



LEGAL SERVICES CORPORATION
OFFICE OF PROGRAM PERFORMANCE

FINAL REPORT
FROM THE
PROGRAM QUALITY VISIT
TO
LONE STAR LEGAL AID
RECIPIENT # 744060

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INTRODUCTION

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a Program Quality Visit to Lone Star Legal Aid from February 4-12, 2013. Team members included OPP Program Counsel Stephanie Edelstein (team leader), John Eidleman, Nancy Glickman, Glenn Rawdon, and Tim Watson (who participated by telephone); and LSC temporary employees Cesar Britos, Joseph Dailing, and Michael Genz. Joining the team for part of the visit was William C. Cobb, a fellow of the College of Law Practice Management.

Program Quality Visits are designed to evaluate whether LSC grantees are providing the highest quality 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 evaluation was organized to follow the four Performance Areas of the LSC Performance Criteria, which cover needs assessment and priority setting; engagement with the low-income community; legal work management and the legal work produced; and program management including board governance, leadership, strategic planning, resource development, and coordination within the delivery system.

The team reviewed documents provided by the program to LSC, including recent applications for funding, technology and PAI plans, workforce analysis charts, and case service 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, and the results of an online staff survey. While on site, the team visited several offices (Angleton, Belton, Beaumont, Bryan, Conroe, Galveston, Houston, and Waco) and conducted telephone interviews of staff in other offices (Nacogdoches, Longview, Paris, Texarkana and Tyler). The team interviewed program leadership and administration, along with most attorneys, paralegals, and administrative and support staff. The team also interviewed, several members of the board of directors, executive directors of subgrantees (Houston Volunteer Lawyers Program (HVLP), Aid to Victims of Domestic Abuse (AVDA), Jefferson County Bar Association Pro Bono Program), judges and other members of the state justice community, the Texas Access to Justice Foundation (TAJF), and other community partner organizations.

SERVICE AREA AND PROGRAM OVERVIEW

Lone Star Legal Aid (LSLA) is one of three LSC-funded legal services programs in Texas and receives the fourth highest level of LSC funding nationally. LSLA was created in 2002 through the merger of East Texas Legal Aid and its rural service area with the Houston-based Gulf Coast Legal Foundation. The merged program also absorbed a portion of the service area and offices of Legal Aid of Central Texas. The LSLA service area now covers 72 counties spread across 60,000 square miles in east and southeast Texas, along with four counties in southwest Arkansas pursuant to a subgrant agreement with Center for Arkansas Legal Services. This geographically diverse area includes vast rural spaces, small and medium size towns, and the Houston metropolitan region.

In 2012, LSLA received \$9,033,961 in LSC basic field funding; it does not receive migrant or Native American grants. LSC funding comprised approximately 48% of LSLA's 2012 budget of \$18,679,807. LSLA received \$8.9 million in IOLTA funds and state appropriations administered by the Texas Access to Justice Foundation (TAJF). Non-LSC funding increased 8.9% from 2011 to 2012, which helped defray reductions in LSC funding. The program's total income was still 5% lower in 2012 than it was in 2011. To help meet its PAI requirement, LSLA provides subgrants of LSC basic field funds to the Houston Volunteer Lawyers Program (HVLP) and Aid to Victims of Domestic Abuse (AVDA, in Houston), and subgrants non-LSC funds to the Jefferson County (Beaumont) Bar Pro Bono Program (JCBPBP).

The number of people living in poverty in the service area is increasing, as are the percentages of low-income Hispanics and Asians. In 2000, the poverty population was 1,088,661, and included 34.6% Latino, 32.26% white non-Hispanic, 28.95% black, and 2.96% Asian. The 2011 American Community Survey estimates that in 2011, the area included 1,899,188 people with incomes at or below 125% of the federal poverty level, and 1,430,116 with incomes at or below 100% of the federal poverty level. Of the population living below 100% of the poverty level, 42% were Latino, 28% were white (non-Hispanic), 25% were black, and 4% were Asian. Counties with the highest number of residents living in poverty are in the Greater Houston area: Harris, Montgomery, Fort Bend, and Brazos. This area is also home to the second largest Vietnamese community in the United States, as well as to sizable Korean, Cambodian, Khmer, Indian, and Pakistani populations. A recent Rice University study describes the Vietnamese residents as having lower incomes, and being less educated and less likely to speak English, than other Asians in the area.¹

At the time of the visit, LSLA had approximately 170 staff members, including approximately 85 attorneys working out of 13 offices. The administrative services unit is located in the Houston office. Many LSLA advocates are highly experienced and some are nationally recognized. LSLA has earned a national reputation for its effective response to disasters, and in 2012 was awarded a Technology Initiative Grant to lead a multi-organization redesign of the National Disaster Legal Aid website. LSLA is funded by the U.S. Department of Justice Office for Victims of Crime (OVC) to develop a model civil legal assistance network for crime victims.

OPP conducted a Program Quality Visit to LSLA in 2006. At that time, the program was still working through the challenges of the merger and recovering from the impact of the 2005 hurricanes. The visit team identified several concerns, including a management structure and intake system that were not yet cohesive, inconsistent legal work supervision, a need for more staff training, and a lack of internal communications. At that time, LSLA had recently purchased the Practice Manager case management system (CMS) and its focus was on developing new intake procedures and training staff on the system. The 2006 PQV report included a number of recommendations to address the issues identified and also recommended that the program engage in strategic planning. Several recommendations have been implemented in whole or in part. In 2010, TAJF conducted a program quality visit to LSLA and found that the program had engaged in strategic planning, effectively reorganized its operations, enhanced its use of technology,

¹ Rice University Kinder Institute for Urban Research, *Houston Area Asian Survey: Diversity and Transformation Among Asians in Houston*. February 2013.

created an intake unit to serve the Houston area, and increased outreach to rural areas. TAJF also noted an increase in strategic advocacy.

The LSC Office of the Inspector General conducted a review of selected internal controls between August 2010 and January 2011.² In December 2011, the LSC Office of Compliance and Enforcement conducted an on-site CMS/CSR review that resulted in several corrective actions in the areas of oversight of subgrantees and internal controls. Since those visits, LSLA has hired a chief financial officer and enhanced its oversight of HVLP.

LSLA has reorganized its management structure since the 2006 OPP PQV. Some longtime senior managers retired between 2011 and early 2013, including the chief operating officer, general counsel, director of administration, and one director of litigation. In 2012, in addition to hiring the chief financial officer mentioned above, LSLA also hired a director of external affairs (responsible for communications, strategic partnerships and other outwardly directed initiatives). There have also been changes at the middle management level, and at least two managing attorneys are expected to retire in 2013.

SUMMARY OF FINDINGS

LSLA conducted a comprehensive legal needs assessment in 2007 and developed a strategic plan in 2008. LSLA responds effectively to issues that emerge between formal needs assessments, as evidenced by its activities following Hurricanes Katrina, Rita, and Ike. LSLA is also responsive to issues identified in external and internal reports, as well as to emerging legal needs and resources. Its annual self-evaluation, required by TAJF, is extensive and contains quantitative and qualitative data.

LSLA has located offices and deployed staff to promote client access to the extent possible with limited resources. The staff is diverse and has the capacity to communicate with persons with limited English proficiency, particularly those who speak Spanish and Vietnamese. LSLA hosts a variety of outreach activities and makes an effort to ensure equity of access to rural residents. Approximately one-half of LSLA's applicants contact the program through the Houston-based Central Intake Unit (CIU); other applications are made through branch offices, two specialty units, and outreach sites. The CIU can provide same-day telephone advice to eligible clients, but some offices employ a multi-step intake process that can be cumbersome and cause delays. The lack of program-wide case acceptance criteria also creates delays.

LSLA staff includes a core of highly experienced advocates, many of whom are recognized experts in poverty law issues, as well as a number of less experienced but talented individuals. The effort to diversify caseloads and strengthen advocacy has produced significant outcomes for clients, although progress is not yet evident program-wide. There is a strong system for ensuring appropriate case file maintenance, but not for review of substantive legal work. The program utilizes several models to address legal issues that it does not have the resources to handle through full representation, or that do not require full representation.

² The OIG report is available at www.oig.lsc.gov. The OCE report is available at www.lsc.gov.

LSLA effectively integrates private attorneys into its work and provides them with support and recognition for their service. Pro bono involvement is accomplished through direct referrals, as well as through subgrants to HVLP, AVDA, and JCBPBP.

LSLA has successfully merged the policies and procedures of diverse programs to become a unified regional law firm with effective board oversight. The leadership structure was recently modified to accommodate retirements and other changes, and it appears that it will be effective. The program has the needed technology, although some upgrades would be beneficial.

LSLA has a strong presence and excellent reputation in the state justice community and has set a national standard for disaster response efforts.

DISCUSSION OF FINDINGS

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.

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

Finding 1. LSLA is aware of the critical legal needs of the low-income population of the service area, and responds quickly and effectively to issues that emerge between formal needs assessments.

LSLA conducted a six-month assessment of legal needs that concluded in May 2007. The process involved surveys, telephone interviews, and in-person meetings with stakeholders such as client groups, social services organizations, the private bar and the judiciary. Program staff and some board members also provided input. LSLA took care to reach subgroups of the client population. The assessment also included an analysis of intakes of eligible applicants whose cases were not accepted, case types and location of applicants/clients, and the census and other demographic studies. A legal needs assessment planned for fall 2010 was postponed due to Hurricane Ike and has not yet been rescheduled.

LSLA has demonstrated the capacity to respond quickly and effectively to legal needs that emerge between formal assessments. The most dramatic examples of this capacity involve the creation of disaster response teams and the holistic legal services provided to the client community, in the face of program staff's own personal losses, in the aftermath of hurricanes Katrina and Rita, and more recently, Ike. One significant outcome of the program's disaster legal advocacy is the preservation of subsidized housing on Galveston Island. LSLA also stepped up in 2010 to assist victims of the BP oil spill. In the wake of these disasters, LSLA developed effective systems for responding to client and program needs, independently and in collaboration with the private bar and other legal services providers.

Other examples of LSLA's capacity to respond to emerging legal needs include creation of the Vietnamese Outreach Project operated out of the Houston office to address the needs of the growing low-income Vietnamese community; the Veteran's Legal Assistance Project to address the legal needs of low-income members of the military and veterans and their families;

and creation of the Home Protection and Consumer Unit in response to the mortgage lending and credit crisis.

In years past, the process of identifying and responding to emerging legal needs appears to have been more reactive than proactive, and except for the hurricane response, more dependent upon individual initiative than on strategic action. At the time of the visit, however, LSLA had become more proactive and strategic in addressing emerging needs, and in seeking funding when appropriate to address those needs. Staff appear to be sensitive to changes in the demographics and needs of the client community.

Recommendation

I.1.1.1.³ LSLA should conduct a new assessment of legal needs in the service area as soon as time and resources permit.⁴*

Criteria 2, 3, and 4. Setting goals and objectives, developing strategies and allocating resources; implementation; evaluation and adjustment.

Finding 2: LSLA adopted priorities based upon the critical needs identified in the 2007 assessment, and reviews these priorities annually.

The LSLA board of directors adopted the final report of the 2007 needs assessment in September 2007, and used the results to develop program priorities. Priorities are reviewed annually by the board. The priorities are sufficiently broad to address the most pressing legal needs of the low-income population of the service area, and are reflected in the case closures. They address delivery methods and substantive legal issues, and provide for emergencies.⁵ As described in the LSC funding application narrative, they also include anticipated outcomes. Program resources appear to be reasonably allocated to meet priorities. LSLA's priorities are supplemented by broad case selection criteria, discussed in Finding 6, below.

³ 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 tiers (levels) of Recommendations in this report. Recommendations marked with an asterisk are Tier One Recommendations and are intended to have a direct and major impact on program quality and/or program performance. 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.

⁴ LSLA's response to the Draft Report states that it has embarked upon a new legal needs assessment which it expects to have completed and presented to the board by mid-2014. *Response, at 1.*

⁵ LSLA priorities include: (1) improving the delivery of legal services; (2) providing advice, brief services and referral; (3) maintaining, enhancing and protecting income and economic stability; (4) seeking or maintaining safety, stability, and health or well-being; (5) preserving housing and related housing needs; (6) improving outcomes for children; and (7) assisting populations with special vulnerability. Within these priorities are cases that address consumer, health, income maintenance, housing, family (with abuse or violence), individual rights, wills/estates, education, and other miscellaneous issues.

Finding 3: In 2008, LSLA developed a long-range strategic plan designed to improve internal program operations and enhance internal and external communication, with the ultimate goal of enhancing access and services for clients.

In 2008, LSLA adopted a long-range strategic plan designed to reinforce its new identity as a single law firm serving the low-income community. The plan includes broad goals for improving program operations, developing internal and external communications and collaborations, and increasing productivity. Individual offices and units were expected to set more specific goals, develop strategies, and allocate resources towards meeting their goals. Offices were to report annually on their progress, and management was to review the plan annually and report to the board.

Implementation of the plan was delayed as LSLA dealt with the impact of Hurricane Ike on staff and the community, but the effort has been reinvigorated. In 2012, a directing attorney was assigned responsibility for implementation, and she is working with all offices on this endeavor. At the time of the on-site visit, almost all offices and units had produced written reports describing their activities conducted under each goal of the plan. Neither the overall strategic plan nor the individual office plans include measurable goals and outcomes, making it difficult to assess the effectiveness of the plan's implementation.

Recommendations:

1.3.3.1: When resources permit, LSLA should undertake a new strategic planning process involving the board, staff, and other stakeholders within the legal services community. The process should include an examination of the most efficient utilization of resources to serve clients in light of recent and projected funding losses, changes in laws, and ongoing or emerging client needs. The plan should include measurable outcomes for activities performed under the plan with timeframes for implementation.

Finding 4: LSLA considers funder evaluations, annual self-assessments for funders, emerging staff and community needs, client feedback, and available resources, and adjusts its structure and delivery system accordingly.

LSLA assesses and adjusts its structure and delivery system in response to issues identified in external and internal reports, as well as to emerging legal needs and resources. It is required to conduct an annual self-evaluation and to report significant client outcomes data to the Texas Access to Justice Foundation (TAJF, the IOLTA funder). LSLA also obtains feedback from surveys sent to a random sample of clients whose cases have been closed.

LSLA reorganized its senior and middle management structure during the past 2-3 years in anticipation of the retirements of several long-time senior staff as well as its awareness of the need to coordinate certain services, such as private attorney involvement and implementation of the strategic plan, across offices. LSLA's ability to respond effectively to emerging legal needs is demonstrated in other sections of this report.

LSLA maintains data in its CMS on specific benefits achieved for clients, including retroactive and prospective awards. The CMS also captures data about services other than

casework. The program's 2011 self-evaluation is extensive and contains helpful quantitative and qualitative data, such as a breakdown of cases by county, financial benefits obtained through individual case advocacy, and the number of cases achieving particular outcomes (e.g., prevented eviction). These reports include the number of persons affected in addition to the client, when that information is available. Under a rural outreach initiative supported in part by TAJF, LSLA uses this data plus GIS and other information to target outreach to underserved rural counties, in an effort to equalize access to its services. Program leaders voiced an intention to compile the data provided to various funders into an annual report that could also be used for self-assessment.

Recommendation:

I.4.4.1: LSLA is encouraged to proceed with its stated intention to routinize the data it provides to funders and to incorporate that data into a report that is generated yearly and could be used for self-assessment purposes.

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

Criterion 1. Dignity and sensitivity (Intake).

Finding 5: LSLA offers a variety of portals by which its services can be accessed, and staff who conduct intake are experienced and dedicated to providing high quality assistance, but the intake system is not as efficient and effective as it could be.

LSLA offers several portals by which applicants can access services, including calling the Houston-based Central Intake Unit (CIU) and branch offices, plus walk-in and outreach sites. In some areas, community partners make direct referrals to their local office. LSLA has also effectively supplemented its intake system during FEMA-declared disasters. At the time of the visit, there was no single person responsible for intake program-wide, although the team was informed that a recently hired directing attorney would assume this responsibility.

Central Intake Unit (CIU)

The CIU handles approximately one-half of LSLA's intakes, and is the primary access point for the Harris County/Houston area, Fort Bend County, and the area served by the Conroe office. The unit also handles intake for the Angleton and Galveston offices on an "as needed" basis, and for applicants from elsewhere in the service area who happen to call the CIU. The CIU does not conduct intake for the public benefits unit or the Veterans Outreach Project, each housed in the Houston office, as they have their own direct phone lines, or can be connected through the CIU.⁶ The CIU's 15-person staff includes a managing attorney, experienced staff

⁶ The Veterans Outreach Project (VOP) provides its telephone number at outreach events at veterans' organizations, the Veterans Stand Down, VA hospitals, and other locations. Telephone applicants are screened for eligibility by the secretary and, if eligible, and depending on the circumstances and the case, either speak with an attorney at that time or are scheduled for a call back or an appointment. Walk-ins to the VOP are seen immediately.

attorneys, paralegals/intake assistants, including those who are bilingual in English, and Spanish, and a bilingual Vietnamese legal secretary. The unit is in Houston, although one paralegal operates out of the Texarkana office. A directing attorney provides oversight of this unit in addition to other responsibilities.

At the time of the visit, CIU telephone hours were 8:30 a.m.-12:30 p.m., Monday-Friday. Walk-in intake was available 8:30a.m.-5:00 p.m., Monday-Thursday, and on Friday mornings. There were procedures for handling emergencies during non-intake hours. Non-emergency family law intake was limited to Mondays. There were no weekend or evening hours. Screeners estimate that callers to the CIU may wait 15 minutes before speaking with a screener. While they are waiting, callers hear a recorded message in English, Spanish, or Vietnamese offering options for accessing the appropriate queue. The message also describes emergencies and allows callers with such emergencies to enter a different telephone queue. The recording does not provide callers with information to help them determine whether LSLA will be able to assist them, or with other options for obtaining information or services. Once a caller is connected, an intake worker screens for conflicts, eligibility, and case type, and determines whether to send the case to a CIU attorney. Intake staff currently screen all callers for food stamp eligibility as part of an outreach initiative; they do not ask about other government benefits as a matter of course. All intakes are visible on a screen in the CMS, and emergencies are flagged.

For callers found eligible for LSLA services, CIU attorneys estimate that the wait time to speak with a CIU attorney is approximately five minutes. CIU attorneys review eligibility and case information with the client, provide advice, and either close the case or transfer it to a substantive unit. Intake screeners estimate that they complete between 15-18, and at times 20, screenings per day; CIU attorneys estimate that they spend 15-20 minutes on each intake (except for family law, which takes more time). The CIU managing attorney and directing attorney are exploring ways to shorten the recorded message time and move the applicant more quickly to a screener.

Clients who receive advice only are sent a follow-up letter explaining the law as it applies to their situation and steps that they may need to take, as well as copies of form pleadings, brochures and other reference materials. Individuals whose case is sent to a specialty unit or branch office also receive a letter from the CIU memorializing the information provided and explaining next steps. CIU staff report receiving some guidance from specialty units on which cases the unit will accept, and they may receive additional criteria from other offices (*e.g.*, no representation if an applicant could handle a matter *pro se*, or in a debt collection if the applicant is collection proof). However, as discussed under Finding 6 below, there are no clear case acceptance criteria to guide referrals to other units/offices.

Training and supervision of CIU staff appears to be adequate, although it has not always been consistent. New staff are trained in use of the CMS and spend time observing experienced intake workers before undertaking the task themselves. Some new staff are observed during their first intake screenings. The managing attorney reviews the work of new staff daily for a period of time, as needed. The unit meets weekly and the supervising attorney spot checks the advice provided. The directing attorney receives feedback from the specialty units and branch offices for which the CIU conducts intake.

Paralegals in the CIU spend a significant amount of time reviewing closed CIU cases for compliance with LSC and other administrative requirements, rather than handling intake calls.

The capacity of the CIU is somewhat limited by technology and how that technology is used. Technology limitations include not having an automatic telephone call-back feature and the limited number of phone lines. For example, approximately 30% of callers drop the connection at some point during the intake process. Because there is no automatic call-back feature, if applicants end the call after they are determined to be eligible, attorneys must spend time attempting to reach them, and are not always successful. In addition, because the current telephone system accommodates only 15 calls at a time, it presents a barrier to using branch office staff to handle CIU calls. The system is also limited by how staff members use its technology. For example, although the CIU is theoretically paperless, not all staff members enter information directly into the CMS. And, while the CMS allows the direct transfer of an electronic case file from the CIU to a branch office or unit for review of the assistance provided and determination on acceptance or closure, the practice appears to be for specialty unit staff to call the client and review the case again. As a result, cases are being closed in the specialty unit as advice only, which just duplicates the time spent and services provided by the CIU.

Branch Office Intake

Intake in offices and units not served by the CIU is typically conducted by phone or in person, including during outreach events. (Offices whose telephone intake is handled by the CIU also accept walk-in applicants.) The procedures and hours for these offices and units vary markedly. For example, Beaumont's published intake hours are Monday-Friday during regular business hours, while Texarkana conducts intake for just two hours each on Monday and Wednesday. For some offices, the published or recorded hours did not comport with the actual hours at the time of the visit. All offices have procedures for handling emergency cases expeditiously. Some offices also accept faxes from partner organizations to initiate the intake, and all offices conduct intake at regularly scheduled outreach sites.

Branch offices do not routinely provide advice over the telephone. Applicants may need to come into an office in person, often more than once, before they receive a decision on whether their case will be accepted, and on what level of service will be provided. For example, some offices require applicants to complete a paper application to initiate the intake, and will mail the application to telephone applicants. Walk-in applicants to some offices are given the application while they are in the office, and receive assistance filling it out if they need it. However, the conflicts check is conducted after they leave and they are informed by mail whether the application will proceed.

Recommendations:

II.1.5.1: LSLA should evaluate its intake system to determine how to make its operations more efficient, effective, and equitable across the service area. LSC recommends that this evaluation be coordinated by a committee representing different offices and staff positions and that it include feedback from staff, clients, and community partners.*

This evaluation should include the following goals:

- a. *An intake system that is both seamless and applicant centered, and that minimizes the steps necessary for an applicant to receive service. The intake system should have the capacity to assist applicants at the first point of contact, if appropriate, and to provide advice and brief service as well as decisions on full representation as soon as possible.*
- b. *An expanded CIU that conducts the majority of intake for the program and that includes a call distribution system allowing branch offices, or offsite screeners if appropriate, to handle intake calls. As resources permit, CIU hours should be expanded, including to some evening and/or weekend hours.*
- c. *An upgraded telephone system that includes an automatic callback (IVR) feature, as well as more advanced queuing that directs calls by area of law. Callers should be provided with recorded information about eligibility and services, and should also be directed to the LSLA website where they could find additional information, links to resources, as well as an opportunity to apply online, if that option becomes available.*
- d. *The option of online intake as a way to alleviate the high volume of calls and reduce long waits by providing another access point for potential clients. Online intake could be used to obtain information regarding eligibility and legal problem, and to direct applicants to legal information and community referrals.*
- e. *A requirement that staff enter intake eligibility information directly into the CMS.*
- f. *Templates for plain language advice letters that can be adapted to suit an individual's particular circumstances.*
- g. *Procedures for obtaining client feedback on intake services.*
- h. *On-going training for all staff who conduct intake screening. Training topics should include uniform screening procedures and relevant substantive law.*⁷

II.1.5.2: LSLA should develop an intake manual that describes how the intake system operates and contains policies and procedures as well as resources for referring cases, answers to common questions, and interview scripts to guide intake screeners as they gather information on particular legal issues and make referrals to substantive units.*⁸

II.1.5.3: LSLA is encouraged to assign one person, such as a directing attorney, to coordinate intake throughout the program. That person should be kept informed of intake procedures in individual offices, and should have the authority to recommend adjustments to those procedures.

⁷ LSLA's response to the Draft Report states that it has begun an evaluation of its intake system and that by mid-summer 2013 will (1) retain the services of an experienced outside consultant, and (2) appoint a program-wide staff committee to work with the consultant to address the OPP recommendations. *Response*, at 3.

⁸ LSLA's response to the Draft Report states that it is developing an intake manual for review by the committee and the consultant. The manual will include expanded case priorities and case acceptance protocols. *Response*, at 3.

II.1.5.4: LSLA is encouraged to examine the amount of time spent by paralegals on closed case review, and to determine whether some of their time could be spent more effectively by conducting intake.

II.1.5.5: LSLA is encouraged to use the intake system to determine whether callers have applied for the Earned Income Tax Credit program, or might be eligible for benefits other than SNAP.

II.1.5.6: LSLA is encouraged to assess the efficacy of mailing information to applicants and clients versus using electronic modes of delivery when appropriate.

Finding 6: LSLA does not have program-wide guidelines for determining whether a case that is within its broader priorities will be accepted or, for those cases that are accepted, for determining the level of assistance that will be provided.

In 2009, the LSLA board adopted a resolution setting forth general intake principles and standards.⁹ However, LSLA does not have an intake manual, and with the exception of some domestic violence and some veterans' issues, does not provide intake staff with scripts or other interview guides that would help them assess whether to accept a case. The existing case selection criteria require staff to consider whether the case is within priorities, the impact of acceptance or rejection, the likelihood of success, and available resources. Staff report that case acceptance decisions are also made in consideration of two principles – that the proportion of cases handled in a particular county should reflect the low-income population of that county, and that family law cases should be limited to those involving domestic violence or other exigent circumstances. What those circumstances may be is not defined, although staff in different offices and units provided such examples as having minor children, homelessness, and lack of support or of government benefits. LSLA does not have clear program-wide criteria to guide staff regarding which cases to accept within the broader priorities, or what level of assistance should be provided, e.g., advice only, referral to a specialty unit or branch office for extended representation, or referral to PAI.

In some offices/units, the decision on which cases to accept for full representation is made in a case acceptance meeting attended by all casehandlers. The frequency of these meetings ranges from “as needed” to every two weeks. In other offices/units, the managing attorney reviews the intakes, decides which cases to accept, and assigns them to casehandlers. Attorneys in some branch offices observe that intake responsibilities can take them away from other important work, or cause an applicant to wait several days for an initial interview.

Recommendation:

II.1.6.1: LSLA should prioritize the types of cases it will accept within its broader priorities and provide guidelines and protocols for how those cases should be handled, including level of assistance to be provided and referrals to other offices or units and to pro bono. These guidelines still could take into account the program's goals of ensuring equity of access through*

⁹ Lone Star Legal Aid Board of Directors Resolution No. 136, December 11, 2009.

*the service area and reducing the number of family law cases. These criteria could be included in the intake manual developed under Finding 5, above.*¹⁰

Criterion 2. Engagement with the low-income population.

Finding 7: LSLA is engaged and visible in the client community.

Guided by the first goal of the LSLA strategic plan, staff members participate in a variety of outreach activities designed to provide the client community with legal information and resources, and to inform them of LSLA's services. LSLA's outreach activities are documented in the 2012 report, *Community Outreach, Community Education & Pro Se Clinics*. This exhaustive 129 page listing includes clinics on divorce, wills and advance directives, landlord/tenant, and tax, along with outreach events where intake is conducted or general information on LSLA is provided. The program's most dramatic outreach initiatives have of necessity focused on disaster relief.

Several offices have established or are planning to establish remote sites for use as needed or on a regular schedule, depending on the history of demand in the area. Belton is among the offices that engage in "blitz" outreach where they visit social agencies and court houses in remote counties to leave posters and flyers and remind them of LSLA services. Staff make presentations at youth and domestic violence shelters, senior centers, housing complexes, centers for persons with disabilities, and veterans' centers. Topics include victims' rights, wills, health and financial decision-making, tenants' rights, government benefits, and predatory lending. The strategic plan also calls for the expansion of LSLA presence in underserved and rural areas, so many of these events are targeted to such communities, and are bilingual, if appropriate. In addition to structured presentations, LSLA staff members meet with staff of community organizations and agencies, and distribute written information about LSLA and its services. LSLA client board members also participate in outreach events in their communities.

LSLA receives specific funding for some outreach efforts, including the TAJF-funded Veteran's Legal Assistance Project (VLAP), the Low-Income Taxpayer Clinic (LITC) project, and the U.S.D.A. funded Supplemental Nutrition Assistance Program (SNAP, or food stamp) outreach project.

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

Finding 8: LSLA offices are strategically located throughout the service area, are well-maintained, and have hours and procedures designed to promote access to the extent possible given the program's limited resources.

LSLA's offices are located in population centers throughout the large service area. They are chosen for their proximity to the client population and to public transportation where it is available. Most offices are within 40 miles of the county seats of the counties they serve. The offices visited by the team were well-maintained, clearly identified, and welcoming to clients.

¹⁰ See fn. 8, *supra*.

They featured appropriate consumer information, and were accessible to persons with disabilities. Staff offices were professional and well-equipped.

Office hours and procedures are reasonably calculated to promote access and utilization by the client community, including populations with traditional access difficulties. Staff facilitate access to LSLA services through outreach to more distant communities.

Finding 9: LSLA demonstrates cultural competency and sensitivity to the needs of its changing client community, and is proactive in its efforts to reach out to that community.

LSLA has a written language access policy that addresses the recommended elements of an LEP plan contained in LSC Program Letter 04-2, *Services to Eligible Individuals with Limited English Proficiency*. All new employees receive training on cultural competency. The program reports annually to the board on its efforts to serve clients with limited English proficiency, and includes data on the number of such clients served in its reports to TAJF. LSLA has announced plans to employ a language access coordinator in the near future.

LSLA staff members appear to be culturally competent and also able to work effectively with clients suffering stress and mental health issues. The staff is diverse in age, gender, and ethnicity. It includes more than 40 Spanish speakers, including at least one person in almost every office and unit who is bilingual in Spanish and English. One office includes a bilingual Spanish speaker who is certified as a court interpreter. The central intake unit and the consumer unit include staff who are fluent in Vietnamese, and the Beaumont office includes a conversational Vietnamese speaker. Other languages spoken by staff include German, Serbo-Croatian, Russian, and Portuguese. Forms, pamphlets, and some substantive legal questionnaires are available in Spanish and Vietnamese, and the LSLA website includes a set of Frequently Asked Questions about program services in those languages. The program contracts with individual interpreters, non-profit groups, and Language Line when internal translators and interpreters are not available. For persons who are illiterate in their own language, LSLA provides a poster with flags for the person to point to in order to identify or narrow down the possible languages. The program has an active Vietnamese outreach project, described below and works closely with a Cambodian community center in the Houston area. Of the cases closed in 2012, 39.1% of the clients were black, 20.9% were Hispanic, and 1.8% were Asian. The Low Income Tax Clinic project requires considerable outreach and education to the LEP community. All LITC materials are produced in Spanish and Vietnamese as well as English, and any presentations about the program are also provided in those languages.

LSLA has embarked upon a new Vietnamese community outreach project in the Houston area. The project, operated under the supervision of the Houston office directing attorney, includes a part-time outreach worker as well as a portion of time of a staff attorney and of a CIU secretary. The project is conducting targeted outreach into the Vietnamese community in collaboration with churches, health clinics, and other community organizations, and plans to establish a storefront site along a primary commercial strip in the Vietnamese community. Staff is also working with the private bar to involve pro bono attorneys in this initiative.

In some offices and units, bilingual staff may be called away from their own pressing work in order to interpret.

Recommendation:

II.3.9.1: LSLA is encouraged to develop protocols to ensure that responsibilities of bilingual staff are not compromised when they are called upon to interpret.

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

Criterion 1. Legal representation.

Finding 10: LSLA has the capacity to provide high quality effective legal services to the client community.

LSLA's staff of approximately 170 provides legal assistance through its main office in Houston and twelve branch offices located in various population centers across its vast service area.¹¹ The Houston office, accounting for 46% of the service area's low-income population, houses approximately the same percentage of the program's advocates. The Houston office includes substantive units mirroring the program's general priorities: housing, consumer, family and children, and public benefits, with advocates functioning as specialists within their unit. Houston also houses program-wide projects including the disaster recovery and veteran's assistance units, and the CIU. Branch office legal staffs vary in size from two to six advocates depending upon the size of their local service area. While there is some degree of specialization in branch offices, most advocates in those offices operate as generalists.

An impressive 40% of LSLA's attorneys have more than 20 years of legal experience, and close to half of those attorneys have been practicing for more than 30 years. Most of these attorneys have spent their entire career within Texas' legal aid system. While several of the more experienced staff have assumed managerial and/or supervisory positions, an equal number continue to provide ongoing services at the staff attorney level. Almost all offices/units house at least one attorney with more than 20 years' experience. Casehandling paralegals also have a wealth of experience. Many advocates are recognized experts in the principal poverty law areas of consumer, housing, public benefits, and family law.

Unfortunately, there is an attendant consequence of having such a tenured staff. LSLA has recently experienced a number of retirements, serious health issues, and even deaths among its staff members. Because of funding decreases, not all vacant positions have been filled. In several branch offices, this has resulted in staff shortages and a resulting reduction in client services. Staff from other offices and/or supervisory attorneys have stepped in to take on existing caseloads and ensure continued client representation.

In addition to its experienced staff, LSLA has recruited some very talented new advocates who hold great promise for the future. Approximately 20% of the advocacy staff has five or

¹¹ LSLA staff was in some flux at the time of the visit, due to retirements and other departures of several long-time staff, as well as contract attorneys employed with hurricane related grants. As a result, there is a difference between the 170 reported to LSC as being on staff during 2012 and the number employed at the time of the visit.

fewer years of experience. The challenge will be to retain the newer staff and pass on the knowledge of those more experienced prior to their retirement.

Finding 11: LSLA has developed various mechanisms to provide not only high quality routine legal assistance but to increase the capacity to identify and resolve more complex legal issues.

LSLA has made a concerted effort to strengthen its advocacy through training, enhanced supervision, and a commitment to more complex and impactful litigation. The cornerstone of its strategy has been the creation of a multi-layered advocacy support structure consisting of managing attorneys, directing attorneys, litigation directors, and directors of litigation.

Managing attorneys are generally responsible for supervising the advocacy functions in their assigned office or unit. They oversee local intake and case assignment, review staff cases for quantity and quality, and implement program policies and procedures on the local level. Managing attorneys are also required to maintain an active caseload. Documents submitted to the team reflected a wide range in the size of those caseloads. Open case reports for managing attorneys compiled at the end of 2012 ranged from one to 46 cases; four managing attorneys had fewer than five open cases and another four had 30 or more open cases. It is possible that the varying levels of advocacy support and supervision observed by the team and discussed below, is due in part to this disparity in caseloads.

Directing attorneys are experienced advocates who supervise and coordinate assigned units, projects, and/or offices, usually within a specified geographic region. Their level and type of involvement with their assigned unit, project, or office varies. Some interact daily with their assigned units/offices; others have more limited contact. The directing attorney's role may include attending weekly case staffing meetings, setting uniform policies, supervising managing attorneys, co-counseling cases, and/or working solely on selected issues or projects within a unit or office or across several offices. Depending upon the directing attorneys' functions, managing attorneys and/or individual advocates can turn to them for assistance. While directing attorneys are also responsible for serving as counsel or co-counsel on a limited number of complex cases, their caseloads were uneven, ranging from two to eighteen.

Litigation directors are experienced specialists responsible for developing, implementing, and supervising litigation in their specific area of expertise. They serve as a resource by responding to advocate queries, co-counseling cases, and reviewing written products upon request. They are not assigned geographically, and as they are housed throughout the program, the benefit of their substantive expertise to individual advocates often depends upon the advocate's location. Advocates uniformly praised the litigation directors and their responsiveness to requests for assistance. Like directing attorneys, the litigation directors vary in the degree to which they interact proactively with staff. Their assorted efforts include attending local office/unit case meetings, providing in-house training, keeping staff aware of changes in the law, and reviewing all newly opened cases in their substantive area for possible expanded involvement. However, participation in each endeavor appears to be based largely on the interests of the individual litigation director rather than on an overall plan. Litigation directors also maintain active caseloads, both individually and as co-counsel with less experienced staff. Case list submissions reflected a range of eight to 20 open cases for the litigation directors.

The two directors of litigation have primary oversight responsibility for extended and/or strategic litigation. They advise and guide advocates through the planning and implementation of major litigation. They are also charged with coordinating efforts to address critical legal issues. While their written job descriptions identify task forces as the frequent means for such coordination, LSLA does not have internal program-wide substantive task forces. Rather, many LSLA advocates are members of statewide task forces sponsored by the State Bar of Texas Poverty Law Section. Advocates found the directors of litigation to be valuable resources. However, advocates made little distinction between litigation directors and directors of litigation when asked about litigation support. As with other attorneys in supervisory roles, the individual caseloads of the directors of litigation were uneven (nine vs. twenty).

The availability of enhanced supervision for individual cases is an integral function of LSLA's network of managing, directing, and litigation attorneys. However, general caseload supervision is primarily accomplished through the program's case review procedures, which appears to focus less on substantive legal work and more on case file maintenance. LSLA does not have a written case review policy, but instead has a comprehensive set of procedures that are used to review all open and closed cases for every casehandler. The process includes quarterly, annual, and closed case reviews. The quarterly reviews include three cases: one of which the casehandler is proud, one for which the casehandler seeks guidance, and one selected at random by the reviewer. The annual review is of all open files and is usually held at year's end, in part to determine whether a case should be closed or carried into the next year. Although the sampling and complete case reviews may occur more frequently for newly hired advocates, this is not required. Additionally, there are no specific protocols for accompanying newer advocates to their first court or administrative appearances or for review of written work at any level. While some newer attorneys spoke of extensive supervision, others had a far less hands-on experience. Most advocates stated that review of written work was generally self-directed.

Both the quarterly sampling and the annual review consist of a fifty-item checklist for each case, covering all required program policies and forms, from financial eligibility calculations to closing memos. While the checklist does contain a substantive legal work section, that section consists of check-offs for satisfactory, adequate, and/or sufficient work in the areas of pleadings, discovery, research, preparation, and consultation, as well as a number of specific file maintenance procedures including date stamping, indexing, and document order. The form does not allow for listing case strategies and, in turn, recording agreed next steps with proposed completion dates for follow-up at the next review. Some supervisors do, however, routinely review various reports generated by the CMS that reflect, among other items, open, inactive, and closing case data for each advocate. All cases are also reviewed by the managing attorney upon closure, and subsequently by either a directing attorney or a member of the program's compliance review team. Thirty of the 50 items on the case review checklist are also on the closed case review form. While a number of the required case file maintenance forms and procedures are carried out by support staff, advocates are required to complete the majority of the narrative forms. A familiar refrain by advocates during interviews with the visit team was that case file maintenance took time away from handling the case. LSC understands and supports the need for such procedures, but it does appear that the process could be streamlined.

Training is also a primary component of LSLA's commitment to high quality advocacy. The program provides in-house training on various substantive areas of law and attorneys routinely attend the annual Texas Poverty Law Conference. A number of advocates have also attended national trainings events including those sponsored by NLADA, NOSSCR, and NCLC. All attorneys interviewed reported that training, both internal and external, was freely available and many, when asked, said that they were able to attend all the events they requested or needed. LSLA also provides specialized in-house training for new managers; a number have also attended Management Information Exchange events. Although many newer attorneys have attended trial advocacy skills training, there does not appear to be any new attorney/paralegal legal orientation and/or a list of required competencies to guide them as they progress. LSLA does not have a formal advocacy manual, but it does provide easily searchable pleadings and briefs on its shared drives.

Paralegals and support staff do not have access to the same level of training as attorneys.¹²

Recommendations:

III.1.11.1: LSLA should further its commitment to increase complex and impactful work by ensuring consistent advocacy support throughout the program.*

III.1.11.2: LSLA should develop a legal work management manual to include, at a minimum, clearly defined responsibilities and supervisory protocols for supervisory attorneys (managing attorneys, directing attorneys, litigation directors, directors of litigation), caseload expectations for all advocacy positions, enhanced supervision/orientation procedures for new attorneys, and procedures for review of written work.¹³*

III.1.11.3: LSLA is urged to develop an advocacy manual outlining best practices.

III.1.11.4: LSLA is encouraged to explore the feasibility of creating internal substantive law task forces with associated listservs to be led by the litigation directors or directors of litigation.

III.1.11.5: LSLA should address ways to streamline case file maintenance procedures and intake responsibilities for casehandling staff in order to allow more time for extended advocacy.¹⁴*

¹² Since the PQV, and with the support of TAJF, LSLA has made available to all staff, an on-line series of training modules for Microsoft Word, Excel, Outlook, PowerPoint, and other software programs. All staff are being provided with 30 minutes of uninterrupted time each day through July 2013, to participate in this training.

¹³ LSLA's response to the Draft Report states that directing attorneys, litigation directors, directors of litigation, and the director of advocacy are developing a legal work management manual and litigation plans for substantive areas and branch offices, to ensure consistent advocacy throughout the program. *Response*, at 4.

¹⁴ LSLA's response to the Draft Report discusses the benefits of its current case file management system, and reports that it will continue to evaluate this system with a goal of allowing more time for extended advocacy. *Response*, at 5.

Finding 12: LSLA's efforts to increase the quality and complexity of its legal work has resulted not only in obtaining substantial benefits for individual clients, but also in achieving systemic solutions for other low-income people who may face similar legal problems.

LSLA's commitment to enhancing its advocacy on all levels has produced significant outcomes for its clientele in many forums. In the last two years LSLA has engaged in an impressive 14 appellate cases in family, housing, and consumer law, suffering only two losses. Significant examples include enjoining a foreclosure sale of a home by demonstrating that the creditor bank failed to prove that it owned the promissory note being enforced (ruling cited by state and federal courts in similar actions); successfully establishing under the Texas UCC that to recover a judgment, a creditor in a repossession case has the burden of proving that the collateral has been disposed of in a commercially reasonable manner (a decision cited by state and federal courts); and establishing in state court that Section 8 leases can only be terminated for the reasons stated in the lease. During the same period, LSLA attorneys have removed to, brought, or defended more than 20 cases in federal court covering a variety of substantive issues including foreclosure, debt collection, disability, usury, housing, and Hague Convention actions; again, achieving a high success rate. While traditionally such cases are litigated by more tenured staff, at LSLA, less experienced attorneys have handled these cases independently or as co-counsel.

LSLA is currently involved in two major state court declaratory judgment actions on behalf of individual clients: a joint action with other Texas legal aid programs concerning the state's SNAP application process; and an action against the Harris County Hospital District involving indigent patient co-payments. LSLA advocates are involved in significant administrative complaints, also on behalf of individual clients, including one with the U.S. Department of Justice challenging state court policies for serving persons with limited English proficiency, another with the U.S. Department of Education alleging race discrimination in local schools, and one with the U.S. Department of Agriculture regarding administration of the SNAP program. More "routine" administrative representation has resulted in substantial benefits to the client population. For example, a successful administrative appeal on behalf of Medicare-Medicaid dual eligible beneficiaries led to revisions in the state policy manual, resulting in approximately \$100 per month in Medicare premium coverage for every eligible applicant.

Perhaps the best example of LSLA's efforts to provide high quality representation on a myriad of fronts resulting from a single issue is its work on behalf of victims of Hurricane Ike, discussed elsewhere in this report. LSLA continues to monitor whether recovery funds are expended as agreed, assists clients in navigating the fund application process, and helps remove barriers to recovery, *e.g.*, clearing title to real property so that clients can repair or rebuild. LSLA has negotiated with contractors to assure satisfactory repairs, and will continue to monitor compliance with the hard fought, but yet to be implemented, negotiated plan to replace all 569 units of Galveston public housing.

LSLA attorneys have an excellent reputation among members of the bar and the judiciary. All judges interviewed indicated that LSLA attorneys were zealous advocates for their clients and that their legal arguments were well supported.

While it is clear that LSLA has significantly increased its litigation capacity, it is equally apparent that progress is not uniform program-wide. Some offices continue to engage primarily in routine assistance, and not all attorneys have embraced a culture of enhanced advocacy. Caseloads, both in size and complexity, vary among staff attorneys as well as among offices/units. The writing samples submitted for the team's review were emblematic of this duality. Although there were numerous examples of creative advocacy, there were almost as many formulaic pleadings. Additionally, while a number of the samples served as excellent models to replicate, others would have benefitted from additional review.

Finding 13: LSLA has diversified the types of cases handled, and could enhance its overall productivity by addressing various legal work management issues.

LSLA has taken an affirmative position to diversify case output by moving away from a heavy concentration of family law cases to a more varied caseload that includes additional consumer, housing, and public benefits matters. This imperative to reduce family law to the most critical cases involving domestic violence, custody, and other crucial issues has been internalized by branch offices and they are diligently working to expand into other areas. The effort has shown some success, as reflected by the number of family law cases closed in 2010-2012: 8137 in 2010, 7456 in 2011, 6902 in 2012. However, while the actual number decreased, the percentage of family law cases during the same period appears to have increased: 41.4% in 2010, 43.3% in 2011, 44.2% in 2012. This could be a result of the overall decline in the number of cases closed, as discussed below. The remaining cases were fairly well dispersed among the other priority areas including housing (21%), health/public benefits (19%), and consumer (10%).

LSLA closed a total of 15,617 LSC reportable cases in 2012, of which 14.5% were extended cases. Of some concern is that LSLA's 2012 overall closed cases, extended closed cases, and contested closed cases per 10,000 poor people were each well below the national median for LSC funded programs. Specifically, the closed case total per 10,000 poor persons was 151, compared to the national median of 245. Extended and contested cases were of a similar disparity -- 22 compared to 57 extended, and 10 compared to 28 contested. This does not appear to be an isolated instance related to such factors as staff reductions or hurricanes, as this trend has been ongoing for a number of years.

Case closing data can be influenced by any number of factors, including service area geography, funding, staffing, complex litigation, and work that is not easily captured by CSR data. In the case of LSLA, it is likely that additional factors impacting case outputs mirror issues raised elsewhere in this report, including the lack of a coordinated intake system to dispose of limited service cases, disparate caseloads, and time devoted to administrative tasks.

Criterion 2. Private attorney involvement.

Finding 14: LSLA effectively integrates private attorneys into its work and provides those attorneys with support and recognition for their service through subgrants to and collaborations with local bar associations.

LSLA is fortunate to operate in a state in which leaders of the justice community -- the Texas Supreme Court, the State Bar of Texas (SBOT), and the Texas Access to Justice Commission -- have demonstrated support for legal services and pro bono. The Supreme Court requires attorneys licensed in Texas to report their pro bono hours, and has adopted an emeritus rule to encourage retired and inactive attorneys licensed in Texas and other states to volunteer. LSLA contributes to this atmosphere by collaborating with other providers to develop systems and provide support for pro bono. The directing attorney for pro bono is a member of the Texas Supreme Court's Task Force to Expand Legal Services Delivery, is the Legal Aid Liaison to the Texas Family Law Council, and is a member of the Pro Bono Committee of the SBOT Family Law Section. Pro bono coordinators in Houston and branch offices are also active in state and local bar associations. Coordinators from LSLA and other programs in the state meet annually in Austin. Some staff are active in state and local bar associations, some in leadership positions. These activities encourage awareness of LSLA's work and promote private bar involvement.

The LSLA service area includes metropolitan Houston with its large law firms and multitude of resources, communities such as Beaumont with its solo practitioners and midsize law firms, and sparsely populated areas of east and southeast Texas that have few to no lawyers. To maintain a viable pro bono program in such a diverse area, a program must offer volunteers a range of opportunities and support. The LSLA PAI plan describes the models used to involve private attorneys. LSLA also submitted, as part of the document request, an update to the plan.

Current staffing for the LSLA PAI effort appears to be generally effective and appropriate, and program leadership is supportive. At the time of the visit, there had been some recent modifications to the structure of the LSLA PAI program: in staffing and staff responsibilities; in models used to involve private attorneys including a shift away from contract and toward pro bono (with some exceptions including conflicts cases); and in staff responsible for subgrant oversight. In some offices, coordinators are attorneys who devote all their time to PAI; in others, non-attorneys handle this responsibility under the supervision of the managing attorney. Overall supervision is provided by the Houston-based directing attorney.

LSLA uses a variety of methods to recruit potential volunteers and match them with cases, including attending bar association meetings, conducting CLE programs, and reaching out to individual lawyers. Recently, more emphasis has been placed on posting cases on *TexasLawHelp.org*. Volunteers receive malpractice insurance coverage if needed, plus training, mentoring, and recognition of their efforts. Branch office coordinators are expected to provide volunteers with substantive support. Staff members report no significant problems with follow up and oversight of direct referral cases -- they obtain information they need from the volunteer or from court records. There does not appear to be a clear protocol for determining which cases remain in-house, and which are referred to PAI.

In 2012, LSLA closed 1,954 PAI cases, a slight increase over 2011 (1,929) but somewhat less than in 2010 (2,387). National CSR data show that the number of PAI cases closed by LSLA per 10,000 poor persons (19 in 2012 and 2011) is consistent with the national median (22 in 2012 and 26 in 2011). The number of extended service PAI cases closed by LSLA per 10,000 poor persons (7 in 2012, 8 in 2011) is also relatively consistent with the national median (8 in 2012, 9 in 2011). Of the total number of PAI cases closed by LSLA in 2012, 36.6% (716) were

extended service cases and 63.4% (1,238) were limited service. The overwhelming proportion of PAI cases was in family law (86.2%), down slightly from 2011, when family law comprised 88.5% of PAI cases. Approximately 56.9% of the 2012 cases closed as PAI were counsel and advice; 20.8% were the result of court decisions in uncontested cases, and 4.2% were contested.

The primary model for involving pro bono attorneys is through individual case referrals on a range of legal issues including bankruptcy, tax (LITC), family law, housing and consumer, benefits, wills, and veterans' issues (with funding in part from TAJF). In addition, volunteer attorneys conduct CLEs and prepare written materials for other volunteers, provide community legal education, and assist pro se litigants through LSLA-sponsored clinics serving eligible clients. In at least one office, a volunteer attorney assists with staff cases.

The majority of PAI cases closed by LSLA are handled with subgrants to the Houston Volunteer Lawyers Program (HVLP) and Advocates for Victims of Domestic Abuse (AVDA). In 2012, HVLP closed 1,999 LSLA cases, of which 1,117 were in family law and 166 were housing. AVDA closed 869 LSLA family law cases during that year.

LSLA refers clients to HVLP after they have been screened and determined to be eligible for LSC-funded services. LSLA has experienced longstanding challenges with its subgrant to HVLP, particularly in the area of compliance. These challenges were documented in the 2012 OCE report. HVLP recently hired a new director, who has restructured the program and created a web-based referral system. The LSLA directing attorney for pro bono has assumed oversight responsibility for the HVLP subgrant, has provided HVLP with training on compliance issues, and is working closely with HVLP staff to ensure that its standards are up to the level expected by LSC, TAJF, and LSLA. At the time of the visit, the directing attorney was conducting a weekly review of HVLP cases to ensure compliance with LSC requirements.

AVDA staff and volunteer attorneys provide legal assistance to domestic violence victims in the Houston area. Clients access AVDA directly or by referral from LSLA after they have been screened and determined to be eligible for services.

LSLA also provides a subgrant of non-LSC funds to the Jefferson County Bar Pro Bono Program (JCBPBP), located in the Beaumont office service area. Applicants are screened for eligibility by the Beaumont office and referred to JCBPBP, which places the case with a volunteer attorney and provides follow-up. In 2012, there developed some confusion between the two organizations about the type and number of cases that were being referred to JCBPBP, as well as the timing of those referrals. An agreement was reached whereby LSLA would refer all cases within priorities in which the applicant was at or below 125% of the poverty level, and would make those referrals on a daily basis or as soon they were screened. The Beaumont office recently designated a full-time experienced attorney (formerly the office's managing attorney) as its pro bono coordinator. She will coordinate activities with JCBPBP and recruit attorneys and develop pro se divorce clinics in counties other than Jefferson.

Interviews with staff and a review of documents submitted for this visit indicate that during the past several months, pro bono activity at LSLA has become more cohesive and directed. Lines of supervision for PAI are clear, and communication within what the directing

attorney refers to as the “PAI team” appears to be effective. The directing attorney has initiated monthly team conference calls, and is developing systems to encourage coordination and efficiency, such as standardized forms and a regional focus. As discussed above, she has also increased oversight of the HVLP subgrant. The team met in person at the 2012 statewide pro bono meeting, and is developing its own strategic plan with regional goals. Offices that did not make sustaining pro bono a priority in the past appear to be more engaged. For example, the managing attorneys of the Waco and Conroe offices are resolved to strengthen their pro bono efforts. LSLA is reaching out to attorneys in rural areas without organized bar associations, such as Chambers County. Staff are also engaging with minority bars, including the Asian American Bar Association of Houston and the Hispanic Bar Association of Houston, to expand the pool of potential volunteers to assist clients in the Spanish-speaking and Vietnamese communities.

A continuing challenge is the apparent lack of case acceptance criteria that would more clearly define which cases to refer to PAI, and which to retain in-house as staff cases.

Recommendations:

*III.2.14.1: * LSLA should continue efforts to streamline and coordinate its systems for involving private attorneys, and should ensure that there is effective oversight of those systems.*

*III.2.14.2: * Case acceptance criteria should include guidelines for staff on which cases could be referred to PAI.*

*III.2.14.3: * LSLA is urged to work with HVLP and JCBPBP to explore mechanisms to facilitate referrals.*

III.2.14.4: LSLA is urged to explore additional models for involving private attorneys in its work. Examples that would help LSLA with its overall mission include the establishment and expansion of specialty panels such as those for veterans’ cases and for LITC; the use of specialists for co-counseling; and the expansion of clinics through which volunteer attorneys could provide advice to eligible participants.

Criteria 3 and 4. Other program services to and on behalf of the eligible client population.

Finding 15: LSLA provides community legal education, assistance with self-help activities, and pro se materials and other resources to help meet the legal needs of the eligible client population.

As discussed above, LSLA conducts numerous outreach and educational events to benefit the client population. Some offices also conduct pro se clinics staffed by LSLA personnel and/or pro bono attorneys. LSLA also provides some callers with pro se materials on a variety of issues in English, Spanish, and Vietnamese, as appropriate. These packets vary in quality and in some cases are comprised of sample court forms with no instructions. In addition, some materials are unlikely to be understood by the client community. For example, when a member of the visit team used a computer program to analyze the readability of the first paragraph of “Instructions for the Pro Se Answer – Divorce/Custody Cases,” the text was rated at a college level. Most readability experts advise that such materials be written at 5th grade level.

The LSLA website links to the statewide website, TexasLawHelp.org, which is operated by the Texas Legal Services Center. TexasLawHelp.org is intended to be a central resource for clients, staff advocates, and pro bono attorneys. However, the link to TexasLawHelp.org on the LSLA website is not clearly marked. It is located towards the end of the home page, in a grouping of logo links to funder organizations. It would be of more value if located more visibly and accompanied by some descriptive language. At the time of the visit, the LSLA staff person who had represented LSLA in TexasLawHelp.org related activities had recently left the program.

Recommendations:

III.3.15.1: LSLA is encouraged to identify a staff person to coordinate with the Texas Legal Services Center to maintain TexasLawHelp.org and to work with other LSLA staff to better incorporate the resources available on that website into their work.

III.3.15.2: LSLA is encouraged to revise its pro se packets to ensure that they provide clear instructions in plain language at a reading level targeted for the client community.

III.3.15.3: The TexasLawHelp.org link should occupy a more prominent position on the LSLA website and should be accompanied by some indication of the resources it provides.¹⁵*

Finding 16: LSLA's strong relationships with other legal and social service providers in the service area have resulted in creative collaborations to serve the client community.

Most LSLA staff engage with other legal and social service providers on an ongoing basis to ensure that the client community is being served. They participate in meetings such as those of coalitions against domestic violence or human services coordinating groups. They may also serve on boards and committees of community organizations. Through these relationships, LSLA has been able to reach client groups who are sometimes isolated because of historic distrust of outsiders, *e.g.*, immigrant groups, or because of location, *e.g.*, rural residents.

Examples of effective collaborations include participation in the Veterans' One-Stop Center and the Medical-Legal Project at the Veterans Administration Medical Center in Waco, the previously described Houston area Vietnamese Outreach Project, and the Paris office's collaborations with the courts, agencies, police department, and community groups to improve accessibility for persons with disabilities and educate them about their legal rights.

Beginning with its efforts to serve the client community after Hurricanes Katrina and Rita, LSLA has set a national standard for collaboration to address disasters. Most recently, immediately after Hurricane Ike made landfall in September 2008, LSLA collaborated with the Red Cross, volunteer attorneys, and other organizations to provide legal information and assistance at FEMA Disaster Recovery Centers (DRCs). These activities included: (1) operation of a hurricane hotline; (2) mobile offices at DRC's and other community events to answer disaster questions, offer free disaster legal help, assist with public benefits and government aid applications (and eliminate access barriers), and make referrals to other aid organizations; and

¹⁵ LSLA's response to the Draft Report notes that an experienced attorney has been assigned to coordinate with Texas Legal Services Center, TexasLawHelp.org and other LSLA staff to maintain the website and enhance its resources. The TexasLawHelp link will be displayed more prominently on www.lonestarlegal.org. *Response*, at 6.

(3) distribution of more than 60,000 legal information packets in English, Spanish, Chinese, and Vietnamese. The Galveston and Houston offices in particular, have built upon these activities and continue to address disaster-related issues. LSLA also responded in a similar vein when East Texas was impacted by drought and wildfires in 2011.

Despite the success of these activities and LSLA leadership's support thereof, there is significant variation in the degree of such involvement by offices/units and by individual staff within offices.

Recommendation:

III.3.16.1: All offices/units should be expected to participate in appropriate community organizations or coalitions.

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

Criterion 1. Board governance.

Finding 17: The LSLA board of directors is committed to the program and its mission, receives appropriate training and support, and provides effective oversight.

The LSLA board of directors consists of 25 members: 15 attorneys appointed by bar associations and nine client eligible members appointed by organizations designated at the annual meeting. There is one at-large seat, currently held by an attorney. The board includes African-American and Asian-American members, but no Latinos. The board leadership and the executive director have repeatedly petitioned appointing entities to request a Latino attorney member to replace a Latino former director. Board members serve a three year term; the board does not have term limits.

The executive committee includes the chair and vice-chair, who are elected by other members for a one year term. Officers include the chair, vice-chair, and five members elected by the full board. At the time of the visit, the following committees also were active: audit, finance, development, governance, long range planning, nominating, and personnel. Board members maintain a high attendance rate at quarterly meetings, which are held in Houston and at various locations around the service area, and telephonically. Members receive essential information in advance of full board meetings by email or regular mail. They do not use centralized electronic storage for board records and documents. Members are encouraged to make a financial contribution to LSLA, and most if not all, do so.

Client representative members share fully in deliberations, and their insights and perspectives are given consideration. Client members have served as committee chairs and on the executive committee. Client members are also active in outreach efforts on behalf of the program, and they are members of the Texas Client Council.

The board is supportive of program leadership, while maintaining its fiduciary independence. Board members and committees participate in major policy decisions, *e.g.*, developing and adopting a resource development plan, a communication plan, and a long range strategic plan, and revising the policy manual. Board members also assist with resource

development. When faced with decreased funding in 2011, the board worked closely with management to address funding shortages by closing the Bellville office and designing a reduction-in-force (RIF) plan.

Board members receive a manual that includes the LSLA articles of incorporation and by-laws, adopted policies, staff roster, LSC regulations, board minutes, and other relevant material. New members receive in-person orientation from the executive director and experienced board members. The full board receives annual in-house training, which in the past has included such topics as leadership and fiduciary responsibility, understanding the client community and its needs, developing a budget, and establishing priorities. Board members have also attended NLADA conferences and other events.

There appears to be an effective structure for financial oversight. The full board reviews quarterly financial reports and adopts the operating budget. These documents are first reviewed by the finance committee. The full board also reviews most grant proposals, the IRS Form 990, and annual audit reports. The board hires an auditor who first presents findings to the audit committee, then makes a presentation to the full board. The board does not include members with specialized accounting or finance expertise.

The board chair communicates regularly with the executive director. The executive director reports to the board at quarterly meetings, attends committee meetings, and initiates conference calls as needed with committees or officers. Staff members are free to attend meetings, and they frequently report to the board about significant litigation and other activities. The board evaluates the performance of the CEO approximately annually, utilizing a written tool. The most recent evaluation was in 2011. Input is also solicited from external constituencies, but to date, not from staff.

Recommendations:

IV.1.17.1: LSLA should increase its efforts to encourage appointing bar associations in the service area to designate a Latino lawyer to serve on the board of directors. In filling future board positions, LSLA is urged to seek the appointment of a member with financial expertise.¹⁶*

IV.1.17.3: The LSLA board is encouraged to include input from staff in its evaluation of the executive director.

Criteria 2 and 3. Leadership, management and administration.

Finding 18: LSLA has a strong and highly respected executive director and an experienced management team.

As noted elsewhere in this report, the leadership structure in place during the 2006 visit recently changed. The COO, general counsel, director of administration, one director of

¹⁶ LSLA's response to the Draft Report states that the Houston Bar Association has appointed a Latino attorney to the LSLA board. The response also clarifies that two attorney members have significant financial expertise. *Response*, at 6.

litigation, and some senior staff retired in 2012. The COO and director of administration positions have been eliminated, and their functions reassigned. The senior management team now includes the executive director (CEO), general counsel, chief financial officer, director of advocacy, directors of litigation, and director of external affairs. Each of these leaders has substantial experience and several have been affiliated with LSLA for many years.

The executive director has been in his position since the merger, and enjoys broad support from the board and the state justice community. Board members interviewed described him as collaborative, effective, and an exceptional fundraiser. He has been highly successful in cultivating relationships with external constituencies such as the Texas legislature and the Texas Access to Justice Commission. He also appears to have broad support within the program, although some staff, including some in the Houston office where he is located, observed that they have little contact with him.

Finding 19: LSLA has successfully merged the policies and procedures of separate and diverse programs into a unified system for operating a regional law firm, although there remain some instances where policies are not reflected in practice.

In 2002, LSLA was faced with the significant challenge of merging two LSC grantees along with part of a service area and individual office of a third recipient, all of differing sizes, professional cultures, and geographic areas and populations served, into a single regional law firm. This required the blending of diverse boards, leadership, administrative and financial accounting systems, case management systems, intake systems, personnel policies and procedures, and collective bargaining agreements. At the time of the 2006 program quality visit, OPP found that these systems had not yet been fully integrated, and that the lines of responsibility, accountability, and authority were unclear. Today, LSLA operates under unified, program-wide policies and procedures related to the practice of law, funding regulations, and other requirements. These policies are enforced in coordination with the terms of employee collective bargaining agreements.

Interviews suggest that while there has been significant progress since 2006 in the clarity with which lines of authority within senior management are delineated and perceived, there remains some occasional confusion. While the program's by-laws describe lines of authority and duties, they do not clearly reflect the current management structure. For example, the by-laws state that "the General Counsel/Director of Litigation will have primary oversight responsibility for the quality and effectiveness of LSLA legal work." However, a December 1, 2012, memorandum from the executive director to the board describes responsibility for legal work as resting with the director of advocacy; the two directors of litigation are charged with oversight of strategic and extended litigation.

Administrative operations in each office or unit are supervised by the managing attorney. Managing attorneys are responsible for the smooth operation of the office, for working with the local community and bar associations, for facilities management, and for supervising support staff. Managing attorneys are also expected to supervise, evaluate and discipline staff in their office or unit. They may become involved in fundraising activities, and may help to identify grant prospects.

Finding 20: LSLA does not have a written leadership succession plan, but makes an effort to identify and develop new leaders from within the program through training, mentoring, and work on special projects.

LSLA makes an effort to identify and develop new leaders from within the program through training, mentoring, and work on special projects. The LSLA management structure includes senior managers who are theoretically positioned to step in if the executive director is unable to serve. However, this structure is quite new and still in transition, and there is no written succession plan. The LSLA by-laws provide, “in the absence of or upon delegation by the President [who is the CEO/executive director], the Vice President [COO/chief operating officer] shall perform the duties of the President.” With the retirement of the COO and elimination of that position in the organization, this language has become outdated.

Recommendations:

IV.2.20.1: LSLA management lines of responsibility and authority should comply with the by-laws, or the by-laws should be amended to conform to the management goals of the program.¹⁷*

IV.2.20.2: LSLA is urged to develop a written succession plan for executive leadership that includes the appointment of interim leadership (for which the by-laws seem to provide), the appointment of a search committee detailing composition by board members, management, and other constituencies, as well as a specific timeline for the process.*

Disaster Services

Finding 21: LSLA is a national leader in the area of disaster response.

LSLA should be proud of its exemplary work and national leadership in the area of disaster response, discussed throughout this report. In April 2009, the program received a one-year, \$120,000 LSC disaster grant to hire two attorneys to supplement LSLA's long term plan to provide direct legal services to disaster survivors. This grant allowed LSLA to provide advocacy, community outreach and other activities in a full range of legal issues with a concentration in helping clients secure or retain safe, sanitary, and affordable housing as well as obtaining an array of public benefits. LSLA continues its work in the disaster area with a much-reduced staff. In 2012, LSLA received a TIG grant to enhance the <http://www.disasterlegalaid.org/> site.

LSLA has an effective continuation of operations plan.

¹⁷ LSLA's response to the Draft Report states that the board will consider an amendment to its by-laws at the June 2013 meeting, to delete reference to the Chief Operating Officer (COO). The board will also consider a proposed succession plan at this meeting. *Response*, at 7.

Technology

Finding 22: LSLA has experienced information technology staff and a solid technology infrastructure to support its work, although there are some areas where modernizations to the technology would be appropriate.

LSLA offices are connected with a wide area network (WAN) that supports both computer connectivity and the telephone system. The main data center was recently upgraded to improve security and move servers to a virtualized environment. The server room is well designed with provisions for battery backup power. Program data and documents are routinely backed up and backups tested.

Staff report that while their desktop computer systems work reasonably well, Practice Manager, the program's case management software, can be slow and unresponsive. The visit team notes that (1) most desktops use the Microsoft Windows XP operating system, which is more than a decade old and will soon lose Microsoft support; and (2) Practice Manager is version 9.0, installed in 2005 and requiring Microsoft Office 2003 and an older version of Citrix for compatibility. However, the maintenance fee for Practice Manager includes the licenses needed to upgrade to the current 10.x version. The 2013 Technology Plan calls for the necessary upgrades to these systems, among other activities. If implemented, these actions should enhance in-office and remote access productivity, and improve data security.

LSLA has a VoIP telephone system that allows for routing of calls within and between LSLA offices, but not to outside locations. Remote access could expand the capacity of the CIU and the pool of potential intake staff by allowing off-site employees, volunteer attorneys, law students, and others to conduct intake, especially during peak hours.

While all offices have the capability to scan and store documents electronically, LSLA requires that paper files be available for compliance reviews. When no such file exists, paper copies of electronic documents are generated. These files may also have to be moved from one office to another. At the time of the visit, only the CIU operated in a near-paperless environment.

LSLA employs three full-time technology services staff to maintain the system and provide training and support. Other staff members report that technology staff are responsive to requests for assistance. All new staff members are trained on how to use Practice Manager. However, there is little to no routine training for new or longer term staff on any of the other software systems used by the program.

Recommendations:

*IV.3.22.1: * LSLA should implement its 2013 Technology Plan, including upgrading to version 10.x of Practice Manager or another CMS if it is determined that this would be more compatible with future plans, such as online intake. Once the CMS is upgraded, LSLA can upgrade its workstations to Microsoft Office Windows 7 (or 8), and its Citrix programs to current versions.*

*IV.3.22.2: * As resources permit, LSLA should upgrade the VoIP phone system so that it can better support the work of the CIU.*

IV.3.22.3: LSLA is encouraged to expand the role of the technology training coordinator to provide training on other systems and should utilize remote training tools such as webinars.

*IV.3.22.4: * LSLA should implement a protocol for creating electronic cases files and eliminating paper as a way to lower costs, improve access to files, and improve efficiency of compliance checks and other case management reviews.¹⁸*

Criteria 4 and 5. Financial administration¹⁹ and human resources administration.

Finding 23: LSLA's fiscal staff is highly credentialed and its systems for financial administration appear to be sufficient.

The chief financial officer (CFO), who has been with LSLA since May of 2012, is a CPA and has a master's degree in accounting and a Ph.D. in human resources. The director of finance is also a certified public accountant and has a master's degree in public accounting; he has been with LSLA and its predecessor for almost 20 years. The accountant, who has been with LSLA for four years, has an associate's degree in accounting and has passed the International Qualification Examination in accounting. The accounting secretary, who has been with LSLA for more than five years, previously worked for a bank.

The LSLA Accounting Manual has been updated to comport with the 2010 LSC Accounting Guide. In response to recommendations of the LSC Office of Inspector General based on an audit of selected internal controls, LSLA made significant changes in its internal control procedures and hired the CFO. Staff reports that the program has segregated financial duties and significantly strengthened its control structure. The accounting team is revising the Accounting Manual to document these changes.

Accounting personnel prepare quarterly financial reports and an annual operating budget for submission to the board. LSLA engages in multi-year budgeting. These documents report revenue and expenses recorded or projected for all funding sources and cost centers. Accounting personnel also meet with staff tasked with grants management and resource development to develop budget calculations in preparation for submission of grant proposals and funding applications. The meetings include a discussion of staffing levels based on projected funding.

Finding 24: LSLA has effective human resources administration, and its policies and practices are designed to recruit and retain high quality staff.

¹⁸ LSLA's response to the Draft Report states that the board will consider a proposed Technology Plan that includes Recommendations listed under Finding 23 at its June 2013 meeting. LSLA explains that limited service cases are currently maintained electronically, and that a protocol for maintaining all case files electronically will be developed. *Response*, at 7.

¹⁹ This visit was conducted by the LSC 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.

Staffing for the administration of human resources was in transition at the time of the visit. This function was previously the purview of the COO and his staff, but is now directed by LSLA's general counsel. Other staff who handle components of the human resources function include a human resources director who has primary responsibility for benefits administration, and a member of the accounting staff who spends approximately 25% of her time on salary and benefits review. As noted above, the CFO has a Ph.D. in human resources.

Job descriptions have recently been updated to reflect new responsibilities, or created, in the case of new positions. The organizational chart has also been updated. LSLA policies call for periodic performance evaluations but the program has not conducted such evaluations in recent memory. It is, however, in the process of developing a structure and guidelines for such process and plans to initiate them in the near future.

As noted elsewhere in this report, LSLA has had a very stable work force, with many staff working for the program or one of its predecessors for decades. The staff is diverse and reflective of the community. Salaries and benefits are competitive with other legal service providers in Texas. LSLA has a comprehensive benefits package. Health and dental insurance are available at no cost to the employee, and dependent coverage is offered at a reduced rate. A 403(b) plan is available. Attorneys are eligible for the LSC and Texas Access to Justice Commission/Texas Bar Foundation's Loan Repayment Program. LSLA pays state and local bar dues. Salaries and benefits for unionized staff are subject to the collective bargaining agreement.

The director of advocacy has primary responsibility for staff training. Training for advocacy staff appears to be sufficient. Non-attorney staff members are provided in-house training, but generally do not attend outside events.

Recommendations:

*IV.5.24.1: * All staff, including managers, should be evaluated on a regular basis. Evaluations of managers should include a formal system of feedback from staff supervised, directly or indirectly, by the manager. Evaluations of advocates should address issues related to staff productivity -- however LSLA chooses to define that term -- and the quality of written and oral advocacy. Training and professional development should be tied to the evaluation.²⁰*

*IV.5.24.2: * LSLA should assess training needs for all staff categories, and should ensure that those needs are being met.*

Criterion 6. Internal communication.

Finding 25: LSLA's management and operations structure is generally conducive to inter-office communication, and most staff consider themselves to be part of a regional law firm.

²⁰ LSLA's response to the Draft Report states that staff evaluations will be conducted in 2013, and that they will include an assessment of training needs. *Response*, at 8.

Inter-office communication in an organization as large and spread out as LSLA can be challenging, particularly when that program is the result of the merger of distinct programs. Overcoming the obstacles of distance and loyalty to previous programs can take time, but at LSLA the effort to do this has been generally successful, and most staff consider themselves to be part of a regional law firm. Internal communications at LSLA have also improved since the 2006 program quality visit.

In 2011, in an effort to share information, LSLA instituted a monthly electronic newsletter that is sent to all staff and that includes announcements on such issues as staff activities, staffing changes, cases in the news, and funding, as well as short staff-authored articles on technology, benefits, and other topics. Also, by working across offices and units, the directing attorneys, directors of litigation, and litigation directors are helping to foster communication and to build and strengthen a sense of identity.

Notwithstanding the foregoing, additional challenges remain. The level of communication among staff in different offices and units varies, and there continues to be a sense among some staff that they are not informed about program developments. There are no regular meetings for branch office and unit managers, and there has not yet been an all-staff meeting. Staff in a large office such as Houston could benefit from quarterly office-wide meetings. Some staff commented that while they may contact colleagues in other offices about cases and other issues, this effort is usually led by the directing attorneys. With the exception of the PAI team, LSLA does not have internal task forces or committees built around particular issues or interests. The e-newsletter is a valuable tool, but there may be times when information, such as a staffing change that impacts day-to-day work, needs to be communicated immediately.

Recommendations:

IV.6.25.1: LSLA is encouraged to maintain regular, two-way communication with staff in branch offices and units, and to develop additional mechanisms for the sharing of information among offices, among units within offices, and among individual advocate and non-advocate staff based on subject matter or other area of interest. Staffing changes should be communicated to all staff as soon as they occur.

IV.6.25.2: LSLA is urged to convene an in-person meeting of all staff as soon as resources permit.

IV.6.25.3: LSLA should consider using technology such as videoconferencing to promote inter-office communications and permit staff to participate in meetings, such as the litigation meetings.

Criterion 7. General resource development and maintenance.

Finding 26: LSLA utilizes effective staffing and systems for resource development and has diversified funding sources.

In 2012, LSLA's total revenue was approximately \$18.7 million, of which LSC basic field grants contributed approximately 48%. Legal services programs in Texas are fortunate to have the support of the Texas Supreme Court and the state legislature, resulting in significant state appropriations in recent years. These funds are distributed through TAJF, which in 2012 awarded LSLA approximately \$8.9 million in IOLTA and state appropriations. Total revenue was 5% less in 2012 than in 2011.

LSLA has made a concerted effort to diversify its funding base, and in the last four years has obtained 55 grants beyond those from LSC and TAJF; 8-10 of those grants are still active. LSLA's non-LSC funding increased 8.9% from 2011 to 2012, which helped defray, but did not completely offset, reductions in LSC funding. In 2012, in collaboration with several partners including the Texas Legal Services Center, Catholic Charities' Cabrini Center for Immigrant Legal Assistance, YMCA International Services of Houston, and the University of Houston Law Center, LSLA embarked upon a new project funded by the U.S. Department of Justice to develop holistic services for crime victims. Local grants, such as funding for a bilingual receptionist and for legal assistance to hospice patients, reflect the strong relationships that individual offices have built within their community.

In 2012, LSLA adopted a comprehensive resource development plan to guide its activities in this area for 2013-2015. It has hired a grants specialist and a director of external affairs. Its development plan hinges on the procurement of new grants, with the external affairs director working in coordination with the grants specialist. As funding sources become more diverse, LSLA plans to hire a grants manager. LSLA also intends to hire a development director to tap into funding sources such as corporations and foundations. The director of external affairs has begun exploring some of these relationships.

LSLA uses traditional and social media to feature program news and accomplishments in part to promote contributions. The program has a Facebook page and a Twitter account to highlight events and successes. Its website includes a "donate" option. In 2011, LSLA produced *Justice Matters*, an impressive and very readable report of its activities for public dissemination.

Recommendation:

IV.7.26.1: LSLA is encouraged to continue to explore creative ways to diversify its funding sources.

Criteria 8 and 9. Coherent and comprehensive delivery structure and participation in an integrated legal services delivery system.

Finding 26: LSLA is an active and respected participant in the legal community of the service area and the state. It maintains and encourages a coherent delivery structure that is a key component of the statewide legal services delivery system.

LSLA is one of three LSC-funded legal services programs in Texas and is the primary provider of legal services to the poor in its service area. Staff collaborate with LSC and non-LSC legal services providers across the state, and with state and local bar associations, law firms,

law schools, and community organizations to support and enhance access to justice. Several program attorneys are currently serving or have served in bar association positions through which they contribute valuable perspectives to deliberations on the provision of legal assistance to low-income persons. Staff members serve as resources to other advocates at the local, state, and national levels by providing training at conferences, participating in task forces and on committees, and by being available to individual advocates seeking assistance.