

Re: Draft OPP report
Legal Aid of Southeastern Pennsylvania (LASP)
Recipient # 339141

January 11, 2012

Dear Ms. LaBella,

We have had an opportunity to review the Office of Program Performance (OPP) draft report of our program and are submitting the following comments, corrections and clarifications. We want to thank your office and John Eidleman and his team for their interest in our program and its operations during their visit the week of October 17, 2011.

We were very pleased to see the very positive comments about our program throughout the draft report, as well as, the numerous references to the successful operations of our program, the quality of our services and the respect in which our program is held throughout our service area.

We trust that our comments will be attached to or incorporated within the final report issued by your office.

INTRODUCTION

Program Overview

- 1 On page 2, it is noted that our program's non-LSC funding total for 2011 was approximately \$4.3 million. We believe that the correct number is \$4.12 million.

Summary of Findings

- On page 2, in the fourth paragraph, reference is made to the lack of a plan to groom new future leadership from middle management. LASP does address this, albeit briefly in its Strategic Plan under Goals B and C of "Vision for an Effective and Well-Managed Organization".
- On page 3, in the second paragraph, with reference to a comment about the physical condition of one of our offices (City of Chester in Delaware County), it should be noted that there have been substantial funds invested, in recent years, to replace the HVAC system, painting, installation of new carpets, replacing stained ceiling tiles and purchase of some furniture. We recognize that there is more to be done, however. In fact, we are currently in the process of purchasing a new telephone system for that office.
- Also on page 3, with reference to the last paragraph, reference is made to the lack of a written legal work management and procedures manual or performance standards that set out guidelines for legal supervision. LASP does have a staff manual posted on its WIKI that covers such topics as file reviews and file management. We do acknowledge that these could be improved upon, however.
- On page 4, with reference to the third paragraph, we believe this should clearly indicate that LASP has increased its non-LSC contributions and grants by 16% or \$200, 000 annually.

FINDINGS RECOMMENDATIONS AND ITEMS FOR ACTION

Performance Area 1

Criterion 1 – Periodic comprehensive assessment and ongoing consideration of legal needs

Criterion 2 and 3 – Setting goals and objectives, developing strategies, allocating resources and their implementation

Criterion 4 – Evaluation and Adjustment

Findings 1-3 – We have no comments and were very pleased with the findings of the OPP team.

Finding 4 – Our Board of Directors approved an updated strategic plan (2011-2014) in December 2011

Recommendation I.4.4.1 – We will discuss the prioritization and implementation of the plans goals in 2012 with our Board and Management staff.

Performance Area 2

Criterion 1 – Dignity and sensitivity

Finding 5 – We appreciate the positive findings about our respectful treatment of clients and the accessibility and professional appearance of most of our facilities.

Recommendation II.1.5.1 - With regard to the office in Chester City, when LASP acquired ownership of this building several years ago, it was in need of a new HVAC system and repairs to the roof as well as numerous interior plumbing and electrical issues. LASP has had a new HVAC system installed, and has spent considerable time and funds to try to make our Chester City (Delaware County) office more aesthetically pleasing in the last several years. These efforts will continue.

Finding 6

- In the second paragraph, the report talks about intake staff conducting intake at Area on Aging offices. In fact, off-site intake occurs at other social service agency offices.
- In the third paragraph, if you include our Don't Borrow Trouble (DBT) unit which takes calls about Mortgage Foreclosure issues, there are 7 paralegals, 2 full time and 2 part-time attorneys in our centralized intake/helpline unit. The draft report seems to be missing an attorney.
- Later in the third paragraph, the draft report states that the paralegals screen and the applicants are referred to attorneys for advice or brief service. In fact, the paralegals screen the calls and then give initial brief advice to the callers. The calls are transferred to an attorney only where there are special circumstances, such as a problem client or complex or unusual situations

Recommendations II.1.6.1, II.1.6.2, II.1.6.3 – LASP has and will continue to explore issues related to KEMPs, our CMS and our central intake system, as it relates to abandoned calls. LASP is somewhat limited in addressing every such concern due to the limits of our present CMS and phone system(s) and available funding and staff time.

Criterion 2 – Engagement with the low-come community

Finding 7 – No comments

Criterion 3 – Access and utilization by the low-income population

Finding 8

- The second paragraph on page 12 refers to the lack of detail in LASP's LEP policy. We would like to note that determinations regarding assistance with LEP concerns are made as soon as possible by staff and supervisors throughout our program.
- With regard to the fifth paragraph, we acknowledge that we could do more outreach to this population and will consider what is possible with our available staff and limited financial resources.

Recommendations II.3.8.1 and II.2.8.2 – LASP will explore more LEP training and outreach to the LEP populations in Upper Darby within the realistic limits of our current funding and staffing.

Performance Area 3

Criterion 1 – Legal representation

Finding 9 – No comments

Finding 10 - LASP is very proud of the unusually high number of clients we assist annually. We recognize, however, that we should explore ways to identify and consider more complex activity and issues, where appropriate. We do not agree with the draft comment on the top of page 14, that we do not appear to refer cases with systemic issues to other statewide programs specializing in such issues. We believe that our staff regularly works with and refers matters to such programs.

Recommendations III.1.10.1, III.1.10.2, III.1.10.3 – LASP will explore ways to increase the complexity of the legal work done by its experienced legal staff and will develop and implement procedures to ensure consistent high quality work from all advocates within staffing and funding limits.

Finding 11 – We recognize the need to review the level of coordination of advocacy at LASP in 2012.

Recommendations III.1.11.1, III.1.11.2, III.1.11.3 – As to the recommendation to hire an advocacy director immediately, given that there is no one currently identified on staff who can take this job and with no funding to hire new staff, this is not a something we can do until we have some turn over in staff. With regard to the development of an advocacy plan and the reinstatement of substantive law groups, we do plan to address these recommendations in 2012

Finding 12 – No comments

Finding 13 – While LASP does have a staff manual on the program WIKI, it could be improved upon.

Recommendations III.1.13.1 and III.1.13.2 – We believe that in most cases our advocates are being appropriately and consistently supervised. However, we agree that the written instructional materials on our WIKI could be improved upon and we agree to work on a more comprehensive written performance standard manual for casework and case supervision.

Finding 14 – We agree that LASP’s training and support mechanisms are sufficient to sustain the legal work of the program

Recommendations III.1.14.1 and III.1.14.2 – LASP has consistently sent a large number of staff to the PLAN annual conference and in fact, sent approximately 20 staff, (almost 1/3 of our total staff and overwhelmingly advocates), to the most recent conference. Because of the need to keep some staff in local offices, assisting our clients, as well budgetary limitations we cannot send all staff to every such conference. With reference to the training and orientations of new attorneys, we agree that there is a need for a more formal process. As noted elsewhere, we did have this as a goal of our last Strategic Plan but it has not yet been accomplished.

Finding 15 – The draft report states that our case management system, program forms and materials and Lexis Nexis research tools are not remotely accessible to staff. That is incorrect and all of these programs can be accessed from any computer with internet access.

Recommendation III.1.15.1 – We agree that we do not have enough LASP pleadings and briefs available to staff on our WIKI. Once they are posted on the WIKI, they would be available from anywhere.

Criterion 2 – Private attorney involvement

Finding 16 – We agree that we effectively integrate private attorneys into our work throughout our region

Recommendation III.2.16.1 – We agree that we could use technology more effectively in operating our PAI programs and will review and, if possible, take action if adequate funding and staffing are available.

Criterion 3 and 4 – Other program services and activities on behalf of clients

Finding 17 – On page 19, the draft report discusses “pro se” classes conducted by LASP. While LASP does conduct classes in the area of bankruptcy and custody, all persons attending those classes meet face to face with an advocate following the class. Individual advice is given and case files are opened. Therefore, we do not consider these classes to be “pro se”.

Performance Area 4

Criterion 1 – Board governance

Finding 18

- With regard to the first paragraph on page 20, staff presentations at board meetings have not been completely discontinued and still occasionally occur.
- The third paragraph on page 20 states that the President Elect is the Chair of the Finance Committee. In fact, the Treasurer of our Board is the Chair of the Audit and Finance Committee. The Vice President (who is generally the President elect) is a member of this committee.
- With regard to the fifth paragraph on page 20, it should be noted that, as of this date, 5 members of the Board, (not 4 as stated in the report), are African American.
- With regard to the first line on page 21, it should be noted that all LASP Board members made a financial contribution to LASP in 2011.

Recommendations IV.1.18.1 through IV.1.18.2 – While LASP does have orientation materials for new Board members and customarily meets with them prior to their service on the Board, we agree that we should have a more formal training process and manual.

Recommendation IV.8.3 – We are in the process of reviewing member attendance and communicating with members to determine continued service.

Recommendation IV.1.18.4 – We believe Board member visits to local offices is a good idea and will encourage this more in the future

Recommendation IV.1.18.5 – Presentations by staff at Board meetings will continue, although not at every meeting, due to time constraints and some lengthy board agendas.

Recommendation IV.1.18.6 - We agree that more staff attendance at Board meetings is a good idea and will address this issue in 2012.

Recommendation IV.1.18.7 – We agree with the recommendation to more fully engage client Board members. As we reported to the OPP team, we continue to have difficulty in recruiting and retaining client board members over the years. We have met with some of them outside of the Board meetings and will do more of that in the coming year.

Criterion 2 – Leadership

Finding 19

- The first paragraph of this finding states that the Co-Executive Director who has was Director of Bucks County Legal Aid Society was in the active practice of law for 20 years. In fact, while she did work part time for several years, it is more accurate to state that she was in active practice for at least 25 years.
- On the top of page 22, the draft report states that most of the staff know one of the 2 Co-Executive directors very well and the other not as well or not at all. While it is true that most staff know one of the Co-Executive Directors better than the other, unless they were very recently hired all staff know both Co-Executive Directors.

Criterion 3 – Overall management and administration

Finding 20 – We agree with the finding that more needs to be done to develop future potential leadership. It should be noted, however, that LASP staff is composed mostly of professional staff who either will be retiring at the same time as the Co-Executive Directors, or who have only

been with the program for one to three years. There are a very small number who fall in between those near retirement and recently hired.

Recommendation IV.3.20.1 – We will continue to look at ways to develop future leaders.

Criterion 4 –Financial administration

Finding 21 - No Comments

Criterion 5 – Human resources administration

Finding 22 – We agree that we do not have staff charged with human resource recruitment, discipline or other personnel policies although we believe that these responsibilities are adequately handled by the Co-Executive Directors and other management staff. Current and future funding prospects do not appear to allow the addition of such a staff person.

Recommendation IV.4.22.1 – While staff does not currently have annual written individual work plans, we will work on incorporating more into those plans and developing a more formal mentoring program for new staff.

Criterion 6 – Internal communications and technology

Finding 23 – No comments

Finding 24 – We agree that LASP faces some technology challenges and we again note that adequate funding enabling adequate staffing and purchasing/maintenance of technology would greatly assist in further addressing this finding. LASP continues to explore realistic ways to deal with technology challenges and welcomes assistance and input from LSC staff.

Recommendations IV.6.24.1 and IV.6.24.1 – LASP has established a Google Apps account and will be starting to use its applications and features in 2012 to improve collaboration across offices.

Criterion 7 – General resource development and maintenance

Finding 25 – As noted above, the \$200,000 increase in non-LSC contributions between 2006 and 2011 was an increase in annual giving by \$200,000. Also, in the list of monies raised by the counties on page 26, it should be noted that the Montgomery County (Montgomery Bar Association Legal Aid Golf Classic) raised \$38,000 in 2011 and the Bucks County “Race Judicata” raised \$20,000, not \$15,000, in 2011.

Criterion 8 and 9 – Coherent and comprehensive delivery structure/Participation in an integrated legal services delivery system

Finding 26 - No comments

In summary, we found your draft report to be extremely positive, both with its descriptions of our operations and in its suggestions. We hope our comments; corrections and explanations will clarify,

explain or elaborate on portions of the report. Again, we want to thank you and John and his team for their sincere interest in our program and our continued efforts to operate a high quality, effective legal services program that is accessible to the client community and sensitive to its needs.

Very truly yours,

Elizabeth W. Fritsch
Harvey F. Strauss
Co-Executive Directors
Legal Aid of Southeastern Pennsylvania

Cc: John Eidleman
John McKenna, LASP Board President
Ronald Bolig, LASP Board Vice President
Donald Weiss, LASP Board Treasurer
Mark Schultz, LASP Board Secretary