



July 20, 2012

Richard Sloane
Chief of Staff and Special Assistant to the President
Legal Services Corporation
333 K St. NW
Washington, DC 20007

By email to sloaner@lsc.gov

Dear Mr. Sloane:

Mutual legal aid colleagues have shared with me LSC's draft strategic plan for the period of 2012 to 2016. I understand that the comment period has recently ended, but I hope you might allow me the opportunity to briefly describe a portion of the work of Management Information Exchange (MIE) as it relates to the activities set out in your plan and soon to be discussed by the LSC Board.

LSC's draft strategic plan at page 8 speaks to providing operational support to improve the quality of legal services to the poor. MIE fundamentally believes that excellence in management results in excellence in client services, and toward this end, MIE has provided a broad range of training, consulting and library services to the executive directors, managing and supervising attorneys, fiscal officers, administrators, fundraisers and boards of directors of legal aid programs - services that exist nowhere else in the legal aid community.

MIE's training is briefly described in the MIE *Journal* article attached, written in celebration of our twenty-fifth anniversary. MIE would welcome the opportunity to collaborate with LSC on state of the art training, building on our very solid foundation and years of experience in training.

LSC's draft strategic plan at page 11 speaks to increasing private support for civil legal services. MIE is the only organization that has systematically provided resource development training and support to legal aid programs. MIE has provided training on the skills needed for successful fundraising, brought together legal aid fundraisers to share successes, and introduced to the community new strategies for developing private sector resources. Our recent efforts have centered on private fundraising, and our 2012 National Fundraising Conference took place last week to outstanding reviews on all accounts. (Fifty-one development staff and executive directors from 38 LSC-funded programs attended.)

Again, an MIE *Journal* article, attached to this letter, describes MIE's experience with and vision for successful resource development in legal aid organizations. We share your ideas as to areas of development support, note that we have strengths and experience in those areas, and would welcome a collaboration here as well.

I hope you will consider these comments during the upcoming discussions of the draft strategic plan. At an appropriate time, I would welcome the opportunity to discuss our mutual interests and to work more fully with you. Thank you.

Sincerely,

Patricia Pap
Executive Director



Management, Innovation, Excellence — What MIE Brings to Legal Aid Training

By Patricia Pap, Executive Director
Management Information Exchange

Management Information Exchange (MIE) seeks to spark excellence in leadership, management and fundraising in legal aid programs serving low income clients, through training, consulting and publishing activities. MIE has built an outstanding reputation for our timely and practical training opportunities. MIE offers regularly scheduled trainings for executive directors, senior and mid-level program managers, supervisors of legal work, fundraisers, administrators – and now, board members. In addition MIE offers custom training development and delivery to legal aid programs.



clients, through training, consulting and publishing activities. MIE has built an outstanding reputation for our timely and practical training opportunities. MIE offers regularly scheduled trainings for executive directors, senior and mid-level program managers, supervisors of legal work, fundraisers, administrators – and now, board members.

This description identifies some of the trainings that MIE has developed and offered in recent years to legal aid programs. These trainings may be modified and conducted for individual programs or groups of programs at the local, state, regional or national level.

Supervising Legal Work

The legal aid supervisor’s role is multidimensional. Supervising Legal Work training offers opportunities for supervision skill-building through large group instruction and demonstration, and small group exercise and discussion. Core supervision concepts include: the role of the legal aid supervisor; performance feedback; supervision systems; diversity and supervision; workplans; supervision and leadership; designing and managing projects; and



supervision in the real office. The knowledge offered by the experienced supervisors-trainers is enhanced by the sharing of ideas with colleagues who grapple with similar supervision challenges in their daily work.

MIE has held Supervising Legal Work trainings throughout the country for fifteen years, training over 1400 supervisors. These trainings have truly changed the culture around supervision in legal aid. This is what participants say about their experiences at MIE Supervising Legal Work trainings:

Overall this was one of the best trainings of any sort I have attended.

Legal services needs to take management and supervision more seriously and this is a great start.

Small group exercises were used to apply the lectures/demonstrations on particular topics. This was a really helpful response to the plight of “middle management.”

I liked the lectures and the opportunity to practice. Very practical ideas, skills I urgently need.

The work plan development and discussion was tops. It was incredible to think about this stuff.

The roundtable/peer input part of this training was very helpful. Integrating real tasks (design a work plan, plot a project) into training was very effective. Not only did it give us an opportunity to put new skills into practice - but it also worked to show how effective those skills can be.

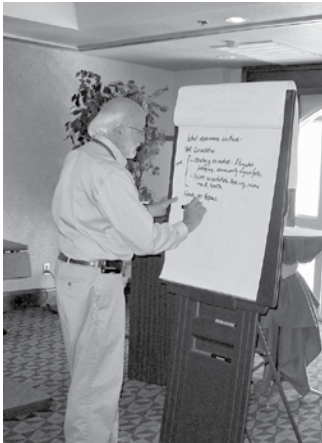
This is the sort of training that will cause me to reflect on the choices I make, the priorities I set, and the way my office runs for many months.

Feedback from peers and instructors with experiences similar to what I face day-to-day on my job was the best.

The materials were great.

I would recommend that all our managers go back for a refresher if they haven't been for a while.

Great program, obviously the result of much planning and effort. Thanks to all planners.



John Arango at New ED Training.

New Executive Director Training

New Executive Director Training helps new directors, who typically learn on-the-job, to more quickly achieve deeper insight into their work. The training stresses both 1) knowing what should be done to lead an effective program, and 2) actually doing what needs to be done. Knowing is accomplished through an extensive set of materials, with a CD to guide self-study. Most of the training itself is devoted to doing/performing some of the most important tasks required of executive directors. Participants also work on actual situations brought to the training by their colleagues.

Topics covered include:

- What is an effective legal assistance program?
- What is leadership, and how does it differ from management and administration?
- What strategies can be used to deliver services?
- How do you determine impact? Leading change: why do transformation efforts fail?
- What makes a program a “good place to work”?
- How can you work effectively with a board of directors?

This training is led by MIE consultant John Arango and an Executive Director volunteer from MIE’s Board or Training Committee.

MIE began New Executive Director Training in the late 1980s. During the course of twenty+ years, more than 300 new executive directors have engaged in dis-

ussion around the topics noted above and have developed peer support networks which last throughout their tenure. This is what participants say about their experience at MIE’s New Executive Director Training:

I benefited from all aspects of the sessions, and learned a good deal about my obligations as an ED – that of developing a vision, staff and organizational issues.

The “role of the executive director” session was incredibly informative and the exchange provided me an outline for implementing board of director and staff initiatives.

I truly appreciate the opportunity to meet everyone and discuss our issues. The roundtable was great.

I liked that the agenda was flexible to allow for free-flowing discussion.

Good handouts and training manual. Valuable materials to continue to refer to over time.

The leaders were terrific, well-prepared and extremely knowledgeable.

The networking with the other directors was fabulous.

The different perspectives of different EDs was great.

I will be looking forward to attending more training sessions and to take advantage of the tools provided by MIE.

The most valuable training I have received so far.



National Fundraising Conference

This annual conference is for board members, volunteer fundraisers, executive directors, development directors, grant writers, office or unit managers — and any other staff member who wants to help legal aid funding grow.



- Sessions typically include:
 - Welcome Roundtable for Fundraisers New to Legal Aid
 - Foundation Fundraising
 - Successful Capital and Endowment Campaigns
 - Developing a Successful Cy Pres Strategy

- The Effective Fundraising Board
- Pro Bono and Legal Aid
- The Fundraising Nexus; Developing an Effective Communications Strategy
- Multi-generational Communications
- Fundraising in Smaller Communities
- Governmental Fundraising
- Building Relationships with Major Donors
- The Successful Development Plan
- Organizing or Revitalizing a Private Bar Campaign
- Strategies for Raising Funds from Corporations
- New Entrepreneurial Activities which Fund Program Services
- Positive Ways of Telling Our Story
- Ethical Fundraising, and
- Thirty Minutes with an Expert mentoring session

MIE has sponsored the Fundraising Conference since 1999. During the course of eleven years, the cumulative registration at this annual conference is more than 1400. Many fundraisers, of course, come back year after year, to learn the latest, share successes and network with their resource development colleagues. This is what participants say about their experience at MIE's National Fundraising Conference:

The MIE Fundraising Conference is always a worthwhile investment of time and money. It gives us development folks, who often have to function as islands unto ourselves, a huge boost.

What I like best is networking with people across the country... learning from the Best of the Best...

I am new to MIE, new to fundraising, and new to Legal Aid and this was the perfect event to get my feet wet. I have indeed arrived home with a ton of great ideas.

This year, overall the presenters were great, but the opening plenary on Generational Marketing was over the top fantastic, interesting, amusing, and new.

Wonderful materials! I'm glad I can get handouts for the sessions I didn't attend.

Thirty Minutes with an Expert mentoring session was reinforcing, stimulating and a very worthwhile addition to the conference.

We had a fantastic time and learned a whole lot. I have enormous respect for the MIE, which is populated with interesting, creative, extraordinary people. GREAT JOB, thank you.



National Conference for Legal Services Administrators

This conference is for all of those staff members who carry out a broad range of administrative functions: fiscal; grant writing; compliance with funder requirements; benefits administration and human resources; training; technology; and office management, including facilities and contract negotiation with vendors.

Sessions typically include:

- Facilities Management
- Technology—Hardware, Software and Connectivity
- Vendors/Purchasing; Fiscal Issues
- Mergers and Acquisitions
- Budgeting for Multiple Funding Sources, Multiple Offices
- Managing Multiple Funding Sources
- Accounting Software
- Financial Policies and Procedures Manuals
- Creating Necessary Financial Reports
- Accumulating and Investing Reserves
- Effective Supervision
- Difficult Conversations
- Employment Law
- Insurance; Retirement Programs, and
- Using The New Social Media

© MIE TRAINING
Continued from page 41

MIE created the National Conference for Legal Services Administrators in 2001. It has been held every eighteen months since then – seven conferences in all. Cumulatively, 400 administrators have benefited professionally from this conference. Many return, to learn the latest, share successes and network with their colleagues. This is what participants say about their experience at MIE’s National Conference for Legal Services Administrators:

This is the best program for legal services administrators. It truly addresses our concerns in ways that others do not.

The best thing about the MIE administrators conference is the opportunity to interact with administrators and fiscal folks from other programs. Very helpful!

Sessions covered topics that are very relevant to administrators and financial people. The ability to share ideas/ best practices was very helpful.

It was really helpful to learn how other programs are managing their time keeping and grant allocations.

This is my third MIE administrators conference and I always learn something new from both the sessions and the networking.

I really liked the content of all fiscal sessions I attended. It certainly will help me with my accounting duties.

The technology piece really helped. I didn’t realize how behind we are in technology compared to some legal services programs.

MIE does an excellent job putting together information and allowing networking for administrators. You are appreciated for all that you do.

Great conference. I left with tons of ideas to implement in my organization.

Thank you to all who participated in planning and executing a great conference. I look forward to the next one.



Directors Conference Presenters from left to right, top row: Mary Asbury, Betty Balli Torres, Robert Sable; Middle row: Cathy Carr, Lillian Moy, Colleen Cotter; Bottom row: Diana White, César Torres, Toby Rothschild.

National Directors Conference

Held every two years, the National Directors Conference offers experienced and new legal aid executive directors, deputy directors and senior managers the opportunity for an extended conversation on an important topic of the moment in an intimate setting. Recent conferences have included topics such as: Moving from “Good to Great;” Managing Money as an Element of Greatness; What is the “Executive” in Executive Director?; Mergers and Reconfigurations; Emotional Intelligence, Leadership and the Workplace; Building Better Programs; Employment Law; and LSC and other funder compliance issues.

A National Directors Conference was among MIE’s earliest activities as an organization, dating back to the mid-1980s, and support to directors remains central to MIE’s mission. More than 250 directors have participated in these biennial conferences. This is what participants say about their experience at MIE’s National Directors Conference:

I benefited from the opportunity to share experiences with other EDs with a wide range of experiences. This includes both very experienced and relatively newer EDs; I was pleased that all brought something to the table.

I enjoyed the thoughtful conversations. Folks seemed to be at a high level, willing to question how they are doing things. It was refreshing.

There were an array of excellent presenters who kept the conversations focused and on point.

Very smart, well prepared, and experienced presenters. Very well organized.

I welcomed the opportunity to chat with peers and hear ideas and input from leaders in the community.

The agenda was well put together and it seemed to have something for everyone.

Materials were helpful and insightful. I will use them back home and I plan to share with them with my team.

Terrifically organized, very good conference. Thanks for all you do.



Albuquerque International Balloon Festival, immediately after the MIE Conf: Up, Up and Away! Real Skills for Managing Now! Oct. 2009 Albuquerque NM

Biennial Conference for Legal Services Managers: Leading from the Middle

This conference is for all legal aid program staff who oversee branch offices, or programs or systems that involve management responsibility and supervision of staff or volunteers.

Sessions at this conference typically include:

- Coaching and Mentoring
- Difficult Conversations

- Improving Employee Performance
- The Challenge of Performance Appraisals
- Managing Conflict
- LSC and Non-LSC Programs Working Collaboratively
- Financial Management
- Using Your Case Management System for High Quality Supervision
- Fundraising and Marketing
- Effective Advocacy under LSC Restrictions
- Strategic Planning
- Identifying and Meeting Clients' Legal Needs
- Effective Use of Technology
- Designing and Managing Projects
- Measuring and Evaluating Outcomes
- Managing with Unions
- Planning Across Substantive Issues to Meet Client Needs
- Teamwork
- Tough Decisions: When Staff Need to Leave
- Hiring, Training and Orientation
- Time Management
- Maintaining a Safe Workplace
- Cultural Competence
- Managing Change, and
- Work/Life Balance

MIE created "Managers in the Middle" in 1998. The conference has been held every eighteen months since then – eight conferences so far. This is perhaps the only place where legal aid managers receive management training specifically related to work in a legal aid program. Cumulatively, more than 600 legal aid managers have benefited from this conference. Many return, to learn the latest, share successes and network with their colleagues. This is what participants say about their experience at MIE's Biennial Conference for Legal Services Managers: Leading from the Middle:

The program was great! I learned so much and it was helpful to hear what other managing attorneys were facing in their programs.

The program gives you time to sit and think about your work, to interact with others in the same situation.

What a wide variety of topics — something for everyone. Session I got the most out of was the "How to Have a Difficult Conversation." Great speaker and very interactive.

I liked the useful information regarding work plans, project planning, evaluations, and time management.

© MIE TRAINING

Continued from page 43

The technology sessions were extremely informative and provided me with very important information. I also benefitted from the opportunity to network with colleagues from other parts of the country.

First of all, I appreciated the diversity of speakers. I liked the willingness of the speakers to take questions, engage the audience in thoughtful ideas about the subject.

The conference materials have a lot of good information. I'm glad that it includes the materials for the workshops I wasn't able to attend.

Great job with the conference. It was my first MIE conference, and I'm sure it will prove valuable to my work.

This was a very good conference, I'm glad I went. It was very helpful to find out that other programs are implementing projects that we have been talking about for a long time.

I was glad to see that the life balance/life quality workshops were included in this conference, as that has always been a priority for me, including for my staff.

Thank you for providing such an informative and relevant conference.

MIE consistently puts on high quality conferences. I can't wait to send my Deputy Director to the next one.

Leadership Legal Aid

MIE designs and delivers custom leadership training for advocates and all staff members of legal aid programs. This training is rooted in MIE's *Principles of Leadership in the Legal Aid Community*. The training may be delivered within a program, or among multiple programs within a state or region. It offers the opportunity for collaborative advocacy work among staff and programs.

By participating in MIE's Leadership Legal Aid, advocates and staff will:

- Build a personal capacity to lead
- Develop skills to help the organization become better managed and more accountable
- Access tools and resources to help in work
- Learn through interaction with instructors and peers and through more traditional training

- Increase cross cultural effectiveness
- Build a support network with other legal aid leaders
- Enhance one's ability to participate in community wide advocacy processes.

Sessions typically included in MIE's Leadership Training include:

- Leadership – What It Means to Me
- Traits of Effective Leaders
- Analyzing and Meeting Clients' Advocacy Needs
- Designing and Managing Projects
- Nuts and Bolts of Leading and Managing the Legal Aid Program
- Conversation with National Leaders and other Leaders from Legal Aid Programs
- Effective Communication Techniques; Teamwork
- Managing Change; Cultural Competence

MIE has designed and conducted Leadership Training programs for the Legal Services Corporation of Virginia; Legal Services of New York City; Ohio Legal Assistance Foundation; the National Disability Rights Network, and others. MIE includes components of Leadership Training throughout its trainings and conferences.



Legal Services NYC: Managing for Excellence Leadership Institute.



Legal Aid Resource Development: Celebrating Our Accomplishments and Designing Our Future Success

By Meredith McBurney, Resource Development Consultant to MIE¹

What We Have Accomplished



The history of resource development in legal aid is relatively short — there are a number of us still active who were around when the effort to expand and diversify funding really took off. We can remember when over eighty percent of funding for *all* legal aid programs (not just those that were Legal Services Corporation (LSC) funded) came from the federal government.²

Legal Services Funding 1990

Florida instituted the first Interest on Lawyer Trust Account (IOLTA) program in 1981. With assistance from the American Bar Association and state bar associations throughout the country, IOLTA programs sprang up throughout the country, and by 1990, there were IOLTA programs in every state except Indiana. Also by 1990, legal aid advocates around the country were learning that state legislatures were another strong source of funding for access to justice. These two sources are now the second and third largest sources

of funding for legal aid, and in some states account for more revenue than LSC.³

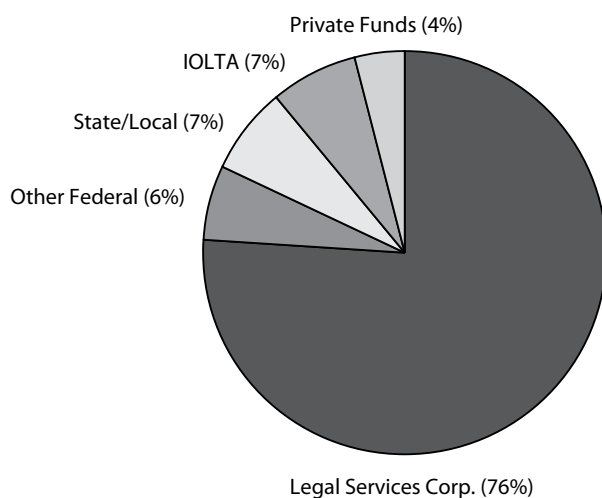
Efforts to increase private fundraising also took off at this time. There was a small but growing group of staff and volunteer leaders who realized that both the amount and diversity of funding needed to increase if we were going to move toward the goal of “justice for all” in this country. As noted elsewhere in this issue of the *MIE Journal*,⁴ Steve Gottlieb, Executive Director of the Atlanta Legal Aid Society, led the effort to start The Fundraising Project, which brought together executive directors and development staff from around the country to support the development of other sources of funding.

We often feel like progress has been way too slow. There have certainly been ups and downs, particularly in LSC and IOLTA funding. However, it is heartening to look at the increased diversification over the twenty years from 2009 to the present (see Figure 1).

Legal Services Funding 2009

If we look at the change in terms of dollars, we can see both the good news and the bad:

Figure 1: Legal Services Funding 1990



Legal Services Funding 2009

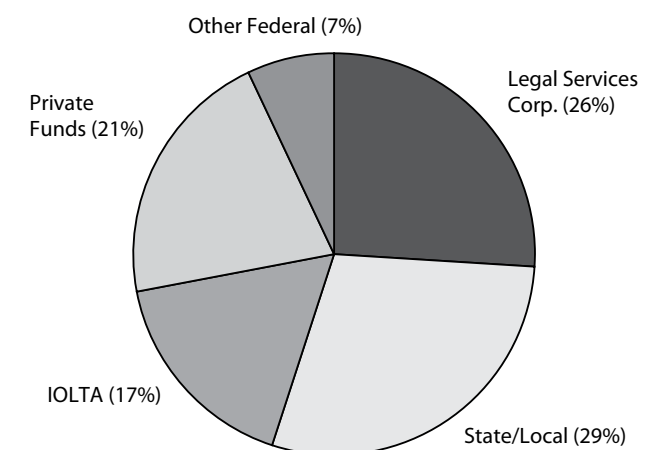
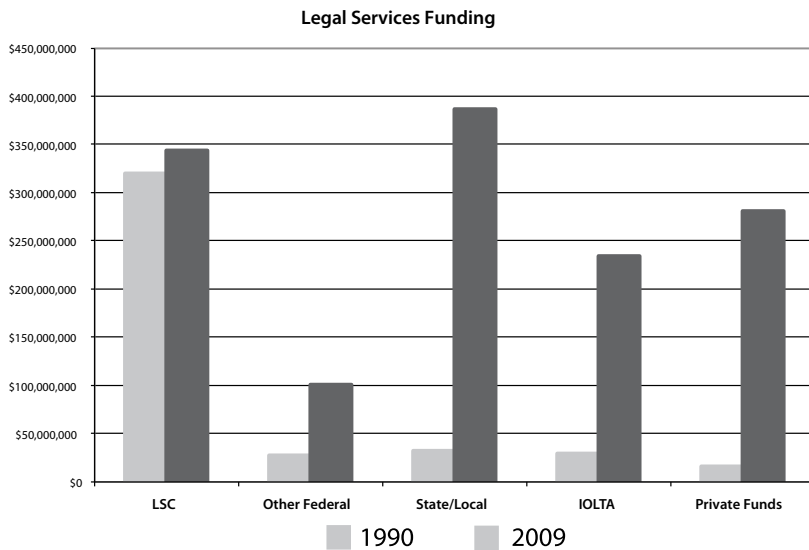


Figure 2: Legal Services Funding Over Time



The bad news, of course, is that the percentage changes are due in part to the stagnant nature of LSC funding, which has barely grown in real dollars over the twenty years and thus has been deeply eroded by inflation. However, there has been major growth in state, IOLTA and private funding — all outstripping inflation.

How Did We Get Here?

Our progress is a story of hard work, perseverance, and a commitment to access to justice that is fairly remarkable. I can remember visiting the editorial page editor of one of Denver’s major newspapers in about 1985, after he had written an editorial that included information about legal aid that was inaccurate. After acknowledging that he had been wrong, he said to me, “It really doesn’t matter, because legal aid is dead.” He believed what he was hearing, in the press and out of Washington, and had no understanding of the power that was the people involved in legal aid.

Here are Things that I Think Have Been Key to Our Survival and Growth

- *Competent people, dedicated to the cause* — This has been our #1 asset from the beginning. And, most of the key steps for future success hinge on having the right people — legal aid staff, bench and bar leaders — actively involved.
- *Learning by doing, the determination to keep trying* — Perhaps the only advantage of major funding set-backs over the years — LSC cuts, IOLTA revenue declines — is that we have been forced to

try new things to survive. Some have worked well, others not so much, but overall we have come through the crises in better shape that we went in.⁵

- *Sharing information* — Staff of legal aid programs throughout the country have a history of sharing so that we avoid “reinventing the wheel.” Since the organizing meeting for The Fundraising Project in 1990, the legal aid fundraising community has been dedicated to sharing ideas and helping others to succeed.
- *Learning from the best models* — With so many programs connected by a national network, we are able to learn from those who have been most successful. And, the most successful among us have been remarkably willing to share their expertise.

A Vision for the Future

We are not resting on our accomplishments — actually, most of us feel that we should have come farther. What is an aspirational but reasonable goal for private resource development, and what are the next broad steps for achieving it?

A Reasonable Goal

The twenty-one percent private funds in the charts above includes money from a variety of sources: attorneys (through lawyer fund drives, bar dues check-offs, required fees to practice law, and *cy pres*); non-attorney individual giving; foundations and corporations; United Way; special events; fellowships; and attorneys’ fees. It is the area in which individual program staff and volunteers have the most control and the most ability to make change in the next few years. We have seen an increase in this broad category of approximately thirty-five percent in the past five years. Although the economy is going to make the next five years more difficult, it seems we could aim for another thirty-five to fifty percent increase.

Next Broad Steps

- Our strength lies with our people — recruiting and retaining the best and giving them the tools they need:
- *Board members and other volunteers* — They must be recruited at least in part for their ability and willingness to lead your program’s efforts to increase revenues.

- *Executive directors* — Executive directors are key to the major successes of our fundraising efforts to date. We have great examples of executive directors who understand fundraising and are deeply involved in it. They hire experienced, capable fundraising staff and then take their advice. We need more current executive directors to learn these skills. Successful fundraising experience should be included in the list of job qualifications for new executive directors.
- *Development staff* — We must hire strong, capable, experienced development people. We must pay them a fair salary and support them so that they stay with our programs for the long haul.
- *Our donors* — We need to view our donors not just as sources of money, but as partners - people who care so deeply about our work that they are willing to invest their resources. As Steve Gottlieb noted in an MIE *Journal* article on what we have learned about fundraising, “People who give money to an organization begin to believe in that organization and the value of its work. They also get other people to believe in it.”⁶
- *Communications* — We need to develop messages that resonate not only with our base (for most programs that means the bench and bar) but also with the general (non-legal) giving community. We need to work with our board members and other volunteers to articulate the message effectively.
- *Training, technical assistance, information* — We at MIE commit to work with you to provide the tools that you need to move forward with your efforts. We will continue to provide training and forums for sharing information and ideas. We hope you will continue to let us know what we can do to help you reach your future resource development goals.

- 1 Meredith McBurney, a consultant since 1997, specializes in resource development for legal services and other advocacy organizations. She serves as a consultant to MIE, working on the design and implementation of MIE’s resource development activities and consulting with individual legal aid programs. She also serves as a consultant to the American Bar Association’s Resource Center for Access to Justice Initiatives. From 1981 to 1997, she was the Executive Director of the Colorado Lawyer Trust Account Foundation and the Legal Aid Foundation of Colorado. Before that, she was the administrator for Colorado Rural Legal Services. Meredith may be reached at meredithmcburney@msn.com.
- 2 Graphs and other data about funding for legal aid were

gathered by the author through her work as resource development consultant for the American Bar Association’s Resource Center for Access to Justice Initiatives, a project of the ABA’s Standing Committee on Legal Aid and Indigent Defendants (SCLAID).

- 3 Eight states receive more state and IOLTA funds than LSC funds, making LSC the 3rd largest funding source in those states. Six other states have more state funds than LSC, and one other state has more IOLTA funding.
- 4 See page 35, this issue, “Twenty Years of MIE’s Fundraising Project Celebrated in Atlanta,” MIE *Journal*, Winter 2010.
- 5 See “Riding the Dragon Coaster,” by Gerry Singsen, MIE *Journal*, Spring 2009, for a detailed account of the crises and our ability to grow.
- 6 “Fundraising: What Have We Learned in the Last 25 Years,” by Steve Gottlieb, MIE *Journal*, Summer 2005.



MANAGEMENT INNOVATION EXCELLENCE FOR LEGAL AID

Journal Committee

Jan May, Co-chair
AARP/Legal Counsel for the Elderly

John Tobin, Co-chair
New Hampshire Legal Assistance

Catherine Carr
Community Legal Services

M. Victor Geminiani
Lawyers for Equal Justice

Joann Lee
Legal Aid Foundation of Los Angeles

Patrick McIntyre
Washington State Alliance for Equal Justice

Dave Pantos
Legal Aid of Nebraska

Klaus Sitte
Montana Legal Services Association

Elizabeth Wehner
Legal Aid of West Virginia

David Yoder
Legal Aid of East Tennessee

Patricia Pap
Management Information Exchange