



Legal Services Corporation

Office of Program Performance

Final

Program Quality Report

for

LEGAL AID OF ARKANSAS

Recipient Number: 604020

October 29- November 2, 2012

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INTRODUCTION

Background on the Program Quality Visit

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a Program Quality Visit to Legal Aid of Arkansas (LAA) on October 29 – November 2, 2012. The team members were OPP Program Counsel, Mytrang Nguyen (team leader) and Willie Abrams; and LSC Temporary Employees, Michael Genz and Abigail Turner.

Program Quality Visits are designed to evaluate whether LSC grantees are providing the highest quality legal services to eligible clients. In conducting its assessment, the team reviewed the documents LSC routinely receives from the organization including: recent grant applications to LSC, technology and PAI plans, workforce analysis charts, case reports, and other service reports. The team also reviewed the documents requested from the program which were submitted in advance of the visit, including documents relating to the program's HelpLine, strategic plan and work plan documents, legal work standards, advocates' writing samples, and the results of an online staff survey. On site, the team visited six LAA locations (Springdale, Harrison, Highland, Jonesboro, West Memphis, and Arkansas Children's Hospital in Little Rock) and met with staff from LAA's Mountain View and Newport offices.¹ Team members spoke with LAA staff, board members, judges, members of the bar, community service providers and from the Arkansas Legal Services Partnership and the Arkansas Access to Justice Commission.

In performing this evaluation of LAA's delivery system, OPP relies on the LSC Act and Regulations, LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid. The evaluation and this report are organized according to the four LSC performance areas that cover: 1) legal needs assessment, program evaluation and planning, and resource allocation; 2) engagement with the low income community; 3) legal work management and the legal work produced; and 4) organizational leadership and management including board governance, administration, resource development and coordination within the delivery system.

Program and Service Area Overview

Service Area Overview: Legal Aid of Arkansas (LAA) serves 31 of the state's 75 counties which span across the entire northern portion of the state which borders Missouri, and most of the eastern border of the state which runs along the Mississippi River. LAA also operates a medical-legal partnership based in Little Rock and which now includes a total of 5 locations throughout the state.² The service area does not have an interstate or four-lane highway system to connect the different parts of the region. It has three metropolitan centers. Springdale, in the northwest corner of the state, is home to LAA's new office and is in close proximity to University of Arkansas in Fayetteville, the corporate headquarters of Walmart, and the corporate headquarters of Tyson and a number of other large chicken farms and producers. LAA's West Memphis office is located in the Arkansas Delta across the Mississippi River from Memphis Tennessee. And LAA's administrative offices are located in Jonesboro, which is in close proximity to regional medical facilities and Arkansas State University.

¹ A part-time legal assistant who works in Batesville, Arkansas was not interviewed as part of this visit.

² LAA's statewide medical-legal partnership operates out of Arkansas Children's Hospital in Little Rock and a clinic location in Lowell. LAA also has medical-legal partnerships with three federally-qualified community health clinics in eastern Arkansas.

According to recent data from the U.S. Census Bureau, there are over 271,000 people eligible for services in the counties covered by LAA with over 22% of the total population living at or below 125% of the poverty line. According to the most recent Census report, in 2011, a total of 724,850 Arkansans were eligible for legal aid.³ According to the Arkansas Access to Justice Report, of those who were eligible, 30,821 persons applied for legal services. Of them, 15,812 clients were served, while 15,009 were turned away due to resource constraints. In 2011, LAA reported closing over 7,200 cases, approximately 6,200 of which were closed as LSC cases. In total, these cases benefitted approximately 16,400 low-income adults and children in 2011.

Organizational Overview: In January 2002, Legal Aid of Arkansas was established with the merger of three separate legal aid organizations in the Ozarks, northern, and eastern regions of Arkansas. Mergers often require a considerable amount of sustained and collective resolve in order for a unified, high-quality organization to emerge. At the time of the LAA merger, each of the three predecessor organizations had cultures and systems established around each distinct region and over thirty years of history since their founding in the late 1960's and early 1970's. After 2002, LAA entered a post-merger period where the momentum to unify and strengthen the program's services appeared to be hindered by leadership transitions, substantial distances between its offices, and the deeply entrenched habits of staff and the communities they served.

LAA's current executive director, Lee Richardson, was hired into his current position on a permanent basis in December 2005. Since that time, he, the board of directors and a team of committed staff have worked together in an effort to transform the organization, steadily leveraging opportunities to drive change and coping with significant change to LAA and the region.

These changes include:

- Growing and diversifying LAA's total budget from \$1.5 million and 86.2% LSC funding in 2004, to a \$2.8 million budget which is 49.8% LSC funded in 2012;
- Retaining a nationally-recognized expert in 2008 to develop legal work standards around a vision for impact for low-income clients and communities;
- Engaging in an independent strategic planning process in 2010 where LAA questioned its status quo and sought to transform the organization;
- Doubling the size of the organization's legal staff in 2011 with 15 AmeriCorps members and Equal Justice Works Fellows;
- In 2011 and 2012, experiencing a series of significant funding cuts which included an 18% LSC funding cut, an additional 18% cut from the Public Legal Aid Fund, and a state funding reduction of 14.8%. In response, LAA underwent a retrenchment process in 2011 and 2012 which included eliminating 18 staff positions, restructuring existing positions, relocating an office, and closing an office;
- Drastically increasing poverty due to the economic downturn swelled the demand for services in 14 of LAA's counties where poverty rates increased over 20%;
- Developing an internal work group structure to re-build substantive legal expertise across the organization in core areas of poverty law practice and in alignment with the direction of the LAA strategic plan;
- Changing LAA's supervisory structure by creating regional managers who are being trained and developed as strong supervisors and middle managers;

³ U.S. Census Bureau, 2011 American Community Survey

- Fully implementing a high-functioning, integrated, centralized HelpLine across the service area with technology improvements to support it;
- Launching and expanding innovative projects with fellowships and AmeriCorps funding including a statewide medical-legal Partnership with Arkansas Children’s Hospital in Little Rock and with Walmart’s legal department.

It is important to note here, that any one or two of the above-mentioned changes can take years for an organization to implement thoughtfully and well. The scope of what LAA has undertaken in the past five years speaks to its commitment to address the imperatives facing LAA’s poor communities and the pressures on LAA as a nonprofit that serves them. It also reflects the convergence of the access to justice community in Arkansas and LAA which seeks to improve the availability and quality of services and economic conditions for low-income people in the state.

Recognizing the significant amount of flux at the organization, the focus of this report will be to recognize LAA’s most important improvements and to put forward clear-cut and critical recommendations, targeted to help LAA build the right foundation for its transformation into a high quality and high impact legal aid organization.

FINDINGS AND RECOMMENDATIONS

PERFORMANCE AREA ONE. EFFECTIVENESS IN IDENTIFYING THE MOST PRESSING CIVIL LEGAL NEEDS OF LOW- INCOME PEOPLE IN THE SERVICE AREA AND TARGETING RESOURCES TO ADDRESS THOSE NEEDS.

Assessment of legal needs and strategic planning

Finding 1. Through strategic planning and retrenchment, Legal Aid of Arkansas is engaged in a process to transform itself and its role in the low-income community and state.

Since its merger in 2002, LAA engaged in two processes which have set it on a path towards remaking the organization. First, LAA as part of the Arkansas Legal Services Partnership (“ALSP”) and at the urging of LSC, engaged in a process to develop legal work standards for both LAA and the Center for Arkansas Legal Services (“CALs”). As part of the 2008 process, the organizations engaged a nationally-recognized consultant and conducted a community needs assessment that included interviews with all LAA staff and community partners throughout LAA’s 31 county service area, but did not include surveys or interviews of the client eligible population. LAA staff also reviewed data and research on poverty and began to formulate a new and independent vision for the organization. By January 2010, LAA had formed a strategic planning committee with board members and staff and retained an independent consultant to analyze their needs assessment data and lead the organization through a process to define a new vision that would reshape the organization into a high-impact, high-quality legal aid organization.

The five-year plan that was agreed upon in 2010 is organized around six goals which will be referenced throughout this report: 1) Increasing Outreach to Client Communities; 2) Increasing Access to LAA Services; 3) Increase the Impact and Benefit to Low-Income Communities; 4) Expand and Diversify Resources; 5) Develop and Implement New/Alternate Service Delivery Models; 6) Address Human Resource, Administration and Logistical Considerations.

LAA has been effective in simultaneously advancing nearly all six goals of its strategic plan, despite tremendous challenges and change. In the 24 months preceding the LSC visit, LAA lost 18% of its LSC funding, with a comparable amount lost from the state and other sources. LAA management engaged in a retrenchment planning and implementation process which involved the board of directors and staff in vetting retrenchment models. This resulted in the overall loss of 12 full-time positions and six part-time positions through layoffs or attrition. It relocated its Fayetteville office to Springdale and moved its Mountain View office to an outreach location that was donated to LAA by the county. LAA also restructured job responsibilities and implemented organization-wide substantive work groups and a regional manager structure to advance its strategic plan. In the same period that it was losing permanent staff positions, it also doubled the size of its legal staff with approximately 15 AmeriCorps members, a Skadden Fellow, and Equal Justice Works Fellows who are on one-to-two year terms with the organization.

While some LAA changes were forced by revenue cuts, LAA has been opportunistic in the process and aligned each cost-saving measure or resource in a manner that also advances the strategic plan and LAA's interest in unifying the organization around its new vision. The move to the Springdale office, for example, afforded significant cost savings to LAA and better proximity to low-income communities. The new AmeriCorps members and fellows are trying to build the organization's capacity in new substantive areas and have engaged in outreach throughout the service area and state. As discussed in more detail below, LAA's centralized HelpLine, regional manager positions, and work groups were all important changes to the organization that advanced multiple interests.

At the time of the LSC visit, the organization was also in the midst of quickly expanding its resources through pro bono collaborations such as its medical-legal partnerships and its work with law student volunteers. LAA was also planning to receive a grant to engage in foreclosure legal assistance funded from the national state attorneys general mortgage settlement and through the Arkansas Attorney General's Office and the state IOLTA Foundation. With LAA striving to develop capacity in an ambitious range of areas and with a large cohort of new and less experienced staff, the LSC team detected both excitement and anxiety on the part of many LAA staff to "do it all."

Finding 2. LAA staff uses internal and external data and statistics to inform important decisions and understand client communities. It conducted a community needs assessment as part of strategic planning and led a solid statewide legal needs assessment process in 2012 -13 with the University of Arkansas, Clinton School of Public Service.

During strategic planning, LAA placed an emphasis on using data and statistics to learn about and improve its systems and to understand and communicate about its work and service area. LAA obtained this data from the University of Arkansas in Little Rock, the U.S. Census Bureau, and County Health Rankings and Roadmaps data from the Robert Wood Johnson Foundation and the University of Wisconsin Population Health Institute. LAA staff also appeared to track and use its internal case management system data, particularly in the continuous improvement of its HelpLine system.

In LAA's opening presentation to the LSC team, LAA staff shared charts and GIS maps with multifaceted demographic data that visually captured the diversity and complexity of the population and need in the communities that LAA serves. The data showed the location of the poverty population by county, the high percentage of seniors in the region's rural and more isolated Ozark counties, and the growing Hispanic population in the northeast region and counties surrounding Little Rock.

LAA staff also shared statistics which plainly illustrated the intersection of race and poverty in several of the poorest Mississippi River Delta counties that are served by LAA's West Memphis and Helena offices. In these counties, over 50% of the population is black and the percentage of people in poverty is above state and national averages. In Phillips County where LAA's Helena office is located, 36% of the population and more than half its children live in poverty.⁴ According to other data from the U.S. Census Bureau and statistics that LAA obtained from the GIS Applications Laboratory at the Institute for Economic Advancement at the University of Arkansas in Little Rock, the Delta counties also had the state's lowest high school graduation rates, highest percentage of grandparents raising grandchildren, and highest percentage of children in single parent households. County health data also showed the Delta region with some of the lowest life expectancies and health outcomes in the United States.⁵

During the visit, LAA's executive director acknowledged that LAA may have historically and inadvertently underinvested its resources in the Delta region. During the retrenchment process and to avoid this scenario once again, LAA used data to calculate the ratio of LAA attorneys to clients in each of its regions. It also reviewed data on needs and conducted staff surveys to assess the impact of layoffs and office closings. In the Ozark region, which covers some of LAA's hardest-to-reach counties, the organization has closed its permanent office in Mountain View and has 3.5 attorneys, two of whom are part-time, covering 10 counties. As it moves forward, LAA should ensure a process to continue to assess its staffing and office decisions in each region and the Ozark region in particular.

Based on interviews and information provided to the team, LAA does not appear to have engaged in a process to gather substantive input from clients, the people who are directly affected by the problems they seek to address, in any of its fairly rigorous processes conducted over the past five years. While LAA's direct service work keeps it grounded in some of the day-to-day challenges faced by poor people, the needs assessment process is an opportunity for LAA to enable communities themselves to identify critical problems and promising strategies. The process also presents an opportunity for the organization to drill down and gain further insights into its diverse service area particularly given the growing hardships that are related to the economic recession, the deep poverty starkly illustrated in the Delta, and the challenge of delivering a full range of services in the Ozark region with limited staffing and community presence. LAA's work in the Marshallese community in Northwest Arkansas, described more fully elsewhere in this report, provides a model of how the substantive focus of its work and advocacy can shift with the close involvement and perspective of clients and community members.

During the visit, LAA reported that it was leading an effort in the justice community to engage the University of Arkansas, Clinton School of Public Service in a process to conduct a statewide legal needs assessment. At the time of the visit, LAA made a proposal to the school for the legal needs study as a practicum project for 2012 – 2013. Since the visit, the statewide needs assessment process has been completed and the results have been shared with the state justice stakeholders and LSC. LAA led and informed the effort which appeared to be a very thoughtful process that included a literature review that studied the methodology of many needs assessment processes by legal aid organizations and LSC grantees.

⁴ U.S. Census Bureau, American Community Survey 5-year estimates (2006-2010).

⁵ "County Health Rankings and Roadmaps" data, Robert Wood Johnson Foundation and the University of Wisconsin Population Health Institute, <http://www.countyhealthrankings.org/roadmaps>.

One unique and substantively important step for this assessment process was to purchase from U.S. Data Corporation a randomly selected list of 7,500 income-eligible Arkansans to participate in the needs survey. This was in addition to randomly selected callers to the two legal aid programs' hotline and focus groups in each of the states' four congressional districts.

The process resulted in a statewide assessment that provides guidance on core areas of legal aid practice and an opening to delve further into "apparent needs" which were suggested by the process such as inheritance property and land loss, veterans' and immigrants' issues, and poverty in minority communities. All are areas which would further diversify LAA's work and might open additional new avenues of funding.

The organization's new and fairly significant outreach efforts using AmeriCorps projects, fellowships, and pro bono volunteers, presents an additional vehicle to engage clients on an ongoing basis in focus groups or meetings to better identify and understand apparent community issues and needs directly from clients.

Finding 3. LAA's data show that it provides limited and extended services generally on par with LSC grantees nationally. The most recent data on LAA's family law cases show that it remains disproportionately high as compared to national averages.

Comparisons between the case reporting data that LAA submitted to LSC between 2008 and 2011 are informative to partly capture the organization's current trends in staffing and services. With LAA's success expanding funding from multiple sources, the organization has increased its total staff from 37 people in 2008 to 49 people in 2011. Many of these individuals, as discussed, are on time-limited Fellowships and AmeriCorps terms and are hired to the organization directly from law school with limited full-time legal experience.

During this same period, LAA's capacity to handle counsel and advice cases further expanded with the assistance of volunteer attorneys and law students, the new advocates, and LAA's highly efficient HelpLine. In 2008, LAA closed 72% limited service cases and 28% extended service cases and in 2011, it closed 81% limited service cases and 19% extended service cases. This shows a 9% proportional increase in limited service cases and drop in extended service cases for LAA over four years.⁶

Reviewing LAA's 2011 data submitted to LSC for closed cases and extended services overall, adjusting for per capita, also shows LAA on par with LSC grantees nationally. In 2011, LAA closed 384 cases per 10,000 income-eligible people compared to the LSC grantee national median of 263 closed cases per 10,000 income-eligible people. For extended and contested cases, LAA closed 73 extended service cases and 30 contested cases per 10,000 income eligible people. This is compared to the national medians of 61 extended service cases and 31 contested cases per 10,000 income-eligible people. When breaking out substantive areas for cases, however, LAA is different from the national trends.

In 2004, LSC conducted a program quality visit to LAA which raised concerns that the organization's cases reflected a disproportionately high percentage of family law cases. This may be an indicator that the legal aid program is neither meeting a full range of legal needs nor the most

⁶ In the same time period, LSC grantee national averages for closed cases were 79% limited service cases and 21% extended services in 2008 and 78% limited services and 22% extended services in 2011.

critical in the low-income community. Goal Five of LAA's strategic plan states the issue succinctly, "[The goal] is to be more proactive in shaping our case load as opposed to being reactive to what is presented" by applicants and clients.

In the years since 2004 where LAA has become aware of this concern and the need to diversify its caseload, its' disproportionately high family law case closings have not changed much. In 2006, 66% of LAA's total closed cases were in family law. Five years later in 2011, LAA's total closed cases in family law remains relatively unchanged at 61%.⁷ Based on LAA case closing data for 2011 and the first half of 2012, three of the four LAA regions (Northwest, Ozark and Northeast) are driving the higher than average family law cases. In addition, a very high percentage of LAA family law cases are closed as "advice-only" and "brief service" cases. Of its closed family law cases in 2011, approximately 87% were advice only or brief service.

In the 2013 statewide legal needs assessment, the top three core poverty law areas that emerged based on the data are family, government benefits, and consumer. In 2011, approximately 4% of LAA's closed cases were in income maintenance and public benefits as opposed to 12.7% nationally. On consumer matters, the organization's 2011 case closings were on par with the national average of 11.8% and 11.1% for LAA respectively.

One explanation offered by several staff for LAA's disproportionate domestic cases may be local grants which require county-by-county coverage for domestic violence protective orders and related family law matters throughout the service area. From interviews during the onsite visit, it appeared that LAA's high volume of family law cases continues to encumber staff which is at odds with much of what LAA seeks in its transformation and hinders its strategic plan efforts to address impact cases.

Internally, LAA is acutely aware of the need to address this issue. The most recent work plan for the Domestic Violence Work Group states its first goal as, "Efficient and Effective Response to Family Law Volume." LAA and ALSP have also facilitated the availability of very useful pro se family law materials. Through ALSP, the state has developed pro se family law forms which can be used in simple divorces with no children, property or allegation of domestic violence. According to 2011 information provided by ALSP, approximately 12,000 domestic forms were started using the automated, plain language A2J Author and approximately 8,000 of these forms were completed for simple divorce filings for pro se litigants.

As LAA and its partners engage in additional strategies to address the high demand for individual assistance on family law cases, LAA can benefit from a process to more clearly identify the complex internal and external drivers behind its high family law cases which may include: grant requirements, community expectations, HelpLine dynamics, Domestic Violence work group dynamics, staffing allocations, staff expertise and preferences, and LAA screening and case acceptance priorities. Taking the time to unpack and understand the reasons for its persistently high family law cases may allow LAA to develop more targeted strategies that immediately create relief for staff and allow for more staff capacity in other areas. While this effort is being led in the Domestic Violence Work Group, the tenacity and long history of this issue warrants an internal response that involves executive leadership, management, and a broader cross-section of the entire organization to develop strategies.

⁷ During the same period from 2006 to 2011, the average of closed family law cases for all LSC grantees ranged between 34 - 35%.

Recommendation I.2.3.1⁸: LAA should engage in a process to understand the dynamics behind its persistently high family law cases and develop targeted and workable strategies to address the high volume.

PERFORMANCE AREA TWO. EFFECTIVENESS IN ENGAGING AND SERVING THE LOW-INCOME POPULATION THROUGHOUT THE SERVICE AREA.

Engagement with and access to low-income communities

Finding 4. Through AmeriCorps and Fellowship resources, Legal Aid of Arkansas has implemented multiple strategies to make inroads into low-income communities across the state and service area. Community partners and service providers throughout the state have appreciated this aspect of LAA's transformation and its expanded presence in low-income communities.

LAA staff, particularly LAA fellows and AmeriCorps members, have been focused on implementing Goal One of its strategic plan to “Increase Outreach to Client Communities.” Among the many efforts LAA has undertaken, several are notable because they leverage new resources while expanding access and engagement with the low-income community.

Medical-Legal Partnerships: First, LAA has fully embraced medical-legal partnerships with a flagship statewide effort based in Little Rock at Arkansas Children’s Hospital and partnering with Walmart’s legal department. LAA’s medical-legal partnerships have expanded to create a presence in the Delta and other locations throughout the service area. This initial effort and exposure to health related issues in counties with entrenched poverty will, in time and with focus, provide LAA with strategic opportunities to engage in broader impact advocacy and to leverage pro bono or additional resources to the organization. At the time of the visit, Children’s Hospital was establishing a pediatric clinic in the northwest region of the state, and LAA along with the Walmart pro bono team were integrated into its implementation.

Special populations: LAA has also designed AmeriCorps projects that are geared to serve populations that may face special access barriers or unique legal issues. It has AmeriCorps attorneys working with court-based efforts like drug courts and veteran’s courts to help its participants with their civil legal needs. LAA is working to better serve the large Hispanic population with Spanish-speaking staff and is creating connections with service providers in immigrant communities.

Over the past two years, LAA has also created a meaningful, trusted presence in the Marshallese community in Northeast Arkansas, home to the largest Marshallese population outside of the Marshall Islands. Currently, LAA has one full-time AmeriCorps attorney and a Marshallese-speaking staff member, who serve as liaisons to the Marshallese community. They provide representation that is culturally competent and relevant to concerns that community members identify. For example, LAA staff organized a well-attended citizenship clinic for the Marshallese

⁸ Throughout this report, Recommendations will cross-reference with the LSC Performance Criteria. The sequence of the reference is as follows: Performance Area (Roman numeral), Criterion (Arabic numeral), Finding (Arabic numeral), Recommendation Number (Arabic numeral), Tier (asterisk). Recommendations that are indicated with an asterisk are Tier One recommendations and are considered important to program quality and/or program performance and will be incorporated into the organization’s LSC competitive and renewal grant application process.

community which involved pro bono attorneys and immigration law experts from the University of Arkansas in Fayetteville. In another recent example, leaders in the Marshallese community alerted LAA staff that many Marshallese people were appearing in court for violations of operating without a driver's license. On behalf of Marshallese community members and community leaders who asked LAA staff for assistance, LAA became involved in requests for the state police department to administer its driver's license test in Marshallese. With the same clients, LAA staff are now pursuing the issue as a civil rights matter with the U.S. Department of Transportation and have garnered the attention of language access advocates nationally.

Delta presence with volunteers: AmeriCorps advocates also maintain the "Road to Justice" program which was developed by one of LAA's newer attorneys. The program brings six law students selected from Arkansas law schools to work in some of the poorest and most remote towns in the Delta during spring break. Now in its third year, the program is highly competitive among its law student applicants and is perceived as a privilege for the student volunteers who receive training in LAA's West Memphis office, then travel to communities like Poca, Parkin, Forrest City, Hughes, Earle, and Cotton Plant to conduct intake and advice sessions and assist LAA staff attorneys at numerous senior and community centers. LAA has also engaged the support of the entire litigation department of one of the largest law firms in Arkansas to send pro bono attorneys from Little Rock to the Delta for community-based intake and advice clinics twice a month. LAA staff attorneys, pro bono attorneys, and students provide people with immediate advice or brief services all while increasing LAA's presence and visibility in these communities. Law school partners and LAA staff interviewed during the visit noted the powerful effect the Delta outreach has on its volunteers, raising their awareness about race and extreme poverty in Arkansas and encouraging an interest in access to justice issues.

Throughout the visit, a number of longtime community partners and service providers in LAA's service area noted the renewed energy from LAA's staff to reach out, meet with and serve as a resource to community groups and community members. As with the medical-legal partnerships, these intake and advice efforts in the Delta provide an initial means for LAA to learn more about broader issues for advocacy.

Dignity and sensitivity--intake.

Finding 5. LAA's HelpLine has increased meaningful access to legal aid for many low-income people in remote rural communities throughout LAA's service area. The HelpLine has a strong 'customer service' focus and the potential to create even more efficiencies in the organization.

Perhaps the most significant improvement that LAA has made to increase access for low-income people is committing to the thoughtful and effective implementation of the HelpLine. The HelpLine is Arkansas' centralized legal aid call system which allows individuals with legal questions or concerns to dial one statewide number which automatically routes callers to one of the two legal aid organizations in the state.

In LAA's implementation of the HelpLine, it embraced an opportunity to reshape its intake and reduce the inefficiencies of its old intake system. These inefficiencies included long wait times for applicants, unsuccessful callbacks, no capacity for immediate advice for callers, and limited occasion for brief services. These typical problems with intake systems have largely been eliminated at LAA. The wait time to speak to a screener, if any at all, is almost always less than four minutes based on data pulled from the phone system. The wait times to speak to a substantive

interviewer is also typically very short. This means that call backs, with all their inefficiencies, are very rare.

Today, when a person calls LAA's HelpLine, he or she is promptly assisted by trained staff who screen for both eligibility and for cases that are clearly outside of the organization's case acceptance priorities. Upon determining that the applicant is eligible and has a case that the program would handle, screeners immediately route calls to one of four queues – family, consumer, housing, or economic justice (income maintenance). Each of these queues has at least two work group members to do the intake. Within the initial phone call, or at least that day, callers receive either advice or brief service, a transfer to a regional manager for case assignment, a referral to a pro bono attorney, or a referral to an LAA work group for a case acceptance determination within the week.

LAA's full-time HelpLine Manager has been with the organization since August 2005 and oversees staff assigned to HelpLine shifts throughout the day. Since 2009, she has built a high-functioning system which focuses callers, staff resources, and workflow to maximize the "customer service" experience for callers and applicants. She is available on a real-time basis to all eligibility reviewers and Advocates of the Day throughout the organization's offices via instant messaging, phone, and email. Most staff interviewed during the LSC visit noted that she is extremely responsive and they easily communicate with her during screening and interviews via instant messaging to immediately resolve questions that arise. To assist with HelpLine administration, the HelpLine Manager has also compiled a library of information and advice to clients that is stored in a shared location for advocates throughout the program to access.

During call hours which are four hours a day from Monday through Thursday, with extended evening hours on Tuesdays, LAA dedicates 5 eligibility screeners to the HelpLine including a Spanish-speaking screener. It also assigns 8 attorneys to work on the helpline in different substantive areas as described above. In total, LAA assigns 14 staff throughout the organization to the HelpLine during its call hours. In the words of the HelpLine Manager, "It has opened up the gates to increased access."

In 2010 and 2011, LAA closed between 500 – 700 more LSC eligible cases than in 2009, demonstrating some of the increased access the HelpLine has created. LAA's case closings are also higher than national averages on a per capita basis which may also be attributable to the HelpLine system.⁹ The importance of the HelpLine's success is significant because it has eliminated some of the most vexing challenges that elude many legal aid programs, offering real-time, substantive assistance to a high volume of people who would otherwise have nowhere to turn with their problem or issue. The success of the HelpLine is an example of clear and concrete progress in LAA's transformation. It also epitomizes the organization's larger aspiration to offer assistance to low-income people that is top-quality, highly professional, and delivered from a single and unified organization.

Through the HelpLine, LAA has created an effective service delivery point for people regardless of location. Internally and in the administration and staffing of the HelpLine, LAA has taken an "all-hands on deck" approach with a clear and admirable mandate for staff to provide meaningful assistance to every eligible caller. LAA now appears ready for the HelpLine to create further efficiencies for staff and the organization. At the time of the visit, LAA was in its second year using trained law students from the University of Arkansas School of Law in Fayetteville for eligibility

⁹ In 2011, LAA's total case closings per 10,000 poor people was 384 cases and the national average for LSC grantees was 263 cases per 10,000 poor people.

screening. Based on this success, LAA management was planning on expanding this model to the University of Arkansas School of Law in Little Rock and was also in the process of leveraging its successful partnership with Wal-Mart's legal department to explore HelpLine screening using their pro bono volunteers. This will assist with alleviating pressure from LAA to maintain its "all hands on deck" approach: which asks so many staff to carry HelpLine responsibilities.

PERFORMANCE AREA THREE. EFFECTIVENESS OF LEGAL REPRESENTATION AND OTHER PROGRAM ACTIVITIES INTENDED TO BENEFIT THE LOW-INCOME POPULATION IN THE SERVICE AREA.

Legal representation.

Finding 6. A core shift in LAA's transformation under its five year strategic plan is the focus on the quality and impact of its legal advocacy. Goal Three of its strategic plan is entitled, "Increase the Impact of Our Work to Benefit the Low-Income Community" and LAA is making practical, initial changes to implement it.

In the legal work standards for advocates in Arkansas and in the LAA strategic plan, LAA states a compelling vision for its legal work and advocacy and appears committed to implementing it. This is evidenced by the creation of the regional structure with a manager for each region and by organizing all advocates around the substantive work groups. The work groups are designed to develop expertise and capacity in the organization in core areas of poverty law practice identified in its strategic planning process: Domestic Violence (which includes family law); Housing; Consumer; and Economic Justice (which includes employment, public benefits and health law).

In many interviews during LSC's onsite visit, LAA staff praised the implementation of the regional and work group structure as positive developments while acknowledging the organization was only now developing its expertise in a number of the work group areas like consumer law and public benefits where the staff has more limited collective expertise. Many staff also echoed the language captured in LAA's strategic plan, to work on "systemic" or "impact" issues. Several new advocates shared specific examples of systemic issues that they were responsible for tracking and developing. The organization has been committed to implementing changes to support its' impact goal and should continue to strive for progress in this area, particularly where doing so can also bring in new resources and partnerships to the organization.

As mentioned in other parts of this report, LAA is innovating in areas such as the HelpLine and community outreach, which should be viewed as a means to its larger and important goal of focusing on bigger change efforts in LAA's representation. In order to do so, and for the reasons below, the organization must fully invest first in building a proper foundation for it.

Finding 7. LAA is working to improve the quality of its legal work. It has developed comprehensive Legal Work Standards and a New Attorney Training Protocol. At the time of the visit, LAA did not appear to have staff responsible for ensuring the practical implementation of most critical elements of the standards.

LAA's attorneys and paralegals appear competent in and knowledgeable of the areas in which they handle cases. They have good reputations among the judges, attorney board members, other legal services providers, social service agencies, and community organizations the team contacted.

Advocates practice in a variety of forums that include the state's trial and appellate courts, as well as various state and federal administrative agencies.

In preparation for the visit, the LSC team requested a writing sample from each case handling advocate, selected by the advocates as representative of their best work in the last 24 months. In response, LAA submitted 32 samples. The samples included writings in a range of substantive law areas: including consumer finance and collection, expungement of criminal records, family law, federal income taxes, public benefits, fair labor standards, housing evictions, and the Americans with Disabilities Act. The samples also represented a variety of legal writings including appellate briefs in the Arkansas Court of Appeals; state and local court briefs and pleadings; letter briefs and memoranda to hearing officers and administrative agencies; and letters to clients providing advice and counsel. While the writing samples showed a diversity of substantive areas and forums in which LAA advocates practice, on the whole, the quality of the submitted writing samples was uneven and the writings did not involve complex factual and legal issues. Many samples could have benefitted from supervisory or peer review prior to submission, including editing for organization and typos.

The Legal Work Standards and New Attorney Training Protocol, developed in 2008, and which the LSC team reviewed, are solid and comprehensive standards. Once the standards were complete, LAA engaged in its strategic planning process without specifically determining how to practically implement the Legal Work and New Attorney Standards throughout the organization. Also, while LAA's New Attorney Training Protocol is comprehensive, it does not include a section on protocols for reviewing and developing the legal writing of new attorneys.

The limited investment in Legal Work and New Attorneys standards implementation stands in contrast to LAA's aggressive and ongoing implementation of its five year strategic plan. The organization has been understandably consumed with funding cuts, retrenchment, and all of the major changes outlined throughout this report. In addition to those factors, several other specific factors may be hindering practical implementation of the Legal Work and New Attorney standards.

Unfilled deputy director position: The responsibility for ensuring quality legal work at LAA is listed and described in the deputy director's job description for LAA. Under "essential job duties" for the deputy director is the responsibility to "Review the Quality and Quantity of Legal Services." With this position currently unfilled through attrition, LAA has been lacking executive level leadership and focus on this important area. This gap has occurred at the same time LAA has doubled its legal staff with new and inexperienced law graduates.

Sudden and high number of new advocates in time-limited employment: The pressure to have and implement sound legal work standards was felt most acutely during the visit with the cohort of new LAA advocates. A number of newer attorneys at LAA reported feeling a concern about giving unsound advice to clients or callers particularly in substantive areas where LAA does not have current expertise. Two newer attorneys at the organization sought advice on cases from their former law professors in other states. One new attorney, working on an appellate brief, sought the advice of a Skadden Fellow who was no longer employed at the organization but who had appellate

clerkship experience. In many instances work group leaders and substantive experts in the organization were two and three year graduates of law school with very recent admission to the Arkansas bar. Staff reported that LAA affords helpful outside training opportunities for attorneys, but on the whole the newer advocates appeared to be scavenging for day-to-day and practical help from each other, their regional managers, and from knowledgeable legal aid attorneys from outside the state.

Overextended regional managers: LAA's regional managers were reported and observed to be capable, supportive and helpful supervisors, able to address many of the basic legal work supervision questions and concerns with the newer advocates. The regional managers appeared to the LSC team, however, to be overextended. Each carried a significant caseload, administrative responsibilities, and weekly HelpLine shifts while also working to develop his and her own expertise in new substantive areas where the organization needs to build its capacity. Their workloads simply did not appear to afford them the opportunity to thoughtfully develop new attorneys, nor did it allow much time to conduct in-depth investigation on systemic cases or to develop work that impacts the more systemic issues facing poor people in the state.

Focus of litigation director responsibilities: The LSC team also observed a disconnect between the current focus and work of LAA's litigation director and the organization's most critical needs from this key leadership position at this juncture of its transformation and with so many new advocates. The litigation director's current job responsibilities are captured in the LAA position description entitled, "Director of Litigation and Training." The position contemplates two essential responsibilities: 1) coordinating LAA's complex litigation and advocacy strategy; and 2) identifying and prioritizing the training needs of staff. The position description further describes the responsibility "*to locate and organize the resources, both inside and outside the program that are available to meet training needs, and make this information available to management and staff on request ... Examples include: written materials such as manuals, videotapes, names of individuals or resource centers with particular knowledge or skills, samples of various legal documents, and lists of trainings that may be of use or interest to staff.*"

From interviews with LAA staff, the litigation director was described as available, a resource on work group calls, and willing to help on individual cases when attorneys reach out to seek his advice. It also appeared that the litigation director carried a caseload of individual cases and worked alone on some appeals, missing an opportunity to teach complex lawyering skills. LAA's litigation director acknowledged that more needs to be done to develop and supervise new advocates and this is also true of experienced attorneys who have not had occasion to engage in complex work or who are being exposed to new areas of practice. At the time of the visit, plans were underway to adjust his workload to afford more time to prioritize his responsibilities in a manner which aligned with the legal work and management needs of the organization, however little progress had been made in this regard.

The newer permanent staff at LAA, particularly regional managers and work group leaders, need continuously available counsel and training to become and stay up-to-date on the skills needed for

top notch lawyers and to supervise quality litigation. While it may not seem immediately practical for LAA to invest scarce and overstretched resources to develop new advocates who are on short-term fellowships or AmeriCorps terms, the net effect of not doing so is to allow inconsistent quality in legal representation. Before LAA can be in a position to effectively take-on complex, multi-forum advocacy, it must first ensure all its advocates understand and consistently apply good habits and the practical basics to being effective lawyers and advocates in Arkansas. Steadfast and high legal work standards should form the foundation and basis of LAA's transformation into a quality legal aid organization and it forms the justification and basis of this important Tier One recommendation.

Recommendation III.1a-b.7.1*: LAA should develop a plan for the immediate implementation of its legal work standards and new attorney training protocols, prioritizing attention to supervisory systems and development of newer advocates. A comprehensive approach to this recommendation, consistent with strategic plan objectives, should include:

- ***Strategies to decrease the workloads of regional managers including an assessment of caseloads and HelpLine responsibilities;***
- ***Strategies for regional managers and case handlers with HelpLine responsibilities, to open quality time for more complex work, balancing training and development needs (i.e. work that exposes attorney to mix of advocacy skills and substantive areas) with organizational and client needs (i.e. grant, work group, LAA priorities);***
- ***Collectively focusing on improving the quality of legal analysis and brief writing;***
- ***Teaching regional managers and work group leaders to develop creative solutions to entrenched problems of poverty, including use of resources outside of Arkansas, and to implement solutions;***
- ***Establishing resources such as a panel or team of experienced volunteer attorneys and legal aid experts who can serve as ongoing substantive resources to LAA work groups and to individual attorneys;***
- ***As resources allow, hiring for the deputy director position and, in the interim, designating the management team responsible for more closely reviewing the legal work quality of each staff member;***
- ***Re-evaluating the director of litigation's current focus.***

Private attorney involvement (PAI)

Finding 8. The Arkansas Access to Justice Commission has been a valuable ally to legal aid and supportive of pro bono in the state. The Arkansas Pro Bono Partnership provides innovative technology-based resources that support and coordinate pro bono throughout the state.

In recent years, Arkansas' Access to Justice Commission has been effective in convening justice stakeholders throughout the state to actively support more pro bono involvement from Arkansas attorneys. For example, when Walmart's legal department sought to strengthen its pro bono program, its attorneys assisted with the state's multi-jurisdictional practice rule enacted in 2011, allowing in-house counsel without an Arkansas license to provide representation in the state in association with a legal services provider. In the year ahead, the Access to Justice Commission plans to turn its attention to rules on unbundling and limited scope representation to continue to facilitate more pro bono representation throughout the state. According to the Arkansas Access to Justice Commission's 2011 Annual Justice Partners Report, 1,334 private attorneys volunteered to

take pro bono cases in Arkansas in 2011 and the dollar value of pro bono services rendered by attorneys was \$1.9 million.

The Arkansas Pro Bono Partnership, staffed by the Director of ALSP, encourages a statewide collaboration between both legal aid programs, the Access to Justice Commission, and the IOLTA and Access to Justice Foundations. Each of these entities contributes financially to the Pro Bono Partnership, which plays a coordinating function in the state largely through its innovative and comprehensive website and resources for pro bono attorneys. Rather than set up separate systems and supports for attorneys who are seeking to volunteer for the legal aid programs, the Pro Bono Partnership's resources through the statewide website allows any pro bono attorney in Arkansas to register and search through a menu of pro bono offerings which are posted by the legal aid programs to match their location, expertise, and availability. Pro bono attorneys in the state are also given access via the website to comprehensive information, such as the Poverty Law Manual and the Online Legal Library, which includes form letters, pleadings and automated documents that attorneys can use in pro bono and private matters. Volunteers also receive online access to mentors, through Mentor Link, malpractice insurance coverage from the legal aid organization and secondary coverage through the Pro Bono Partnership, and access to reduced rate Continuing Legal Education seminars and a monthly e-newsletter of available pro bono cases.

The Pro Bono Partnership continues to develop innovative tools for pro bono attorneys. In January 2012, it developed an iPhone app called, "iProBono" which allows attorneys to review pro bono listings, search and request available cases by keyword, and access the free resources on the statewide website. While it is still early to assess the effectiveness of iProBono in Arkansas, the innovative work of the Pro Bono Partnership in this arena has been garnering national attention and interest from equal justice stakeholders seeking to replicate its work in other states and pro bono systems.

Finding 9. LAA has been developing its pro bono capacity with new partnerships. It has expanded its volunteer base and its use of volunteers beyond individual pro bono attorneys and individual cases and has the potential to leverage pro bono to address broader issues in the low-income community.

At the time of the visit, LAA's pro bono program had recently undergone staffing changes as part of the organization's restructuring and to create a more coordinated pro bono capacity. It currently uses two full-time coordinators and an intern to staff its volunteer efforts. LAA has used its Equal Access to Justice Panel (EAJP) and Arkansas Volunteer Lawyers for the Elderly (AVLE) to primarily refer individual cases to pro bono attorneys. This system is still in place with the pro bono attorneys receiving individual case referrals directly from LAA's Pro Bono Unit which in turn receives cases from the LAA work groups or regional attorneys. With AVLE funded in part by Area Offices on Aging, it primarily focuses on pro bono cases for people over 60 years old.

In its 2012 Private Attorney Involvement Plan, LAA noted how it seeks to fully leverage the many resources volunteers can bring to benefit clients and LAA's work. For example, one volunteer attorney with experience managing a title company, reviews title documents for LAA for free. Another pro bono attorney, who has online access to county land records, assists LAA staff in establishing ownership and chains of title for clients in foreclosure and property dispute cases. Volunteer bankruptcy attorneys serve as advisors to LAA staff during ongoing litigation, and LAA's network of pro bono attorneys throughout the service area allow staff and clients to use their offices to make meetings, depositions, printing, and computer access easier for clients located far from LAA offices. Beyond attorneys, EAJP also employs volunteer court reporters, who provide free

services for depositions and transcripts for trials and hearings, volunteer investigators, paralegals, experts, process servers, and nurses who review medical records for LAA's pro bono volunteers and staff. As mentioned earlier in this report, LAA has also been expanding its use of volunteer law students and recent law graduates to perform intake on the HelpLine and to conduct clinics in the Delta during spring break.

As mentioned previously, the organization has a strong relationship with one of the largest firms in Arkansas which is based in Little Rock. Attorneys in the litigation department of the firm regularly travel to the Delta to assist with outreach, intake, and advice. One pro bono leader at the firm, who is also active in the state access to justice community, has also worked with LAA on a significant case which reached the Arkansas Supreme Court involving the right to counsel in contested adoptions that involve the termination of parental rights. The case, with its civil right-to-counsel implications, has inspired the interest of a number of attorneys throughout the state who previously have not engaged in pro bono. "If [LAA] can find important cases that need to be brought, they can get large firm pro bono and help accomplish a great deal," the pro bono leader noted.

Finding 10. LAA is part of a first-ever medical legal partnership with a corporate legal department.

One of the notable and recent pro bono developments for LAA has been its medical legal partnership (MLP) launched with the Arkansas Children's Hospital and Walmart in June 2011; the first MLP in the country to involve a corporate legal department. With 140 attorneys in its legal department and an additional 110 attorneys in other parts of the company's Bentonville headquarters, Walmart is comparable in size to a large, urban law firm. LAA's other MLP partner, Arkansas Children's Hospital in Little Rock, is one of the largest pediatric medical centers in the country and at the time of the visit the MLP has just expanded to a satellite children's clinic in Lowell, located in Benton County and in close proximity to Walmart's corporate offices and LAA's Springdale office. Under the MLP arrangement at the time of the visit, LAA employed an Equal Justice Works Fellow and MLP project director at the hospital in Little Rock and both staff worked closely with social workers and doctors to identify clients with legal issues.

While the MLP is still in its early stages, 90 Walmart attorneys and 50 non-attorney staff are signed-up to assist with guardianships, Medicaid cases, and special education matters referred to it from LAA. Walmart has assigned a paralegal on its staff to spend 95% of her time assisting with the MLP and at the time of the visit, she was working with LAA staff to train Walmart's non-attorney staff, including paralegals, discovery specialists and administrative assistants, to provide eligibility screening on LAA's HelpLine.

In Arkansas, Walmart's financial support of legal aid and partnership with LAA has been a significant development. According to one knowledgeable stakeholder in the justice community who was interviewed during the visit, "This is Arkansas and it is a big deal that Walmart is working with and funding legal aid. Walmart will only give money to something that makes excellent use of their resources." Walmart has already expanded its MLP network to Houston, Texas, with plans to expand a national network. The Arkansas Children's Hospital has also been focusing the MLP on technology innovations and a highly validated tool, the PedsQL or pediatric quality of life scale, to determine how to begin to measure the medical, legal and psychosocial outcomes of its patients which in time can demonstrate improved health outcomes. With the initial success of this partnership, LAA plans to continue to expand its work with other corporate legal departments, like Tyson Foods and FedEx Freight.

As some stakeholders noted in interviews, corporate partnerships provide both opportunities and challenges and LAA indicates that it will evaluate what is working and what can be improved in the partnership with Walmart and other corporations. LSC can provide assistance in sharing knowledge and information on LAA's work in this area and LAA should also consider publishing articles and sharing its innovations with the legal aid community.

PERFORMANCE AREA FOUR. EFFECTIVENESS OF GOVERNANCE, LEADERSHIP AND ADMINISTRATION.

Board governance

Finding 11. The LAA board of directors has been engaged in important policy decisions and changes to the organization. It should consider strategies for mid-to-long term financial sustainability.

The LAA board of directors is a diverse group with board members who were part of the 2002 merger process and newer board members who joined between 2007 and 2012. The organization appears to support the full engagement of the board and alternated board meetings between Springdale, Jonesboro and one other office location each year. The LAA board members with whom the LSC team met noted that the organization was going through a lot of change and described how they were involved in the discussions and processes to decide upon and plan for recent changes.

The LAA board audit committee includes a voting board member who is a Certified Public Accountant and committee members described recently being involved in LAA's process to select and change the organization's bank. One attorney board member noted how she was asked by the executive director to be involved in the hiring process for the regional manager for the Northwest region, since the region is so different from Jonesboro where he is based. A client board member, also from the Northwest region, described the positive board dynamic and the many discussions about the decision to move the Fayetteville office to Springdale, "What caught my attention," she noted, "are all the strategies LAA employs to help clients who can't afford a lawyer."

Board members noted how the recent challenges improved attendance at board meetings, allowing for good discussion and substantive involvement. Board members interviewed also spoke highly of the executive director and LAA's administrator, who are both "wonderful with follow-through and follow-up" offering a detailed director's report, a review of financial information, and progress reports in-between board meetings. Board members described being involved the executive director's performance evaluation which involves an assessment, a staff survey and a performance evaluation meeting with the executive director every two years. One board member noted, "I've been on other nonprofit boards and the difference here is that follow-through is key. This organization fulfills all the goals we set."

In the course of implementing its strategic plan, there has been considerable attention to LAA's community and mission impact. Goal 4 of the strategic plan focuses on resource development to "Expand and Diversify Sources of Program Resources." As will be discussed below, LAA has been remarkably successful in the past eight years in diversifying its resources and reducing its reliance on LSC funding. Missing from discussions of LAA's strategic plan and revenue picture is mention of LAA's mid-to-long term financial stability and sustainability. According to the executive director, LAA has always functioned with no more than a two month operating reserve and by using actual and year-to-date budget reports with the board and senior management, rather than using rolling two and three year projections. This gives the organization less information to plan for different

scenarios and leaves LAA and its staff vulnerable to the continued volatility of uncertain local, state, and federal government funding. Building a reserve and using rolling multi-year budgets in the midst of layoffs, office closings and continued funding uncertainty, may seem challenging but it appears to be a gap in LAA's strategy and planning which could benefit from consideration by its engaged board and executive director. This is an area where LSC can support LAA with information-sharing and suggestions for peer-to-peer exchange.

Recommendation IV.4.11.1.: Given continued funding uncertainties, the LAA board and executive director should consider and implement improved reports and ways to measure and strengthen the short and long term financial stability and sustainability of the organization.

Leadership

Finding 12. Through LAA's very recent challenges and changes, the organization has been led with a steady hand by an engaged and hard-working executive director. It is building a strong leadership team with its regional managers, and is committed to allowing all staff to develop leadership skills.

Lee Richardson was observed by the LSC team and his colleagues as an unflappable, no-nonsense, resourceful, and hard-working executive director. With LAA's strategic planning, funding cuts, and retrenchment, all of which involved challenging and stressful dynamics with a variety of stakeholders, LAA's executive director was consistently described as an even-keeled person who should be credited for developing and implementing ambitious plans while maintaining enough flexibility to innovate and be opportunistic through the change. One interviewee noted, "The funding situation is very challenging and I can't imagine anyone could have navigated these troubled waters better." Another staff member noted the importance and difficulty of the retrenchment committee's work, "What was most important was to get input from the board and the staff, as much as possible." The executive director was consistently described positively and as "strategic," "responsive," "client-focused," "innovative," "humble," and "outcome driven" by stakeholders in the justice community, staff, and board members.

In the absence of a deputy director position, LAA's executive director has allowed newer staff to lead or engage in important discussions about organization-wide concerns and implementation of the strategic plan, providing early exposure to management perspectives and leadership development. Through the retrenchment process, LAA's managers and key staff provided leadership and input to the process, setting up a model for more integration and cohesiveness at LAA, and future management capacity. Defining an LAA management team will be important to develop and continue in the absence of a deputy director position. Board members and the LSC team also observed that the executive director appeared to be "doing it all," functioning without much administrative support or the desire for it.

Recommendation IV.3.12.1: LAA should continue to examine ways to allow the executive director to share or delegate responsibilities including: building a management team and/or hiring for the deputy director position as resources allow.

Overall management and administration including human resources and financial administration¹⁰

Finding 13. LAA is functioning with a very lean administrative staff and should consider and prioritize areas for investment in the near and long term.

LAA has 47 full and part time staff who are supported by one full-time office/HR administrator and one full-time fiscal administrator. They are further supported by the executive director and a percentage of time from other support staff at LAA. The organization uses an outside contractor to manage their technology needs.

The organization acknowledged to the LSC team that it does not have adequate secretarial and administrative support for its advocates. Related to this is the very lean staffing LAA has in place for technology, human resources, and overall financial administration. At the time of the visit, LAA's fiscal administrator was in his first week on the job and still learning its processes. The fiscal administrator is a CPA and brings over 25 years of private sector accounting experience to the job at LAA. The office/HR administrator wears many hats at the organization and is responsible for coordinating board meetings and communications, administrative support to the executive director, HR and benefits administration for the entire staff, managing hiring processes, maintaining personnel files and office document retention, and coordinating the annual performance review process. She also recently took on the significant additional responsibility, formerly handled by the deputy director, to manage the administrative requirements of the state AmeriCorps grant. She attends several HR trainings a year and noted that she will be focused on ensuring compliance with the health care reform law as it is implemented in Arkansas.

Goal 6 of the LAA strategic plan states, "Address Human Resources, Administration, and Logistical Considerations." While much of the implementation of Goal 6 appeared to be necessarily sidelined by the more pressing retrenchment concerns of 2011 and 2012, the organization could benefit from more thoughtful consideration of its needs in this area. For example, several staff noted during the visit that it is possible the office could be functioning more efficiently and effectively if LAA staff made better and higher use of the Kemps case management system. It is a question few have had time to consider in the organization. LAA uses a technology consultant to attend to the organization's basic and day-to-day technology needs and has been using low-cost, cloud-based systems, such as DropBox, as a means to create some efficiencies within the office. In its strategic plan, Goal 6 or the "operations" goal is disconnected from any of the mission-oriented goals. It is possible for LAA to take the onus away from the HR administrator and executive director to identify needs in this area. In considering priority needs in this area, LAA can ask managers and work groups to identify certain administrative needs in their work plans. For example in each work plan, staff can identify their case management, technology, knowledge and information management, human resources and training, and financial reporting needs. At a minimum and as suggested above with regard to financial sustainability, LAA would benefit from a more thoughtful process to prioritize its needs in this area.

Recommendation IV.3.13.1: LAA's management should consider and prioritize short and long term needs in human resources, financial administration, knowledge and information management, case management, and technology. This can be considered in connection with the implementation of its other strategic plan goals.

¹⁰ This visit was conducted by the Office of Program Performance (OPP) for the purposes set forth in the Introduction. OPP findings and recommendations under this criterion are limited to staffing, organization, and general administrative functions. Assessment of fiscal operations is conducted by other offices at LSC.

General resource development and regional delivery system

Finding 14. In a challenging funding environment, LAA's executive director has been effective as a state justice leader and in LAA's resource development efforts. He and the LAA staff have been greatly bolstered by the Arkansas Access to Justice Commission and its leadership.

LAA's executive director has been fully engaged with CALS, ALSP and the Access to Justice Commission on statewide efforts to increase funding and support for legal aid. In addition, he has been resourceful and opportunistic to ensure that he is fully leveraging resources to expand client services in the 31 counties that LAA covers. Between 2004 and 2012, LAA has increased its budget approximately 78% from \$1.5 million to \$2.8 million. In the same time period, it has decreased the overall percentage of its LSC funding from 86.2% of its total budget in 2004 to 49.8% in 2012. This is a significant accomplishment given the economic downturn and more competitive funding environment in the same time period.

As described in other sections of this report, LAA has effectively engaged institutional partnerships, fully supporting the Arkansas Access to Justice Commission and its work on a statewide vision, and in obtaining new funding from the state AmeriCorps program, for MLPs in Arkansas, and from national funders like Equal Justice Works and the Skadden Foundation. LAA has achieved this without a resource development director or development staff.

In expanding its work into impact advocacy and gaining more insight into issues of race and extreme poverty in Arkansas, LAA is encouraged to accelerate its efforts to draw the attention of national funders and foundations to its innovative efforts and the dire poverty in the Delta. The race and poverty issues the LSC team learned about in the Delta can benefit from visionary planning and seeking out national advice and funding. It should also continue to partner Access to Justice leaders in Arkansas who have a deep and strong commitment to legal aid's mission. At the time of the visit, the state Access to Justice Commission had just retained a consultant to work with them on developing a private bar campaign for the state. With so many opportunities and possibilities for resource development, LAA could benefit from an organizational resource development plan that aligns with its strategic direction and captures the full diversity of options it can or should be leveraging. It will also provide the organization with some perspective to consider, as resources allow, the benefit of having a staff person dedicated resource development. This is an area where LSC can support LAA with information-sharing and suggestions for peer-to-peer exchange.

Recommendation IV.7.14.1: LAA should develop a comprehensive resource development plan to align with its strategic plan and direction. This plan should include consideration of how to build and staff LAA's resource development capacity as it diversifies funding and supports the Arkansas Access to Justice Commission's efforts to build a private bar campaign.

CONCLUSION

It is a dynamic time for Legal Aid of Arkansas and in its transformation which appears to have momentum to make lasting improvements to the organization and state. LAA should continue to leverage its strong leadership and staff and approach new opportunities thoughtfully and with a concern for quality legal work and client-grounded strategies. Looking forward, LAA is well-positioned to build its long-term capacity to further expand its reach and impact in low-income communities.