



**LEGAL SERVICES CORPORATION  
Office of Program Performance**

**Program Quality Visit Final Report**

**COMMUNITY LEGAL SERVICES OF MID-FLORIDA  
Recipient Number: 610010**

**PROGRAM QUALITY VISIT REPORT  
February 28 to March 4, 2011**

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# Community Legal Services of Mid-Florida PQV

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## **INTRODUCTION**

### **Background on the visit**

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a program quality visit to Community Legal Services of Mid-Florida (CLSMF) from February 28th to March 4th, 2011. The team members were OPP Program Counsel Willie Abrams, Michael Genz, (team leader), Cheryl Nolan, OPP Program Analyst Jane Ribadeneyra, and LSC temporary employees Joseph Dailing and Carolyn Worrell.

Program quality visits are designed to ensure that LSC grantees are providing the highest quality legal services to eligible clients. In conducting its assessment, the team carefully reviewed the documents LSC received from the program including its application narrative for 2010, its case service reports (CSRs) and other service reports (OSRs), the numerous documents the program submitted in advance of the visit including advocates' writing samples and a survey of CLSMF staff conducted on the Internet. On site, the team visited the Daytona Beach, Palatka, Ocala, Sanford and Orlando offices and interviewed staff members from the Tavares, Kissimmee and Inverness offices. In addition to speaking to most of the CLSMF staff members, the team met with a sampling of board members, judges, members of the bar and community organization members.

In performing its evaluation of the grantee's delivery system, OPP relies on the LSC Act and regulations, LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid. The evaluation is organized according to the four LSC performance areas that 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.

### **Program overview**

CLSMF serves a 12 county, 20,000 square mile service area in central Florida. Orlando/Orange County is its largest metropolitan area with 1.1 million people. The remaining area is rural, interspersed with small towns. The major industry is tourism. According to the 2000 census, the service area's population is 3,173,102, of whom 11% are living in poverty. The poverty population of 351,551 includes whites (63%), blacks (24%) and those of Latino/Hispanic origin (17%).

Community Legal Services of Mid-Florida was created by the 2004 merger of Central Florida Legal Services (CFLS), headquartered in Daytona; Greater Orlando Area Legal Services, headquartered in Orlando and Withlacoochee Area Legal Services,

headquartered in Ocala. William Abbuehl has been the director of CLSMF since 2004; before that he served as director of CFLS from 1979. The program has eight offices -- Daytona, Inverness, Kissimmee, Palatka, Ocala, Orlando, Sanford and Tavares. Its 92 staff members include 34 attorneys.

CLSMF coordinates its work with the other legal aid programs in the region – the Legal Aid Society of the Orange County Bar Association (LASOCBA), the Seminole County Legal Aid Society, Brevard County Legal Aid, and the Legal Advocacy Center of Central Florida (LACCF).

### **Summary of Findings**

CLSMF benefits from strategic leadership, effective management, a diligent and committed board, and a talented staff committed to the program's mission. Leadership's vision of responsiveness to client needs has been ingrained in its staff. The program is managed by professionals who assess, plan, oversee and adjust as needed. The board takes its policy setting and program oversight roles seriously. It sets goals and priorities and oversees the budget, program accomplishments and leadership. The staff is committed to helping as many people as possible and to having significant favorable impacts on the client community.

When the program was formed in 2004, it made two important structural decisions: to do intake centrally and to deliver legal services through specialty units. Most of the program's intake is routed through the Helpline (HL), the program's centralized intake system located in Daytona. The HL is well structured with uniform policies and a diligent and well-supervised staff. It promptly screens applicants and refers them to the program's advocates or to other resources. Interviews, advice and representation decisions are made promptly.

The program's legal work is organized around substantive legal units (SLUs). Advocates are assigned to substantive law units and supervised by its leaders. Its dual purposes are to nurture expertise and provide clients living throughout the service area with the same level of expertise traditionally associated with large urban specialty units. The advocacy director oversees the functioning of the SLUs including reviewing their annual plans, providing for training and other support they need, overseeing appeal decisions and supervising the SLU leaders. Legal protocols are in place and adhered to. The structure is having its intended effects. Attorneys are being well-trained and supervised; important cases are being brought throughout the service area.

CLSMF is responsive to the client community and its changing needs. Its outreach, community legal education efforts, public relations work, the HL and partnerships with community organizations have succeeded in making the program known to the community and accessible to distinct subgroups. The program's responsiveness to changing needs is seen in its establishment of a unit to handle foreclosures and foreclosure scams, and in funding found from several sources to expand those efforts. It has also shifted resources to assist the growing numbers of clients who need public

benefits and unemployment insurance representation. It has made sure that Spanish speaking staff members are available to meet the needs of the monolingual Spanish-speaking population and that those who speak other languages are also served.

While CLSMF is fundamentally strong, it faces challenges. As noted above, once applicants get through to the HL they are expeditiously screened and served. However, its structure is so overwhelmed with calls that many are unable to get through. There are some areas where the program would like to provide more services than it currently does. While there had been an office in Brevard County, it has recently been closed. Also, currently, the program is able to do little in the way of full-service representation for clients with consumer problems.

These programmatic challenges sit atop the recession that both creates more and greater problems for the client population and decreases the funding the program can expect to receive to address the increased need. As daunting as these problems are, there is reason to be optimistic. CLSMF has shown itself to be able to change and adapt to meet the emerging challenges that it, and the community it serves, face.

## **FINDINGS AND RECOMMENDATIONS**

### **PERFORMANCE AREA ONE – PERFORMANCE IN IDENTIFYING THE MOST PRESSING CIVIL LEGAL NEEDS OF LOW INCOME PEOPLE IN THE SERVICE AREA AND TARGETING RESOURCES TO ADDRESS THOSE NEEDS.**

#### **Periodic comprehensive assessment and ongoing consideration of legal needs**

**Finding 1. The needs assessment and priority setting process was thorough and led to priorities that were supported by the process. For the most part, the program is addressing the needs identified.**

The last needs assessment was completed in 2007. It included a survey of more than 1,000 persons, including clients; community and social services organization representatives; and lawyers and judges. CLSMF convened several focus groups including those consisting of public housing tenants, migrant farm workers and senior citizens. CLSMF examined census data and collected over 200 newspaper articles on issues affecting low income persons. Its media review work led it to prioritize elder abuse and seek funding for this work, and also led to the identification of migrant workers in the area.

The staff members carrying out the needs assessment drafted priorities that were first reviewed and modified by the substantive law management teams and then modified and approved by the board of directors.

For the most part, the program is staffed to address its priorities. Its substantive law unit structure is designed to bring together specialists to tackle its priorities. However, because the consumer law SLU leader is the only attorney assigned to handle these cases and because she has additional responsibilities, the consumer SLU is unable to handle most of the consumer cases identified in the priorities. Advice and brief services are handled through the HL and the Volunteer Lawyer's Project. More extensive cases are referred to LACCF, CLSMF's affiliate law firm. Pro bono help is being sought for some areas; pro se packets and clinics are being used to provide other assistance.

## **Recommendation**

**I.2.1.1.** CLSMF is urged to examine its consumer priorities and, if warranted, allocate additional staffing to address consumer issues.<sup>1</sup>

## **Finding 2. CLSMF is actively addressing emerging needs.**

CLSMF is active in identifying and addressing emerging needs. It learns of emerging needs through community partnerships, its case management system (CMS) database and through its SLU meetings. To address emerging needs, the program both reallocates existing resources and seeks additional funding.

Perhaps the most pressing emerging need in the service area is with respect to foreclosure representation and foreclosure rescue scams. With the assistance of funding from the state attorney general and from the Florida Bar Foundation (FBF), CLSMF established a new foreclosure unit. HUD housing counseling funds allow it to bring in-house the counseling function that acts as a triage mechanism for these cases. A grant that the program just got from HUD for foreclosure rescue scam work will help it continue its emphasis.

Other emerging needs are the increase in demand for unemployment claims and food stamps occasioned by the recession, the increasing numbers of undocumented persons with VAWA claims and the shrinking of affordable housing brought about by conversions to market rent. CLSMF received additional funds for each of these areas and greatly increased its representation in them. CLSMF is also working with its Florida legal aid partners to challenge egregious caps to Medicaid waivers for severely handicapped persons.

## **Evaluation and Adjustment**

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<sup>1</sup> Each recommendation in this report has a Roman Numeral to identify the Performance Area and three Arabic numbers identifying the criterion number, the finding number and the recommendation number respectively. For example, recommendation III.2.14.3 designates Performance Area III, Criterion 2, finding 14, and recommendation three of finding 14.

A recommendation with an asterisk is a level one recommendation. During its next LSC grant application, the program will be asked to describe what it has done in response to each level one recommendation.

**Finding 3. CLSMF gathers and analyzes evaluation data in several ways; appropriate adjustments are made.**

CLSMF uses several evaluation methods, all of which are used to evaluate the program's progress and to make adjustments where necessary. At the unit level, each SLU is required to produce a plan annually. At the end of the year, they engage in an evaluation of how they are doing in relation to the outcomes they projected. One way they track outcomes is through the "main benefit" code in their case management system.

The advocacy director, who the SLU leaders report to, oversees the SLU evaluation process and also does his own parallel evaluation. He gets and reviews information on case closings, outcomes and client satisfaction surveys regularly. Quarterly he receives case activity logs for clients. From the case management system he gets a case time data and outcome data report for each advocate. Reports are generated showing, by advocate, the number of active and inactive cases opened; hours of "case," "support" and "matter" work produced in the period, hours by highest and next highest problem case closing codes; hours for cases closed by A and B; and hours closed by G, H, I and L codes. These data afford him a picture of unit and case handler performance. It is used to interpret the unit evaluation data and to make recommendations for modifications as necessary.

CLSMF takes external evaluations very seriously. It made significant changes in legal work supervision, pro bono and intake in response to recommendations made by the Florida Bar Foundation (FBF) and LSC. In response to the draft of this program quality visit report, CLSMF has already begun to consider or implement several LSC recommendations.

**PERFORMANCE AREA TWO – EFFECTIVENESS IN ENGAGING AND SERVING THE LOW-INCOME POPULATION THROUGHOUT THE SERVICE AREA.**

**Dignity and Sensitivity**

**Finding 4. CLSMF works to assure that clients are treated with dignity and sensitivity. The program effectively serves the limited English proficiency (LEP) population.**

Based on those the team spoke to – staff members, community organization personnel, board members and others – it appears clear that program staff treat clients with dignity, are sensitive to clients' circumstances, and effectively communicate that concern to clients. HL and full service clients are surveyed about their perceptions of the service they received and their responses are uniformly positive. The program follows through on problems identified in the survey. An attorney board member who sees clients at bankruptcy clinics said that staff interact very well with clients. A client board member said, "they understand your need, and are here to help you, and they care." Staff members

affirmed that service to clients and the affirmation of client dignity are program values actively reinforced by the program's leadership. The program's care in doing needs assessments and evaluations also speaks to its commitment to client needs.

CLSMF is sensitive to the needs of those whose primary language is not English. The program has procedures for communicating with those who have limited English proficiency, and makes reasonable accommodation for their special needs. CLSMF has an LEP plan that provides for training of staff on working with LEP clients and for hiring bilingual staff members. CLSMF prioritizes bilingual capacities in its recruitment of new staff. Approximately half of HL and branch office staff who work with intake are bilingual Spanish. Overall, 27 of the staff's 92 employees speak Spanish, two speak Creole, and one each speaks Vietnamese and Cantonese. The two counties with the highest percentage of linguistically isolated persons have high numbers of staff who speak Spanish, the most relevant language in those counties. Five of the staff members in the Kissimmee office and 13 of the staff members in the Daytona office speak Spanish.

The program advises persons seeking services of the availability of free interpretation and posts signage to that effect. Lobbies have posters and brochures in English and Spanish. Front desk staff use "I Speak" cards located online at <http://www.lep.gov/> to help with walk-ins. Staff is familiar with Language Line and uses this service when necessary. A hundred per cent of the staff members who responded to LSC's survey indicated that the program is accessible to persons with limited English proficiency.

### **Intake and Case Acceptance Procedures**

**Finding 5. CLSMF's Helpline, a centralized telephone intake system, serves most of the service area. Applicants are promptly screened by an intake assistant and sent to the next step. The demand on the system is such that many applicants have great difficulty in getting through.**

CLSMF handles 70% of its intake over the phone. Those calling the program's 800 number reach the HL – the program's centralized intake unit. The HL is open 40 hours a week. It is staffed by a core of 4.4 intake assistants, and 1.5 Helpline assistants who handle referral letters, 10 day letters, brochure letters, cease and desist files and who deal with the document received by the helpline, the HL manager, and the HL supervising attorney. HL intake consists of screening for eligibility and basic problem type. No attempt is made to determine whether applicants with legal issues that conform to CLSMF's broad priority categories have cases that fall into the program's more specific case acceptance guidelines.

The HL coordinates intake program-wide with the exception of Orange County, and projects such as tax, elder law, domestic violence, special education, and the pro bono project, which handle their own intakes. The Orange County office of CLSMF does intake for matters handled by that office. Other intake in Orange County is conducted by the Legal Aid Society of the Orange County Bar Association (LASOCBA), a long standing and well-staffed program that has a centralized intake system and handles the



majority of the low-income case types for Orange County. The CLSMF Orange County office conducts intake for the subject matter areas it handles through calls directly to the office – many by referral from LASOCBA.

While intake for tax, elder law, domestic violence, special education and the pro bono project may come to the HL, these calls are referred to the specialty units, which get most of their intakes through their outreach efforts and through referrals from partner organizations directly to them. For example, domestic violence applicants are referred by sheriff's offices and domestic violence shelters directly to the domestic violence SLU.

The HL is well-structured to handle its responsibilities. The team found the intake staff to be experienced, knowledgeable and sensitive to the needs of applicants. The unit is led by the HL supervising attorney who is assisted by the intake manager. Both have significant experience and are highly regarded by the staff they supervise and by others in the program. The relatively new staff in the HL unit the team spoke to indicated that they were well trained by the manager. For the first 90 days their interviews were observed and their intakes were reviewed. Kemps Prime, the program's case management system, allows intake staff to screen and create new applications efficiently. The HL uses scripts to guide screening.

The HL has several manuals and written procedures for protocols and case handling criteria. The manuals are available to staff electronically. The LSC team member with expertise in intake systems found them to be thorough and clear. When changes are made in the intake procedure, staff are trained on them promptly and the manuals are appropriately revised. These procedures together with the oversight provided by the HL leader, helps to assure uniformity of case handling.

Several persons interviewed described the system as "maxed out." When a caller calls and doesn't self-identify as an emergency, she either speaks to a screener, takes the option to listen to pre-recorded legal information, or is asked, by pre-recorded message, to call back. The problem callers have getting to a screener was mentioned by many people we were in touch with, including board members and partner organization staff. Several CLSMF staff members mentioned it during interviews; many noted it as a problem on LSC's survey of staff. One client board member noted that the biggest problem was getting through to the program on the HL. "Once they get through, they are fine."

As noted above, when a screener is not available, the caller is given the option of listening to prerecorded legal information or calling back. The messages are in English and Spanish. Callers self-direct their calls to these lines and can then direct themselves back to see if an HL intake assistant is available. If not, the caller is asked, by prerecorded message, to call back.

According to CLSMF, the HL system is "at capacity" and "maxed out." Noting that CLSMF does not have sufficient capacity to service all the needs of its client community, it needs to prioritize its services. The program indicates that, given its overall resources,

it is allocating the appropriate resources to the HL and that allocating more would take away from its full representation and impact work.

One way for applicants to apply who cannot get through on the HL line is referred to as "lobby calls." Those who are not able to get through after repeated attempts often call the office closest to them. When they do, they are told they can come into the office and they will be put in a room and have the opportunity to call the HL with the assurance that the call will be picked up in a relatively short period of time. These calls are directed to a special line dedicated to lobby calls. In one office, staff reported that the number of applicants coming to the office for these purposes was between four or five a week; in another it was reported to be between 10 and 12 a day. In one office it was noted that lobby calls are increasing because the word is getting around among clients and agencies that going to the local office is a way to get through.

The program's intake is based on a system of balancing walk-ins throughout the program (lobby calls) and emergencies, which are given a priority, with a high volume of incoming calls coming directly from the applicant to the HL. The growth of lobby calls is making it even less likely that those calling directly into the HL will get through because lobby calls and emergencies have priority over other calls.

In comments to the draft report, CLSMF explains that going to local offices for initial intake is necessary for some applicants who do not have telephones or who are homeless. It is also noted that if an applicant goes to the trouble to go to an office, she should have the opportunity to apply for services.

LSC recognizes that all programs face the fact that there is greater demand for their services than they are able to address and that no intake system can overcome the need to ration the initial access to its services. In themselves, lobby calls, by providing applicants an additional way to access its services, provide another access point for services. However, due to the inability of many people who call to get through on the phone line, many applicants have no choice but to go to the office. LSC's concern is not that applicants are afforded the opportunity to apply at an office, but that so many need to take this step. The recommendations at the end of this section do no more than ask the program to comprehensively evaluate the intake system and to consider if there are ways to lessen the volume of lobby calls. Ways to do so may include modifications in the way the phone system is utilized, changes in demand brought about by internet intake and initial screening out of applicants that are not within CLSMF's priorities for service.

While the growth of lobby calls is thought to be a significant part of the intake work-flow situation, there is currently no mechanism for generating reports to assess the volume of walk-ins, lobby calls and emergencies. The absence of this information makes it hard for staff to design ways to address the problems and redirect calls. Another procedure that may cause delays is that HL staff manually tally some of the work they do with calls, referrals and deferrals.

Some point to deficiencies in the phone system as a part of the problem. It does not appear to have enough incoming lines to handle the traffic it gets. There is no automatic call distribution function (ACD) that could forward calls to an available screener in any office; or a queue system for telephone calls. The phone system does not generate reports to evaluate the incoming volume. According to CLSMF's technology plan, the telephone system will be replaced by 2014.

CLSMF plans to implement an online intake system integrated with Kemp's Prime by the end of the first half of 2011. The online intake option will give applicants who can't get through on the phone a way, other than lobby calls, to access the program. The program anticipates that the efficiencies inherent in online intake will make these intakes easier to process and that these efficiencies will offset any increased volume that is generated by the system.

### **Recommendations**

**II.1.5.1.\*** LSC recommends that CLSMF establish a committee to evaluate the intake system to identify ways to improve efficiency and effectiveness of the intake system. It is suggested that the committee be comprised of staff at all levels and with varying degrees of experience, who are interested and involved in the program's intake work.

**II.1.5.2.\*** CLSMF should evaluate the volume of intake from emergencies and lobby calls at its offices and, where appropriate, consider revising some of its procedures to lessen the amount of walk-ins and lobby calls.

**II.1.5.3.\*** CLSMF should consider having screeners obtain information from applicants up front about the type of legal problem they have and the service they seek. Callers seeking services that are not in an SLU's case handling guidelines for either advice or full representation would be told that at the beginning of the intake process, saving time for the program and the applicant by not putting them through screening and subsequent interviewing.

**II.1.5.4.\*** When CLSMF is in a position to do so, the program should upgrade its telephone system. More lines together with the capacity to distribute screening calls to intake staff throughout the program (automatic call distribution and queues), and tools to control and monitor the flow of calls might significantly alleviate the problem without needing to add more staff.

**II.1.5.5.** CLSMF should consider creating a wiki for the HL that would contain electronic versions of the HL manuals, as well as serving as a one stop shop for all materials and addenda related to intake. LSC's Intake Focus Group (IFG) can refer CLSMF to other programs that have wikis in use for intake units that can serve as models.

**II.1.5.6.** When the online intake system is implemented, CLSMF should add a message for callers at the HL directing them to the online intake system. This can be used as an

option for applicants who cannot reach a live person; it could help lessen some of the walk-ins resulting in lobby calls.

**Finding 6. In addition to screening applicants, the HL handles some cases as advice and brief service. In other instances, it distributes materials to SLU clients where the case is being closed as advice and brief service.**

Some cases, not within the priorities of the SLUs, are handled by the HL directly. The HL leader takes the calls that are not in areas where full representation will be provided and provides appropriate advice. Examples include wills; cease and desist letters; and estate planning. Estate planning is only offered for those who are 60 or older, or who are terminally ill. The supervising attorney handles these cases himself.

Other applicants are sent pro se packets to fill out. In these instances, SLU staff interview a client, determine that the case can be handled by advice and brief services, give the advice and refer the case to the HL for the mailing of pro se materials.

These additional HL services are undoubtedly useful to some clients who wouldn't otherwise be helped and to the SLUs which would otherwise have to send the materials out themselves. However, some HL staff note that this work limits what the HL can do on its primary function.

### **Recommendation**

**II.1.6.1.** It is recommended that the additional work HL performs be evaluated along with the intake evaluation process suggested in Recommendation II.1.5.1 in order to assess the relative priority of this work and to determine whether there are ways to streamline any of this work.

**Finding 7. Once an applicant has been screened, he or she has an initial interview with a case handler within a day and a decision about representation in a few more days.**

Once an applicant with a case that is within a SLU's case acceptance criteria has been screened, he or she is put on a list to be called back by an SLU attorney. Housing, consumer and family law calls are put on the callback screen for the attorneys who specialize in handling intakes for those subject matters. When they are overloaded or not available, other attorneys in those SLUs handle the calls. All members of the public benefits unit participate in taking those calls and are assigned specific times during the week to take the calls. The consumer unit only handles new advice cases at this time; consumer calls are sent to the SLU leader who calls those clients and handles the cases as advice cases.

The program's guidelines require that screened applicants be called back by the next day. Applicants are told that they should expect a call within 24 hours; they are given a number to call if they have not received a call-back. Policies and procedures are in place

to make sure that calls are returned promptly. For example, the family law and housing attorneys who have intake responsibilities monitor the call back screen in the case management system for cases in their respective units to assess the number of applicants who need to be called back. When there are more calls than they are going to be able to get to, they send a notice to other SLU members asking for help with the list. SLU leaders also keep an eye on the monitor to make sure that intakes are called back by the next day. The HL supervising attorney also monitors the screens. If it appears that delays are imminent, he contacts the SLU leader or leaders. He also backs up the SLU attorneys in making calls when necessary.

The program reports that it has good success in reaching the applicants on call-backs. The supervising attorney indicates that when contact is not made within two days, a 10-day contact letter is sent. He estimates that about 7% of the Helpline files are closed because the client could not be reached by call back or failed to attend a Pro bono clinic. Seventeen percent of all applicant files are closed because they cannot be reached through call backs.

Once the attorney speaks to the applicant, the attorney checks with the SLU leader as to whether the case will be accepted for full representation. Staff that the team spoke to report that case acceptance decisions are typically made within three days of the time the applicant first called.

### **Engagement with and access by the low income population**

**Finding 8. CLSMF provides significant access to the client community through its several offices, its intake system, its special projects and outreach efforts. It is stepping up efforts in Brevard County, one area where it doesn't currently have many cases.**

The program maintains eight offices located in population centers throughout the service area. Offices visited by the team were well-appointed, professional and orderly. Parking is readily available. Offices are located in major population areas and near lines of public transportation where they exist. All offices are handicap accessible. The waiting rooms are clean and comfortable; they contain relevant pamphlets and other materials in appropriate languages.

With the exception of Brevard County, where Brevard County Legal Aid is located, clients are no more than 45 miles from an office. Cases from that county have decreased markedly since the CLSMF office there was closed. The program is stepping up its outreach efforts in Brevard County, including advertising in "Hometown News," focusing on calls from Brevard County, and scheduling outreach efforts including those concerning special education and affordable housing preservation. The public housing and consumer SLU advocates do outreach to the county; they meet clients in BCLA's offices.

The community organization professionals, judges and attorneys we spoke to indicate that the program is well-known in the low-income community. One private attorney the team spoke to credited CLSMF's public relations manager with getting the program in the public eye through newspaper and other media coverage.

The program also credits the HL and its outreach efforts with spreading word of the program to the community. CLSMF staff regularly participate in client fairs and outreach events, as well as in relevant coalitions. Several projects provide portals for outreach and community education in their substantive areas and otherwise. While the elder abuse advocate, the tax advocate and the fair housing advocate are funded for particular advocacy, they bring program materials to their presentations and speak about what the program does as a whole. The program listed more than 125 outreach and CLE presentations made by its staff members in the past two years.

CLSMF projects have helped the program reach special populations. The veterans project's Equal Justice Works fellow has done a great deal of outreach to veterans and community groups; she also provides assistance in initial applications and representation on veterans' benefit appeals. Domestic violence and elder abuse staff also engage in significant outreach and networking activities. The special education project is well-known and highly regarded among professionals and judges. Work is currently under way to establish a medical-legal partnership in Orlando.

### **Recommendation**

**II.3.8.1.** CLSMF is encouraged to continue its efforts to reach out to clients in Brevard County for the types of cases that BCLA does not handle.

## **PERFORMANCE AREA THREE – EFFECTIVENESS OF LEGAL REPRESENTATION AND OTHER PROGRAM ACTIVITIES INTENDED TO BENEFIT THE LOW-INCOME POPULATION IN THE SERVICE AREA.**

### **Legal Work Representation**

#### **Finding 9. CLSMF staff have appropriate experience and expertise.**

CLSMF has an experienced advocate staff overall. There is a good balance between those with extensive experience and newer members. There are eight staff attorneys with 20 or more years of experience in the profession, five with 10 to 19, six with five to nine and nine with less than five. Because turnover has not been high recently, there are relatively few "rookies" – only three attorneys have less than three years of experience. Except for Palatka, every office has at least one attorney with more than five years of experience. Except for the tax SLU leader, who has an LLM in tax law and several years of accounting experience, all the SLU leaders have at least six years of legal experience.

The legal assistant staff members also have significant tenure with the program. Thirteen legal assistants have 10 or more years of experience. The team was impressed with the skills of the legal assistant staff and with the ways in which they are used.

**Finding 10. The program's legal work is organized around its substantive law units (SLUs). This structure appears to be effective in supervising and developing specialists.**

CLSMF's legal work is provided through its SLUs – family, housing, education, public benefits and tax. A sixth SLU – consumer – is only staffed by one person and is not currently handling extended representation cases. Most of the program's advocates are only assigned to one SLU.

SLU members are responsible for providing legal assistance to clients in all of CLSMF's twelve counties. Each SLU is managed by one or two leaders who have extensive legal experience and expertise in the SLU's field. SLU leaders assign cases and are responsible for case supervision. They develop and implement the unit's work plan. They are responsible for developing the expertise of SLU members and are the direct supervisors of the units' members.

The SLU structure was developed in order to assure that the expertise the program has is equally accessible throughout the service area, and not just concentrated in offices with large population areas. It has the additional benefit of developing new attorneys by concentrating their work in a particular subject matter area under the supervision of a subject matter expert. The SLUs have regularly scheduled meetings to go over issues and cases. Each unit does a plan every year and reviews it at the end of the year. The advocacy director is in charge of supervising the SLU leaders.

One of the potential problems with the SLU structure is that, in many instances, attorneys are not in the same offices as their SLU leaders. The team was told that communications work well between SLU leaders and their teams. There is regular communication by cell phones and email. Several attorneys stated that their leader gets back to them promptly, including on weekends. Others noted that they talk to their SLU leader at least once a week. Some have arranged routine times to talk. A few mentioned that while not having the supervisor in their office is not ideal, it nonetheless works.

In the case of new attorneys in offices different from those of their SLU leaders, the structure was modified so that senior attorneys in those offices are charged with being available to and assisting in the mentoring of new attorneys. The indications the team received are that this is working. One young attorney in that situation affirmed that she is well supported. She went on to say that CLSMF is a great place to work and learn.

Another potential issue with the SLU structure is that each office does not have a SLU representative for each type of subject matter in them. The CLSMF staff members the team spoke to stated that it is well-understood that case handlers need to travel out of their office's range to represent clients and that case assignments are not based on

geography. The team's review of 2010 cases by office and by subject matter category suggests that the SLUs handle significant numbers of cases throughout the service area, including in areas where the SLU does not have a resident specialist.

**Finding 11. Case handling standards and legal work supervision guidelines are in place and generally adhered to.**

Case handling standards are addressed in the "CLSMF Protocols for Advocates" document. It includes topics such as the initial interview; review of the case before acceptance; maintenance of hard copy files and electronic files; legal work performance standards such as tickling, quarterly case activity logs, and regular contact with clients; and litigation standards and case file closing procedures. The advocates the team spoke to are aware of these protocols and indicated that they followed them with few exceptions. The team received copies of quarterly activity logs and was impressed with the detail they provided. CLSMF also has a written protocol for appealing court cases. One purpose of the protocol is to ensure assistance to advocates with brief writing and to provide a timeline that permits others to review briefs in progress on more than one occasion.

The program's legal work oversight is good. Appropriate and specific policies on legal work oversight, based on the ABA Standards for the Provision of Civil Legal Aid (2006) are in place. The document, "Supervision Guidelines for Advocates" begins with ABA Standard 6.3 on responsibility for the conduct of representation. It outlines supervisors' responsibilities including monitoring case loads and case assignments, receiving and reviewing quarterly activity logs and doing open case reviews periodically – every four months for those with less than three years' experience and every six months for others. It also indicates that supervisors are to receive periodic supervisor training including attendance at quarterly SLU leader meetings.

With a few exceptions, these supervisory standards are followed. The team found that each leader is conscientious in overseeing the legal work of team members. Closed case file reviews are done without exception. One leader confessed to not always reviewing quarterly case review logs; two others to not doing in-person case file reviews according to schedule due to their work loads and the distances involved in remote supervision. One unit leader described the advocacy director as diligent in pressing SLU leaders to follow the supervisory guidelines. The attorneys we spoke to indicated that their work was appropriately supervised. In addition to the mechanisms described above, they pointed to team meetings, periodic check-ins by the supervisor, attorney initiated contacts and the yearly evaluation process as mechanisms that assure appropriate oversight.

**Finding 12. New attorneys are appropriately trained and supported.**

The responsibility to give new attorneys support and appropriate oversight is taken very seriously by unit leaders and other senior attorneys. In addition to detailing those procedures supervisors are to take in supervising all staff members, the CLSMF manual "Supervision Guidelines for Advocates" addresses training and orientation for new



advocates at various stages – first 30 days, next 60 days, and 3 months to 12 months. These detailed guidelines include the requirement that the new attorney observe interviews, trials and other legal procedures and be observed while doing them. The policy indicates that if the new attorney is not in the same office as the SLU leader, an experienced attorney will be appointed to mentor the new attorney – including participating in observations. The guidelines specify the frequency of supervisor reviews of their caseloads. For example, during the first three months, the supervisor and the attorney are to meet every two weeks to go over the new attorney's cases.

The new and recently new attorneys the team spoke to affirmed the program's commitment to training and their professional development. They described the orientation process during the first month as very thorough; they affirmed that case work was strictly limited in this period. They described "shadowing" experienced attorneys, undergoing frequent case review and being observed themselves during the first year. They also indicated that they attended the Advocacy Director's monthly training meetings and had access to abundant other training. One attorney indicated that her supervisor was in contact with her every day.

**Finding 13. Advocate staff members have significant access to training and other support resources.**

CLSMF advocates have access to abundant training opportunities. The executive director said that sending several advocates to trainings such as a conference on affirmative litigation is one part of the program's strategy to pursue significant litigation. The advocacy director is in charge of training; he indicates that the program is invested in assuring that training needs are met. He notes that his database of training attended in 2010 includes 165 entries. On the schedule for this year are statewide substantive trainings in immigration, housing, family, health and seniors, public benefits, consumer, and unemployment compensation. Other training opportunities include grant seeking; guardianship and alternatives; leadership; advanced supervision; and trial skills.

CLSMF attorneys also have access to support resources. They rely on Florida Legal Services' website resources at [www.FLAdvocate.org](http://www.FLAdvocate.org) and [www.floridalegal.org](http://www.floridalegal.org). The Florida Advocate site contains extensive practice areas in topics such as consumer, family law, public benefits, health and senior law, disaster legal services and leadership and supervision. The program has specialized practice manuals, including those from the National Consumer Law Center. Several attorneys are on specialized state and national listservs including the National Association of Consumer Advocates listserv and Florida's mortgage foreclosure listserv. Funds for discovery and other litigation expenses are readily available. While there are pleadings on-line, one advocate said that it was difficult to access. A litigation fund, administered by the advocacy director, is available to attorneys who need to pay for discovery or expert fees.

**Finding 14. CLSMF produces an acceptable volume of casework. The legal work produced is of good quality; several of its recent cases have broad impact.**

In 2010, CLSMF handled 247 cases per 10,000 poor persons, 87% of the national median of 284. CLSMF closed 31 extended cases per 10,000 poor persons, 51% of the national median. While these numbers are lower than the national median, they have been going up steadily since the program began in 2004. Because of the presence of four non-LSC funded programs in the area, more clients are represented in the region than are suggested by these numbers.

Based on our review of writing samples, discussions with staff advocates, and interviews with judges and attorney board members, the team concludes that the quality of the program's legal work is good. As noted above, we were impressed with the experience and expertise of the unit leaders and with the way the SLU structure is designed to strengthen the work produced. The writing samples the team received were sufficient; some were quite good. Others could have used further oversight and guidance. In discussing cases with staff members, the team was impressed with advocates' discussions of how they pursued the cases and with the results they obtained.

The judges and other lawyers the team spoke to indicated that the advocates they saw did excellent work. One judge, commenting on the representation of children said that the CLSMF special education advocates made an incredible difference in the lives of the children involved because they understand the law in a way that nobody else in the room does. Another judge, talking about a family law attorney, said that the judge has come to rely on what the attorney presents and that he is as good as or better than any other family law attorney in the county. A third judge referred to another family law attorney as "awesome, stellar." An attorney board member described a different CLSMF family law attorney as "well respected and doing an excellent job." A fourth judge praised the attorneys' work with landlord tenant matters involving the housing authority and with foreclosure cases.

The team was impressed with the volume of significant results the program has obtained for its clients. As mentioned above, the program is challenging mortgage foreclosures and foreclosure rescue scams under a variety of circumstances. As also noted above, their special education representation is highly praised. Specific cases of note include:

- CLSMF's extensive representation of tenants at Daytona Village led to getting a new investor who averted the termination of large numbers of subsidized units.
- The program's representation of tenants in a Sanford subsidized housing complex that was being converted to other uses has led to their getting substitute housing.
- CLSMF is an active member of the coalition working on Florida's Medicaid waiver cases. In one such case, CLSMF, together with a private firm won a significant victory that preserved necessary benefits for a severely disabled child whose benefits were capped significantly below the needed benefits.
- A challenge to Florida's new Food Stamp Overpayment Compromise Rules led to new, fairer rules.
- Where the Unemployment Commission initially ruled in the client's favor, and then reversed the ruling 10 months later, CLSMF's argument that the reversal

- violated her due process rights survived a summary judgment motion and has been remanded.
- A recent UCCJA case with precedential value preserved a Florida custody order, and therefore CLSMF's client's custody. Where there is no "home state" under the UCCJA structure because the client was forced to move from place to place, the court ruled that, under the circumstances, Florida properly exercised jurisdiction.

### **Private Attorney Involvement**

#### **Finding 15. CLSMF's pro bono operation provides a wide array of pro bono opportunities to attorneys and is of assistance to the low-income population.**

CLSMF's Volunteer Lawyer Program (VLP) operates in nine of the program's 12 counties. The pro bono work in Brevard, Orange and Seminole counties is undertaken by the bar association legal aid programs in those counties. VLP staff include the pro bono manager who is an attorney, two full-time coordinators, and a full-time pro bono intake assistant. PAI attorneys can participate in providing services in many different ways. They may choose to teach workshops, conduct the advice clinics, and/or accept referrals for full representation in all the substantive areas in which the program provides services. They also have some retired attorneys and other volunteers who come to the office several hours a week to help. Some attorneys are available to co-counsel when the program requests it.

The clinics provide a one-on-one meeting with a private attorney. People have to be financially and otherwise eligible, which is checked, to participate. By comparison, workshop participants are not screened; there is no eligibility requirement to attend a workshop. In the workshops, participants complete pro se forms on their own. Family law pro se workshops and bankruptcy pro se workshops are held periodically throughout the coverage area. In several counties, these clinics are held at least monthly.

There are many types of legal advice clinics. General legal advice clinics are for those with family law, housing, consumer and other general civil legal issues. There are also specialized clinics in family law, bankruptcy and foreclosure. VLP is starting a SSD and SSI overpayment clinic because the demand for help with these types of cases is high. Typical clinics run for three hours and usually assist from nine to 12 clients. Participants are pre-screened. Each attorney takes, on average, three to four clients. Attorneys are typically willing to stay until everyone is seen. The clinic organizers report that the no-show rate for participants is very low – less than 10%.

Some applicants are referred for full-service pro bono representation either by the HL, the SLUs or the clinics when a clinic participant is determined to need extended help. Some private attorneys refer clients for screening; then handle the case pro bono when the client is accepted. When an attorney accepts a case for full representation, the attorney is sent a letter with a copy to the client; the client is instructed to call the attorney. Pro bono staff follow up to make sure the client and lawyer have connected with each other.

The staff and pro bono volunteer attorneys that the team spoke to rated the VLP highly; several credited the new pro bono manager with reinvigorating the program. VLP has significantly increased the volume of work that it handles in the three years that the current pro bono manager has been in charge. From 2008 to 2010 cases increased from 421 to 951; extended cases have increased from 53 to 80. In light of the fact that VLP is not handling PAI cases in three counties, including Orange County that has the largest poverty population and attorney population, the program's PAI numbers are impressive.

**Finding 16. PAI recruitment, support, oversight and recognition efforts are effectively accomplished.**

All bar members are sent invitations to participate in VLP every year. VLP staff members follow this up by regularly attending bar meetings and functions in order to build and maintain rapport with the private bar. VLP staff have enlisted all staff members in the effort to recruit pro bono attorneys. Several staff attorneys indicated that they are appreciative of VLP efforts and work to assist VLP by recruiting their fellow attorneys.

The VLP staff see recruitment as an essential element for its mission of "trying hard to help everyone who comes to us for assistance." If either the HL, pro bono intake staff, or private attorneys determine that pro se assistance or advice is insufficient to meet the clients' needs, they will try hard to find an attorney to provide full representation. When need be, this includes going beyond the attorneys on their lists to place cases.

The program seeks to support its pro bono attorneys when they need help. Pro bono attorneys are told to contact VLP staff for anything they need and any questions they have. Checklists are provided for attorneys agreeing to handle types of cases they are not very familiar with. CLSMF staff attorneys periodically conduct trainings for pro bono attorneys in needed areas of law. Recent trainings have included foreclosure, wage claims and bankruptcy. They also mentor volunteers as appropriate. One pro bono coordinator described CLSMF attorney support of pro bono attorneys as "phenomenal." One coordinator goes to the office of a sole practitioner pro bono attorney who handles several pro bono cases in order to make sure that she gets the needed documentation. The PAI attorneys that the program spoke to praised the VLP staff's efforts. They had no suggestions as to how the program could be improved.

The VLP staff appropriately track and oversee the cases that are assigned to pro bono attorneys. The pro bono coordinators follow up after ten days to make sure the client and pro bono attorney have linked up and do status checks at the 30 and 90 day mark. After that, they send status check letters at 90 day intervals until the case is completed. The pro bono coordinators submit quarterly activity reports that the pro bono manager and the advocacy director monitor.

The program takes appropriate steps to recognize the contributions of pro bono attorneys. Attorneys participating in the program are honored at an annual recognition event and the names of participants are published annually. Letters of thanks, lapel pins or plaques are presented. Any attorney who provides 100 hours of service receives a letter of

appreciation from the chief justice of the Florida Supreme Court. The program has been very successful in nominating its private attorneys and firms for a number of state bar and court awards. Three of the attorneys they have nominated have recently won Florida Supreme Court and state bar awards for their pro bono service.

### **Other Services and Activities**

#### **Finding 17. CLSMF engages in a significant amount of community legal education and pro se activities.**

As discussed in several sections above, CLSMF provides a wide range of community legal education and pro se activities. As noted in Finding 6, the HL provides pro se assistance to clients in several areas. The HL supervising attorney uses HotDocs to produce documents such as wills and "cease and desist" orders. Advice that constitutes pro se assistance is provided by SLU attorneys who provide advice for clients as discussed in Finding 7. The program also sells pro se packets to the public. The outreach and community legal education efforts of the tax law, the elder abuse and fair housing projects are described in Finding 8. Overall, CLSMF made more than 125 presentations on topics including family, housing, public benefits and tax in the last two years. The workshops and clinics run by the VLP that cover a wide range of civil legal services topics and are staffed by volunteer attorneys are detailed in Finding 14.

CLSMF also produces an extensive collection of brochures. There are currently over 140 different brochures on various areas of the law for the client community. The program has been adding five or six new brochures to its collection each year as client needs change. All brochures are in English and Spanish; some are in Vietnamese and Russian. The brochures are all reviewed by an attorney each year to ensure that they are correct and current. The public relations manager works closely with the SLU leaders who have to sign off on the updates of brochures in their substantive legal area. All brochures are dated and available on CLSMF's website.

### **Recommendation**

**III.3.17.1.** CLSMF is encouraged to consider ways it can provide clients with copies of its pro se packets electronically.

#### **Finding 18. CLSMF is effectively engaged with other organizations to promote client interests.**

The program is active with the bar, bench and other organizations in promoting its clients' interests. Its most significant work with the bar is its pro bono collaboration with private attorneys in nine counties as described above in Findings 16 and 17. CLSMF attorney and board member participation in the Inns of Court led to VLP staff being invited to those meetings; it was an opportunity to recruit attorneys and establish relationships with judges. CLSMF partnered with local bar associations to offer Foreclosure Defense Litigation CLE training to members of the local bars.

CLSMF is also pursuing important efforts with the courts. Judges that the team spoke to are grateful to the program for educating the courts on special education and are calling on the program to represent children in guardian ad litem situations where special education issues are present. The special education unit, in turn, is adding to what it can do by training GALs in special education law. CLSMF participated with the Florida Supreme Court and with other legal aid programs in instituting a mediation protocol in foreclosure cases. It is also working with some judges to overcome judicial reluctance to address support awards in domestic violence cases. The program is also working with clerks' offices to make it clear that low income persons should have fees waived where litigants can't afford to pay them.

Good working relations with other agencies and organizations have led to many opportunities. Its work with DV organizations, sheriffs and states attorney offices has led to effective coordination that inures to the benefit of those seeking protection from violence. It is part of a coalition of organizations including Florida A and M and the Florida AG's office addressing foreclosure rescue scams. Its good relations with the Florida Department of Children and Families (DCF) has led to its being able to put its pamphlets in DCF waiting rooms and to be able to resolve some matters quickly by bypassing the fair hearing procedures. Its fair housing, veterans, tax and elder abuse work similarly lead to the program being better known and more often called upon for partnerships.

#### **PERFORMANCE AREA FOUR – EFFECTIVENESS OF GOVERNANCE, LEADERSHIP AND ADMINISTRATION.**

##### **Board Governance**

##### **Finding 19. CLSMF's board is comprised of committed volunteers who participate in setting program policy and overseeing its implementation.**

CLSMF has an active and involved board, which is committed to the mission of the organization. The board is diverse racially, ethnically and geographically. According to staff and to attorney and client board members the team spoke to, the client board members are actively involved in the board's work.

The board has active committees that meet as needed to discuss critical issues and make recommendations to the full board. There are five board committees – executive, budget and finance, personnel, Volunteer Lawyers Project, and priorities. The board meets three times a year by telephone conference call and once a year in person for its annual meeting.

At the annual meeting, leaders of the substantive law teams make presentations on their work and answer questions from the board members. Administrative personnel also make presentations. Orientation for new board members is conducted at this time. The

executive director and the advocacy director review CLSMF organizational structure; history; funding sources; board and committee structure; and CLSMF's accomplishments. According to the board president, the annual meeting is the opportunity to review the program's accomplishments of the previous year and to do strategic planning. She said the foreclosure crisis is an example of how they shift resources to address emerging needs. Goals and objectives for the program are set at the annual meeting.

The board members the team spoke to uniformly praised management's administrative support for the board. At least one week in advance of a meeting, management provides the board with appropriate materials for each meeting including an annotated agenda that summarizes the action required for each agenda item along with detailed documentation.

The board takes its financial oversight role seriously. It receives spread sheets that show the funding, to-date projections and the actual to-date income and expenses along with accounts receivable. The documentation contains an explanation for the difference in the projections and the actual income and expenses. The Treasurer is chair of the Finance, Budget and Audit Committee. The Committee carefully reviews the budget and finance reports to ensure that CLSMF has sound fiscal policies and an adequate reserve.

With the current fiscal crisis, the board is aware of the need to be actively involved in fundraising. The board president works on the campaign to raise funds in Volusia and Flagler counties; the effort has thus far raised \$300,000.

The board evaluates both the executive director and the advocacy director each year. The evaluation process includes a self-evaluation by both directors, the establishment of goals for the coming year and a review of the accomplishments of the previous year's goals. It is a "360" evaluation in that each of their immediate supervisees are asked to evaluate the directors' performance for the last year.

### **Leadership**

#### **Finding 20. The executive director of CLSMF leads the program in creating a culture of innovation to meet the changing needs of the client community.**

CLSMF has an experienced leadership team. Both the executive director and the advocacy director are long-term legal services lawyers. Their accomplishment in merging the three programs and creating a cohesive and effective organization is noteworthy. Several staff members indicated how well the program is working. Their vision in establishing SLU's and the HL contributed significantly to the extent to which the program functions as a unified whole. They faithfully engage in a strategic planning process that is reviewed yearly.

The executive director is well-respected by the board and program personnel. The praise that the team heard for his leadership is remarkable. While one person opined that he is shy and another expressed the desire for him to travel to branch offices more, the rest

were quite positive. Several emphasized the extent of his concern for the people the program serves. Others noted his interest in and commitment to everyone in the program. We were told that he tries to empower support staff and that he sets up lots of projects so that there can be many leaders. It was noted that he solicits input broadly and that he has an "open door policy." A few noted that, as a "big picture" person he wisely surrounds himself with associates who are attentive to details. He is said to have addressed the potential loss of funding very well. He plans for ways to save funds and to get new revenue sources while keeping the staff apprised of funding news. He was described as a visionary who identifies changing needs and tries to address them in strategic ways. One manager said that he is willing to experiment and, if necessary, make adjustments or even abandon the plan.

In keeping with its strategic vision, the program's leadership is mindful of the need for succession. Its succession plan is thoughtful and addresses many contingencies including a temporary and unanticipated vacancy as well as an anticipated permanent transition. It includes leadership development and notes the steps the program takes, including training and mentoring, to develop future leaders. Leadership development is also seen in the program's administrative units where experienced managers work alongside mid-career associates.

## **Management**

### **Finding 21 Members of the management team work together to effectively manage the program.**

CLSMF's management team consists of the executive director, the SLU leaders, the managing attorneys, the human resources director, the director of technology and compliance, the comptroller, the advocacy director and the office managers. This group meets two to four times a year to review and discuss the budget, major policy initiatives, strategic planning and accomplishments.

The team is impressed with the program's management structure and with those charged with carrying it out. That the complex division of authority between executive director and the advocacy director appears to work smoothly is to the credit of both incumbents. The division of responsibilities between SLU leaders and managing attorneys or office managers also appears to work well. As discussed above, the intake and technology functions are well managed. The managers of those areas are effectively addressing the continuing challenges in those areas that are not of their making. The results of LSC Office Compliance and Enforcement's recent visit documents that the program maintains compliance with LSC regulations. As befits a Florida program with hurricane experience, CLSMF has a continuously updated disaster plan that addresses both the restoration of the program capacities and the provision of client services in emergent circumstances. The program's technological, financial, human resources and resource development management functions are discussed below.



**Finding 22. While CLSMF has a sufficient technology infrastructure for the work that it does overall, it has experienced problems with its server environment. It is taking an innovative step to improve the performance of its terminal servers. In several respects, it is making creative use of its technology.**

The program's computers meet the standards of the LSC grant assurance. All advocates who work in the program's offices have computers with the required capacities, and all have access to the case management system and on-line legal research programs. Management functions such as case management, financial administrations and human resources are effectively supported by the computer infrastructure.

CLSMF has a long and successful relationship with a technology support services company, TechHero, that provides responsive helpdesk support and maintenance of their network and desktops in all branch offices. They provide both onsite and remote support on anything IT – networking, firewall, program installation, data backup, setting up new equipment, etc. They will also help troubleshoot any Internet connection problems with the provider. Staff interviews confirm that any computer problems are resolved quickly through contact with the IT Assistant, the IT Director, or by directly contacting TechHero. Uptime for the program's servers is said to be 99.9%.

There have, however, been problems with the server environment. Several staff expressed frustration at experiencing slow responses in working on the network. A few noticed that the computers can be slow. One said that she does her brief writing on her personal computer because word processing is unacceptably slow. The program is in the process of dealing with these issues. It is upgrading its technology infrastructure by converting to a virtualized server environment to replace terminal servers that have lasted well past the average life expectancy of similar servers. The virtualized server environment should resolve those issues.

The other technological problem the program faces relates to its telephone system. Limitations with the phone system discussed above have limited the productivity of the HL. The team also heard of problems with the phone system outside of the context of the intake system. One advocate described her occasional inability to call out or receive calls as the greatest cause of her frustration. Another noted that a judge complained to her that she often cannot get through when she calls the program. The program's technology plan currently calls for the phone system to be completely replaced by 2014.

The program appears to be making effective use of its technology. The program has used Kemp's CMS software since 1999, and is currently using a customized version of PRIME. This is the main software tool used by most of the advocates in the office; it has the ability to store all the needed client and case information. While there were some complaints about Prime's responsiveness, they probably relate to the server issues described above. The manager of administrative compliance and information technology, along with her assistant extensively use the CMS to produce reports and audit case handler compliance. One Prime capacity is not being used. Staff do not seem to be using its internal messaging capability.

Advocates use scripts built into Prime for their intake interviews and they scan client documents into it. CLSMF was an early adopter of electronic filing in the case management system. By 2005, all of the units were placing electronic documents into the case management system. While copier/scanners are available in each office except Tavares, not all documents are in Prime because scanning is time-consuming and because CLSMF's offices are thinly staffed. .

The program is also beginning to make use of HotDocs technology to generate forms. The supervising attorney of the HL creates HotDocs templates and uses them for pleadings he sends to pro se clients. He is also working on encouraging staff to use it, and is starting with the housing SLU. The program has 100 HotDocs licenses for attorneys.

### **Recommendations**

**IV.1.22.1.** CLSMF is encouraged to review its phone system to see if improvements can be made to improve efficiency.

**IV.1.23.2.** The program should survey staff once a year on technology and include staff in technology planning for the program. It should also survey staff to evaluate the quality of access following virtualization.

### **Financial Administration**

**Finding 23. The financial staff is competent and experienced. Policies are in place for effective budget planning and oversight.**

The program has sufficient, capable, trained and experienced staff dedicated to financial administration. Both the comptroller and assistant comptroller have BA's in accounting and many years of professional experience; they are supported by a bookkeeper and two assistant bookkeepers.

CLSMF engages in three year budget planning. The comptroller takes the current budget and, in consultation with the executive director, projects out for three years based on the program's plans and revenue projections. Annually, she does a draft budget in consultation with the executive director and the advocacy director. There is then a management team meeting to review it. Managers are encouraged to share it with their staffs. The budget then goes to the financial committee and on to the entire board for review, revision and approval.

The program appears to have in place appropriate policies and procedures for effective financial oversight. Budget review is done quarterly when the executive director, comptroller and advocacy director meet to review the budget, financial reports and decide whether the budget needs to be revised or amended and what other steps might be necessary to remain in the black. The board's Budget, Finance and Audit Committee

reviews the consolidated financial reports three to four times a year and approves budgets and revisions. The report issuing from OCE's CSR/CMS evaluation referred to above concluded that CLSMF's internal control policies were in accordance with those specified in the "Accounting Guide for LSC Recipients."

### **Human Resources**

#### **Finding 24. Experienced HR staff see to the implementation of personnel policies, staff evaluations and diversity.**

Two experienced professionals, the HR director and the HR coordinator, oversee the human resources function. The HR director has forty years of experience in the field; he has been with CLSMF for four years. The HR coordinator is new to the program, having joined CLSMF just under a year before the visit; she has been in the HR field for 18 years. Each has delineated responsibilities.

The unit maintains and updates personnel policies, coordinates staff evaluations, implements the program's benefits program, participates in collective bargaining and deals with personnel issues. Personnel policies were established around the time of the merger; they are available on the shared drive.

Personnel files are securely maintained. Paper files are kept under lock and key. Electronic personnel files are kept separately from other electronic files and are backed up remotely, also separate from other remote files.

Staff members did not mention concerns about the program's compensation levels to the team. Attorney salaries were raised in 2008 by intervention of the FBF. The program raised non-exempt staff salaries at that time. Reacting to decreases in funding sources discussed in finding 26, CLSMF management froze salaries effective January 1, 2011. Staff appear to understand management's decision and accept it. There appears to be consensus that the benefits package is an extensive and generous one. The LRAP benefits that attorneys receive from FBF supplemented by CLSMF is acknowledged as helpful. One attorney, while expressing gratitude for LRAP assistance, noted that the reduction in her LRAP benefits combined with the salary freeze puts her in a bind.

The evaluation process is yearly and involves self evaluation and an evaluation by the employee's supervisor. Each evaluation is reviewed by the HR director and the supervisor's supervisor. The advocacy director's evaluation of SLU leaders includes input from SLU team members. Development and goal setting were parts of the process in the past; management is considering reinstating a similar process in a simplified form in the near future. Team interviews confirmed that the process is carried out annually and in a timely manner. Staff opinions differ about the usefulness of the evaluations. Some praise it as providing helpful feedback, others as an opportunity to reflect on their work. Some do not feel that the feedback they received is helpful; others criticize the numerical rather than the descriptive aspects of the feedback.

In addition to giving high achievers excellent evaluation ratings, the program takes other steps to recognize achievements. As noted in Finding 21, a significant number of staff members have leadership positions. CLSMF recognizes high performance and praise from outside sources by noting it in CLSMF's weekly newsletter and on the program's web site.

While, as noted in Finding 13, attorneys report receiving extensive training, the same is not true for most legal assistants. Some report attending legal assistance training a few years ago and report it was very valuable. Even those who attended that training are seeking more. Several legal assistants reported that they were either hired, promoted or moved into their current position without adequate substantive training and that they are therefore "winging it." One attorney noted that, in the absence of training, legal assistants can feel overwhelmed. Another attorney noted that she is put in the position of training, which is not ideal for either the legal assistant or for her. One legal assistant noted that it is helpful to have training in areas in addition to those in which they work because subject matter areas and client needs overlap.

Another group with training needs is supervisory staff. As noted in Finding 13, there are trainings in supervision and leadership available to staff members. The director of HR supplements this by on the job training and mentoring of new supervisors – frequently arising in the context of contentious personnel situations.

### **Recommendation**

**IV.5.24.1.\*** CLSMF is encouraged to systematically review legal assistant training needs and to make sure that supervisors work proactively with legal assistants and support staff for them to have opportunities to receive subject matter and relevant procedural law training.

### **Internal Communications**

**Finding 25. Communications within the program is generally good. Morale is an issue in some parts of the program – possibly due to funding shortfalls.**

The flow of information within the program is good. An annual staff retreat is held on Veterans Day. At the retreat, the ED gives information about the status of the program and funding prospects. Recognition is given to those who achieved significant accomplishments in the last year. There is also a series of awards given out, including an advocate of the year award. A weekly newsletter covers upcoming events; good cases; milestones for staff members and their immediate families; and other relevant information. The ED visits each office at least once a year; other managers frequently travel to branch offices.

While several staff members indicated that the morale in the program is high, the team encountered some morale issues among staff in some places where staff members who resigned are not being replaced and workloads are not being cut back. Another source of

stress is where staff members work for two units and cannot control their workloads due to high demands from one of the units.

### **Recommendation**

**IV.6.25.1.** The program is encouraged to ameliorate staff stress in times when staff cutbacks occur by reducing caseloads or providing additional staffing. It should be made clear to staff that they are encouraged to discuss problems in the work environment.

### **Resource Development**

**Finding 26. CLSMF's resource development and grants manager and its public relations manager are working to generate and maintain funding that supports the program's mission.**

The program's Resource Development and Grants Manager, an attorney, has primary responsibility for the development and oversight of the grant preparation and reporting. She has worked hard to diversify the program's revenue sources and to generate additional revenue to support the mission of the program. She works with the public relations manager to develop diverse sources of revenue. The public relations manager coordinates private bar fundraising as well as generating favorable publicity about the program that supports both the grant making and fundraising efforts. He sends out press releases, newsletters, information about community legal education and advice clinics electronically.

The program currently has approximately 21 different funding sources in addition to its LSC grant. Grants have focused on critical client needs such as mortgage foreclosure, tax payer assistance, special education, domestic violence and other important areas.

The resource development team is working to neutralize funding cutbacks that the program has experienced and is anticipating for the next two years. Both LSC and FBF funding are down a little this year; a 30% FBF cut is forecast for next year. Two grants that CLSMF recently received -- a fair housing grant renewal and a new foreclosure scam grant -- will help off-set these funding reductions.

CLSMF is planning to supplement these sources with increased funding from private bar campaigns. The public relations manager is working with the board president, the executive director and others on the private bar campaigns. The first and most successful private bar campaign has been in Volusia County. He is working to establish campaigns in three other counties.

### **State and Regional Collaboration**

**Finding 27. CLSMF works effectively with its partner organizations in the region and the state.**

CLSMF coordinates with the four other legal aid programs in the region. Three of them are legal services programs that are sponsored by local bar associations – the Legal Aid Society of the Orange County Bar Association, (LASOCBA) the Seminole County Legal Aid Society (SCLAS) and the Brevard County Legal Aid (BCLA). The staff component of LASOCBA has seventeen attorneys; its casework includes family law, private landlord tenant, immigration and unemployment compensation. The executive director of LASOCBA reports that the two programs have an excellent working relationship. The Seminole County Legal Aid Society and the Brevard County Legal Aid have three and four attorneys respectively; they handle primarily, but not exclusively, family law cases. The fourth program in the area is the Legal Advocacy Center of Central Florida (LACCF); it was established by the CLSMF board to handle restricted work that CLSMF cannot handle.

Referrals are handled smoothly between CLSMF and its partners; similarly, pro bono coordination is said to be smooth. Regional directors meet formally several times a year to review regional trends and needs; they also meet by conference call as needed on the management of regional grants.

CLSMF is an active participant on the statewide level. Several staff members are actively involved in training; senior members of CLSMF have served as trainers on statewide training sessions such as affirmative litigation and essential skills for non-attorneys. The executive director is on the statewide training committee. Many staff members actively participate in umbrella groups and their listservs. Paul Doyle, FBF's Director of Legal Assistance for the Poor and Law Student Assistance Grant Programs praised both CLSMF's work with its regional partners and its contribution to the state justice system.