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Priorities in Allocation of Legal Services
Adopted by Iowa Legal Aid Board of Directors
At Its Meeting on April 30, 2005

PROCESS

The priorities adopted by the Iowa Legal Aid Board of Directors resulted from an extensive priority setting process conducted by the Board and staff of Iowa Legal Aid. The process was initiated in August, 2004, when the Board adopted procedures to be followed for Iowa Legal Aid's needs assessment and the adoption of priorities.¹ The process utilized in 2004-2005 included:

- A. The Board's Programs, Planning and Projects Committee reviewed Iowa Legal Aid's past practices in needs assessment/priority setting and set forth recommendations for the current process which were adopted by the Board at its meeting on August 28, 2004.
- B. A staff priority committee was formed.
- C. Demographic research was conducted.
- D. A "2004-2005 Priority Setting/Needs Assessment Survey" was sent to "key respondents" who included individuals who work with, are served by, or have an interest in assuring access to justice for low-income people, including client-eligible individuals.
- E. Input from local Advisory Councils from each of Iowa Legal Aid's ten offices was obtained through a "Iowa Legal Aid Advisory Council Questionnaire – Priority Setting 2004-2005."
- F. Individual meetings were held by the Executive Director with staff in each regional office.
- G. Research on emerging legal problems for low-income people was conducted.
- H. The staff committee developed recommendations.
- I. The priorities were presented to the Board's Programs, Planning and Projects Committee for recommendations for action by the Board at the April 30, 2005, meeting.

¹ Regulation 1620 adopted by the Legal Services Corporation entitled "Priorities in Use of Resources" provided the framework for the process used.

PRIORITIES

The unique mission of Iowa Legal Aid is to provide high quality legal help to persons eligible for our services to ensure protection of fundamental rights and basic necessities of life. Iowa Legal Aid will give high priority to the following areas:

- A. Preserving Safety and Stability of Individuals and Families:** Domestic violence threatens the security and stability of individuals and families at all economic levels. The abuse of persons, predominantly women and frequently mothers of children in the household, as well as neglect and harm to children themselves, calls for heightened awareness and a fast response by the justice system. The intervention of legal service lawyers in obtaining judicial remedies, such as orders of protection, can be life-saving. Representation may also be essential to sustain what remains of a viable family structure, especially as it relates to the custody of, and access to, children. Iowa Legal Aid will consider representation where the breakdown of the relationship is the result of violence, assaultive behavior or other compelling circumstances, taking cognizance of the exigencies of each situation.
- B. Preserving the Home:** Preservation of the home is essential to the well-being of every person. The loss of housing through poor or uninhabitable conditions, eviction, foreclosure, forfeiture or abusive acts by the landlord can precipitate exposure to physical and medical risks, disruption of the schooling of children, loss of employment and the splintering of families whose members may be dispersed in seeking alternate shelter. Other types of housing problems can affect the well being of low-income Iowans, such as a loss of housing subsidy, failure to return security deposits, denial of admission and access to utility service.
- C. Maintaining or Improving Economic Stability:** Families and individuals must be economically viable in order to survive. Various public assistance programs or insurance programs are available to assist Iowans in maintaining or improving economic security. They include benefits administered at the federal, state, local or private level. Ensuring that child support awards are accurate and appropriate will assist clients in becoming economically secure. The vast area of consumer relations may impact economic stability. Consumer and financial education can help individuals identify and avoid potentially destabilizing financial decisions. The inability to promote meaningful participation in an educational program, or expulsion or suspension for a significant amount of time can adversely impact a child's ability to secure an economically stable future. Low-income Iowans, including family farmers, can encounter numerous barriers to economic self sufficiency. Iowa Legal Aid will assist clients to maintain or improve economic stability.
- D. Obtaining Necessary Health Care:** Health care is provided through an ever-increasingly complex system including public sources at federal, state and local levels, private insurers, county public hospitals and a variety of other payment mechanisms operated by government, private industry and charitable institutions. Individuals and families often require legal and educational remedies to obtain or maintain health care to assure their continued well-being.

E. Preserving Fundamental Rights for Populations with Special Vulnerabilities: Preservation of personal liberty, dignity, the ability to live independently and the right to be treated equally is essential to all persons. Some people are less capable of fending for themselves by reason of language, cultural and educational backgrounds, disability, other barriers to equal access to legal assistance, or if the capacity to make independent and informed judgments diminishes. These special populations often need the help of Iowa Legal Aid with preventative measures to preserve their personal liberty and rights in the future or to help them obtain legal remedies against others who may take unfair advantage of their vulnerabilities. Iowa Legal Aid will provide services to ensure meaningful communication with clients.

F. Obtaining Assistance in Emergency Situations: Iowa Legal Aid will respond to the needs of clients in natural disasters such as floods or fire and, when appropriate, will cooperate in joint endeavors with the Federal Emergency Management Agency and other appropriate agencies. Iowa Legal Aid will explore the availability of funds from special sources to use to provide emergency services to clients in matters such as relocation, repair of housing, filing for benefits and dealing with insurance, contractors and creditors.

Iowa Legal Aid may take an emergency case or matter which is outside of priorities if legal assistance is needed to secure or preserve the necessities of life, protect against or eliminate a significant risk to the health or safety of the client or immediate family members or address other significant legal issues that arise because of new and unforeseen circumstances. Approval by the Executive Director is required.

While representing a client, an Iowa Legal Aid advocate may raise, pursue or defend any claim that arises within the course of the representation and which is necessary for adequate and zealous representation of the client even though the claim would not normally be within the priorities of Iowa Legal Aid.

G. Ensuring Access to Advice and Referral: Many persons need assistance to help them understand their legal options. Others are unaware that there are legal avenues that may be available to ameliorate their situations. In many instances providing access to advice and referral services will be sufficient to meet client needs. In other circumstances, even when advice and referral may not solve a client's problem, it may provide some guidance and directions when no attorney is available to handle the case. Advice and referral may be provided even if the substantive area of law is not included in the list of priorities for Iowa Legal Aid.

H. Increasing Knowledge Through Legal Education: Individuals can avoid legal problems if they have access to community legal education, pro se representation and other forms of self-help and lay advocacy enabling programs to conserve the resources for matters most requiring a lawyer's help. In addition to the direct representation of eligible individuals, Iowa Legal Aid will expend resources on the provision of educational services to individuals eligible to receive services from Iowa Legal Aid offices and projects in both English and appropriate foreign languages. These educational services will include continuation of the quarterly newsletter, The Equal Justice Journal and hosting, the Iowa Legal Aid website (ILAW) at www.iowalegalaid.org. Iowa Legal Aid will continue to write, publish and distribute booklets

and short articles on the legal rights and responsibilities of individuals served by Iowa Legal Aid.

Educational presentations will also encompass oral presentations to eligible individuals, service providers working with individuals who are eligible to receive services from Iowa Legal Aid and to the community generally. Presentations will include seminars and individual presentations on poverty law issues that are accredited to meet continuing legal education requirements. Written education materials will also include written materials to participants in Iowa's Volunteer Lawyers Projects and to the legal community generally. These will include continued updating of the *Iowa Legal Aid Volunteer Lawyers Project Practice Manual*. These services will be provided as a part of Iowa Legal Aid's private attorney involvement activities.

I. Expanding Access to Resources Through Partnerships: Low-income people can gain greater access to legal assistance when Iowa Legal Aid engenders partnerships with the legal community as well as with other organizations. These other organizations include human services agencies, client groups, funding sources and others that have an interest in issues impacting low-income people as well as organizations that may have resources available to assist Iowa Legal Aid's client population. Staff will be involved in bar and community activities at the state and local levels to further enhance the understanding of these groups as to the unique role that Iowa Legal Aid offices play in ensuring access to justice. Likewise, Iowa Legal Aid will continue to expend resources to participate with and coordinate with others the delivery of necessary services to low-income people. Staff will also participate, as permitted by LSC regulations, in community human services coalitions, domestic violence coalitions and other groups that work to provide a comprehensive safety net for those in need of services from Iowa's social services agencies. Through such coordinated efforts, Iowa Legal Aid offices will work to provide holistic services to clients to assist them in becoming more self sufficient and knowledgeable of their legal rights and responsibilities.

Iowa Legal Aid will place a high priority on activities designed to involve the entire community in sharing the responsibility for facilitating access to justice. Special attention will be accorded to the involvement of the private bar in the provision of pro bono client representation, which provides an important supplement to direct service by Iowa Legal Aid. Such services may include pro bono representation in unique areas of law in which a private attorney has notified Iowa Legal Aid of a willingness to assist low-income people. Iowa Legal Aid will work with the bench and bar to assist in the establishment and implementation of *pro se* processes. In addition, the private bar can provide assistance in relevant substantive areas of the law, training for staff and volunteers, and both direct financial support and assistance with fundraising. Law schools and other law-related entities can also make unique contributions. The community at large, including clients, religious and civic groups, community service agencies and the business community and organizations, will also be included in efforts to broaden Iowa Legal Aid's outreach efforts.

LSC regulations also permit Iowa Legal Aid staff to provide services to groups of low-income clients on matters related to an entity's legal organization, such as legal help with incorporation and drafting of bylaws. Working with organizations of low-income people will

enhance Iowa Legal Aid's grasp of client issues and the ability to deliver services to multiple populations of low-income people located throughout the state of Iowa.

It is important to continually explore the possibilities offered by working with state, county and local government within the confines of LSC regulations. The landscape of government agencies and programs is changing rapidly and new opportunities are available to build new relationships with government entities and to marshal resources for low-income Iowans. Iowa Legal Aid will continue to devote resources to enable low-income people to have representation before legislative and administrative bodies to the extent permitted by LSC regulations. The legislative and administrative activities undertaken will mirror the substantive priorities set forth in this priority statement as well as to secure funding for Iowa Legal Aid. As judicial systems change, Iowa Legal Aid will, as permitted by regulation, work with appropriate groups to ensure that the concerns and needs of low-income Iowans are recognized and addressed.

J. Obtaining Improved Delivery of Legal Services: Apart from the focus on substantive issues or client populations, Iowa Legal Aid will devote attention to matters relating to the nature and method of delivery of legal services. Because available resources are not sufficient to serve every person who seeks legal assistance, it is essential that Iowa Legal Aid consider methods by which it can stretch its resources and new systems to expand services for clients.

Iowa Legal Aid is committed to continuing to expand use of technology to better serve clients. This includes steps such as developing more centralized and efficient intake and referral systems, expanding community legal education activities to include delivery of information using the Internet and using other media like cable television, recorded telephonic information lines or decentralized computer kiosks. Technology also offers ways for advocates to improve and expand access to legal reference materials and improve intra-program communication. To facilitate educational presentations, Iowa Legal Aid will continue to use the technology that is available including the Iowa Communications Network (fiber optics system).

Iowa Legal Aid will also engage in activities which further the achievement of goals related to special funding which may be available from time to time. As resources become available, activities may be undertaken to meet the requirements of the grant.

Iowa Legal Aid is committed to the comprehensive delivery of a full range of services. Training of and support to staff and volunteers is essential to ensure the delivery of those quality legal services. Iowa Legal Aid will provide training and support on cases and matters identified as priorities.