

# **Building State Justice Communities**



**A State Planning Report from the  
Legal Services Corporation**

**March 2001**

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## Executive Summary

*Building State Justice Communities* examines state planning in 18 states. It reports on changes in legal services delivery that each state has made since the Legal Services Corporation issued its call for state planning six years ago, with its first Program Letter on the subject. Many of these changes involved retooling of existing systems. All improved access to justice for low-income people, strengthened the quality of the legal services delivered by programs and forged new and deeper bonds among stakeholder partners in each state's civil justice community. Almost none were easy; almost none were risk-free.

They are presented here as examples of how some states responded to LSC's call to recipients and others in the civil justice community to expand their vision from "what's best for the clients in my service area" to "what's best for clients throughout the state." Specifically, Program Letters 98-1 and 98-6 as well as the more recent 2000-7 challenged grantees to

- Investigate the strengths and weaknesses of and resources available to individual programs as well as the overall strengths and weaknesses of and resources available to the state's legal services "system;"
- Assess the needs of the communities served by the programs and the overall "system;"
- Anticipate changes and trends that will most likely affect civil legal services programs in coming years; and
- Devise a plan of action, on a statewide basis, to address the identified needs of low-income persons in the present while ensuring that the civil legal needs of future generations of low-income persons can be efficiently and effectively addressed.

Recognizing that each state has individual challenges and opportunities, history and culture, this report highlights similarities of experience in states that made critical advances in developing a vibrant civil justice community. These 18 states are engaged in a process. They realize that planning is not finished with the production of a State Plan. Their task is to develop, pursue and continually refine strategies for building and maintaining comprehensive, integrated, statewide civil legal justice delivery systems. They undertake this responsibility in collaboration with others, understanding that LSC recipients do not act alone just as client needs are often more complex than a simple legal issue. Their successes include:

- Obtaining or significantly expanding state funding for legal services;
- Establishing systems for coordinating advocacy and training among programs;
- Making the court system more responsive and accessible to low-income and pro se litigants;

- Reconfiguring programs within a state to strengthen coordination, access and services;
- Establishing structures to more creatively involve the private bar in the delivery of civil legal assistance;
- Creating and executing a statewide technology plan to improve access and enhance delivery;
- Developing a statewide coordinated intake system; and
- Expanding the number of stakeholders within a state committed to the concept of equal justice.

These 18 states are by no means the only ones that have made progress. Others could have been included as well. The states in this report were selected because, while they represent a range of local circumstances, resources and background, each has a broad vision for justice and the passion and commitment needed to achieve it. They have pursued innovative strategies at the risk of failure and acknowledged that their civil legal delivery systems need both regular review and adjustment, if not significant change. *Building State Justice Communities* contains some broad lessons learned from their experience:

- There is no single model for building a state justice community.
- People within a state must feel the need to and some urgency for changing the legal services delivery system.
- Building and maintaining a state justice community is an ongoing process.
- A firm grounding in shared values and a shared vision will increase the likelihood of success.
- Planning initiatives must be based upon a structured and principled determination of the needs of client communities.
- Strong leadership is required for positive change.
- Planning and implementation require staffing and support.
- Involving an experienced planning consultant in the initial phases of launching a process and developing a plan can be valuable, particularly where difficult issues involving institutional relationships are present.
- Building a state justice community is demanding and involves real cost.
- If a state is going to successfully create a state justice community, someone has to be responsible for it.
- The creation of state justice communities will be successful only if there is encouragement and legitimization of constructive dissatisfaction.
- State planning will fail unless there is acceptance of and encouragement for the risks inherent in experimentation and innovation.
- The successful state planning initiative requires open communication.
- A state planning initiative takes time, a commitment to forego issues of turf and personal interests and a supportive reward system.
- Significant investments in state justice communities will be far outweighed by the results--increased access and expanded services for low-income people and the intangible benefit of realizing the ideal of equal justice for all.

# ***Organizations are like elephants -- slow to change***

**James A. Belasco**

## **I. Introduction**

Over the last ten years, many civil legal services leaders, stakeholders, program directors and managers throughout the United States began to wonder whether the civil legal services delivery structure that had been in place for a quarter of a century was positioned to meet its many future challenges. Funding was declining or stagnant, many people in leadership positions were weary after years of fighting for survival, demand for the delivery of quality legal services was increasing, staff were questioning their work environments and their personal goals, technology was fundamentally changing the practice of law, and society was growing increasingly inhospitable to the needs of poor people. The legal services delivery system, created in another time and place, didn't seem to be working in the ways that we--stakeholders, staff, clients--expected it to work. And although we were proud of our collective past, many of us had serious doubts as to whether the delivery system that we had created, and that had performed well for us and for our clients for the past twenty years, was the most effective and efficient delivery system for the difficult and challenging times ahead.

Programs and program directors responded to these concerns in different ways. Some pursued strategic planning initiatives. Others engaged in aggressive resource development, pursued alternative methods of providing legal services to clients, reconfigured their organizations, or, in some instances, took their skills and talents elsewhere. And, unfortunately, too many of us did nothing.

In 1995 and again in 1998, the Legal Services Corporation recognized that legal services programs were going to have to change the method and manner in which they conducted their business if they were going to remain viable and responsive to the needs of low income persons. Moreover, LSC wanted to encourage all programs to pursue some semblance of planning. LSC, therefore, required its grantees to begin to examine, on a statewide level, how all grantees in a particular state would serve in the present, and plan to serve in the future, the civil legal needs of low-income persons. In 1995, LSC's state planning initiative was primarily focused on how grantees would work together to address funding shortfalls and to respond to the 1995-96 restrictions. In 1998, LSC Program Letters 98-1 and 98-6 broadened the scope of the state planning initiative, asking grantees to determine how they could expand services and ensure that all clients received similar levels of assistance regardless of their location in the state or other factors such as language, disability or political popularity.

In essence, these two Program Letters asked grantees to expand their horizons from *“what's best for the clients in my service area”* to *“what's best for clients throughout the state.”* Programs were requested to develop plans to coordinate and integrate their work in seven important areas--enhancing client access and efficiency in delivering high quality legal assistance; using technology to expand access and enhance

services; promoting client self-help and preventive legal education and advice; coordinating legal work and training; collaborating with the private bar; expanding resources to support legal services; and designing a system configuration that enhances client services, reduces barriers and operates efficiently and effectively. LSC's grantees were asked to:

- Investigate the strengths and weaknesses of and resources available to individual programs as well as the overall strengths and weaknesses of and resources available to the state's legal services "system;"
- Assess the needs of the communities served by the programs and the overall "system;"
- Anticipate changes and trends that will most likely affect civil legal services programs in coming years; and
- Devise a plan of action, on a statewide basis, to address the identified needs of low income persons in the *present* while ensuring that the civil legal needs of *future* generations of low-income persons can be efficiently and effectively addressed.

A handful of states answered LSC's call to action. They consolidated programs to increase efficiency and deploy resources more effectively; they took advantage of technology advances to improve intake systems; they expanded the network of stakeholders to increase the support and guidance available to service providers. Their successes inspired LSC and other national organizations to a deeper involvement in state planning and higher expectations for all states.

In January 2000, the LSC Board of Directors approved LSC's 5-year Strategic Direction Plan. This document commits LSC to dramatically expand the impact of legal services programs throughout the nation by improving access to legal services among eligible persons while enhancing the quality of the services delivered. The Plan highlights LSC's State Planning Initiative as the primary strategy for achieving these goals. In December 2000, LSC issued its third program letter on state planning. Program Letter 2000-7 renewed LSC's challenge to its grantees to actively engage in assessing their delivery practices and policies and the allocation of their legal services dollars. Program Letter 2000-7 makes clear that the state planning initiative will continue to be LSC's highest priority.

What does LSC mean when it talks about state planning? It has often been pointed out that the term *state planning* does not capture the full scope of the activities that are included in the process as it is playing out across the country. Developing a plan is only the beginning of an ongoing effort that includes implementation of the plan's initiatives, continuous outreach to new partners, regular assessment of progress toward goals, and modifications of the plan as circumstances change.

Because these elements are all included in the concept of *strategic planning*, as it is currently understood in management practice, one advantage of the term state planning is that it emphasizes that what is involved is *strategic planning* for state equal justice communities.

*Developing structures and processes for building and maintaining comprehensive, integrated, statewide civil legal assistance delivery systems* may define the process more accurately but it is certainly a mouthful. *Building state justice communities* captures the concepts of partnership and shared responsibility that are involved, but may under-emphasize the ultimate goal to which the building of the community is directed--the creation and maintenance of a system capable of providing equal justice for low-income people. In the end, actions do speak louder than words. It doesn't really matter if we talk about state planning or state justice communities or world-class delivery systems or the creation of comprehensive, integrated and coordinated legal services delivery systems. It just matters that we do it. In this Report, however, the term state planning should be understood in its broadest sense, as inclusive of all these concepts and various structures, processes, and individual initiatives described in the following sections.

One final thought. Although state planning is LSC's highest priority and we have put considerable resources into it over the last three years, LSC did not embark upon this journey alone. As we proceeded with state planning activities, our national partners also introduced projects targeted to the same goals--the creation in every state of a "state justice community" collaborating on the creation and maintenance of a civil legal assistance system fully responsive to the needs of low-income people. Among these initiatives we would like to specifically recognize are the joint ABA-NLADA SPAN (State Planning Assistance Network) project, and the joint NLADA-CLASP Project for the Future of Equal Justice. On the state level, IOLTA--based funders including but not limited to IOLTA programs in Ohio, Florida, Pennsylvania, Texas, Virginia, New York, New Jersey and Michigan--have also been a key force in state planning.

This Report describes progress that the legal services community has made in the six years since LSC issued its first Program Letter on the subject. It identifies some lessons gleaned from these achievements, describes the growth in selected states toward building a justice community capable of responding to the full range of civil legal needs of low-income people (Part II), and identifies some lessons that have emerged from successful or promising planning processes, as well as the particular structures and strategies that these states have employed (Part III).

We acknowledge the hard work of building state justice communities and salute all those who have rolled up their sleeves to take part in this exciting effort. We believe this report demonstrates there is a big payoff for clients--which, after all, is what it is all about.

## II. Planning In Selected States

Over the past six years, many states have developed a range of initiatives aimed at expanding access and improving services to clients. Their achievements, like the planning processes they have followed, have varied according to local circumstances, challenges, and opportunities. As expected, one size truly does not fit all. However, there have been important similarities in terms of successes. These include:

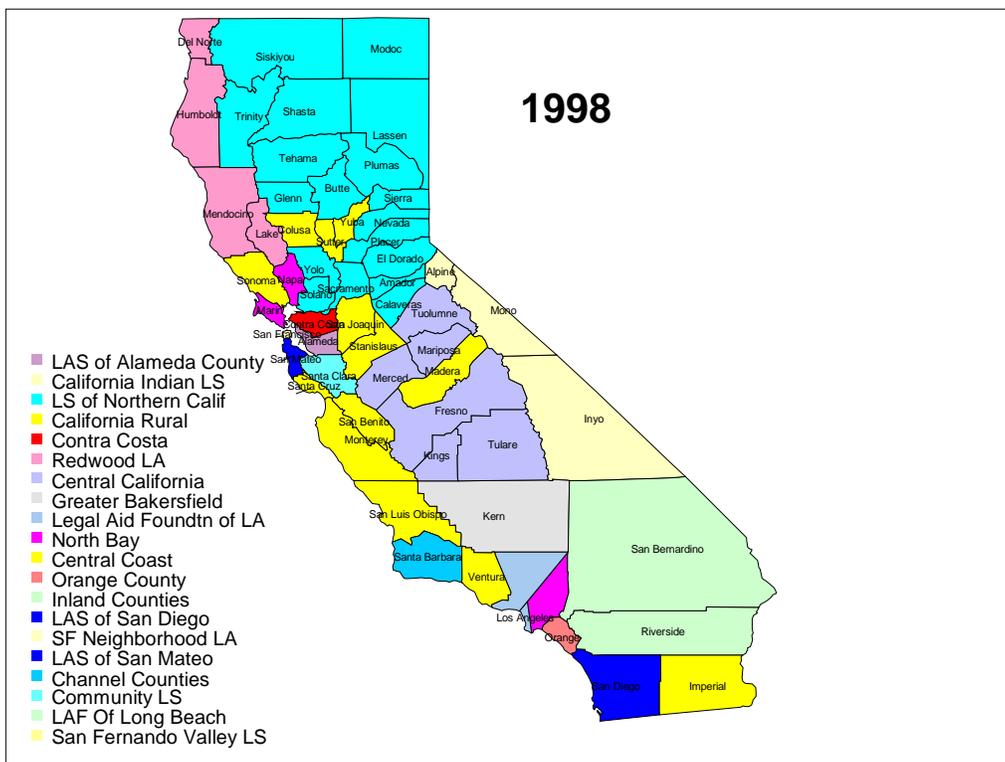
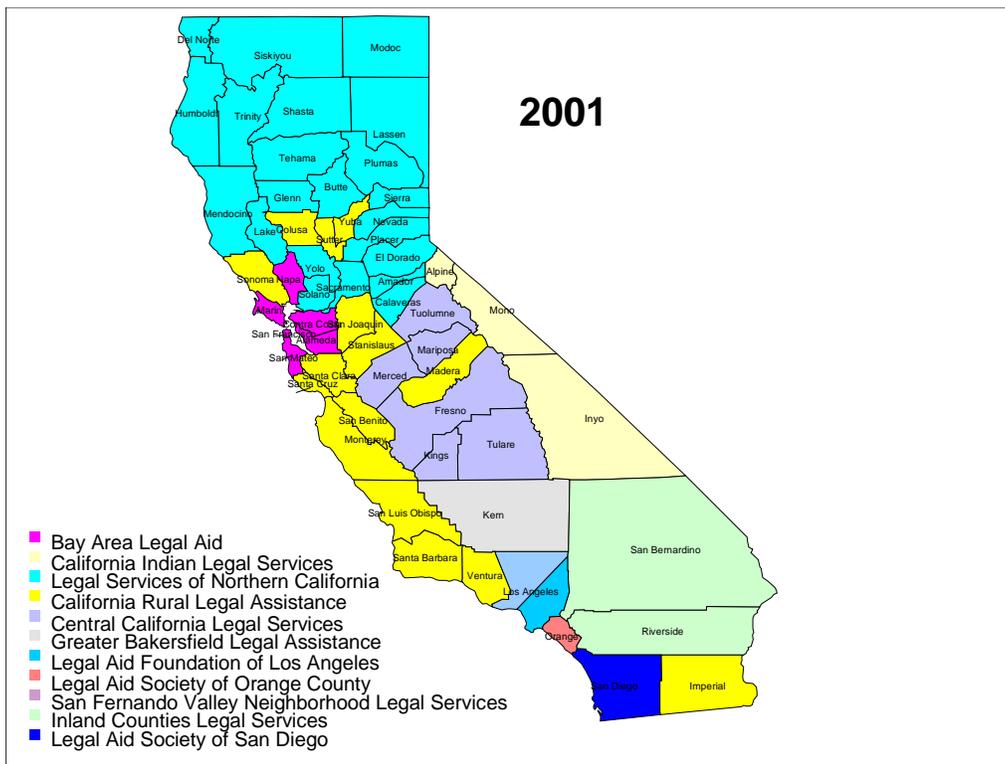
- Obtaining or significantly expanding state funding for legal services;
- Establishing systems for coordinating advocacy and training among programs;
- Making the court system more responsive and accessible to low-income and pro se litigants;
- Reconfiguring programs within a state to strengthen coordination, access, and services;
- Establishing structures to more creatively involve the private bar in the delivery of civil legal assistance;
- Creating and executing a statewide technology plan to improve access and enhance delivery;
- Developing a statewide coordinated intake system; and
- Expanding the number of stakeholders within a state committed to the concept of equal justice.

This section describes the progress that has taken place in 18 selected states toward building state justice communities capable of responding to the civil legal needs of their low-income residents. These states are at different stages in the planning process. In a few states, a fully developed state justice community is in place and its accomplishments are paying off in terms of expanded and improved services to clients. Some states have developed key justice community institutions whose significant improvements in the structure of civil legal assistance in their state position them to make real changes for clients. Some states are still in an early phase: they have developed a plan that shows real promise and are just beginning to build the structures and launch the initiatives to implement it.

The states described here are by no means the only ones that have made progress. Others could have been included as well. Some states, such as Connecticut, Vermont, and Hawaii, made major changes in their delivery systems in 1995 and 1996 and are working diligently to realize the full potential of those systems. Others, such as New York, Texas, and North Carolina, are engaged in promising efforts to overcome particular challenges associated with their size and diversity. Still others--Kentucky, Wisconsin, Louisiana--while relatively slow to embrace the concept of state planning have, within the past year, made significant progress in addressing issues of access and quality in their states.

What we hope to demonstrate in describing what has been achieved in these selected states is both their differences and their similarities, the range of different processes, structures, and strategies that have led to their successes, and the basic commonalities that underlie them in terms of vision, inclusiveness, leadership and commitment. Each of the states described in this section provides insights and lessons that can be of benefit to others.

# California



## California

In 1998, California in recognition of the state's size, diversity and complexity asked LSC to allow it to first develop regional plans for the creation of "regional" justice communities. LSC approved this proposal and in October received regional plans from five regions. The current configuration and planning successes in each of these regions are described below:

**The Northern Region.** Since April 1999, as the result of program mergers, Legal Services of Northern California has been the sole LSC-funded provider for the entire region, with nine offices covering 23 counties. This region has made significant progress in developing a comprehensive, integrated delivery system to provide high-quality services to clients throughout northern California. In addition to instituting a program-wide Regional Counsel advocate support/case review system, which emphasizes collaboration and co-counseling on common issues throughout the whole region, LSNC is coordinating and advancing a region-wide advocacy agenda in welfare to work and housing and economic development. This region has also developed additional resources for region-wide initiatives, such as a \$120,000 three-year grant from the Rockefeller Foundation to increase the capacities of three community-based organizations.

**The Bay Area.** The Bay Area was one of three geographical areas in the United States involuntarily reconfigured by LSC. On January 1, 2000 Bay Area Legal Aid ("Bay Legal") became the only LSC-funded program for all seven counties in the San Francisco area. The new program, headquartered in Oakland, was the result of a merger between San Francisco Neighborhood Legal Assistance (SFNLAF), Community Legal Services in San Jose, and Legal Foundation of Contra Costa. In FY 2000, Bay Legal was the recipient of a \$175,235 LSC Technology Initiative Grant. This grant will enable Bay Legal advocates and clients throughout the region to use networked computer terminals to easily access forms and information. In its first year, Bay Legal also successfully conducted a region-wide "Campaign for Justice" fundraising effort which brought in significant funds to all of its offices.

**The Central California Region.** Five LSC-funded programs previously served the central California region. Today, the region is served by three LSC-funded providers-- California Rural Legal Assistance (CRLA), Central California Legal Services (CCLS) and Greater Bakersfield Legal Assistance (GBLA). These three programs created the California Rural Justice Consortium, a planning entity dedicated to the vision of a seamless justice system in the region. The Consortium is working on issues throughout the region, including the legal problems of migrant shepherders and health and environmental issues affecting rural clients. In order to address the access barriers that face rural and isolated communities and enhance communication between and among the three programs, the programs have developed highly sophisticated video-conferencing capability. The three programs have also agreed to allow and encourage staff members to move freely among the three programs in order to respond to clients needs most effectively.

**The Los Angeles Basin.** As a result of the merger between the Legal Aid Foundation of Long Beach and the Legal Aid Foundation of Los Angeles, there are now three programs serving this region. The programs have hired a Joint Advocacy Coordinator who staffs the Joint Advocacy Project to respond to major issues that cut across program lines and can be addressed most effectively by advocates from multiple programs. One of the first projects jointly pursued by the LA Basin programs will address the diverse languages spoken by Asian client population. Under a grant from the Open Society Institute, the programs contracted with the Asian Pacific American Legal Center of Southern California to provide centralized intake for Asian clients who do not speak English. If the clients require extended service or representation, their cases are then matched with staff of any of the three programs depending on the specific language capabilities of each program. Through this project the LA Basin has found a way to serve Asian clients who do not speak English.

The programs are also poised to make a major investment in technology to expand the delivery of legal services. The I-CAN project, funded initially by an LSC technology initiative grant, was developed by the Legal Aid Society of Orange County (LASOC) to help "pro per" clients fill out Judicial Council forms in family law matters. Future plans includes replicating I-CAN throughout the region and locating kiosks at libraries that can be used by clients for on-line filings of certain legal matters.

**The Southern Region.** The two programs in this region, the Legal Aid Society of San Diego and Inland Counties Legal Services, were relatively late in region-wide planning. Recently, these two programs have committed to an agenda of specific collaborative projects, including joint technology consultations, joint efforts by the two Boards of Directors in areas of mutual interest, joint economic development projects, and assistance in developing intake systems. Both programs are recipients of "partnership" grants to run projects to help Spanish-speaking "pro per" clients in their respective county courthouses. Both are also active participants in other statewide initiatives. For example, Inland and San Diego have both partnered with CRLA to respond to migrant clients needs in the Coachella and Imperial valleys. However, significant integration and planning work remains to be done in this area of the state.

**State Activities.** LSC's 1998 call for state planning coincided with an active period within California's justice community. The Access to Justice Commission was created in 1996 as a coordinating body to seek support for legal services programs and develop strategies to address the severe lack of access to justice that had been identified earlier by a State Bar-sponsored blue ribbon study group. The membership of the Commission consisted of representatives from the bench and bar, including many long-term supporters of legal services, academics, and business, labor and religious leaders, as well as representatives of the provider community. The first priority of the Commission was resource development and the Commission led a sustained effort in the California legislature to obtain state funds to support the provision of civil legal services to low-income persons. In 1999, California appropriated, for the first time, \$10 million for legal services. The same amount was appropriated in FY 2000. A 50% increase to \$15 million is expected for 2001.

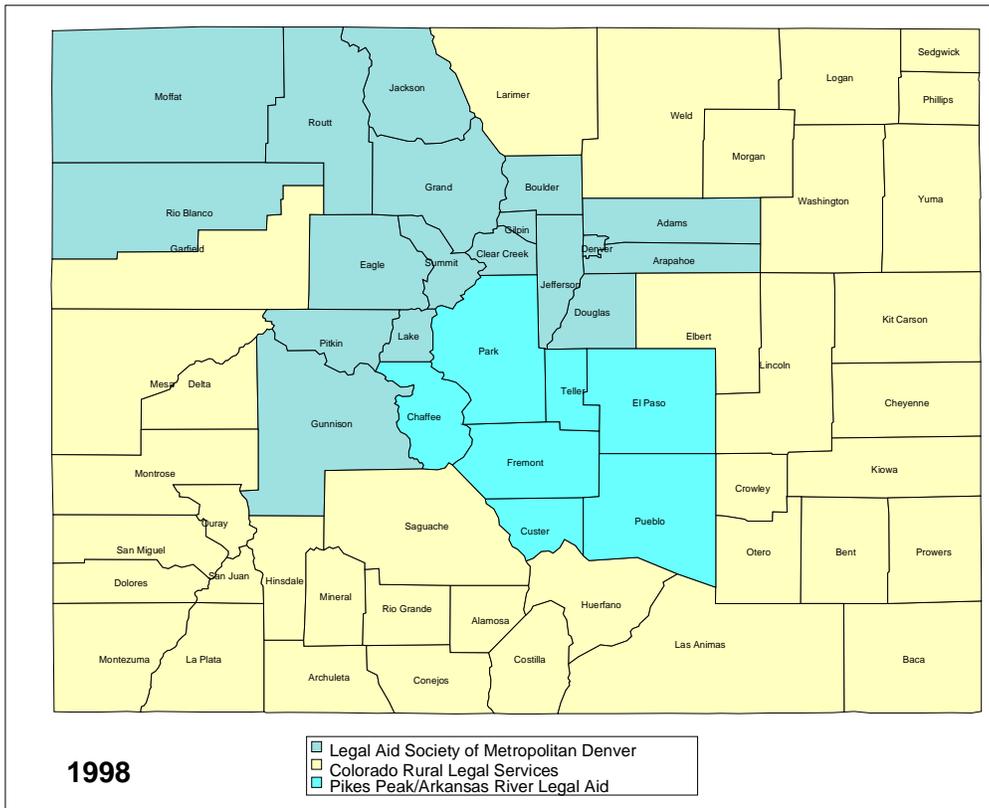
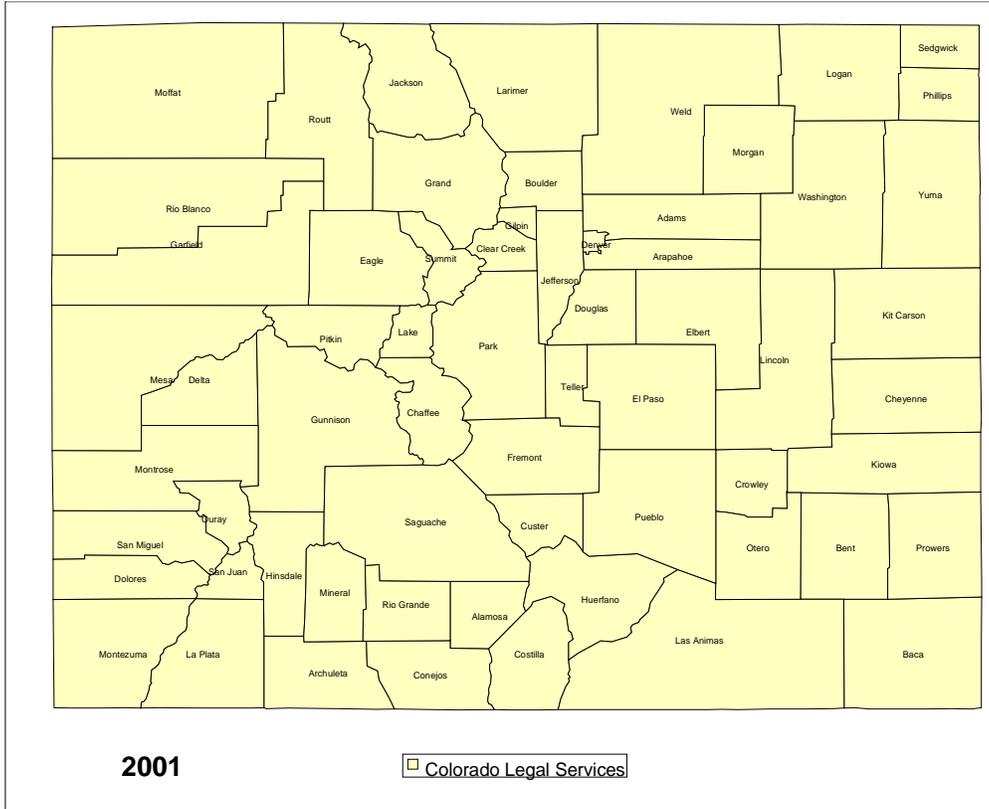
The Commission's second priority was the improvement of access to the courts for "pro per" litigants. The Commission and planners dedicated 10% of the state appropriation for civil legal services to fund innovative projects that partner legal services providers and the courts to assist low-income self-represented litigants.

With support from LSC's Technology Initiative Grants, LSC-funded programs are leaders and active participants in California's plan to utilize technology to expand access and improve legal services delivery. Other promising technology initiatives include the CalJustice Technology Project of the Public Interest Clearinghouse, which focuses on increasing client access to the judicial system through the development of an artificial intelligence-based tool to help advocates quickly spot issues in and strategize about cases. The state has also recently adopted statewide priorities for connectivity and communication, developed minimum technology standards and created mechanisms to share best practices.

Other statewide non-technology initiatives include:

- Inter-program and inter-region collaborative projects to develop new substantive expertise and new programs to respond to changes in policy and law impacting upon low-income clients;
- A system of advocacy training and litigation support through a network of support centers in the areas of health, youth, housing, and economic development;
- The development of standards and assessment tools to evaluate the support centers.

# Colorado



## Colorado

State planning in Colorado began in 1995 with the formation of the Statewide Legal Services Planning Group. Represented in the Group were LSC-funded programs, the organized bar, the judiciary, both law schools in the state, eligible clients, the Colorado Lawyers Trust Account Foundation (the state's IOLTA program), the Legal Aid Foundation (the statewide fundraising arm for Colorado's federally-funded legal services programs) providers of specialized legal services and other groups interested in the provision of legal assistance to low-income people.

Early planning efforts focused on development of additional resources, expansion of pro bono assistance and support from the private bar and ensuring effective delivery of services by the federally funded programs. Initial efforts addressed a variety of internal issues including training and support, increased use of technology, more efficient and uniform intake and the provision of legal advice and brief service, and meeting the needs of particularly vulnerable populations including migrants, Native Americans, non-English speaking persons, immigrants and disabled and institutionalized individuals.

Progress was made on a number of issues important to the legal services community, but despite signs of chronic weakness in two programs, the 4-program LSC structure was left intact. During LSC's 1996 competition, the service area of one of these programs was awarded to an adjacent program. The other received limited funding, and ultimately was provided a very short grant. Together with LSC's 1998 Program Letters, this decision provided the impetus for more serious discussion of program configuration which resulted in the formation of a single statewide program, Colorado Legal Services, effective October 1, 1999.

The formation of a single statewide program was adopted to breathe life into a single program that will provide meaningful access to high quality legal services, in the pursuit of justice for as many low-income people throughout Colorado as possible." This vision became a touchstone for decisions as to program governance, delivery issues, including office staffing, support, training, technology, and increased access to high quality legal advice, brief service and more extensive legal representation.

During the consolidation process, the Legal Services Corporation technical assistance grants enabled the program to utilize the services of a skilled consultant and facilitator to move the process to conclusion, to send program staff to visit and observe other programs with well respected and technologically sophisticated centralized intake systems, to bring experts to the program to help design a transition to statewide administrative and personnel systems, and helped fund the statewide staff meeting which launched and celebrated the new statewide program.

The goals of the single statewide program included establishing uniform standards for high quality legal representation, increased administrative efficiency and the provision of more effective, accurate and helpful brief service and advice, increased

training, technical assistance and support for all staff, but particularly for casehandlers in small remote rural offices, and significantly increased access for more low-income Coloradans in need of service. Many of these goals have been met and others continue as work in progress.

Initiatives that CLS has undertaken to improve and expand services to clients on a statewide basis included:

- The establishment of statewide priorities that pay particular attention to the needs of rural, hard-to-reach areas;
- Increased training and advocacy support throughout the state;
- Detailed plans to initiate a Client Access Plan which will feature a highly centralized telephone-based intake system;
- Vastly upgraded technological equipment, Internet access and computer capability;
- A new case information system that will provide improved information about numerous aspects of the provision of legal assistance to the low-income community throughout the state;
- Casehandlers standards to be used as benchmarks by staff in the representation of all program clients.

Successful efforts have also been made to expand resources necessary for the delivery of civil legal assistance to the indigent. Other efforts focus on how to increase pro bono representation of both eligible clients and potential clients in need of service provided by the federally funded statewide program, and to locate providers for services that may not be available from the recipient of LSC funds.

Increases in resource for civil legal assistance have included:

- Significantly expanded giving by law firms and lawyers to the Legal Aid Foundation of Colorado since 1995;
- After many years of effort, State General Assembly appropriated funds in 1999 (\$250,000) to serve the civil needs of victims of domestic and family violence and \$400,000 in fiscal year 2000.

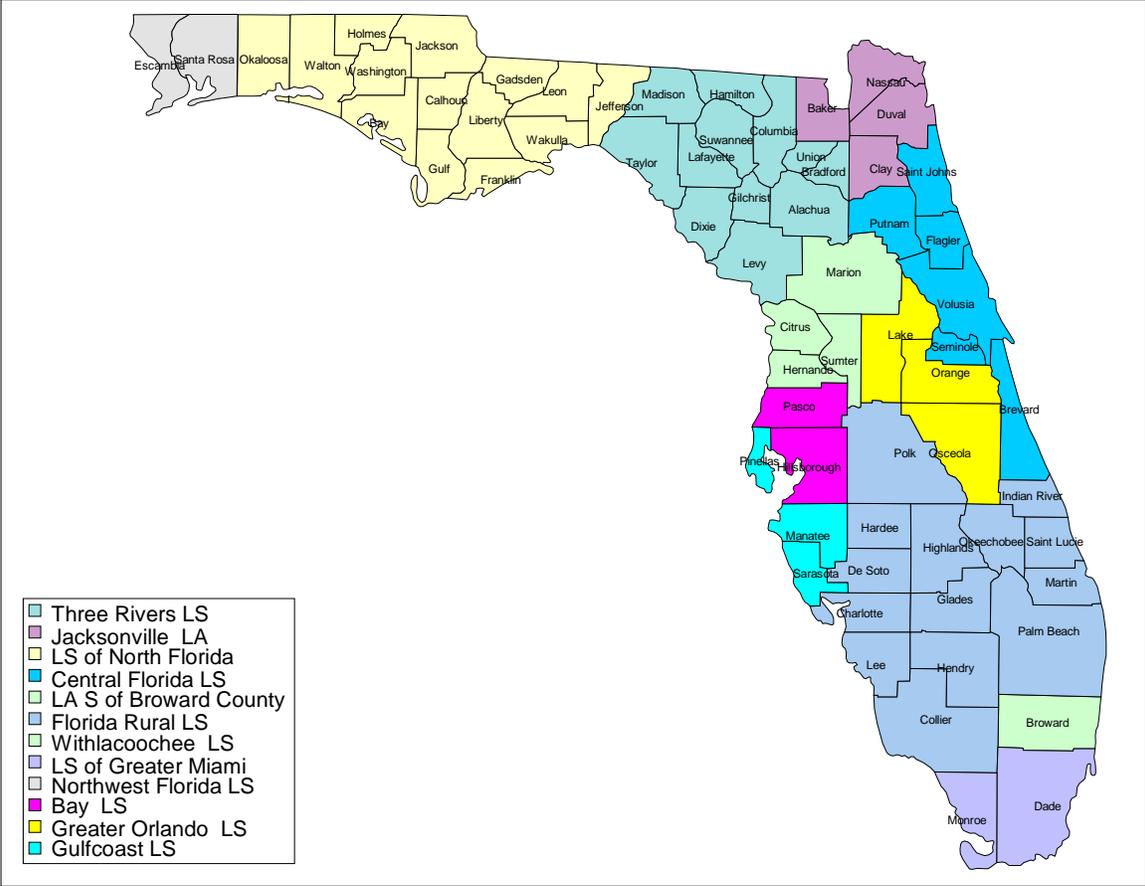
The coordinated and focused efforts of the State Planning Group have also brought major positive changes to pro bono activities throughout the state including:

- The Colorado Supreme Court revised Rule 6.1 of the Colorado Rules of Professional Conduct, effective January 1, 2000, to provide an aspirational goal that every lawyer provide not less than 50 hours per year of pro bono services each year;
- The Colorado Supreme Court amended the Code of Judicial Conduct to more clearly specify that judges may engage in activities to encourage lawyers to perform pro bono service;
- The Colorado Bar Association's Board of Governors in May, 2000 approved a set of guidelines to encourage pro bono service by government and public attorneys;

- A thorough review and revision of its Private Attorney Involvement activities by CLS to further encourage pro bono participation throughout the State;
- Efforts by CLS to maximize local pro bono participation while further coordinating statewide technical assistance and legal support provided to attorneys who participate in pro bono programs as well as increased recognition of volunteer lawyers at both the local and state level.

The relationship between LSC-funded providers and their partners in the state justice community in Colorado has always been positive. The consolidation of the federally-funded programs into a single statewide entity has provided the opportunity for increased communication and collaboration throughout the state both within legal services and between legal services providers and their allies in the private bar, client and local communities and with other key constituencies. It is expected that continued planning and concerted effort will result in higher quality service provided more uniformly throughout the state, and that clients in increasing numbers will be the beneficiaries of a more thoughtful and better coordinated state justice community in Colorado.

# Florida



## Florida

Florida planning efforts began in 1991 with The Florida Bar and Florida Bar Foundation's Joint Commission on the Delivery of Legal Assistance study and report. Its recommendation to increase pro bono engagement was addressed in 1993 when the Florida Supreme Court mandated pro bono reporting for Florida Bar members. Recommendations contained in the 1991 plan also resulted in the institution of tri-annual peer reviews for all Florida Bar Foundation (Foundation) funded programs, including the state's twelve LSC organizations. Recommendations that programs improve technology capacities were addressed in large part by a revolving loan fund, established by the Foundation, that enabled LSC programs and other IOTA recipients to purchase needed computer and related technology. In 1996, the state's "companion system" was created to serve clients whom LSC-funded organizations could not represent.

More recently, and in response to LSC's state planning letters, planning moved to a new level when the directors of Florida's largest legal services programs held a retreat to consider how to improve civil legal assistance in the state. A Technical Assistance Grant from LSC, matched by a grant from The Florida Bar Foundation, enabled the directors to retain the services of a consultant who has continued to guide the planning process.

At the retreat, the 21 directors examined changes in client needs and the practice of law over the past ten years. They asked themselves what accomplishments they and their staff were most proud of, and how they could expand these achievements. They considered ways in which the 33 civil legal services programs in the state (including the 12 LSC entities) should expand partnerships to ensure that low-income Floridians had access to a full array of the highest quality legal services possible. They realized that significant change in the service delivery system was needed because of the increasing complexity of the practice of law, the number of legal services providers in the state, the restrictions on LSC recipients and, most important, changes in laws and programs affecting clients. It became clear that restructuring Florida's delivery system could increase the work that made staff most proud and brought clients the best services. The directors developed the concept of "statewide, client-centered, energetic, affirmative advocacy" as a key value against which to measure all proposals for change. Its elements were identified as:

- Shared responsibility for the statewide delivery system
- Collaborative attitudes on the part of advocates and programs
- Strategic thinking about the most effective way to achieve results for clients
- Advocacy skills needed to provide effective, high-quality services
- Client centered provision of services
- Ongoing self-assessment

A survey was sent to all staff at the 33 nonprofit civil legal services asking them to describe how they could become (or maintain themselves as) energetic, affirmative

advocates, as well as what support they might require and how collaborative efforts in the state could meet those needs. There were 273 responses from 25 programs. The results were reported to the equal justice community and posted on the Florida Legal Services website, [www.floridalegal.org](http://www.floridalegal.org).

The initial planning effort sparked by the 21 program directors grew to become a broadly inclusive structure. Participants represent key stakeholders including funders, bar leaders, judges, advocates and clients, among others. Its principal components are:

**Oversight Committee.** Consisting of representatives of the Board of Governors of the Florida State Bar and The Florida Bar Foundation, the statewide Standing Committee on Pro Bono Legal Services, the Project Directors Association, Florida Legal Services, the judiciary, and clients, this group guides the planning process, seeks input from stakeholders, establishes a timeline and gives final approval of the state plan.

**Action Committees.** Charged with exploring problems and opportunities in the areas identified in the project director retreat and the advocacy survey, these committees focus on Resource Development, Vision, Technology, Legislative/Administrative Advocacy, Client Access, Collaboration, and Training and Technical Assistance. Each committee developed measurable goals with estimated dates for completion. Close to 80 individuals serve on the committees.

**Coordinating Committee.** Composed of the Chairs of the Action Committees, this body considered the recommendations of the Action Committees and integrated them into a draft state plan.

**Project Directors' Association.** Consisting of the Executive Directors of the state's 33 nonprofit civil legal services programs, this group has responsibility for ensuring implementation at the program level.

After circulation for comment to all stakeholders, including county governments (the third largest source of legal services funding in the state), local pro bono committees, local bar associations and Area Agencies on Aging, the Oversight Committee released the draft plan for public comment in late December 2000. A final version was adopted at the end of February 2001.

The 2001 State Plan divides the state into six regions, and highlights a regional approach in its collaboration and configuration strategies. Each region houses LSC and other nonprofit civil legal services providers bound together by a commitment to collaborate. Programs in each region will sign an "enforceable agreement" enunciating the specific activities each organization will undertake. In January 2001, LSC asked the Florida planners to more carefully explore whether the current configuration of LSC and non-LSC funded programs is one that will best advance their goals. LSC requested that the planners seriously consider the advantages of having one LSC-funded program anchor each of the six regions identified in the plan.

Programs have already moved to carry out some of the Plan's recommendations. All 33 programs receiving Foundation funds have jointly hired a statewide resource director. The Foundation, along with The Florida State Bar and several law firms, have provided funds to hire a statewide pro bono development director. Planners are seeking funds to improve the statewide website and expand internet access to community education materials beyond the current community education site for immigrant advocacy organizations. Other initiatives include a statewide Child Support Task Force and a statewide Emma Lazarus Project.

Regionwide efforts are also underway. In one region, three LSC programs have established a regional intake system, funded by an LSC Technology Initiative Grant, with a second planned for another region, to be developed in 2001. A region-wide community economic development initiative housed at an LSC program provides expertise and other resources to all IOTA recipients a third region. A regional Special Educational Advisory Project (involving four programs) to do outreach and advocacy for children, and a regional Team Child Project on joint advocacy between legal services programs and public defender offices for youth entering the juvenile justice system have also been established.

The Florida Bar Foundation, which gives substantial funding to the state's 33 nonprofit civil legal services organizations, has pledged to annually evaluate each of its recipients on their state planning work as well as their contribution to the regional effort. Regional efforts will be a critical component of the Foundation's tri-annual on-site peer review of each program. Thus, programs will be measured not only on their individual contributions to regional and state planning, but also on the quality of their region's accomplishments. The Foundation anticipates that this approach to evaluations will help maintain the productive pace of the past years' planning and emphasize the importance of joint endeavors. Furthermore, planning leaders have indicated that configuration is a priority for planners in 2001, and have developed committees and strategies to address this critical issue.

# Illinois

2001



- Land of Lincoln Legal Assistance Foundation
- Prairie State Legal Services
- Legal Assistance Foundation of Metropolitan Chicago
- West Central Illinois Legal Assistance

1998



- Land of Lincoln Legal Assistance Foundation
- Prairie State Legal Services
- Cook County Legal Assistance Foundation
- West Central Illinois Legal Assistance
- Legal Assistance Foundation of Metropolitan Chicago

## Illinois

The LSC-funded programs in Illinois have a long history of working together on joint projects, state support and other matters. In 1996, in response to LSC's first program letter, the programs requested that the Illinois State Bar Association and the Chicago Bar Association join them in the planning process. In April 1997, under the authority of these bar associations, the Illinois Equal Justice Project was established. The mission of the Illinois Equal Justice Project included: protecting the integrity and accessibility of the legal system for all Illinois residents; educating individuals, families and groups about the self-help process within the judicial system; and promoting cost-effective legal services for low income individuals and families.

The Equal Justice Project brought together a very diverse group of individuals including representatives of the low-income client community, social service agencies, government agencies, civil legal services organizations, religious communities, the judiciary, lawyers and cultural organizations to address the need for comprehensive cost-effective legal services in the State of Illinois. The project was governed by a Steering Committee. In addition, three working groups were created: Non-Adjudicatory Problem Solving; User Friendly Pro Se Adjudication; and Legal Service Delivery System. The Project adopted six guiding principles:

- Equal justice is a basic right, which is fundamental to our democracy. Thus, the integrity of our country, our state and our justice system depends on protecting and enforcing the rights of all people on an equal basis;
- Illinois residents must be educated to protect their legal rights and accept their legal responsibilities. They must also have information about self-help processes and available remedies;
- The justice system must work with social services, government agencies and community leaders to promote holistic, multi-disciplinary approaches to preventing and resolving legal difficulties;
- Since demand for services continues to increase, legal aid programs must be supported in avoiding duplication, maximizing coordination and promoting effective use of existing and emerging technologies;
- Legitimate political discourse requires constructive alternatives. Attacks on the current system, often based on misleading anecdotes, have failed to enlighten participants or improve services to the public; and
- The organizations and institutions, which comprise our justice system, are largely local. Equal justice is an integral part of the general public welfare and funding equal justice is a fundamental obligation of state and county government.

Each working group met several times to develop recommendations for changes to the legal services delivery system. The recommendations were adopted by the Chicago and Illinois State Bar Associations, and, along with an appendix of existing and proposed implementation measures, submitted to the Governor, the Illinois General Assembly, the Illinois Supreme Court, local governments, state agencies, legal services

programs, bar associations and individual lawyers. The focus was on creating a true system of equal justice in Illinois. (The report also recognized work that had already begun among all legal services programs with the establishment of a Statewide Legal Services Delivery and Technology Working Group, which was meeting to share information on the use of technology.)

As part of the goals developed by the Equal Justice Project, the Chicago and Illinois State Bar Associations agreed to support the introduction of the Illinois Equal Justice Act in the Illinois General Assembly. The bill failed in the 1997-98 session but passed the following year. Although stripped of any funding mechanism, the bill authorized the establishment the Illinois Equal Justice Foundation to receive and distribute any money appropriated by the legislature. Finally, in the 1999-2000 session, \$500,000 was appropriated. While less than the \$1,000,000 sought by the governor, it is a start.

In June 1999, LSC commented upon the Illinois State Plan and implementation to date. In its feedback letter, LSC noted that it was “impressed with the steps you have taken and will continue to take under this plan to develop an integrated and comprehensive delivery system that is designed to meet the present as well as the future needs of low-income person within your state.” However, LSC also asked the planners to reopen their consideration of the configuration of the LSC-funded programs believing that “a thorough review of this plan leads to the almost inescapable conclusion that while reconfiguration may not be a front-burner issue within this state, there is merit to seriously exploring reconfiguration of the five LSC-funded programs into three.” LSC also suggested that the planners develop ways to involve more clients and community representatives in the planning process and develop plans to expand their funding base.

Reconsideration of the configuration of the LSC programs has led to decisions to consolidate the five organizations. In 2001, final reconfiguration of the LSC-funded delivery system will be completed, leaving three programs--Prairie State Legal Services, Land of Lincoln Legal Assistance Foundation, and the Legal Assistance Foundation of Metropolitan Chicago.

The programs have also followed LSC and the Equal Justice Project recommendations to consider more streamlined and cooperative ways of operating. While Illinois initially had five federally funded legal services programs, planners identified another twenty-two programs that were providing legal services to the economically disadvantaged. Many of these programs were small and most operated within Cook County. In November 1999, the first- ever meeting of all of these programs was held. The Legal Services Corporation provided funding for two facilitators and lodging and meal costs were paid for by the Lawyers Trust Fund of Illinois. The programs met for two days to plan areas of need and cooperation. Working groups were established to coordinate training statewide, to focus on the establishment of a statewide website and to continue coordination and sharing in technology matters.

The programs continue to explore avenues for improving services to clients. With funding from the Lawyers Trust Fund of Illinois, the Technology Working Group and representatives from CARPLS (the Chicago-based hotline and referral services), Legal Assistance Foundation of Metropolitan Chicago, Prairie State Legal Services and Land of Lincoln Legal Assistance Foundation have formed a “Best Practices” group. These individuals have visited one another’s programs as well as four additional model hotline/telephone intake systems around the country. As they have observed better, more efficient and more innovative ways of doing business, new procedures have been adopted.

In cooperation with IIT Kent College of Law, legal services programs are also involved in establishing a Technology Center for Law and the Public Interest. This will be a single database that will have three portals for three separate interest groups including a portal for clients that would provide them access to client community legal education materials and self-help legal materials. (This would expand upon materials that are currently available from Southern Illinois Self-Help Center and the Illinois legal services website.) A second portal would provide information and video streaming training for pro bono attorneys. The final portal would provide access for legal services staff to training materials, discussion groups, legal research and other matters. The twelve partners in this collaboration have recently signed agreements specifying the duties of each partner. The site will be located at IIT-Kent College of Law.

The Illinois Equal Justice Foundation has recently made its first grants from money appropriated by the Illinois General Assembly. Because of the limited money available, the first grants were restricted to funding for civil legal services and hotlines. Later this year, the Foundation will initiate a study to evaluate the most effective way in which pro bono can be encouraged and supported. At the present time, Illinois has a Pro Bono Center whose function is to work with the organized bar and legal services programs in encouraging participation in existing pro bono programs as well as to help develop new pro bono programs in Illinois. The focus of the study will be to determine what changes need to be made in the existing structure to allow the Center to effectively meet its mission or, alternatively, to recommend a new structure. This study will be funded by an LSC technical assistance grant and will be coordinated with an ABA peer study.

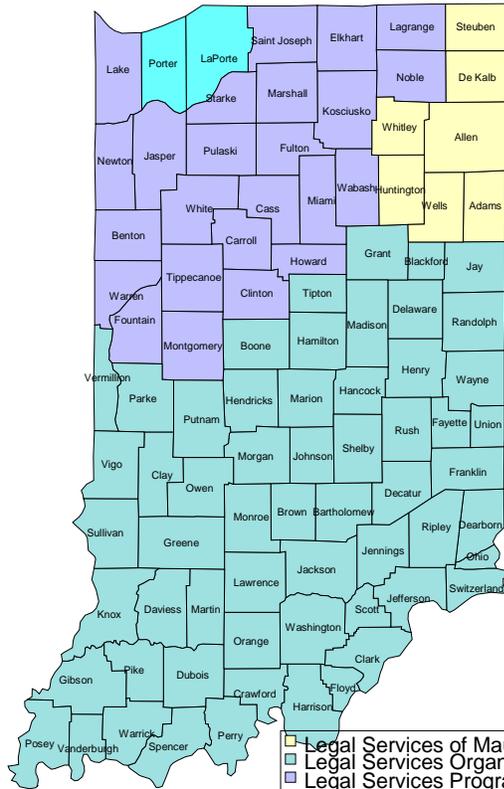
# Indiana

2001



■ Indiana Legal Services

1998



■ Legal Services of Maumee Valley  
 ■ Legal Services Organization of Indiana  
 ■ Legal Services Program of Northern Indiana  
 ■ Legal Services of Northwest Indiana

## Indiana

In 1998, the four LSC-funded programs in Indiana submitted a state plan to LSC that was seriously flawed. The planners were told that their plan was “non-responsive to the issues identified in LSC Program Letters 98-1 and 98-6 and in need of major work.” Indiana was instructed to submit a revised plan to LSC and develop a “collaborative, inclusive and values-driven plan and planning process that strengthens services to clients throughout the state.”

Serious planning within the legal services community began in early 1999 with a commitment to "plan to plan" on the part of the four LSC-funded programs in the state at that time. LSC gave Indiana a technical assistance grant to hire a consultant to assist with the planning efforts. Over the course of a long series of meetings and discussions, representatives of the boards and staff of the four programs reached the conclusion that if all clients in Indiana were to have access to high quality legal services, significant changes needed to be made in the configuration of programs within the state. In September 1999, the boards of all four programs passed a resolution approving the concept of merger. Although merger discussions continued among the four programs, in March 2000 two of the programs did not vote in favor of the merger plan, and therefore the plan moved forward with only two programs: Legal Services Organization of Indiana, Inc. and Legal Services of Northwest Indiana, Inc.

As of December 31, 2001, Legal Services of Northwest Indiana, Inc. joined with Legal Services Organization of Indiana, Inc. (LSOI) by transferring its assets to LSOI. LSOI then changed its name to Indiana Legal Services, Inc. (ILS) and on January 1, 2001 became the only LSC funded program in Indiana. ILS currently has a 3-month sub-grant agreement with the Legal Services Program of Northern Indiana, Inc. (LSPNI) which previously received an LSC grant, in order to attempt to reach an agreement with LSPNI regarding transfer of staff and other assets from LSPNI to ILS. ILS is opening an office in Fort Wayne, where Legal Services of Maumee Valley, Inc. (LSMV) still operates. LSMV has non-LSC funding to represent clients in specific substantive areas, and ILS and LSMV are in the process of developing referral protocols to ensure that clients are referred to the appropriate organization.

The formation of ILS is based on the “Legal Services Plan” developed by the boards of LSOI and LSNI. The plan describes the legal work, allocation of resources, role of private attorneys, role of the client community, role of service providers, governance and program operations and intake for Indiana Legal Services, Inc. The Plan provides for a minimum of nine offices and a 51-member board that is appointed in proportion to poverty population from the 14 judicial districts throughout the state.

The major values included in the “Legal Services Plan” are:

- **The need to remain responsive to and work with local communities.** The Indiana Legal Services Plan makes it clear that ILS must look at problems faced by the low-income community from both a state and a local perspective. ILS is designed so that it can bring together statewide resources in order to meet the needs of local communities. Priorities will be set statewide, but each region of the state will have its own case acceptance guidelines, which will take into consideration local needs and resources. Each region will have a Regional Advisory Council, with a large number of client representatives, which will develop these guidelines and work with the local ILS office to ensure that it is meeting the needs of clients in the region.
- **The need to ensure high quality legal work.** In order to ensure that advocates throughout the state are linked to each other, the 4 programs developed the Indiana Justice Center in 1999. The IJC developed a website with both public and private sections ([www.indianajustice.org](http://www.indianajustice.org)), sponsors training events, coordinates community legal education materials, oversees the pilot hotline project and serves as a voice for legal services to the bar, judiciary and other entities. The IJC also supports the work of the Round Table, which has a number of sections (senior law, consumer law, public benefits, housing, family law, Hispanic Law, etc.) to which advocates from throughout the state belong. These sections meet regularly by conference call and in person in order to share ideas and strategies and conduct training events. Each section also has a “listserv,” hosted by the IJC, and a section on the website to which they can post pleadings and other documents that could be useful to other advocates. The Round Table sections are chaired by casehandlers from throughout the state and responsibility for organizing the agendas for meetings is shared. The philosophy behind the Round Table is that all legal services advocates are responsible for ensuring high quality legal work of the program. The Round Table sections also include non-legal services advocates, providing an opportunity to share expertise between programs. The Indiana Legal Services Plan also described the Pilot Hotline Project, which was begun in an effort to increase the effectiveness and efficiency of intake and advice. This Project is piloting new telephone and case management systems so that ILS can determine the most effective way of implementing a statewide Hotline.
- **The need to expand funding for the provision of civil legal services to low income persons in Indiana.** Indiana is the last state to have an IOLTA Program. The Indiana Supreme adopted Rule 6.5 of the Rules Professional Responsibility, which establishes Pro Bono Committees in each of the 14 Judicial Districts. These Committees are charged with developing and implementing plans to meet the civil legal needs of low-income people through pro bono systems. These Committees’ plans now receive funding from IOLTA as of January 2001. Each of these committees has legal services representation, and many of the plans are integrally linked to the current legal services pro bono programs. Rule 6.5 also created the Pro Bono Commission, which oversees these committees and recommends IOLTA distributions to the Indiana Bar Foundation (IBF). The IBF is responsible for the

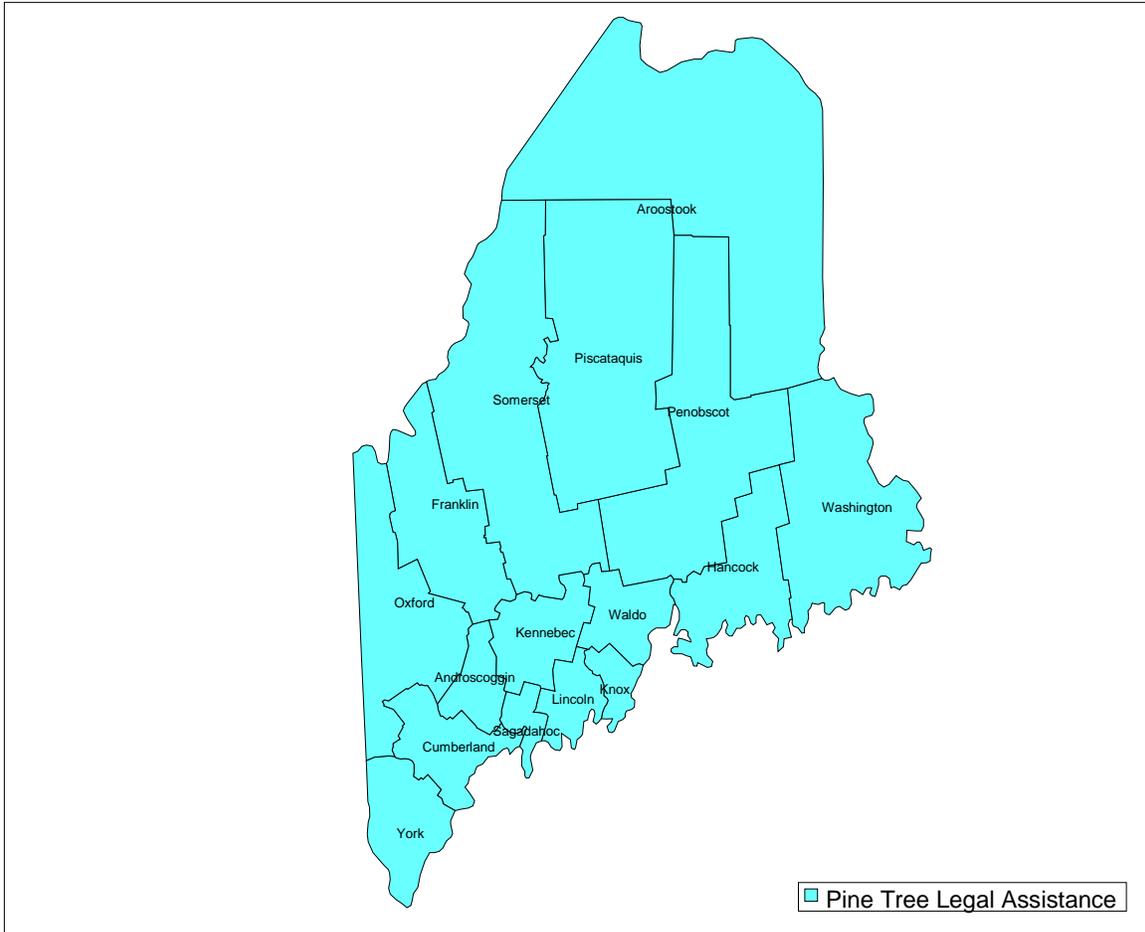
IOLTA program and has worked with the banks and bar in Indiana to launch a successful IOLTA program. ILS continues to work with the Indiana Equal Justice Fund, Inc. (IEJF), a separate not for profit organization established in 1995 to raise funds for legal services. IEJF conducts an annual attorney campaign, for the benefit for legal services and legal aid programs. IEJF was also instrumental in the passage of a general appropriation of \$1 million from the Indiana General Assembly. ILS is also committed to increasing local funds for each of its 9 offices

- **The need to bring stakeholders together on an annual basis to continue the process of equal justice planning and to celebrate Indiana's successes.** In February 2001, the Indiana Justice Center, with support from the Indiana Bar Foundation and the Indiana Pro Bono Commission, sponsored the Second Annual Access to Justice Conference, a statewide meeting of judges, bar leaders, law school representatives, legal services and legal aid staff and board members, clients, court personnel, and others to continue the process of statewide Access to Justice planning. 140 people attended the 2001 Conference, more than half of whom were not from legal services. The first Conference, attended by 180 people, in January 2000 included presentations from bar leaders from Michigan and New Mexico who reported on those states' progress in state planning, an update on state planning in Indiana and breakout sessions addressing technology, resource development, pro bono and pro se. The 2001 Conference featured an introduction of Indiana Legal Services, Inc. and an introduction of the new pro bono plans in several of the 14 judicial districts. Chief Justice Randall Shepard delivered keynote addresses at both conferences, calling upon Indiana state bar leaders and legal services advocates to work together in developing a statewide system that ensures equal access to justice for all low-income people in Indiana. LSC President John McKay spoke at the 2001 Conference in celebration of the new statewide program and recognition of the importance of developing state justice communities. Breakout sessions addressed pro bono issues, pro se and technology. Planning for the 2002 Conference, which will be a working conference, has begun.
- **The need to expand the use of technology to provide essential services to clients.** ILS has a technology plan that will enable advocates, both staff and pro bono, from throughout the state to access information. The IJC website provides a place for advocates to share information. The technology sessions at the Access to Justice Conferences have focused on how technology can be used to link advocates across the state and across program lines, and how it can be used to directly benefit clients by providing information and tools for pro se litigants.
- **The need to improve and expand the role of the private bar in civil legal services delivery.** ILS worked with the Indiana Supreme Court to submit a successful grant application to the State Justice Institute for a Statewide Pro Se Office, at the Office of Supreme Court Administration. This office will work with 4 pilot pro se programs in the state, including the ILS Pilot Hotline Project, to determine best practices for pro se support, and will develop form pleadings, approved by the Supreme Court, for use throughout the state. These forms will be posted on the IJC website. This

collaborative effort is a major step for Indiana in the area of pro se support. These form pleadings will be used at pro se clinics sponsored by ILS and the Pro Bono Committees throughout the state. A committee appointed by the Supreme Court will oversee this project, which will include ILS staff members.

Indiana differs from many other states in that the Indiana planners have made considerable progress in the last few years beyond the reconfiguration of the LSC funded programs but, unlike other states, Indiana does not have a formal State Planning body. This state conducts its planning activities through ad hoc groups addressing discreet issues. In this way they have involved the judiciary, the private bar, law schools, social service providers, court personnel, legal services staff and board members and clients in their planning effort.

# Maine



## Maine

In Maine, much of the groundwork for comprehensive state planning had already been laid when the Corporation issued its first program letter on the subject in 1995. In 1990, the Commission on Legal Needs in Maine, chaired by former Senator Edmund Muskie and made up of Commissioners drawn from the judiciary, the legislature, the private bar, and the low-income community, convened a series of hearings around the state and issued a report calling for increased resources for legal services with a number of recommendations for improving access. Under the leadership of an implementation committee created in the wake of the report, over the next five years a number of steps were taken to increase and support pro bono participation in the delivery of civil legal assistance, support pro se litigants, increase IOLTA participation, and eliminate barriers to access. The state legislature also followed up on the report by creating the Commission on the Future of Maine's Courts, with a similarly broad composition. In response to its report, issued in 1993, a number of steps were taken by the courts to assist low-income and pro se litigants.

In 1995, anticipating the imposition of restrictions on LSC activities and cuts in LSC funding, the Chief Justice of the Maine Supreme Court and the Presidents of the State Bar Association and the State Bar Foundation sponsored a day-long forum on the future of legal services, attended by leaders from the private bar, the legal services community, the state and federal judiciary, the legislature, and executive branch. The forum led to the creation of the Justice Action Group, staffed by the State Bar Association and chaired by U.S. District Court Judge Frank M. Coffin. Other members included Supreme Court Chief Justice Daniel Wathen, Supreme Court Justice (and former LSC Board Member) Howard Dana, the Presidents of the State Bar Association and the State Bar Foundation, a member of the Senate Judiciary Committee, and a representative each from the University of Maine School of Law and the Boards of Pine Tree Legal Assistance and Legal Services for the Elderly. The Justice Action Group undertook responsibility for overseeing the work of a number of task forces for specific issue areas. The work of the task forces was supported by the Legal Services Response Team, consisting of the directors of the legal services programs and directors of the Bar Foundation and Bar Association. A second statewide forum took place in 1996, focusing on the needs of pro se litigants, with continuing follow-up from all participants.

Among the most significant achievements resulting from these phases of the planning process were the following:

- A substantial increase in IOLTA rates at most major banks;
- Enactment of bipartisan legislation to increase court filing fees and fines to provide funding for legal services;
- Creation of the Maine Equal Justice Project, to provide representation of low-income people before the state legislature, and Maine Equal Justice Partners, a network of pro bono litigators willing to engage in administrative advocacy, class actions, and other broad systemic advocacy;

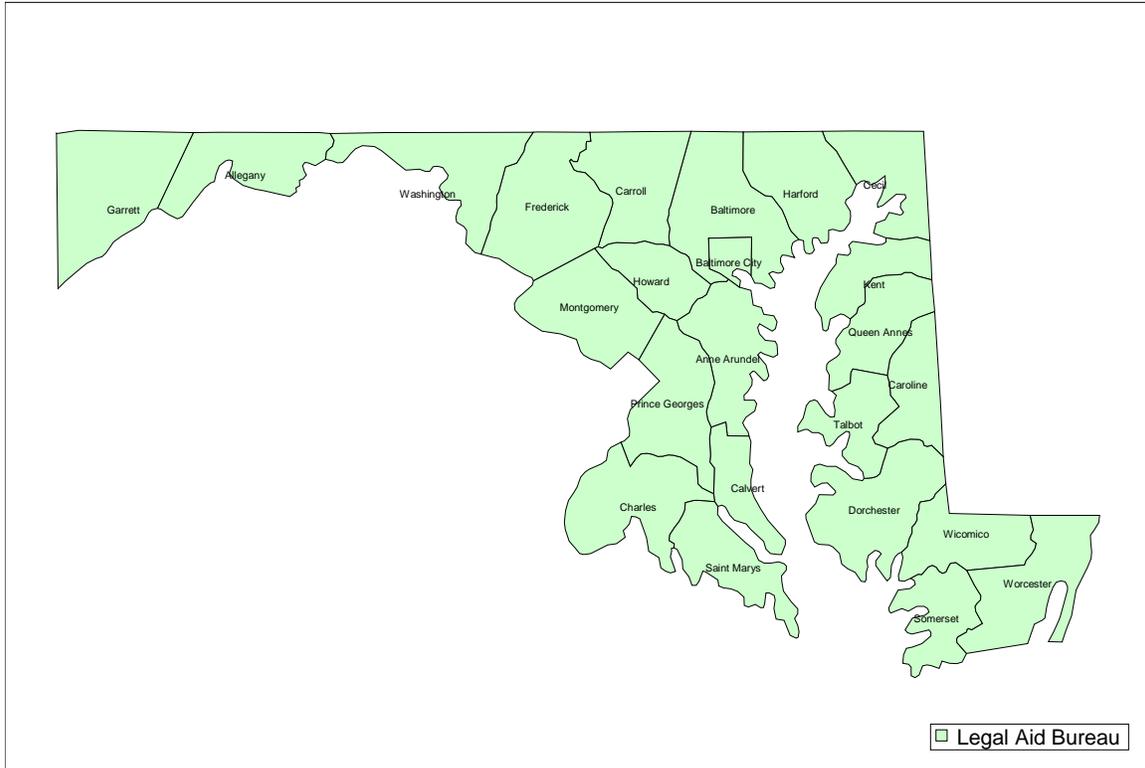
- Development and implementation, with substantial donated funding and in-kind donations, of a statewide technology plan, enabling the five major providers to computerize their operations fully and to improve their telephone systems dramatically, as well as creation of a shared “information technology coordinator” position housed at Pine Tree Legal Services, the LSC program;
- Establishment of a new public interest fellowship program named in honor of Judge Coffin, supported with funding by the twelve largest law firms in Portland. Between two and three “Coffin Fellows” housed at Pine Tree have handled family law cases on behalf of poor people every year since 1998;
- Creation of a new Family Division in the courts to handle family law matters and to be more responsive to the needs of pro se litigants, accompanied by simplification of court forms and hiring of a volunteer coordinator within the court system to promote the recruitment and training of volunteers to help pro se litigants.

The cooperation among stakeholders that marked these endeavors has led to some exciting initiatives to improve and expand access to justice for low-income people. Building upon its experience in using technology to deliver services to clients--over 150,000 pieces of community legal education material are downloaded annually from its website--Pine Tree, with the cooperation and assistance of the Administrative Office of the Courts, has developed an interactive program to assist pro se litigants in completing district court forms over the internet. The forms can be created on line and then printed out in ready-to-file form. The project, funded by LSC and the Maine Bar Foundation, also permits the internet posting of briefs and other materials by Pine Tree staff to facilitate the representation of low-income clients by other providers and pro bono attorneys.

Most recently, Pine Tree has received a major grant from the U.S. Department of Commerce’s prestigious Technology Opportunity Program to create the HelpMe Domestic Violence Project. The project will enable victims of domestic violence to use teleconferencing and videoconferencing technology and on-line filing to confer with Pine Tree advocates, prepare and file Protection from Abuse petitions, and confer with judges if necessary, all without leaving the security of a domestic violence shelter. The project will be complemented by the HelpMeLaw website, funded by an LSC Technology Initiative Grant. The web site will serve as a comprehensive portal for low-income Mainers seeking legal assistance information of any type, providing information from all of the state’s legal services providers as well as state agencies and other sources of information and assistance.

All Maine legal services providers participate in the New England training consortium and have made their in-house training events open to staff of all the legal service programs. For instance, an intensive trial skills training program has been held at the University of Maine School of Law twice in the past three years, using donated faculty drawn from the Law School and the private bar--this event has been made available free of charge to all staff attorneys at Pine Tree, Legal Services for the Elderly and the Maine Equal Justice Project.

# Maryland



## Maryland

Maryland has a long history of statewide planning. The Maryland Legal Services Corporation over the years has supported various efforts to examine and improve the statewide system, including the 1987 Maryland Legal Services Review Commission (the “Cardin Commission”), the 1992 Commission on the Needs of Low-Income Persons in Family Law Matters, and the 1992 evaluation of the pro bono system in the state.

In response to the restrictions and funding cuts imposed nationally in 1996, the Maryland State Bar Association created the Maryland Coalition for Civil Justice (MCCJ) to spearhead and oversee state planning. MCCJ drew together a wide spectrum of individuals and organizations involved in the support and delivery of legal services in the state, including legal services providers, community and bar leaders, legislators, and clients. Statewide Conferences on the Delivery of Legal Services were held in November 1998 and January 2000.

Recommendations from the planning process led to the development of the Maryland Legal Assistance Network (MLAN), funded by the Open Society Institute through a three-year \$1 million grant to the Maryland Legal Services Corporation. MLAN includes four component programs:

- A centralized statewide system of telephone access, intake, screening, information, assistance, referral and service evaluation;
- Expanded pro se and unbundled legal services;
- An expanded Internet-based People's Law Library-an Internet-based Lawyer to Lawyer Support Center.

Maryland ranks at the top of the list nationally in the level of funding for civil legal assistance in the state. LSC funding represents less than 15 percent of the total funding available. In addition to the providers with statewide responsibility--MLAN, the LSC-funded Legal Aid Bureau, Maryland Volunteer Lawyers' Services, Inc., and the Pro Bono Resource Center--there are more than 30 small providers that offer legal services to low-income persons in the state. Some of the small providers are stand-alone organizations that target very specific populations or legal problems. Others are part of larger organizations that focus on specific populations or legal problems. In addition, Maryland has two law schools that are very active in delivering legal services to low-income persons in a variety of areas.

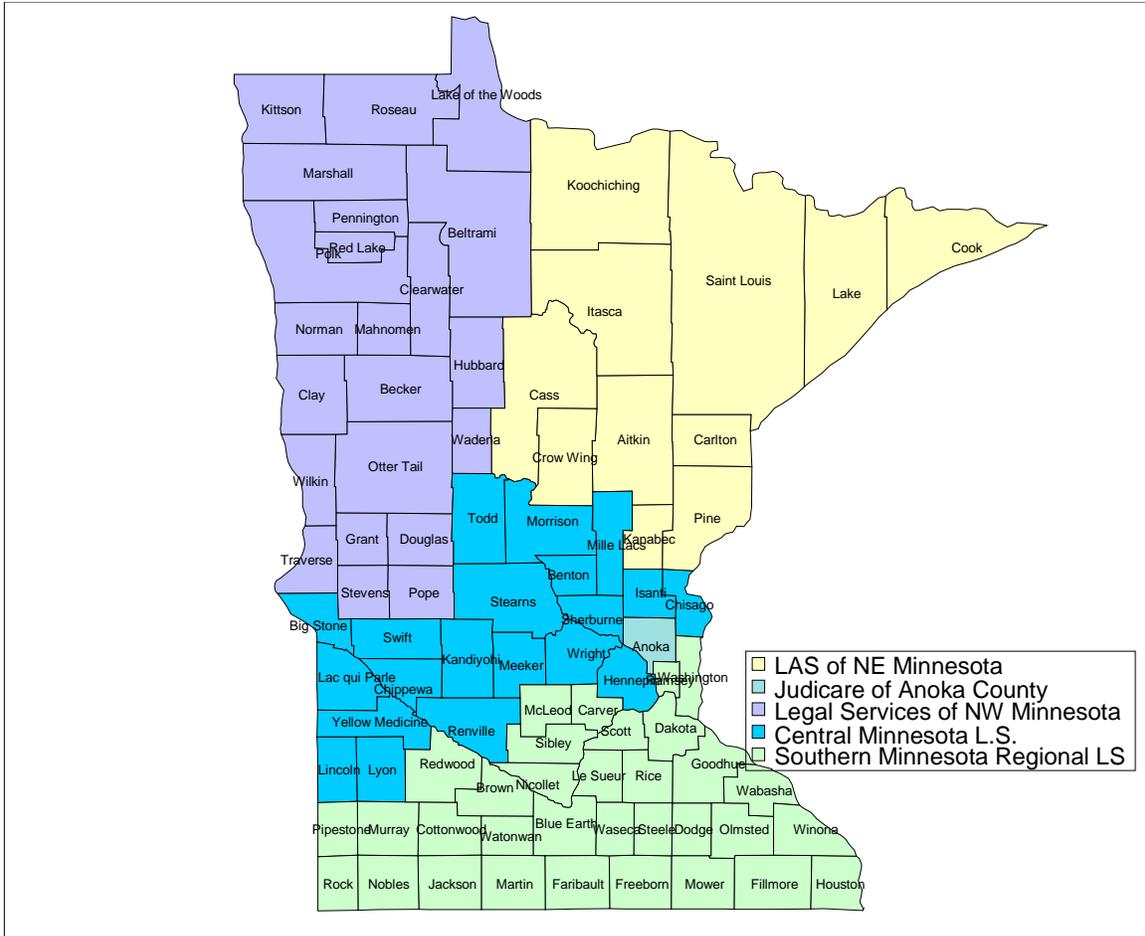
Maryland is also unique in the depth and focus of the support that the civil legal assistance system receives from key institutions within the state. The judiciary is very supportive, with the Chief Judge of the Court of Appeals, the state's highest court, being deeply engaged in planning efforts. The state legislature provides significant bipartisan support for the legal services delivery system. Legal services also enjoys the long-standing, active support and engagement of the Maryland State Bar Association, as well as numerous local bar associations.

Notwithstanding these successes, the equal justice community in Maryland has continued to look for ways to expand and improve services to clients.

Responding to concerns on the part of the MCCJ, the Pro Bono Resource Center, and others that, despite a long history of strong pro bono commitment, some momentum appears to have been lost in recent years, the Court of Appeals established the Maryland Judicial Commission on Pro Bono in 1998 to reinvigorate the pro bono effort. The Commission is working to promote active leadership and encouragement from the bench on a local level, with oversight from the Court of Appeals, to increase bar participation and assist providers in developing more innovative and creative opportunities for volunteers.

In addition, the MCCJ sponsored, with funding from the Maryland Legal Services Corporation and the Project for the Future of Equal Justice, a thorough evaluation of the state's delivery system by consultant John A. Tull. The study, completed in mid-2000, found strengths and accomplishments and noted many remarkable features from which other states could learn. It also identified some lost opportunities. It recommended three broad strategies to address these issues: increasing the flow of information among the providers; establishing formal collaborative arrangements in areas such as technology, planning and development, and substantive support and training; and creation of a framework for more ongoing planning and system-wide decision-making regarding issues affecting the entire system, particularly with regard to substantive matters not being addressed. The report concluded that the MCCJ should lead in planning and overseeing the implementation of these strategies at the statewide level.

# Minnesota



## Minnesota

State planning in Minnesota goes back to 1980, when the six LSC-funded programs in the state received a special planning grant to identify areas for coordination and cooperation. The system in place today is the result of the processes begun with that grant. The providers worked with the newly created Legal Assistance to the Disadvantaged Committee of the Minnesota State Bar Association (MSBA) to create the Minnesota Legal Services Coalition State Support Center and the position of Director of Volunteer Legal Services, now the Access to Justice Director at the Minnesota State Bar Association. The seven regional programs serving all 87 Minnesota counties are known collectively as the Minnesota Legal Services Coalition. Directors of the Coalition programs, along with Center staff, the Access to Justice Director, and representatives of other specialized legal services providers have continued to meet regularly to discuss and coordinate on issues of statewide concern.

In 1995, in response to the pending cuts in LSC funding, the Minnesota Legislature requested the Minnesota Supreme Court to create a joint committee including representatives from the Supreme Court, the MSBA, the Coalition, and other providers to prepare recommendations for state funding changes or other alternatives to maintain an adequate level of funding for civil legal assistance. The Supreme Court established the Joint Legal Services Access & Funding Committee, directing it to make recommendations to the Court and the Legislature by December 31, 1995. The Court appointed a liaison from the Court and 29 Committee members representing the legislature, the federal and state judiciary, lawyers in private and public practice, legal services program staff, and the public, including the client community.

The Joint Committee developed a number of principles, including:

- The legal services programs should continue to strive to offer low-income people a level playing field, access to all forums, and a full range of legal services in areas of critical need.
- Legal services should be structured to ensure that populations with special needs, such as Native Americans, migrant and seasonal workers, people with disabilities, and financially distressed family farmers, continue to have access to legal services.
- Adequate state support services, such as training, community legal education materials and mechanisms for information sharing, continue to be available to all legal services providers, including volunteer attorney programs.

The Committee report concluded that, “while the Coalition programs and others are already a national model of coordination and cooperation, the programs should continue to search for areas in which they can achieve additional efficiencies and improve client services through increased coordination and cooperation.” Among the other recommendations of the Joint Committee that have subsequently been implemented are the following:

- An attorney registration fee increase to support legal services, which has added over \$850,000, per year to the pool available to grantees.
- An increase from the legislature of an additional \$600,000 to the base funding for legal services beginning in 1997, for a total state appropriation of \$6.5 million per year.
- A planning grant from the Bush Foundation to identify which technology applications would increase program effectiveness, reduce barriers to quality service and increase the value of services to clients, followed by a major implementation grant.
- Extensive education around the state to encourage implementation of the ABA Rule 6.1 aspirational goal that each lawyer donate at least 50 hours of legal services each year. The Joint Committee recommended that the MSBA consider reporting of pro bono activities. In 1999, the MSBA petitioned the Minnesota Supreme Court to require the reporting of pro bono work. The court denied the petition.
- A significant increase in interest rates on many IOLTA accounts by major banks.

Legal services programs in Minnesota continue to work together to integrate and provide a full range of services to clients across the state. The Coalition's jointly-funded State Support Center continues to coordinate training and support functions. The Center publishes a twice-monthly newsletter for legal services staff and approximately 2,500 volunteer lawyers. It conducts numerous CLE accredited trainings each year, and coordinates bi-monthly statewide task force meetings in the areas of family, housing, public benefits, consumer, immigration and seniors law. It also coordinates the production and statewide distribution of community education and self-help materials in many languages.

To assure each component of the system operates with the highest quality and is integrated, the Coalition, with technical assistance support from LSC, is developing a statewide peer review system. The Coalition programs have identified their goal as raising the level of integration and cooperation among programs to that of a "virtual statewide law firm."

Implementation of the Coalition's Statewide Technology Plan with funding from the Bush Foundation has represented a major step toward achieving that goal. The plan sets forth a three-stage process, with implementation beginning in 1998 and continuing through 2009. Phase I of the implementation, scheduled for 1998-2000, is largely complete. An LSC technical assistance grant enabled the state to begin planning for implementation of Phase II, scheduled for 2000-2003. Initiatives completed under Phase I of the Plan include the following:

- Bringing every office up to a baseline level of technological capacity;
- providing every staff member with desktop internet access and an individual e-mail account;
- Developing a private website information geared toward legal services staff, such as staff announcements, special training materials, etc;

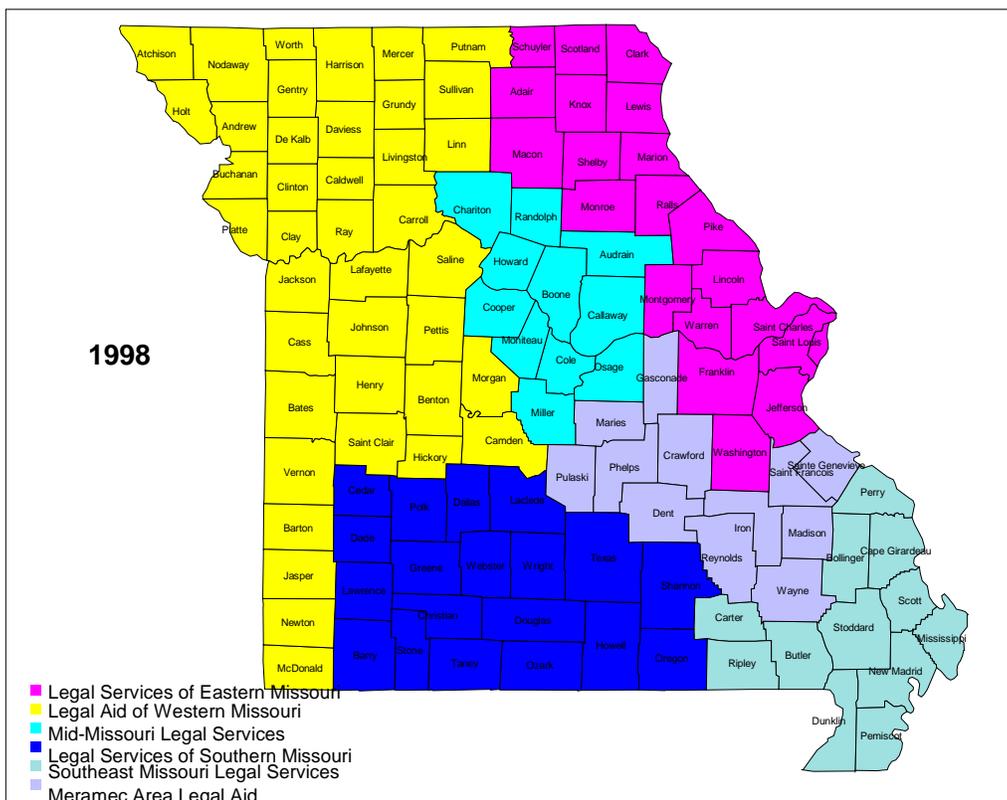
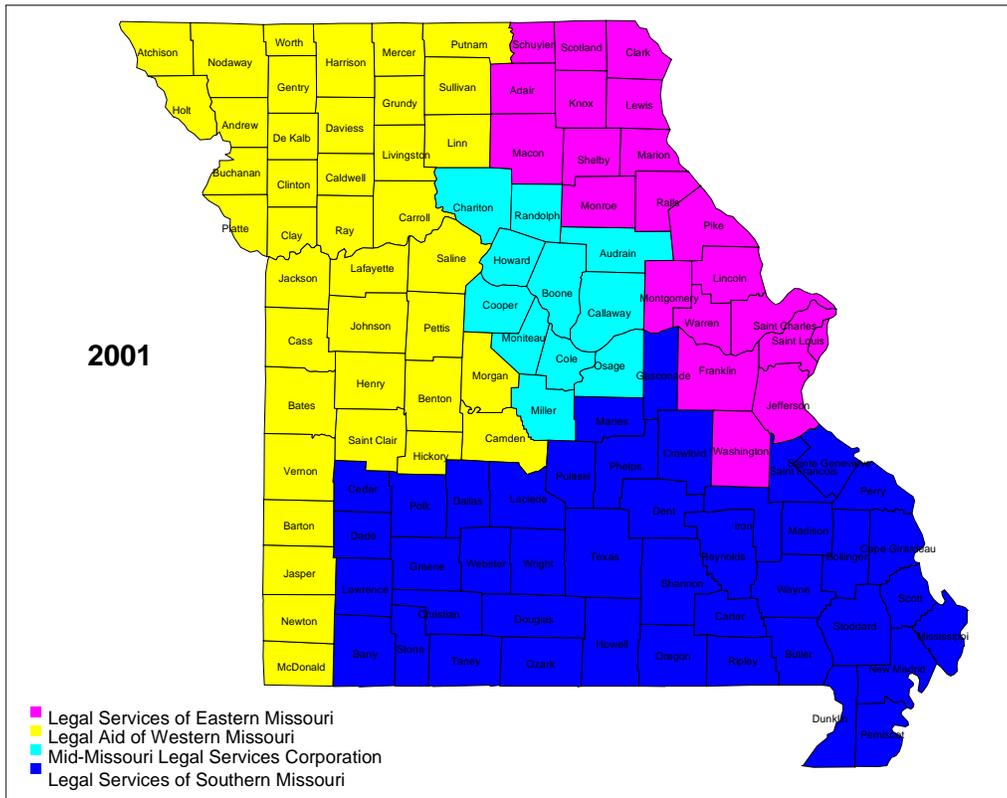
- Developing a public website to create a legal services presence online, providing office and program information, legal education information, and other information for clients and advocates;
- Creating e-mail lists and web forums for Task Forces and Coalition programs;
- Developing technology planning, education and support to enable all staff and management to use technology as an effective tool to improve service to clients; and
- Providing all advocates with on-line legal research capacity, including online subscription to Westlaw research, online updates of recent developments in poverty law, and links on the statewide website to free online research resources.

A preliminary evaluation of Phase I, currently under way, has found that most users are happy with the overall implementation of the technology plan to date and believe that it has significantly improved their program's capacity and their own individual capacity to serve clients. Many users consider the implementation of the plan to have made a profound difference in the way they do their jobs. Many users commented on the effectiveness of the new technology in promoting closer relationships among providers.

Future phases of the Statewide Technology Plan, aided in part by an LSC grant, call for streamlining the intake and case management processes, developing seamless communication among all programs and offices, improving client access to services, integrating case management software, and completing the transition to a virtual statewide law firm. A three-year proposal to support these efforts is also pending before the Bush Foundation.

The programs continue to receive very strong support from the MSBA, the court and the legislature. The Legal Assistance to the Disadvantaged Committee, a planning leader since the 1980's, continues to work in close cooperation with the Coalition and other providers. The Committee's most significant recent accomplishment was the launching of the statewide [probono.net/mn](http://probono.net/mn) initiative, a powerful web-based resource to support all attorneys across the states that are representing low-income clients.

# Missouri



## Missouri

Missouri submitted its state plan to LSC on October 1, 1998. On December 4, 1998, LSC sent a letter to the Missouri planners informing them that LSC had serious concerns as to whether the overall result of the plan would be the creation of a comprehensive, integrated statewide delivery system. Missouri was asked to continue its planning efforts and file a supplemental planning report with LSC on or before October 1, 1999.

In late 1998, primarily because of the inadequacies of the Missouri State plan, LSC made the decision to renew LSC grants to Missouri programs for a period of two years. This two-year funding decision was made to allow the Missouri legal services programs the time and the opportunity to develop a viable, effective and comprehensive state plan.

In January 2000, assisted by two consultants hired by the Missouri Bar using technical assistance grants provided by LSC, Missouri's six legal services programs announced the *Missouri Plan for Equal Access to Justice*, a blueprint for action aimed at delivering four major results over the next three years:

- To double the number of low income clients served by the state's legal services system;
- To increase by 50 percent the total funding for legal services statewide;
- To achieve geographical parity, increasing the resources available in rural areas to establish equal availability to legal services in all counties;
- To make funding available for a full range of legal services.

In February 2000, the plan was presented to key partners at a meeting attended by, among others, the Chief Justice of the Missouri Supreme Court, the President and Executive Director of the Missouri Bar, the Chair of the Bar's Committee on Delivery of Legal Services Committee, the Chair of the Statewide Legal Services Planning Committee, and other state leaders supportive of legal services. Participants endorsed the plan and offered their support for achieving its goals. The plan was presented and endorsed by the Missouri Bar Board of Governors at its March 29, 2000 meeting. It has since been printed and made available throughout the state by the Missouri Bar.

To provide public accountability and support for the plan, the Missouri Statewide Legal Services Commission has been chartered by the Chief Justice of the Missouri Supreme Court and President of the Missouri Bar. The Commission is specifically charged with assessing the effectiveness of the system for delivering legal services to low-income Missourians and assisting in advocating adequate funding for legal services. The first meeting was held on March 9, 2001.

The following initiatives to implement the plan are currently under way or planned:

**State Support Center.** A new state support center has been created to engage in legislative monitoring and advocacy, training, coordination of statewide advocacy, collection and dissemination of information, and coordination of the system of substantive law task forces. A center director has been hired, and office space located. The programs in Missouri are providing initial funding for the center.

**Substantive Law Task Force Structure.** A statewide system of seven substantive law task forces is being put into place. The seven issue areas are Consumer, Housing, Family, Income Maintenance & Health, Education, Immigration, and Disability. The leaders of the task forces will participate in the task force Leadership Council. Each task force is developing statewide goals, strategies, and priorities. The work of the task forces will be showcased at an event celebrating the recent opening of the new state support center.

**Legal Needs Study.** With funding from the Missouri Bar Foundation, Professor Greg Casey of the University of Missouri is currently conducting a scientific legal needs study that will provide a complete, accurate estimate of the need for civil legal assistance in the state. The seven substantive task forces are cooperating in its design and analysis. The study will be completed in early 2001. The Commission, the Chief Justice, and every local bar in the state will be invited to participate in a statewide media campaign to announce its findings and build support for responding to the needs it identifies.

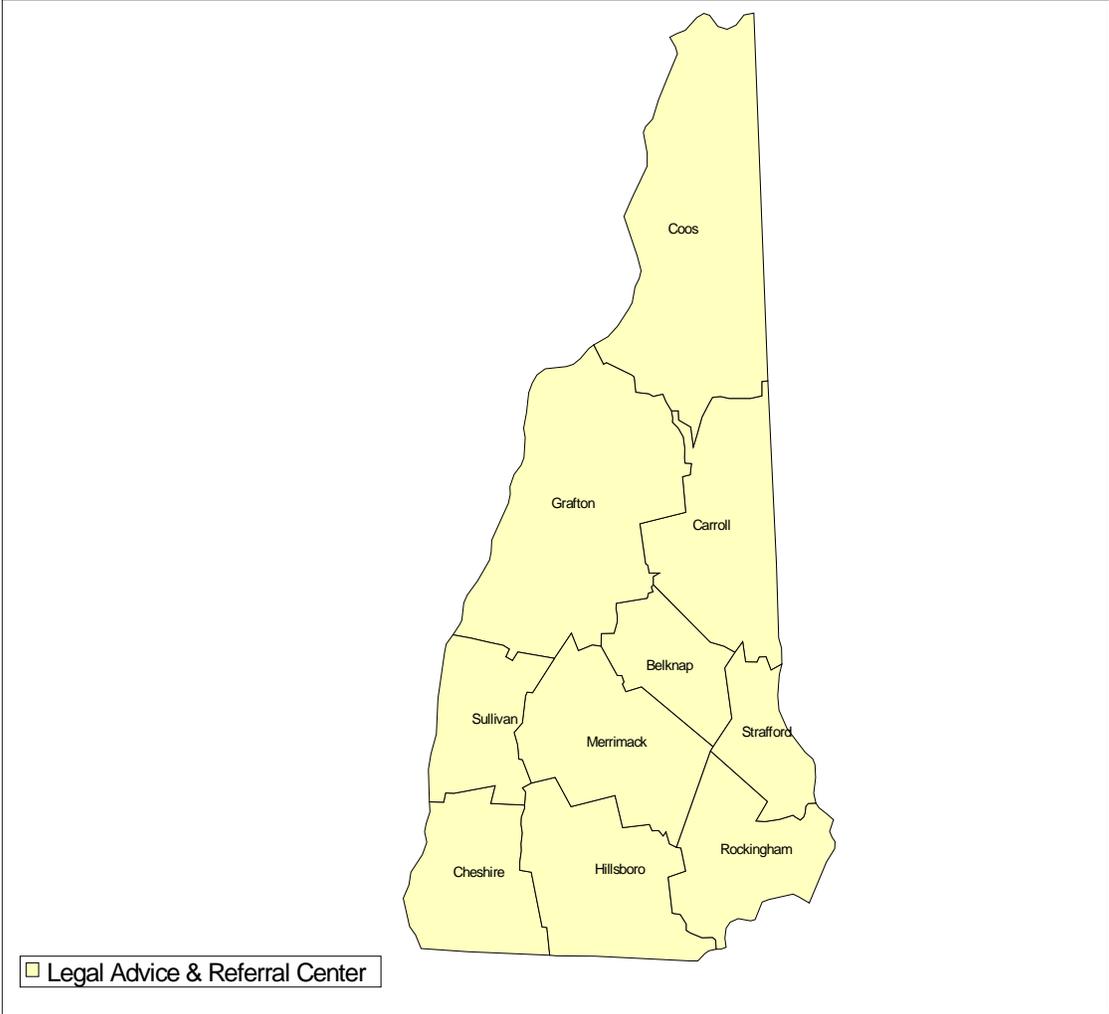
**New Southern Regional Delivery System.** Three smaller programs in the southern part of the state, Southeast Missouri Legal Services, Meramec Area Legal Aid Corporation, and Legal Aid of Southwest Missouri, merged at the end of 2000. The new entity is now known as Legal Services of Southern Missouri.

**Technology.** Under the leadership of a statewide Technology Task Force, implementation of technology goals has begun. All legal services programs in the state are being brought up to minimum technological capacities, technology training goals are being developed and implemented, and technology-based support for the task force system is being put into place, along with the development of client access initiatives.

**Intake.** A State Intake and Advice Task Force will be convened in 2001 to examine ways in which to integrate and coordinate intake and advise practices across the state.

**Resource Development.** A statewide Director of Development has been hired as part of the planned emerging state support system. A State Resource Development Action Team and a State Rural Development Team will be convened in 2001. The Resource Development Action Team will use the results of the legal needs study to build support for state funding for civil legal services, with the participation of the courts, the bar, and others, supported by a public communications strategy and a grassroots support network. The Rural Development team will target potential resources and launch a campaign for rural resource development.

# New Hampshire



## New Hampshire

New Hampshire's state planning process began in July 1995, when representatives of the New Hampshire Bar Association, New Hampshire Legal Assistance (NHLA), and the New Hampshire Pro Bono Referral System convened a series of meetings with stakeholders in the legal services delivery system to discuss the design, configuration and operation of the LSC-funded programs in the state in light of pending restrictions and funding cuts. Among those who participated in the process were representatives of the New Hampshire Bar Foundation, Franklin Pierce Law Center, New Hampshire Children's Alliance, Child and Family Services of New Hampshire, the Disability Rights Center, the New Hampshire Coalition Against Sexual and Domestic Violence, and the Chief Justice of the New Hampshire Supreme Court.

From this process, a new non-profit entity, Legal Advice & Referral Center (LARC), was formed to apply for LSC funding. LARC functions as a "hotline" that conducts most of the intake for the Pro Bono Referral System, provides advice and counsel in specific substantive areas (coordinated with other legal service providers to prevent redundancy), refers cases requiring more than advice and counsel to NHLA and other providers, and develops community education and pro se materials. NHLA, without LSC funding, continues to provide a full range of legal services from regional offices across the state, while the Pro Bono Referral System continues to serve low-income people throughout the state through its network of volunteer private attorneys.

In 1997, the legal services programs secured their first-ever state appropriation to maintain a New Hampshire Legal Assistance office in the northern part of the state. The appropriation has been sustained, and with strong support from the state IOLTA program, a private bar campaign and aggressive grant seeking, the programs have increased their advocacy staff by over 40%.

In 1999, New Hampshire planners sought and received an LSC technical assistance grant to begin evaluating the new system they created in 1996, determining how well it works and what changes may need to be made. The grant was matched by the New Hampshire Bar Foundation and New Hampshire Charitable Trust. A Planning Committee meets periodically and the executive directors and key board leaders of NHLA, LARC, and Pro Bono meet frequently. A full staff retreat of the three programs deepened the understanding among advocates about the goals of integration of legal services delivery in New Hampshire and has led to the creation of a number of committees and task forces to further promote statewide coordination. The scope of the planning process will be expanded by including other client-centered non-profit organizations, and a second all-staff retreat will be held in 2001.

One important outcome of the state's recent planning was the decision to combine the fundraising activities of LARC, NHLA and the Pro Bono Program, under the auspices of the New Hampshire Bar Foundation. The Bar Foundation has hired a resource developer to carry out this plan.

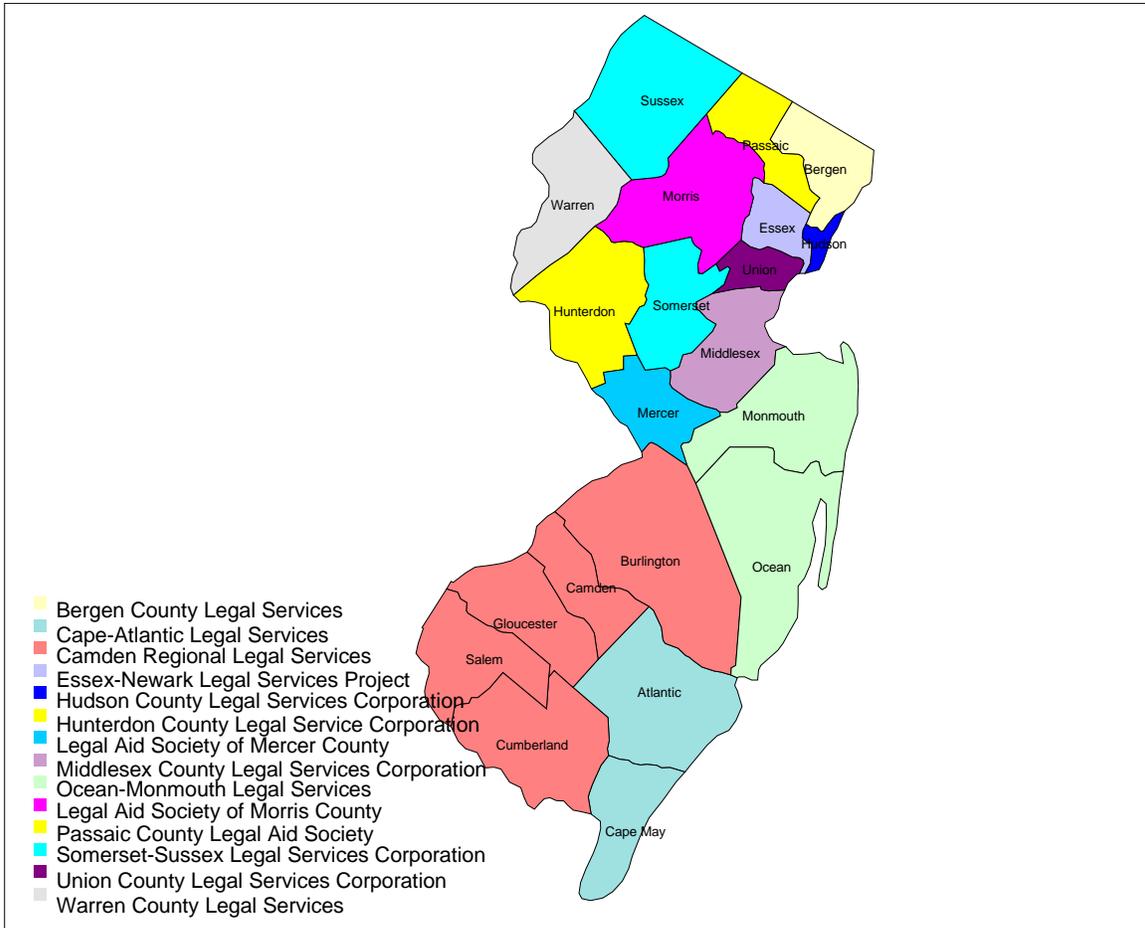
Coordinated planning has led to gains in other areas as well. In technology, the three programs have achieved their baseline goals of providing individual e-mail and desktop access to the Internet for all staff, upgrading hardware, and enabling all the programs to use the same database program. They are currently in the process of developing a technology plan for the next 18 months. Some of the topics under consideration are finalizing electronic data transfer between all the programs, expanding the LARC website into a legal services community website, developing the capacity to distribute pro se materials over the Internet, and redesigning LARC's telephone system. NHLA's technology coordinator continues to provide services to LARC and Pro Bono on a contract basis to help maintain the client databases at all three programs and to preserve and enhance the technological coordination among all three programs.

The planners are in the process of determining a cost-effective method for determining the legal needs of low-income people in New Hampshire, to serve as the basis for a review and joint statement of priorities among the three programs as well as public statement of need. Also, under consideration is the designation of a statewide community outreach and education coordinator.

Last year, the New Hampshire Bar Foundation accepted an NHLA proposal to use IOLTA funds to create a law school loan assistance program to help address the burgeoning problem of law school debt, which is driving talented law school graduates away from legal services. In another example of cooperation and mutual assistance among New Hampshire's legal services programs, NHLA urged that attorneys at LARC be allowed to participate from its inception and recommended that attorneys at the Disability Rights Center be allowed to participate in the coming year. In its first year of operation, ten staff attorneys from NHLA and LARC received an average of \$3,000 in tax free grants to help them pay law school loans and stay in legal services.

The New Hampshire Bar Association continues its long interest in and support of full access to justice. Creator of the country's first statewide pro bono project and the nation's second IOLTA program, the Bar continues to house the Pro Bono Program and seek new ways to expand its impact. Currently, the State Bar's Delivery of Legal Services Committee is attempting to involve government attorneys in pro bono efforts, and the Bar Association's Pro Se Committee, chaired by the Director of New Hampshire Legal Assistance, is working with the New Hampshire Supreme Court to create a court-sponsored Pro Se Task Force and launch a thorough study of pro se issues in the state.

# New Jersey



## New Jersey

The core legal services delivery system in New Jersey consists of 14 programs that maintain full-time offices in 20 of the state's 21 counties. Legal Services of New Jersey, a non-LSC funded entity, administers the quite substantial non-LSC resources that support legal services in this state. LSNJ is both a funder/fundraiser and a state support organization providing support to the field programs in training, litigation coordination, pro bono coordination, the establishment of accountability standards, resource development, technology support, support for service delivery innovations, policy advocacy, major case advocacy, and statewide leadership. LSNJ coordinates all of the state taskforces, holds regular meetings for project directors and others and routinely conducts program evaluations.

In 1994, LSNJ announced an intensive comprehensive statewide analysis of the state's efforts to provide high quality legal assistance to clients. This process was called "reengineering." In reality however, little of LSNJ's efforts went into "reengineering" the delivery system since it, as well as other legal services providers and stakeholders throughout the state, were devoting considerable energies and efforts into developing new sources of funding to support the work of the fourteen LSC-funded programs in the aftermath of the 1995 funding cuts and the restrictions. These efforts were highly successful. Today, funding for the fourteen LSC-funded grantees in the state comes from three primary sources: the state, IOLTA and LSC. Approximately two million additional dollars come from counties, other governmental units, and private sources. On the average, only fifteen percent of New Jersey grantees' annual budgets comes from LSC.

In 1998, when LSC issued Program Letter 98-1, LSNJ was already nearing completion of its formal three-year Legal Services Master Plan for the period 1998-2001. The plan was developed with input from representatives of the state government, the judiciary, the New Jersey State Bar Association, specialty bar associations, county bars, law schools, public interest legal organizations, and representatives of the major in-state funding sources, the State of New Jersey and the IOLTA Fund of the Bar of New Jersey.

The overarching values underlying this three year plan included: (1) the need for legal services programs in New Jersey to function as a "concerted, coherent, closely coordinated legal assistance delivery system;" (2) the need to develop additional resources to expand access and improve quality of services within the state; (3) the need to incorporate the views of clients and key partners in making major decisions about how to design and implement a system of high quality comprehensive legal services; and (4) 100% access for clients throughout the state.

Within this framework, the plan laid out initiatives to improve and streamline every aspect of the delivery system's operations. The first priority was to continue to increase resources available for client services. The second priority was to maximize the efficient and effective expenditure of these resources and to achieve enhanced outcomes

for clients by improving the core legal services delivery system. The plan identified steps and strategies to integrate the core system with a wider network of partners involved in the delivery of civil legal services to low income persons.

As it enters its third and final year, upon implementation, this three-year plan has led to the following accomplishments:

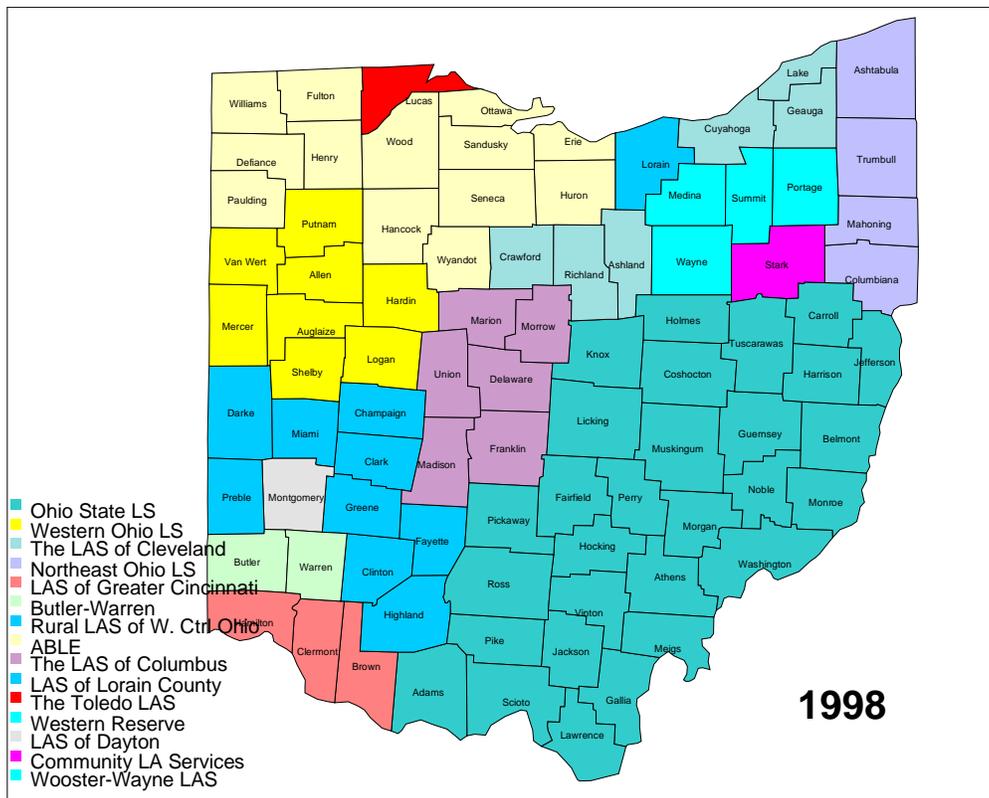
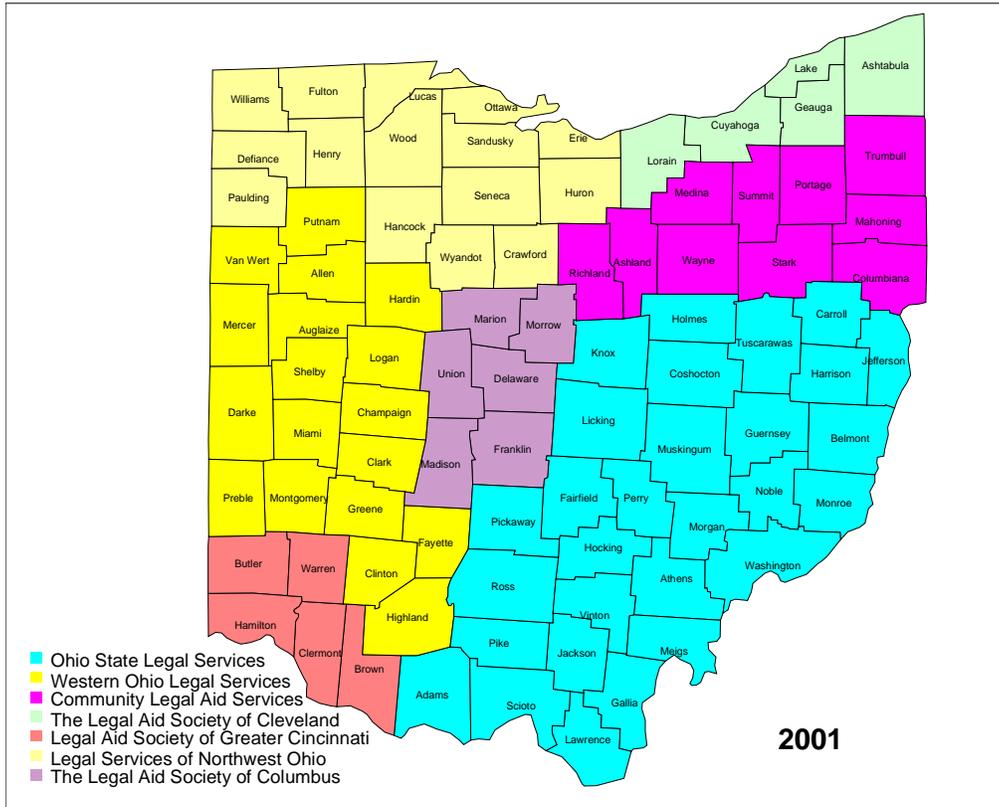
- Creation of a statewide integrated intake system;
- Adoption of a uniform statewide case management system;
- Development of a coordinated statewide outreach and community legal education strategy;
- Adoption of advisory protocols for improving supervision of legal work;
- A comprehensive analysis of the full extent and nature of the unmet need for essential civil legal aid for economically disadvantaged people in New Jersey (scheduled to be completed this year);
- Creation of a technology infrastructure, and the development and implementation of strategies to ensure that LSC's grantees are fully utilizing available technology to expand and improve client services. These strategies include, but are not limited to, statewide computer training, periodic visits--by LSNJ--to local programs to assess the effectiveness of their use of technology, development of computerized intake questionnaires and case handling protocols, coordination of activities with the courts to help self-represented clients through the use of technology, upgrading and updating programs' technology capabilities and maintaining and enhancing desktop electronic research capability;
- Preservation and expansion of the capacity of legal services providers to deliver essential legal assistance to eligible clients, including a major statewide initiative to expand the private funding base statewide;
- Development of expanded pro bono efforts to supplement the work of legal services programs;
- Implementation of new statewide protocols for ongoing program self-assessment;
- Adoption of standardized performance criteria and assessment for legal services staff;
- Efforts to develop a uniform program performance reporting system that will measure outcomes for clients on a statewide basis; and
- Creation of an effective statewide capacity to conduct research important to poverty law advocacy and extended representation of clients in areas of critical need.

In 2001, LSNJ has begun activities to develop its next three-year master plan (2002-2004) for the state of New Jersey. Key points of exploration for this plan include:

- A systematic look at best practices in highly-regarded legal services programs nationally;
- Utilization of the results of the comprehensive New Jersey legal needs study, which is scheduled to be substantially completed by December 2001, to identify needs and establish priorities for funding and for services;

- Further refinement of those statewide core capacities (which New Jersey terms "necessary characteristics") required of a highly coordinated and integrated statewide legal assistance system;
- The need for expanded research into delivery options;
- The need to promote experimentation and creativity in developing new ways to deliver quality legal assistance to low-income clients;
- Full evaluation of progress to date in meeting the goals outlined in the current state plan with an initial report to be completed by July 2001;
- A new three- year technology plan; and
- As suggested by LSC, a new look at program configuration, particularly in light of both the positive experiences in other states and the significant resources and energies that must be devoted to the maintenance of a statewide delivery system that has so many components.

# Ohio



## Ohio

Although some planning efforts took place in Ohio in response to the legislative changes of 1995-1996, the recent round of successful planning efforts occurred because of two independent events that merged to become an effective catalyst for change. In late 1997, the Ohio Legal Assistance Foundation (OLAF)--a major funder of civil legal services throughout the state--launched a process of comprehensive evaluation of each of its recipients, including the LSC-funded programs in the state. These in-depth evaluations used teams of respected legal services leaders from throughout the country and assessed the quality and effectiveness of each legal aid provider with regard to legal work, client involvement, management, and administrative functioning making recommendations for improvement as appropriate. In January 1998, LSC independently launched its state planning initiative and selected Ohio--a state wherein LSC funded 14 separate programs including two programs that served a single county--as one of its priority states. State plans were due into LSC by October 1, 1998. However, since LSC was working closely with Ohio in planning activities, LSC quickly determined that any plan submitted to LSC on October 1, 1998 would not meet LSC's planning expectations nor address the issues identified in Program Letters 98-1 and 98-6. Accordingly, LSC granted the Ohio planners a five-month extension for submission of their plan urging them to develop "*a planning process that is values driven, articulates core capacities that must be in place throughout the state, is sensitive to the needs of all clients in Ohio, and is inclusive of all of legal services stakeholders. In addition... the planning process and the plan itself (must) address the need for program collaboration and coordination within the state...*"

As state planning activities were slowly initiated, the program evaluations launched by OLAF were also proceeding. (OLAF extended an invitation to the LSC planning consultant assigned to Ohio to participate in the evaluation of six of the LSC-funded legal services providers in the state. She accepted the invitation.) As evaluations were completed, it became increasingly apparent that the many strengths of the state's civil legal assistance system were offset by significant weaknesses, including variation in quality among the programs, insufficient communication, and lack of shared responsibility for addressing problems on a statewide basis.

In mid-1998, the Ohio Planning Steering Committee was formed to coordinate existing planning groups and to make sure planning was launched where it did not yet exist. The Steering Committee was and is composed of representatives of legal services programs, OLAF, law schools, pro bono programs, the client community, community-based organizations, and the organized bar. A consultant was engaged by the state planners to facilitate the planning process. Using the "discussion draft" on the hallmarks of a comprehensive, integrated statewide civil legal assistance system prepared by the Project for the Future of Equal Justice as a model, the planners adopted as two overarching goals: (1) the need for the creation of a legal services delivery system that provides comprehensive, integrated high quality legal services to the client community and (2) "100% access to essential legal services for low-income Ohioans such that they are able to secure substantive and procedural equal justice." Measuring the existing

system in the state against that vision, the participants in the planning process quickly came to the realization that significant change was necessary.

The Steering Committee, working through subcommittees, produced a draft report setting action plans for activities aimed at building an integrated, statewide delivery system. The plan was shared with other stakeholders, including all program directors, who then met as a group in early 1999 for a frank and open discussion about configuration. The *Ohio State Plan: Toward Achieving a Comprehensive Integrated Legal Services Delivery System* was submitted to LSC in March 1999. It was quickly approved and the legal services community in the state has spent the two years since then refining and implementing the plan, mobilized by a new energy and a renewed sense of purpose.

A key component of the plan was the decision was to reduce the 14 LSC-funded programs in the state to seven regional delivery systems. The reconfiguration process took place over the course of 2000 and has now been completed. In addition to the LSC-funded programs, there are non-LSC-funded programs in three regions, as well as three statewide non-LSC funded programs: Pro-Seniors, which serves senior citizens; the Equal Justice Foundation, which provides litigation advocacy; and the OSLSA State Support Center (OSLSA).

Planners also identified the development of an integrated and coordinated statewide intake process as an essential component of an effective delivery system for the state. Among the specific goals were the following:

- Establish telephone access for clients in those parts of the state where it did not exist.
- Create centralized regional telephone intake systems in the seven new service delivery regions for all LSC-funded providers, as well as other providers where possible.
- Establish a statewide telephone service with a toll-free number that will route callers to the appropriate regional intake system.
- Standardize intake and case management software among programs to expedite intake and referrals.
- Study systems other programs use to provide advice and brief services to clients and development of recommendations as to how these service components can be standardized from program to program.

Currently, most of the regions have developed or are developing a regionwide intake system, with the assistance of consultants and funding provided by the Ohio Legal Assistance Foundation and funds granted by LSC under a technical assistance grant. Several of these regionwide intake systems are extremely innovative and offer potential as a prototype for the state.

Under the leadership of a Technology Advisory Committee created in early 1998 and a Technology Coordinator hired in late 1998, supported by OLAF funds and

originally housed at OSLSA, the state planners adopted a technology plan in 1998 that set minimum technology standards for all programs in the state, as well as long-term goals.

In 1999, the Statewide Technology Coordinator launched a Technology Task Force, made up of two representatives from each program, one who is responsible for technology matters and one who can effectively communicate how their program provides services to the client community. All providers have now met most of the standards, which include upgrades of computer hardware and software, computers for all staff, desktop internet access, individual e-mail, and electronic legal research capacity. The state has a statewide website and planners are considering web-based intake.

The plan includes a heightened commitment to client empowerment, client and community education, and expansion of pro se options. OSLSA is coordinating a Pro Se Project funded by OLAF and the Ohio State Bar Foundation to develop standardized pro se materials for use across the state, set up two pro se pilot projects in rural Ohio, and develop training materials for pro se clinics. LSC has awarded the State Support Center a Technology Integration Grant for development of web-based pro se assistance with tutorials for victims of domestic violence. A NAPIL Fellow is cataloguing all community education material currently in use throughout the state and reviewing them for accuracy, duplication, and needed changes. New mechanisms for effective and efficient dissemination of community education materials will be developed by community education and technology planners.

Legal work is coordinated through OSLSA and the Litigation Director's Task Force, which was created during the planning process. The task force has set two initial goals: to prioritize, coordinate and develop a work plan for legal work on a state-wide and regional level; and to develop resources to support this legal work through pooled resources of programs, collaborations with law schools, special funding from OLAF and foundations, and the creation of additional task forces.

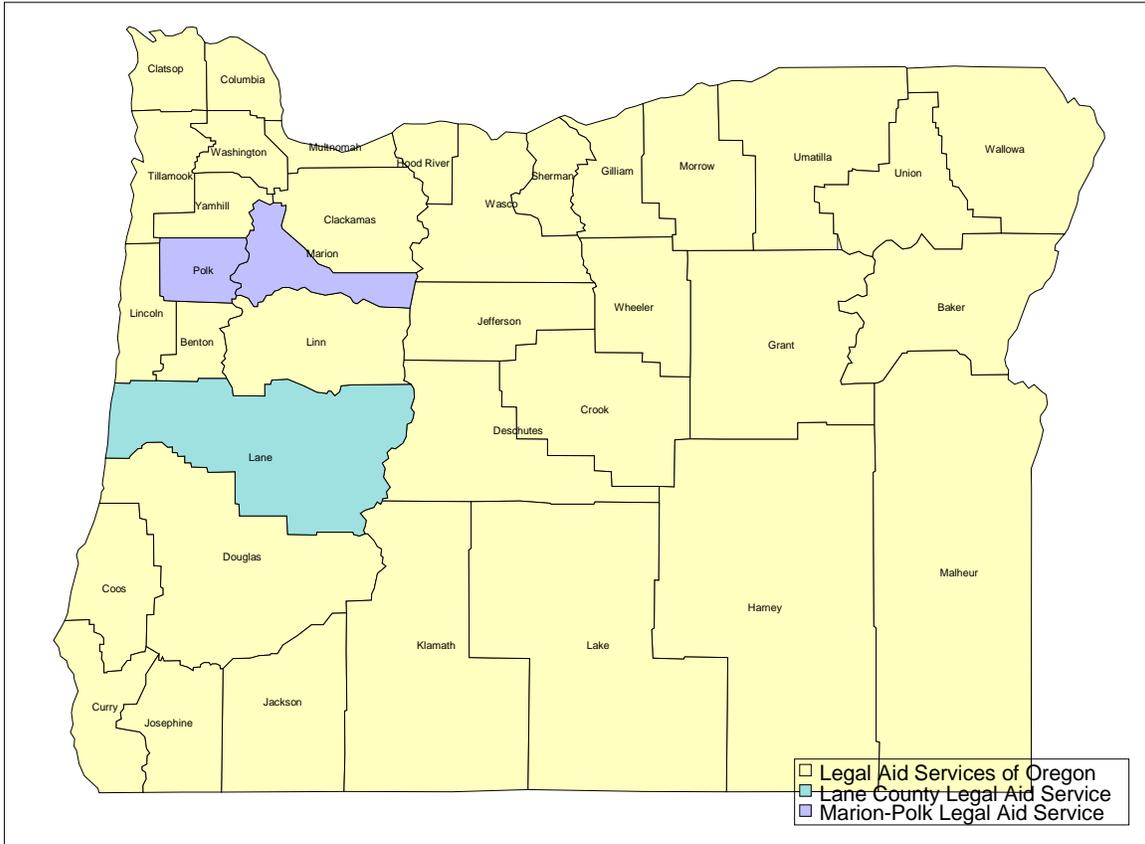
OSLSA and OLAF also play important roles in the area of training. OLAF funds training for the state civil legal services providers and coordinates training for various pro bono projects. OSLSA has primary responsibility for coordinating and delivering training to legal services staff across the state. There have been a number of successful statewide substantive law training conferences. The statewide website has a calendar of training events and related information, and a statewide brief bank that can be accessed by all advocates is in the works.

During the planning process, the planners recognized that mobilizing and involving the private bar in the legal lives of low-income clients was one of the state's weaknesses. Accordingly, the planning process resulted in the establishment of a Pro Bono Work Group to develop and implement a state pro bono plan. OLAF has designated two key staff to provide leadership in this area. The group is working to expand, enhance and coordinate pro bono initiatives and integrate pro bono programs with staff-based delivery systems, with the ultimate goal of raising the current statewide participation rate in pro bono programs of under 10 percent to 17 percent. As part of this effort, the Ohio

Attorney General and Governor recently announced pro bono policies for governmental attorneys, and the Chief Justice of the Ohio Supreme Court sent a letter to all lawyers in the state urging participation in pro bono work. Ohio is also experimenting with an innovative project to link churches, private attorneys and low-income clients through faith-based pro bono projects in areas of the state where pro bono participation is low.

The civil legal assistance in the state has a long history of collaborative fundraising endeavors. Ohio has been extremely successful in obtaining diversified state funding for legal services and has one of the highest levels of state funding in the country. In 1993, the Ohio State Bar Association received the prestigious Harrison Tweed Award from the ABA in recognition of its efforts to help expand funding for legal services. OLAF has succeeded in significantly increasing IOLTA funding in recent years. The initial planning report submitted to LSC in March 1999 ranked continuing attention to resource development as a very high priority and outlined steps to ensure continued support for legal services from filing fees, attorney registration fees, IOLTA, and other sources. OLAF continues to work each year to try to generate general revenue funding. One important new resource has been the Ohio Supreme Court, which initially provided \$350,000 annually, raised to \$500,000 this year. The Columbus and Cincinnati legal aid capital campaigns have each raised significant funding for their capital campaigns--\$4 million in Cincinnati and \$1.5 million in Columbus.

# Oregon



## Oregon

Oregon's state planning process began in 1995 with the creation of the Oregon State Bar Legal Services Task Force, convened by the President of the State Bar in consultation with the Chief Justice of the Oregon Supreme Court. Members of the Task Force included the Chair of the Senate Judiciary Committee, judges from the Circuit Court and Court of Appeals, and leaders from the private bar, as well as members of the Oregon State Bar Board of Bar Governors.

The Task Force worked through subcommittees organized around the following broad areas: Client Need/Priorities, Structure and Organization, Funding, and Ethical Responsibility/Quality Assurance/Transition. They gathered information from a wide range of legal services providers, including law school clinics, the state Protection and Advocacy Agency, the Juvenile Rights Project, and pro bono groups and others in the community concerned about services to low-income residents of Oregon. Each of the subcommittees reported to the full committee. A final Task Force Report was issued in 1999. Since then, activities have been coordinated through an Access to Justice Network that includes all the entities involved in planning efforts. Statewide Access to Justice Conferences were held in 1998 and 2000. Planners continue to involve an impressive array of stakeholders, including representatives of the bench, the State Bar, the Governor, the Attorney General, the Legislature, and legal services and social services providers. Work groups have been created on all key issues. In 1999, the State Bar funded a statewide legal needs assessment to inform the ongoing planning effort.

Planners in Oregon have made resource development their highest priority, concluding that a substantial infusion of new resources is the key to achieving a comprehensive, integrated statewide system that provides access to justice for all. Under the leadership of the State Bar's Campaign for Equal Justice, the state has had considerable success. The Campaign has been raising more than \$600,000 a year from private attorneys. Foundation funding accounts for an additional \$400,000 annually. The state planners have set a goal of a 50 per cent increase in funding over the next five years, with an ultimate goal of \$10,000,000 in annual state dollars. Currently, the Legislature is considering a bill that will charge out-of-state attorneys a fee to practice in Oregon. If passed, this is expected to generate about \$150,000 annually, all of which will go to LSC-funded programs. Supporters of legal services for low-income clients are also working with state legislators to create a General Fund appropriation for legal services programs to augment the dollars generated annually through filing fee add-ons that are also directed to legal services initiatives.

Cooperative efforts among the court system, the bar, and legal service providers have made Oregon a leader in improving access to its courts. A successful pilot project, funded by the courts, to employ facilitators to assist pro se litigants is being expanded to additional courts. The facilitators help to improve fairness in the justice system by assisting pro se litigants in a variety of ways, including reviewing pleadings for errors. Legal service providers continue to work with a variety of partners, including the Oregon

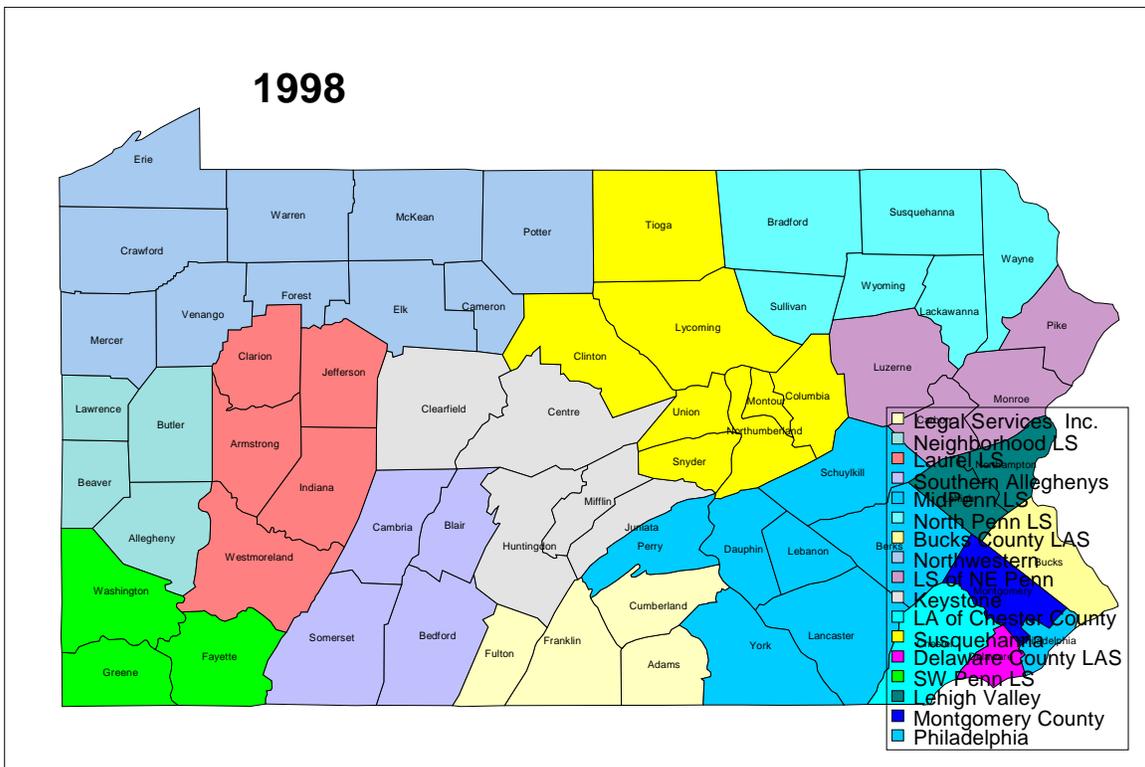
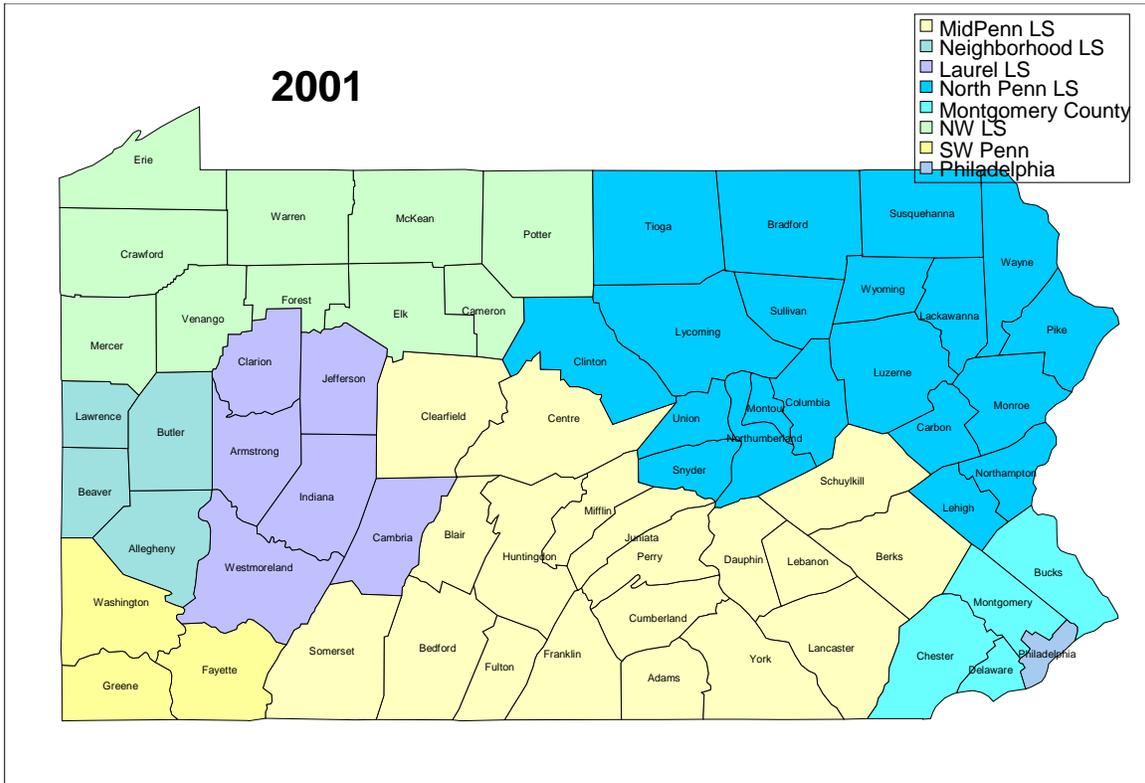
Judicial Conference, to improve pro se forms and instructions in additional areas of the law, beyond domestic relations. State planning strategies have also opened up other avenues for improving outcomes for clients. Creative partnering between legal services and the Oregon Farm Bureau resulted in a successful mediation program, housed at the LSC-funded Legal Aid Services of Oregon, that resolves disputes between farmworkers and growers.

There are three LSC-funded programs in the state, Legal Aid Services of Oregon, Lane County Legal Aid Service, and Marion-Polk Legal Aid Service, as well as two non-LSC-funded programs and the Center for Non-Profit Legal Services. The Oregon Law Center was specifically established to ensure access for disfavored client populations and issues restricted for LSC recipients. Building on a long history of close coordination of legal work, the programs collaborate through five task forces--domestic relations, administrative law, housing, migrant and elder law. The task forces are facilitated by senior attorneys from the various programs, and meet quarterly. All programs participate. Co-counseling across programs occurs routinely, and expertise is regularly shared. The programs have cooperated on a statewide training needs assessment, and advise the Oregon State Bar on continuing legal education events for private attorneys to ensure that poverty law issues are included.

In the areas of technology, planners have targeted a number of long-term changes, including upgrading hardware and software, use of videoconferencing for rural intake, and creation of a statewide legal services web site. Legal Aid Services of Oregon has received a federal Violence Against Women Act grant for a videoconferencing pilot project that will permit remote intake from domestic violence shelters in rural areas without legal services offices. The program also received an LSC Technology Innovation Grant for a web-based pro se project in conjunction with the Oregon Judicial Administration for Family Law.

Although reconfiguration of the LSC-funded programs has not been a priority issue, LSC has asked the Oregon planners to examine whether maintenance of three separate organizations continues to make sense.

# Pennsylvania



## Pennsylvania

Prior to development of its 1998 state plan, Pennsylvania's legal services community was fragmented and performing unevenly. Nearly, a third of Pennsylvania's 15 LSC-funded programs were receiving one year funding because of quality concerns, and at least one was on the verge of receiving no LSC funding. Pennsylvania programs were also competing with one another for LSC funds. And, as Pennsylvania's State Plan observed:

“It had never been a state role to say it's not acceptable that those in need in one part of the state have less access than those in another part, or that clients in one area have less effective legal assistance than is available to clients in other parts of the state.”

Indeed, in February 1998, Pennsylvania sent a representative to the LSC Board meeting to object to LSC's state planning initiative; and, later that month, a Pennsylvania delegation traveled to Washington to reiterate those views.

Three years later, much has changed. With strong leadership and financial support from key members and institutions of the justice community, Pennsylvania is in the midst of implementing a comprehensive state plan to “transform ... a collegial confederation of independent programs into a statewide integrated service delivery system.” Key features include:

- Redesign of the delivery system by creation of 6 regions and consolidation of the LSC programs from 15 to 8. Each region was required to develop its own plan for a full service regional delivery system, with sufficient capacities in the areas outlined in LSC's program letters. Periodic reports are submitted to the Statewide Steering Committee assessing whether the region has each capacity in place, and if not, what steps are to be taken to put it in place. The program consolidations have been completed, and each region is moving forward on its delivery plan.
- Creation of the *Statewide Support Team* housed at Pennsylvania Legal Services to provide statewide support and leadership in three core areas enumerated in the State Plan--training, resource development and technology. The three new positions, Director of Resource Development, Technology Coordinator, and Training and Legal Information Facilitator are supported by \$250,000 funding from the Pennsylvania IOLTA Board and Pennsylvania Legal Services.
- Development of a permanent state planning committee with a strong determination to build a better system. Made of up representatives of the Pennsylvania Bar Association, Pennsylvania IOLTA, Pennsylvania Legal Services, and the Pennsylvania Project Directors Association, the Steering Committee meets by conference call on a regular biweekly basis and assiduously oversees plan

implementation. In both 1999 and 2000, the Committee published formal progress reports on implementation of the State Plan.

Recent accomplishments in addition to the major structural and leadership changes include:

**Resource Development.** The Pennsylvania Bar Association's Board of Governors and House of Delegates has approved the Report and Recommendations of the Task Force on Legal Services to the Needy, which called for a set of initiatives to increase funding and pro bono:

- Expansion of pro bono programs;
- Establishment of coordinated pro bono assistance teams in counties without existing pro bono programs;
- Judicial encouragement of pro bono programs;
- Greater law school participation in pro bono;
- Increased leadership in the pro bono area by senior bar members;
- Institution of a \$5 add-on to continuing legal education fees to increase funding for legal services by \$10 million;
- Legislation to increase funding for legal services through an increase in court filing fees; and
- Direction of *cy pres* awards to legal services programs.

The CLE fee increase is pending before the state Supreme Court. The Pennsylvania Bar Association has launched an effort to encourage all local bars to adopt a pro bono plan.

In addition, the statewide Resource Development Coordinator has established a staff-level statewide resource development committee that meets regularly by conference call, created a marketing brochure aimed at funders, provided direct technical assistance to regional fundraising efforts, and developed several major statewide grant proposals.

**Technology.** All providers have met the key standards set out in the technology plan adopted in 1998. There is a statewide website, [www.palegalservices.org](http://www.palegalservices.org). The state support team is working with the six regions to develop a web-based case management system that will support a new intake system for the state.

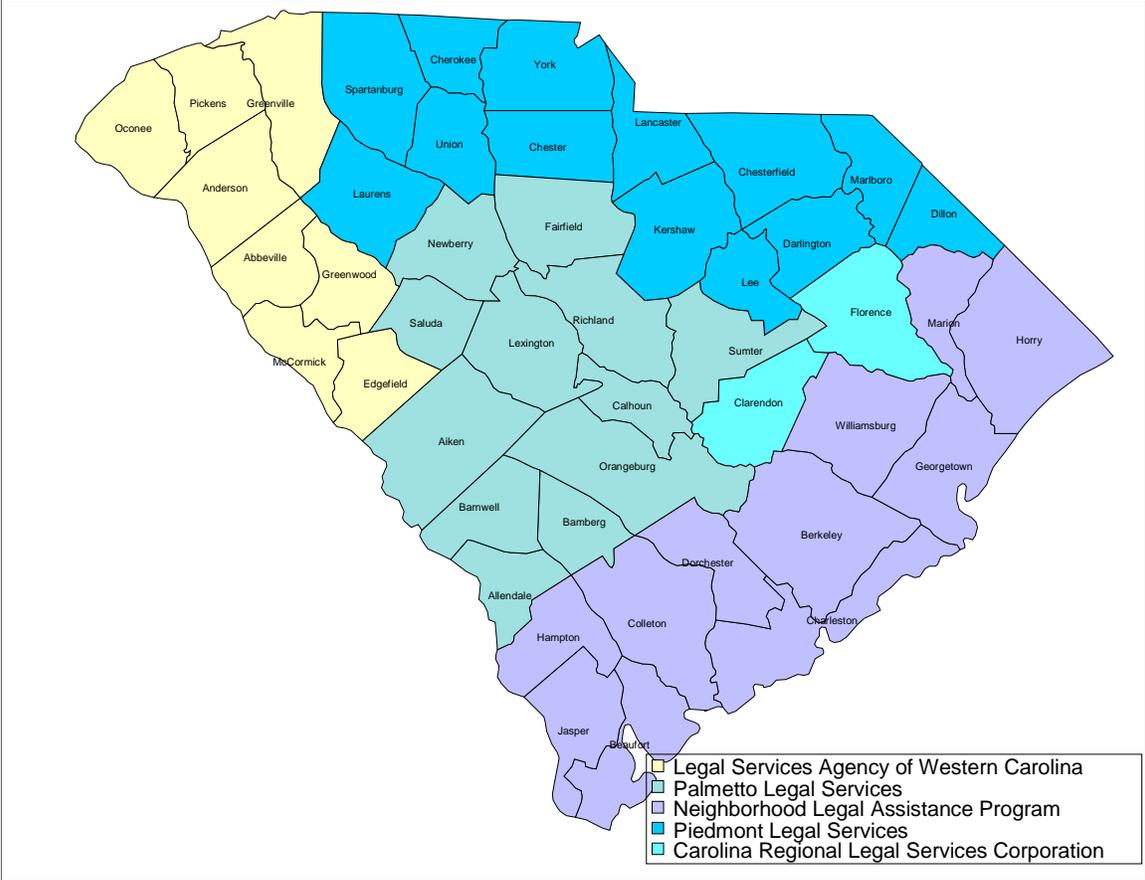
**Coordination of Legal Work and Training.** Creation of a statewide brief bank is under way, with funding from the Pennsylvania Bar Foundation. The statewide substantive task forces have been reinvigorated, with support from the Training and Legal Information Facilitator, who has established substantive e-mail groups and organizes task force meetings, in addition to planning and organizing a number of statewide substantive training events.

**Next Steps.** In its December 2000 report, *Status and Achievements of Pennsylvania's State Planning Effort, 1998-2000*, the Steering Committee identified some next steps:

- Deciding the best ways to organize regional phone intake/advice systems and finding the funding to fully staff them;
- Determining how to deliver a full range of services in those regions, which presently lack the institutional capacity to do so;
- Expanding on successful pro se assistance efforts to develop more and stronger partnerships with courts and social agencies;
- Strengthening the resource development and marketing efforts in regions and the state by developing a recognizable identity and compelling message for legal services in Pennsylvania, and staffing effective regional resource development efforts;
- Continuing to develop the PLS website as a statewide asset by incorporating new plans such as the brief/materials bank and pro se assistance models and finding partners such as bar associations, courts and social agencies who might share content; and
- Keeping alive the conversations begun in 1998 as a vehicle for continuing momentum into 2001 and 2002.

The Statewide Steering Committee has recently expanded its membership by adding members of the PLS Steering Committee which includes representatives of the Pennsylvania Clients Council.

# South Carolina



## South Carolina

South Carolina Strong collaboration among the five LSC programs, the South Carolina Bar, the South Carolina Bar Foundation and the Appleseed Justice Center (formerly South Carolina Legal Services Association), has been a hallmark of South Carolina's planning since the initial response to the 1995 federal budget cuts and restriction. At that time, the South Carolina Bar adopted a dues check-off for legal services, earmarking 20% for the former state support center, South Carolina Legal Services Association. The Bar Foundation also increased its financial support of the Legal Services Association in order to preserve South Carolina's well-respected support and advocacy capacity. And in 1997, largely due to the efforts of the South Carolina Bar and the South Carolina Legal Services Association, the legislature, over the Governor's veto, adopted a filing fee add-on to support the LSC programs.

State planning today occurs under the auspices of the Legal Services Coordinating Council. Formed in 1997, at the request of the Bar's Structure Task Force, the Council consists of two persons from each legal services program, two persons from the South Carolina Bar, two persons from the Appleseed Justice Center, and an advisory representative from the South Carolina Bar Foundation.

The Council's initial planning efforts focused on the creation of LATIS, a statewide centralized access, advice and referral system. Capitalized by a \$353,000 Bar Foundation grant, and a subsequent \$46,000 South Carolina Bar donation, LATIS began operations in December 1999. LATIS varies from most centralized access, advice and referral systems in that it is a separately incorporated organization governed by a board of directors from the legal services program directors and boards, the Bar Foundation, the South Carolina Bar and the Appleseed Justice Center. Operating expenses are paid by the five legal services programs for whom LATIS provides a central access point.

South Carolina's collaborative efforts produced another success the following year. In September 2000, LSC awarded the state LSC's largest Technology Initiative Grant--\$500,000 for a two-year project that will establish a virtual legal aid office in every county of the state, including 23 counties that do not have legal services offices. This project, called "Partners for Justice" is a cooperative venture among the five LSC programs, LATIS, the Appleseed Justice Center, the South Carolina Bar Pro Bono Program, and 46 human services agencies.

The virtual law offices will allow real-time video-conferencing between staff and clients, broadcasted clinics on a variety of topics, including pro se workshops and legal education clinics, and access to streaming video training capsules and pro se pleadings. They will be housed in a variety of locations, including churches, elementary schools, libraries, homeless shelters, United Ways, victim services centers and municipal offices. The legal services programs have entered into written partnership agreements with 46 entities across the state that have agreed to house the work stations and provide personnel

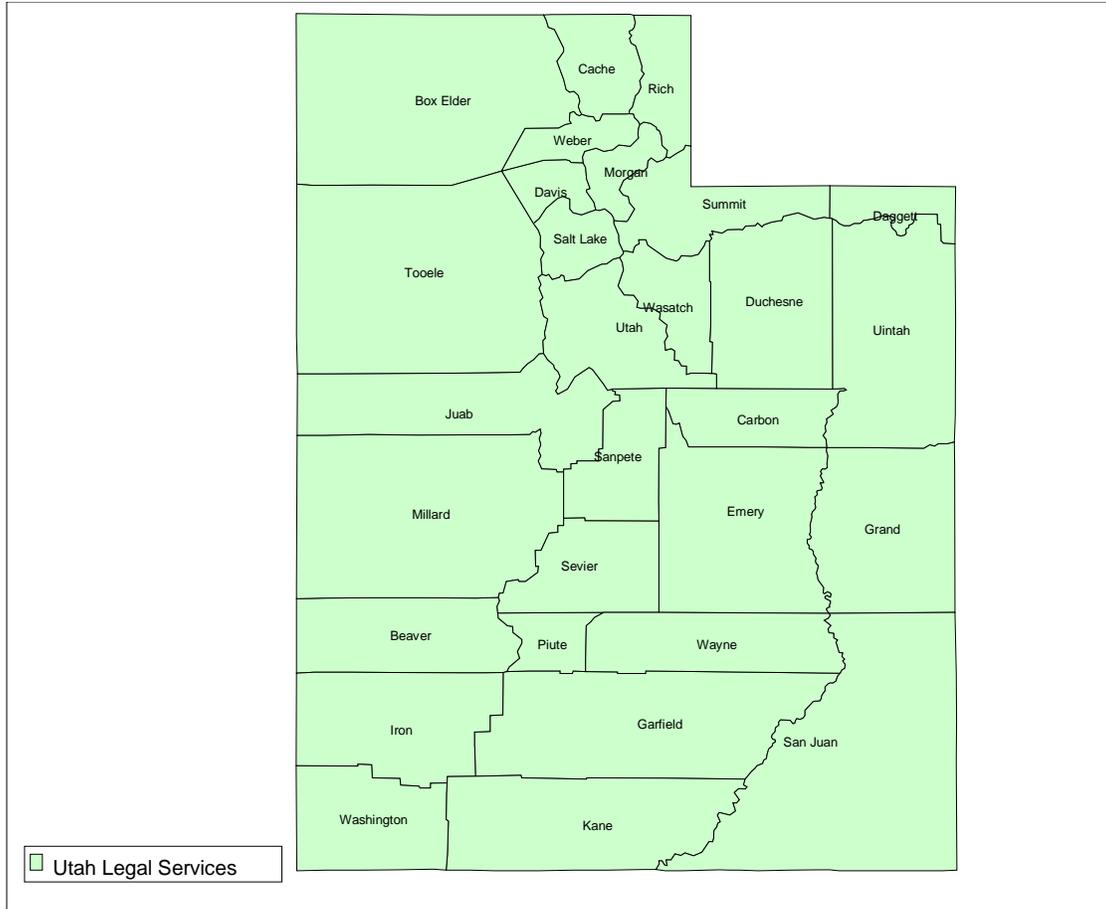
to be trained to assist potential clients with computerized access to legal services programs and other attorney providers.

Other efforts currently under way or planned include the following:

- The five programs have adopted uniform, statewide case priorities.
- A Technology Standardization Committee ensures statewide coordination of technology acquisitions and upgrades, and a Forms Standardization Committee ensures standardization of paperwork and administration among the programs. A common case management system has been installed in LATIS and all five programs, and a Case Management Committee assures the system meets the changing needs of each program.
- Programs are working on reducing administrative costs through collective purchase of insurance, supplies, research resources, fringe benefits, and the like.
- Accountability standards are being developed by the Bar Foundation to ensure that each program creates strong ties within the community with the goal of building local bar support and involvement and increasing local fundraising.
- To address the relatively low level of participation in the delivery of legal services by volunteer attorneys at the local level, the South Carolina Bar Access to Justice Committee has recommended, and the Bar Foundation is entertaining a grant request, to support the creation of a paralegal position in each program to facilitate increasing pro bono participation.
- The Appleseed Justice Center coordinates training and education activities for program advocates and private attorneys to develop expertise in areas of poverty law practice, to update advocates on new developments and emerging trends in law and policy, and to ensure the use of new strategies, tools, skills and advocacy. Techniques. It also provides expert case assistance and coordination of the statewide substantive law task forces. A system of statewide litigation teams is being developed.

Even with these successes, state planners believe consolidation of the LSC programs will produce a more unified and stronger voice for clients and assure greater consistency and a full range of services throughout the state. With planning assistance funds from LSC, the Bar Foundation has hired a consultant to help the Coordinating Council develop a reconfiguration plan to be submitted to LSC this March.

# Utah



## Utah

In 1996, the Utah Supreme Court, at the request of the Utah State Bar, ordered the State Bar to form the Access to Justice Task Force, charged with reviewing the state of legal services for the poor in Utah, exploring new ideas for improving and expanding those services, and making recommendations to the Bar and the Supreme Court to implement improved services.

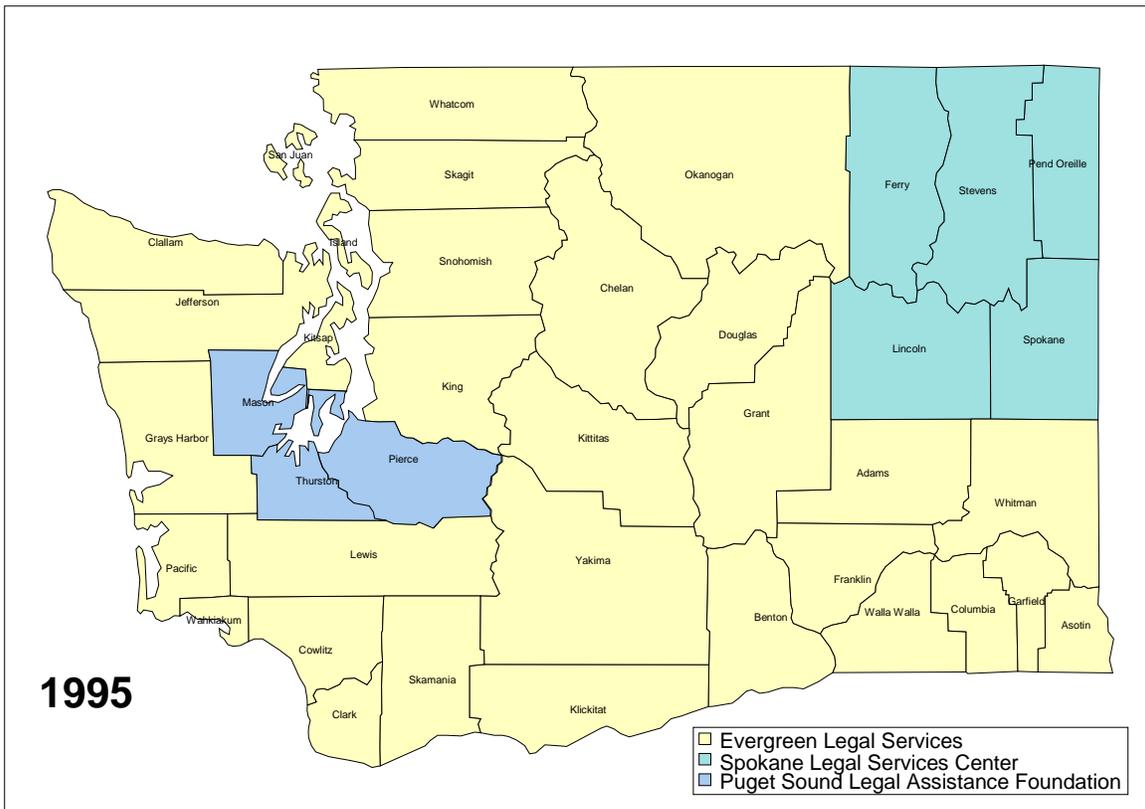
The Task Force, co-chaired by the Chief Justice of the Supreme Court and the President of the State Bar, included federal and state judges, a member of the ABA pro bono committee, senior partners and leaders of the legal community, the Governor's General Counsel, an assistant U.S. Attorney and an assistant Attorney General, the Dean of the state law school and a professor from Brigham Young University's law school, bar commissioners and the pro bono coordinator of the state bar, directors of agencies serving low-income and minority communities, and board members of the three legal services programs in the state.

The Task Force submitted its report and recommendations to a meeting of the Utah State Bar in July 1997, leading to the formation of the Access to Justice Foundation in 1998. The Access to Justice Foundation continues to be the vehicle for state planning in Utah, charged with implementing the Task Force's recommendations for improving the delivery of legal assistance to low-income Utahns. Among the initiatives currently under way as a result of these efforts are the following:

- The unified statewide "Justice for All" fundraising campaign was launched in 1999. In its first year, the campaign raised \$410,000. In 2000, that figure rose to \$495,000. For the 2001 campaign, \$100,000 has already been pledged by a foundation as matching funds. Proceeds from the campaign are shared among providers in the state.
- The Multicultural Legal Center, a new organization to provide advocacy in areas restricted to LSC-funded programs, was created.
- Utah Legal Services, the LSC-funded provider, Legal Aid Society of Salt Lake, and the Disability Law Center are applying for a grant to house the three collaborating agencies together on one site, to be known as the "Community Legal Center."
- Legal services providers are working closely with the Utah State Bar to maximize the latter's pro bono projects by providing training in poverty law issues to potential volunteers. Recent initiatives have included intensified efforts to train private attorneys to provide representation in domestic violence and children's SSI termination cases.
- With the encouragement of Utah Legal Services, the state Administrative Office of the Courts is studying the "self-service centers" model used in Arizona to help pro se litigants for possible replication in the state.

- Planners are considering how best to implement the Access to Justice Task Force's recommendation that a shared centralized intake system be established for all providers of legal and social services for low-income people in the state. As envisioned, this system would eliminate duplication of intake services and provide clients with instant links to appropriate providers. Although legislative efforts to obtain state funding for legal services have not been successful to date, planners hope that the legislature might be willing to provide funding to implement such a system, along with other technology-based projects to expand access to justice.

# Washington



## Washington

Washington's state planning has been led by the Access to Justice Board. The Board was created by the state Supreme Court in 1994, and charged with expanding resources for civil legal services and coordinating their delivery. Its nine members, appointed by the Court, represented a range of civil legal assistance stakeholders, including the bench, the bar, the Legal Foundation of Washington (which administers IOLTA funds), LSC-funded programs and volunteer lawyer programs.

One year later, the three federally-funded legal services programs requested that the ATJ Board appoint a committee to oversee the planning process outlined in LSC's 1995 Program Letter. The Board led a broad planning process and, in October 1995, adopted the two documents which guide the delivery of legal services within the state of Washington: *Visioning Justice: Hallmarks of a Statewide Civil Legal Assistance Delivery System* and the *Plan for Delivery of Civil Legal Services to Low-Income Persons in Washington State*. These two documents define the mission of the state's civil legal assistance delivery system, express key "Equal Justice Values" and attempt to identify corresponding "Core Capacities," to serve the mission. The fundamental principles of these two documents can be summarized as follows: (a) legal services providers must be "client-centered," i.e., activities must be conceived and carried out in service and in concert with the populations that are being served; (b) legal services providers must strive to ensure the highest and best use of all available resources within the state of Washington and available to the statewide access to justice network; and (c) legal services providers have a special responsibility to ensure that no population or client group is written out of the justice system based on perceived political unacceptability or controversy.

As a result of these 1995 planning activities, the Access to Justice Board reconfigured the delivery structure in Washington and created two statewide legal services entities--Columbia Legal Services and the Northwest Justice Project (NJP)--to coordinate and supplement the activities of an extensive network of legal services advocates, pro bono projects, other providers and supporters within the state of Washington. NJP is the LSC-funded provider. NJP operates CLEAR--Coordinated Legal Education and Referral System-- to provide telephone and internet-based referral, advice, brief service, community legal education and intake services throughout the state. Columbia Legal Services receives no LSC funds. As part of its mission within the state's civil justice community, Columbia Legal Services is responsible for providing low-income people in Washington State with the ability to define, assert, promote and enforce a full range of legal rights within Washington's civil justice system.

Key components of the state's planning and coordinating structure include the following:

- **Access to Justice Board.** The ATJ Board and its committees and work groups act as accountability mechanisms, clearinghouses, and coordinating bodies to ensure that

the goals of the equal justice community are achieved. The ATJ Board makes regular reports to the state Supreme Court and the governing body of the state bar on the progress of its committees and work groups in implementing the State Plan.

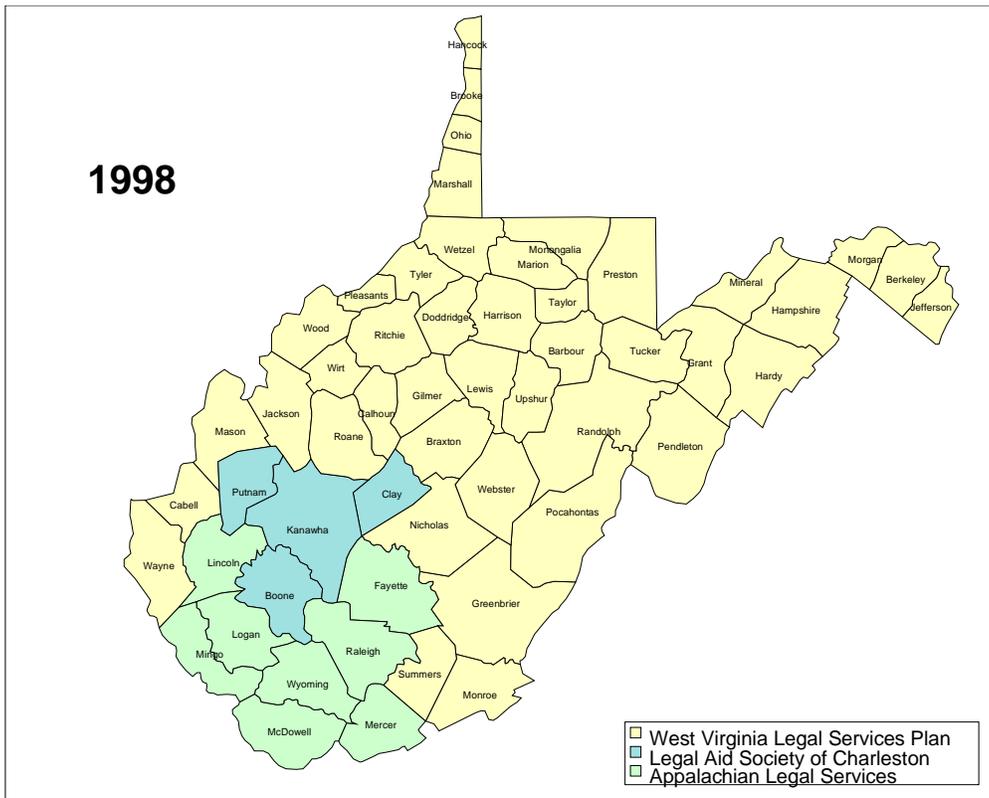
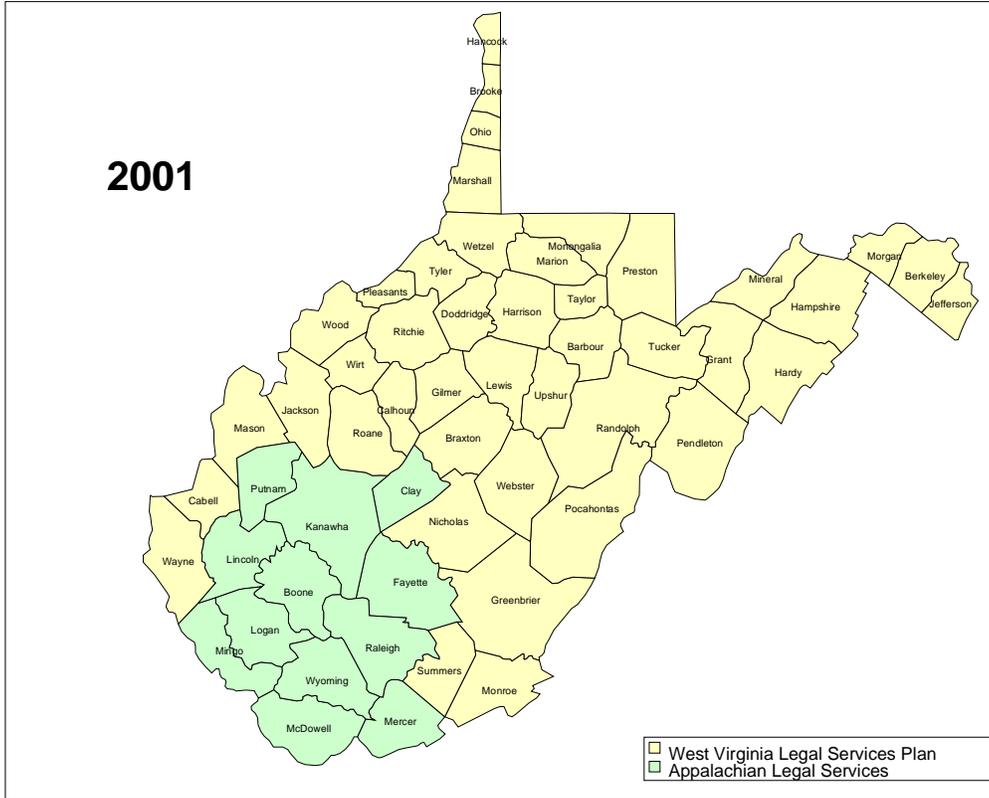
- **Annual Access to Justice Conference.** Now in its sixth year, the annual event has become the keystone event for the entire statewide equal justice community. Each conference has generated a higher level of participation and sense of community. Each has included a broader spectrum of stakeholders, culminating, in 2000, in a joint judicial, bar, and equal justice conference attended by over 800 persons.
- **Equal Justice Coalition.** The Coalition, created by the ATJ Board and underwritten by the Legal Foundation of Washington and Legal Aid for Washington Fund, has spearheaded a five-year-long campaign to solidify broad, bipartisan support for funding for civil legal assistance
- **“ComTech” (Communications/Technology) Committee.** This ATJ Committee drew the state’s first communications/technology blueprint and oversaw its statewide implementation, resulting in interconnectivity for the entire civil legal services delivery system. Most recently, ComTech has teamed up with the Office for the Administrator of the Courts and the Coalition Against Domestic Violence to pioneer innovative interactive forms project to improve the justice system’s responsiveness to victims.
- **Education Committee.** This ATJ Committee is responsible for ensuring that the culture of the judicial system is one that demonstrably values equal justice. Among its strategies are judicial training and introducing the concept of equal justice into the judicial screening process. The Education Committee sparked the creation of the Public Legal Education Council, a 35-member body created by joint initiative of the Governor, the Attorney General, the Office of the Superintendent of Public Instruction, and the Chief Justice of the Supreme Court. The Council has adopted goals and a multiyear strategy to help the public understand their rights and responsibilities and their options for complying with those responsibilities and asserting those rights.
- **Systems Impediments Committee and the Status Impediments Committee.** The Systems Committee is charged with “identifying judicial, legislative and administrative system impediments to access to justice and recommending and implementing appropriate changes.” The Status Committee is charged with “identifying and removing impediments to the justice system for people whose status (e.g., physical or mental limitations, disability, race ethnicity, language, cultural or other differences, remoteness or physical isolation, etc.) makes meaningful access to the system more difficult.” Current activities include the development of a pro se handbook, revision of administrative appeal notices, and expansion of the court facilitator system. The committees are in the process of reorganization and consolidation into a single committee, with the objective of establishing inclusion/diversity/multi-cultural competency as key justice system imperatives.

Among the accomplishments of Washington's planning include:

- A highly integrated configuration of providers, featuring two statewide programs, one federally funded and one non-federally funded, and a complementary system of local volunteer lawyers programs, specialty legal services providers, law school clinical programs, courthouse facilitator, domestic violence advocacy programs and many others.
- The design and successful implementation of the CLEAR intake, advice, brief services, and referral system, which provides telephone services for the entire state as well as a variety of community legal education materials in hard copy and through its website.
- A system of closely coordinated advocacy among providers, featuring statewide substantive task forces; inter-organizational teams that address substantive issues affecting large numbers of low income residents; co-counseling across programs; and dedication of three staff at Columbia Legal Services to statewide advocacy coordination.
- A deep commitment by the private bar to provide equal justice to low-income persons reflected in the provision of pro bono representation in some 35,000 cases annually.
- A statewide system of training.
- Institution of a system of Family Law Facilitators in the courts; development of a core curriculum for the judiciary on access to justice, including dealing with pro se litigants; and other joint initiatives among the bar, the courts, and legal services providers to expand access to the courts.
- The development and implementation of a system-wide technology plan with compatible platforms for case management systems; hardware and software standards for the civil equal justice community; intake, timekeeping and system integration; networked computers; the capacity to ensure coordination of technology efforts throughout the delivery system; computer and software technology to support case handlers at the two statewide programs, pro bono services, and specialty legal services providers; linked websites with community legal education materials, self-help materials and forms, and instructions for accessing providers; and systems for technology training and support.
- A shift in the equal justice community, from a culture characterized by a group of separate, independent entities that work effectively together in a coordinated effort to one in which members perceive themselves as a cohesive, comprehensive, integrated team.
- A dedication to inclusion/diversity/multi-cultural competency which manifests itself in effort to seek out and nurture new leaders so that the system will not only survive

leadership succession, but will continue to adhere to the core vision and values embedded in the community in ways that ensure the highest degree of relevancy to the increasingly diverse communities of clients in need of equal justice services.

# West Virginia



## West Virginia

Planning efforts in West Virginia have been coordinated through the West Virginia Legal Services Symposium, originally created by the State Bar and Bar Foundation in 1995. The Symposium, while not yet a formalized body, is a broad working group that has included representatives of the West Virginia Supreme Court of Appeals, several Circuit Court judges, two Federal District Court judges, and the President and other officers of the State Bar. Other participants in the Symposium and its numerous standing committees include legal services advocates and program board members, representatives of the state Attorney General's office and other government attorneys, faculty from the West Virginia College of Law, bar leaders, and representatives of the domestic violence and human services communities. The Symposium has been the forum for debate and discussion of a wide range of equal justice issues, from the mission of the civil legal assistance delivery system to the design and implementation of a number of specific initiatives aimed at unifying, expanding and improving the state's equal justice community.

The Symposium has also been the vehicle that has helped enable West Virginia to unify and transform its delivery system. While five years ago there were 4 LSC programs, the state will operate one statewide LSC program beginning January 1, 2002. The first mergers occurred in 1996 subsequent to LSC funding cuts, when the smallest LSC program, North Central West Virginia Legal Aid Society merged with the largest program West Virginia Legal Services Plan. Four years later, the Appalachian Research and Defense Fund merged with the Legal Aid Society of Charleston at the start of 2000 to create Appalachian Legal Services. Renewed planning efforts and a commitment to build statewide core functions and capacities led to the final planned merger between Appalachian Legal Services and the West Virginia Legal Services Plan.

Planning and organizing for this final merger has been extensive, and a merger website at [www.wvlegalservicesmerger.org](http://www.wvlegalservicesmerger.org) helps facilitate the process.

Members of the Symposium organized and launched a new, unrestricted legal services provider, Mountain State Justice in 1996. This non-LSC funded entity is available to clients throughout the state and currently consists of six full and part-time staff attorneys. Funding for this organization is provided by IOLTA, private foundations, attorney fees, and donations.

The West Virginia College of Law, the state's only law school, is playing an increasingly important role in the development of statewide technology and support systems. The development of a statewide legal services website, based at the West Virginia College of Law, is currently underway. The interactive site will include pro bono resources and community legal education materials as well as provider information and support resources. It will be part of a coordinated web information delivery strategy involving the courts and broad range of non-traditional partners.

The Symposium's Intake, Access, Delivery, Self-Help and Prevention Committee is developing ways to improve system integration and client access, including institution of a statewide telephonic intake, advice and referral system. They are coordinating their efforts with pro se and client education information systems. The Futures Commission of the West Virginia Judiciary recently recommended that a pro se coordinator be located at each county courthouse.

Through its Committee on Coordination and Collaboration with the Private Bar, the Symposium has sponsored a number of efforts to expand private bar involvement including better recruitment, training, and support for private attorneys willing to participate in the delivery of civil legal services to low income persons. In concert with the West Virginia State Bar, the Symposium will launch a permanent Pro Bono Review Committee to facilitate the provision of services by volunteer lawyers.

Last year, the state domestic violence coalition received a VAWA grant to set up 13 new local pro bono programs in the 13 communities where there are domestic violence shelters. Pro bono attorneys provide clients legal assistance at the final domestic violence protective order hearing. As a result, significant new private attorney resources have been developed in these communities and client representation has dramatically increased.

The Statewide Technology Committee is standardizing all systems, and a statewide technology plan for the state is set to be completed in early June.

The key challenge facing planners in the state is finding a way to increase funding in order to significantly expand the capacity for services. In addition to establishing a single statewide coordinated fund raising plan, the Symposium is exploring legislative proposals involving fee-shifting statutes, as well as more traditional approaches, such as filing fees, surcharges, or an increase in bar dues.

The delivery of legal services in West Virginia will soon be enhanced by a statewide \$1.6 million TANF grant. By far the largest increase in resources in many years, these funds will allow the hiring of 12 attorneys and 12 paralegals to provide service to TANF recipients on a wide array of legal problems that can obstacles be to making a transition from welfare to work. The addition of this staff will increase the state's legal service's advocacy staff by over one-third.

### III. Lessons From Successful State Planning

Although there is no single model for success, many states that are building state justice communities share similar characteristics that can guide other states less far along. Particular models, strategies, and approaches that have proven successful in one state may be useful to others, while the progress of the national initiative to build state justice communities as it has played out across the country provides some valuable information for national leaders and institutions. The following identifies some of the lessons that can be gleaned from observing states that have made significant progress toward building state justice communities and attaining the goal of equal justice. Included also are models and initiatives that have proven successful or hold out the promise of success.

#### A. Broad Lessons

- **There is no single model for building a state justice community.** States that are on the road to success have taken a variety of different approaches, based on particular circumstances, challenges, and opportunities.
- **People within a state must feel the need to and some urgency for changing the legal services delivery system.** Change is difficult and time consuming; people do not willingly make dramatic changes in the way they go about their business unless and until they feel that the situation demands it. Similarly, legal services delivery systems will not change until they come to recognize that access, quality, expansion of resources, promotion of diversity, bi-partisan support and public acceptance are issues that must be addressed. The goal is to light a fire without burning down the tent. We can be proud of what we have accomplished over the last 25 years while still understanding that we need to do more and better.
- **Building and maintaining a state justice community is an ongoing process.** The fact that it is a process means that somebody has made a decision about the direction the process should take, and it implies some ability to predict the outcome of the process through implementation of strategies designed to accomplish the desired objective. It also requires continuous dedication and effort on the part of all those entities and individuals in the state committed to equal justice. Even the few states that have succeeded in building a justice community that has significantly expanded and improved services for low-income people have not achieved the ultimate goal of realizing equal justice for low-income people.
- **A firm grounding in shared values and a shared vision will increase the likelihood of success.** Most successful efforts to build a justice community have begun with a process to identify the values that will inform planning efforts and provide the basis for a shared vision of what the process is intended to achieve. Shared values and vision impel the ongoing investment of time and energy that is necessary for success and have enabled processes in a number of states to get past areas of disagreement. Values and vision paint the picture that drives the action.

- **Planning initiatives must be based upon a structured and principled determination of the needs of client communities.** A key task of the planning process is to identify the major legal and justice-system-related issues confronting low-income people and communities in the state and to develop the best possible methods and mechanisms to address them. Some states have used a thorough client needs study or report as a basis for their planning efforts. Involving a broad-based group of stakeholders in the design, supervision, or administration of the study or report has helped to ensure that partners are fully invested in its findings and the implementation of proposed solutions. In different states, the study or report has been initiated or overseen variously by the courts, the legislature, the state bar association, or an officially chartered commission or similar entity.
- **Leadership is key.** The states that have made progress toward building justice communities have all had leaders willing and able to see the need for change, unafraid of taking a statewide perspective, eager to put the needs of clients first, to accept responsibility for meeting those needs, and to “keep their eyes on the prize,” that is on the core values and vision on which the process and its initiatives are based. Moreover, these leaders have successfully defined a series of goals and objectives that are founded in the community's belief in equal access to justice and they have been adept at communicating their goals to others.
- **Planning and implementation require staffing and support.** Planning processes are complicated. Ongoing coordination and support for them are essential. Permanent change will occur within and among our state communities of justice only if participating organizations adopt new structures and approaches that can cope with a growing demand for flexibility and diverse high quality legal services.
- **Many states have found that involving an experienced planning consultant in the initial phases of launching a process and developing a plan can be valuable, particularly where difficult issues involving institutional relationships are present.** Central coordination and support of an ongoing planning process and implementation of its various initiatives can be provided by “access to justice” staff at the state bar or bar foundation, IOLTA staff, legal services state support staff, or staff working directly for a statewide commission or task force.
- **Building a state justice community is demanding and involves real costs.** The planning processes under way across the country have required a tremendous expenditure of time and energy, as well as actual out-of-pocket costs for staff, planning consultants, and other expenses. LSC has been able to provide some financial support for these activities, but because of our limited discretionary spending, our capacity to contribute is limited. All of the partners that make up state justice communities must understand and accept the need for an ongoing commitment to contribute their time and energy to these efforts and that those with funding capacity must bear a share of the costs. This investment, while significant, will be far outweighed by the pay-off in terms of increased access and expanded services for

low-income people and the intangible benefit that realizing the ideal of equal justice for all Americans.

- **If a state is going to successfully create a state justice community, someone has to be responsible for it. In other words, state planning can not be left to take care of itself.** Someone (an individual person or group of persons) must advocate for change, must be willing to do the work necessary to secure the change, and must be committed to doing what it takes to make the change permanent.
- **The creation of state justice communities will be successful only if there is encouragement and legitimization of constructive dissatisfaction.** On-going evaluation of progress is important. Openness, candor and frank feedback are essential.
- **State planning will fail unless there is acceptance of and encouragement for the risks inherent in experimentation and innovation.** Innovation in processes, structures and approaches must be encouraged--even when they don't work out. People should be encouraged to explore innovative, creative or experimental approaches to the delivery of legal services.
- **The successful state planning initiative requires open communication.** Planning that results in permanent change will occur most readily and effectively where collaboration and team building is rewarded and infighting and/or turf-protecting activities are shunned. And no one can be cut out of the process. State planning fails when groups of stakeholders feel ignored, marginalized or unimportant.
- **Obstacles and setbacks must be anticipated.** Changing a delivery system that has been in place for a quarter of a century is difficult. It will take longer than you anticipate. Skeptics will try to derail it. There will be failures along the way, and the personal costs for some stakeholders cannot be overestimated. Don't expect the path forward to be smooth but don't let the obstacles overwhelm you.
- **In the end a state planning initiative takes time, a commitment to forego issues of turf and personal interests, and a supportive reward system.** The creation of state justice communities does not happen overnight, and it does not happen without some personal pain (long-time legal services staff have seen their jobs change in front of their eyes). Each state must create ways to honor its heroes, record and reward its progress.

## **B. Models and Initiatives**

The following are some tools and strategies employed effectively by states included in this Report. This list is intended only to provide some useful examples; it does not purport to be a complete listing of all the states that have employed these tools.

- **Access To Justice Commission, Task Force, Or Other High-Level Statewide Entity To Launch And/Or Oversee Planning Process.** *California, Florida, Maine, Maryland, Minnesota, Missouri, Oregon, Utah, Washington, West Virginia*
- **Core Values.** *Colorado, Florida, Illinois, Indiana, Minnesota, New Jersey, Ohio, Pennsylvania, Washington*
- **Study of Client Needs.** *Missouri, New Hampshire (pending)*
- **Regular Access to Justice Conference.** *Indiana, Ohio, Oregon, Washington*
- **Access to Justice Staff at State Bar Association or Other Bar Institution.** *California, Minnesota, Washington*
- **Coordination of Planning and Implementation at Legal Services State Support Center.** *Florida, Indiana, Missouri, Pennsylvania*
- **Review of Plan After Interval to Measure Progress and Reassess Goals and Strategies.** *New Jersey, Pennsylvania, Washington*
- **Study or Development of Coordinated Regional or Statewide Intake, Advice, Referral and Brief Services System.** *Colorado, Indiana, Maryland, Maine, Minnesota, Ohio, Pennsylvania, South Carolina, Washington, West Virginia*
- **Statewide Technology Plan Covering All Providers.** *Maine, Minnesota, New Hampshire, Ohio, Pennsylvania, Washington*
- **Statewide Legal Services Website for Clients and Public.** *Maine, Minnesota, Ohio, Oregon, Pennsylvania, Washington, West Virginia*
- **Statewide Website For Providers.** *Minnesota, Washington, West Virginia*
- **Statewide Coordination of Creation and Distribution of Community Education Materials.** *Ohio, Washington*
- **Provision of Community Education Materials Through Website.** *Maine, Maryland, Minnesota, Washington*
- **Partnerships with Courts and Others on Initiatives to Make Courts More Receptive and Responsive to Low-Income People and Self-Represented**

**Litigants, Including Revision of Forms and Procedures, Creation of Family Courts, Institution of Court Facilitators, Electronic Filing of Court Documents, Training of Judges.** *California, Maine, Oregon, Utah, Washington*

- **Statewide Task Forces on Substantive Legal Issues, Involving Legal Services Advocates, Volunteer Private Attorneys, Others as Appropriate, with Appropriate Support.** *Missouri, Ohio, Pennsylvania, Washington*
- **Statewide Body Charged with Coordination of Advocacy.** *Indiana, Missouri, Ohio, Washington*
- **Statewide or (Multi-State Regional) Planning and Coordination of Training For Legal Services Advocates and Volunteer Private Attorneys.** *New England, South Carolina, Washington*
- **Expansion of Funding to Non-LSC Funded Programs or Creation of New Non-LSC Funded Programs to Provide Full Complement of Services.** *Maine, Missouri, Ohio, Utah, Virginia, West Virginia*
- **Expansion of Funding for Legal Services State Support Centers or Creation of New State Support Centers to Provide Coordination and Support for Technology, Community Education, Training, Complex or Broad Systemic Advocacy, or Planning Functions.** *Indiana, Kentucky, Missouri, Pennsylvania*
- **Court or Bar-Initiated Efforts to Increase Pro Bono Participation.** *California, Indiana, Maryland, New Hampshire, Ohio, Pennsylvania, South Carolina, Washington*
- **State-Level Fundraising Campaign Led By Bar or Coalition.** *Colorado, New Hampshire, Oregon, Utah, Washington, West Virginia*
- **Statewide Public Awareness Campaign to Raise Visibility of And Support for Civil Legal Assistance.** *Washington*
- **State-Level Coordination and Support for Regional or Local Fundraising Efforts.** *Pennsylvania, Washington*
- **Campaign for State Funding.** *California, Colorado, Iowa, Minnesota, Ohio, Oregon, Utah*
- **Independent Evaluation of Delivery System.** *Florida, Ohio, Maryland, New Jersey*