



LEGAL SERVICES CORPORATION

Office of Program Performance

***FINAL
PROGRAM QUALITY REPORT***

FOR

Inland Counties Legal Services, Inc.

Recipient Number: 805230

May 24-28, 2010

Team Members:

Chuck Greenfield, Program Counsel (Team Leader)

Mytrang Nguyen, Program Counsel

Michael Genz, Program Counsel

Betty Balli Torres, Consultant

**Inland Counties Legal Services, Inc.
Recipient # 805230**

Final Program Quality Report

Table of Contents

INTRODUCTION	3
Program Overview	3
Summary of Findings	4
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	5
<u>Criterion 1. Periodic comprehensive assessment and ongoing consideration of legal needs</u>	5
<u>Criterion 2. Setting goals and objectives, developing strategies and allocating resources</u>	5
<u>Criterion 3. Implementation</u>	6
<u>Criterion 4. Evaluation and adjustment</u>	6
PERFORMANCE AREA TWO: Effectiveness in engaging and serving the low-income population throughout the service area	6
<u>Criterion 1. Dignity and sensitivity</u>	6
<u>Criterion 2. Engagement with the low-income population</u>	8
<u>Criterion 3. Access and utilization by the low-income population</u>	8
PERFORMANCE AREA THREE: Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area	9
<u>Criterion 1. Legal representation</u>	9
<u>Criterion 2. Private attorney involvement</u>	13
<u>Criterion 3. Other program services to the eligible client population</u>	14
<u>Criterion 4. Other program activities on behalf of the eligible client population</u>	14
PERFORMANCE AREA FOUR: Effectiveness of governance, leadership and administration	15
<u>Criterion 1. Board governance</u>	15
<u>Criterion 2. Leadership</u>	17
<u>Criterion 3. Overall management and administration</u>	18
<u>Criterion 4. Financial administration</u>	18
<u>Criterion 5. Human resources administration</u>	18
<u>Criterion 6. Internal communication</u>	19
<u>Criterion 7. General resource development and maintenance</u>	19
<u>Criterion 8. Coherent and comprehensive delivery structure</u>	20
<u>Criterion 9. Participation in an integrated legal services delivery system</u>	20

INTRODUCTION

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a program quality visit to Inland Counties Legal Services (ICLS) from May 24 to May 28, 2010. The team members were team leader Chuck Greenfield (Program Counsel), Mytrang Nguyen (Program Counsel), Michael Genz (Program Counsel) and Betty Balli Torres (consultant.)

Program quality visits are designed to ensure that LSC grantees provide the highest quality legal services to eligible clients. In conducting its assessment, the team carefully reviewed the documents LSC received from the program, including its LSC grant application for 2009, its case service reports (CSRs), other service reports (OSRs), the numerous documents the program submitted in advance of the visit along with advocates' writing samples, and a survey of ICLS staff conducted by LSC.

On site, the team visited all of the program's five office locations as well as a self-help center based at a courthouse. In addition to speaking to many ICLS staff members, the team met with or had telephone conversations with a number of ICLS board members, judges, representatives of local government agencies, and community organization representatives.

In performing its evaluation of the grantee's delivery system, OPP relies on the LSC Act and regulations, LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid. This evaluation is organized according to the four LSC Performance Areas that cover: (1) needs assessment, priority setting, and strategic planning; (2) engagement of the low income community; (3) legal work management and the legal work produced; and (4) program management including board governance, leadership, resource development, and coordination within the delivery system.

ICLS was provided with a copy of this report in draft form and the program offered comments in a letter dated September 3, 2010. We made corrections where necessary and have modified the report to include points made in the program's response. A copy of the September 3, 2010 letter from ICLS is attached to this report.

Program Overview

ICLS is headquartered in Riverside, California, the county seat of Riverside County in the Inland Empire region of Southern California. In addition to Riverside County, the service area includes San Bernardino County. Riverside and San Bernardino counties comprise a mixed urban, rural, desert and mountain area. The most distinctive characteristics of the area, according to the program, are its immense geographical size (27,000 square miles), the lack of public transportation, and the lack of affordable housing.

ICLS has five community offices with an additional seven courthouse based projects, a project focused on pro per in unlawful detainer cases, and an additional self-help center.

The program provides a full range of services to a very diverse population. The service area has a population that is 44% Hispanic, 40% white, 7% African American, and 6% Asian. According to the 2000 Census, ICLS' service area has 477,496 persons living in poverty, or 15% of the area's total population.

ICLS has a delivery system consisting of limited service, pro se assistance, and full representation. The program has a total staff of 71 employees, including 24 attorneys and 17 paralegals. Irene Morales, executive director of ICLS, has been executive director of the program for the past 26 years.

The program's executive office, with 12 employees, is located in Riverside. The executive office houses the executive director, deputy director, controller, human resources manager, technology manager, senior administrative assistant/PAI subgrant manager, two bookkeepers, three executive secretaries, and an administrative secretary. The resource development director position, which is normally in the executive office, is currently vacant. ICLS has the following additional offices that provide direct services to clients: Housing Services Center (8 employees – located in the same building as the executive office); Riverside (13 employees – also located in the same building as the executive office), Indio (9 employees), San Bernardino (11 employees), Rancho Cucamonga (10 employees), and Victorville (10 employees.)

ICLS' total 2009 budget was \$7,264,340 million, including \$4,471,848 million from LSC. Non-LSC funding totaled \$2,288,640 in 2009, or 31.5% of the program's total revenue.

In 2009, the majority of ICLS's 10,836 total closed cases were in housing (37.5%) and family law (34.5%) with smaller numbers in consumer/finance (10.8%), income maintenance (5%) and juvenile (4.8%.) Of cases closed in 2009, 6,145 were ICLS staff cases and 4,691 were private attorney involvement (PAI) cases. The program closed 20.7% of staff cases and 6.3% of PAI cases as extended service.

Summary of Findings

ICLS conducts its legal representation in an effective manner resulting in significant benefits for clients. The program employs a variety of delivery approaches, including direct representation, advice, brief service, and pro se clinics. The program has appropriate legal work management and supervision systems in place to ensure that representation of clients is effective and appropriate. ICLS regularly reviews open and closed case statistics to determine whether goals and objectives are being achieved. Case statistics are compared to specific goals set forth in individual employee work plans.

The establishment of a deputy director position has proven to be exceedingly beneficial to the program. ICLS has made substantial improvements in its technology, however more needs to be done particularly in the area of remote access.

The program last conducted a comprehensive legal needs assessment in 2001. ICLS has established specific goals and objectives in each priority area. Those goals and objectives are also set forth in individual work plans of each attorney and paralegal.

While the program's intake system works well in some areas, improvements are needed. The program is effectively engaged with major and distinct elements of the community. ICLS is actively engaged with three established pro bono programs to provide services, however procedures should be streamlined.

The ICLS Board of Directors is actively engaged in the oversight of the program. The executive director is experienced and well respected in the community. While the executive director prepared a self evaluation in 2009 that was reviewed by ICLS Board, the Board does not regularly evaluate the executive director. There appears to be a cohesive management team that meets regularly to discuss the important business of the law firm.

The program has some effective internal communication systems in place, however improvement is needed. ICLS has a diversified funding base, however other funding possibilities should be explored

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: ICLS conducted its last comprehensive legal needs assessment in 2001.

ICLS last completed a comprehensive legal needs assessment in 2001. While the program had planned to complete a new needs assessment in 2008 and 2009, none has been conducted to date.

RECOMMENDATION 1.1.1¹: ICLS needs to begin to conduct a comprehensive legal needs assessment in 2010 in order to identify the most pressing legal problems and needs of the low income community, including any major new needs that have occurred due to economic and demographic changes in the Inland Empire.

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

FINDING 2: ICLS has established specific goals and objectives in each priority area. Those goals and objectives are also set forth in individual work plans of each attorney and paralegal.

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

ICLS has adopted the following priorities: a) preservation of housing and related housing needs; b) safety, stability and well-being of individuals and families; c) maintaining, enhancing and protecting income and economic stability; d) delivery of legal services; and e) advice and referral. ICLS has adjusted its priorities and case acceptance standards to address subprime mortgage lending, fraudulent sales practices, deceptive pay day loans, pawn shops, and credit card debt. The program's Board of Directors regularly reviews the program's priorities, including discussing ICLS' role in providing self-help assistance.

Each attorney and paralegal has an annual work plan which sets forth specific expectations for casework, outreach and other activities within program priority areas. The program has responded to new and emerging legal needs by creating new programs and expanding services. Examples include providing legal assistance in foreclosure and mortgage fraud cases and additional representation in unemployment cases.

Criterion 3: Implementation.

FINDING 3: ICLS pursues its goals, objectives and strategies by employing a variety of delivery approaches, including direct representation, advice, brief service, and pro se clinics.

ICLS's service delivery includes direct representation, advice, brief service and pro se clinics. In 2009, the majority of ICLS's 10,836 closed cases were in housing (37.5%) and family law (34.5%) with smaller numbers in consumer/finance (10.8%), income maintenance (5%) and juvenile (4.8%). Of cases closed in 2009, 14.5% involved extended service and 85.5% were limited service.

Criterion 4: Evaluation and adjustment.

FINDING 4: ICLS regularly reviews open and closed case statistics to determine whether goals and objectives are being achieved. Case statistics are compared to specific goals set forth in individual employee work plans.

Attorneys, paralegals and the three pro bono programs with which the program contracts, report that ICLS management regularly discusses case statistics with them. Periodic review occurs throughout the year about an advocate's progress as compared to the goals in their work plans and with the pro bono programs about progress on assisting clients as compared to provisions in subgrant agreements.

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

Criterion 1: Dignity and sensitivity.

FINDING 5: The program generally displays dignity and sensitivity to clients.

All five ICLS community office locations were visited. Generally office spaces are dignified and feature useful pamphlets and other materials in the waiting rooms. Those interviewed outside of ICLS (judges and representatives from agency and community organizations) spoke highly of the program and that preserving client dignity was a value of the program. Other indications are that the program takes client complaints seriously. However, it appears that in some situations clients or potential clients have not been afforded the treatment they should receive when contacting a legal aid program. One situation was observed during the visit where a person called the program on behalf of an applicant or client with a disability and the caller appeared to have been treated rudely by the staff involved.

The program places emphasis on addressing the needs of clients whose first language is not English. ICLS has created specific programs to meet the unique linguistic and cultural needs of monolingual Spanish speakers. There are staff members in each office who speak Spanish as well as English. Staff diversity helps to ensure the cultural competence of the program. The outside organizations interviewed by the LSC team praised the program in this area.

RECOMMENDATION 2.5.1: ICLS should seriously consider conducting sensitivity training to help its staff learn how to better communicate with and address the issues faced by a diverse population.

FINDING 6: While the program's intake system works well in some areas, improvements are needed.

Intake of new clients occurs in many different locations through local offices either by phone or in person; at courthouse projects; at numerous outreach sites; through the Housing Hotline; and at locations staffed by the three pro bono programs with which ICLS contracts. In total, ICLS has a physical presence and conducts outreach intake throughout its service area at more than 50 different sites on a regular basis, including 28 senior citizen centers, a dozen homeless centers in San Bernardino County, two domestic violence one-stop family justice centers, eight different courts and two agencies. The variety of ways for applicants to contact the program makes it easy for a large number of clients in different circumstances to avail themselves of ICLS' services.

The intake procedures vary from office to office. All offices receive toll free calls. While many aspects of the program's intake are good – e.g. walk ins are generally handled quickly from application to interview to decision on whether to represent the client – there are some problems with access to intake in some offices. Problems include restricted intake times and long lines in some instances. The program's draft advocacy manual with its extensive coverage of intake topics is an attempt to make intake practices more uniform.

The program's Housing Hotline provides assistance to callers from throughout the service area. Callers are able to receive immediate advice or referral. If the caller is served with an unlawful detainer action, they are referred to the branch office pro se housing clinic for assistance. However, not all clients with unlawful detainer cases are referred to a pro se

clinic. For example, also in Riverside County, ICLS has a special direct representation project for unlawful detainer cases located in the Moreno Valley Courthouse (TLAP program.)

The program's telephone system poses a barrier for many. The program is working on its phone system to make it more efficient for applicants and clients. An "answer anywhere" program was installed in 2009 which provides that if the receptionist in the office called is busy, intake calls move to the first available receptionist or secretary including at other offices. However, at the present time, the phone system can be a barrier to efficient intake when applicants and other callers are bounced from the office they intend to call by an automated telephone feature when the call is not answered to other offices where the call is answered. There have been some client complaints about the inability to contact the local ICLS office or a particular advocate as the call is not always answered at the local office but is answered at another office. There also appears to be some difficulty with callers navigating the audio scripts on the automatic answering feature of the telephone system. There is one option for "legal assistance" and another option for "complaints." Some callers choose the complaint option when it is legal assistance they require. The complaint option is apparently intended for client or applicant complaints about ICLS and not for legal assistance.

A hard-copy application for legal services form is utilized in the intake process. In view of the expanding role and efficiencies created from telephone intake, the necessity of asking clients for hand-written intake forms seems unnecessary. Well trained intake workers can expedite the intake process by summarizing the applicant's legal problem and identifying potential legal issues. The program believes that it is important that an applicant provide information in their own words and that there is value in having the applicant sign their own written statement. However, given the easy access to the case management system in the branch offices and the complexity of intake information, the utility of the written application remains unclear.

RECOMMENDATION 2.6.1: The program should strive to improve its intake system in an effort to eliminate both long walk-in waiting lines at some offices and applicants being turned away. The intake system needs to be improved so that it is more sensitive to potential clients and the circumstances they face. Improving the telephone system so that intake calls can be distributed rapidly and efficiently throughout the program will help so that initial screening can be handled appropriately.

RECOMMENDATION 2.6.2: The program should review the use of written application forms with a view toward eliminating its use except when necessary to expedite the intake process.

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

FINDING 7: The program is effectively engaged with major and distinct elements of the community.

ICLS does significant outreach and other work with client communities. The program's linguistic competence and work with Latino associations gives it access to that community. Its homeless outreach connects it with the homeless population. Its partnership with the Center on Deafness in the Inland Empire draws it closer to the deaf community. Its close connection with community action programs in both Riverside and San Bernardino Counties links it with broader community anti-poverty efforts. Its extensive outreach and community legal education activities demonstrate its engagement with the low income population.

Perhaps the biggest potential barrier to utilization is the program's very large service area. San Bernardino County is the largest county in the continental United States by area (Alaska has four larger county equivalents), and is larger in area than each of the nine smallest states. The team was impressed by the program's outreach efforts and telephone contact designed to reach remote areas.

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

Criterion 1: Legal representation.

FINDING 8: ICLS conducts its legal representation in an effective manner resulting in significant benefits for clients.

ICLS has a core of experienced attorneys, including its leadership and managing attorneys. Attorney turnover has traditionally been high for this program, especially with respect to the more remote offices. The program's recent proactive salary increases and a loan repayment assistance program, along with the current economic situation, have been factors slowing turnover. ICLS wisely acted earlier this year to hire several attorneys with significant experience. Also, in the recent past the program hired two experienced public benefit experts to be paralegals. Nonetheless, a turnover problem of staff attorneys still remains, particularly in the Riverside Office and the Housing Law Services Center.

The writing samples the program reviewed were of acceptable to high quality. Discussions with attorneys revealed thoughtful consideration of issues and strategies. The judges with whom the team spoke praised the work of ICLS attorneys. One judge was particularly grateful for the program's work in foreclosure cases.

Several housing cases that the program has brought in the last several years have been noteworthy. Several involved the closing of subsidized or public housing facilities. All the cases resulted in significant compensation for displaced tenants. Another case involved the proposed increase of lot rent in a trailer park. The program used a city ordinance to negotiate significantly lower rent increases.

ICLS handled 238 cases per 10,000 poor people in the service area. This is fairly close to the national median of 265. Of the 10,836 total cases closed, 14.5% are extended

service cases, an increase over recent years. This is below the national average of 21% extended service cases as a percentage of all cases, although as noted above, the program closed 20.7% of its staff cases as extended service.² ICLS does considerable pro se work in many venues. Its commitment in this area should be considered when evaluating the program's closed case numbers.

With the exception of the Elder Law group, advocates do not regularly meet with other members of their practice groups. This is a change from past practice. In March 2010, ICLS initiated monthly attorney roundtable meetings which are well attended by attorneys. The roundtable meetings have focused on litigation skills and have provided an opportunity for program attorneys to meet and discuss various issues in their practices. Many advocates have multiple duties, including handling intake, scheduled appointments, courthouse pro se clinics and outreach in a typical week. The program's litigation budget for 2010 is \$5,650. The California Shorthand Reporters Board reimburses the program for deposition expenses for ICLS clients, and nearly all program clients have court filing fees waived.

An important aspect of full-service delivery is for programs to have the expertise, internal policies, and budget to support lawyers engaging in more complex litigation and advocacy. Having opportunities to engage in more complex advocacy is also an important element of longer term attorney professional development and retention. With the recent hires of several experienced attorneys and the creation of the deputy director position, the program is positioning itself to develop a more robust litigation program.

RECOMMENDATION 3.8.1: The program should consider enacting necessary policies and strategic choices including: significantly increasing the litigation budget, coupled with encouraging attorneys to use litigation funds when deemed appropriate under program policy; adjusting limited scope case closing expectations; a thoughtful approach with regard to assigned intake and courthouse/outreach responsibilities; and additional litigation support expertise through pro bono attorney mentors. The organization should continue to support the development of an advocacy/litigation program, while recognizing the resources and time required for advocates to effectively litigate more complex cases for clients. The program should also consider returning to regular meetings of practice groups.

FINDING 9: ICLS has appropriate legal work management and supervision systems in place to ensure that representation of clients is effective and appropriate.

Each office has a managing attorney who has responsibility for supervising the work of attorneys and paralegals. Opening and closing memos are required for each case and are reviewed by the managing attorney. Attorneys and paralegals are required to put their notes and other information in the case management system and it appears that this is being done.

² The LSC Case Service Report Handbook (2008) lists Category A – Advice and Counsel and Category B – Limited Action as the two Limited Service case categories. In 2009, ICLS reported 4,633 cases closed as Counsel and Advice and 4,637 cases closed as Limited Action, for a total of 9,270 cases closed in the broader Limited Service category. The remainder of the total cases closed, 1,566, were in the Extensive Service category.

It is not clear how many managing attorneys periodically review the case management system files of the employees they supervise. Tickler system procedures vary by office and by case handler. It is not clear that all attorneys utilize effective dual tickler systems. There are some variations in the application of legal work management standards.

While evaluations are done annually for all advocates (as well as all staff) they are typically delayed. Several staff members expressed concern to the team about what they feel are arbitrary case closure goals that are part of the advocate work plan and evaluation process. The program believes that case closure goals in advocate work plans are necessary to increase the number of extended service cases and to meet the case closure goals of various funders. The executive director conducts annual evaluations of the managing attorneys. The deputy director performs managing attorney case reviews.

The program's draft "Litigation Manual" is a good start at a legal work standards document. It does not appear to be widely known yet within the program. A major issue identified is the need for program-wide forms, pleading banks and protocols. The program currently does not have a pleading bank or central location for pleadings accessible to staff. The deputy director is working on a comprehensive list of research materials that the program has on hand.

While there is not a formal set of protocols for the development and oversight of new attorneys, the work of new attorneys is being appropriately overseen by their managing attorneys. However, more can be done to formally train and stimulate new attorneys. One bright spot in this area is the newly established monthly attorney meetings (attorney roundtables) that are very popular with staff. The deputy director is also playing a role in mentoring staff and consulting with staff on cases. The deputy director co-counsels with less experienced attorneys when appropriate.

The managing attorneys make sure that new attorneys attend hearings before they handle hearings on their own and that they were accompanied when they first went to court or to an administrative hearing. Letters and pleadings are reviewed. Managing attorneys meet with their new charges periodically. The new attorneys with whom the team talked indicated that they received appropriate support from their managing attorneys. The monthly attorney roundtables were cited by new attorneys as an excellent opportunity to meet fellow new attorneys and more experienced practitioners who can serve as contacts in the future.

Some attorneys have attended NITA-type training, however new attorneys do not necessarily have access the first year to such training opportunities. They are connected to resources in their subject matter area like listservs and fellow attorneys who specialize in those areas. Attorneys and advocates indicated that they have access to many training opportunities available through the California legal aid network. Because of budget constraints, expense is sometimes an issue in attending training that is requested.

RECOMMENDATION 3.9.1: ICLS advocates would benefit greatly from the creation of a pleadings bank that is readily accessible to the advocates, who would otherwise have to recreate documents already within the program.

RECOMMENDATION 3.9.2: The program should conduct timely annual employee performance reviews of all staff.

RECOMMENDATION 3.9.3: ICLS should review the case closure goals used as part of the employee work plan and evaluation process to determine if they are appropriate and necessary.

RECOMMENDATION 3.9.4: The program should ensure that managing attorneys periodically review the case management system files of the employees they supervise and that dual tickler systems are in place.

FINDING 10: The establishment of a deputy director position has proven to be exceedingly beneficial to the program.

The program established a new deputy director position two years ago. The position involves: being a litigation director and increasing the program's litigation capacity; coordinating the work between all offices; handling client grievances; advocate training; and assistance as needed with day to day administrative matters and personnel issues.

The executive director and ICLS Board of Directors should be praised for the decision to establish the deputy director position. The creation of this position was a significant development for the program. It serves an important substantive function for the entire organization, including with attorney and advocate professional development and building capacity for an assertive litigation and advocacy program.

The deputy director has been well received internally and externally. He is well-liked by staff and other stakeholders and has been described as thoughtful, conscientious, a supportive mentor, and a valuable litigation expert. As one attorney noted, "He knows everything off the top of his head and his answers are always right. He saves me hours of research with just a phone call." His decision to host attorney roundtables and in-house trainings has been a valuable space for program advocates to connect and develop relationships. This has helped more closely tie the organization together.

FINDING 11: ICLS has made substantial improvements in its technology, however more needs to be done particularly in the area of remote access.

All employees have Windows XP or later desktop computers, Microsoft Office 2007 and access to email and the internet. The program has a wide area network with a local server in each office. All offices are connected to the Riverside office hub using private T-1 connections. There is nightly backup of all data files on all servers to local backup disks. In addition, there is weekly backup of all data files to a backup tape, which is stored off site, which is very helpful in the event of a disaster. The program uses Kemps case management software, MIP accounting software, and Legal Solutions Plus legal form software. Staff members have access to Lexis on-line research materials. There is no remote access to email, the case management system, or documents. Attorneys and paralegals who conduct

outreach at courthouses or in other locations are unable to access the case management system or their email. Staff at outreach sites is unable to access the program's office calendars. Further, staff cannot conduct electronic conflict checks from remote sites. The program has no video conferencing. (See recommendations on Board Governance and Internal Communication.) In July 2010, following the LSC visit, the program began a formal desk audit of the technology resource needs for the program.

The telephone system connects all offices with four digit dialing. Employees have voice mail, accessible from both inside and outside the program. New "answer anywhere" software was installed in 2009 allowing for calls to be automatically routed to another office when the office called is unable to answer the call. Callers to each office, as well as to the 800 number, are greeted with a series of recorded messages and choices. Concerning the "answer anywhere" feature to the telephone system, see Finding No. 6 above.

RECOMMENDATION 3.11.1: The program should ensure that employees have remote access to the case management system, email, documents, and legal form programs. Remote access is an essential tool for advocates.

RECOMMENDATION 3.11.2: The program should continue its efforts to improve the telephone system in order to make it more user friendly for callers. Barriers to callers should be eliminated whenever possible.

FINDING 12: All technology is coordinated and managed by one employee, the technology manager.

The technology manager is responsible for the maintenance and installation of all computers, printers, other office equipment, the telephone system, all servers, the network, technology planning, and other duties.

RECOMMENDATION 3.12.1: The program should seriously consider hiring at least one additional employee to assist the Technology Manager in meeting the technology needs of ICLS.

Criterion 2: Private attorney involvement (PAI).

FINDING 13: ICLS is actively engaged with three established pro bono programs to provide services, however procedures should be streamlined.

ICLS partially funds three pro bono programs (Public Service Law Corporation, Inland Empire Latino Lawyers Association, and the Legal Aid Society of San Bernardino) which have deep roots and ties in the volunteer and client community. All three programs use a clinic model to serve clients and engage volunteers. The staffs and board members of these programs take pride in providing services for a high number of clients in need, while maintaining quality for the clients and a positive and streamlined experience for the volunteers.

ICLS takes its role as a recipient and subgrantor of LSC funding seriously. In fulfilling its PAI subgrantor oversight responsibilities, ICLS' requirements for the grant and under the subgrant agreement creates a tremendous amount of administrative burden and pressure on the subgrantees, particularly given their small staffs and budgets. This can at times significantly distract employees at the small PAI programs from focusing on the actual delivery of pro bono services to clients and volunteers.

ICLS, in its oversight of the PAI subgrants, requires its subgrantees to perform a multitude of tasks, including:

- Meet annual case number requirements;
- Submit monthly financial reports and to submit copies of all canceled checks for the month;
- Submit a monthly roster of attorney volunteers and hours volunteered;
- Submit monthly board meeting minutes which are ratified;
- Publish a public notice for all board meetings;
- Pay for and perform resource-intensive A-133 audits from pre-approved auditors; and
- Respond to a cumbersome 26-page annual RFP which includes attachments such as lists of all volunteers, lists of all board members, a copy of the workers compensation policy, copies of all subgrantee board meeting public notices, etc.

It is the program's position that, given the long oversight history of the PAI programs, the above listed tasks as well as other requirements are necessary to assist ICLS in demonstrating the effective and efficient use of subgranted resources. The program also states that these additional requirements are consistent with the Standard Provisions section in the LSC Subgrant Agreement Form, which holds ICLS responsible for providing oversight of the PAI programs. However, following LSC's visit the program has agreed to review its requirements and procedures for the PAI programs and strive to identify areas where the process may be streamlined.

RECOMMENDATION 3.13.1: ICLS must consider how it can support its PAI subgrantees in their mission, engage more pro bono volunteers and resources, and best serve clients by first reviewing and then streamlining or eliminating PAI requirements for subgrantees that are unnecessary and overly burdensome. With some (or "unnecessary") administrative burdens lifted, the PAI programs and ICLS can focus their relationship on substantive issues such as pro bono innovations and quality of services for clients and volunteers.

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

FINDING 14: ICLS employees engage in a long list of community legal education activities and presentations.

The program does an extraordinary job with pro-se assistance. ICLS operates seven courthouse based projects in the two counties which serve a significant number of people, a project focused on pro per in unlawful detainer cases, and an additional self-help center. Forms are in both Spanish and English. Its court-based projects as well as several clinics provide forms and the guidance needed to fill them out and get other assistance. The PAL clinic provides assistance in Spanish. ICLS is a member of several coalitions of human services organizations and agencies, including an interagency council on the homeless in San Bernardino.

The unlawful detainer project, TLAP, operates four days a week in the Marino Valley courthouse to address what has become an overwhelming need in the counties. The Inland Empire had one of the highest rates of evictions before the economic recession. Subsequently, the number of clients being evicted has increased dramatically with foreclosure-related evictions. ICLS' staff had the systems in place to continue its unlawful detainer work efficiently and effectively in the face of increased demand under the leadership of its housing team.

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

Criterion 1: Board governance.

FINDING 14: The ICLS Board of Directors is actively engaged in the oversight of the program.

There are 24 members on the board including sixteen attorneys and eight client-eligible individuals. The board usually meets monthly, rotating meetings between Riverside and San Bernardino. They have an audit committee, finance committee, executive committee, building committee, as well as numerous other committees. There are a total of thirteen board committees. Some board members are on various committees, while others have no committee assignments. While board meetings are held in person, committee meetings are frequently held by conference call. The team interviewed client board members, who clearly are committed to and engaged with ICLS. Despite challenges related to distance, they attend and participate in almost every board meeting and in meetings. New board members are provided orientation. The client board members interviewed reported feeling comfortable speaking at the meetings and that the meetings are not dominated by the lawyers on the board. The board consists of many individuals who have a long tenure of providing volunteer board service.

Board members had a deep respect for the work of ICLS and held the executive director, and her team, in very high regard. The executive director, for the most part, sets the agenda for the board meetings. She consults with and is in frequent communications with the board chair on issues that impact the program.

Board materials are mailed to members in advance of the meetings. Board members described good discussions at board meetings. It seemed clear that from the perspective of

both attorney and client board members that there was mutual respect about the perspectives offered by each. The client board members are provided the opportunity to attend the annual NLADA meeting at which they have the opportunities to discuss with other client board members the issues that low income people are facing in their communities.

The board approves annual budgets for each major funding source, after looking at the income from the funding source and projected expenses. The board has monthly meetings of its finance committee which regularly reviews timely monthly financial statements. ICLS has retained the same auditing firm for many years, for as long as some can remember.

To the credit of ICLS, it has experienced considerable growth, however so has the need for legal services to the poor in this community. ICLS has experienced stops and starts in the resource development area and will have to evaluate how it can make a positive change that results in further diversification and long-term and sustained funding for ICLS.

RECOMMENDATION 4.14.1: ICLS should consider the use of technology in many areas. This would make participation in meetings more convenient for board members where distance or conflicts prevents them from attending. This would include simply providing telephonic access for board meetings as well as investing in a video conferencing system that could be utilized for other program activities including the reinstatement of team meetings.

RECOMMENDATION 4.14.2: As it considers the use of technology, ICLS should evaluate whether it is necessary to mail substantial board packets to all of its members or whether board notices, agendas and board materials can be sent electronically to those members whose preferred method of communication is electronic mail.

RECOMMENDATION 4.14.3: ICLS should consider creating an RFP for auditing services at regular intervals and should consider changing auditing firms on a periodic basis. The Audit Committee of the ICLS Board should be involved in this process.

RECOMMENDATION 4.14.4: The ICLS Board may want to evaluate its numerous committees to determine whether they are all necessary and more evenly assign members to committees. A review of the board roster indicated that there are many members that serve on multiple committees while others do not participate in any of the committees.

RECOMMENDATION 4.14.5: The ICLS Board, or the appropriate committee, should consider its role concerning support of resource development efforts for the program.

FINDING 15: While the executive director prepared a self evaluation in 2009 that was reviewed by ICLS Board the Board does not regularly evaluate the executive director.

The Board has responsibility for evaluating the performance of the executive director. In her tenure as executive director, it appears that she may have received only one evaluation. The one evaluation consisted of a self evaluation prepared by the executive director that outlined her accomplishments and set goals, which was considered by the Board in December 2009.

RECOMMENDATION 4.15.1: The ICLS Board should evaluate the executive director on a regular basis. The Board should use the evaluation process as an opportunity to obtain feedback from the community, staff, partner organizations and agencies on their views of the executive director's performance.

Criterion 2: Leadership.

FINDING 16: The executive director is experienced and well respected in the community.

The executive director has a long and distinguished tenure with the organization. She arrived at the program at a time when the legal community had not seen diversity and was the first Latina lawyer in the area. Clearly, the community has changed significantly over the last 30 years.

The executive director is a committed and dedicated advocate for the program who works to ensure that it meets the needs of low-income people in the community. She has worked to develop an organization that works in partnership with other agencies, the judiciary and bar associations to maximize available resources for legal services to the poor. These partnerships have resulted in significant benefits to low-income people who are trying to obtain access to the courthouse.

She has worked to create a program of committed and diverse advocates that provide services via various mechanisms, including hotlines, at shelters, and at the courthouse. The executive director has recognized the needs of self-represented litigants in the courts and has worked to expand services to this group. In addition, it is clear that she understands that in order to provide increased extended representation and to expand the types of services available to the community to meet their needs, more emphasis needs to be put on litigation development. She has hired a deputy director to help further move ICLS in that direction.

Part of the responsibility of the organization is to ensure that it is developing leaders within the organization to allow for succession in management positions, including that of the Executive Director. Over the years, the program has grown significantly requiring the addition of other leaders on staff, including the creation of a deputy director position. This position is critical in that it enhances leadership development and begins to address the issue of succession planning. In addition, the position itself is helping build leaders in the law firm.

The executive director has built a management team that is responsible for carrying out the day to day functions of a poverty law firm. The team meets regularly and it appears that although the executive director clearly makes the major decisions regarding how the firm operates, she seeks input from the members of that team. It appears that many policy decisions are made as a result of discussions at those meetings and through individual discussions with members of the team. This not only provides the executive director with the

benefit of the knowledge and expertise of those that work more closely with the issues, but also provides those team members to feel more invested in those decisions and policies which will be carried out.

RECOMMENDATION 4.16.1: The executive director may want to consider delegating more decision making duties to selected members of management. This approach helps others develop as leaders.

Criterion 3: Overall management and administration.

FINDING 17: There appears to be a cohesive management team that meets regularly to discuss the important business of the law firm.

Monthly meetings are held between the managing attorneys and the executive director. Many employees were very pleased with their work environment and the support they receive from management. However, several staff members the team spoke to mentioned low morale as an issue for them. Examples of stated morale issues include not feeling appreciated by leadership, not hearing from program leadership in any context other than requirements and deficiencies noted, micromanagement, unresolved complaints, case number goals, and the delay in receiving timely performance evaluations. Several staff members stated that they would appreciate the executive director visiting the offices more frequently.

RECOMMENDATION 4.3.1: The executive director should consider visiting all of the program's offices on a more frequent basis and consider evaluating and addressing the causes for low morale mentioned by several employees.

Criterion 4: Financial administration.

FINDING 18: ICLS has a very experienced finance department.

The controller is a CPA who has a background auditing nonprofits. He works closely with the executive director on budget and finance-related matters and regularly provides the board finance committee and the ICLS board of directors with detailed financial information. Management reports containing actual and projected income and expenses as well as variances are presented to the board of directors at each meeting. These reports also detail the income and expenditures in connection with each major funding source budget. The monthly reports also contain a statement of cash on hand. With the complexity and number of grants ICLS now receives, the finance team has been working to streamline its operations. The controller has been conservative in forecasting revenue since 2007, which he says has allowed the organization to stay "ahead of the curve" in the current economy and funding environment.

Criterion 5: Human resources administration.

FINDING 19: ICLS has an experienced and effective human resources department.

The program's human resources department is led by skilled and highly capable professionals. In her years at ICLS, the human resources manager has created a sound human resource function at ICLS which includes a comprehensive benefits package for employees, clear job descriptions, a standard process for hiring and orientation of new employees, an exit interview process, and written performance evaluations. In addition, she plays an effective role on personnel issues and conflict management, providing coaching to ICLS supervisors and management.

Criterion 6: Internal communication.

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

Each office holds weekly staff meetings to discuss policies, cases and calendars. Each office has a calendar of employee appointments, hearings, meetings, outreach and other activities, which is accessible from all other offices. The program has annual program-wide staff meetings that last all day, with board members being invited. Managing attorneys, including the executive director, deputy director and senior administrative assistant, meet once per month. The program maintains an intranet site that contains calendars for each employee by office, program policies that implement LSC regulations, eligibility guidelines, the ICLS strategic plan, and various links to court calendars and other resources. Written internal communications from management to staff generally occurs by email. The program does not maintain an internal newsletter. Policy memorandums are contained in emails. There appears to be no readily accessible compilation of the various policy memorandums.

The program's primary plan for internal communications is for information to pass from program leadership to managing attorneys and from managing attorneys to staff members at weekly office staff meetings. While this system appears to work well, several staff members indicated a desire to meet with others in the program more than currently occurs, including reestablishing the practice group meetings. The recently established attorney roundtable is meeting some of this need. As noted above, there was also an expressed interest in the executive director coming to outlying offices periodically – for example once a year – just to meet with staff and to give them an opportunity to meet with her.

RECOMMENDATION 4.20.1: The program should consider installing video conferencing in all of its offices, allowing for enhanced communication between and among offices.

RECOMMENDATION 4.20.2: The program should consider placing the various policy memoranda on its intranet site, indexed by category, so that employees can have easy access to a complete compilation of the policies.

Criterion 7: General resource development and maintenance.

FINDING 21: ICLS has a diversified funding base, however other funding possibilities should be explored

ICLS has diversified its resources considerably during the tenure of the executive director and the senior administrative assistant. In 2009, 32% of the program's total funding was from non-LSC sources. ICLS has clearly recognized the need to further diversify its funding so that it can increase desperately-needed services to the vulnerable populations in its service area. ICLS has started efforts to diversify and increase private dollars, but has met with very limited success. The program holds an annual reception which was attended by about 150 people. The program's resource development position was open at the time of the LSC visit.

A key to the ability to raise money is visibility in the community. It is evident that by and large those with whom they work and know and value the work of ICLS support and highly respect its efforts. However, there appears to be much work needed to raise the profile and visibility of the program if ICLS is going to raise any significant non-grant dollars in the community.

RECOMMENDATION 4.21.1: The program needs to fill the open resource development position, with someone who can work with the board on the effort. It might be wise for the program to invest in hiring a consultant to help with identifying what that position should entail, creating a realistic job description and helping identify possible sources of revenue.

RECOMMENDATION 4.21.2: ICLS should seriously consider retaining a consultant to do a feasibility study on the ability to raise funds in this community and environment and to develop such a document.

Criteria 8: Coherent and comprehensive delivery structure

This criterion has been addressed in other sections of this report.

Criteria 9: Participation in an integrated legal services delivery system

FINDING 22: ICLS is an active participant in California's legal services delivery system.

A number of employees are active in the Legal Assistance Association of California. Employees participate in quarterly meetings of the court-based self help centers in Riverside and San Bernardino Counties. The program participates in quarterly meetings with Administrative Law Judges. There are also quarterly meetings of the court self-help projects at the Riverside and San Bernardino courthouses. In April 2010, the program sponsored a special training session on foreclosures with over 100 lawyers in attendance.



Inland Counties Legal Services

Executive Office

1040 Iowa Avenue, Suite 101 / Riverside, CA 92507-2106
(951) 368-2530 / (951) 368-2542 Fax

Housing Law Services Center - Housing Hotline

*Eligibility screening and
legal help over the phone.*
(951) 368-2570
(888) 455-4257 - Toll Free
(951) 368-2550 - Fax

Branch Offices

1040 Iowa Ave., # 109
Riverside, CA 92507-2106
(951) 368-2555
(951) 320-7500 - Seniors
(888) 245-4257 - Toll Free
(951) 684-1901 - TTY
(951) 368-2550 - Fax

82632-C Highway 111
Indio, CA 92201-5632
(760) 342-1591
(760) 347-5303 - Seniors
(800) 226-4257 - Toll Free
(760) 775-3114 - TTY
(760) 342-9400 - Fax

715 N. Arrowhead Ave., #113
San Bernardino, CA 92401-1150
(909) 884-8615
(909) 888-3889 - Seniors
(800) 677-4257 - Toll Free
(909) 381-0274 - TTY
(909) 884-8281 - Fax

10601 Civic Center Dr., # 260
Rancho Cucamonga, CA 91730-7604
(909) 980-0982
(909) 476-9252 - Seniors
(800) 977-4257 - Toll Free
(909) 476-7875 - TTY
(909) 980-4871 - Fax

14196 Amargosa Rd., # K
Victorville, CA 92392-2429
(760) 241-7073
(760) 241-7072 - Seniors
(888) 805-6455 - Toll Free
(760) 843-9814 - TTY
(760) 241-2111 - Fax

ICLS is a non-profit
501c(3) corporation.
Donations are welcome.
IRS Tax ID 95-6124556

*Irene C. Morales
Attorney at Law
Executive Director
(951) 368-2540
imorales@icls.org*

September 3, 2010

Mr. Chuck Greenfield
Program Counsel III
Office of Program Performance
Legal Services Corporation
3333 K Street, NW 3rd Floor
Washington, D.C. 2007-3522

Re: Recipient No. 805230
Response to LSC Program Quality Visit
Draft Program Quality Report (May 24-28, 2010)

Dear Mr. Greenfield:

Thank you very much for your kind extension of time to respond to the draft report. The team visit provided ICLS with valuable feedback and insight that I believe will assist ICLS in its strive for excellence in providing clients with quality legal assistance.

Program Overview

1. 71 employees, including 24 attorneys and 17 paralegals. (Page 4)
2. Senior administrative assistant/PAI subgrant manager (Page 4)
3. **2009 Closed Cases:** The numbers and percentages of 2009 closed cases are accurately stated with the exception of the percentage of cases closed through Limited Action. The percentage was 42.8%, calculated by



Inland Counties Legal Services pursues justice and equality for low income people through counsel, advice, advocacy and community education, treating all with dignity and respect.

4. dividing the total number of Limited Action cases (4,637) by the total number of closed cases (10,836). (Page 4)
5. **Comment on Cases Closed:** In 2009, the 10,836 cases closed consisted of 6,145 Basic Field and 4,601 PAI cases.

When the legal work accomplished by ICLS staff is differentiated from work accomplished through the LSC approved Subgrantee pro bono programs, ICLS staff closed a high number of cases as a result of Extended Services.

- A. Of the 2009 closed cases, 6,145 cases were Basic Field, which included 1,269 cases (20.7%) involving Extended Service. One out of every 5 LSC Basic Field eligible clients received service beyond Advice and Counsel and Limited Actions. A total of 1,638 Basic Field closed cases (26.7%) involved Limited Services. The remaining 3,238 cases (52.6%) were closed with Counsel and Advice.
- B. There were 4,691 PAI closed cases: 2,999 cases (64%) were Limited Service; 1,395 (29.7%) were Counsel and Advice and 297 (6.3%) were Extended Services.

The ICLS Basic Field Program and the LSC PAI Program were designed to work together to meet the legal needs of a diverse clientele residing in a geographically expansive service area and facing multiple access barriers, including lack of transportation, lack of affordable housing, linguistic and cultural differences, etc. Through the Basic Field grant, ICLS provides a full range of legal services, providing legal assistance to clients within the program's priorities, selecting appropriate cases for extended services. Not all clients have a legal need or legal basis for extended services. For many, Counsel and Advice suffices and in fact empowers educated clients to assert their legal rights and access their legal remedies. Other clients lack the ability or resources to prepare their own legal documents but can navigate the civil justice system when their documents are prepared and they receive counsel and advice on the applicable substantive and/or procedural law.

The LSC-approved PAI Subgrant Model was designed to increase the direct delivery of legal services to a high volume of eligible clients residing in ICLS's expansive geographical area. All three existing Subgrantee organizations have successfully met this goal for more than 30 years under the auspices of local bar associations which sponsor and encourage private attorney involvement. There is one large law firm in the ICLS Service Area, several mid-sized, a substantial number of two to five attorneys firms; however the vast majority is sole practitioners. As a result, the Subgrantee model is designed to provide high levels of Counsel and Advice and Limited Actions. Volunteer attorneys will donate time at evening legal clinics without making extended commitments. Furthermore, ICLS's "self-owned evaluations" prepared in

connection with the State of California Legal Services Trust Fund Program's funded projects has confirmed that when provided good legal advice and document preparation, self-represented litigants achieve successful results.

Summary of Findings

(Page 5) In 2009, at the request of the Board President, the Executive Director prepared a 5 page "self-evaluation" outlining accomplishments and setting goals. In December, 2009, the full Board considered and acted upon the evaluation presented by the Board President and Vice-President.

Findings:

ICLS submits these comments on some of LSC's Findings:

1. We agree that additional work in the area of remote access needs to be done and that the technology manager needs assistance. Following your visit, in July, ICLS began a formal desk audit of the resource needs in the technology department.
2. ICLS will review its requirements and procedures for pro bono programs and strive to identify areas where the process may be streamlined.

The subgrants receive LSC's prior written approval. ICLS relies on LSC's written guidance for the subgrant content and form. Reference the October 13, 2009, LSC Memorandum from Karen J. Sarjeant, Vice-President for Programs and Compliance re "Subgrant Agreements for 2010: Requests for Approval." ICLS's additional requirements are written consistent with the Standard Provisions which basically hold ICLS responsible for providing oversight.

LSC has required that services provided be an effective and efficient use of resources. ICLS does not require "monthly" case numbers, but does track Subgrantee progress quarterly and provides that information to the subgrantees. Based upon a long oversight history, it is ICLS's position that setting numerical case closure goals, as to volume and level of services, is necessary to assist ICLS in demonstrating the effective and efficient use of subgranted resources. In addition to the written Subgrant Agreement, LSC requires the submission of a Subrecipient Profile with total number of cases closed; subgrant amount and identification of oversight activities to monitor and evaluate the work and activities of subrecipients.

As stated in the LSC Memorandum, 45 CFR Section 1627.3 makes ICLS responsible for ensuring the proper spending of subgranted funds, to make sure they are accounted for and that they are audited. The requirement of monthly financial reports is in the LSC-approved PAI subcontract. This requirement is responsible fiscal oversight. It

helps both ICLS as well as subgrantees. ICLS's controller, a licensed California CPA, reviews the monthly financial reports and documentation, and disallows questionable expenses prior to year end or gets more adequate documentation from the Subgrantee. This assists our audit review of contract expenses. Without this type of fiscal oversight, ICLS could very well pay for disallowed expenses and, at year end, discover, that cumulatively disallowed expenses for three subgrantees results in ICLS failing to meet the 12.5% PAI LSC regulatory requirement. This is not a risk that ICLS is willing to take.

ICLS requires monthly financial statements from such Subgrantee. This assists in our oversight and had demonstrably assisted subgrantees who have run into problems when they have had executive director turnover. For example, based upon the financial reports received, or not received, ICLS assisted one subgrantee in rebuilding their files, financial as well as program. ICLS also helped another Subgrantee with their substantial audit issues when executive director turnover and changes in accountant services left the Subgrantee initially with unauditable files and a lack of financial knowledge and history. Both of these incidents occurred within the past 5 years.

ICLS also requires that subgrantees submit monthly CSR data on a disk. The PAI Subgrant managers runs reports to identify CSR compliance issues. Again, it has been our experience that absent this oversight, situations have occurred where ICLS has expended substantial resources of its program legal managers to engage in case compliance review and corrective action. This has been done with all subgrantees within the last few years.

All California non-profit organizations are required to have Board minutes taken and approved by the Board. It is not a burden to require subgrantees to copy and include the Board minutes in their monthly reporting packages. The minutes are read by ICLS. We discovered by reading Board minutes of one Subgrantee that it was planning to move its offices and were able to timely communicate with the Subgrantee of its reporting responsibility for changes under the Subcontract. We learned that the executive director of another Subgrantee had terminated employment. We then initiated contact with the subgrantee's Board of Directors for the status of program management. The ICLS executive director met with the interim director and provided assistance. The PAI Subgrant Manager as well as Controller also provided assistance.

When these situations occur, and we become aware of them, ICLS offers assistance to subgrantees. ICLS needs all subgrantees to be successful because the pro bono programs are essential to meeting the overwhelming demands for legal assistance by clients.

3. ICLS is committed to training its staff on understanding the diverse nature of the low income population to better serve their legal needs.

4. **Finding No. 6: Intake System**

ICLS is a community-connected legal services program with many challenges: a 27,000 square mile service area, lack of transportation in many areas, a staggering 15.5% unemployment rate (among the highest in the nation), one of the hardest hit areas in the nation with mortgage foreclosures (and resulting evictions of tenants residing in foreclosed properties), a state that is in severe financial crisis and continues to reduce or eliminate benefits programs for the poor (such as IHSS and CalWorks), and a poverty population with a growing number of legal immigrants with language, cultural and other barriers.

ICLS believes that extensive outreach is essential for eligible clients to access services. Most of the outreach is part of non-LSC project funded work, e.g. Title III-B, HUD, state Equal Access funds.

ICLS has a physical presence and conducts outreach intake throughout its service area at more than 50 different sites on a regular basis, including 28 senior citizen centers, a dozen homeless centers in San Bernardino County, 2 domestic violence “one-stop” family justice centers, 8 different courts and 2 agencies.

ICLS will continue to improve its intake system, including the telephone answering protocols and completing the intake manual.

One of the recommendations is for ICLS to consider eliminating the written client application. First, whether an applicant is applying for legal services in person at the office or on outreach, it is important that the applicant provide information directly and *in their own words*. It is helpful to see how the client perceives the problem. Sometimes there is no legal problem. Query whether an intake worker might identify a legal problem when one does not exist.

It is important particularly in view of the diversity of the client population. Not all applicants will verbally disclose private information; some will only write it down. Second, when the applicant has written the information down, and the information turns out to be incomplete or untrue, the client signed that it was true. This is not the same when being asked by someone inputting data into a system who then prints out the intake application, hands it to the applicant and asks for the applicant to read it and sign it. In fact, ICLS learns that an applicant is illiterate by reviewing the application or giving assistance when asked. When handed a completed application to read and sign, the applicant is put on the spot: disclose illiteracy or simply sign their name. Additionally, at this time, there is a lack of resources to hire intake personnel to do database entry.

Finding number 6 suggests that there is a solution to problems such as “restricted intake times and long lines in some instances” and goes on to state that the use of the written application is not clear and that it “seems unnecessary”. Restricted intake times are necessary to manage the branch offices as available resources allow as advocates are often away from the office in court, at hearings, at outreach sites or conducting community legal education.

5. Finding No. 8:

(Page 9) The Elder Law team has regularly met quarterly. Many of the same staff are on the Public Benefits Team. Since the LSC visit, these teams have decided to hold joint meetings. The Housing team has met irregularly, mainly due to schedule conflicts. However, housing law attorney as well as paralegal advocates have regularly attended the Joint Riverside and San Bernardino County Bar Associations Landlord-Tenant Section dinner meetings which alternate between counties. These meetings have provided an opportunity for housing advocates to receive training and to network with other program advocates as well as the private bar. The meetings are monthly except during the summer.

Although “practice area” team meetings have not occurred regularly in 2010, in their place, ICLS initiated Attorney Roundtable Meetings which met monthly since March, 2010. These meetings have focused on litigation skills building and have provided an opportunity for program attorneys to meet and discuss various issues in their practices.

6. Recommendation 3.81:

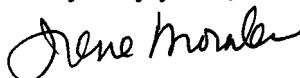
With regard to the litigation budget, a key fact missing from the draft report is that in California, the California Shorthand Reporters Board reimburses ICLS for depositions for low-income legal services clients. Almost all of our clients have their court fees waived due to their indigency. A budget is a plan on how funds will be expended based upon prior experience. ICLS has not denied appropriate requests for the use of litigation funds, and the budget allocation has not been a barrier to approval.

- The litigation budget is based upon program experience with its use. To increase the budget significantly, without having gone through a priority setting process to know where to allocate resources, is premature. It would in effect “pad” the budget inappropriately. ICLS routinely approves requests for litigation funds on a regular basis for matters such as subpoenas for documents as well as witness fees, filing fees (where there is no fee waiver) and depositions (which are reimbursed). ICLS has a history of approving the use of significant litigation funds in ongoing complex cases for matters such as expert studies and witnesses.

- “Limited Scope Case Closing Expectations” where they exist are usually part of a non-LSC contract commitment, such as the Title-III B, HUD Homeless Legal Advocacy Project, HUD’s Homelessness Prevention and Rapid Re-Housing Program (HPRP) and the Legal Services Trust Fund Program’s Equal Access Fund which requires specific defined projects with case goals and levels of services (domestic violence, consumer advocacy, Housing Law Services Center).
 - **Assigned Intake:** ICLS will carefully examine this area.
 - **Courthouse/Outreach responsibilities:** These projects provide court users with useful information on how to access the courts and are a “relief valve” for branch offices which refer callers to the projects. In 2010, ICLS reduced the outreach at the family law court project in Riverside from two days to one day (July 1, 2010) and at the Proyecto Ayuda Legal project at the San Bernardino Court from three days to two days. These projects provide “matters” assistance primarily in family and housing court cases, giving information to self-represented litigants.
7. **Recommendation 3.9.3 Case Closure goals:** First, in prior years, LSC monitors strongly criticized ICLS for its low closing of cases as Extended Services. ICLS implemented case closure goals in advocate work plans. Every year saw an increase in Extended Services. The numbers are not set in concrete but the setting of reasonable goals has assisted ICLS in increasing extended services to clients. Second, most non-LSC funders require case closure goals in their contracts. The setting of case closure goals for advocates assists the Program in meeting their requirements.

Thank you for the opportunity to provide comments.

Very truly yours,



Irene Morales
Executive Director