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LEGAL SERVICES

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June 22, 2009

John Eidelman, Program Counsel
Office of Program Performance
Legal Services Corporation
3333 K Street, NW 3rd Floor
Washington, D.C. 20007-3522

Dear Mr. Eidelman:

This comments briefly on your draft program report of your visit to MVLS on March 23-27, 2009. We found the LSC team you led to be highly professional, respectful of staff, helpful, and knowledgeable. We have already begun (or, in some cases, completed) implementing your recommendations.

On page 2, ¶ 2, there is a technical mistake in describing the delivery system created as a result of the Massachusetts state planning process. I think the following revision would be more accurate, although of significance only to those familiar with the system and the process: "The new structure of the civil legal services delivery system created four regional delivery systems by separating LSC grantees from Massachusetts Legal Assistance Corporation grantees in each region based on primary funding source. It then called upon the resulting set of grantees to work together in the four regional delivery systems."

On page 6, **Finding 5**, ¶ 2, l. 6, please insert the sentence "**Khmer speaking applicants are sent to one of the Khmer speaking intake workers.**" following the line beginning: "Spanish speaking applicants are sent workers.": The last clause of that sentence would then become an independent sentence: "Language Line is used for other non-English speakers."

We believe the recommendation II.6.1. on page 8 is based on inaccurate reporting to LSC by an agency. The statement that [a] referring organization "believed there was a proper referral and was unclear about why the applicant couldn't be helped" may misstate that organization's actual knowledge of our operations. Our program liaison to that agency had briefed its director in person and given his staff literature describing our program's priorities. And, as the recommendation would suggest, in every instance we have a relationship with a community organization, we have been quite explicit with their staff about what types of legal issues are appropriate referrals and what are not.

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On page 12, ¶ 3, under the discussion concerning the numbers of average active caseloads of attorneys, we would like to point out that this average includes a staff attorney on maternity leave who had no active cases and a new attorney who had been with MVNS a little over three months. On June 22, 2009, we had an average caseload per attorney of 49. All of our family lawyers carry a caseload of complex cases involving domestic violence that is above the Massachusetts standard for domestic violence cases of thirty such cases.

The recommendation IV.15.3 on page 18 speaks of "compliance with its obligations" under Sarbanes-Oxley. I think it accurate to state that S-O does not cover non-profits, such as MVLS, but does offer a useful guide to good practices. For example, we have a separate audit committee of the board, whose members are uncompensated, free from conflicts of interest, not part of the management team, and not MVLS officers. The audit committee selects and oversees our outside auditors and reviews the audit. The full board approves the audit results each year. And, our board is considering whether to formally adopt certain provisions of S-O into our operations without creating unnecessarily complex procedures.

On page 21, Finding 23 describes our service area as a "mixture of rural and small town populations." I think it is more accurately described as a "mixture of urban, suburban, and rural populations." Lowell is the fourth largest city in the state, followed by Lynn (10), Lawrence (13), and Haverhill (15). We also have several smaller cities (Methuen, Salem, Gloucester, Peabody, Beverly, Newburyport) and many large (for Massachusetts) suburban towns (Billerica, Chelmsford, Andover, Tewksbury, Dracut, North Andover, Burlington, Reading). The remainder of the service area is largely rural or smaller towns in nature.

Again, we appreciated your suggestions, insight and professionalism.

Sincerely,



Kenneth F. MacIver, Jr.
Executive Director

cc. Robert M. Lavoie, Esq., Chair