



# **LEGAL SERVICES CORPORATION**

**Office of Program Performance**

***FINAL  
PROGRAM QUALITY REPORT***

***FOR***

***Legal Aid Foundation of Los Angeles, Inc.***

Recipient Number: 805080

August 30 – September 4, 2009

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*Table of Contents*

<b>INTRODUCTION</b> .....	3
Program Overview .....	3
Summary of Findings .....	4
<b>PERFORMANCE AREA ONE: Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs</b> .....	5
<u>Criterion 1. Periodic comprehensive assessment and ongoing consideration of legal needs</u> .....	5
<u>Criterion 2. Setting goals and objectives, developing strategies and allocating resources</u> .....	6
<u>Criterion 3. Implementation</u> .....	7
<u>Criterion 4. Evaluation and adjustment</u> .....	7
<b>PERFORMANCE AREA TWO: Effectiveness in engaging and serving the low-income population throughout the service area</b> .....	8
<u>Criterion 1. Dignity and sensitivity</u> .....	8
<u>Criterion 2. Engagement with the low-income population</u> .....	10
<u>Criterion 3. Access and utilization by the low-income population</u> .....	10
<b>PERFORMANCE AREA THREE: Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area</b> .....	11
<u>Criterion 1. Legal representation</u> .....	11
<u>Criterion 2. Private attorney involvement</u> .....	14
<u>Criterion 3. Other program services to the eligible client population</u> .....	14
<u>Criterion 4. Other program activities on behalf of the eligible client population</u> .....	14
<b>PERFORMANCE AREA FOUR: Effectiveness of governance, leadership and administration</b> .....	15
<u>Criterion 1. Board governance</u> .....	15
<u>Criterion 2. Leadership</u> .....	16
<u>Criterion 3. Overall management and administration</u> .....	17
<u>Criterion 4. Financial administration</u> .....	18
<u>Criterion 5. Human resources administration</u> .....	19
<u>Criterion 6. Internal communication</u> .....	20
<u>Criterion 7. General resource development and maintenance</u> .....	20
<u>Criterion 8. Coherent and comprehensive delivery structure</u> .....	22
<u>Criterion 9. Participation in an integrated legal services delivery system</u> .....	22

## **INTRODUCTION**

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a program quality visit to the Legal Aid Foundation of Los Angeles (LAFLA) from August 30 to September 4, 2009. The team members were team leader Chuck Greenfield (Program Counsel), Cynthia Schneider (Deputy Director of the Office of Program Performance), Lillian Moy (consultant), Claudia Johnson (consultant), Lawrence Lavin (consultant), Ann Zaragoza (consultant) and Edward Flitton (Fellow, College of Law Practice Management.)

Program quality visits are designed to ensure that LSC grantees provide 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 LSC grant application for 2009, its case service reports (CSRs), other service reports (OSRs), the numerous documents the program submitted in advance of the visit along with advocates' writing samples, and a survey of LAFLA staff conducted by LSC.

On site, the team visited five of the program's offices as well as a self-help center. In addition to speaking to many LAFLA staff members, the team met with or had telephone conversations with a number of LAFLA board members, judges, representatives of local government agencies, 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. This evaluation is organized according to the four LSC Performance Areas that cover: (1) needs assessment, priority setting, and strategic planning; (2) engagement of the low income community; (3) legal work management and the legal work produced; and (4) program management including board governance, leadership, resource development, and coordination within the delivery system.

### **Program Overview**

LAFLA has six community offices with an additional four self help centers and three domestic violence clinics located in courthouses. The program provides a full range of services to a very diverse population. More than one-third of the area's population is foreign born and more than 50% speak a language other than English at home. According to the 2000 Census, LAFLA's service area has 942,506 persons living in poverty. LAFLA has a delivery system consisting of limited service, pro se assistance, and full representation.

The program has a total staff of 136, including 58 attorneys and 24 paralegals. Silvia Argueta, named executive director in August 2009, has worked for the program for 10 years and had been the interim executive director for the previous 10 months. The program has had two other EDs since February 2006.

The program's administrative office, with 24 employees, is located in mid-city Los Angeles. The administrative office houses the executive director, director of finance and

operations, general counsel, director of administrative and HR services, communications director, pro bono director, director of training, director of fiscal management and other administrative staff. LAFLA has the following additional offices that provide direct services to clients: West (41 employees – located in the same building as the administrative office); Central (24 employees); East LA (24 employees); Long Beach (18 employees); Santa Monica (8 employees); and South (15 employees).

LAFLA's total 2008 budget was \$15.2 million, including \$8 million from LSC. Among other private support activities, the program sponsors two well known fundraising events each year, an access to justice dinner and a wine tasting event, and received private contributions in excess of \$1.56 million in 2008.

In 2008, the majority of LAFLA's 11,486 closed cases were in housing (60%), family law (22.2%), income maintenance (7.8%), and individual rights (4.7%). Of cases closed that year, 8.4% involved extended service and 91.6% were limited service.

### **Summary of Findings**

LAFLA provides high quality legal services to eligible clients in its service area. The program provides a variety of services including advice, brief service, pro se assistance, and extended representation. From unit to unit, the LSC team found many examples of outstanding advocacy. Overall the legal work was very good. Given the degree of work being done throughout the program and the size of the program, LAFLA should consider creating a position of litigation director to coordinate and assist litigation and substantive advocacy throughout the program.

It has been a number of years since LAFLA has completed a comprehensive assessment of legal needs. LAFLA should complete a comprehensive legal needs assessment in a systematic and timely manner. Even though LAFLA has not completed a recent comprehensive legal needs assessment, the program has made adjustments to its priorities based on newly identified needs.

The program is engaged effectively with the low-income population. LAFLA has been responsive to community needs and works closely with a variety of community groups and entities. The program displays dignity and sensitivity to cultural and linguistic minorities. The Asian Pacific Islander (API) and Immigration Units are models of this effort.

The intake system relies heavily on walk-in applicants which may be a barrier to those who have difficulties in traveling to a program office, including the disabled, the elderly and those with transportation difficulties. There does not appear to be a program-wide telephone advice system at the point that potential clients first contact LAFLA. The program should develop an intake system that is both seamless and applicant centered, minimizing the steps necessary for an applicant to receive service.

Technology is widely recognized as a substantial challenge to the program. From outdated computers to an old phone system, significant improvement has been needed for some time. Since the OPP visit, LAFLA purchased and installed a new phone system,

purchased new computers, upgraded servers, and increased bandwidth. In addition to the already implemented and planned technology changes, the program needs to implement improvements to its case management system to better serve its advocates and to allow for improved program evaluation.

LAFLA has effective board governance. The executive director appears to have the full support of the staff and the board. There are some overlapping and ambiguous areas of management responsibilities. The program should undertake a process of clarifying the roles and responsibilities of each person in a management position. Given the size of the program, the program should consider establishing a deputy director position to assist the executive director in overall management and administration. As noted above, a litigation director is also recommended.

The development program raises impressive amounts of private support through its annual law firm giving campaign, associates campaign, annual dinner and the grand cru wine tasting event. This approach is considered a best practice by LSC.

**PERFORMANCE AREA ONE: Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs.**

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

**FINDING 1: It has been a number of years since LAFLA last completed a comprehensive assessment of legal needs.**

The program surveyed the staff, board, clients and community organizations in 2008 as part of its strategic planning process. However, this was not specifically geared towards a systematic assessment of legal needs. LAFLA has a strategic planning committee, comprised of employees and board members, and has worked for the past two years to craft a strategic plan. The initial goals of the strategic planning committee were to (1) update the 2002 strategic plan that had earlier been adopted by the board after being developed by staff and board, and (2) to develop action steps. The process started with eight committees and 100 people involved. The process stalled when the then executive director left the program in 2008. The committee started up again under the current ED in early 2009 and has subcommittees on technology, development, staff training, priorities, and management structure. LAFLA was engaged in a strategic planning process at the time of the OPP's visit. The aim of that process is to assess clients' legal needs by engaging community based organizations and partners in the legal and non-profit arena. It is anticipated that the strategic plan will be completed by early 2010.

As part of its work, the committee has received census-based data and mapping on the location of low-income families and individuals in the service area, and reviewed surveys of low-income residents, community and social service organizations. However, LAFLA has not recently completed a comprehensive assessment of legal needs.

**RECOMMENDATION 1.1.1<sup>1</sup>:** LAFLA should complete a comprehensive legal needs assessment in a systematic and timely manner.

**FINDING 2: Even though LAFLA has not completed a recent comprehensive legal needs assessment, the program has made adjustments to its priorities based on newly identified needs.**

LAFLA's substantive units meet regularly to discuss developments in client communities. In addition, program attorneys and paralegals work with community groups and service providers to identify emerging issues. LAFLA's client councils also work with staff to identify pressing needs in the communities they represent. As a result of these efforts, the program has made adjustments to its priorities based on newly identified needs. Recent examples include foreclosure assistance for homeowners and tenants and expunging clients' criminal records in the Long Beach office. Further, in order to meet the growing need of unemployed clients, LAFLA has dedicated more resources to helping clients win their unemployment benefits.

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

**FINDING 3: Substantive units within LAFLA set goals and objectives and develop a full range of strategies in their areas. However, goals and objectives do not appear to be set program-wide or widely shared throughout the program.**

The program has established specific goals, objectives, and strategies in the following priority areas: (1) Support for Families: Legal assistance that supports the integrity, safety and well-being of the family; (2) Preserving the Home: Enabling families to avoid losing homes, and improving unsafe or unhealthy housing conditions; (3) Maintaining Economic Stability: Legal assistance that enhances the economic viability of families, low-income neighborhoods and individuals; (4) Preserving Safety, Stability and Health: Legal assistance involving domestic violence, sexual assault, access to health care, and conditions of housing, communities and employment; (5) Serving Populations with Special Vulnerabilities.

The goals, objectives and strategies appear to be primarily set by each substantive unit for the area of law involved. They tend to be more practice area oriented and do not necessarily reflect a program-wide analysis. To its credit, the strategic planning committee is analyzing priorities and the resources allocated to those priorities. This process would be significantly assisted by the completion of a comprehensive legal needs assessment.

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<sup>1</sup> Recommendations in this report will have three numbers. The first corresponds to the LSC Performance Criteria Area, the second to the finding, and the third to the recommendation. Recommendation I-1-1 is therefore the first Recommendation (in this instance the only one) under Performance Area I, Finding 1.

### **Criterion 3: Implementation.**

**FINDING 4: The program implements its goals and objectives to achieve the desired outcomes, through legal representation and assistance, pro se assistance, advocacy and other program work.**

Through its six regional offices, four self help centers and three domestic violence clinics, LAFLA offers a full range of services. The program utilizes a variety of service delivery approaches to implement its goals and objectives, including limited service, pro se assistance, legal representation, and other services. In 2008, the program closed 11,486 cases, including limited service and extended representation. That same year, 27,240 persons were helped in LAFLA's self-help clinics, with another 28,415 receiving self-help printed materials.

### **Criterion 4: Evaluation and adjustment.**

**FINDING 5: With some exceptions, it appears that in the last several years LAFLA, as a program, has failed to regularly analyze and evaluate the effectiveness of its delivery system and work. Case statistics are significantly below the national medians, including the percentage of extended representation cases.**

The substantive units have regular case review meetings and occasional retreats to evaluate work and delivery strategies. At their retreats, each unit adopts goals and objectives, planned litigation and non-litigation activities, and major advocacy projects for the next year. At the end of the 12-month period, each unit evaluates the results of work completed by looking at the number of clients served, goals achieved, and emerging issues. These goals and objectives are also discussed at managing attorney meetings. But beyond these meetings there is no further discussion or review on a senior management or board level on how the work of the individual units achieves the goals and objectives of the program as a whole.

It appears that LAFLA has not regularly analyzed and evaluated its work and service delivery as a program. The internal evaluation function is primarily performed by individual units. A broader look at the program shows that the total cases closed by LAFLA in 2008 per 10,000 poor persons (130) were about 50% of the national median (256). Also, only 8.2% of cases closed in 2008 were for extended service, as compared to the national average of 20.9%. While the number of cases closed should not be the only measure used, it is one of a number of helpful tools to evaluate the effectiveness of a program's work and delivery strategies. Other evaluation tools include: regularly involving the client community in discussions of the program's work; inclusion of community groups, social services providers, the judiciary, and other legal services providers in periodic reviews; program retreats; the use of consultants; and employing LSC's Performance Criteria and the ABA's Standards for the Provision of Civil Legal Aid.

It is noted that the strategic planning committee is in the process of evaluating LAFLA's service delivery and, through focus groups, questionnaires and meetings, has

obtained the views of low-income persons, community organizations, staff, board members, and others. The committee plans to complete its evaluation in early 2010.

**RECOMMENDATION 1.5.1:** The systems that LAFLA uses to evaluate its overall work and delivery strategies need to be reviewed to ensure that appropriate and timely evaluation occurs. The program should systematically review its case statistics to assure the numbers accurately reflect the services that they are providing.

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

**Criterion 1: Dignity and sensitivity.**

**FINDING 6: The program displays dignity and sensitivity to all clients. The Asian and Pacific Islander (API) and Immigration Units are models of its sensitivity to cultural and linguistic minorities.**

The program provides access to its services in a culturally and linguistically competent fashion. Many staff members are bilingual and bicultural. An excellent example of LAFLA's work with linguistic and cultural minorities is LAFLA's API unit. This unit provides monolingual and limited-English proficient API clients access to LAFLA's services through bilingual and bi-cultural staff, dedicated language lines, and regular legal clinics at community-based organizations. The API unit has hotlines in Korean, Cantonese/Mandarin, Japanese, Cambodian, and Vietnamese. They have community outreach clinics, either once or twice per month, at the Chinatown Service Center, Asian Youth Center/Southern California Chinese Lawyers Association, Koreatown Legal Clinic, Korean American Bar Association, Korean Resource Center, Little Tokyo Service Center, and the Cambodian Association of America. In addition, information in the above languages, as well as in Spanish, is available on the program's website.

**FINDING 7: Low-income persons have a difficult time accessing the program's services through its intake system.**

Each of the program's eight substantive units conducts intake and eligibility screening. In addition, the Asian Pacific Islander (API) Unit operates five Asian language telephone lines serving monolingual Asian language speakers with issues across the eight substantive units. The units generally operate out of a single office, although some units may have staff working in different offices. Some units operate clinics which are set up to assist people on a walk-in basis. Some of the clinics provide legal information while others offer full intake screening. All units accept referrals from other groups and organizations.

Potential new clients contact the program either by calling or walking into one of the six community offices, self-help centers, or clinics. Approximately 80% of intake applications are completed in person. The program has telephone intake lines for housing and eviction defense, government benefits, immigration law, consumer law, family law,



employment law, community economic development, API, torture survivor, Long Beach housing and the Santa Monica office.

In many of the practice areas, applicants call in and they are put in a call back mode or they walk into an office. For example, calls to the family law information line are returned Tuesdays and Thursdays between 9:00 a.m. - 4:00 p.m. Generally, when call backs are made from those units, a non-attorney screener calls the applicant back and ascertains eligibility, but does not provide advice and counsel. Another call needs to be set up with an attorney if the attorney is not in the office to handle the request right away. However, the API, eviction defense, government benefits and immigration units do provide advice over the telephone when the client first contacts LAFLA.

Intake for some practice areas, such as foreclosure defense, may involve up to four steps to speak with an attorney and some practice areas practically require going to another site for intake, for example family law in courthouse clinics. The 800 phone number, used for general information in English and Spanish, is limited. It is staffed by one support staff, and can only handle one call at a time. It has long waiting times and many in the program and outside consider it not an effective use of resources.

Although the program has an 800 number and the separate units have telephone numbers for new cases, practically speaking the intake system relies heavily on walk-ins for most units. This may be a barrier to the disabled, the elderly and those with transportation difficulties. There does not seem to be an evaluation of the call back system used in intake and the failure rate on call backs. Depending on the unit involved, there may be multiple levels of contact before an advocate can be reached, which can lead to confusion for applicants as to what level of service they will be provided. Callers must wait to know the status of their application, and then they have to wait to learn what type of assistance LAFLA will provide. There is no program-wide telephone advice system capable of handling counsel and advice or making determinations on the level of assistance a caller may decide at the point that applicants first contact LAFLA. Furthermore, referrals within LAFLA depend very much on the personal relationship with another advocate, rather than on a protocol for inter-office or inter-unit referral. Many in the community are similarly dependent on relationships with individual advocates to refer cases.

In December 2009, subsequent to LSC's visit, LAFLA installed a new phone system that significantly changed the telephone intake procedures. The program's 800 number is now answered by six receptionists who handle initial screening of clients. Once the applicant meets the eligibility criteria they are sent to an intake screener who performs an assessment of the potential client's needs and who, under the supervision of an attorney, provides counsel and advice when needed. The new phone system is complemented by a database that allows the program to track the number of callers, the specific areas they need help with and the problem so that when the intake screener receives the call, this information is readily available.

Because of limitations in technology, the courthouse clinics have no way to instantly check for conflicts or log into the Kemps case management system of the program from the

courthouse. Conflicts are checked by checking the names of people assisted pro se in Legal Solutions and by calling to a LAFLA office to have an employee check the Kemp's case management system. As a result, conflicts checking is cumbersome and persons who drop in at the clinic cannot be entered into Kemps, nor can the time records of the staff person assisting them. Subsequent to the LSC visit, LAFLA established remote desktop access to the program's case management system, allowing for conflict checks directly from the courthouse sites.

**RECOMMENDATION 2.7.1:** LAFLA should develop an intake system that is both seamless and applicant centered, minimizing the steps necessary for an applicant to receive service. The program should strive to determine eligibility and scope of services to be provided an applicant as promptly as possible. The program should consider developing the capacity to offer more telephone advice for clients at the point that they first contact LAFLA. The program should also consider a system that allows current clients who have problems in other legal areas to receive services without having to go through the intake eligibility process.

**Criterion 2 and 3: Engagement with the low-income population and access and utilization by the low-income population.**

**FINDING 8: The program is engaged effectively with the low-income population.**

The program has been responsive to community needs and works closely with a variety of community groups and entities. For example, the program has started an expungement clinic in Long Beach with a community group and the program represents community groups on low income housing issues.

LAFLA is actively involved in outreach to a number of client communities, including presentations to domestic violence shelters, senior centers, and participation in community fairs. In addition, the program actively works with the Central American Resource Center, Las Familias Del Pueblo, Coalition for Economic Survival, LA Community Action Network, Asian Pacific American Legal Center, Champion Counseling Center, Hunger Action LA, LA Neighborhood Housing Services, National Farm Workers Service Center, Children's Clinic, Public Counsel, the Wage Justice Center, Korean American Bar Association, Chinatown Service Center, Asian Youth Center, Southern California Chinese Lawyers Association, Koreatown Legal Clinic, Korean American Bar Association, Korean Resource Center, Little Tokyo Service Center, and the Cambodian Association of America.

**FINDING 9: LAFLA's six offices are appropriately located to provide services in convenient locations. However, access to the full range of services is not available at each office.**

The program has the following offices located throughout its service area: Central, East Los Angeles, Santa Monica, South Central, Long Beach, and West Community. LAFLA also has Self Help Legal Access Centers in Inglewood, Long Beach, Santa Monica and Torrance. In addition, the program operates a number of clinics in a variety of locations.

While each of the community offices are appropriately located throughout the service area, each office does not provide assistance in all areas of law, which results in the need to draw upon advocates from other offices. As a consequence and as a result of not having technology allowing for easy client access to the program, some clients have difficulty in easily accessing the program's full range of services at the office closest to the client's residence.

There are benefits to having a team of lawyers focus on a certain type of case or area of law, particularly when it comes to mentoring and training newer advocates, or working with pro bono lawyers and law school clerks. However, from an applicant or client point of view, it forces the person with the specific problem to travel to another location to get assistance if the problem is not covered by the local office. This approach may partially explain why case loads are below average when compared to national statistics.

**RECOMMENDATION 2.9.1:** The program should consider easing access for applications to a full range of services at each of the six community offices. LAFLA should consider improving its technology to allow clients easier access to the program's services.

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

**Criterion 1: Legal representation.**

**FINDING 10: From unit to unit, the LSC team found many examples of outstanding advocacy. Overall the legal work by LAFLA was very good.**

The program's advocacy is very good. Many examples of outstanding advocacy were observed in the various units throughout the program. In those cases discussed with advocates, the legal representation provided appears to have properly achieved the clients' objectives.

LAFLA's coordination and work with other organizations, agencies and law firms is impressive. Some of the program's complex lawsuits, including the Alexander Hotel lawsuit and the Barrientos case involved co-counseling with other advocate groups and private lawyers. LAFLA works well with a number of segments of the community. The level of advocacy on broad based issues, as well as the number of clinics LAFLA has developed to deal with specific issues, is also impressive.

The program has employee performance standards for client relations, resolving the client's problem effectively, following program policies, and professional development. LAFLA also has written supervisory standards in its Advocacy Policies and Procedures Manual that provide for regular review of advocates case files. These standards and policies appear to be followed in practice by the program. The program has reduced funding for employee training. It is recognized that the program has increased its internal training programs, often done in coordination with other legal services providers.

The program has regular case acceptance meetings and individual case reviews by unit supervisors. There is regular supervision of advocate work and an attempt to coordinate specialty work through regular unit meetings and annual meetings to strategize and develop a unit work plan. Supervisors work with employees to develop individual work plans and conduct regular performance evaluations. The program does not appear to have caseload standards for staff. There was considerable variation in caseload levels. Further, there is no overall coordination of the program's legal work. The program does not currently have a litigation director or a litigation committee. Major litigation decisions appear to be made by unit staff, with overall supervision by the executive director.

**RECOMMENDATION 3.10.1:** Given the degree of work being done throughout the program and the size of the program, LAFLA should consider creating a position of litigation director to coordinate and assist litigation and substantive advocacy throughout the program.

**RECOMMENDATION 3.10.2:** The program should adopt caseload standards including the consideration of an employee's duties, experience level, and the type of law involved.

**RECOMMENDATION 3.10.3:** As increased funding becomes available, LAFLA should restore adequate funding for employee training.

**FINDING 11: LAFLA needs to upgrade its technology and is beginning to do so but more needs to be done.**

Technology is widely recognized within the program as a substantial challenge. From outdated computers, to an old case management system, to slow internet connectivity problems, to a phone system that needs updating, significant improvement is needed. LAFLA's technology plan provides for the acquisition of 150 new computers, updating servers, the purchase of a new telephone system, and the modification or replacement of the case management system. The program has started the implementation of a number of the improvements provided in the technology plan.

The program is using an outdated case management system (1997 version of Kemps), which does not use SQL. Instead of having a case management system that facilitates their work, employees have to work around an outdated system that appears to be used primarily for conflict checking, meeting grant reporting requirements, and pulling up lists of cases. In addition, most of the advocates do not appear to use the full capabilities of Kemps. LAFLA advocates need a system that actually functions as a case management system. They operate primarily off of paper tickler and calendaring systems and rely nearly exclusively on paper files. While many offices are moving toward paper-free, virtual office environments, LAFLA appears to be wed to paper case files. LAFLA would benefit from a complete case management system that includes a docket index to electronically store all of their pleadings, and a system to electronically record all of the case activity. Further, some advocates working in the self help clinics at the courthouses are not able to access the case management system.

Computers are slow in general and outdated. Employees do not have fast reliable access to the internet. For example, many intake screeners are unable to easily access lawhelpcalifornia.org website or other sites to do referrals. As a result, intake screeners utilize a hard copy referral guide. In addition, some employees are not able to benefit from online webinars and trainings on new developments in the law, that are sponsored by Public Interest Clearinghouse/Legal Aid Association of California, and many of the local, national, and regional support centers. The lack of good connections to the internet also hampers the use of online meetings between offices. This problem is a huge impediment to training and communication within and outside of the program. LAFLA has very experienced lawyers who with fast internet access could share their knowledge and expertise within the different practice areas and also with other groups working on similar issues.

The phone system was purchased in 1998 with additional improvements made in 2002. The system is an early version of VOIP. It apparently has never worked well with Cisco boxes, which has resulted in some voice quality data issues. The program stopped compressing the voice data and now all the voice travels uncompressed on the T1 lines.

To its credit, LAFLA has recognized its technology difficulties. Since the OPP visit, LAFLA purchased and installed a new phone system, purchased new computers, upgraded servers, and increased bandwidth. Additionally, LAFLA moved to a remote desktop connection for the computer system that includes an upgrade to a new “cloud” system. LAFLA also purchased an upgrade to its Kemps case management system with installation planned for late spring 2010.

**RECOMMENDATION 3.11.1:** In addition to the already implemented and planned technology changes, the program needs to implement improvements to its case management system to better serve its advocates and to allow for improved program evaluation. The program also needs to redouble its technology planning efforts and engage in a concerted effort to include advocates and other employees in its technology planning to assure that the advocacy and management needs of the program are being met. The program should take advantage of available outside expertise and resources to assist with its technology planning and implementation efforts. The program should also strive to ensure that changes to technology are implemented in a coordinated manner program-wide, including for example considering how a new telephone system will integrate with changes in intake design and maximize program substantive advocacy. There is also a need for an electronic calendaring system.

**RECOMMENDATION 3.11.2:** LAFLA should encourage the IT Director to seek support and guidance from IT directors in other LSC grantee programs. Additional resources include the Legal Services National Technology Assistance Project ([www.lsntap.org](http://www.lsntap.org)).

**RECOMMENDATION 3.11.3:** The program should explore using the free HotDocs license it can obtain from Capstone and consider moving some of the adobe forms to HotDocs online templates for use by self represented litigants or those the program is not able to assist or serve.

**Criterion 2: Private attorney involvement (PAI).**

**FINDING 12: The program has an excellent PAI program. However, PAI case data is not properly captured.**

There are over 49,000 attorneys in Los Angeles County. Over thirty legal services providers compete for pro bono attorneys. In 2008, 172 pro bono attorneys volunteered with LAFLA, with the total value of attorney hours in excess of \$4.8 million. The PAI program is staffed by a pro bono director, a pro bono coordinator, a half-time attorney who also works in the immigration unit, and portions of the time of other employees who screen potential pro bono clients and record volunteer hours. The executive director, pro bono director, pro bono coordinator and other staff make regular presentations to law firms and at bar events to recruit pro bono attorneys. The program also recruits volunteer attorneys through quarterly email blasts to 150-200 firms, state and local bar publications, personal contacts, its own website and newsletter, as well as outreach to minority and special bar associations. Retention efforts include recognition ceremonies, recognition in publications and websites, mentoring, co-counseling, training, access to specialized research materials and providing malpractice insurance.

A number of the cases handled by pro bono attorneys involve complex, long-term affirmative litigation. In 2008, LAFLA teamed with pro bono attorneys in a successful appeal in the Court of Appeals for the Ninth Circuit in a case affecting thousands of indigent foster parents in California. The same year, pro bono attorneys, LAFLA, and other organizations negotiated a settlement of over \$550,000 in damages and the right to return for tenants who suffered from unlawful displacement, shutoffs of water and heat, and lack of elevator service at the Alexandria Hotel in downtown Los Angeles.

The program appears to not have captured all of its PAI case closing data, resulting in an undercount of pro bono cases and hours. Contributing factors seem to be the turnover in the pro bono director position, change in responsibilities of tracking pro bono cases and hours, and the executive director transitions. The current pro bono director subsequently conducted training for staff on how to count PAI cases.

**RECOMMENDATION 3.12.1:** The program needs to improve the collection of data to accurately reflect the level of PAI activity.

**Criteria 3 and 4: Other program services and activities on behalf of the eligible client population.**

**FINDING 13: In addition to direct representation, LAFLA has developed a number of clinics in the community to provide advice and pro se assistance to clients. The pro se clinics provide an important service to those who do not have access to the legal system and are an important partnership with the courts.**

LAFLA engages in many forms of advocacy to assist the client eligible population, including providing pro se assistance. The program provides pro se assistance in family law

and eviction defense matters in the self help legal access centers in courthouses in Inglewood, Long Beach, Santa Monica and Torrance. In 2008, 27,240 persons were helped in LAFLA's self-help clinics, with another 28,415 receiving self-help printed materials. The program does not appear to evaluate the degree to which those persons assisted pro se where ultimately successful in their pro se advocacy. The program also has self-help employment law clinics with two community based organizations, has a table at the state hearings office to provide information to welfare applicants and recipients who have requested an administrative hearing, regularly visits the Children's Bureau to answer general civil legal questions, and periodically provides information to tenants who visit the offices of the Los Angeles Community Action Network. The program also utilizes social workers to assist existing clients.

It is evident that LAFLA staff works closely with the judiciary, governmental agencies, community organizations, service providers and other legal aid programs. The general counsel is often the program's liaison with the organized bar and the California Access to Justice Commission, of which he is a member. The program works with USC Gould School of Law to provide training and mentoring of law students and with UCLA Law School in providing housing rights information to Skid Row residents.

LAFLA has addressed a number of systemic legal problems, including: (1) playing a vital role on human trafficking issues and an awareness campaign; (2) successfully fighting a state proposal to eliminate face-to-face administrative hearings in public assistance cases; and (3) helping to obtain a community benefits package in the Grand Avenue Project development that included \$1.5 million for permanent downtown supportive housing for the homeless, a local hiring program, \$2.8 million for job training, on-site affordable housing units, and a formal role for community members in overseeing implementation.

**RECOMMENDATION 3.13.1:** The organization should evaluate whether the amount of time devoted to the clinics impairs the amount of time needed for direct representation.

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

**Criterion 1: Board governance.**

**FINDING 14: LAFLA has effective board governance despite its large size.**

The program's board of directors is large with 54 members. Despite its large size, the LAFLA board is an effective, engaged and committed governing body given the role and level of activity of the executive committee.

A significant amount of the work is done by committees and presented to the full board for their approval. The executive committee, comprised of 11 members, is very active, meets once a month by telephone, and sets the agendas for the monthly board meetings. Most board meetings are two hours long. The finance committee also meets once a month to review the monthly financials and reports to the board on compliance with the budget and

financial performance generally. Board members mentioned that they were receiving adequate financial information from LAFLA staff. The audit committee meets several times during the year, hires the auditor and meets with the auditor half way through the audit and at the end, approves the audit, reviews financial reports and investigates whistle blower complaints as provided for in program policies. The committee also implements the best practices recommended by the auditor. The board appears to exercise adequate financial oversight through its finance and audit committees. The board also has strategic planning, pro bono, priorities and client grievances, and affiliate committees. In addition, there are subcommittees on cy pres, marketing, fund development, access to justice and the capital campaign.

Each board member has a three-year term with one additional three-year term possible. There is a third term if the member is an officer and the board so determines. Officers sit in office for two years and the board has an established officer track. The presidents of client advisory councils serve on the board.<sup>2</sup> The two-year terms for board officers, as well as board leadership succession planning, provides stability and continuity to the program as well as to the new staff leadership. The board evidenced its ability to appropriately address leadership/management issues over the last four years.

It does not appear that new board members received orientation training when they joined the board. It also appears that some board members have not been active for some time. In addition, the board does not have a system of self-assessment and would benefit from efforts to increase engagement of the full board and more clearly define roles and responsibilities of board members.

**RECOMMENDATION 4.14.1:** LAFLA should provide an orientation session for new board members.

**RECOMMENDATION 4.14.2:** LAFLA needs to evaluate and replace inactive directors.

**RECOMMENDATION 4.14.3:** The board should obtain training and assistance to: (1) identify roles and responsibilities; (2) develop a self assessment system (3) identify methods to increase engagement of the full board; and (4) increase communication among board members.

**Criterion 2: Leadership.**

**FINDING 15: The executive director appears to have the full support of the staff and the board.**

LAFLA's staff leadership structure consists of an executive director, general counsel, director of advocacy and training, director of pro bono, director of finance and operations, director of administration and HR services, communications director, development director, technical services director, and eight managing or directing attorneys of offices or units.

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<sup>2</sup> Each office has a client advisory council, although some are not as active as others.



Silvia Argueta was named the executive director in August 2009. Prior to that, she had been interim ED since October 2008. She is an experienced advocate who has worked in different non-profit organizations. She came to LAFLA from the Mexican American Legal Defense and Education Fund MALDEF in 1999 as a senior attorney in health advocacy in the government benefits unit. She served as the president of the union and formed a Limited English Proficiency (LEP) task force within the program. She has an open door policy for employees and has a vision of LAFLA as "the best law firm for the poor in LA." She spends about twenty percent of her time on vision and the mission of the organization. She visits or plans to visit each office at least 3 times per year. Program staff and board members support the executive director and believe that she is doing very well in her new position.

**RECOMMENDATION 4.15.1:** The board should consider working with the executive director to define goals and expectations for the position. The board should establish a process to regularly evaluate the performance of the executive director.

**RECOMMENDATION 4.15.2:** The program should allow the executive director to develop her own management team.

**RECOMMENDATION 4.15.3:** The program should continue planning for developing the next generation of diverse leaders.

**RECOMMENDATION 4.15.4:** An annual meeting of all staff is encouraged. It provides an opportunity for the executive director to share her vision of the program with all staff and allows staff to meet together and develop closer relationships.

**FINDING 16: The program has taken the positive step of engaging a consultant to assist in an organizational analysis of the program.**

The program has hired consultant John Tull to assist with an analysis of LAFLA's organizational structure and to help with compliance issues. He interviewed staff and board members concerning organizational structure and is expected to issue a report making recommendations. The consultant also assisted with the strategic planning committee in 2008.

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

**FINDING 17: The current program has some overlapping and ambiguous areas of management responsibilities. There is no deputy director position and no litigation director in the program.**

The turnover of two executive directors within a relatively short period of time appears to have affected the overall management structure of the program. Each of the two EDs that departed had separate approaches to management and administration and the responsibilities of each program manager. Each ED included different persons in

management meetings and in consultations for making key decisions. As a result, there are currently some unclear areas of responsibility.

The general counsel is a former long-time executive director of the Long Beach program prior to its merger with LAFLA in 2001. His duties include acting as legal counsel for the corporation (reviewing its contracts such as building acquisitions and leases, major purchases such as the new computers and phone system and pursuing spurious legal aid programs which LAFLA has done using unfair business practices and trade infringement laws); being responsible for ethics and risk management as well as external relations, such as serving on the state access to justice commission, the Public Interest Clearinghouse board, the Management Information Exchange board; and as the representative to the county bar.

The director of advocacy and training, a very experienced attorney, had previously been responsible for advocacy and training throughout the program, including the supervision of managing attorneys. He was involved in hiring, approving appeals, reviewing appellate briefs, engaging in permissible legislative activity, accompanying attorneys to court, and setting up moot courts. His duties changed in late 2008 and he currently is responsible for training throughout the program and the self help legal access centers. LAFLA does not currently have an advocacy or litigation director.

The executive director meets with directors of human services, pro bono, finance and operations, advocacy and training, and the general counsel individually, but generally not as a group. She also meets with managing attorneys. It does not appear that management of the program meets together as a team. The program does not have a deputy director. LAFLA has been recently working with consultant John Tull to assist in an evaluation of the program's management functions, responsibilities and needs.

**RECOMMENDATION 4.17.1:** The program should undertake a process of clarifying the roles and responsibilities of each person in a management position and work to develop a more effective management team.

**RECOMMENDATION 4.17.2:** Given the size of the program, a deputy director position should be established to assist the executive director in overall management and administration.

**Criterion 4: Financial administration.**

**FINDING 18:** The program has a very experienced finance department. Its work has produced clean audits in recent years. The board has monthly meetings of its finance committee which regularly reviews timely monthly financial statements.

The accounting department is staffed by: (1) the director of finance and operations who has an MBA and more than 20 years experience in finance and administration; (2) the director of fiscal management who has a degree in accounting and more than 30 years of experience in accounting; (3) a staff accountant who has a degree in economics and more

than eight years experience in accounting; and (4) an accounting clerk who has more than 25 years experience in accounts payable.

The program recently revised its accounting manual. Monthly financial reports showing budget variances are prepared and presented by the director of finance and operations to the finance committee of the board. The monthly reports are prepared by the third week of the following month. Sometimes there are amendments to the financial reports. The finance committee meets monthly to review the financial statements and to issue a report to the board. A summary monthly financial report goes to the board. The director of finance and operations attends board meetings and answers questions.

Financial staff has attended financial training put on by Gerry Singsen and Judy Arrago. The director of finance and operations and the director of fiscal management sometimes attend seminars offered by an accounting firm.

**RECOMMENDATION 4.18.1:** It would benefit the program to have the director of fiscal management attend meetings with the board finance and audit committees.

**Criterion 5: Human resources administration.**

**FINDING 19: Staff is diverse and reflective of service area demographics. Salaries are competitive in the LA area and benefits are excellent. Staff turnover is low. The program recruits summer interns nationally.**

The director of administrative and human resources services and the personnel coordinator handle the human resources functions. The director has been with LAFLA for 20 years, all but one year as the director. She also has responsibility for facility issues, including the recent purchase and remodeling of the South and Long Beach offices. In addition, the director supervises office managers.

The staff has a union which is affiliated with the National Organization of Legal Services Workers. The collective bargaining agreement that expired in 2007 has been extended and it is anticipated that negotiations on the new contract will begin in the near future. There is a joint labor-management team that meets periodically. A recent issue that was successfully resolved by the union and management concerned the increased costs of health care. There have been few recent employee grievances. Performance evaluations of staff take place annually.

The staff is diverse and generally reflective of the demographics of the service area. The program had a mandatory LEP training for staff about a year ago. LAFLA has a law student program of 30-35 students for which they recruit nationally. Many of the staff attorneys they hire were former law students in the program. LAFLA annually surveys public interest and non-profit salaries and benefits in the LA area. Staff salaries and benefits at the program are considered competitive. Staff turnover is relatively low.

**Criterion 6: Internal communication.**

**FINDING 20: The program has some effective internal communication systems in place, however improvement is needed.**

While LAFLA has an external newsletter and sends pro bono email blasts out to law firms, it does not have an internal newsletter. The executive director has started regular emails to all staff. The program has an internal site, called “LiNC,” with news articles, reports, personnel policies, etc. However, LiNC is generally considered in need of significant revision. The program is aware of LiNC’s shortcomings and is working on improving it.

There appears to be a need for better internal communication on client and programmatic issues. While there are some examples of close communication between units, cross unit communications and collaborations did not appear to be a strength.

There are regular unit meetings, monthly meetings of managing attorneys, weekly administrative management meetings, monthly office manager meetings and bi-monthly meetings of the entire intake and reception staff. There have not been recent all staff meetings.

**RECOMMENDATION 4.20.1:** The program should improve cross unit communication and collaboration systems to enhance client services.

**RECOMMENDATION 4.20.2:** The program should continue to improve or replace its online communication tool LiNC.

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

**FINDING 21: LAFLA has had good success raising private funds.**

LAFLA has 3.5 resource development personnel: the director of development who oversees all resource development efforts including the annual fund drive and special events such as the access to justice dinner and the grand cru wine tasting event, fundraising from government and private foundations, and planning for the capital campaign; the director of special projects, who heads the grand cru and the associates campaign; the development associate, who coordinates the law firm campaign, tracks contributions and assists with special events and projects; and the manager of grants and compliance who works part time on new and renewed funding from government and private foundations. The development team meets monthly and the executive director usually attends.

The program raised over \$1.56 million in 2008 in contributions from individual attorneys and law firms, corporations, foundations, the general public, the annual fund drive, the access to justice dinner and the grand cru. At 10% of the overall budget, this is an impressive amount and reflects a variety of well-planned private fundraising strategies. The program is also currently engaged in a capital campaign to raise \$2 million for the purchase

and renovation of the South and Long Beach offices. Three foundations have already contributed \$250,000 each.

The board is involved in fundraising activities. There are separate advisory and associates boards to encourage donations as well. It was mentioned by a number of those interviewed that it would help fundraising efforts if the LAFLA board had more corporate representation. The LSC regulation on board composition is viewed as an impediment to adding additional corporate representatives.

The program has been involved in a number of collaborative projects in seeking additional funds. An example is the recent successful collaboration with Neighborhood Legal Services of Los Angeles County and the Intercity Law Center to obtain a \$10 million grant in federal stimulus money to assist with eviction defense, emergency housing, and security deposits.

It appears that some funding proposals submitted by the program have not included a request for adequate funding for the technology needs required for the administration of the grant.

**RECOMMENDATION 4.21.1:** The program's fundraising efforts could be enhanced by greater collaboration between program units so that opportunities to obtain support for specific substantive work are increased.

**RECOMMENDATION 4.21.2:** The program should consider including adequate funding for technology needs of each new grant for which the program has applied. LAFLA should include a line item in each funding proposal to cover the costs of integrating any new project into its technology infrastructure. For example, if a new housing grant is received, and that grant will require Kemps modifications, changes to the voice mail system, changes to the lawhelpcalifornia.org platform, changes to the LAFLA webpage, the costs of making all of those changes to integrate the project into the daily practice of the project via technology need to be added to each grant. This will ensure that all new projects connect to the existing technology. All projects will also have access to the multiple technology tools made available by the program.

**FINDING 22: The communications department has increased the program's fundraising capacity through its ability to better market the work of the program. They have revised the program's website.**

There have been significant improvements in the program's external communications over the past year and a half that enhance fundraising efforts. LAFLA's website has been revised and currently receives about 10,000 visits per month. E-newsletters are sent out to 4,400 people. The program has increased the sophistication of its technology support for external communications and now has the ability to determine how many people read which articles in the e-newsletter thus allowing the program to determine the level of interest in certain issues. The director of communications works with the media to obtain favorable coverage of the work of the program. There are plans to issue a policy advocacy report to donors and to more closely connect donors to the substantive work of the organization.

**Criteria 8: Coherent and comprehensive delivery structure**

**FINDING 23: The program is currently reviewing its management, intake and delivery structure.**

As previously mentioned, the strategic planning committee is currently evaluating the program's services and delivery and the program has hired a consultant to evaluate organizational structure. It is anticipated that both efforts and action steps subsequently taken by the program to implement recommendations flowing from these endeavors will result in improvements to LAFLA's delivery structure.

**Criteria 9: Participation in an integrated legal services delivery system**

**FINDING 24: LAFLA is actively participating in an integrated legal services delivery system.**

Program staff participates in the statewide directors of litigation and advocacy section of the Legal Aid Association of California. The general counsel serves on the state access to justice commission, and is the program's representative to the county bar. There are 16 program attorneys that are currently active on LA County Bar committees.

LAFLA employees also help coordinate regional legal services delivery. Examples include the Pro Bono Director leading the effort to establish a regional pro bono website to allow private attorneys access to pro bono opportunities at LAFLA and other Southern California legal services programs, ethics trainings of LA area legal services programs presented by the general counsel, and regular meetings at LAFLA of the asylum collaborative that includes Public Counsel and other groups that help refugees and torture victims.

Employees of the program are actively engaged in committees of the LA County Bar Association, the local legal services community, the statewide legal services community and with other programs. Advocates also provide leadership in statewide and national language access task forces that address access to courts and administrative agencies for non-English speakers. In addition, the program is a member of the Legal Services Coordinating Committee (LACC), which convenes an annual planning meeting called "Connecting the Dots." Connecting the Dots brings together major stakeholders in the access to justice community and looks at any overlapping services and gaps in the delivery system. LAFLA's general counsel chairs the LSCC and is on its planning committee.