



LEGAL SERVICES CORPORATION

Office of Program Performance

***FINAL
PROGRAM QUALITY REPORT***

FOR

Legal Aid Society of San Diego

Recipient Number: 805250

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INTRODUCTION

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a program quality visit to the Legal Aid Society of San Diego (LASSD) from March 9 to March 13, 2009. The team members were team leader Tim Watson, program counsel; Cynthia Schneider, program counsel and deputy director; Althea Hayward, program analyst; Stephanie Edelstein, program counsel; and Charles Greenfield, program counsel.

Program quality visits are designed to ensure that LSC grantees are providing the highest quality legal services to eligible clients. In conducting its assessment, the team carefully reviewed the documents LSC has received from the program including its renewal narrative for 2009, its case service reports (CSRs) and other service reports (OSRs), the numerous documents the program submitted in advance of the visit, including advocates' writing samples, and a survey of LASSD staff conducted on the Internet. On site, the team visited all three program offices. In addition to speaking to most of the LASSD staff members, the team met with — or had phone conversations with — a sample of board members, judges, representatives of local government agencies, and community organization members.

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

Program Overview

LASSD provides a full range of legal services in the CA-14 service area, which consists of the city and county of San Diego. The service area covers 4,212 square miles and has a poverty population of 338,399 according to the 2000 Census. The ethnicity of the poverty population is approximately 47% Hispanic/Latino, 32% Caucasian, 8% African American, and 8% Asian. The staff of 86 provides services from three offices — two in San Diego and a small office in Oceanside. All offices are accessible by handicapped persons and are easily accessible by public transportation

The main office is located in southeast San Diego approximately three miles from the city's center. A city bus line makes frequent stops directly in front of the office. The general area served by this office has historically been inhabited by a large portion of the city's low-income population. The office houses 26 people, including the executive director, administrative staff, fiscal staff, support staff, intake staff, a family law advocate, and 12 attorneys, several of whom are senior attorneys. Legal issues addressed

by the advocacy staff in the main office primarily fall within the areas of family, housing, individual rights, consumer, income maintenance, and economic development.

The downtown office is a few minutes' drive from the main office. It houses a staff of 53, who are divided into four sections. The largest section is the Consumer Center for Health Education and Advocacy. This Consumer Center, which is funded wholly by non-LSC funds, has a staff of 26. Most of these staff members are engaged in high-volume telephone advice concerning mental health benefits, Medi-Cal, and Medicare Part D. The Center also has a significant outreach presence; its advocates often interview clients at "outstation" sites where benefits hearings are taking place and immediately represent clients at the hearings after a preliminary determination of eligibility for the program.

LASSD has another high-volume intake and brief service unit known as the Community Response Team (CRT). Most of the CRT staff are housed in the downtown office. The staff is comprised of a senior attorney, four advocates, and four intake specialists. The CRT provides brief service and referrals for a variety of traditional non-health related legal aid all matters. The other units in the downtown office are the SSI Team (7 staff) and the Pro Bono Team (10 staff).

The North County office in Oceanside houses seven staff members: a program-wide managing attorney, a senior attorney, a staff attorney, a housing advocate, a health advocate, an administrative assistant, and an intake specialist.

Summary of Findings

LASSD is a well-managed, high quality legal services program that provides advice, brief service, pro se assistance, and extended representation to eligible clients within its service area. The diverse staff is highly visible and involved in community activities. The program is well organized, using a unit-specialty model. Staff are skilled, knowledgeable, and supportive of its mission.

The program has made a comprehensive analysis of the needs of its clients and has directed its resources to meeting those needs. It has a well-deserved reputation for high-quality advocacy. It has established particularly effective systems for outreach and high-volume intake.

LASSD benefits from excellent leadership, management, and board involvement. Its highly engaged client-eligible board members are an essential ingredient in its success.

Although the LSC team has made several suggestions for improvement, this on-site evaluation, including the extensive document review, revealed no significant negative findings.

PERFORMANCE AREA ONE. Effectiveness in identifying needs and targeting resources to meet those needs.

Criterion 1. Assessment of needs.

FINDING 1: LASSD recently conducted a comprehensive assessment of legal needs and considers legal needs on an ongoing basis.

LASSD has conducted a full-scale comprehensive legal needs assessment about once every 10 years. The most recent one was conducted in 2008. Prior to 2008, the last full-scale assessment was conducted in the 1990's. The assessment and recommendations were approved by the LASSD Board of Directors on September 25, 2008.

The 2008 assessment was effective and comprehensive. The program spent time researching and preparing different models and instruments. It involved the board's attorneys, client board members, and staff. It employed a variety of methods to obtain input including: focus groups, surveys, calls to clients, GIS mapping, calls to judges and attorneys, and direct inquiries at health fairs and other sites. It also made use of an exhaustive amount of local and national demographic and poverty data about San Diego County.

The program calculates that 36% of respondents agreed with LASSD's current priorities addressing particular legal needs of housing, health, family law, individual rights, income maintenance and consumer, and that 64% of respondents made suggestions for changes with the most pressing need identified as family law. Also a substantial number of respondents identified consumer and bankruptcy issues. Responses also suggested that more outreach needs to be conducted with community based organizations and that the client community that cannot be served for lack of resources could nevertheless benefit from any advice and guidance that the program can provide on issues affecting their lives.

In addition to the full-scale needs assessments, management staff and board annually consider any developing legal needs at the board's annual retreat.

Recommendation I-1-1:¹ In the future, full needs assessments should occur more frequently. LSC recommends that a full assessment should occur every three to five years.

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

Criteria 2-4. Goals, resources, implementation, evaluation, and adjustment.

FINDING 2: LASSD appropriately sets and implements goals and objectives, develops strategies, allocates resources based on its comprehensive and ongoing assessment of legal needs, and regularly evaluates its delivery strategies and work.

LASSD has an effective process for an annual development of goals and objectives based on the needs of the service area. Each team (housing, family, individual rights, Consumer Center for Health Education & Advocacy, consumer, welfare, SSI, pro bono, Community Response Team) submits written and oral reports at the annual board retreat. The executive staff and board reviews the team's progress on the past year's goals and objectives; sets forth specific goals, objectives, and strategies for the upcoming year; and discusses new developments and increasing areas of need, including the most recent legal needs assessment. Following the reports from each team and discussion of these reports, the board approves specific goals, objectives, and strategies for each team and decides on the appropriate allocation of resources for the next year.

The needs assessment revealed that LASSD should try to find a way to allocate more resources to family and consumer problems. The program has indicated that it recognizes that it may have to make some changes to address these concerns.

Recommendation I-2-1: LSC encourages LASSD to continue in its efforts to address the issues that were identified in the needs assessment — family and consumer problems — and allocate program resources to them to the extent possible.

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

Criterion 1. Dignity and sensitivity.

FINDING 3: LASSD is linguistically and culturally competent, and it treats clients with dignity and respect.

The service area is home to people from many cultures and a variety of languages. Interviews with staff, board members, community organizations, and judges all confirmed that the program values the dignity of clients and that it is competent to deal with the challenges of a multi-cultural client pool. The program's intake staff are thoroughly bilingual in English and Spanish. Many other members of the program staff also speak Spanish. Other languages, such as Chaldean and Tagalog, are known to some. When necessary, the program employs any of several area translation or interpreter services to facilitate communications in languages unknown to staff. In addition to being multilingual, the staff is also a highly diverse one, reflecting many of the cultures in the area.

The program's client-eligible board members are in continuous contact with the client community (see next section) and report that the clients feel that they are treated with sensitivity and cultural acceptance. Judges, too, noted that program staff treat their clients with respect and sensitivity.

Criterion 2. Engagement with the low-income population.

FINDING 4: LASSD is actively engaged and highly visible in the client community.

According to the on-site interviews, LASSD staff can be found each week at service agencies, community centers, civic events, and "outstations" where they engage with the client community in a variety of ways — taking new cases, representing clients in hearings, serving on community boards, attending meetings of community organizations, and making presentations on various issues. Advocates conduct outreach at "clubhouses" where homeless, mentally ill clients receive meals, counseling, and group support. They also attend the Homeless Court Program, which is part of a project to support homeless people in recovery.

The effectiveness of the above activities is both documented and enhanced by client-eligible board members who employ their own networks to advertize and conduct their meetings, which are open to the public. These meetings are attended by some program staff, ministers, local community leaders, and guest speakers. Food is often served to enhance attendance. The client board members are so highly visible in the program's activities that the executive director estimates that 20% of the program's outreach activity is achieved through them. These board members hear from the client community about the services needed and the reputation of the program. The members report that the client community is very well informed of the program's existence and feels that it is doing a good job.

Criterion 3. Access and utilization by the low-income population.

FINDING 5: LASSD's organization and culture of client service ensure a high degree of access to and utilization of program services by the low-income community.

Intake at LASSD is primarily achieved via telephone. Calls are toll-free throughout the service area and are answered by seven intake specialists who are distributed throughout the program — four downtown, two in the main office, and one in Oceanside. These intake specialists are part of the Community Response Team (CRT), which is a high-volume call unit that is specially designed for rapid eligibility screening, advice, or referral to either another organization or to the appropriate unit for extended work within the program. It has queues for English and Spanish speakers. Once eligibility is established, intake specialists transfer calls to CRT advocates, who collect facts and give immediate advice in the areas of housing, public benefits appeals rights, some family law and bankruptcy. They also mail community education materials to the callers. All notes

are kept in the case management system (Kemps). They do not send clients letters summarizing the advice given on the telephone.

When cases require extended service, they are transferred via an instant message to the appropriate substantive law unit (with the exception of consumer and public benefits) for a callback. Consumer cases are immediately transferred to the consumer unit senior attorney, and public benefits cases are assigned to public benefits staff on a rotating basis. Call backs occur within several days of the applicant's initial call. If the applicant needs an in-person interview with a substantive unit advocate, appointments typically occur within two weeks from the time of the first contact with the program.

Another high-volume unit is the Consumer Center for Health Education & Advocacy. This component takes calls directly from the public via a separately publicized number. The Consumer Center queues are available in English, Spanish, Vietnamese and Farsi. Unlike the CRT, the Consumer Center does not have intake specialists. Rather, the calls from the public are placed in queue and then routed by the call management software to the next available advocate of the more than twenty advocates who can give advice and assistance concerning a wide range of mental and physical health issues. If calls about health issues are received by the CRT, they are seamlessly transferred to the Consumer Center queue.

The Consumer Center is funded with non-LSC funds and has less stringent financial eligibility requirements. However, the staff is trained to recognize when a client meets the more stringent LSC eligibility standards and can use the CMS to designate a Consumer Center health case as an LSC-eligible one in the program's case reports.

Zeacom call-management software is used by the supervisors of the CRT and the Consumer Center to monitor staff productivity and overall system effectiveness. The software displays the number of clients in the queue, time on hold, staff occupied with calls, and staff available. For callers who have a case record created in the case management system, the Zeacom software will send a pop-up message to the advocate's desktop with relevant phone number and CSR number for the call, helping staff identify the caller and review case information from the start of the call. Zeacom's reporting features provide summary information; for example, the software indicates that all intake calls are answered in an average time of less than 30 seconds. One reason for this remarkable response time is that responsibility for taking calls is distributed among the staff, with the primary burden resting upon the seven intake specialists. Incoming calls for all three offices are held in queue in the order in which they are received and thus, given the same priority. If call volume rises beyond the ability of these specialists to handle them, excess calls can "roll over" to successively higher levels of staff, up to and including the two program-wide managing attorneys that answer to the executive director. Another unique feature is the automatic callback system that allows callers to leave a brief message and their telephone number, where they will receive a return call by the phone system when the next staff person assigned to the queue becomes available.

The telephone intake and advice system provides access to applicants 24 hours a day. Calls are answered by the intake specialists from 9 a.m. to 5 p.m. An attorney supervisor is available to answer staff questions, through instant messaging, email, phone, or in person. Callers may leave a voice mail message during non-business hours. Calls are returned the next day. A caller waiting in a queue is allowed to leave a message without losing her place in the queue.

CRT workers have all received extensive training and at times may use scripts with questions tailored to routine subject areas. The unit makes use of a complete intake manual that has detailed descriptions (with screen shots) of steps in determining eligibility and cases the program accepts. If a referral is appropriate, the program's Referral Guide is available in hard copy and a searchable electronic version. It is updated on a regular basis. The CRT unit's director reviews all advice-only cases daily. She regularly runs a variety of reports so she can make adjustments to the system as needed. The CRT unit surveys client satisfaction with advice-only clients via a telephone survey.

In addition to telephone intake, the program provides a variety of other methods of client access to services. Clients can walk into any of the three offices, which are all accessible by public transportation. They can also find LASSD advocates conducting intake at community agencies, at legal clinics, and at "outstations" established by the program. In the latter method, which is a particularly successful one, the program stations its advocates on a regular basis at sites where the client population is applying for benefits or appearing for hearings at the providers' offices. Advocates help clients apply for benefits and advise or assist clients at hearing sites. For example, advocates are present each weekday morning at county human services offices to meet with and interview general assistance applicants who are applying for SSI benefits. Other advocates are present each hearing day at the offices where public benefit administrative hearings are held. A staff member will often represent the client at the hearing location immediately after a preliminary screening and assessment of the facts. On a typical outstation day, an advocate will see five or six clients on site and will usually represent at least one in a hearing. In non-routine hearing cases, the hearing examiner will allow a postponement of the hearing to allow the LASSD advocate to prepare for it.

LASSD has recently recognized that clients in the northern part of the county who had need of extended service on family issues were not afforded the same level of access as other clients in the LASSD service area. It has undertaken to increase its extended service work in family law in that region in order to assure relative equity of access for all clients in its service area.

The program has plans to improve client access in yet another way by installing computers in its waiting rooms to provide client access to *icandocs.org*. This website contains court documents in a number of subject areas that help clients pursue their cases pro se.

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

Criterion 1. Legal representation.

FINDING 6: LASSD has the capacity to provide high-quality legal assistance to the client population in its service area.

The program has a casehandling staff of 27 attorneys and 32 paralegals. The latter are denominated as advocates in the program roster. The writing samples and interviews revealed that the program's casehandlers as a whole possess both a high degree of knowledge about the clients' legal problems and the requisite practice skills to address them. Fourteen of the attorney staff have five or more years of experience.

The attorneys and advocates feel that they are valued and are allotted sufficient resources to accomplish the program's mission. Legal research resources include Lexis, Westlaw, list serves, Google-groups, the program's in-house library and practice publications, the Western Center on Law and Poverty, and other state and national support centers. Casehandlers also make use of assistance of outside private counsel with expertise in a specific area. All casehandlers have desktop computers and access to the Internet. Casehandlers at hearings offices, courthouses, and outreach sites are provided with laptops with broadband connections, allowing for remote access to the Kemps case management system to assure timely conflicts checks and data entry. Attorneys use the program's litigation fund as needed. Staff have ample opportunity to earn CLE hours and receive training from a variety of sources. Some have received skills training at the National Institute of Trial Advocacy.

FINDING 7: LASSD could enhance its capacity by improving document accessibility.

Although the program makes use of a shared drive on which some documents can be accessed program-wide, this shared drive could be improved with a search and index capacity that would assist staff and would require less staff foreknowledge of the document sought. Another document access issue is that few casehandlers have remote access to documents on the servers if they are working from home or other remote locations. It is the experience of LSC that efficiency can be improved significantly when this capacity is enabled.

Recommendation III-7-1: LASSD should consider whether it should improve its document accessibility by (1) organizing its shared drive and adding a search capacity, and (2) creating or improving remote access to documents for people working from home or other remote locations.

FINDING 8: LASSD uses systems, approaches, and techniques in its legal work management and supervision that assure high quality representation.

All casehandlers except those on the Community Response Team are assigned to substantive law units — housing, consumer, welfare, family, and individual rights. There is a separate unit funded by United Way that deals with low income tax issues and some bankruptcy. Most units are supervised by attorneys who have ten or more years of experience. Supervisors are involved in critical strategic decisions about clients' cases. They regularly review unit member's case notes and caseloads in the case management system. They hold regular open case review meetings with unit staff and strategize concerning recurrent fact-patterns. Despite having caseloads of their own, all unit supervisors have open door policies that are freely used by staff to obtain immediate assistance on specific cases.

The program's procedures concerning data, files, and case administration are set out in the Personnel Policies and Procedures Manual and are generally followed throughout the program. All extended cases must have opening memos that evaluate client options and contain statements of client objectives and legal strategies. Complex cases must have case plans with timetables for proposed tasks. Clients must be kept informed about their cases; communication with the client must be noted in the file at least every 90 days. The organization and sequence of documents in physical files is standardized. All casehandlers keep case notes on the case management system.

New unit staff members receive thorough orientation and training from their unit supervisors. The orientation includes training on program policies, the case management system, and LSC policies. Depending on the new staff member's level of experience, the supervisor may initially sit in on interviews and accompany the new staff member to court.

Evaluations occur regularly in most units, especially of probationary employees, who receive support and attention during their probation. Some teams have not conducted written evaluations as regularly as the majority.

Some staff are concerned that they might become too compartmentalized in their specialty units and will consequently not have enough opportunity for professional growth. The program is aware of this and has supported the requests of some advocates to occasionally handle a case outside of their specialty.

Recommendation III-8-1: LASSD should make certain that evaluations are regularly conducted in all units.

Recommendation III-8-2: LASSD should consider implementation of a regular regimen of cross-training on substantive issues.

FINDING 9: LASSD provides high quality legal work and achieves significant results for its clients.

In 2008 LASSD closed 9,835 cases, a significant increase over the 2007 figure of 9,009. Cases involving housing issues comprised 38% of all cases, followed by health cases at 31%. In 2007, the program closed 284 cases per 10,000 poor, which is significantly higher than the national median of 253.² Approximately 15% of the program's closed cases are in the extended service categories.

LASSD leadership and staff employ a thoughtful, strategic approach to problems in the client population. Data reports are run in the CMS to find or study emergent problems or recurrent fact patterns. Each unit prepares a yearly work plan for the board that reports major accomplishments, analyzes outcomes, and creates goals for the next year. Client board members discuss the program's work at length with clients at community meetings or at the monthly client board member meetings. The executive director and management staff weigh options to determine how the program can economically obtain significant results for clients without straining program resources.

The legal writing samples submitted to the review team included matters in a variety of significant forums, including the California Court of Appeals. The legal staff has the ability to file sophisticated pleadings and briefs on complex issues and does so when the need arises. As a consequence, LASSD is well-respected and has high visibility in both administrative and judicial forums. The program's staff has filed numerous cases that have achieved results that benefit other low income persons similarly situated to the program's clients. The program reports that it overturns 40% of the applications for health assistance that have been denied by the county. It has recently negotiated with the county to change exclusionary practices that had resulted in the county having the nation's lowest food-stamp participation rate.

Recommendation III-9-1: LASSD should closely monitor the county's efforts regarding food stamp participation and be prepared to pursue other legal strategies, including litigation, if negotiations drag on or negotiated settlement agreements are broken.

Criterion 2. Private attorney involvement (PAI).

FINDING 10: LASSD effectively integrates private attorneys into its legal representation and client services.

LASSD's PAI plan describes the program's methods for involving the private bar in areas within the program's priorities, and its activities reflect that plan. In 2008 the LASSD board of directors adopted a PAI resolution modeled on the LSC board resolution. Program management also prepared a document comparing elements of the

² This report uses the 2007 figure because 2008 national data are not yet available for comparison. However, given the sizeable increase in LASSD's total case closures for 2008, the program's figure will in all likelihood substantially exceed the national median for cases closed per 10,000 poor.

LSC Program Letter on Private Attorney Involvement to the program's PAI activities. As part of a program-wide initiative, the LASSD Pro Bono program prepared a report on 2008 activities and a 2009 Priorities Report that includes goals, objectives and anticipated outcomes.

In addition to the Legal Services Corporation, funding for LASSD's pro bono program comes from several sources, including state and county bar associations and the courts. Staffing reflects the value that LASSD management places on this component of its program, which has a total of eleven paid staff, plus four contractor attorneys. A senior attorney/manager supervises staff attorneys and contract attorneys, an attorney serving in an Equal Justice Works Fellowship, advocates, and an administrative assistant. Staff attorneys and advocates are on-site at clinics and other venues to provide support to volunteers and to handle cases when necessary. Staff attorneys and advocates also conduct community education and participate in outreach events. The pro bono program team includes a number of Spanish speakers. One attorney is the president of the San Diego County La Raza Bar Association.

Volunteers include private attorneys from firms of all sizes and corporate counsel offices, emeritus attorneys, and law students. These volunteers are offered a wide range of opportunities for involvement, including:

- pro se clinics (domestic violence, unlawful detainer assistance, conservatorship, homeless advocacy and outreach, and low-income taxpayer)
- mediation (family, school age student peer, and juvenile detainee)
- assistance to transition-age youth (ages 16-22) with disabilities who need assistance with such issues as special education and government benefits
- assistance to low-income individuals who have or would like to start a non-profit organization.

In addition to the clinics, the pro bono program takes referrals from other teams. When possible, law students are partnered with volunteer attorneys.

Most cases handled by the pro bono program are limited service (97.3 % in 2007), with a focus on family (61.5%) and housing (36.1%). This data reflects the active courthouse-based walk-in clinics through which volunteer attorneys and law students assist litigants with completing relevant documents. Volunteers at the clinics also provide a significant amount of assistance that is captured as other services. Extended representation by volunteer attorneys amounts to 2.7% of reported cases, and is primarily in the areas of housing and consumer law – including consumer fraud and housing conditions. LASSD's low-income tax project sometimes makes use of volunteer attorneys for these matters. The program has recognized that the client community could benefit from increasing the number of extended cases handled by volunteers and is exploring methods to make it so.

The program's partnerships and collaborations with law schools, bar associations, and other organizations have enhanced its capacity to recruit volunteers and to offer a variety of services to the client community. Recruitment methods include in-person contacts and the pro bono program newsletter, which is disseminated to the entire bar. One innovative approach is the development of memoranda of understanding with

minority and specialty bar associations, under which the associations commit their members to providing a certain number of volunteer hours in exchange for financial support from LASSD for administrative costs.

Training of volunteers includes written materials, the opportunity to shadow a more experienced attorney, and ongoing consultations and support from on-site staff. In at least one clinic the responsible staff attorney sends weekly e-mail updates to other staff and volunteers. The program conducts oversight and follow-up on extended cases using mail and e-mail. Like many other programs, LASSD experiences some difficulty in obtaining responses from volunteers. Volunteer recognition is provided in the newsletter and at an annual volunteer luncheon.

Recommendation III-10-1: LASSD should continue to search for ways to increase the use of private attorneys in extended services.

Recommendation III-10-2. LASSD should continue its efforts to achieve effective follow-up with matters taken on by volunteers.

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

FINDING 11: Consistent with its goals, objectives, and strategies, LASSD participates in a wide range of services and activities that benefit the client population.

LASSD places a premium on involvement in the community as a means to further the program's goals and objectives, and has effectively integrated private attorneys into these activities. It participates in a range of activities and uses a variety of means to provide services to clients. Staff and volunteers conduct outreach and community education in priority areas, they serve on boards and committees, and they attend community group meetings. To a great extent, these activities are conducted in collaboration with other providers and social service agencies. The pro se clinics and outstations discussed earlier are the results of collaborative efforts with the courts and hearing offices. *See Findings 4, 5 (Other Methods of Access), and 10.*

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

Criterion 1. Board governance.

FINDING 12: LASSD has effective board governance.

The 30-member board meets monthly. Meetings are consistently well-attended. The board's composition is appropriately diverse in proportion to the service area's population. No vacancies currently exist. Client board members display a high level of commitment to the program and provide critical feedback to the board about the needs of

the client community. As noted previously (*see Finding 4*), client board members are actively engaged in outreach in their communities.

The board has several committees, the most active of which are the Audit and Finance Committee, the Nominating Committee, and the Executive Committee. These committees meet based on the needs and direction of the board. Board members promote the program in the community, and lead the program's annual private bar fundraising effort — Campaign for Legal Services. The new board president hopes to increase the level of committee work and to have activities that will bring about more direct involvement by attorney board members and the program's staff.

The board's fiduciary oversight of the program includes:

- Review of monthly financial reports
- Approval of budgets and prospective budget planning
- The review and approval of other management and regulatory reports
- Approval of a conflict of interest policy
- Evaluation of program services and the executive director.

Separate from the LASSD board, the Consumer Center for Health Education and Advocacy has an advisory board. This advisory board is necessitated by state and county contract requirements. It meets monthly at the downtown office and focuses on review of health funding issues and the Consumer Center's cases. Minutes of meetings and an attendance list are made available to the County and State as a contractual requirement. The advisory group has no governance or administrative responsibilities for LASSD.

Criteria 2, 3, and 6. Leadership; overall management and administration; internal communication.

FINDING 13: LASSD has effective leadership, management, administration, and communications.

A significant factor in LASSD's effectiveness is the leadership of the executive director, who has occupied that position since 1974. Interviews suggested that the director is well-known and respected in the service area and has helped initiate a variety of projects, especially in the health law arena. They also indicated that he is adept at surrounding himself with highly effective staff, encourages leadership and initiative in board members and staff, speaks highly of his staff, and is quick to recognize merit. Even relatively new attorneys are encouraged to develop their leadership skills by taking charge of discrete projects within their units. All members of the program's management staff appear to take pride in their work and the work of the program.

LASSD is well-organized and makes effective use of the unit structure. Staff members know who their supervisors are and where they fit within the organization. Managers provide open-door support. Line staff were unanimous in their feeling that they can ask for help from managers and others.

Some staff members were not familiar with all aspects and functions of the program and the roles and identities of the people who work in the various units and offices. Although it has contractual obligations regarding daily intake that might stand in the way, LASSD might find a periodic program-wide meeting or retreat to be valuable. LSC has found that many effective programs make an annual or bi-annual all-staff retreat an integral part of their program planning in order to build cohesion and facilitate staff communications.

Recommendation IV-13-1: LASSD should consider having an all-staff meeting if it can make adequate intake arrangements consistent with its obligations to other grantors.

FINDING 14: LASSD effectively uses technology as part of its overall administration and communications.

LASSD's use of technology and technology planning enhance the program's communications and contribute substantially to its efficiency. The program's technology components include:

- A versatile and modern IP telephone system that connects all three offices and allows for the automatic rolling over of intake calls.
- Workstations and laptops connected to centralized servers which contain the case management system, email, calendar, instant messaging, voice mail program, document software and other programs.
- Full desktop workstations.
- A comprehensive technology plan that addresses frequency of replacement, server configuration, backup procedure, network and workstation security, and vendor contracts.
- Regular network, hardware, and software services from an experienced outside vendor.
- Outsourced off-site data backup.
- Outsourced spam filtering.

See Findings 5, 6, and 7 for other uses of technology by the program.

LASSD does not have professional IT staff. A managing attorney and a senior attorney have the main responsibility for planning, supervising, and implementing technology for the program. The senior attorney is the program's "help desk."

Recommendation IV-14-1: LASSD should consider whether the use of "thin client" workstations rather than full workstation computers would be advantageous to the program.³

³ See the results of a thin client approach at tig.lsc.gov. The path is Resources / Lessons learned / Infrastructure.

Criterion 4. Financial administration.

FINDING 15: LASSD has sufficient and capable staff who manage and maintain its fiscal operations.

LASSD has a fiscal staff of five persons: chief fiscal officer (CFO), accountant, accounts payable clerk, payroll specialist, and administrative assistant. The fiscal staff have appropriate professional qualifications. Payroll is outsourced. Job descriptions are clear and procedures are well-defined. The program maintains a detailed Accounting Manual which details financial operations. The Manual was last updated in 2008. The program's audits do not reflect any problems or issues. As noted in *Finding 12*, in its monthly meetings the board reviews LASSD's monthly financial reports, approves the program budget, and engages in prospective budget planning beyond the current year. The board requires that the program maintain a reserve of 8.6% to guard against unanticipated fluctuations in funding.

Criterion 5. Human resources administration.

FINDING 16: LASSD administers human resources functions adequately by distributing those responsibilities among its management staff.

The program's human resource functions are assigned to several persons. The Executive Assistant has responsibility for:

- Posting of positions, advertising, and recruitment procedures
- New employee orientation
- Maintenance of personnel files, personnel policies, and the evaluation schedule.

Senior attorneys are responsible for:

- Reviewing resumes and applications, and interviewing applicants
- Making recommendations to the executive director about hiring decisions
- Day to day supervision of all staff.

Fiscal management staff are responsible for:

- Management of employee benefits
- Payroll administration
- Leave administration.

The benefits package includes a 403(b) plan, health and family coverage, dental and vision insurance, and vacation leave. When it is within the program's financial means, it gives year-end bonuses. Attorneys with law school debt receive a salary increase to match 50% of their monthly obligation. The maximum salary increase for this purpose is \$500 per month. Staff morale is high, and the program reports that there is minimal turnover in staff.

Criterion 7. General resource development and maintenance.

FINDING 17: LASSD uses a distributed resource development approach which is sufficient for the program's purposes.

LASSD has demonstrated an ability to raise money effectively from a variety of funding sources, including the private bar. The program has 34 funding sources. Revenues for 2007-8 ranged from \$6.68 million to \$6.8 million. Revenue for 2009 appears to be approximately \$6.54 million. The LSC grant is 48% of the program's budget. LASSD receives a considerable amount of unrestricted funding which confers flexibility in budgeting and adjustments.

Although the executive staff takes the lead, responsibility for fundraising is distributed throughout the program. Units are expected to — and do — search actively for funding opportunities. Reports to funders are prepared by the executive assistant, a managing attorney, and the senior attorneys.

LASSD has received an average of \$200,000 per year in cy pres awards for each of the last two years. The program's close relationships with plaintiffs' firms play a significant role in obtaining cy pres funds.

LASSD also raises approximately \$100,000 per year in the private bar campaign, which is spearheaded by the program's active and involved board. Considering the size and economic strength of the service area, and given the level of success of private bar campaigns in other areas of the country, the program might wish to gear its efforts to reach a substantially higher goal.

Recommendation IV-17-1: LASSD should continue its efforts to expand private bar donations.

Criteria 8 and 9. Coherent and comprehensive delivery structure; participation in an integrated delivery system.

FINDING 18: LASSD has a coherent, comprehensive delivery system that effectively coordinates its efforts with those of other providers.

LASSD makes effective, efficient use of staff, funding, private attorneys, and technology to deliver a broad spectrum of services to the client population. It draws on the leadership and experience of its executive team and the involvement of its board to establish its presence in the community, enhance client contact, facilitate intake, and bring about changes that are meaningful to the clients. Board members and staff sit on committees of local and national advocacy organizations. The executive director chairs Healthy San Diego, a consortium of health benefits providers. The program's presence at outstations, the courts, and other on-site intake locations has earned it an excellent reputation in the service area and has garnered significant benefits for its clients. At the state level, LASSD works on a variety of cooperative and coordinated ventures with other stakeholders in the civil justice system, including other civil legal aid providers. The executive director and upper management staff are active participants and leaders in statewide organizations that provide, promote, and support civil legal aid.