

Finding 9: LLS provides quality services to individual clients in cases that are accepted for extended legal representation.

The LSC team interviews reflect that the legal work of the program is generally well-respected by the judiciary, the social service community, and agencies throughout the service area. Judges interviewed were familiar with LLS attorneys who appear before them and reported that LLS attorneys are professional, well-prepared and knowledgeable in their substantive areas of practice, and dedicated to their clientele. One judge reported that LLS fills a huge gap in legal representation for low-income clients and stated his courtroom would not function as well without the program in the picture.

The program's outcome data reflects that in fiscal year 2013, LLS clients received close to \$400,000 in back unemployment and SSI benefits through successful legal representation by LLS attorneys. Some of the writing samples submitted reflected aggressive advocacy, while others were more formulaic and routine in nature. The writing samples submitted to the LSC team prior to the visit were generally sufficient to meet the purpose for which they were intended and some could have benefitted from supervisory review. Staff interviewed stated that much of their work did not lend itself to involved written advocacy and there was little evidence of complex or impactful litigation, or cases handled beyond the lower trial court level. With the exception of bankruptcy cases, there was no evidence of federal court practice. The team found that case work was not reflective of the experience level of the attorneys.

Finding 10: LLS' supervision policies are limited in scope and supervision of attorneys and legal work is not uniformly implemented throughout the program.

The program's legal work supervision policies submitted to the LSC team include procedures for supervisory review of the opening and closing of cases. However, the policies are quite limited in providing guidance to supervisors for ongoing case supervision, case acceptance, and case assignment procedures.

Each one of LLS' offices has a designated managing attorney with supervisory responsibilities over the staff in those offices.⁹ Through interviews with staff, the LSC team found that the level of legal work supervision provided throughout the program varies among managing attorneys.

⁹ There are two managing attorneys located in the Greensburg office, one supervises the staff in the Greensburg office and the other one supervises the staff in the Clarion and Kittanning offices. A third managing attorney is located in the Johnstown office and supervises the staff in the Johnstown and Indiana offices.

Initial case assignments are often made by the receptionist or secretary who conducts the initial eligibility intake. It appears that no one supervises this step in the process. Attorneys who receive the assigned cases after the initial screening then decide the level of services that they will provide. It also appeared to the LSC team that no one supervises this step in the process. If the attorney decides to provide extended representation, an opening case memorandum is created and provided to the managing attorney for review. The managing attorneys also review case closing memoranda. LLS' policy requires written communication with clients at the close of their cases; however, it is unclear whether a supervisor is reviewing these documents to ensure they include a summary of the advice given or action taken on behalf of the client.

It is LLS policy to encourage attorneys to seek assistance from their managing attorneys, when needed. There is a formal policy that requires review of open cases twice yearly. This policy assists the program in addressing any dormant cases and sets a tone for appropriate case closing procedures. The LSC team found that managing attorneys do not follow these guidelines consistently throughout the program. Some staff reported that this was done quarterly. There appears to be no formal mechanism in place to monitor or review open cases, ongoing casework, or the managing of current caseloads. At the time of the visit, open caseloads for attorneys ranged as low as 20 to as high as 153. The LSC team also found that caseloads were inconsistent with advocate experience levels (*i.e.*, the highest caseloads are not necessarily carried by the more experienced advocates). Some managers appeared to take affirmative steps to assist their supervisees by routinely reviewing pleadings and/or accompanying them to a hearing, but this practice does not occur program-wide.

The LSC team found that the program does not take advantage of the valuable supervisory resources available to staff through the managing attorneys, who also carry their own caseloads. While all managing attorneys stated that they are accessible to assist staff attorneys in their legal work when needed, some staff attorneys reported that supervision of their legal work is only available when they proactively seek it. The general approach to supervision appears to be informal with the attorneys seeking out assistance from the supervisor rather than there being a formal, regular monitoring of the legal work.

Recommendation III.1.10.1*:

LLS should revise and clearly define legal work supervisory protocols, These protocols should include a requirement for regular review of case acceptance and case assignment procedures, along with mechanisms for ensuring that these policies are uniformly followed throughout the program.

Finding 11: LLS does not have a proactive and strategic approach to legal work management program-wide.

The LSC team found that LLS has not appointed any one person or team of people to review and assess the overall legal work throughout the program. As a result of declining resources, many attorneys with specific substantive expertise have left the program leaving gaps within the program in some areas of expertise. As such, the extended legal representation provided to clients from LLS' individual offices varies throughout the program. The LSC team found that each

office works independently and, as reflected in LLS' Case Service Reports (CSRs) for 2013 closed cases submitted to LSC prior to the visit, there is great disparity between counties in representation by case type. For example, of the 261 closed extended service cases in the Greensburg office, only five cases dealt with housing issues and there were no consumer cases. Comparatively, of the 256 closed extended cases in the Johnstown office, 57 were consumer cases and 35 were housing cases. This disparity exists even though Greensburg's poverty population (51,253) is twice that of Johnstown (25,744). Another example of disparity between offices is clear in the Indiana office, where 71% (65 cases) of its total extended cases were for SSI extended representation, a percentage that is far lower in other offices with much larger poverty populations (*i.e.*, 22% in Johnstown and 4% in Greensburg). An additional example of disparity noted by the team was the high percentage of family law cases within the Greensburg office. While 54% of *all* of its closed cases were in family law, almost 90% of its extended cases were family law related. The team found that the only two staff attorneys in Greensburg (Westmoreland County) spend most of their time working on Protection from Abuse (PFA) cases.¹⁰ Outside of the PFA cases, the staff attorneys in Greensburg provide brief advice in other cases. The chart below shows the disparities among the counties by case type. This highlights the need for a strategically thoughtful allocation of resources to ensure all case priorities are consistently covered throughout the program's entire service area.

Laurel Legal Services Extended Representation Cases (2013)

Office	Poverty Pop.	Housing	Family	Consumer	Income	Employment	Health
Greensburg, PA Westmoreland County	51,253	5	234	0	13	0	9
Johnstown, PA Cambria County	25,744	35	106	57	58	0	0
Indiana, PA Indiana County	19,258	3	23	0	65	0	0
Kittanning, PA Armstrong County	11,288	3	104	1	40	1	0
Clarion, PA Clarion County	8,488	3	93	3	9	0	0
Jefferson County (No office)	9,073	0	5	11	24	0	0
Total	125,104	49	565	72	209	1	9

The LSC team found that LLS attorneys do routinely ask others in the program for assistance on occasion, but they are not necessarily aware of what is being done in other offices. The program does not have an intranet to share information, does not have a brief pleading bank, and does not generate or disseminate program wide litigation reports. In addition, the LSC team found that the

¹⁰ The Greensburg staff attorneys interview PFA clients all day on Thursdays and appear in PFA court on Mondays and Wednesdays. Tuesdays and Fridays are used to prepare for PFA hearings. Through a subgrant with LLS, the Westmoreland Bar Foundation manages a Private Attorney Involvement program that primarily handles family and housing cases for LLS. The LSC team found that the WBF and LLS have an agreement that PFA's are excluded from the referral process, leaving LLS as the only entity providing assistance in PFA's. In addition, staff interviewed indicated that the program has pressure from other funders to make PFA's a priority.

program does not appear to have any office or program-wide calendaring/tickling system to provide appropriate back-up and oversight. Further, the LSC team did not find evidence that advocates are meeting to discuss trends, spot issues, and develop strategies to address trends and systemic issues.

Recommendation III.1.11.1*:

LLS should ensure consistent representation in all priority areas throughout all counties in its services area. Steps should include cross-training of advocates, seeking new sources of funding, and/or modifying existing grant coverage. The program is also strongly encouraged to meet with the bar, court personnel, funders, and/or appropriate stakeholders to address limiting staff assistance provided in Westmoreland County PFAs.

Recommendation III.1.11.2*:

LLS should create opportunities for attorneys to share knowledge, discuss emerging trends, and develop effective strategies to address recurrent systemic issues. In addition, LLS should provide internal training opportunities so that its attorneys can enhance their issue spotting skills outside of their specialized practice areas.

Recommendation III.1.11.3*:

LLS should establish a uniform tickler system for all offices to meet the requirements of its malpractice insurance carrier.

Finding 12: Training is made available to program staff through free Pennsylvania Bar Association CLE's, Pennsylvania Legal Aid Network, and the Consortium, but decreased funding has significantly limited the staff's participation in national training events.

The LSC team found that staff members frequently attend Consortium-sponsored training sessions and those offered for free through the Pennsylvania Bar Institute under the Pennsylvania Bar Association. Due to limited and declining financial resources, the program has been unable to send staff members to national trainings. Thus, training opportunities are limited. Some staff reported a need for cross-training of staff attorneys in certain substantive areas to fill gaps that have been created through the attrition of attorneys in recent years. They also expressed a growing concern that the program address the gaps that will soon be created when attorneys who are specialists retire,

Recommendation III.1.12.1:

When funding permits, LLS should provide a broader scope of professional development and training opportunities to its staff.

Finding 13: Statistics for LLS' closed cases per 10,000 poor persons reveal that they are in excess of the national median for LSC grantees.

In 2013, LLS closed 277 cases per 10,000 poor persons as compared to the national median of 211. The majority of LLS' closed cases were in the area of family law (54.4%), followed by housing (19.5%), income maintenance (14.5%), and consumer law (8.3%). The family law case closure percentage was some 20% in excess of the average for LSC grantees, resulting in commensurate lower closure percentages for housing, income maintenance and consumer. Most impressive, however, is the percent of extended work performed by the program in comparison to other grantees. While the LSC team did find (as discussed above) that there are great disparities between offices in types of extended cases closed, program-wide the overall closed extended cases is impressive. In 2013, close to half (49%) of LLS' closed cases were extended cases. In 2013, LLS closed 136 extended cases per 10,000 poor persons compared to the national median of 47. The program's contested closed case figure was 91 cases per 10,000 poor persons; more than triple the national median of 26.

Private attorney involvement

Finding 14: LLS' PAI plan includes the use of pro bono attorneys, contract attorneys, and reduced-fee attorneys and varies from county to county.

The Private Attorney Involvement (PAI) Plan for LLS includes the use of pro bono attorneys, contract attorneys, and reduced-fee attorneys. PAI is managed differently in each county.

In Westmoreland County, LLS has a \$30,000 LSC-approved sub-grant with the Westmoreland Bar Foundation (WBF), a group incorporated in 1991 that is supported by the Westmoreland Bar Association (WBA). With two full-time and one-part time employee on staff, the WBF uses the LSC-approved sub-grant to conduct intake screenings and refer income eligible clients to its Pro Bono panel or its Reduced-Fee panel, depending on where the client falls on the income spectrum.

The WBF receives cases either as a referral from LLS or directly through its walk-in office located at the courthouse. The courthouse office sees roughly 100 walk-ins each month. The WBF primarily handles family and housing cases for LLS. The WBF provides monthly reports to LLS, which are reviewed by LLS' executive director. LLS staff conducts onsite visits where they pull a sampling of cases on an annual basis to review. The Memorandum of Understanding (MOU) also allows for specific monitoring and oversight by the WBF of the LLS conflict cases. The WBF appears to have a great relationship with LLS and meets regularly with staff to discuss best practices, LSC compliance, and changes in case priorities.

In Cambria County, LLS refers mostly conflict cases to the pro bono program administered by the Cambria County Bar Association (CCBA). LLS pays the CCBA a flat rate of \$50 for every case referral where an LSC-compliant intake is completed and referred to a pro bono attorney. For conflict cases, CCBA conducts the eligibility screening as well. In addition, LLS pays CCBA a flat-fee of \$100 each month to answer calls directed to the CCBA pro bono telephone line. According to the CCBA coordinator, 95% of the cases they receive from LLS are custody or visitation conflicts. CCBA usually receives conflict referrals from LLS via facsimile and conducts eligibility screenings before referring cases to its pro bono panel. The CCBA coordinator stated that she refers approximately 100 cases per year to the pro bono panel and

keeps a running spreadsheet of referrals. In addition, the CCBA coordinator monitors the case status and case closures of all referred cases. At LLS, the executive director oversees the CCBA program by reviewing reports and conducting annual on-site visits.

In Indiana County, LLS was involved in the initial development of the county's pro bono program, which is entirely independent of LLS. The court in Indiana County hears PFA cases one day per week and, by agreement, the county's pro bono program handles PFA matters on three of the four PFA days each month and LLS handles PFA matters one day per month.

For conflicts cases, LLS has special procedures for referrals to the PAI programs. In Westmoreland County, all conflicts are referred to the WBF Pro Bono program, which determines eligibility and whether the case fits their priorities. An initial attempt is made to find pro bono counsel. If that attempt is not fruitful, the WBF will use LLS's PAI compensated attorney panel (without revealing the name of the client) and the intake and file will be maintained by the WBF. WBF reviews attorney invoices and forwards them to LLS for payment. In Cambria County, LLS manages conflict cases essentially the same way with the CCBA. In Armstrong County, conflict case applicants are sent to the Court of Common Pleas administrator and are given a form motion to take with them. The Court of Common Pleas appoints pro bono counsel for defendants in custody and plaintiffs in PFA matters. All other cases follow the procedures that are used in Clarion, Jefferson and Indiana Counties, where the applicant is referred to the WBF pro bono program. These procedures include the completion of an intake application and referral of the case to an attorney from the LLS PAI compensated attorney panel in the appropriate county.

In addition to the PAI programs in each county, LLS maintains its own panel of reduced-fee attorneys. These attorneys are used when the bar pro bono programs are otherwise unable to place a case. Attorneys on the compensated panel agree to be paid a rate of \$50 an hour; however, in some cases attorneys agree to take cases for a flat fee (*i.e.*, bankruptcy or divorce). Attorneys on LLS' compensated panel must agree to take one pro bono case each year through a local bar program or directly from LLS. Cases may reach this panel through a referral back from the WBF in conflict cases as mentioned above or through a request made by a managing attorney with the executive director's approval. Once approved, the actual referral is made by the appropriate staff member who conducted the initial intake. LLS' executive director oversees the LLS program and utilizes managing attorneys to help monitor and review these cases unless, of course, the case is a conflict that is monitored by the WBF. Roughly 40% of LLS' PAI budget is expensed to this compensated panel.

In 2013, LLS closed 407 PAI cases, of which 221 were pro bono cases and 273 were compensated reduced-fee cases. In 2013, the total closed PAI cases per 10,000 poor persons was 48.19 compared to the national median of 20. LLS closed 30.43 extended service PAI cases per 10,000 poor persons compared to the national median of seven. For contested cases, LLS closed 13.62 PAI cases per 10,000 poor persons compared to the national median of two. The vast majority of closed PAI cases in 2013 were in Westmorland County followed by Cambria County.

Recommendation III.2.14.1:

LLS should work to increase PAI involvement, both within and outside the program to assist in low-income delivery. For example, by replicating the current model used in Indiana County throughout the entire service area. In Indiana County, volunteer attorneys represent clients in PFAs.

Other program services and activities on behalf of the eligible client population.

Finding 15: LLS' other services consists primarily of community education through both locally generated in-person presentations and available web site information.

Since the beginning of 2013, LLS has conducted 17 presentations, with only a handful in 2014. The presentations included four senior fairs/expos, two client sessions at the annual meeting of the Consortium and 11 various community agency group meetings, including community action agencies and a domestic violence task force. There does not appear to be a coordinated or strategic focus to these presentations and the LSC team interviews with staff reflect that community presentations are locally generated by either request from an agency or through a connection from a staff member to an area organization. LLS's web site provides general information about selected family law issues, mortgage foreclosure, and tenants' rights and has a link to the more expansive PALawHelp.org website. The LSC team found that the program does not conduct any self-help or substantive law clinics anywhere throughout the service area.

Recommendation III.3.15.1*:

LLS should consider developing additional presentations and clinics in an effort to provide legal assistance to underserved clients throughout the service area.

PERFORMANCE AREA FOUR. Effectiveness of governance, leadership and administration.

Board governance

Finding 16: While quite committed to LLS' mission, the level of effectiveness of LLS's board oversight is inconsistent.

The LLS board members interviewed were obviously committed to the program's mission, and several of the essential elements of a dynamic, fully-engaged board are present, including regularly held full-board meetings with reasonably good attendance and detailed record-keeping, annual elections of officers, the existence of appropriate standing and ad hoc committees (Appeal and Grievance; Building; Bylaws; Development; Fiscal, Audit and Finance; Personnel; Private Attorney Involvement; and Strategic Planning), and active board participation in an annual fund solicitation campaign.

Client members are active participants on the board and LLS has adopted an innovative approach to the annual election of officers, which provides for the position of board chair to be alternated between a client-eligible member and an attorney member. The 30-member board provided for in the bylaws had nine board member vacancies at the time of the visit, including four attorney and

five client-eligible vacancies. Although there is a low level of racial diversity in the service area, two of the 21 board members are African American, which exceeds the ratio of minorities in the area. The LSC team was concerned about board practices in a number of important areas, including new board member orientation, the regular evaluation of the executive director, board member accounting expertise, and program succession planning. The board does not have a formalized process or materials for new member orientation nor is there ongoing training for current board members. Some substantive law training is provided to client board members at quarterly Consortium meetings, but no board members interviewed by the LSC team recalled ever having had training on non-profit board responsibilities and operations.

The LLS board is not formally evaluating the executive director of the program. The last evaluation of any kind occurred years ago as an informal assessment through the Personnel Committee. One board member interviewed stated that the program has been struggling with finances and declining resources, which has made it difficult to focus on an evaluation of the executive director. The LSC team noted that it does not appear that the board exercises judgment independent of the executive director.

The LLS board does not have a member with significant background or expertise in accounting or auditing. At the time of the visit, the current board treasurer and chair of the Fiscal, Audit, and Finance Committee was only on the board for 18 months. This board member has no prior non-profit board experience, and no relevant background experience beyond his undergraduate studies, which includes a minor in Economics.

Recommendation IV.1.16.1*:

The LLS board should conduct a 360-degree evaluation of the Executive Director and include input from other constituents, including LLS staff members and community stakeholders. Example of executive director evaluation processes used by other legal services program boards can be found at LSC Legal Resources Initiative website at www.lsc.lri.gov.

Recommendation IV.1.16.2*:

The LLS board should receive specific training on what the responsibilities of non-profit boards are and how they should operate.

Finding 17: LLS has not developed a written formal leadership succession plan.

Although LLS has many key staff approaching and considering retirement in the near future, the program has not initiated a process to formally address and prepare for the succession of key personnel. In addition, the program did not provide the LSC team with a leadership succession plan that would explain how program leadership would be transitioned in the event of an unplanned absence or emergency by the executive director.

Recommendation IV.2.17.1*

LLS should develop a clear and reasonable formal written leadership succession plan that includes planning for all categories of management throughout the program. Examples of leadership succession plans developed by other legal services programs can be found at LSC's Legal Resource Initiative website at www.lri.lsc.gov.

Leadership

Finding 18: LLS' leadership does not effectively inspire innovation and confidence and staff members are unclear as to the program's vision or future.

The leadership within the program consists of the executive director, a comptroller, and three managing attorneys who supervise six attorneys and one case handling paralegal. In the 2007 PQV, the LSC team found that the executive director, who is the same executive director today, does not ensure that the managing attorneys are following the policies and procedures of the program for legal work management and supervision and was not inspiring attorneys to expand their skills or engage in legal work that is appropriate for their experience levels. The LSC team found that this remained true on the visit in October 2014.

One of the key roles of leadership is to establish the vision of the program and to ensure that the staff understands that vision and are engaged in activities that aim to support and fulfill that vision. The LSC team found that a vision for the program was not universally held and had not been communicated to the staff, and that there appears to be no joint effort in fulfilling a vision. During interviews the LSC team found that many staff members were concerned about the lack of vision within the program, and many were very concerned about the program's future and long-term prospects. In addition, the LSC team heard a number of examples of staff members taking innovative ideas and personnel concerns to leadership that were either summarily rejected or entirely ignored. Further, the LSC team heard from several staff members that they believe merger with another Consortium partner would be welcomed.

Recommendation IV.2.18.1*:

The LLS board should ensure that a clear vision for the program is explored and articulated to provide staff and leadership with a shared and common direction for the future.

Overall Management and Administration, Financial administration,¹¹ and Human Resources Administration.

Finding 19: The program's management structure concentrates authority with the executive director and appears to be ineffective and inefficient.

As was found by the LSC team during the 2007 PQV, the LSC team in 2014 found the management team essentially consisted of the executive director, three managing attorneys, a comptroller, and an administrative secretary. The managing attorneys make decisions about the day-to-day operations of the offices and the executive director makes program-wide decisions, with input from the management team and the board, where appropriate. The management team does not meet on a regular basis, but interviews with management indicate that communications are handled through impromptu in-person meetings, telephone, and email. The program attempts to hold an annual all-staff meeting, but the LSC team heard inconsistent information from staff

¹¹ This Program Quality Visit was conducted by the Office of Program Performance (OPP) for the purposes set forth in the introduction. OPP findings and recommendations under this criterion are limited to staffing, organization and general functions. Assessment of fiscal operations is conducted by other offices at LSC.

members about whether all-staff meetings occur on an annual basis. As was found by the LSC team during the 2007 PQV, the LSC team in 2014 saw no indication of any system for evaluating the effectiveness of management operations to determine if those operations are functioning appropriately or if adjustments are required. The LSC team found that this is particularly troubling given the change in staff over the past five years due to declining funding streams.

Recommendation IV.3.19.1*:

The LLS board should employ a consultant to assess the effectiveness of the current management structure and operations and make adjustments, as necessary, to ensure future and efficiency of the program. In addition, the program's board should engage in periodic evaluations of management operations.

Recommendation IV.3.19.2:

LLS should hold quarterly management team meetings to discuss over-arching issues affecting the program.

Finding 20: LLS has experienced staff managing its fiscal operations.

The program's financial management functions are delegated to its comptroller and an administrative assistant. The comptroller, who has an accounting degree and is a licensed CPA, has almost 20 years of experience. She demonstrates a strong knowledge of generally accepted accounting principles and is familiar with the requirements of various funding sources. Annual audit reports do not reveal any significant problems or issues, but have on occasion contained management letter suggestions. These are always promptly and responsibly addressed.

The program maintains an accounting policies and procedures manual and its comptroller is well-versed and in its contents and internal control mechanisms. The comptroller and executive director provide regular budget reports, including the annual budget, to the board's fiscal, audit and finance committee for consideration and then recommendation to the full board. The program's technology in this area is adequate to support effective financial operations and reports.

Finding 21: LLS' human resources management appears to be adequate for a program of its size.

The program does not employ a human resources director. Responsibility for LLS' human resources administration is shared among the executive director, the managing attorneys, the comptroller and the administrative assistant. The benefits package offered by LLS includes health coverage, including vision and dental, life insurance; a prescription drug reimbursement plan; long- and short-term disability plans; vacation, parental, family emergency, and bar examination leave; and a tax-deferred annuity plan to which employees may contribute. The union contract is currently being renegotiated. The program does not regularly evaluate its staff and has not formally done so for many years.

Recommendation IV.5.21.1*:

LLS should conduct annual performance reviews of each staff member.

Internal Communication

Finding 22: LLS does not have a strong system for internal communications.

The distances between the program's regional offices in the service area makes it susceptible to gaps in communication. There appears to be no regular flow of information up or down in the organization. The staff does not receive updates on program issues, updates on substantive units within the program, or updates on accomplishments program-wide. The LSC team found that regular meetings are not held formally in any capacity (by office, by substantive unit, with managers, with intake, etc.). The LSC team received mixed responses from staff regarding whether an annual all-staff meeting is held each year. Some said they did meet and others said they have not met in years. The staff does typically attend an annual Consortium meeting, which may be the cause of confusion. In addition, it does not appear that the executive director visits the offices outside of Greensburg on a regular basis.

The team found there was a strong need for effective communication from the executive director. Although the LSC team did find that the executive director sends some communications through e-mail, fax and mail, it does not appear that these communications are keeping staff informed effectively. The LSC team also found that staff input is not sought for significant decisions. Consistently, the LSC team heard examples that included ideas for new projects, allocations of resources, fundraising ideas, and general suggestions about internal operations. The team heard that requests and ideas are virtually ignored by the program's leadership.

Over the past year, a number of changes to financial protocols have been implemented on a program-wide basis by the program's new comptroller. While there appears to be a need for some of the changes in that they are tightening fiscal controls, there is also staff confusion about why some of the protocols are being implemented and whether leadership supports the changes. As a result, the staff has felt disrespected and uniformed.

Recommendation IV.6.22.1*

LLS should schedule program-wide staff meetings to ensure effective and strong communication from the top down and bottom up. Where appropriate, LLS should consider ways to obtain input from staff in decision-making on matters related to service delivery issues.

Recommendation IV.6.22.2:

LLS' executive director should consider developing a regular e-mail communication to staff regarding accomplishments and updates on program-wide activities.

Recommendation IV.6.22.3:

Where appropriate, staff should be given input on changes made within the program and the rationale for any changes made should be appropriately explained and communicated to staff by leadership.

Technology

Finding 23: LLS has a wide array of long-standing technological challenges that adversely affect legal service delivery and program efficiency.

During the 2007 program quality visit, the LSC team found that LLS did not appear to make the best use of its limited technology. At the time of the 2014 LSC visit, this remained true. The LSC team found that the program does not devote appropriate resources to establish and maintain its technological infrastructure. The program's technology is in dire need of an upgrade. Many of LLS's computers are outdated, have not been upgraded and are not compatible systems supported by manufacturers, including Windows XP and Windows 2000. The LSC team found that some computers within the same offices do not have compatible software and staff must often switch from one workstation to another to meet their needs or they have to request assistance from others to accomplish needed tasks. It appears that many of the computers lack appropriate software to access court and/or other needed public documents.

While the program has appointed one managing attorney as the technology director, his role has been limited to researching equipment and seeking proposals for new equipment only to have his work thwarted due to funding and/or a change in direction within leadership. In addition to the technology director, the program contracts with an IT consultant to maintain its system and respond to technology problems. Many staff members reported that their computers crash numerous times throughout the day and that internet access is routinely slow. The LSC team heard many complaints about slow responses and sometimes no response from the IT consultant. One secretary reported that her computer crashes roughly 15 times per day and repeated requests to the IT consultant to fix the problem have gone unanswered. It was unclear to the LSC team who is responsible for holding the IT consultant accountable.

The program uses Kemps as its case management system and it appears that the software is not accessible to all staff members. Thus, those staff members cannot conduct routine tasks, such as entering cases notes in a file or running an individualized report. In addition, attorneys do not track their time contemporaneously through Kemps. Instead attorneys track their time in writing and a support staff member inputs it at a later time into the case management system. The program's leadership reported to the LSC team that they have fewer errors by using this two-step process. It appears that the staff has not received appropriate and/or ongoing training to access various system functions and reports that could be conducted in-house are outsourced on an hourly cost basis.

The program's phone system is also in dire need of an upgrade. The phone system is over 15 years old and staff reported that calls often drop off in the middle of conversations. The technology director reported that he had conducted research on several different phone systems and had worked on the project for over two years. However, a decision has not been made to purchase a new system. The executive director reported that the program plans to upgrade its phone system in the near future.

Recommendation IV.3.23.1*:

LLS should conduct a professional audit of all aspects of its technology structure and capacity and commence improvements to its technology systems. This would increase efficiencies to align with the technologies that should be in a legal aid office today (LSC's "Baseline Report"). LSC may have the capacity to find a pro bono expert to conduct an audit.

Recommendation IV.3.23.2*:

LLS should evaluate their internal and outsourced technological support and make adjustments, if necessary, to ensure appropriate support for maintaining a healthy technology infrastructure.

Disaster Planning

Finding 24: LLS has a good Disaster Recovery plan.

The LLS Disaster Recovery Plan addresses many of the key issues that need to be in a disaster plan. The plan itself identifies the benefits of having a plan, makes suggestions on maintaining a secure and safe work space, and identifies the need for staff to prepare for a disaster. Moreover, the plan includes the chain of command decision-making required for disaster situations, alternate work places in the event the office becomes unusable and communication with staff is affected after the emergency ends. Further, the plan includes procedures for the protection of critical records and the program's technology. The plan can be improved if the tasks and duties of the named supervisors were specified. For example, the Comptroller may be tasked with preserving critical records. As such, the plan could describe the specific duties involved in preserving records and how to accomplish those duties. Each critical task should have someone assigned, with a description of specific duties. The more specificity in the plan, the fewer decisions made during the actual disaster. Addressing these issues prior to a disaster can save critical time.

Recommendation IV.3.24.1:

LLS should review the American Bar Association publication, How to Survive a Disaster: A Lawyers Guide to Disaster Planning, to determine if its Disaster Recovery Plan can be improved. The LLS Disaster Recovery Plan should be revised to identify who would serve in critical roles and provide instructions on how to fulfill the tasks associated with their roles.

The publication is available at:

http://www.americanbar.org/content/dam/events/disaster.surviving_a_disaster_a_la_wyers_guide_to_disaster_planning.authcheckdam.pdf

General resource development and maintenance

Finding 25: LLS does not have a resource development plan.

At the time of the visit, the program did not have a resource development plan. It appears that the program has limited its resource development activities exclusively to expanding current

funding streams, and has met with some success in that regard. The LSC team found that board members are generally actively engaged in the annual bar campaign and there is interest within the board to be more engaged in development activities (particularly in organizing fundraising events). Although the program has seen declining resources over the past five years, little has been done through resource development to replace lost funding.

Recommendation IV.7.25.1*

LLS should create a resource development plan as a part of its strategic planning process. The plan should aim to diversify its funding with long-term sustainability as a major goal.

Participation in integrated legal services delivery system

Finding 26: LLS participates in statewide and regional legal assistance delivery systems.

As a member of the Consortium, LLS has a close working relationship with the two other partner programs. The program functions as an integral part of the Consortium, coordinating activities on a regional scale to maximize its services to clients in common endeavors, while acting autonomously on issues unique to its client population. With its partners, LLS conducts comprehensive needs assessments every few years that use numerous techniques to determine the regional and legal needs of the low-income community.

The program contributes to expanding high quality legal services throughout the state through its participation in the Consortium and statewide collaborations on issues of substantive law, resource development, intake, training, technology, and delivery systems. The LLS executive director is a partner with the other executive directors on all of these issues. Staff is active in many of the Consortium law groups.