



**LEGAL SERVICES CORPORATION
OFFICE OF PROGRAM PERFORMANCE**

**FINAL
REPORT FROM THE
PROGRAM QUALITY VISIT**

TO

**LEGAL SERVICES OF SOUTHERN MISSOURI
DECEMBER 6 – 10, 2010
RECIPIENT #526051**

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**Program Quality Visit to
Legal Services of Southern Missouri
December 6-10, 2010**

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INTRODUCTION

Background on the Program Quality Visit

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a Program Quality Visit to Legal Services of Southern Missouri (LSSM) on December 6 – 10, 2010. The team members were OPP Program Counsel, Mytrang Nguyen (team leader), OPP Program Analyst, Jane Ribadeneyra, and LSC Temporary Employees, Patrick McIntyre and Carolyn Worrell.

Program Quality Visits are designed to evaluate whether LSC grantees are providing the highest quality legal services to eligible clients. In conducting its assessment, the team fully reviewed the documents LSC received from the program including: the 2011 competitive grant application to LSC, including budgets, technology and PAI plans, workforce analysis charts, case service reports, and other service reports. The team also reviewed the documents requested from the program which were submitted in advance of the visit, including documents relating to the program's intake, legal work, and case management policies and systems, advocates' writing samples and the results of an online staff survey. On site, the team visited the Springfield, Rolla and West Plains offices. The team spoke with LSSM staff, board members, judges, representatives from government agencies, members of the bar and community service providers.

In performing this evaluation of LSSM's delivery system, OPP relies on the LSC Act and Regulations, LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid. The evaluation and this report are organized according to the four LSC performance areas that cover: 1) legal needs assessment and priority setting; 2) engagement with the low income community; 3) legal work management and the legal work produced; and 4) organizational leadership and management including board governance, administration, planning, resource development and coordination within the delivery system.

Program and Service Area Overview

Legal Services of Southern Missouri serves a forty-three county area which covers 27,500 square miles and almost the entire southern region of the state. The program's service area is primarily rural with a total of five offices and a main administrative office in Springfield with a population of over 150,000 people. LSSM is one of four LSC-funded legal services providers in the state of Missouri and has a total of 39 staff with 13 attorneys, including the executive director. Currently, LSSM operates with an annual budget of approximately \$4 million with an FY2010 basic field grant from LSC of \$1.9 million.

In 2001, three organizations merged to form LSSM. Meramec Area Legal Aid Corporation based in Rolla, Southeast Missouri Legal Services based in Charleston, and Legal Aid of Southwest Missouri in Springfield, all joined to form the current service area and Legal Services of Southern Missouri. The program retained the Rolla, Charleston, and Springfield offices which continue to cover the same counties as the original programs. LSSM has since opened offices in

Cape Girardeau and West Plains to provide additional staff coverage in hard-to-reach counties. LSSM's main administrative office is located in its newly-built building in Springfield, a college town and small metropolitan hub for the southwest region.

According to the program, the service area has approximately 1.2 million people and nearly 15% or over 185,000 residents live in poverty. According to 2000 Census Bureau data, the poverty population in the service area is 87% white not of Hispanic origin, 7% black and 3% Hispanic. There is a large seasonal migrant population in the eastern counties of the service area and a growing Hispanic population in the western counties. The "bootheel" counties of the state, on the Arkansas and Tennessee border, have a sizeable poverty and African American population, according to Census data.

In 2009, LSSM closed 2,148 cases. Sixty percent of their cases were in family law, 16% in consumer/finance matters, and 7% in housing law issues. Their extended representation cases make up 56% of their total cases with limited representation cases constituting the remaining 44% of their cases.

LSSM has a long history of delivering civil legal services to rural clients using private attorneys who are practicing and located in the counties where clients live. LSSM refers to their private attorney program as "Judicare," which consists of private attorneys who accept case referrals from the program on a contract or reduced-fee basis. The attorneys in branch offices are generalists with areas of specialization such as domestic violence or bankruptcy, often depending on grant funding or experience. In the Springfield office, there are two specialty units, the juvenile unit and the domestic violence unit, in addition to staff who are specialized in housing and Medicaid.

Summary of Findings

Ten years after it was formed from the merger of three programs, Legal Services of Southern Missouri is building upon its foundation as an effective rural legal services program. Their "regional" approach to service delivery is both practical, given their size, and a vestige of how service delivery functioned prior to the merger. The program was able to sidestep significant merger tensions in 2001 by preserving office locations, preserving the most generous compensation policies of each program and applying them across the organization, and retaining many board members and staff from the previous programs. It has made important strides in functioning as a unified program, however, given the distance, loyalties and differences across LSSM's region and offices.

Over the years, LSSM has made an investment in technology which has created a model system for a legal aid program in many respects, particularly with their comprehensive use of Kemps case management. The organization has significantly increased its non-LSC funding by over \$1.2 million since 2007 through a combination of statewide efforts, local grants and local private bar campaigns. Last year, LSSM purchased, built and moved into an attractive, new office building in Springfield. The program recently unveiled a new logo and branding effort, with a redesigned web site, www.lsosm.org, and newly-launched capital campaign to raise funds for the

Springfield building. The program has also sought to recruit new staff and staff attorneys with a commitment to supporting their growth and professional development.

With an expansive, rural service area, LSSM has created access to their services for clients in hard-to-reach counties by building and strengthening their Judicare model over several decades. They continue to invest in Judicare and seek to build pro bono participation with focus and enthusiasm. LSSM engages in effective strategic planning and regular needs assessments, which gives the program longer-term direction and discipline. As discussed more fully in this report, LSSM has opportunities to continue unifying the program in assessing key elements of their delivery model as a whole and asking how it can best achieve its mission: *To improve access to justice in civil matters to the clients we serve through quality representation.*

FINDINGS AND 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.

Finding 1. LSSM periodically engages in comprehensive needs assessment and long range planning processes.

LSSM has a formal and regular legal needs assessment process which includes a review of their case management data and email surveys to clients, social service providers and members of the bar. Their last comprehensive legal needs assessment was in 2007 as part of their long range planning process. The LSSM board of directors also establishes a Legal Needs Committee each year to review the program's Priority and Case Acceptance plans to make changes and recommendations on it to the full board and based on their analysis of cases from prior year(s).

The program is currently in the second half of its most recent four-year strategic plan, covering 2008 – 2012 and adopted in June of 2007. A review of LSSM's strategic plan was impressive because the program attained or has begun to implement a number of objectives under their two broad strategic goals: 1) To increase public awareness of and support for legal services to low-income people to respond appropriately to their legal needs; and 2) To ensure the quality, efficiency and effectiveness of our programs.

These long-term goals and the accompanying objectives have effectively focused LSSM on raising awareness and support for legal services in the courts, bar and across the communities in which LSSM operates. It has also strengthened key internal operations such as technology capacity, communication with technology, case management and finance systems which has resulted in efficiencies.

In the next iteration of their strategic or long range plan, LSSM has an opportunity to fully consider the changing demographics of their client population, changing nature of rural access issues, and emerging or unaddressed access issues such as language barriers and race. It can also consider the question of legal need in the context of the economic recession and the recurring problems LSSM can address for client communities who face barriers to accessing basic needs

such as housing, health care and benefits. This will build on and broaden LSSM's ability to diversify its caseload, particularly in the rural offices, and bring in and leverage new funding and resources for their work and for client communities.

As LSSM engages in future needs assessment and strategic planning processes, it should also seek to bring in new perspectives through a cross section of staff, bar members, and community partners. This creates an opportunity to continue unifying the program, engage new potential partners, supporters and leadership, while grounding LSSM priorities in timely and pressing client-based issues. It also allows LSSM to integrate their annual needs assessment and strategic planning process to also develop a long-term strategy which considers impact and outcomes for client communities.

Recommendation I.1.1.1*¹ *In future strategic planning and needs assessment processes, LSSM should make efforts to engage new perspectives of staff, bar members and client representatives and take a comprehensive approach to identifying client-eligible groups and long-range strategies to address pressing legal needs.*

Recommendation I.4.1.2* *Related to its strategic planning and needs assessment processes, LSSM should expand its efforts to diversify its caseload in non-family law civil matters.*

Finding 2. The program has not regularly engaged its staff, interoffice or program-wide, in evaluating the effectiveness of its delivery strategies, work and operations.

The team observed that LSSM makes continuous improvements to its internal administrative systems and operations as a result of technology improvements and investments and as part of its strategic plan. As mentioned above, it also appears to improve and refine its case acceptance policies regularly. The program does not choose to engage in regular program-wide or interoffice assessments of its substantive work, delivery approaches, or grant programs, nor has it received a comprehensive evaluation from an outside funder.

Internal evaluations can be specific and targeted in scope and do not need to be overly formal or time consuming for a program and its staff. By encouraging and engaging staff in regular discussions which assess grants and projects, elements of its delivery system, and the services it provides, LSSM can ask significant questions which clearly define and capture the impact of their work. LSSM has a number of opportunities to engage its staff in asking how to improve its delivery system, and this report will suggest several possible areas to do so including, strategic planning and identifying emerging needs and populations, intake, legal work oversight and impact, and technology.

¹ Throughout this report, Recommendations will cross-reference with the LSC Performance Criteria. The sequence of the reference is as follows: Performance Area (Roman numeral). Criterion (Arabic numeral). Finding (Arabic numeral). Recommendation Number (Arabic numeral). Level (asterisk). The presence of an asterisk indicates those recommendations which will be incorporated into the program's LSC competitive and renewal grant application process.

Recommendation 1.4.2.1 LSSM should make efforts to engage perspectives of staff and client representatives in asking how to improve its operations and delivery system in areas like needs assessment and strategic planning, intake, legal work oversight and impact, and technology.*

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

Dignity and Sensitivity

***Finding 3.** LSSM has clear, uniform internal intake protocols. The comprehensive use of technology and Kemps has streamlined their internal intake process.*

LSSM uses a “regionalized” intake system with Springfield/West Plains, Rolla and Charleston/Cape Girardeau responsible for their own intake. All offices are using the Kemps case management system (Kemps) which LSSM’s director of IT customized for the program. Because of staff use and reliance on their customized Kemps system, the intake protocol, including call scripts, conflict checks, verification of data, and turnaround time for application decisions appears to be functioning efficiently and consistently across the offices, mitigating any potential drawbacks of not having a centralized intake capacity.

Each office has a toll-free number and staff responsible for handling calls or walk-ins from 9:00 a.m. – 3:30 p.m. Monday through Friday. The program’s VOIP telephone system allows other offices to assist with backup telephone intake when an office is short staffed. There does not appear to be any monitored queue system for the intake lines and the program has not set up the system to allow callers to leave messages for callbacks in the system. When lines are busy, callers hear pre-recorded messages directing them to the LSSM web site to submit an online application.

The program allows applicants to apply online at any time and intake staff review the “web applications” every morning and periodically throughout the day. The paralegals and intake staff interviewed by the team were pleased with the web applications and noted that it makes the intake process “a lot faster for staff.” The smaller offices average seven web applications each week and occasionally up to five in one day. The director of IT predicted that 30% of the intake applications will be from the online system in the last quarter of 2010. Team members viewed the online application through the LSSM web site and observed that the application was easy to find and navigate on the web site. The application itself seemed somewhat lengthy and included complex questions about assets and income, for example, not written in plain language. This has the potential to be confusing or daunting for applicants, and raises a question about the accuracy of the information submitted online, underscoring the importance of intake staff follow-up calls for all web based submissions.

After the applicant has been fully screened, intake staff forward their case notes throughout the day and through Kemps, to managing attorneys for review and recommendation. The team noted that much of the back-and-forth questions about intake between the LSSM staff occurred in the instant messaging system in Kemps. Emergency matters are reviewed by the managing attorney right away and if the attorney needed additional information s/he frequently communicated via

real-time instant messaging in Kemps. For advice cases, the attorneys make their recommendation in the case notes for the paralegals who call the applicant back the same or following day.

When applicant cases are accepted by the managing attorney for a staff or Judicare attorney, applicants are usually notified within a week. At this juncture, the intake/case acceptance process takes a turn that was curious to the team members. In particular, once a case is accepted or referred, applicants are notified via mailed, hard-copy letter asking the applicants to call for their follow-up appointments. While this only happens in non-emergency situations, it stood in stark contrast to the streamlined, nearly automated, phone and online processes during intake and raises a question about client “dropoff” after a case is accepted.

Considering that it operates on a regional basis with each office managing its own intake, LSSM made tremendous strides in creating an intake system which is internally streamlined and effective. As it continues to improve and refine the system, the staff should ensure each step of the intake and case acceptance process is rational and useful for both applicants and staff and create ease of access for clients at each step.

Recommendation II.1.3.1* *Engage staff and client representatives in assessing effectiveness of the intake system across the offices including the following: simplifying language and length of web application, consistency in web application verification, notifying clients of case acceptance by callback as well as by mail, and a phone messaging system allowing for messages and callbacks.*

Finding 4. LSSM has a strong reputation in the community and treats clients with respect, dignity and high standards of professionalism.

Client and community relations: LSSM enjoys a strong reputation in the community based on partner and referral service providers and government agencies interviewed as part of the visit. Many interviewees recognized the value of LSSM’s outreach efforts in the community and noted that the extensive use of private attorneys, either Judicare or pro bono, expands the positive reputation and perception of the program. Several judges interviewed noted that LSSM staff and Judicare attorneys were some of the best attorneys who appeared before them, and they are unable to distinguish LSSM clients from “paying” clients or parties because the quality of lawyering is the same, if not better.

Offices: During the week of the visit, the team operated from the program’s newly-built office building in Springfield. It was an attractive and professional space with a large conference room that the program plans to use to host events, trainings and presentations using their program-wide teleconferencing system. The new location is closer to the courthouse and closer to north Springfield, where more low-income clients reside.

Their other offices, as mentioned, are locations based on offices which existed prior to the merger and practical considerations, including the fact that the Charleston office was located in a building fully-owned by the program. LSSM opened an office in Cape Girardeau in the eastern part of the state and West Plains in the southern part of the state and significantly supplements its

reach across the region using Judicare and pro bono attorneys. The branch offices visited were clean and professional and all are equipped with and using the program's teleconferencing system.

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

Quality and Quantity of Legal Representation

Finding 5. LSSM represents clients effectively largely through individual service work.

Legal representation: In full and more limited forms, the program represents clients well and effectively. During the PQV, the team spoke with numerous individuals who spoke highly of the LSSM staff and the team also had opportunities to observe staff taking LSSM's mission seriously. Examples of this commitment to representation include strengthening their representation of violence survivors and developing statewide leadership in human trafficking issues. Recently, the domestic violence unit implemented detailed and comprehensive review and case acceptance process for applications where there is an allegation of abuse. The case acceptance process is thoughtfully detailed and thoroughly assesses all relevant areas of law, including a lengthy interview process that directly incorporates the *ABA's Standards for Lawyers Representing Victims of Domestic Violence, Sexual Assault and Stalking*. At the same time, the domestic violence unit has also developed statewide expertise in the emerging area of serving clients who are victims of human trafficking.

The team observed and discussed with the program that the number of their cases closed per 10,000 poor people was below national averages collected by LSC which was partly attributable to special grants for which the program was not reporting cases to LSC. In addition, LSSM case statistics show a high emphasis on family law cases (60% for LSSM compared to LSC grantee average of 39%) and low proportion of housing cases (7% for LSSM compared to LSC grantee average of 26%). It is important for LSSM to understand why these differences exist and to use these case statistics to adjust and adapt their practice to client and community needs. As mentioned above, this should occur in LSSM's strategic planning and needs assessment processes. (See *Recommendations 1.1.1.1 and 1.4.1.2*)

Supervision and Legal Work Management

Finding 6. The program does not consistently conduct in-depth case review of open cases nor does it have clear performance standards or oversight of its legal work.

LSSM benefits from a number of veteran staff and Judicare attorneys who are professional, experienced and knowledgeable in their areas of specialization. As discussed, this results in consistently quality individual representation. The program has also more recently sought to recruit newer staff to develop new leadership opportunities and projects. Legal documents prepared by LSSM's advocate staff were uniformly found to be well organized, researched and

written. All of the judicial officials interviewed reported that LSSM lawyers were zealous, well prepared, ethical and professional.

When asked about supervision and case oversight, staff uniformly shared that they are making excellent use of Kemps to handle the administrative aspects of legal work oversight, particularly for Judicare cases. Supervisors use Kemps to manage Judicare caseloads, ensure timely case closings and appropriate actions. The team observed, however, that the program lacked consistency and regular oversight of attorney caseloads and case work.

The managing attorneys were accessible with an “open door policy” but not proactive in supervision and legal work guidance. This is inconsistent with several other indications of LSSM’s overall commitment to quality representation. It appeared to the team that the program has not developed written or clear standards for case handlers and does not conduct periodic in-depth review of open cases. Notwithstanding the high experience level, education and knowledge of LSSM’s staff, LSSM should consider how it can recognize the experience and performance of their staff and also have a deliberate plan to support their attorneys in representing clients with maximum effectiveness. These external trainings and supports are offered for new staff and Judicare attorneys, largely through the efforts of the litigation director, and should also be offered to veteran and experienced staff .

Recommendation III.1.6.1* LSSM should offer more consistent legal work oversight, supervision and professional development opportunities. This can include written standards, training for supervisors, regular in-depth case review and identifying more complex work or opportunities to develop expertise in new or emerging substantive areas.

Finding 7. LSSM does not regularly or formally assess cases and legal issues for possible impact beyond individual clients but partners with others to achieve broader outcomes.

LSSM has strong working relationships with law enforcement and government agencies. Their attorneys also work with the other legal aid programs to develop projects and on cases. As mentioned above, the program has developed expertise in human trafficking and recently sponsored a statewide conference on the issue. In the eastern region, a veteran attorney has litigated cases in federal court with the Legal Services of Eastern Missouri against rural housing authorities treating low-income tenants unfairly. Recently, LSSM also referred a consumer case to the Attorney General’s Office which resulted in a large settlement against a predatory financial services firm and impacting numerous consumers who had been scammed. The team observed that LSSM does not frequently handle their individual cases through appeals, nor does it have a vehicle to regularly assess whether an individual case should be appealed.

As previously discussed, LSSM takes seriously their responsibility to study and set priorities to use their resources and funding effectively. In addition to their substantive areas of focus, LSSM takes five broad factors into account for case acceptance: impact on applicant, chance of success, availability of other resources, availability of program resources, and cooperativeness of applicant. In these considerations, the program does not explicitly or formally consider the possible impact on or benefit to other low income people who may face similar legal problems. As a result, the program focuses on quality individual work, largely in family law cases, with

less focus on achieving results for low income individuals or communities overall as recognized in ABA Standard 2.6 and the LSC Performance Area Three, Criterion 1(c).

The team was sensitive to the mores of the rural region which was tight-knit, proud and traditional, as noted often by many interviewees. The team also recognized LSSM's tremendous achievement in creating large scale access to rural clients, one case at a time, with their staff, Judicare and pro bono attorneys. The ABA and LSC standards in this area speak to how programs maximize limited resources and achieve lasting outcomes for client communities. Because LSSM staff people work with low-income individuals and communities on a full-time basis, they are uniquely situated to see and address larger patterns and issues which affect low-income people in the region. The standards encourage programs to seek opportunities to address larger problems as a way to maximize resources and community outcomes, and also provide meaningful leadership and professional development for new and experienced staff to work on complex and impactful legal matters.

Recommendation III.1c.7.1* *LSSM should consider ways to continue incorporating broader impact legal work into a diversified caseload and the efforts of all staff, Judicare and pro bono attorneys. This can also be incorporated with legal work supervision and professional development planning.*

Private Attorney Involvement

Finding 8. LSSM has created significant access for their hard-to-reach rural clients through Judicare and pro bono. As a rural program, it also engages a large number of private attorneys in their work.

LSSM is committed to employing the skills and experience of private attorneys in their rural service area and has built their "Judicare" model over decades and since the inception of the program and previous programs. LSSM has and continues to engage the private bar in its rural service delivery creating more meaningful access and services for clients in hard-to-reach counties. Across their 43 counties, the highest concentration of attorneys, approximately 1,000, are practicing in the Springfield metropolitan area. Many participating private attorneys "sign-up" for both pro bono and Judicare cases. The program has a panel of 256 pro bono attorneys of which only 40 took cases in 2009. 147 of their 300 Judicare attorneys accepted cases in the same year.

It maintains a strong and positive relationship with the private bar with a very deep alumni base in the region which now includes numerous judges, bar leaders, elected officials and highly-reputable attorneys. LSSM has been strategically leveraging and deepening these relationships to expand support for legal services statewide and with LSSM's own a private bar and resource development campaign. The Springfield Metropolitan Bar Association and its most recent president asked LSSM to bring available pro bono cases to their monthly luncheons, resulting in a growing pro bono commitment and awareness. Subsequent to the visit, the bar association recognized the executive director for his dedication to legal aid and committed to take additional pro bono matters from LSSM in honor of the outgoing bar president.

LSSM follows a comprehensive and effective written private attorney plan that sets specific goals and is closely followed in practice. Staff have developed, updated and make regular, effective use of a clear, well-organized and thorough PAI manual (*Participating Attorney Handbook*) which was recently revised to incorporate the removal of the attorneys fees restriction for LSC cases. The LSSM staff demonstrate a high respect and appreciation for Judicare and pro bono attorneys; and the PAI coordinator, litigation director and managing attorneys provide efficient backup support and oversight of their PAI cases. The program's PAI administration is fully integrated into their case management system with PAI attorneys managing cases online and submitting invoices and receiving payment electronically.

Other Program Services and Activities

Finding 9. The program has strong ties with community service providers and is developing other delivery methods to expand their reach.

LSSM engages in a range of outreach activities and community legal education work, targeting its audiences and tailoring presentation materials in light of the program's priorities and strategic plan. The development director coordinates the program's community education and outreach and attending community fairs, and connecting with community groups. The Springfield managing attorney engages in almost weekly outreach and education about landlord tenant issues and the development director and volunteer lawyers also conduct outreach and community education.

As mentioned above, the program also has a fruitful relationship with law enforcement including the Consumer Protection Division of the Missouri Attorney General's Office, the U.S. Attorney's Office for the Western District of Missouri, and county prosecutor's offices. With these entities and with nonprofit service providers, there is a system of reciprocal referrals and joint preparation/presentation of trainings and materials. LSSM hosts meetings of the regional coalition on domestic violence and works regionally with the Community Partnership of the Ozarks, a housing collaborative, Senior Link, and other task forces to coordinate services and resources.

In the outlying areas, the development director works with LSSM local offices on outreach and recently assisted with the training on human trafficking in the Cape Girardeau office. The staff at outer offices maintain good relationships with community organizations with the development director helping to coordinate and build upon these relationships. LSSM estimates that it conducts 500 presentations annually staff wide. The managing attorney for Springfield does several community education events a month on landlord tenant issues, the development director has approximately does 50-75 speaking engagements per year and the program also uses volunteer lawyers to do presentations on their areas of expertise like estate planning, simple wills, bankruptcies with the program providing their own publications and relevant educational materials from the attorney general's office and the Missouri State Bar.

PERFORMANCE AREA FOUR. EFFECTIVENESS OF GOVERNANCE, LEADERSHIP AND ADMINISTRATION.

Board Governance and Executive Leadership

Finding 10. The LSSM board of directors is engaged and works well with the executive director and senior staff leadership. Board members are dedicated to the program and region as a whole and have significant tenure, experience and deep relationships in the community.

The LSSM's board of directors is very engaged in overseeing policy decisions and setting priorities for the organization. All the board members interviewed acknowledged a spirit of mutual respect, support and purpose on the board, and with the executive director. The board members interviewed seemed knowledgeable about recent important decisions for the organization, particularly the purchase and development of a new Springfield office building. They also appreciated the detailed financial information provided to them throughout the year and in their annual budgeting process.

The executive director has been at the organization for over 30 years and his dedication and commitment to LSSM was praised by the board members interviewed, who noted his tireless and positive leadership managing the merger. Both the executive director and a number of board members have served on the board of LSSM and the predecessor programs for 20 years or more. In 2006, the board amended their bylaws to eliminate term limits. The term of the board members is now six years "or until their successors are selected." Board members are also allowed to succeed themselves for two terms. The rationale for amending the board term limits is to retain institutional knowledge and maintain the high level of engagement on the LSSM board.

Maintaining board engagement is important and can be a challenge with attorneys and client representatives who are busy and making a significant time investment on a volunteer basis. As LSSM's size, budget, grants, and complexity of operations has grown, the need for an engaged, independent and diverse board is critical. Because the executive director and key board leadership have significant and shared tenure, LSSM should take steps to ensure the board exercises its oversight function to perform regular written formal evaluations of the chief executive. The board of directors should also consider self-evaluation as a way to identify where they can bring in new members. The evaluation of the chief executive should be a positive experience for both the board and the executive and measured against clear goals. The board's self-evaluation is also essential to promoting an active, engaged, and knowledgeable board. It can also identify areas for board training and substantive areas where the board could benefit from different perspectives and new members. Both processes provide an opportunity for leadership to step back, reflect upon, and take a "fresh eyes" approach to how leadership functions and how to continue to strengthen its effectiveness.

With the executive director also playing a long-term, pivotal role in the organization, it is important to consider how to best approach succession planning of the executive and board leadership. The program has made significant strides in its first ten years and, as stewards of the program and its mission, LSSM leadership is encouraged to explore the best approaches to build

its board and staff leadership capacity and to bring diverse perspectives and experience to the organization into the coming decades.

Recommendation IV.1.10.1* *LSSM should develop a formal evaluation plan for the executive director.*

Recommendation IV.1.10.2 *LSSM should continue conversations started this year about leadership succession planning scenarios.*

Recommendation IV.1.10.3* *The board of directors should consider a self-evaluation to identify areas for training and recruitment.*

Management and Administration: Technology

Finding 11. LSSM has invested in technology to create a model capacity for a legal aid program in many respects.

Infrastructure: LSSM has made an investment in technology for the program, and has created a model system for its technology infrastructure, including reliability, security, back-up systems, disaster planning, and the integration of their case management system and financial systems. Instead of desktop computers, they use thin clients connected to terminal servers (servers that provide a workstation's functions), "which has eliminated 99.9% of all local workstation issues," according to the director of IT. When LSSM replaced their local desktops with the thin clients connected to servers, they also replaced Microsoft Office suite with OpenOffice, an open source alternative which has integration problems with Office products.

Case Management: As mentioned throughout this report, the program uses the Kemps case management system which has been customized for the program and they are using it at a highly functioning level. For instance, their Kemps system includes over 130 error checks built into the system to ensure compliance and prevent data entry mistakes; it has an internal messaging system that the staff uses regularly to communicate about cases; all letters in Kemps are automated, and once selected in the system, a hard copy is printed to mail to the client and an electronic copy is saved into Kemps; and it provides for the electronic storage of all files and documents associated with a case, enabling the program to move to an integrated paperless client file system.

Video Conference: LSSM has a sophisticated video conferencing system that connects all of their offices, which they use primarily for staff meetings, CLEs and other staff training, staff orientation, and other ad hoc meetings. The team made extensive use of the video conferencing system to meet with program staff and community partners from throughout LSSM's service area and was impressed by the ease of use and the telepresence feel (like a face-to-face meeting) provided by the system. The program indicates they have plans to use the system even more broadly, working with the Missouri university system and for CLE trainings. This technology provides a lot of opportunities to be used, particularly for rural service delivery and to connect all their offices.

Security: LSSM management has an exceptional concern for security and, as a result maintains very high security standards for the program. The concern for security, automation and centralized systems should be balanced, however, with the practical needs of staff. During the visit, LSSM staff were not able to open content on their own LSSM web site to show the team. Staff had limited ability to view video clips and were required to go through a permissions process to perform basic Internet searches from their desks. At the time of the visit, the program was working on remote access capacity for all staff, which will have positive implications for rural service delivery.

Technology Planning: Technology planning for the program has been the responsibility of the executive director, with input from the director of IT and the director of administration.² In the next year, LSSM will transition from having a full-time director of IT to an outsourced IT support company. While the program will be losing the innovation and strategic planning capacity which the director of IT brought to the program, LSSM also has an opportunity to think differently about how it engages its staff (end-users) in technology planning to facilitate the adoption of new technologies throughout the program and ensure technology decisions are rational for the program and staff people. While LSSM is a model in many respects on the best use of technology in a legal aid program, it should engage staff input in their technology planning and decision-making. It can also engage client and board members to explore how to expand advocacy and client services with their technology infrastructure.

Recommendation IV.3.11.1* LSSM should ensure it includes staff in technology planning and decision making, particularly as it looks to use technology to better address client services and needs, possible with the creation of a technology planning committee.

Financial Administration and Human Resources

Finding 12. LSSM has created an excellent finance capacity, particularly given the complexity of its funding across its offices and services area. (Criterion 3)

The program has a centralized finance function which is well-staffed with three experienced professionals, a director of finance and administration, a fiscal officer and a data clerk. The program has the ability to provide quality financial information to board and management and indicated that it provides timely reports to the board of directors on a regular basis. Through the years, the program has invested a significant amount in their finance and technology systems. They have fully integrated Kemps with their MIP accounting software and their internal payroll processing capacity is a model of efficiency and fully integrated with the Kemps timekeeping system.

As the size, complexity and diversity of their funding sources has increased, the program's finance capacity has also expanded to meet the need for more complex financial oversight and analysis. The finance team takes pride in a comprehensive approach to tracking and using LSSM's financial information to allocate and track multiple grants across their five offices, manage program finances carefully, and plan their budget thoughtfully.

² Prior to the visit, the director of IT announced his resignation from the program which, at the time of the writing of this report, has occurred.

Finding 13. LSSM has adequate HR systems and is interested in investing more in HR administration.

Human resources is an area which is shared in finance and executive management in LSSM. The program handles recruitment, hiring and benefits administration through the finance team and staff with the local offices responsible for their own advertising and hiring on the most part and the executive director involved in attorney hiring decisions. Their centralized HR and finance team is responsible for guidance on salary, job descriptions, orientation and the evaluation process.

The program maintains effective recordkeeping, new hire orientations by video conference and tries to have bi-monthly video conference trainings for staff on policies such as drug-free workplace and areas of staff development. The program is committed to recruiting new staff and more recent law school graduates when possible and in order to develop a pipeline within the program for leadership and innovation. LSSM recently hired two more recent law school graduates in their Springfield office.

During the merger, the three separate programs agreed to retain the most generous benefits from each organization and fringe benefits now constitute 32% of LSSM's total personnel expenses. The program pays full individual and half of the family health care insurance coverage and contributes 10% to employee retirement and pension. As the program looks at recruitment and retention strategies as part of its strategic plan, it will consider and balance the choices on how its overall benefits package impacts the recruitment and retention of their staff. As LSSM experiences attrition or has opportunities to hire new staff, it should place a priority on diversity and language capacity of their staff as it has begin to do with its more recent hire of a staff attorney who is conversant in Spanish.

Resource Development

Finding 14. LSSM has built a dynamic resource development and communication capacity which is yielding results for the program.

LSSM's director of development and resource coordinator and senior management at LSSM are committed to fundraising and bringing new resources to the program which has yielded excellent results for the program. LSSM has a thoughtfully designed a successful development and marketing function and continues to operate a highly successful fundraising and resource development effort, a remarkable accomplishment for a rural program and in the midst of the current economic recession.

The program conducts an annual golf tournament and has Campaign Cabinets in Charleston, Springfield, and now Rolla which engages the managing attorneys, board members and bar leaders in resource development strategy and outreach for the program. LSSM will continue to develop cabinets for the other 12 counties and has just launched a \$500,000 capital campaign for their new Springfield office. In the bootheel region, the program has raised \$35,000 from the

private bar. The director of development uses Grant Station and Guidestar to actively research funding opportunities and uses DonorPerfect to track LSSM's fundraising activities.

The director of development is also responsible for developing messaging for the program which is appropriate and meaningful. LSSM just completed a branding effort by working with a low-cost designer to create a new logo that symbolizes access to the courts, the legal system and justice. The program is also active in public relations with regular press releases and contacts with the newspapers in all 43 counties. They have started a social networking effort in connection with the launch of their new website and brand.

Participation in State and Regional Justice Community

Finding 15. The program staff provides leadership on statewide efforts and actively supports advancing the Missouri justice community.

LSSM's executive director plays an active role and critical role in the statewide legal services community and his close cooperation with his fellow program directors has helped the state invest more resources into legal services and the region.

The director of litigation sits on the statewide legal services committee and is a member of the Missouri Bar Board of Governors. There were numerous instances where external stakeholders, other directors and advocate staff described how the staff at LSSM generously shared time, information and resources about Kemps, case matters and pro bono strategies for rural areas. The program and its supporters should take pride in the generous and community-oriented spirit modeled by so many of the LSSM staff in these efforts.

CONCLUSION

As LSSM celebrates 35 years of providing services in southern Missouri, it should celebrate its strengths and accomplishments as an organization and in the justice community. The program has addressed tremendous challenges in rural services delivery with Judicare, pro bono and technology. It enjoys an excellent reputation in the community, with a deep base of support among the bar, judiciary and service providers. As it looks to the future, LSSM has opportunities build its long-term reach and impact in low-income communities by again engaging its staff, supporters and client communities in defining its direction and impact.