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November 5, 2008

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RE: Program Quality Visit

Dear Janet:

Thank you for allowing us an opportunity to review the draft report of your Program Quality Team. We appreciate your feedback and suggestions, several of which were consistent with initiatives we had begun or were studying. Your comments have helped us move forward in those areas. We are also following up on a number of Recommendations which we believe are current GLSP practice or policy, but where reinforcement or additional training clearly needs to take place. We are also grateful for the effort and extensive time commitment demanded of the entire team to travel throughout the state of Georgia assessing our operations, and for the time and thoughtfulness devoted to drafting the Report.

We submit the following comments to expand upon some of the Findings, and to offer suggestions for correction of certain factual statements.

Performance Area One.

P. 2 The Legal Needs Study commissioned by the Supreme Court of Georgia's Civil Justice Committee (please note the correct name) is more comprehensive than might be indicated by your description. The study included hundreds of telephone interviews of low-income and moderate-income residents of Georgia, as you mentioned. In addition, the study included (1) follow-up personal interviews with selected individuals identified in the phone interviews; (2) telephone interviews of two groups of attorneys: one comprised of attorneys who accept *pro bono* cases, and one comprised of attorneys who do not (this is



mentioned in your report at p. 13, Finding 13); (3) focus groups around the state that included court personnel, social service organizations, and providers of legal services; (4) focus groups with hard-to-reach populations (including - separately - seniors, Asians, Latinos, and recently released former prisoners; and (5) web surveys of providers and court personnel.

We are awaiting the final report analyzing the findings and look forward to the next step by the Civil Justice Committee, which will be developing a strategic plan to use the study to build support and more resources for the civil justice community in Georgia.

P.2 Finding 2: It is true that each office designs its own needs assessment process, but it is somewhat misleading to use the term “survey” in this context, since as you note, we discourage the use of written survey instruments. It is true that we seek information from individuals at senior centers, but we also visit other sites such as domestic violence shelters, homeless clinics, and the like. Just three weeks ago, I attended the annual meeting of the Georgia Clients Council and had a very productive session with them about critical needs, as well as setting priorities. We encourage the offices to be creative in collecting and analyzing hard data, such as plant closings or sales of public hospitals, which bear upon the critical needs of low-income communities, and how we can best address them using our legal skills for social justice.

Performance Area Two.

We appreciate your comments on our intake process, as this was an area that we raised at the Opening Conference where we sought outside review. My comments below are intended to provide additional information from our perspective and local experience. That said, we will certainly re-examine the issues raised by your findings.

P.4 Feedback from staff to management, especially local management which has been reported to Central management, is that the computerized case management system is efficient and has many valuable features, such as statewide conflict checking, inter-office referral, review of files by supervisors, inter-office consultation, and more. We developed a written paper intake sheet for legal workers to use when they are circuit-riding and encounter new clients who have not been screened by the “home” office. We were not aware that staff use this form in their offices and will review these procedures.

P. 4 We have been concerned about the length of time consumed by CAMs, although the experience of Central office staff, including specialists, when visiting offices is that CAMs are generally less than two hours unless there is additional business, such as a staff meeting. We have also been concerned with the balance of limited representation and extended representation cases and have been working with local managers who sincerely believe that some help – even limited help – is better than no help. Our requirement that limited advice be documented by letters to clients is an effort to be clear and understandable for clients, and also to provide a document by which legal information can be shared with the community. We also believe that it is better practice under our ethics

rules that the client receive legal advice in writing. As for acceptance of emergency cases, it is our experience that decision is typically handled by consultation between the legal worker interviewing the client and the Managing Attorney or Supervisor.

- P.5 We have consistently urged advocates to draft letters in language that is understandable to their audiences, especially clients. This is one of our Legal Work Minimum Standards. As a policy matter, we run CE material and brochures through readability programs and edit to get them written at a 5th or 6th grade reading level. We may need to re-emphasize this approach.
- P. 6 Recommendation II.4.10. There is extensive content on www.legalaid-ga.org, the website that contains legal information and forms for consumers, in Spanish and over a dozen other languages, including Vietnamese, the second most requested language on this site.
- P. 7 Finding 5: Recommendation II.5.1: We do periodically analyze case closing data to assess proportionality of services to all counties, compared to their poverty population. This data was also mapped during the OIG's pilot project of GIS mapping back in 2002, which documented that the distribution of clients served was proportional throughout regions.
- P. 7 Finding 6: FYI, the GLSP Board of Directors, Central administrative staff, Managing Attorneys, and Specialist Attorneys participated in a two-hour "poverty simulation" in April 2007 that heightened the sensitivity of each participant to the challenges of the daily lives of persons in poverty.
- P. 9 The pleadings and brief bank are updated as useful documents become available, and the website is designed so that anyone in the Program can upload a resource. There is format review by the website administrator, but no editorial review. This is intentionally designed to encourage participation by staff. The website also contains training materials prepared for in-house training events, client information for community education programs, GLSP policies and forms, links to substantive resources, webcam recordings of training lectures, and much more. Every document posted on the website has a tickle date at which point it is reviewed, updated as needed, or discarded as appropriate. We have statistics of usage indicating significant increases each year.
- P. 11 Finding 11: GLSP's work in connection with the terminations of Medicaid assistance, mentioned in the report, resulted not just in the development of qualified income trusts for hundreds of persons, but most importantly, the avoidance of eviction of hundreds of very old and frail residents of nursing homes, many of whom had no family and no other housing options.
- P. 14 GLSP offices have also successfully deployed "Wills Clinics," "Consumer Clinics," and "Ask A Lawyer Day," as additional opportunities to engage private attorneys in providing

legal services to low-income clients. We have worked with the Younger Lawyers Division of the State Bar on disaster legal assistance projects.

In 2007, less than 31% of the 38,000 lawyers in Georgia (approximately 8,400) lived in counties served by GLSP, containing more than 72% of the eligible poverty population (743,598 at the poverty line; our target population goes up to 200%). Four of our counties have no lawyers; 33 have 4 or fewer lawyers; 26 have between 6 and 10 lawyers. In many areas the resources are simply not there to recruit, and we have had little luck convincing lawyers to travel to another county to do a case *pro bono*, even if we reimburse mileage. Even for lawyers accepting a reduced fee, it does not adequately cover travel time.

- P. 16 Finding 15: The CED specialists actually *represent* low-income client organizations, providing transactions legal assistance including start-up documents, training in effective and lawful board performance, negotiating strategic partnerships, closing real estate transactions (typically with the assistance of *pro bono* counsel), seeking zoning variances and construction permits, and much, much more.

The Athens office also participates in that community's "Poverty Initiative," in ways similar to the Savannah office.

- P. 17 Finding 17: Variances in staffing patterns among offices is sometimes driven by the difficulty in recruiting qualified attorney candidates to a given location.
- P. 17 GLSP has numerous methods by which cohesion as a statewide law firm is promoted. There are quarterly Managers Meetings (most of which include some component of training on management issues); periodic Managing Attorney Roundtables; annual Office Manager meetings; annual New Advocate training; staff-wide Legal Services University approximately every 18 months; substantive task force meetings twice a year (Housing, Public Benefits); and the Action Teams. The Action Teams were conceived as a strategy to achieve several goals: encourage staff to spend time on issues likely to have lasting impact and counteract the notion that all time must be dedicated to one grant or another; promote inter-office collaboration; improve staff attorney retention; and offer leadership development opportunities.
- P. 17 Management training: GLSP sends all new management personnel to a relevant national training as quickly as practicable. For Managing Attorneys, this is often MIE's New Executive Director training. New Supervisors and Senior Staff Attorneys are sent to MIE's Supervisor Training. A day-long GLSP orientation is scheduled for new managers to explain to them the various functions of central management and to review respective expectations and accountability. We review essential Manager resources (LSC regs, GLSP policies, union contract, etc.) and develop an individualized job description, working from our standardized job descriptions. Central management staff are readily available for daily needs. We arrange for new Managing Attorneys to visit more experienced Managing Attorneys.

- P. 17 Technology: Within the last three years, GLSP has upgraded every desktop computer and every server, customized and installed a web-based case management system, implemented VOIP, upgraded copiers in every office to include scan and fax capabilities, upgraded mailing equipment, and installed new software to improve all functions. We have implemented webex training; taped training programs for posting on our websites; used webcams for long-distance attendance at meetings; developed podcasts for court-based assisted pro-se centers; developed listservs and hosted sites for local bar associations; and much more. Many of these projects were supported by generous LSC TIG grants. We are piloting a laptop project which is very popular but we do not currently have the resources to deploy it Program-wide. Training staff to make full use of all of this hardware and software is ongoing and evolving. There have certainly been glitches and rough spots along the way, made more challenging by the size of our state.

Cellphone deployment is difficult because there are three major cellphone companies in the state, none of which fully covers the state.

- P. 19 Finding 19: The budget development process is decentralized ONLY to the extent that each office must complete a budget form, provided by the Central Office, reflecting their anticipated expenses for the coming year, based on formulas provided by the Central Office. Regularly anticipated revenue sources and amounts are provided by the Central Office on the budget forms, with an opportunity for the local office to add to or change this information. Based on this process, local Office Managers are responsible for managing the expenses of their locations through the course of the year, based on Budget Status Reports developed and provided by the Central Office. Local office involvement in budget preparation provides an opportunity for and imposes a responsibility on that office to propose responses to cuts in funds (i.e., through Reduction in Force, reduction in indirect expenses, or increased local fundraising activities). Proposed attorney-support staff ratios are reviewed by Central Management and it is not unusual for the local office to be told they may not lay off a secretary or receptionist to maintain adequate support.

All budgets are thoroughly reviewed by the Finance Director, and a meeting of the senior management (Executive Director, Associate Director, and Litigation Director) is convened to review, discuss, and resolve budget gaps or other local office issues. Feedback is provided to the local office for more input, and final approval rests with Central Office senior management, typically the Finance Director and the Executive Director. We believe our approach strikes a productive balance between top-down direction and local office buy-in and accountability, as well as responsibility for seeking resources at the local level.

The "Achievement Awards" were offered three years ago when we had some available funds as a way to incentivize and reward effective strategies that had lasting impact, or significant efforts to overcome challenges within the office. We have not had available resources since that year to repeat this process.

P. 20 Finding 20: “...engaged Booz Allen ...” In 2005 GLSP entered a competition sponsored by Community Consulting Teams of Atlanta which offered an opportunity to be awarded a *pro bono* management team to address an organizational problem. We described our issues involving staff attorney recruitment and retention and sought help to address it. Although CCT typically focuses on Atlanta-based organizations with budgets under \$1 million, they chose GLSP because they were intrigued with our organization and challenged by our proposal. A team of professional managers, including two from Booz Allen and one from BellSouth, worked with us for over a year, conducting focus groups, administering web surveys, and reviewing staffing and recruitment data and processes. They presented their findings to top management and to the GLSP board and we made several significant changes in response to the study, as indicated in your draft report. It is more accurate to say that staff attorneys wanted to be treated more as “professionals” than like members of the private bar. Several of the recommendations – as described in the draft report – required us to negotiate changes in our collective bargaining agreement. We are about to embark on a follow up study to examine retention and staff satisfaction, but anecdotally we believe morale is better, retention has improved, and work is of higher quality.

GLSP’s health insurance package requires no premium payment for the employee and minor dependents. Employees pay a premium for spouses/domestic partners.

Senior staff attorneys receive a salary increase of \$2,500 above the staff attorney scale upon promotion, not \$1000.

P. 22 In the first full paragraph, the correct name is the “Civil Justice Committee,” not Commission. The State Bar Task Force on Funding for GLSP rejected the proposal to add \$20 to the dues amount for GLSP. We made this proposal to the State Bar Programs and Finance Committees at the urging of some members of the Task Force, but ultimately the full Task Force did not support it.

P. 22 Section G: The correct name is the Supreme Court of Georgia Civil Justice Committee.

P. 24 Section FD-4: The Amigos group is in Valdosta, not Dalton.

Again, we appreciate the opportunity to submit these comments, edits, and additional information. Thank you for all of your work to help us make Georgia Legal Services Program the best we can be.

Very truly yours,

Phyllis J. Holmen
Executive Director

Letter to Ms. Janet LaBella

November 5, 2008

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bcc: Lisa Krisher
Thomas Anthony
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