



Legal Services Corporation  
**Office of Program Performance**

**FINAL**  
Program Quality Report  
for  
**Micronesian Legal Services Corporation**  
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Final Program Quality Assessment Report for  
Micronesian Legal Services Corporation

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## INTRODUCTION

### **Background on the assessment**

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a program quality assessment of Micronesian Legal Services Corporation (MLSC) from May 2 through May 9, 2011. The team included Office of Program Performance program counsel Stephanie Edelstein (team leader), Evora Thomas, and Tim Watson, and senior program counsel John Eidleman.

The team did not travel to the program; all interviews were conducted remotely from Washington, D.C. using Skype audio and telephone. Because the team was not in Micronesia, some of the findings are more tentative than they otherwise would have been. For example, the team was not able to observe the program's offices and could not see the intake system at work. Further, due to the fact that many of the persons interviewed are not native English speakers, some conversations were more difficult to understand on the telephone than they would have been in person.

OPP seeks to ensure that all recipients of LSC funds are providing high quality, efficient, and effective legal services to eligible clients. The overall purpose of program quality visit is to determine the quality of legal services provided to eligible clients, including a program's engagement with and service to the low-income community; the effectiveness of its legal representation and other program activities; and its leadership, management, and administration. In conducting this evaluation, OPP relied on the LSC Act and regulations, the LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid. The evaluation was organized to follow the four Performance Areas of the LSC Performance Criteria, which cover needs assessment and priority setting; engagement with the low-income community; legal work management and legal work; and program management, including board governance, leadership, strategic planning, resource development, and coordination within the delivery system.

Prior to the evaluation, the OPP team reviewed MLSC's application to LSC for 2009 funding, its applications for 2010 and 2011 renewal funding, its case service (CSR) and other service (OSR) reports, and other documents submitted to LSC during the past year. The team also reviewed documents submitted in advance of the evaluation, including minutes of board of directors' meetings, program policies and procedures, casehandlers' writing samples, and responses to an on-line staff survey. The team interviewed all program management and staff including the executive director, deputy director, accountant, IT specialist, directing and staff attorneys, counselors, and receptionists. The team also interviewed the program's board chair and most board members as well as judges and representatives of organizations serving the client community.

The most recent OPP visit to MLSC was in 2001, but it was not a complete review of program quality and did not generate a report. OCE conducted an on-site CMS-CSR review of MLSC in March 2009.

## Program overview

MLSC, established in 1970, serves the Federated States of Micronesia (FSM, comprised of four separate states), the Commonwealth of the Northern Mariana Islands (CNMI), the Republic of Palau (Palau), and the Republic of the Marshall Islands (Marshall Islands). The FSM, Marshall Islands, and Palau are sovereign nations to which the United States provides financial assistance and certain services under the Compact of Free Association.<sup>1</sup> The CNMI is a commonwealth of the United States.

The MLSC service area includes approximately 2,400 small islands, of which approximately 220 are inhabited, scattered across an area approximately the size of the continental United States and covering four time zones. Each jurisdiction has its own government and court system. In the CNMI, both United States statutory and common law generally govern. In the Marshall Islands, the FSM, and Palau, U.S. statutory law does not apply but U.S. common law is looked to as precedent. In addition, each jurisdiction and each island state within the FSM has at least one local language of its own. English is a second or third language for many staff, and many clients do not speak English at all. The service area's population of 245,812 is extremely poor. The 2000 census puts the number of poor people at 178,317, which translates to a poverty rate of 72.5%. Most clients live in rural settings and many are subsistence farmers or fishermen. Some are employed by local governments at relatively low wages compared to the United States. Programs such as Supplemental Security Income, Food Stamps, and Medicaid are available only in the CNMI.

MLSC has a central administrative office in Saipan, CMNI, and eight service offices: in the states of Yap, Chuuk, Pohnpei, and Kosrae in the FSM; in Majuro and Ebeye (satellite office of Majuro) in the Marshall Islands; on Koror in Palau; and on Saipan in the CNMI. Each office also serves residents of surrounding islands. The Saipan office conducts scheduled outreach to two islands – Tinian and Rota. At the time of the remote visit MLSC had a total staff of 50, of whom 17 were attorneys (including the executive director and deputy director), three were paralegals, and 16 were trial counselors.<sup>2</sup> The deputy director was hired in 2010, filling a position that had been unfilled for several years. The nine-member MLSC board includes representatives from each jurisdiction in the service area.

MLSC receives \$1,820,506 in basic field funding from LSC. In 2010, the program received \$595,293 in non-LSC funds, including a federal earmark for the Saipan office to expand its existing outreach to Tinian and Rota. MLSC receives no other federal grants; all other non-LSC funding is from governments in the service area. There is no Interest on Lawyers Trust Account (IOLTA) program. MLSC has received Technology Initiative Grants (TIG) to develop *pro se* stations in offices, to create a

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<sup>1</sup> Under the Compact of Free Association, the United States provides LSC-funded legal assistance to these former Trust Territories in exchange for certain U.S. defense and other operating rights in the area. 48 U.S.C. § 1981, as amended.

<sup>2</sup> In the FSM and the Marshall Islands, it is possible to take the bar exam and be licensed to practice law without having attended law school. All jurisdictions in the region allow these trial counselors to give legal advice and appear in court. Several state court judges and the Chief Justice of the FSM Supreme court are former trial counselors. MLSC requires trial counselors on its staff to be supervised by an attorney.

website and develop content, and to conduct a network upgrade. MLSC began switching to Kemps Prime case management system in 2008. At the time of this remote visit, three offices did not yet have the system, but it had been deployed in all offices by the time this report was finalized.

While technology has made some resources more available to MLSC, its offices and client communities remain very isolated -- from the United States and from each other. Many residents lack telephones, electricity, and running water, and there is no mail delivery to street addresses anywhere in the service area. In some areas services are unreliable, with power outages occurring several times a week. At least one office communicates with clients via two-way radio. The culture and resources of the communities served by each office vary significantly. For this reason, each office conducts its own needs assessment and develops its own priorities for consideration by the MLSC board.

### **SUMMARY OF FINDINGS**

Despite the challenges of geography, language, culture, and infrastructure, MLSC is an effective program with a long history of service to the region in which it is located. Interviews with staff, judges, and others indicate that MLSC has dedicated and capable legal staff who represent clients effectively and professionally in a variety of forums. However, there are areas where the program would benefit from additional attention.

Each MLSC office conducts a comprehensive triennial needs assessment that is supplemented with quarterly and annual reports. The results of these reports are used to set priorities. The program has not engaged in strategic planning.

Staff are linguistically and culturally competent and reflect the client community. Intake is conducted on a walk-in basis due to cultural norms and the lack of telephone service in the client community. Case acceptance decisions are made promptly although there is a need for clearer and more specific case acceptance guidelines. Offices are located on the most populated islands and are convenient to clients living on that particular island. The team was also informed that the physical plants of some offices do not meet professional standards.

Advocates engage in effective representation in a variety of forums, with services varying from office to office due to local customs for resolving disputes. MLSC's overall case closures indicate that the program is in line with national norms for productivity and that while the kinds of cases handled may differ from those of other programs, they address matters important to their clients. There are very few social services organizations or client groups in the region, so opportunities for collaboration with such organizations are slim. Offices vary in the degree to which they conduct outreach, provide *pro se* assistance, and undertake other efforts to increase access. The program is aware that its website content needs updating, and the deputy director plans to undertake that project in the near future.

Each branch office includes a directing attorney who is responsible for case supervision and office administrative functioning. Lines of supervision and management are clear. There is not as yet a program-wide repository of forms or pleadings, but advocates have begun contacting colleagues in other offices to share information and to ask questions on matters beyond their experience.

Staff at all levels express a need for training, including on substantive law and skills, on the LSC regulations, and on using the case management system.

MLSC annually requests and receives a waiver of its PAI requirement, due to the scarcity of attorneys and the lack of an organized bar in some jurisdictions in the region.

The MLSC by-laws were adopted prior to the passage of the LSC Act. As currently written, the by-laws do not conform to 45 CFR §1607.3(b) or §1607.3(c) (board composition), or to 45 CFR §1607.4 (frequency of board meetings). The program believes that it has an ongoing waiver of that requirement. LSC is investigating the matter. The board demonstrates a commitment to the program and its mission, is appropriately involved in major policy decisions, and appears to be exercising effective oversight. It does not have a financial oversight committee. The board evaluates the executive director every two years. There is a need for board training on the LSC Act and regulations, and on the board's fiscal, fiduciary, and other responsibilities.

MLSC has experienced leaders who understand the need for program-wide consistency and cohesion while respecting the cultural diversity and political independence of the jurisdictions in which offices are located. The program recently updated and expanded its policies and procedures manual. Installation of the case management system, along with increased use of email and Skype, will further enhance program-wide cohesion. There is a plan for a program-wide meeting in 2012, although funding cuts may delay that event. While MLSC has appropriate financial policies, procedures, and staffing in place in the central office, the extent to which such policies and procedures are communicated to or applied by the branch offices is unclear.

MLSC leadership recognizes the need to pursue funding opportunities in addition to the government funding on which the program has relied in the past. Individual board members and directing attorneys have been instrumental in obtaining and maintaining some government funding for the offices in their regions. The program does not yet have a resource development strategy.

## **DISCUSSION OF FINDINGS**

***PERFORMANCE AREA ONE. Effectiveness in identifying needs of low-income people in the service area and targeting resources to meet those needs***

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

**Finding 1: MLSC conducts a comprehensive triennial legal needs assessment and annual review of emerging issues, and uses the results to develop its program priorities.**

Each MLSC office conducts a comprehensive triennial needs assessment that identifies existing and emerging legal needs in its community, along with the culture and customs that may influence how those needs are addressed. The most recent assessment was conducted in 2009. The process differs slightly from office to office, but offices use various mechanisms for obtaining input from program staff, the client community, courts, and other service providers. Each office prepares a comprehensive report for the executive director which also includes discussion of office resources and needs. Offices also submit shorter annual reports on emerging needs identified during the previous year.

The MLSC board of directors uses the triennial and annual reports prepared by staff in its annual review of priorities. The board also considers the observations of local governmental officials and/or judges, who are invited to regular board meetings to speak about emerging legal needs and to comment on the quality of MLSC services. The resulting program priorities take into account the legal needs of the client communities, and the resources available to meet those needs. MLSC priorities also take into account the unique cultural issues and customs of the communities the program serves, including the preference for resolving disputes in a non-adversarial manner and, in some areas, for not representing one citizen of the particular state against another. Interviews with staff confirm an overall awareness of priorities and adherence thereto.

**Criterion 2. Setting goals and objectives, developing strategies, and allocating resources.**

**Finding 2: MLSC has not engaged in comprehensive strategic planning.**

MLSC has not engaged in a program-wide discussion of mission, goals, or strategies for achieving those goals.

***Recommendation*<sup>3</sup>**

**I.2.2.1.\*** MLSC should engage in a strategic planning process that involves the board as well as staff, and that addresses ongoing and emerging challenges related to the

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<sup>3</sup> Recommendations in this report will have a Roman Numeral to identify the Performance Area, followed by three numbers identifying, respectively, the Criterion addressed by the recommendation, the number of the finding, and a number designating whether it is the first, second, third, etc., recommendation under that finding. For example, III.2.14.3 designates Performance Area III, Criterion 2, Finding 14, third recommendation under Finding 14. There are two tiers (levels) of recommendations in this report. Recommendations marked with an asterisk are Tier One Recommendations and are intended to have a direct and major impact on program quality and/or program performance. In your next grant renewal application or competitive grant application, your program will be required to report what it has done in response to Tier One Recommendations instead of submitting a full narrative.

program's articulated mission, diverse service area, funding, changes in jurisdictional laws, and emerging client needs. The process should consider the following: recommendations from this evaluation; results of the triennial needs assessment; short and long term goals for the program and its legal work; reasonable strategies for achieving the identified goals; allocation of resources, including the weighing of likely costs against the benefits to clients and other low-income people; staffing responsibilities, including adjustment of those responsibilities as appropriate; and the degree to which alternative approaches (e.g., advice only, limited service, group clinics, kiosks or other self-help services) may be effective when MLSC does not have the resources to provide full representation.

**Criterion 3. Implementation.**

**Criterion 4. Evaluation and adjustment.**

**Finding 3: MLSC does not have a system for ongoing formal evaluation of the effectiveness of its delivery strategies and work program-wide.**

Each MLSC office submits quarterly and annual reports of its work to the executive director as a supplement to the triennial needs assessment. These reports are reviewed and used to follow the activities of individual offices. The program has not, to date, collected standardized, objective data that would allow it to systematically assess the effectiveness of its work program-wide. This is, in part, because, until recently, the program did not have a case management system with the capacity to produce and analyze case services and other data.

***Recommendation***

I.4.3.1.\* Now that MLSC has a program-wide case management system in place, it should develop policies and procedures for evaluating the effectiveness of its delivery strategies and work program-wide, and should use the results to make adjustments to program goals, objectives, and strategies where appropriate. The case management system can be used to gather data about case types, strategies, and outcomes. In addition, Standard 2.11 of the *ABA Standards for the Provision of Civil Legal Aid* provides guidance for developing an organizational self-evaluation policy.

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

**Criterion 1. Dignity and sensitivity.**

**Finding 4: MLSC staff are linguistically and culturally competent, and reflect the client community.**

The MLSC service area is home to speakers of more than one dozen local languages and associated dialects, including Marshallese, Yapese, Chuukese, Pohnpeian, Kosraen, Palauan Carolinian, and Chamorro. There are also communities whose

everyday language is Tagalog, Mandarin, Cantonese, Japanese, Korean, or Taiwanese. In some jurisdictions, court proceedings and other official business are conducted in English, but daily interactions are in the local tongues.<sup>4</sup>

Interviews with staff, board members, outside organizations, and judges reflect a program whose staff is culturally competent, values the dignity of clients, and has the capacity to deal with the challenges of a multicultural client community. Staff also reflect the cultural diversity of the community. Most are native to the island on which they work and are fluent in local languages. All staff can converse in English to varying degrees.

**Finding 5: The MLSC intake system is accessible to potential clients and sufficiently flexible to serve applicants with emergencies and those who are unable to come into the office in person due to incapacity.**

MLSC's intake policies and procedures are memorialized in the Office Policies Binder (OPB). As described by staff and in documents submitted for this visit, including written intake policies and procedures, the MLSC intake system demonstrates concern for client convenience and is accessible to clients. The visit team was unable to personally observe the operation of the intake process, and therefore relied on interviews, some of which were hindered by communication challenges created by language differences and the fact that all the interviews were conducted by phone. Those challenges also prevented the team from ascertaining whether all staff are familiar with the written intake policies and procedures contained in the OPB.

Operating hours are relatively consistent throughout the program, with some offices open from 7:30 a.m. to 4:30 p.m., others open from 8:00 a.m. to 5:00 p.m., and all but Yap closing for lunch at noon. The Yap office remains open during the lunch hour to accommodate working people.

Intake hours and days appear to vary from office to office. Some offices report that intake is conducted whenever the office is open, while others have intake hours on one or more days of the week. In some offices, limited services are handled on the day of application. One office opens intake to new, non-emergency cases on a quarterly basis; another opens intake to non-emergency family law cases quarterly. It was not always clear from the interviews what constitutes an emergency or a limited service, but it appears to the assessment team that restricting intake in this manner can severely limit access. Although it may be a result of limited resources in the context of serving a population with a 72% poverty rate, this practice should be examined closely by the program. Despite inconsistencies, all offices acknowledge the need for flexibility, particularly for applicants with emergencies or those who have traveled some distance to the office.

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<sup>4</sup> For example, in the FSM, state court proceedings are in the language of the particular state, but national court proceedings are conducted in English.

With very few exceptions, intake is conducted in-person and on a walk-in basis due to cultural norms and the lack of reliable telephone service in the communities served. Applicants are usually interviewed on the day they apply for service. At the time of the visit, the Kemps case management system was not yet installed in all offices, but in those offices where Kemps had been installed, most staff entered applicant information into the system during the intake interview.<sup>5</sup> An eligibility determination is made on the day of the intake interview, and decisions on case acceptance are made within a week, in most cases following a weekly case acceptance meeting. If representation is limited or denied, clients are informed by letter after the case acceptance meeting.

Intake personnel report a need for training on interview techniques, the LSC regulations, and the case management system.

### ***Recommendations***

**II.1.5.1.\*** MLSC should make available to intake staff, introductory and/or and refresher training on interviewing skills, the LSC regulations, and using the case management system.

**II.1.5.2.\*** MLSC should conduct a review of intake hours to assure that they are sufficient to ensure adequate access to services.

### **Finding 6: Not all MLSC offices utilize written case acceptance policies to help with decisions on which cases to accept and the level of services to provide.**

While priorities identify the range of issues that a legal services program will address, case acceptance policies help staff implement those priorities on a day-to-day basis. They help staff determine whether an individual will be accepted for service and if accepted, the level of service to be provided. They provide a framework that includes consideration of program resources, the merits of a particular case, and other resources in the community.

It appears that some MLSC offices may not use written case acceptance policies to determine which applications for service should be accepted. Decisions on whether to accept new non-emergency cases are made during each office's weekly case acceptance meetings. Emergencies and limited services are frequently accepted on the day of application. However, it was unclear to the team, just what was considered an emergency case or a limited service, or how individual offices balanced their capacity to accept such cases against the need to work on ongoing cases. Indeed, in at least one office, advocates reported a struggle to work on their ongoing extended cases due to the need to handle emergency and limited service cases.

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<sup>5</sup> It was reported during the assessment that all offices should have Kemps installed by the end of June, 2011 and as of the date of this report, the system had been deployed in all offices. Staff received training during the installation and set up process.

MLSC and the client community would be better served if case acceptance and level of service decisions were guided by clear and consistent written policies that relate back to MLSC's goals and objectives for its legal work on behalf of the low-income community, and to available resources. Such policies would also help staff manage their caseloads.

***Recommendation***

**II.1.6.1.\*** MLSC should adopt clear and specific written case acceptance policies for all offices consistent with its goals and objectives and with consideration for the individual communities it serves, and should ensure that staff are aware of these policies and apply them. In particular, these guidelines should make clear what constitutes an emergency and what constitutes a limited service case. For additional guidance, see Standard 5.2, Policy for Acceptance of Applicants for Service, *ABA Standards for the Provision of Civil Legal Aid*.

**Finding 7: MLSC does not have a consistent mechanism for gauging client satisfaction with the services provided.**

While staff report obtaining oral feedback on MLSC services from individual clients, through general comments from the community and from board members, MLSC does not have a consistent mechanism for assessing client satisfaction with the services it provides.

***Recommendation***

**II.1.7.1.\*** MLSC is urged to devise a mechanism for assessing client satisfaction with the services it provides. The case management system can be used to automate this process for those clients for whom a written document would be appropriate.

**Criterion 2. Engagement with the low-income population.**

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

**Finding 8: MLSC collaborates with social services and community organizations where they exist.**

It was reported during interviews that with the exception of the CNMI, there are few social services organizations or client groups in the service area and that as a result the opportunities for collaboration are slim. The Marianas office works with social services organizations in the CNMI; it also conducts active outreach to the community through its informative blog on the MLSC website. The social services agency in Saipan that was interviewed as part of the evaluation spoke well of MLSC and its services to the client community.

## *Recommendation*

**II.2.8.1.** MLSC is urged to continue its efforts to reach out to the client community and to any organizations that exist to serve that community, to inform them of MLSC's services and to provide services to new clients and client groups where appropriate.

**Finding 9: Despite significant financial and geographic challenges to providing equitable access across its service area, most MLSC offices are reported to be located in reasonable proximity to services and the client community. However, not all offices meet professional standards and not all are accessible to persons with disabilities.**

The team was unable to observe the program offices or their surroundings personally, but is informed by staff that they are located on the most populated islands in each jurisdiction and are convenient to clients living on that particular island. Some offices are located in government buildings, near courts and other services. Photographs taken by OCE staff during the 2009 visit and discussions with the OCE staff indicate that most offices have exterior signage.

While some offices are professional and well-maintained, others are located in buildings that are reported to be deteriorating and poorly maintained. One office located in a government building is reported to have rats, at least one lacks adequate bathroom plumbing, and others are reported to lack the security needed to deter break-ins. These conditions contribute to an unhealthy and unprofessional working environment. LSC understands the financial constraints that make the acquisition of office space at little or no rent very attractive, but the financial incentive of free or reduced-rent space must be balanced against the risks to employees and clients, as well as to the program's professionalism.

Not all offices provide private areas for intake staff to screen applicants. This situation requires intake staff to speak in whispers, and compromises client confidentiality.

Not all MLSC offices are accessible to persons with disabilities. Although program staff accommodate persons whose disabilities prevent them from readily entering the office by meeting them in the parking lot or visiting them in their homes or in the hospital, the buildings need to be made accessible. While not all MLSC offices are in jurisdictions covered by the Americans with Disabilities Act, as an LSC grantee, the program is required to comply with the non-discrimination and access provisions of the LSC regulations and the LSC Grant Assurances.

In an area where telephone service and mail is spotty at best, and where distances are vast, MLSC has been creative in its efforts to communicate with clients. Some staff report sending messages on two-way radios to let a client know that papers are ready to be signed or in-person contact is needed. Others report having no option but to use extended family or clan contacts to notify a client that he or she should contact the office.

## ***Recommendation***

**II.3.9.1.\*** MLSC should take the steps necessary to ensure that services are accessible to persons who are physically challenged; that applicant and client confidentiality is preserved; and that the office space is safe, sanitary, professional, and otherwise appropriate for use by clients and staff.

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

### **Criterion 1. Legal representation.**

**Finding 10: MLSC advocates engage in effective representation in a variety of forums and are respected by the courts and other groups that provide services to the client population.**

At MLSC, advocacy activities vary significantly among offices as a result of the varied rules under which the program operates in each jurisdiction. On the whole, MLSC's attorneys, paralegals and trial counselors are very experienced. Many counselors and attorneys worked for years in the attorney general's office, the public defender's office, or both. The experience level of the expatriate attorneys varies. Some have decades of experience in the program and others are new to the region, although they may have experience in other jurisdictions.

Interviews with staff, judges, and a community agency indicate that MLSC has dedicated and capable legal staff who represent clients effectively and professionally. Advocates across the program appear before administrative agencies and state and federal courts. In some offices, trial counselors engage in substantial court practice and achieve outcomes of significance to the low income community. MLSC recently obtained a ruling from the CNMI Supreme Court that CNMI laws do not permit courts to order unemployed judgment debtors to face jail time if they do not find work. In other offices, there is very little court practice because of the cultural emphasis on customary or traditional methods of dispute resolution. For example, in Yap, village and/or clan elders are called upon to settle disputes; the courts are used only as a last resort, if they are used at all.

Judges report that they routinely see MLSC advocates once to several times weekly. Judges were complimentary overall, indicating that advocates are generally well prepared, respectful, and on a par with, or better than, other local counsel. Some judges did suggest the need to improve case preparation, pleadings, and adherence to procedures. Examples given included the need to schedule cases further in advance, and the need to do a better job of connecting cited authorities to the facts at hand. It was also noted that some advocates could be more sensitive to the fact that disputes can be resolved using customary or traditional practices. One judge noted that non-native

attorneys should make better use of the support staff in their offices to understand extended family relationships among parties and witnesses.

Writing samples submitted to LSC in advance of this assessment varied in quality and complexity, but in general they were competently drafted and reflected the range of cases handled.

### ***Recommendation***

**III.1.10.1.\*** MLSC should make training available to attorneys and trial counselors that includes trial skills, court rules, and the ways in which customary law is used to resolve disputes.

**Finding 11: MLSC’s case closures indicate that the program is in line with national norms for productivity and that, while the kinds of cases handled may differ from those of other programs, they address matters important to clients.**

MLSC cases comport with the priorities adopted by the program’s board of directors and reflect a range of legal issues. MLSC closed 5,500 cases in 2010. Of those, 37.5% were in family law, 7.1% were consumer, 6.2% were housing, 3.3% were employment, 4.6% were income maintenance, 11% were individual rights, and 27% were miscellaneous, much of which were wills/estates, advance directives and “other miscellaneous.”

The number of closed cases per 10,000 poor people (308) exceeds the national median (284), and the number of extended cases per 10,000 poor people (131) is more than twice the national median (61). Extended services accounted for 42.5% of cases closed. Of the cases closed, 7.6% were counsel and advice, 19.9% were uncontested court decisions, and almost half (49.9%) were cases closed with limited action. Cultural traditions in the region favor mediative approaches over adversarial procedures. Fewer than 5% were contested cases (negotiated settlement with litigation, agency decision, contested court decision or court decision appeals). A significant number of cases (14.4%) were closed as “other”.<sup>6</sup>

The kinds of cases handled by MLSC reflect the problems of low-income persons in Micronesia. MLSC family law cases consist primarily of adoption, name change, certification of birth or marriage, and travel permission for those leaving the country with a child. Housing cases consist primarily of land disputes. Consumer cases include a substantial number of debt collections. In some jurisdictions, the defendant employer in wage claims is the state or national government. Some cases are complex and require extensive research and legal argument, while others can be addressed with limited service.

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<sup>6</sup> Closing code K, other, should be used rarely . Refer to the CSR Handbook for an explanation on when this closing code should be used or contact OCE for assistance or to request CSR/CMS training.

**Finding 12: MLSC has adequate policies and procedures to support effective advocacy, but they are not always followed. Several support mechanisms for advocates are in place; others are not.**

The MLSC Office Policies Binder includes appropriate policies and procedures for file management, case acceptance and case handling, supervision and case reviews, caseload levels, and other practice management guidance. As currently drafted some of these policies may not apply to case management under the new CMS.

Each branch office includes a directing attorney who is responsible for case supervision. Lines of supervision and management are clear. Each office conducts a weekly case staffing of new applications, during which ongoing cases can also be discussed. Staff report that, in general, closing memos are used by advocates and files are reviewed at closing by directing attorneys. Directing attorneys are reported to have an open door policy and frequently discuss cases with advocates. It does not appear that periodic reviews of open cases are occurring in all offices.

Caseload levels vary significantly throughout the program. A number of advocates have caseloads that far exceed the levels set by the written caseload standards. As a consequence, those staff members are overwhelmed and some report not being able to work on ongoing cases because their energies are being spent on new cases.

There is not, as yet, a program-wide repository of forms or pleadings. Staff sometimes share forms, briefs, and other pleadings within the same office, but they do not commonly ask colleagues in other offices for those documents. In large part, this is due to the perception that the documents would not be relevant to a different legal system. Recently, advocates have begun contacting colleagues in other offices to share relevant information and to ask questions on matters beyond their experience. Those who do seek assistance from colleagues in other offices report that the responses are prompt, courteous and helpful.

There are no prearranged program-wide telephone calls or other opportunities for advocates to share information on legal issues and developments.

Technology is used in varying degrees to support legal work. The availability of on-line resources in the region depends on an unreliable Internet service structure and is therefore sporadic. Only the CNMI offices (central office and Marianas office) have a fast and reasonably reliable Internet connection. Some offices use the case management system to create form letters and forms. Some supervisors have begun to use the system to review casework and supervise staff, although the CMS is not yet an integral part of that process and, at the time of the visit, the system was not connected program-wide. The CMS is used in some offices to keep the office calendar and tickler system, although several advocates reported also using a back-up paper calendar. Email and, more recently, Skype are used for communication.

Staff in some offices have access to print and electronic versions of statutes and practice manuals. Access to on-line research services varies according to the jurisdiction. Since the CNMI is a U.S. Commonwealth and in the Ninth Circuit, on-line legal resources are comprehensive. The Chuuk, Kosrae, Pohnpei, and Yap offices have access to [www.FSMlaw.org](http://www.FSMlaw.org), a compilation of legal resources in the FSM. Such resources are not yet available in Palau and Marshall Islands. Staff also have access to some resources from the U.S. such as the NCLC Consumer Law series, but these manuals have only limited application in the region.

There appears to be some confusion about the availability of certain advocacy tools and support. The team received varying reports about whether staff have access to Westlaw and/or Lexis/Nexis, with some staff reporting that they use these services and others reporting that the services are not available to them. Not all of the advocate staff were aware that MLSC provides litigation expenses for such items as depositions and expert witnesses. MLSC's budget submitted to LSC includes a litigation fund of \$1,000 although; this amount may not be adequate for a program of MLSC's size. The team heard inconsistent statements on whether all offices have client trust accounts and how those accounts are managed.

### ***Recommendations***

**III.1.12.1.** MLSC is urged to review its Office Policies Binder to ensure that program policies and procedures are updated to reference the automated case management system.

**III.1.12.2.\*** Case reviews should be conducted regularly for all case handlers, including experienced advocates. Directing attorneys should strive to use the case management system for case reviews as well as for other management and supervision. Resources on using the CMS to aid in supervision are available from MIE, at [www.m-i-e.org](http://www.m-i-e.org).

**III.1.12.3.\*** MLSC is urged to establish regular opportunities for attorneys and other advocates to share information and ask questions of each other. One such opportunity could be a monthly advocates' call using Skype. Another would be the establishment of regular email groups on key substantive areas.

**III.1.12.4.** If funds become available, MLSC is encouraged to consider a director of litigation or director of advocacy position. Potential responsibilities for such a position include: encouraging discussion of issues and strategies among offices and developing strategies to address legal issues and trends; identifying cases that would benefit from more complex advocacy; and developing a mechanism to facilitate teamwork on individual cases and significant advocacy efforts. The director of litigation could also review CSR and other case reports for each office and advocate to assess caseload diversity, the range of cases an advocate or office is handling, whether staff are adhering to grant requirements, and the extent to which they are meeting the needs of the client community.

**III.1.12.5.\*** MLSC should make clear to staff what research, training, and other support is available. All advocates should have access to on-line research tools such as Westlaw or Lexis and to an adequate litigation fund.

**III.1.12.6.** MLSC is urged to continue its efforts to improve the use of technology, and in particular to ensure that all staff receive appropriate training in use of the case management system and other technology essential to their work.

**Finding 13: MLSC staff would benefit from additional training to support their advocacy efforts.**

Attorneys and counselors uniformly report that they need skills and substantive law training. Some staff report attending local bar association training programs or other events, particularly those offered at no cost. MLSC does cover the cost of programs needed to meet CLE obligations. LSC understands the challenges that MLSC faces in providing such opportunities, and appreciates the program's effort to facilitate staff attendance at local trainings.

There does not appear to be an organized system for identifying and approving staff attendance at outside trainings on poverty law and other related issues, or for providing in-house training. There is no organized orientation for new advocates. There has been no program-wide substantive or skills training in recent memory. While staff expressed interest in webinars, few had experienced them and several noted the challenge of participating given time differences and unreliable technology. In addition, few offices have the local infrastructure to support audiovisual capacity.

Staff have been resourceful in taking advantage of opportunities that do exist. For example, some staff have combined personal visits to the United States with attendance at conferences or trainings. At least one office has co-sponsored training with another organization, thereby allowing MLSC staff to attend at little or no cost.

***Recommendation***

**III.1.13.1.\*** MLSC should make training available to advocacy staff (attorneys and counselors). This training should include skills training (interviewing, legal writing, court practice) and substantive law training (including on issues specific to a legal services practice). MLSC is urged to explore scholarships to send staff to off-island programs, partnerships with other organizations to bring trainers to the region, or alternative opportunities such as on-line trainings or webinars that can be viewed at a time convenient to MLSC staff. A person who attends a significant event should be required to share documents and information about it with others in the program.

**Criterion 2. Private attorney involvement.**

**Finding 14: MLSC annually requests and receives a waiver of its PAI requirement.**

LSC has each year granted MLSC a waiver of its PAI requirement pursuant to 45 C.F.R. Part 1614 due to the scarcity of available attorneys in the service area. In some jurisdictions, there is no organized bar, and in others there are no attorneys other than MLSC staff. Nonetheless, MLSC recognizes the value of involvement in the legal community and staff are members of some local bar associations. In at least one office, MLSC staff have leadership roles in the bar association. The program also assists local courts to place appropriate clients with pro bono attorneys where they are available.

***Recommendation***

**III.2.14.1.** MLSC is encouraged to continue to support the involvement of program attorneys in the private bar.

**Criterion 3. Other program services to the eligible client population.**

**Criterion 4. Other program activities on behalf of the eligible client population.**

**Finding 15: MLSC offices vary in the degree to which they are engaged in non-representational activities to and on behalf of the eligible client population.**

Interviews and reports suggest that MLSC makes an effort to provide access to people who traditionally have had difficulties in obtaining access to or utilizing civil legal assistance. Some offices are more proactive than others, in part due to resources.

Marianas office staff regularly visit the islands of Tinian and Rota to conduct intake and meet with clients. These visits were recently increased as the result of a Congressional earmark of federal funds. Other offices reported having conducted outreach in the past, but are not doing so currently.

Only the Marianas office appears to provide regular community education on legal rights and responsibilities. In the CNMI, that education is provided at outreach sites and on the Marianas office blog on the MLSC website (MicronesiaLawHelp.org). This blog, available to all with Internet access, includes a range of legal education on topics of interest to the client community and to the organizations that serve them. In some offices, there was concern that informing the community about legal rights might be perceived as an effort to create a litigious atmosphere, which would be culturally inappropriate.

MLSC offices provide some assistance to eligible persons proceeding *pro se*, but the level of this assistance appears to vary. The program reported that computers purchased with TIG funds in 2005 and set up in local offices for use by the client community with staff assistance were not taken advantage of. The TIG report indicates that illiteracy was the primary contributing factor for underutilization of that resource.

The main type of pro se assistance is to help clients prepare forms in family cases. Some judges interviewed by the team suggested that *pro se* individuals who come to court after having been assisted by MLSC need to better understand what information to present and what to expect procedurally.

The MLSC website provides information in varying degrees concerning legal issues in Chuuk, Kosrae, the Marshall Islands, Palau, Pohnpei, Saipan, and Yap. Information includes community education materials, court decisions, links to administrative agencies, and forms. Some pages, as yet, have little or no information, while others, particularly the Saipan section, appear to be fully populated with information useful to clients and advocates. Not all staff seemed aware that there is legal information posted on the MLSC website that could be shared with clients or others in the community, including applicants who may not qualify for MLSC services. MLSC does not yet have an intranet or password protected section of its website that could be used for sharing documents or other internal communications. The deputy director plans to update the content of the website within the next few months.

### ***Recommendations***

**III.3.15.1.** MLSC is urged to identify opportunities for outreach and community education where appropriate, including through the program website; and to enhance the assistance provided to persons who are proceeding *pro se*, including by preparing forms and accompanying information (e.g., what to expect in court or administrative procedures).

**III.3.15.2.** MLSC is urged to make sure that staff are aware of the information available on the website, and how it can be used to serve the community. When the deputy director undertakes the updating of the website content, consideration should be given to the addition of tools that make the site more useful to community members with low literacy.

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

### **Criterion 1. Board governance.**

**Finding 16: The MLSC by-laws include out of date references and do not conform to 45 C.F.R. §1607.**

The MLSC by-laws provide for a nine-member board of directors: six who are appointed by the legislative bodies of each of the FSM states, the RMI, and Palau; one who is appointed by the Bar Association of the CNMI; and two at-large members (one of whom must be an attorney) who are appointed by the other members of the board. The by-laws require that the board meet in person twice a year. As currently written, these

by-laws do not conform to 45 C.F.R. §1607.3(b) or §1607.3(c) (board composition), or to 45 C.F.R. §1607.4 (frequency of board meetings).

MLSC was established prior to the passage of the LSC Act in 1974 and adoption of the LSC regulations. The program operates under the perception that it receives an ongoing waiver of the applicable provisions of the regulation due to this circumstance, as well as the lack of organized bar associations in the service area and the hardship of convening meetings across the service area. LSC is reviewing relevant documentation and will address these issues outside this report.

The by-laws have not been revised to reflect contemporary standards of performance, efficiency and effectiveness in board governance as prescribed by the LSC Performance Criteria or the ABA Standards. They also include references to funders that are no longer providing funding for the program.

### ***Recommendation***

**IV.1.16.1.\*** MLSC must review and revise the by-laws of the organization to reflect changes in the laws and regulations governing LSC recipients, and where appropriate, to resolve any inconsistencies.

**Finding 17: The MLSC board of directors demonstrates a commitment to the program and its mission, is appropriately involved in major policy decisions, and is asserting effective oversight. Board members are informed about the needs of the communities where clients reside and the unique challenges of the island communities they represent.**

The nine-person MLSC board of directors is diverse and reflects the communities served. The manner in which members are appointed is unique among LSC grantees, and is discussed in Finding 16, above. The board does not have term limits.

Board meetings are held twice a year and last for one to two days.<sup>7</sup> They are held in locations throughout the service area and are hosted by the office in the area where the meeting is held. Board members tour the host office and meet staff. The by-laws require in-person attendance. Each meeting includes a guest – an influential member of the legal community such as a chief justice or head of state – who discusses current issues of relevance to the program, the work of the program in the community, or other topics. The executive director, deputy director, and accountant attend all board meetings.

The board receives information from program leadership through board packets prepared and delivered to members in advance of meetings, written minutes of each meeting, and written reports from the executive director and other management staff, including an annual report from each branch office. While the MLSC fiscal staff prepare

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<sup>7</sup> As noted in Finding 17 above, the program asserts that it has a waiver of the regulatory requirement of at least four meetings a year.

quarterly financial statements, these statements are not provided to the board until the semi-annual meetings. The board reviews the audit report annually.

The MLSC board does not have a committee structure or an executive committee empowered to act on behalf of the full board between regular meetings. In the event of an emergency or other unforeseen event that requires board involvement, the executive director contacts each member of the board individually by email or telephone. The board chair is in regular contact with the executive director, sometimes meeting in person but more often communicating by phone or email.

New board members receive a copy of the by-laws, minutes of previous meetings and other relevant information. MLSC has not, to date, provided formal training for board members on their fiduciary responsibilities, on review of financial reports, or on ethics. The board has not considered principles reflected in the "Sarbanes-Oxley Act." However, because most board members are public officials, they have some level of awareness of these subjects.

Each board member is provided a copy of the LSC regulations. The board receives training on any new LSC regulations or guidelines at one of the two regular meetings.

While the board has not engaged in organized program-wide fundraising efforts, each member works to ensure the continuation of local government funding for the office in that member's jurisdiction.

The board conducts a performance evaluation of the executive director every two years prior to negotiation of his employment contract. The evaluation process includes input from staff, along with that of individual board members. Staff input is obtained by the board members representing the areas in which offices are located.

### ***Recommendations***

**IV.1.17.1.\*** All members of the MLSC board of directors should receive regular training on the LSC Act and regulations, and on their fiscal, fiduciary, and other responsibilities. New members should also receive orientation to the program. LSC recommends that MLSC provide training for all board members at least annually.

**IV.1.17.2.\*** The board should create a committee that is responsible for oversight of financial administration. The general accountant should provide monthly financial statements to all members of the financial oversight committee. The full board should receive financial reports on a quarterly basis rather than semi-annually.

**IV.1.17.3.\*** Even if MLSC continues to receive a waiver of the meeting requirements in 45 CFR §1607, the board should consider conducting quarterly, rather than semi-annual meetings. Two meetings could be in person and two could be more abbreviated, and conducted via new technologies such as Skype.

**IV.1.17.4.** MLSC is encouraged to consider whether term limits would be appropriate for members of the board of directors. Term limits, which are consistent with best practices for non-profit boards, encourage new members with fresh and diverse perspectives and skills. Staggered terms will help to ensure sufficient institutional knowledge for the board to act.

**Criterion 2. Leadership.**

**Criterion 3. Overall management and administration.**

**Finding 18: MLSC has experienced leaders who recognize the need for program-wide consistency and cohesion while respecting the cultural diversity and political independence of the jurisdictions in which branch offices are located.**

The MLSC executive director and deputy director have many years of experience with the program and in the community. The executive director is a Yap native who has been with MLSC since 1981 as a trial counselor, staff attorney, and directing attorney, before becoming executive director in 2004. The deputy director came to MLSC in 2010 after many years working in the FSM legal community. While the executive director and deputy director share responsibility for many administrative tasks, the shared responsibility does not appear to present an issue for the staff or the board. Staff and board members interviewed by the team made it clear that while they may turn to either the executive director or the deputy director with a question, they recognize that the executive director has ultimate authority.

Other members of the management team include the technology specialist, general accountant, and directing attorneys of the branch offices. They are all recognized as experienced, competent professionals who understand and respect the cultural values of the communities they serve. They are also attentive to funder and other requirements.

Because MLSC offices are so distant from each other, and serve areas with different governmental entities and different legal systems, management has been less centralized than in most other grantee programs. However, program leadership recognizes the value of centralizing some functions, and is taking steps to build systems that support program-wide cohesion while respecting the diversity of the service area. The program recently updated and expanded its Office Policies Binder, although as discussed elsewhere in this report, not all offices appear to be following its directives. Installation of the case management system, along with increased use of email and Skype, will further enhance program-wide cohesion. There is a plan for a program-wide meeting in 2012, although funding cuts may delay that event.

MLSC does not have a plan for leadership transition.

### *Recommendations*

**IV.2.18.1.** MLSC is encouraged to develop a succession plan that will ensure a smooth transition in the event that the executive director retires or is otherwise unavailable.

**IV.2.18.2.** MLSC is encouraged to identify program administrative functions that could be centralized, and to take steps to centralize those functions where appropriate.

**Finding 19: MLSC directing attorneys effectively supervise their staff and represent the program in the jurisdictions in which their offices are located, but would benefit from management training and more coordinated communication with each other and with executive management.**

Branch offices are managed by directing attorneys, most of whom have significant legal services experience. In addition to carrying caseloads and supervising the delivery of legal services in their offices, directing attorneys function as liaisons between MLSC and the board members from their jurisdictions; they also serve as the MLSC connection to government officials for the purpose of preserving opportunities for local government funding.

All branch offices submit quarterly and annual reports on their activities to the executive director. The annual reports include descriptions of office and community needs and proposed priorities. MLSC has no other organized structure for offices to share information with senior management or with each other. MLSC does not convene regular meetings of directing attorneys and executive leadership, in large part due to cost but also, in part, based on habit. As a result, directing attorneys do not have a structured forum for discussion of management issues, case developments, or other updates and concerns, or to receive training. Directing attorneys have not received any formal management training.

As technology has come to the region, it has become easier to institute consistent, unified practices and procedures. Staff in offices with the case management system report that they are using it to maintain files and generate reports. In the course of this LSC assessment, MLSC staff became more familiar with Skype as a tool for communication.

### *Recommendations*

**IV.3.19.1.\*** All managers, including the executive director and deputy director, should receive management training when resources are available. Management training should include: time management, project planning and management, performance appraisal, coaching and mentoring, conflict management, customer/public relations, attendance and other personnel policy administration, financial management, and effective use of technology. Training for directing attorneys and other supervisors of legal work should include the use of technology in legal work supervision.

IV.3.19.2.\* MLSC leadership should institute periodic conference calls with all directing attorneys.

**Criterion 4. Financial administration.**<sup>8</sup>

**Finding 20: MLSC appears to have adequate capacity and procedures for financial administration.**

At MLSC, day-to-day financial administration responsibilities are handled by a certified public accountant (CPA) who holds the title of general accountant. She is supported by the administrative assistant who has a bachelor's degree in accounting. They prepare financial reports that are reviewed and finalized by another CPA, who has a contract to generate the reports that are submitted to the board of directors. The program uses the latest version of Peachtree Accounting Software for financial recordkeeping.

With the input of the executive director, deputy director and technology specialist, the general accountant prepares the proposed budget for the next fiscal year based on annualized expenses realized during the first half of the current year. Once the LSC award is determined for the next year, that year's budget is adjusted accordingly.

**Criterion 5. Human resource administration.**

**Finding 21: MLSC human resources policies appear adequate to recruit and retain quality staff.**

MLSC personnel policies are set forth in its Office Policies Binder and appear adequate to recruit and retain quality staff. Directing attorneys handle personnel matters in their offices; the executive director and deputy director share responsibility for supervising human resources administration program-wide.

MLSC employees are offered health insurance coverage through their local government plan (CNMI, Marshalls, and FSM) or national health insurance plan (Palau). The level of coverage varies according to the jurisdiction, and in at least one jurisdiction the employee must make an application to the insurer. MLSC provides life insurance at no cost to the employee. Attorneys and trial counselors are covered by professional liability insurance. The program also pays their bar dues. As a recruitment tool, MLSC covers costs of travel to and from the program for expatriate attorneys who commit to working there for two years.

While it was difficult to assess staff relationships without being on site, the staff members the team interviewed appeared to be professional, collegial and positive. Interviews with staff, judges, board members, and others suggest that staff are culturally competent.

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<sup>8</sup> This visit was conducted by the Office of Program Performance for the purposes set forth in the Introduction. OPP findings and recommendations under this criterion are limited to staffing, organization, and general functions. Assessment of fiscal operations is conducted by other offices at LSC.

Performance evaluations have occurred annually in some offices but apparently have not occurred for many years in others.

MLSC does not have a continuity of operations plan that would facilitate ongoing services to clients in the event of a disaster or other emergency.

### *Recommendations*

**IV.5.21.1.** MLSC should ensure that all staff are evaluated periodically, and that the evaluations include an assessment of training needs and professional development.

**IV.5.21.2.\*** MLSC should develop a comprehensive plan for the continuation of services to clients in the event of a disaster or emergency. Such a plan would address preservation of files (computer and hard copy), equipment, and data bases; ensure communication among staff and management; relocation of offices or establishing alternate offices; and provision of client services. Examples of such plans are available on the LSC website at [www.lri.lsc.gov](http://www.lri.lsc.gov).

### **Criterion 6. Internal communication.**

**Finding 22: Internal communication at MLSC, though acceptable, could be improved. MLSC is making significant progress in developing its technology infrastructure.**

Internal communication at MLSC is informal. Staff in branch offices report that they discuss cases and other developments within the office on a daily basis and that they feel comfortable approaching the directing attorney if there is an issue. Some attorneys and trial counselors share information about case developments and other issues informally with their counterparts in other offices. The executive director sends frequent – sometimes daily – emails to update staff on recent developments, news items, and program events. There has not been an all-staff meeting since 1994. Recognizing the value of such an event, the program has been setting aside funds for another such meeting in 2012, but may need to postpone it due to budget cuts and the need to use those funds for client services.

In a region the size of that served by MLSC, technology is essential to maintaining internal communications. As described in other sections of this report, MLSC has made significant progress in its use of technology. The program has a technology specialist based in Saipan, who is in the process of identifying one person in each office to be trained to address minor technology issues under his guidance. MLSC has a technology use policy, which each staff person has signed. In addition to the case management system currently being installed, the program has procured new equipment and software to upgrade its network, program-wide. One significant problem that is out of the program's control is that the local infrastructure to support technology is uneven and frequently unreliable.

Either the executive director or the deputy director tries to visit each branch office once every 14 or 15 months. Most recently, the technology specialist and the directing attorney from the Saipan office visited other offices to conduct training on the new case management system.

### ***Recommendations***

**IV.6.22.1.** MLSC is urged to consider more vehicles for promoting program-wide communication, such as regular email updates from the executive director, and a regular e-newsletter to which staff are encouraged to submit items for inclusion. Either of these could also be used to highlight staff accomplishments. The website can also be used as a mechanism for sharing information program-wide.

**IV.6.22.2.** When funding permits, MLSC is urged to convene a program-wide staff meeting that includes training.

### **Criterion 7. General resource development and maintenance.**

**Finding 23: MLSC leadership recognizes the need to pursue funding opportunities in addition to the government funding on which the program has relied in the past. However, it does not yet have a resource development strategy.**

In 2010, MLSC received \$1,899,007 in LSC funding and \$595,293 in non-LSC funding, for a total of \$2,494,300. Of the non-LSC funding, \$85,000 was derived from foundations and \$7,545 from the Bar Association of the CNMI, for a total of \$92,545. Private funds were 3.7% of total funding. Reductions in 2011 LSC funding will have a significant impact on the program.

The fact that the MLSC service area includes three independent countries and a U.S. Commonwealth presents a challenge to fundraising efforts, due to national pride and a desire to have funds used in the jurisdiction in which they were raised. Individual board members and directing attorneys have been instrumental to obtaining and maintaining some government funding for the offices in their regions.

At this time, MLSC does not have a resource development plan or a staff person or board member with the specific responsibility for resource development program-wide. The executive director, the deputy director, and the managers of branch offices all play a role in pursuing funding opportunities. Program leaders and board members recognize the need to invigorate fundraising efforts. Recently, MLSC applied for 501(c)(3) non-profit status in the United States, to encourage contributions.

### ***Recommendation***

**IV.7.23.1.** MLSC is urged to identify an individual responsible for resource development, to involve the board, and to expand its efforts beyond governmental entities. Some possibilities could include seeking grants from international corporations and adding human capital through international volunteer programs.

**Criterion 8:<sup>9</sup> Coherent and comprehensive delivery structure. (omitted)**

**Criterion 9. Participation in an integrated legal services delivery system.**

**Finding 24: MLSC tries to collaborate with other organizations that operate in the service area and in so doing, to enhance its role in the legal services delivery system.**

MLSC is the only provider of free civil legal aid in its service area. Staff work collaboratively with other service providers and agencies where they exist and the program accepts referrals from the courts, Red Cross, Catholic Charities, local colleges, and organizations that handle domestic abuse, youth issues, and elder support. MLSC attorneys are members of their local bar associations. There is no IOLTA program, access to justice commission, or equivalent, in the region. The program's relationship with the courts and branches of government in the jurisdictions served is strong. Several former MLSC attorneys and trial counselors have gone on to serve as judges in their jurisdictions, and one former MLSC deputy director became the first Chief Judge of the Supreme Court of the then newly-created Federated States of Micronesia.

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<sup>9</sup> The factors in Criterion 8 (omitted) are subsumed throughout this report.