



**LEGAL SERVICES CORPORATION
REPORT**

***PROGRAM QUALITY REPORT
FOR
LEGAL SERVICES NYC***

Recipient No. 233100

OPP Team:

Guy Lescault (Team Leader)

*Cynthia G. Schneider, John Idleman, Stephanie Edelstein, Willie
Abrams, Cheryl Nolan, Evora Thomas, Glenn Rawdon, and LSC*

*Consultants: Neil McBride, Marcia Cypen, Lillian Johnson, Ed
Riegelhaupt, Sheldon Roodman, Joan Howard, Catherine Carr and
Claudia Johnson*

TABLE OF CONTENTS

DESCRIPTION	PAGE #
INTRODUCTION	1
OVERVIEW OF THE SERVICE AREA AND HISTORY OF THE PROGRAM	2
REPORT SUMMARY	2
FINDINGS AND RECOMMENDATIONS	4
PERFORMANCE AREA ONE: <i>Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs</i>	4
PERFORMANCE AREA TWO: <i>Effectiveness in engaging and serving the low-income population throughout the service area</i>	6
PERFORMANCE AREA THREE: <i>Effectiveness of legal representation and other program activities intended to benefit the low-income population in its service area</i>	9
PERFORMANCE AREA FOUR: <i>Effectiveness of governance, leadership and administration</i>	15

Legal Services New York City

June 23 – 27, 2008

INTRODUCTION

The Legal Services Corporation (LSC) Office of Program Performance (OPP) conducted a Program Quality Visit to Legal Services New York City. (Legal Services NYC) from June 23-27, 2008. The sixteen (16) member on-site visit team was led by OPP Program Counsel Guy Lescault and included Willie Abrams, Stephanie Edelstein, John Eidleman, Cheryl Nolan, Glenn Rawdon, Cynthia Schneider and Evora Thomas of OPP who were joined by eight LSC consultants, Cathy Carr, Marcia Cypen, Joan Howard, Claudia Johnson, Lillian Johnson, Neil McBride, Ed Riegelhaupt and Sheldon Roodman.

OPP seeks to ensure that all recipients of LSC funds are providing high quality, efficient, and effective legal services to eligible clients. The purpose of the June 2008 visit was to assess the overall quality of legal services provided by Legal Services NYC and its constituent corporations in all five (5) boroughs of New York City, including the 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 performing its evaluation, OPP relies on the LSC Act and regulations, the LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid as well as basic principles for the management of a complex non-profit organization such as Legal Services NYC.

Careful consideration was given to Legal Services NYC's most recent grant competition and renewal applications, case and other services reports, and other reports and documentation submitted to LSC in recent years. Areas that were reviewed during the evaluation visit include staffing, office location, intake system, private attorney involvement, technology, legal work management and supervision, quality and quantity of legal work, leadership, program administration, resource development, coordination within the delivery system, and experience and reputation. The team reviewed numerous documents submitted by Legal Services NYC in advance of the visit, including responses to a survey of staff and writing samples submitted by advocates as examples of the recent legal work. Legal Services NYC also provided a self-assessment based on the LSC Performance Criteria.

The team, which was further divided into five (5) teams each with assigned responsibilities and office site visits in each borough, interviewed over 250 people, either in person or by phone, including the executive director, management and program staff at all levels, the current board chair, Legal Services NYC board members, board chairs of several Legal Services NYC's constituent corporations, members of the judiciary, and representatives from the New York Bar Foundation, and local community agencies that engage with Legal Services NYC and its constituent corporations.

OVERVIEW OF THE SERVICE AREA AND HISTORY OF THE PROGRAM

Legal Services NYC is the largest LSC grantee in the United States with a 2008 LSC basic field grant of \$14,794,404. With non-LSC funding over \$30 million, this \$44 million plus entity is the largest non-profit organization in the country exclusively devoted to providing civil legal services to low-income persons. According to the latest U.S. Census, over 25% of the 8.2 million metropolitan New York City population is financially eligible for LSC funded legal services. If these two million individuals resided in their own municipality, it would constitute the fifth largest city in the United States.

In 2003, after more than 35 years with a structure that linked by contract the preceding corporation, Legal Services for New York City, Inc. (LSNY), with borough and community based independent legal services programs, Legal Services NYC converted its governance structure to a comparable parent-subsidary corporate structure. The current structure of Legal Services NYC consists of a central corporate office in downtown Manhattan; branch offices in Staten Island and Brooklyn, and six (6) “constituent corporations” in which the central corporation is the sole member. Each constituent corporation has its own Boards of Directors. These six constituent corporations are Legal Services NYC-Bronx; Bedford Stuyvesant Community Legal Services; Brooklyn Legal Services Corporation A; South Brooklyn Legal Services; Manhattan Legal Services; and Queens Legal Services.

REPORT SUMMARY

In 1999, LSC required Legal Services NYC to engage a consultant to assess the strengths and weaknesses of its delivery system including the quality of the program’s legal work. This review was completed over a two year period and the results were shared with LSC. Several strengths and many challenges were identified in these evaluations. This on-site review undertaken in 2008 found that Legal Services NYC is a very different organization than the one that existed during the early 2000 review. It is a much stronger program with legal work quality greatly improved. The vast majority of the changes that have occurred within the program, especially those that occurred in the past five years, have been very positive. In the past five years, Legal Services NYC has implemented extensive internal restructuring to provide a better integrated and more efficient administrative structure. This has resulted in an effective centralization of financial management and technology systems. Legal Services NYC has also greatly expanded its private attorney involvement (PAI) outreach, increased its communications efforts and inaugurated private resource development events. It has taken steps and put a plan in place to improve the quality of the program’s legal work. Program leadership should be proud of these accomplishments.

Legal Services NYC has identified its greatest challenge to be the elevation of the sense of urgency throughout the firm’s five boroughs to continuously promote the quality of legal work and achieve the highest level of excellence. The history of Legal Services NYC, its size and governing structure provide both opportunities and challenges to this goal.

This review found that Legal Services NYC faces five primary strategic issues or challenges. These challenges will have a profound impact on the organization over the next several years and therefore require the program’s immediate attention. The impact or relevance of these strategic issues appears in each of the Performance Criteria, Findings and

Recommendations throughout this Program Quality Review.

- Response to the 2008 Needs Assessment Study. The 2008 Needs Assessment Study for all of New York City is nearing completion. It is expected that this study will suggest the need for Legal Services NYC to make changes in its resource allocations by location, practice area, and client requirements throughout the city. Legal Services NYC needs to complete the study by the first quarter of 2009. The program needs to develop a timetable for implementing the study. Recognizing that resource limitations and contractual obligations may prevent immediate implementation of the study, Legal Services NYC should strive to implement it by the end of 2009. This will require serious, well-managed changes in emphasis and allocation of skills throughout the Legal Services NYC network.
- Intake Systems. Intake systems throughout Legal Services NYC vary among offices in hours and the way intake is handled. Applicants generally have a difficult time accessing services. Within the next year, Legal Services NYC needs to examine the existing systems and take action to develop minimum uniform city-wide procedures geared to improving access to services.
- Legacy Organizational Issues. Legal Services NYC continues to have management and organizational issues pertaining to the constituent corporations, their history and connection to their local communities and local boards. These issues impede the ability of Legal Services NYC to be viewed by staff, members of the legal community, and the client community as a city-wide law firm. These issues also need to be resolved in order for Legal Services NYC to increase the quality, efficiency, and effectiveness of its services. Legal Services NYC needs to adopt and embrace at all levels a common sense of vision and mission. If it appears in 2009 that the constituent corporation structure creates obstacles to the implementation of the legal needs study and other management plans, the board of Legal Services NYC needs to reassess the governing structure and take action to overcome the identified obstacles.
- Staff Development Needs. The importance of maintaining the flow of highly professional staff, including managers, to provide Legal Services NYC's historically high quality legal services will depend upon the effectiveness of staff hiring processes, consistent implementation of supervisory systems, and continued management and staff development and training at every level. As Legal Services NYC moves to provide consistent high quality individual representation throughout the program, it must continue to implement all aspects of its quality initiative, to ensure that performance reviews of all staff and managers are completed, and to take action, as appropriate, when performance deficiencies are identified.
- Service Delivery in Brooklyn. Since the restructuring of Legal Services NYC in 2003 and unlike other parts of the city, the delivery system in Brooklyn has never been examined. Services in this borough are currently provided by three constituent corporations and two Legal Services NYC offices. Several of the project directors and managers of these offices are long-serving. Now is an opportune time to examine whether the Brooklyn delivery system is the most efficient and effective way to deliver services in this borough.

The findings and recommendations in this report are provided to assist Legal Services NYC in positioning itself as one law firm and therefore be in a better position to successfully provide services of the highest quality throughout the city.

FINDINGS & RECOMMENDATIONS

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: Legal Services NYC has conducted the first comprehensive city-wide study of the legal needs of low-income New Yorkers.

In 2007, Legal Services NYC obtained funding to conduct a comprehensive city-wide legal needs assessment involving management, staff, board, stakeholders and city leaders. Assisted by an independent consulting firm, the chief of litigation and advocacy was tasked with overseeing the consulting firm's methodology of gathering and analyzing reports, demographic data and the nature and distribution of Legal Services NYC current services and those services provided by other legal and social service providers. The publication of this time-consuming task, scheduled for the fourth quarter of 2008, offers an excellent opportunity for Legal Services NYC to be recognized as the largest provider of civil legal services in New York. It also presents a number of management challenges. The greatest challenge for Legal Services NYC is to have a firm-wide agreement on the implications of the results of the assessment and a staff buy-in to the development of an improved delivery system with changed client needs and reallocation of resources to meet these identified client legal needs.

Recommendations:

I.1.1.¹ Legal Services NYC should view the legal needs study as a critical tool to model the development and implementation of a city-wide law firm delivery system designed to meet client legal needs in every borough.

I.1.2. Legal Services NYC should complete the study no later than the first quarter of 2009.

I.1.3. Legal Services NYC should develop a timetable for implementing the results of its examination of critical legal needs in the city. Recognizing that resource limitations and contractual obligations may prevent immediate implementation of the results of this examination, LSC recommends that Legal Services NYC should strive to implement them by the end of 2009.

Criterion 2 & 3: Setting goals and objectives, allocating resources, developing strategies and implementing processes to achieve goals.

Finding 2: The constituent corporations and branch offices of Legal Services NYC have an uneven record of conducting an assessment of the legal needs of the eligible population served by their zip code.

¹ The numbers in a recommendation represent in this order: the LSC Performance Area, The finding number under the Performance Area in this report, and the number of the recommendation under this Performance Area.

As identified in the self-assessment², Legal Services NYC has not had a city-wide mechanism for staff to be engaged in the question of setting goals, strategies and allocating resources based on a legal needs report. In fact, much of the program's goals, strategies, and objectives within broad priority areas are driven by non-LSC funding contracts or by custom. The legal needs study offers an opportunity for Legal Services NYC to help local offices become more purposeful and deliberate in how they allocate resources to meet local needs which may vary from office to office and borough to borough.

Recommendations:

I.2.1. As part of the implementation of the legal needs study, Legal Services NYC board and management should consider having the executive director and the Legal Support Unit (LSU) staff hold open discussions with offices and constituent corporations to examine how the findings may affect staffing, funding and allocation of other resources. This is an important leadership opportunity for the executive director and the LSU.

I.2.2. Legal Services NYC should, following these discussions, consider the creation of a firm-wide task force charged with further strategically assessing the findings of the report to identify changing legal needs, demographic changes and potential new or changed legal advocacy objectives.

I.2.3. The Legal Services NYC task force should also help set goals and methods of implementing the allocation of resources throughout the organization to meet the legal needs of New York City.

Criterion 4: Evaluation and adjustment.

Finding 3: Legal Services NYC does not have a city-wide methodology to evaluate the data on client outcomes and make appropriate reallocation of resources.

As identified in the self-assessment, Legal Services NYC has not had a city-wide methodology to evaluate the data on client outcomes and make appropriate reallocation of resources. The size of the city-wide law firm, coupled with the magnitude of the legal needs of the low-income residents of New York City, necessitates regular analysis of data to measure client outcomes and allocation of resources. Legal Services NYC recognizes the need to institutionalize the assessment process. Legal Services NYC has demonstrated its commitment to the development of a more institutionalized process with the hiring of a director of grants and contract management. This position is designed to centralize the grants and management function of the firm and will be responsible for developing and implementing an overall management and reporting system for the entire firm.

Recommendations:

I.3.1. Legal Services NYC should work with the information technology department to develop a methodology on the type of data that needs to be reported, the format of the reports, as well as the timeframe for submitting data for the reports and a timeframe for reviewing the reports to

² Prior to the LSC visit, Legal Services NYC conducted a thorough self-assessment using the LSC Performance Criteria. The program made the self-assessment available to the team prior to their arrival on-site.

enable it to use the data concerning the target population from the legal needs study to assess the effectiveness and results of its legal work.

I.3.2. Project directors and office managers should be charged with reviewing this data on a regular basis and with reporting on a regularly determined basis to the Executive Council on the implications of this data on the offices' delivery systems.

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

Criterion 1: Dignity and sensitivity.

Intake

Finding 4: While intake systems vary by office, the consistent theme among all offices is that clients generally have difficulty accessing services.

The existing intake systems within the Legal Services NYC structure vary among offices in hours of operation and in the way intake is handled. Intake is not streamlined or coordinated firm-wide. This results in many applicants making multiple calls searching for assistance. For example, in Brooklyn, the situation is exacerbated by the number of legal service providers who provide service based on zip code designations thereby making it more difficult for applicants to know where to go for assistance. In Queens, the intake decisions are more a matter of the applicants who reach staff versus a process based on program priorities and case handling guidelines. In Bedford Stuyvesant, as well as several other offices, intake is limited to a few hours a week for specific substantive legal issues. This puts the burden on applicants to attempt several times to get through to an office to ascertain whether they will receive assistance. There is no minimum Legal Services NYC city-wide standard for access to the intake system in each office. As a result, services are rationed by limiting intake hours by area of law or by limiting referrals from community agencies.

Although Legal Services NYC has not made any significant efforts to coordinate and streamline intake for clients, it recognized in its self assessment that the intake systems need a thorough review and revamping. The LSC team concurs in that finding. While everyone agrees that the volume of intake likely precludes a single call center for intake, everyone also agrees that the intake system should be evaluated for improvement and streamlining.

The examination of the intake system should result in the development and implementation of base line standards to be applied by all offices. This examination should be a Legal Services NYC priority. The visit team recognizes the enormity of this project on top of the other priority needs including the implementation of the legal needs study. Nevertheless, the implementation of the legal needs study provides Legal Services NYC a fortuitous opportunity to undertake a thorough and strategic examination of the intake system and evaluate how it is working from a client perspective. The implementation of the legal needs study may result in changes in staffing patterns and goals and objectives of offices' legal work. These changes impact intake systems.

The examination of intake systems will require several considerations all driven by the

overwhelming volume of service requests and contract obligations. These considerations include each office's staffing resources, the intake systems of other providers of civil legal assistance within the city, and an analysis of technological tools that may be applied to better meet the demand. Because these considerations will be challenging and time consuming, the examination should begin during the implementation of the legal needs study. This will allow Legal Services NYC the time it needs for successfully transforming its intake system. Further, Legal Services NYC could dovetail the structural design of its intake system to meet the results of its needs study and changes that result.

Recommendations:

II.4.1. Within the next six to nine months, Legal Services NYC should create a city-wide Intake Task Force to begin analyzing intake as it is currently done and how it could improve.

II.4.2. Legal Services NYC should set base line standards for initial access through intake and develop the core capacities of a coordinated intake system:

- To minimize number of times an applicant has to call or come into the program prior to case acceptance;
- To establish core uniform hours for intake across offices;
- To ensure that all eligible applicants receive advice, get conflict/eligibility checks and are entered into KEMPS under the supervision of attorneys; and
- To make sure that all clients understand the scope of services to be provided.

II.4.3. Legal Services NYC should evaluate how technology can be integrated into intake to improve client access. One tool of technology effectively used in many legal service intake systems is Voice Over Internet Protocol (VOIP). Among its benefits, VOIP provides the user with call flow reports. These reports allow users to track the number of incoming calls, dropped calls, and waiting times. This data helps the user make decisions on phone coverage. VOIP also allows the user to make changes in the system without reliance on an outside vendor.

II.4.4. Upon completion of the development of the core capacities, Legal Services NYC could pilot the standards and coordinated intake system beginning with one borough, such as, Queens Legal Service.

II.4.5. Legal Services NYC should consider the creation of an intake coordination unit that would be responsible for working with program offices to ensure that the Legal Services NYC intake system follows a program-wide strategy. The LSC Intake Focus Group is available to provide technical assistance to Legal Services NYC as it moves to coordinate its intake systems.

Criterion 2: Engagement with the low-income population.

Finding 5: At present there is not a level of consistency of engagement with the low-income population by each office.

While some of the offices are actively engaged with a wide variety of community based advocacy and service organizations, there is not yet a Legal Services NYC firm-wide commitment to proactive engagement with community based groups. In its self assessment, Legal Services NYC acknowledged the need to more proactively engage with community groups and to assess the efficacy of joint advocacy efforts. The challenge is to inculcate a firm-wide culture and expectation of staff involvement in community based organizations. A secondary challenge is to ensure that the work with these community groups reflects the legal needs of the eligible client population.

Recommendation:

II.5.1. Legal Services NYC should develop written standards for each office of expected engagement with low-income community organizations consistent with program priorities.

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

Finding 6: Through its Language Access Policy and its Language Access Project, Legal Services NYC has endeavored to make the offices more language accessible but firm policies are not being followed throughout the firm.

Legal Services NYC has shown a commitment to linguistic access by developing and promoting its Language Access Project (LAP) and by conducting 12 on-site trainings at each Legal Service NYC office. The two hour “Ensuring Language Access” training was developed and conducted in partnership with the Vera Institute for Justice and included information on procedures and resources for serving limited English proficient (LEP) clients in each office, skills training on working with interpreters, and issue spotting for language access barriers facing LEP clients. The LAP encourages offices to develop social service networks to assist with interpreting and to ensure that their clients are aware of Legal Services NYC’s services.³ The LAP is guided by the firm’s Language Access Policy. This policy provides detailed guidance to staff on how to ensure that the firm’s services are available to limited English speaking persons. The policy statement is excellent.

Consistent with program policy, many offices have made a concerted effort to recruit and retain staff that has linguistic capacities to serve the firm’s client community. Despite this recognition of the need for an office to be linguistically accessible to the client population, all aspects of Legal Services NYC’s Language Access Policy are not being followed uniformly throughout the firm. For example, some staff still allow family members to interpret. Other staff are not aware of the availability of Language Line.

Recommendation:

II.6.1. Legal Services NYC should look at gaps in linguistic access and consider strategies, such as incorporating training on its Language Access Policy into new staff orientation, to strengthen it firm-wide.

PERFORMANCE AREA THREE: Effectiveness of legal representation and other program

³ The program also contracts with Language Line to provide interpretation services.

activities to benefit the low-income population in the service area.

Criterion 1: Legal representation.

Finding 7: The “quality initiative” of Legal Services NYC’s Legal Support Unit (LSU) is a necessary and essential commitment to monitor the quality and effectiveness of the legal work throughout the city.

Following the reorganization of the management structure of the central office, Legal Services NYC created the position of chief of litigation and advocacy who is responsible for directing the Legal Support Unit (LSU). The focus of the LSU has shifted from one of support to a more proactive leadership role to elevate the quality of legal work throughout the firm and city. The mission of the LSU is to lead and support Legal Services NYC staff and the greater poverty advocacy community to develop and improve the quality and effectiveness of litigation and advocacy on behalf of low income individuals, families and communities throughout New York City. One of the LSU’s primary goals this past year has been to invigorate and transform Legal Services NYC’s advocacy work through a series of identified tasks. The firm refers to this effort as its “quality initiative.”

Since 2007, under the leadership of the chief of litigation and advocacy, the LSU with a staff of 16 substantive advocates, coordinators and trainers, has improved the quality of work by: developing a strategic plan for legal work; hiring new staff to expand effectiveness; continuing efforts to work more actively with local offices; and encouraging collaborative advocacy and litigation among the various offices. Working with the project directors and constituent corporation litigation directors, the LSU has expanded the effectiveness of proactive advocacy. Some examples of the quality initiative are:

- Adoption of advocacy protocols for coordination of appeals and affirmative litigation;
- Coordination of city-wide substantive task forces and listservs;
- Expansion of CLE curriculum and creation of “New Advocate Training”;
- Design of a “Leadership and Management Institute” to provide skills training to supervisory advocates;
- Convening of the first firm-wide staff meeting; and
- Undertaking supervision and oversight of the legal needs study.

One example of city-wide advocacy leadership is the support role that LSU has played in coordinating foreclosure prevention legal services work city-wide through training, technical assistance and advocacy. Through the foreclosure prevention work at South Brooklyn Legal Services, Staten Island Legal Services, Legal Services NYC – Bronx, Brooklyn Legal Services Corporation A and LSU, Legal Services NYC is in the forefront of the national fight against predatory lending practices in the sub-prime lending market. As a result of the quality of the legal assistance being provided, the Center for New York City Neighborhoods has awarded Legal Services NYC \$1.25 million to support its foreclosure prevention work.

In 2007, LSU expanded and deepened its work with advocates in the neighborhood offices on a wide variety of housing issues. LSU played a more active role in litigation by working with local staff to develop affirmative litigation, collaborating in writing briefs and pleadings, participating in moot arguments, and appearing in court as co-counsel.

The LSU coordinating attorney in family and education law worked closely with neighborhood offices on appeals in the family law area, commenting on and editing briefs and mooted arguments. The monthly Family Law Task Force and Education Law Task Force meetings provided opportunities for advocates to discuss and strategize about issues arising in their practices and were also catalysts for advocacy initiatives. LSU continued to support the professional development of Legal Services NYC staff and other members of the poverty law community by providing timely and relevant courses in family and education law.⁴

As part of Legal Services NYC's ongoing examination of its current public benefits practice, the director of elder and disability law convened several meetings with public benefits advocates to determine if clients with health-related public benefits issues, notably Medicaid, are significantly underserved. In response, LSU began Medicaid trainings last fall, which started with the basic workings of the Medicaid program and continued to increasingly sophisticated issues, such as financial eligibility for long-term care benefits.

In 2007, LSU expanded its efforts to create a broader practice area that addresses the legal needs of low-wage workers. LSU worked closely with advocates on unemployment insurance hearings and appeals assisting advocates with case selection, research on legal issues, hearing preparation and drafting of appeal briefs. LSU helped advocates to identify issues of willful misrepresentation charges, access to extended benefits while in job training, and voluntary quits for medical reasons as priorities for case selection as these issues present an opportunity for systemic change.

When the LSU government benefits coordinator resigned in January 2007, LSU convened meetings of Legal Services NYC staff and other public benefits advocates to discuss the needs of the advocacy community and the role to be filled by a new government benefits coordinator. While the lack of a government benefits coordinator slowed that work city-wide, it did provide an opportunity to re-examine LSU staffing patterns.

The Language Access Project (LAP) expanded not only Legal Services NYC's capacity to serve limited English proficient (LEP) clients but also undertook advocacy to challenge the barriers that LEP individuals face in accessing services and justice. The LAP initiated advocacy efforts to challenge language access barriers with the Department of Labor, the Human Resources Administration, the Social Security Administration, the Office of Children and Family Services, the New York City Housing Authority and other agencies. In one example of an advocacy effort, LAP served as co-counsel with the South Brooklyn Legal Services Child Care Network Support Project in a case representing a Spanish speaking LEP child care provider who signed a stipulation in English that she did not understand admitting to child neglect allegations. Her request for a hearing on the allegations was denied because she signed the stipulation. The project co-counseled with South Brooklyn Legal Services in this case which was filed in federal court, alleging due process violations by the New York State Office of Children and Family Services and the New York City Department of Health for failure to provide a Spanish stipulation to the LEP client.

In 2007, LSU conducted 149 training events reaching more than 3590 people. Training was provided in substantive areas including consumer, disability law, elder law, HIV, housing,

⁴ The LSU convenes and facilitates monthly task force meetings in other areas of law including housing, government benefits, disability, and employment. The work of these task forces proceeds much like the family law and education law task forces.

government benefits, bankruptcy, language access, family, employment and education. Litigation skills and ethics courses were offered as well.

In the fall of 2008, Legal Services NYC began its Leadership Institute. The goal of the Institute is to ensure that managers throughout Legal Services NYC are capable of providing highly skilled, energetic and challenging leadership and supervision that result in excellent results for low-income clients and to cultivate and support emerging and established leaders within Legal Services NYC. The Institute will include a variety of trainings, seminars and other programs designed to improve supervisory, management and leadership skills. The kick-off will be followed by a course of six full-day trainings for Legal Services NYC legal work supervisors. This program will help supervisors build on their skills and abilities to: supervise a high-volume practice so that maximum impact is achieved; plan and implement strategic litigation and advocacy projects; set expectations; give effective feedback; nurture professional development; and manage their practice areas to maximize results for clients by communicating effectively across differences and making good use of a team. Additional training sessions will be held for emerging leaders, managers of other legal services programs, administrative managers and executive directors. LSU plans to make this Institute a permanent part of the comprehensive support services that it provides for both Legal Services NYC and the entire poverty advocacy community.

In September 2007, LSU also opened a newly renovated on-site training facility at the central office. The installation of an audio visual system including projector, projector screen, a microphone system and data/electric ports throughout the room enhanced the options available to trainers and trainees. The quality of the trainings has improved as a result. The DVD recording capabilities were also enhanced with the purchase of a state of the art video recorder, audio mixer and video-editing program so that LSU can offer better quality DVD trainings to advocates who are not able to attend the live programs.

Recommendations:

To continue the goal of attaining an urgency of excellence in high quality effective advocacy throughout the city, LSU must address the following challenges to that goal:

III.7.1. Upon the completion of the legal needs study and the identification of and staff agreement on which legal needs are to be met, LSU may need to rethink the role and function of support coordinators. In order to be more responsive to staff substantive support needs, LSU may want to explore and experiment with some more flexible LSU staffing patterns – part-time staff, non-central location, law schools, etc. Regardless of staffing patterns, all advocacy support coordinators should be viewed not only as co-counsel but also sources for substantive expertise.

III.7.2. To improve internal communication within Legal Services NYC, LSU should establish a firm directory including an identification of staff by substantive expertise, membership on task forces, etc.

III.7.3. In addition to the Leadership Institute, there are other steps that Legal Services NYC should consider to create a professional cadre of attorney-managers with shared standards and goals. In addition to posting jobs that may be open, Legal Services NYC should consider the

planned rotation of skilled attorneys, on a voluntary basis, to other offices as way of expanding their management experience, bringing them into contact with other Legal Services NYC professionals, as a means of supplying new legal management to thriving or problem practice sections. By rotating senior professionals within the organization, Legal Services NYC would be creating a legal and management cadre that would be available for difficult or new tasks and, with time, will become a pool of capable individuals to become future project directors or assistant project directors in any branch or constituent corporation. By providing staff with these rotation opportunities, Legal Services NYC will be better able to retain the best manager-attorneys, assign skills where needed, and have a pool of potential leaders for the growth of the organization.

Finding 8: The quality of the legal work and the productivity of the offices is uneven within the program.

In the self-assessment prepared in advance of the LSC visit, Legal Services NYC identified the need for uniform quality of excellent assistance provided to clients throughout the city. At present, as acknowledged in the self-assessment, there is an uneven quality of legal assistance provided throughout the city. LSC's review of writing samples showed that in some offices advocacy and litigation are customarily high quality, aggressive, and often address broad issues. In other offices, advocacy is more routine and in some instances less than satisfactory. In some offices there were no case review standards or policies or supervision of legal work.

Similarly, the productivity of the offices, as reflected in case closing statistics, is uneven among the offices and well below the national median. In 2007 Legal Services NYC overall closed 94 cases per 10,000 poverty population. This is 37.6% of the national median of 250 cases closed per 10,000 poor. The number of case closings by office ranged from a low of 80 cases closed per 10,000 (Brooklyn Legal Services Corporation A) to a high of 109 cases closed per 10,000 poor (South Brooklyn Legal Services). No individual office came within 70% of the national median case closing figure.

This low case closing number is not explained by the high ratio and number of cases closed with extended representation. The number of Legal Services NYC's extended cases closed per 10,000 poor (27) falls short of the national median of 56.⁵ Programs with a limited amount of non-LSC funding are generally expected to have case closing numbers on the low side. This is not the case with Legal Services NYC where non-LSC funding represents approximately 64% of its total budget as compared to a national average of 57%. The team recognizes that some of Legal Services NYC's grants are for non-case producing work. But a majority of the grants are for individual client representation. The team also recognizes the amount of complex or high intensity legal work that some of the offices engage in may account for the low case closing figure. For example, the Disability Assistance Program (DAP) work would fall into this category. These disability cases take considerable time to develop and are open for long periods before the Social Security Administration issues an opinion. Nevertheless, despite these possible extenuating circumstances to account for the low case closing figure, the figure is so well below the national median that it requires a thorough analysis to ascertain whether the figure is reasonable under the circumstances or whether

⁵ Individual office extended case closings for 2007 ranged from 21 cases closed per 10,000 poor (Brooklyn Legal Services Corporation A and South Brooklyn Legal Services) to 50 extended cases closed per 10,000 poor (Legal Services NYC - Bronx.)

productivity is inefficient.

Recommendations:

III.8.1. To institutionalize the quality and excellence of its legal work, Legal Services NYC needs to develop uniform written legal work supervision standards to be applied city-wide. All legal work supervisors should be trained on these standards. The use of the legal work supervision standards should be a consideration during legal work supervisors' performance evaluation.

III.8.2. As part of the data collected to evaluate the firm's effectiveness, discussed in Finding 3, Legal Services NYC should include a periodic review and analysis of each office's case closing data. When an office's case closings are lower than 70% of the national median,⁶ Legal Services NYC should examine further the reason for the low number. Some of the reasons to consider for case closing numbers to fall below the base line include: a high percentage of extended services cases; the amount of staff time devoted to high intensity cases; other contract obligations that do not necessarily result in case work; and degree of other services undertaken by the office pursuant to office priorities that do not result in case work. This data can be reviewed to ascertain whether the office is meeting its goals and objectives, adequately addressing identified legal needs, and working productively.

Criterion 2: Private Attorney Involvement (PAI).

Finding 9: Legal Services NYC has begun to effectively integrate its private attorney involvement in city-wide legal representation to supplement client services.

Under the 2003 restructuring plan, Legal Services NYC began to coordinate PAI activities on a city-wide basis internally. Up until that time PAI efforts had been subcontracted to other organizations. As a result of bringing PAI in-house, Legal Services NYC has greatly expanded its PAI initiatives to meet client needs. Pro bono attorneys provide representation in courts and administrative tribunals, staff clinics, assist clients with community based economic development, provide legal education through community workshops, hotlines, and written materials, and provide community and professional training in poverty law. Attorneys with several New York City firms currently fill attorney positions in South Brooklyn Legal Services and in Legal Services NYC Brooklyn branch office. For 2007, Legal Services NYC increased the audited value of pro bono hours by over \$4 million.

The director of communications and government relations is responsible for coordinating PAI work.⁷ Her work is guided by a work plan of activities that are directed to promote, expand, support, and report the firm's PAI activities. Legal Services NYC was guided by LSC Program Letter 07-2 in developing their PAI work plan. The work plan calls for quarterly meetings of the Pro Bono Task Force, consisting of representatives from the various Legal Services NYC offices, to discuss ways in which the central office can assist programs in starting pro bono projects or programs maintaining and improving existing projects. Despite a description of tasks coordinated by the central office, the plan recognizes

⁶ LSC's Program Profile for each grantee provides the national median for the preceding year.

⁷ At present, there is no full time city-wide PAI coordinator for Legal Services NYC. Current staff spends approximately 40% of her time on PAI coordination efforts.

the limited capacity that the firm currently has for PAI management.

Two on-going projects are illustrative of the Legal Services NYC's innovative work with private attorneys and law firms. The New York City Bankruptcy Assistance Project is a pro bono project that recruits and trains attorneys from private law firms to help debtors prepare and file pro se bankruptcy petitions. Since the project began operation in May 2006, it has helped 1,400 debtors and prepared 140 bankruptcy petitions through the end of 2007, all but one of which (where a debtor came into an inheritance) resulted in successful discharge of debt through bankruptcy. Of the clients assisted, the average debt discharged was \$42,758, for a total of more than \$4,703,000 in discharged debt during the course of the project. In February 2007, the Bankruptcy Assistance Project was recognized at the Forbes Enterprise ceremony as a finalist as having distinguished itself through business ideas and innovations. Since its inception, the project has trained more than 200 pro bono attorneys from over 30 law firms throughout New York City.

In October 2006, Legal Services NYC began a pro-bono partnership with the law firm of DLA Piper (DLA) focusing on education issues and student discipline hearings in New York City public schools. The project seeks to further the work of education attorneys at local Legal Services NYC offices by adding resources to counterbalance the "zero-tolerance" atmosphere in New York City's public schools. This trend has resulted in the removal of ever-younger children from their schools for significant periods of time. Low-income students are rarely represented in school disciplinary hearings because there are few resources in New York City available to low-income parents who have children with educational problems. Project attorneys have successfully represented students in a number of disciplinary cases. The project is also working on systemic advocacy strategies to overcome some ongoing pervasive issues.

Despite major growth in PAI activities since 2004, there has been no city-wide assessment as to PAI staffing needs and the role each office and constituent corporation is expected to play with regard to PAI. Some offices, such as Queens Legal Services, do little PAI. Others, such as Manhattan Legal Services (MLS), are actively involved in PAI efforts. Private firms in Manhattan have worked with MLS attorneys in high profile cases. In one case, tenants sued the Salvation Army when it was attempting to evict tenants and sell the building to developers. Firms also helped in other landlord tenant cases concerning a practice to evict tenants from rent stabilized property so the building could be rented at market rents. MLS obtains pro bono attorneys through long term relationships that MLS has developed with Manhattan firms. Brooklyn Legal Services Corporation A has a part-time pro bono coordinator who places individual matters with law firms. She also recruits for the program, creates projects, and works to secure fellows for the program where private attorneys work full time at the program.

Recommendations:

III.9.1. In determining how best to allocate resources to meet the legal needs identified in the legal needs assessment, Legal Services NYC should view its expanding PAI resources as human capital to meet client needs. In so doing, it should rethink the role and responsibility of PAI coordination and consider a position, under the direction of the chief of litigation and advocacy, responsible for the implementation of a PAI plan designed to complement the legal needs analysis.

III.9.2. Existing local office PAI initiatives should also be coordinated to meet the identified legal needs. While some legal needs may be best supported by city-wide pro bono support, like the DLA project, other legal needs may be better supported by individual borough pro bono participation.

Criterion 3 & 4: Other program services and activities.

Finding 10: Legal Services NYC has a history of using technology to assist clients with a variety of referrals to program services and activities that benefit the eligible population.

Since 2001, when LawHelp.org/NY was the first statewide website to be launched, Legal Services NYC has served as the leader of the statewide consortium to oversee the website. As a result it has grown substantially. There are now resources in 33 languages. In 2006, LawHelp brought on-line a flash video tutorial in English and Spanish which has become a model for new initiatives of multi-lingual resource navigational enhancements. This year LawHelp received a LSC TIG grant for Live Help to provide real time and chat-based assistance to Spanish speaking and limited English proficient users.

During 2007, many improvements in the content and administration of the LawHelp.org/NY site were made. Three new topic areas (seniors, internet fraud crimes and prevention, and re-entry) were added. Legal Services NYC engaged in strategic planning that resulted in a plan with programmatic priorities for LawHelp/NY until 2010. In addition, Legal Services NYC helped to create and participate in several committees that oversee particular areas of LawHelp/NY's work: the executive committee, which oversees the budget and funding proposals; the outreach committee; and the special events committee, which organizes LawHelp/NY events in the community.

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

If Legal Services NYC views the legal needs study as the critical tool to model the development and implementation of a delivery system designed to meet client legal needs in every borough, then it is essential that every effort be made to establish Legal Services NYC as a single, cohesive law firm. Branding alone will not suffice. To be perceived and recognized as a single law firm, all of Legal Services NYC must first agree upon and communicate a statement of its vision and mission that reflects the aims of the entire firm. While Legal Services NYC central needs to develop an internal strategic communication plan, communication is only part of a larger effort to address the important issues of governance, leadership and administration in order to establish Legal Services NYC as one extremely high quality, well-functioning law firm.

Criterion 1: Board Governance.

Finding 11: Legal Services NYC has a board and governance structure capable of overseeing an effective city-wide law firm.

Prior to its restructuring in 2003, Legal Services NYC operated in part through subcontracts to non-profit legal aid offices throughout the city. While the relationship between the parties was defined by subgrant agreements and memoranda of understanding, the subgrantees operated with a fair amount of independence and little oversight. Poor or substandard performance by a subgrantee was rarely challenged. In 2003, pursuant to a strategic plan that was developed by Legal Services NYC with input from LSC, Legal Services NYC created a governance structure that includes a central board of directors and six separate constituent corporation boards of directors.⁸ The constituent corporations are the non-profit equivalent to subsidiary corporations with the Legal Services NYC board in the role of the parent corporation. The constituent corporations are linked to Legal Services NYC through a membership corporation structure under New York's not-for-profit law. Legal Services NYC is the sole member of the constituent corporations and has powers that include the power to appoint and remove members of the constituent board of directors, to appoint or remove a project director⁹, and to oversee finances and quality of services. The constituent corporations remain responsible for the delivery of services in their communities. This structure represents an attempt to balance a strong central operation that provides coordination, support and oversight with local delivery of services to the city's diverse communities.

Over the past five years, the Legal Services NYC board has developed into a more involved, active and sophisticated governing group committed to the organization and its mission. It is involved in major policy decisions and available to the executive director for guidance, discussion and support. The board has played a significant role in supporting Legal Services NYC management in major policy and strategic questions. For example, it encouraged and supported the needs assessment study being undertaken by central management; it supported the consolidation of the Harlem office into Manhattan Legal Services; it supported the receipt of grant funds to represent parents in abuse and neglect cases and created a new office to implement this grant; and it supported and encouraged the ongoing meetings between the board chair and the chairs of the constituent corporations. These meetings are particularly useful to examine common issues and to create a sense of a unified organization.

Program oversight is exercised through committees and the board as a whole. The Audit and Budget Committee is the one most actively engaged in oversight. There is a well developed budgeting and budget approval process that develops a three year budget. There are regular variance reports to the Audit and Budget Committee and the committee meets once a month.

Legal Services NYC's corporate structure has the potential to create obstacles to implementation of firm-wide policies and procedures. The constituent corporations all serve distinct communities. Some have been doing so for over 40 years, both independently and as part of the larger Legal Services NYC organization. Since the restructuring, the roles of the respective boards are more clearly defined. Legal Services NYC clearly has authority over the boards of the constituent corporations as described above. While constituent corporation boards allow Legal Services NYC to be more connected to local communities, they also represent another level of organization to overcome in achieving change. For example, constituent

⁸ The six constituent corporations are Legal Services NYC-Bronx; Bedford Stuyvesant Community Legal Services; Brooklyn Legal Services Corporation A; South Brooklyn Legal Services; Manhattan Legal Services; and Queens Legal Services.

⁹ The individual in charge of the day-to-day delivery of legal services within a constituent corporation is given the title of "project director" as opposed to "executive director."

corporations may resist the implementation of the legal needs study that may require difficult choices in allocating the firm's scarce resources.

A current issue arises under Legal Services NYC's governing structure which requires the Legal Service NYC board's immediate attention. The board needs to address certain conflict issues that if unresolved could interfere with its ability to function as an effective cohesive city-wide law firm. One unresolved issue is whether a client of one Legal Services NYC constituent corporation should have a conflict check with an opposing client of another constituent corporation.

Recommendations:

IV.11.1. If the Legal Services NYC board determines that the boards of constituent corporations present persistent obstacles to sound accountability and responsibility for the effective delivery of client services as one city-wide law firm, then Legal Services NYC should reassess its governing structure and consider another more effective structure.

IV.11.2. The Legal Services NYC board needs to clarify conflict ethical issues that limit and inhibit the implementation of firm-wide case management and legal supervision policies. Assisted by Legal Services NYC's pro bono general counsel, Legal Services NYC should develop board training not only for itself but for the constituent corporation boards on the issue of client conflict checks and general board conflict of interest policies.

Criterion 2: Leadership.

Finding 12. The leadership of Legal Services NYC has the authority and capability to be very effective in overseeing and directing a city-wide law firm.

Since assuming the leadership of Legal Services NYC in 2001, the executive director has demonstrated his leadership capacity by restructuring, recruiting and hiring a highly competent and professional management team that provides divergent opinions but is committed to the development of an infrastructure capable of supporting the largest non-profit law firm exclusively devoted to providing civil legal services. The Legal Services NYC corporate structure gives leadership sufficient authority to accomplish the goal of creating a high quality law firm through a variety of controls including the Legal Services NYC board and executive director's authority to hire and fire constituent corporation project directors; the authority to hire and promote staff; as well as the authority to allocate resources among all offices including those of the constituent corporations. The challenge for the executive director is to consistently and effectively exercise the authority and use it to build consensus to accomplish Legal Services NYC's goals.

One major challenge for the executive director is to achieve a common vision and sense of mission that reflects the aims of the entire organization. While the senior management team in the central Legal Services NYC office is committed to the vision of a single cohesive city-wide law firm, the members of the Executive Council (the nine project directors that lead each of the six constituent corporations and three branch offices) are not uniform in that commitment. This lack of commitment to that vision is both a historical and cultural balance of central versus local control. This lack of uniform commitment and existing constituent structure represents a major diversion of leadership resources in the time spent to make and implement management decisions and effectively direct a city-wide law firm.

Recommendation:

IV.12.1. The Legal Services NYC board should draft a common mission statement and engage the boards of the constituent corporations and the Executive Council in a frank and open discussion about the firm's city-wide mission and its implications.

Criterion 3: Overall management and administration.

Finding 13: Legal Services NYC is well administered with an effective overall central management. The information technology unit has dramatically improved the firm's technological capacities.

Following the restructuring of Legal Services NYC in 2003, the firm made a commitment to the professionalization of its administrative infrastructure. The result is evident in the very strong, diverse, capable and talented individuals recruited and hired to be responsible for the oversight and management of a \$44 million dollar law firm. The Legal Services NYC management structure provides the framework for operations, finance, human resources, technology, resource development and advocacy functions.

One example of extraordinary progress made over the past five years is the creation and development of a professional information technology unit (IT) to support a technology infrastructure capable of providing better client services and associated administrative support. In 2002, the firm had no coherent technology strategy, plan, or infrastructure. Data security was very limited and a number of networks had been compromised. System reliability was generally poor and staff morale around technology was very low at numerous offices. In most offices, computer and network speed were low. Information sharing and integration across offices were limited to email and floppy disk sharing. Network services and servers were duplicated in many offices but without integration there was no enhanced reliability. The quality of program technology varied widely and typically there was little routine maintenance or system monitoring. There was little planning and oversight of technology expenditures which resulted in inadequate funds for core technology and services as well as overspending on some goods and services. In many offices, staff with very limited training spent too many hours trying to address needs that could be quickly addressed by properly trained staff or consultants. By 2008 dramatic improvements have occurred in the firm's technology. While there is always room for improvement in the rapidly changing world of technology, the problems which existed in 2002 have been successfully addressed due to the commitment of Legal Services NYC leadership and the skill of its IT staff.

The IT unit is responsible for not only maintaining the technology infrastructure but also researching and developing new initiatives such as Hot Docs, a program-wide case management system, knowledge management and other firm-wide projects to increase advocates' efficiency. It has established a series of goals and objectives for the department to be accomplished within the next two years. These goals and objectives are reasonable given the department's current staffing and are geared to improve the overall delivery of legal services firm-wide. However, while increasing the skill level of technology users is a department goal, no time frame has been established for completing this work.

One management area of concern is the lack of a firm-wide continuity of operations plan.

Although the IT department has developed an emergency continuation of operations plan, Legal Services NYC has not yet issued a full firm-wide plan for continuity of operations.

Recommendations:

IV.13.1. Because staff see improved technology as a significant benefit from being part of a city-wide law firm, Legal Services NYC should use its information technology unit as an internal marketing tool for the concept of a single firm delivery of legal services.

IV.13.2. Before any introduction of new tools of technology or usage of CSR management systems, consideration should be given by Legal Services NYC as to how best to train and support staff on the effective usage of existing technology. The IT unit should establish a timeline for training staff.

IV.13.3. Legal Services NYC should adopt a city-wide continuity of operations plan.

Criterion 4: Financial administration.

Finding 14: Legal Services NYC has implemented a highly professional and effective financial administration.

A definite strength of Legal Services NYC is the well staffed finance department with a highly capable and talented team. Leadership by the chief financial officer, who has a MBA, provides Legal Services NYC with a strong business perspective.

All accounting functions are centralized. In the past, local offices acted as “silos” and often made decisions without sufficient financial information. The director of budgets and grant accounting has created budget workbooks for each local office with projections through 2010. The workbooks now give a clear picture of revenues and expenses to both the central office and the local project directors. This assists the project directors with fiscal decision making and planning. The next step in developing fiscal assistance for local offices is the creation of budget versus actual reports for local grants that will allow local offices to see where they are over or under spending on specific line items of each grant. This document will enable managers to be more clearly informed on specific contract performance issues. This major step forward was scheduled to take effect September 2008.

As discussed above, the Legal Services NYC board is actively engaged in financial oversight, especially through the Audit and Budget Committee which receives periodic financial reports on a monthly basis to track financial performance of Legal Services NYC and its component units. The budget approval process and year-end financial review, which is well-documented, are probably the most important stages involving the board in financial planning issues. The establishment of an Investment Committee to deal with the investment of accumulated surpluses or reserves and the new Development Committee to develop new sources of unrestricted assets (i.e. individual, corporate and institutional fund raising) are important positive steps that need to be implemented.

Criterion 5: Human resources administration. (HR)

Finding 15: Legal Services NYC is in the process of expanding the functions of the central HR.

Legal Services NYC reported that it recently engaged consultants to evaluate the central fiscal structure which resulted in adding a controller and a director of grants and compliance. At present the HR function of Legal Services NYC is overseen by the chief of operations with assistance from a HR administrator. A continuing challenge for Legal Services NYC is to be cognizant of HR unit staffing requirements to support HR functions as the unit takes on more of the attributes of providing services to a very large single law firm.

In an effort to develop program standards with regard to recruitment, attorney hiring, uniform orientation, Legal Services NYC created a “Rotating Firm Hiring Committee” comprised of project directors tasked with interviewing and approving new hires not in their local offices. The executive director approves all hiring recommendations made by this committee.

This past year the firm instituted the uniform evaluation of staff and in response to those performance reviews the creation of firm-wide professional development training. Some offices have yet to complete staff evaluations. Moreover, most of the project directors have yet to have their performance evaluated. While the by-laws of each constituent corporation require the annual evaluation of the project director by the constituent corporation board and at any time by Legal Services NYC, this has not occurred. Further, there is no uniform project director job description or evaluation procedure.¹⁰ While project director job “expectations” were developed in 2006, some project directors have no memory of them.

Recommendations:

IV.15.1. Legal Services NYC should conduct an analysis of HR staffing to determine if it is adequate in size to fully implement a professional development component.

IV.15.2. Uniform job descriptions should be developed for all staff, including project directors, as well as uniform methods of performance evaluation.

IV.15.3. Performance evaluations of all staff, including the project directors, should be a priority function and carried out regularly and consistently throughout the organization. It should be a top priority for Legal Services NYC to see that evaluations of all staff, including project directors, are completed by the first quarter 2009.

IV.15.4. Uniform evaluations of all members of the Executive Council should be conducted by the executive director with the subsequent sign off by the board chair of the constituent corporations.

Criterion 6: Internal communications.

Finding 16: While Legal Services NYC has done an excellent job of externally marketing and communicating the concept of Legal Services NYC as a city-wide firm, it has not fully developed an internal strategic communication plan.

¹⁰ Job descriptions for all members of the collective bargaining unit are found in the collective bargaining contract.

As a result of the 2003 strategic planning process, Legal Services NYC created a communications position. Under the professional leadership of the director of communications and government relations, Legal Services NYC has significantly raised its visibility and voice in city, state and national equal justice endeavors. As a result, the awareness of Legal Services NYC as a large and viable civil legal services law firm has increased dramatically. To promote this new awareness among staff, Legal Services NYC held its first city-wide all staff conference in March 2008, entitled “Achieving Justice: Celebrating Our Past, Planning Our Future.” This is an excellent first step in promoting Legal Services NYC as a city-wide firm among staff.

Recognizing the value of using technology to communicate the future direction of the firm, Legal Services NYC is in the process of launching a new website that will have the new brand look as well as an intranet for internal communication. One of the greatest challenges to Legal Services NYC at this juncture in creating a city-wide law firm is how to communicate to staff in local offices how the work and function of the central office goes to support the legal work being done at the local level to meet clients’ needs. During this on-site review, the team heard from many staff, who are faced with the day to day challenges of delivering services with limited resources and are critical of the amount of funds used to support the central office. For example, they do not understand the value of new central office staff positions or see any benefit flowing to their offices from the very successful Jazz for Justice fund raising event.

Recommendations:

IV.16.1. Legal Services NYC central needs to communicate its critical role in the support and administration of a city-wide law firm to meet the legal needs of clients. It cannot be assumed that staff understand the roles and functions of the central office vis a vis the local office.

IV.16.2. The board of Legal Services NYC should explore recent law firm and statewide legal services programs’ experiences with mergers to learn how to overcome obstacles to establishing a single firm culture.

Criterion 7: Resource development.

Finding 17: Legal Services NYC is in the process of developing an effective and comprehensive resource development plan.

Since 2003 Legal Services NYC has increased its fund raising capacity which has resulted in an increase in funding. In 2006, Legal Services NYC hired its first professional director of development who successfully implemented the program’s first fund raising initiative. The centerpiece of the initiative was a very successful Jazz for Justice event which raised \$1.5 million over two years. The board’s development committee plays a major role in organizing this event. Board members have been actively engaged in supporting this event which has successfully targeted significant law firm support. In addition to getting their firm to buy a table at Jazz for Justice, board members agree to make a personal contribution and secure an end of the year contribution from their firm.

The development director is also responsible for private and foundation grants, assisted

by a private consultant who works two days per week.¹¹ The development director is actively engaged in efforts to expand Legal Services NYC's funding base and is currently setting up new initiatives targeting the banking and real estate sectors. Ideas for future events include *Jogging for Justice* and *Jamming for Justice* (targeted at law firm associates). The firm has recently published its first annual report, and plans to develop a periodic newsletter. The development director also plans to initiate on-line donations. This new endeavor will present significant challenges of coordination with the constituent corporations, some of which have their own independent initiatives, and communication with line staff in local offices who are not informed of the overall Legal Services NYC development plan.

Also, since 2003 Legal Services NYC has been very successful in obtaining pro bono counsel to advise the firm on internal issues of concern. A large firm currently serves as its corporate counsel. The financial value of these donated services from leading New York City firms are immense.

Recommendations:

IV.17.1. Legal Services NYC should develop a central fund raising campaign strategy with two components: (1) a central Legal Services NYC campaign; and (2) a series of constituent corporation strategies for local resources.

IV.17.2. The Legal Services NYC board development committee should take an active role in developing development strategies and include members of the constituent corporation boards and non-board members who could add value and important contacts to development efforts.

IV.17.3. Resource development staff should be available to assist local offices in their development efforts.

IV.17.4. Legal Services NYC needs to be more strategic in communicating to staff the benefits derived from centralized resource development.

Criteria 8: Coherent and comprehensive delivery structure.

Finding 18: Legal Services NYC has made significant progress in its efforts to create a cohesive city-wide law firm; however, the cost effectiveness of the client service and delivery system in Brooklyn needs to be studied.

Legal Services NYC is moving in the right direction to create a cohesive city-wide law firm. The opening and staffing of a Legal Services NYC office on Staten Island is meeting a critical legal need there. The consolidation of program operations in Manhattan Legal Services has resulted in a new-found sense of purpose and direction. Legal Services NYC-Bronx has not only a new-found sense of client direction but increased staff engagement in addressing client legal needs.

The Queens Legal Services project director will retire at the end of 2008. Queens is the largest of the boroughs and second most populous (behind Brooklyn). Over one-fifth of its population lives below the poverty line. It is the city's most culturally diverse borough. Were each borough an independent city, Queens would be the fifth largest in the U.S. (Brooklyn would

¹¹ Legal Services NYC currently has over 150 funding sources.

be the fourth.) Hiring a project director with the skills to lead Queens Legal Services may take time. The hiring process should not delay the critical need to address delivery issues in Queens, such as priority setting, legal work supervision, quality of legal work, and engagement in the client community. The retirement of the project director offers Legal Services NYC an opportunity to install an interim director in Queens with a mandate to develop a work plan to address the legal needs of that borough.

Since the restructuring of Legal Services NYC in 2003, the only borough that has not reconfigured its delivery system is Brooklyn. In fact, the number of providers within the Legal Services NYC firm has increased in that borough. In addition to Legal Services NYC – Brooklyn Branch; Bedford-Stuyvesant Community Legal Services; Brooklyn Legal Services Corporation A; South Brooklyn Legal Services, another provider, Brooklyn Family Defense Project, has been added. Several of the Brooklyn project directors and managers have served in their positions for many years. In the interest of how best to meet the legal needs of low-income residents of Brooklyn, now is an opportune time for Legal Services NYC to engage the providers in Brooklyn in a cost effective analysis of the delivery system in this borough.

Recommendations:

IV.18.1. Legal Services NYC should immediately recruit an interim director of Queens Legal Services with a mandate to engage in the discussions concerning legal needs following the release of the city-wide legal needs study and to begin implementation of the study's findings. The interim director should also begin a concerted effort to raise the quality of the legal work of this program.

IV.18.2. Legal Services NYC should engage the Brooklyn offices and respective board members in a discussion on the design of a legal service delivery system for this borough that would reflect a potential transition in leadership and structure to ensure the delivery of high quality legal services. Legal Services NYC should consider engaging the services of a consultant to facilitate these discussions.

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

Finding 19: Legal Services NYC has become an active and integral partner in the overall legal services delivery system not only in New York City but in New York State as well.

With 17 offices throughout New York City with a low-income population of almost two million people, Legal Services NYC is itself a large legal services delivery system. The Legal Services NYC firm plays an enormously important role in the overall legal services delivery system in New York City and New York State. Legal Services NYC works closely in a wide variety of ways with other providers: such as, the LSU's coordination of task forces in substantive areas of poverty law (including housing, government benefits, disability, education, family law, employment law and HIV advocacy); the LSU's comprehensive CLE program in poverty law with over 100 classes a year attended by more than 2500 people; the firm's important leadership role in state planning efforts; co-coordination of the New York Statewide Project Directors Association and organizing the bi-annual New York State Bar Partnership Conference. Legal Services NYC works closely with the Legal Aid Society, Empire Justice Center and other organizations in advocating for, and securing state and local funding for, legal services. The challenge for Legal Services NYC is to share many of its innovative efforts with

LSC to be posted on the LSC Resource Information (LRI) website so that other LSC funded firms may benefit from the high quality professional work.