



Legal Services Corporation
Office of Program Performance

Final Report

From the

Program Quality Visit

to

Pine Tree Legal Assistance, Inc.
Recipient No. 120000

August 16-20, 2010

LSC Review Team

Cheryl Nolan, Program Counsel (Team Leader)
Joseph Dailing, Consultant
Alex Gulotta, Consultant
Anh Tu, Consultant

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INTRODUCTION

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a program quality visit to the Pine Tree Legal Assistance, Inc. (PTLA) from August 16-20, 2010. The team members were Cheryl Nolan, Team Leader/OPP Program Counsel; and consultants Joseph Dailing, Alex Gulotta and Anh Tu.

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 from the program including its grant application narratives for 2009 and 2010, 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 an electronic survey of PTLA staff. On site, the team visited the Portland and Bangor offices. The team conducted some of its interviews of staff from the Lewiston, Machias and Presque Isle offices via the PTLA video conferencing system in the Portland office. Interviews with staff in the Augusta office were conducted by phone as the branch was in the midst of needed renovation and could not utilize the video-conference feature. Some staff from these offices also came to the Portland office for interviews. In addition to speaking to most of the PTLA staff members, the team conducted telephone interviews or met in-person with a large sample of representatives from PTLA's board, judges, local attorneys and community organizations.

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. The evaluation is organized according to the four LSC Performance Areas that cover needs assessment and priority setting; engagement with 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 AND SERVICE AREA

PTLA was incorporated in 1967. The program provides a full range of legal services to eligible low-income people throughout the state of Maine from six offices in Portland, the main office, and the Augusta, Bangor, Presque Isle, Lewiston and Machias branch offices. It is the oldest and largest legal services provider in the state of Maine. The program employs 63 attorneys and other staff members working throughout its service area. In 2010, PTLA received \$1,360,392 in basic field LSC funding, \$92,299 in Native American LSC funding¹, and \$143,791 in migrant LSC funding.² In 2010, it received \$147,073 in LSC Technology Initiative Grant (TIG) funding. In 2010, it received approximately \$3,238,235 from non-LSC sources.

¹ PTLA receives \$18,037 for the Native American service area statewide in Connecticut and \$74,262 for the Maine service area.

² PTLA's migrant funding provides for services to farmworkers in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

The PTLA service area covers 30,861 square miles and has a poverty population of 135,501³, which is 11% of its overall population. The ethnicity of the poverty population in the service area is approximately 92.7% white – non-Hispanic, 1.1% African American, 1.2% Hispanic, 1.7% Native American, 1.1% Asian, 2.2% mixed, and .5% other.⁴ The primary language of a significant portion of the limited-English proficient (LEP) population is Spanish.

The program's legal work is centered on advice and counsel, brief service, pro se/self-help and representation in consumer, education, employment, health, housing, welfare/public benefits, tax and foreclosure matters. PTLA operates specialized units serving low-income children (KIDS LEGAL), family law, and employment matters. It also operates a Volunteer Lawyers Project. It has a Farmworker Unit (FWU) and Native American Unit (NAU) funded by LSC and overseen by a regional directing attorney. The FWU is staffed by a full-time bilingual Spanish attorney and a full-time bilingual Spanish paralegal/advocate. The NAU is staffed by three part-time attorneys and a part-time paralegal/advocate. The FWU contracts with legal services programs in Connecticut, Massachusetts and Vermont for local intake, outreach and advocacy to farmworkers in those service areas.⁵ The FWU also collaborates with the Farmworker Law Project at the Legal Aid Society of Mid-New York, the Yale Law School, the Immigrant Legal Advocacy Project and the non-LSC funded programs in New England. Migrant staff personally conducts outreach across the Maine service area.

SUMMARY OF FINDINGS

PTLA's delivery structure is marked by its excellent reputation throughout the state and nationally, its community partnerships and its leadership in Maine's access to justice community through the Justice Action Group (JAG). The program's leadership has maintained a unified vision for the program's work promoting the collaboration with community partners and with the courts.

The program has historically handled many significant cases and continues to undertake impact litigation where appropriate. The Maine Volunteer Lawyers Project (VLP) maintains a panel of over 1,400 Maine attorneys to provide pro bono service to low-income clients and relies on community volunteers to provide legal information to thousands of callers who cannot be matched with a pro bono attorney. The VLP and PTLA utilize Maine's limited representation rules to help pro se litigants and to augment

³ These figures are based on the 2000 Census.

⁴ Census data for ethnicity exceeds 100 percent due to the methodology for Hispanic responses. Census 2000 allowed respondents to report two or more races and asked separate questions for race and Hispanic origin. "Because Hispanics may be any race, data in this report for Hispanics overlap with data for racial groups." U. S. Census Bureau. (December 2004). *We the People: Hispanics in the United States. Understanding Data On Race and Hispanic Origin from Census 2000*. Retrieved February 2, 2010, from <http://www.census.gov/prod/2004pubs/censr-18.pdf>.

⁵ The three current subgrant agreements cover June 2010 to March 2011. Statewide Legal Services of Connecticut receives \$2, 830. Legal Services Law Line Vermont receives \$4,430. Western Massachusetts Legal Services receives \$5,880.

services to low-income clients. PTLA is nationally recognized for the quality of its legal work and for its program websites, including www.ptla.org, www.helpmelaw.org, www.vlp.org, and www.kidslegal.org.

Advocates are provided adequate training from national and local sources. PTLA is staffed so as to effectively address the linguistic and cultural characteristics of its clientele. Attorneys and other staff do a great deal of outreach throughout the state. PTLA's intake is handled individually by local offices. Intake is enhanced by several websites and innovative technologies offering clients alternative avenues of learning about PTLA's services and how to apply. In general, staff has appropriate, up-to-date technology to support their legal work, and it is used consistently by staff. Shortly before the visit, PTLA changed its case management system (CMS) to Legal Files.

PTLA is well-respected by the judiciary and its community partners. The executive director has served in this position for 20 years and she is regarded highly by staff, the board and members of the community. The program's board, leadership and management maintain a structure that allows the program to be effective in serving its clients. The board is active and involved in overseeing the work of the program. The program and board are focused on maintaining an integrated network of services and ensuring sound fiscal compliance. The board, executive director and financial administrators effectively oversee program finances. The program's financial management staff is experienced. The board has minimal involvement with resource development beyond its work on the Muskie Access to Justice Dinner. The executive director carries the primary responsibility of resource development. Most recently she has been able to secure grants for specific legal problems which clients are facing in foreclosure and for legal problems affecting children.

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.

Criteria 1, 2, 3 and 4. Periodic comprehensive assessment and ongoing consideration of legal needs. Setting goals and objectives, developing strategies and allocating resources. Implementation. Evaluation and adjustment.

Finding 1: PTLA began a new needs assessment in 2010. The program does not have a formal, written plan for its needs assessment process. PTLA is responsive to reviewing community needs.

At the time of the visit, PTLA reported it was embarking on a comprehensive needs assessment in 2010; the last needs assessment occurred in 2006. In March, the program began a series of substantive priority discussions conducted by staff and

management. The priority discussions reflected the program's ongoing monitoring of changes in the legal needs of its client community, relevant changes in law and resources and other available services. The program's plan for the 2010 needs assessment is to use the discussions to lead into planning program priorities and to establish a new Statement of Priorities. In determining program priorities, PTLA considers wide ranging civil legal problems and needs. Program priorities broadly encompass matters susceptible to resolution through legal representation and other program activity (website information on substantive areas, courthouse clinic, and pro bono referrals).

In 2009, PTLA collaborated with five other legal services providers in Maine in a survey of unmet legal needs.⁶ The survey was conducted over an eight week period during which the providers tracked all requests for assistance. A total of 6,372 requests were received, but due to limited resources, only 1,508 could be accepted for service. The results established that despite increased productivity among the organizations, only 24% of total demand for legal assistance with civil legal problems in Maine could be met by existing resources. Surveys and reports like this, while disheartening because they confirm scarce resources to meet rising need, help PTLA stay attuned to the changing needs of its client community and allow it to better target its limited resources. These reports bring to light for PTLA advocates the status of client needs in Maine. They also serve to focus the public's awareness on the increased imbalance between resources and needs and highlight the widening justice gap.

In between formal needs assessments, PTLA reviews client needs during case review meetings and work planning sessions. It also reviews needs as part of its work with intake and with community providers. PTLA has made adjustments in its goals and objectives in response to emerging issues and needs, including emergency changes where necessary, *e.g.*, to respond to the worsening economic climate, changes in law or policy, including modifications to specialized units and practice concentrations. Interviews with community representatives indicate that after PTLA spots new trends in client needs, it consults with community providers to obtain further insights and strategizes on appropriate responses. The program uses work planning to shift its focus within its priorities to timely and effectively meet the changing needs of the client community. PTLA's yearly work plan provides an effective framework for the on-going consideration of the client community's legal needs. PTLA's increased focus on foreclosure since the economic recession of 2007 is an example of this on-going assessment.

In terms of newly identified needs, management seeks specific grants to serve those areas. An example of this is seen in the increased demand for assistance in housing and consumer issues since the economic recession of 2007 that resulted in PTLA taking more foreclosure, eviction, and debt collection issues. PTLA's response in the area of family law demonstrates the program's highly sophisticated strategic capability in assessing and meeting client community legal needs. Recognizing that the demand for help in the family law area is vast, PTLA has triaged its work in this area. PTLA staff

⁶ The participating providers were the University of Maine School of Law's Cumberland Clinic, the Immigrant Legal Advocacy Project, Legal Services for the Elderly, Maine Equal Justice Partners, Maine Volunteer Lawyers Project and PTLA.

only accepts family law cases in emergency situations thus preserving limited resources for areas of need that are more amenable to staff's impact work. But PTLA does not look away from this vast need; it has strengthened its Volunteer Lawyers Project (VLP) and created opportunities for more private attorneys to represent individual clients and provide limited court representation. PTLA has also trained advocates and staff of shelters and organizations working with domestic violence victims so that they can better help this segment of clients.

Migrant and Native American needs are reviewed annually. The program reports that Native American legal needs continue to emphasize issues associated with a client's status as a Native American, including discrimination in employment, education, public accommodation, Jay Treaty issues, access to government programs intended to benefit Indians, and several tribal issues. Each year at the start of the harvest season, (typically mid-May), the FWU staff meets with the Farmworker Project at the Legal Aid Society of Mid-New York to review emerging farmworker issues and legal problems. A post-harvest meeting is held in the late fall. The FWU also conducts bimonthly conference calls with its partners to review emerging trends and substantive law changes. Migrant needs have not changed since the last assessment. Employment issues remain the top area of need for migrant farmworkers. In recent years, the FWU has focused on the potential changes in immigration law that would affect migrant farmworkers. In addition, due to the recent change allowing LSC-funded programs to serve H2B forestry workers, PTLA has developed an outreach plan for this sector of the community.

Recommendation:

I.1.1.⁷ Although management acknowledged a 2010 timetable for a new comprehensive needs assessment, a concrete plan and timetable to carry this out should be formally established and integrated into the board, management and staff's work plan so that this important undertaking does not fall by the way side due to other pressing demands.

Finding 2: PTLA assesses the quality of its work and outcomes achieved on a regular basis.

PTLA engages in ongoing evaluation, both formal and informal, of the effectiveness of its delivery strategies and work, and makes changes in program goals, objectives, and strategies where indicated by such evaluations. PTLA regularly collects information and analyzes the effectiveness of its work, especially in achieving the articulated objectives and desired results. In its analysis and evaluation, PTLA considers the perspectives of clients and affected members of the low-income population, advocacy and other organizations that serve it and others in a position to judge the effectiveness of the program's efforts. In considering adjustments, PTLA examines available information concerning the effectiveness of other legal assistance providers in the service area. After considering evaluations of its work and all other relevant information, PTLA in fact

⁷ Recommendations are numbered as follows: the Roman numeral references the Performance Area followed by the finding number and lastly by the recommendation number that pertains to the finding.

makes appropriate adjustments in its goals, objectives, strategies and legal assistance activities.

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

Criterion 1. Dignity and sensitivity.

Finding 3: PTLA is linguistically and culturally competent, and it treats clients with dignity and respect.

PTLA operations are carried out in ways that affirm client dignity and are sensitive to client circumstances. Consistent with the applicable rules of professional conduct and funding requirements, and within the limits of the legal assistance that PTLA has agreed to provide a particular client, PTLA identifies and attempts to achieve each client's objective. PTLA provides excellent service to the clients it represents. The program assesses clients' reactions to its services and intake. The Low Income Taxpayer Clinic (LITC) project surveys clients at case closure. PTLA has surveyed staff and clients on intake-related matters and shows an interest in addressing problems identified through such assessments.

The service providers in Maine, including social services and community partners, collaborate so that clients do not experience multiple referrals before they reach the provider that will ultimately serve them. There is a strong network of providers in the state. Program services, communications and activities are conducted in a culturally and linguistically competent fashion, and reach the significant low-income population segments, given the program's explicit goals and objectives and available resources. This is especially seen in services to the LEP, farmworker, and Native American communities.

PTLA's language access efforts on behalf of persons with LEP are strong. The outreach page of www.ptla.org is translated into Acholi, Arabic, Chinese, Croatian, Farsi, French, Polish, Russian, Somali, Spanish, and Vietnamese to minimize access barriers for LEP consumers, since they are a growing segment of the low-income population in the area. The Portland office has a multilingual voicemail system in 9 languages (other than English) for clients seeking help in the southern ten counties of the state.⁸ The program has translated most of its outreach materials into these languages. Although some of PTLA's staff members are bilingual Spanish, the program relies more on Language Line for telephone interpretation and on local interpreters for in-person assistance. PTLA is also using Creole interpreters to serve the growing number of Haitian farmworkers. The program has established relationships with organizations that work with LEP populations

⁸ The voice mailboxes are offered in Cambodian, Spanish, Somalian, Vietnamese, Russian, Serbo-Croatian, French, Arabic and Mandarin.

such as the Immigrant Legal Advocacy Project and members of the Migrant Health Advisory Council.

Criterion 2. Engagement with the low-income population.

Finding 4: PTLA is actively engaged and visible in the client community.

The program's staff members are well connected with the service provider networks in their respective communities. PTLA works with a variety of community agencies such as the Salvation Army, the Maine Bureau of Consumer Credit Protection, the United Way of Greater Portland, the York County Shelter and the domestic violence and sexual assault advocacy organizations in southern Maine.

Finding 5: The specialized Farmworker and Native American units work and maintain close relationships with their respective specialized communities.

The FWU regularly engages in extensive outreach to various segments of the farmworker population throughout New England, either directly or in conjunction with its subgrantees and other partners in the region. Outreach materials are comprehensive and of high quality. Of particular note is the annual Harvest Calendar, which is published as a collaborative effort among the migrant programs in New England and New York. The Harvest Calendar is in English and Spanish and advises farmworkers of their rights in a variety of legal areas. The calendar has a newsletter insert addressing specific legal issues targeted to H-2A workers.

PTLA's NAU engages in outreach in all four tribal areas of Maine. Its effectiveness is based on the vast knowledge of its NAU staff on Maine's unique Native American issues. In addition to its expertise and knowledge on Native American issues, NAU staff enhances the effectiveness of its limited funds through careful efforts to cultivate contacts and maintain trust among tribal members, a key factor for effective assistance in Indian country. The esteem for the NAU's work in its community is seen in the appointment of PTLA's chief advocate to the Maine Indian Tribal State Commission.

Through collaboration with the tribal court system and coordination of efforts between the NAU staff and PTLA's VLP, a Courthouse Assistance Project (CHAP) has been launched at the Indian Island tribal court and another one will begin at the Passamaquoddy tribal court. This is similar to the CHAP projects in a number of Maine courthouses where private volunteer attorneys are scheduled one fixed day a month at the assigned courthouse to provide free legal consultation for eligible tribal members. CHAP projects are commendable and are especially impressive as they have made inroads into the more insular system of the state tribal courts.

The primary work of the FWU is outreach to the farmworker community which is conducted throughout the year. The FWU and its subgrantees establish an outreach plan each season for the New England harvest. In planning for outreach sites for visits, FWU

staff meets with the Migrant and Seasonal Workers Health Services Council, the State Department of Labor, Rural Community Action Ministries, and Mano en Mano.⁹ During outreach, staff provides legal information on employment law, worker's compensation, and health and safety issues. After each outreach event or activity, staff meets to review the requests for assistance and takes action as necessary.

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

Finding 6: PTLA's office locations, hours and LEP procedures are calculated to achieve the broadest possible access to clients.

The location of PTLA's offices, office hours, procedures for communicating with LEP and non-English speaking people, and other facilities and procedures are all reasonably calculated to achieve the broadest possible access and utilization by clients, including populations with traditional access difficulties. PTLA will attempt to accommodate those applicants with special needs. PTLA's website provides a rich resource, including self-help materials and interactive aids for clients and advocates in all areas of law affecting low-income population. The website articulates PTLA's priorities and lists other resources in the community so that clients have a clear road map of what to expect and where to go when they face certain legal problems.

PTLA provides services to each of the major low-income racial, ethnic, and LEP populations in its area, assesses anomalies between caseload and service area demographics that suggest access barriers, and takes steps to address them. PTLA staff evidence knowledge of substantive issues and problems that have a unique or disproportionate incidence or effect upon particular segments or categories of the low-income population.

PTLA achieves a high degree of access for clients in its court-based on-site intake (also referred to as pick ups) that results in immediate case acceptance and representation for previously unrepresented litigants. The court pick up is also used for the VLP's limited scope representation of domestic violence and family law matters.

Finding 7: PTLA has had several Technology Initiative Grants (TIG) geared toward increasing access through innovative technologies.

PTLA is a leader among legal services programs nationwide for its innovative approaches to using the Internet that increase access to clients. One such project, piloted by the VLP, involved the development of a web-based interactive intake system designed to interface directly with its case management system. The goal was to increase client access statewide by streamlining the intake process, creating a new access point for clients and referring partners, and integrating existing online legal resources to provide

⁹ Mano en Mano is a nonprofit organization devoted to the social services needs of the Latino migrant community in Maine, including serving as a resource to helping migrants with social services, legal support, health care, employment, and housing. <http://www.manomaine.org/>

immediate responses to client and partner agency inquiries. This project was implemented prior to PTLA's case management system transition to Legal Files and, therefore, is not currently in use. However, the VLP is now participating in a multi-program effort to support online intake integrated with Legal Files using the A2J Author® and Hot Docs™ automated document processing.

PTLA's Maine Legal Aid Mobile Web project is a TIG project that provides legal information for Maine's low-income population over mobile, handheld devices with web access. Anyone entering the ptla.org or helpmelaw.org domains using a popular cell phone browser will be redirected to the mobile web. This project increases access to applicants who may not have access to computers or telephone service.

The most recent TIG project improves access to legal services for members of the military, veterans, and their families. A website, www.statesidelegal.org, was created and recently launched to coordinate legal and other information specific to the unique needs of military personnel. The website also features resources for advocates. The website will help users access benefits, locate free legal services, and understand their critical legal issues. The goal is to "index the best legal information available in one easy-to-use site with interactive forms, videos, and legal analysis."

Finding 8: PTLA's intake is not coordinated programwide. Local offices handle their own intake.

Intake at PTLA is primarily conducted by telephone at local offices. PTLA's branch offices do not use toll-free numbers opting instead for a statewide network of local intake numbers linked to the nearest office. The statewide projects, including the Maine VLP, KIDS LEGAL, the NAU and FWU, use toll-free numbers. The program has written guidance on procedures for opening new files and data entry into the Legal Files case management system. The program's Standards of Practice (Standards) address eligibility, issue spotting, level of service and other procedures relevant to the intake process. But the program does not use scripts or checklists for screening questions.

The directing attorney of each office oversees local intake. Clients are able to access intake by telephone, walking in to an office, through outreach and agency referral. There is a high demand for services. Advocate/paralegals in the smaller local offices handle their own intake. Walk-ins to local offices can be screened by the receptionist or other staff, or can be seen by an attorney if the matter is urgent. Telephone intake is almost entirely conducted by callbacks.

Recommendations:

II.8.1. PTLA should consider programwide coordination of intake through the creation of a committee comprised of staff at all levels who has varying degrees of experience, interest and involvement in the program's intake work.

Finding 9: Wait times for incoming calls are long and intake staff in some offices is working at maximum capacity. Many staff report clients applying for services in person after trying to apply by telephone.

Intake in some offices is understaffed. Depending on the office, some PTLA intake staff is also responsible for case support. Each offices intake is based on a system that balances walk-ins and a high volume of callbacks from messages left on voice mail boxes. In some situations, like family law and foreclosure, callers self-direct their calls to voice mail boxes based on subject matter, where they receive information about services and referrals. With the exception of these subject area-based voice mailboxes, the voice mail messages do not list the areas of PTLA's practice or its program priorities. Most callbacks are to callers who have not been previously screened, and thus, a high volume of callers are ineligible for services. In some situations, messages left more than two days prior may not be getting return calls.

In some of the smaller offices, incoming telephone lines are limited, so callers frequently get a busy signal when calling during office hours. PTLA's telephone systems in the Portland, Lewiston and Augusta offices have call queuing features with automatic distribution for those logged into the system. Calls are answered through the queue based on staff availability. Offices use individual phone systems. Staff reports that many clients are walking in to offices after having called repeatedly, sometimes after driving long distances, in order to apply for services.

As noted above, PTLA changed its case management system to Legal Files shortly before the visit. Staff reported that Legal Files is compromising intake staff's ability to screen and create new applications efficiently and is slowing down the intake process. Staff further report that individual intakes can take anywhere between 15 minutes up to an hour to complete, depending on the legal problem or whether there are other special circumstances. This is due in large part to the multiple screens required in Legal Files and the steps and speed involved with data entry inherent to the CMS. The CMS is reportedly slow and cumbersome. Staff report that about 50% of them are using manual applications for intake and entering client data later. They are doing this to speed up the time they spend with clients and ease the frustration of asking clients to wait for the computer entries.

Attention to improving intake was included in the program's 2007 strategic plan. The strategic plan called for periodic evaluation of each office's intake practices. The strategic plan also called for PTLA to assess the use of online intake after implementation. As mentioned above, PTLA implemented online intake but ceased this activity when it changed its CMS.

In 2009, the program prioritized a comprehensive review of the intake system. This review involved a comparison of intake data by office and project, a review of local office variations, and focus groups with low-income individuals to identify areas of concern. Subsequent to this visit, on October 21, 2010, PTLA held a statewide conference to review intake and build on its internal review. Conference attendees

included PTLA staff from all levels and representatives from the legal services organizations and some related agencies throughout the state. The conference focused on best practices. PTLA reported that the conference was highly successful. The program plans to repeat the intake conference every other year.

Recommendations:

II.9.1. The program should continue its practice of reviewing the various intake processes utilized throughout the program and should adopt uniform best practices to be implemented programwide. Intake staff should continue to be involved in this review.

II.9.2. The program should consider reviewing best practices of other legal services programs, especially those using Legal Files, as part of its ongoing assessment of intake. LSC's Intake Focus Group is available to PTLA for technical assistance in this or other areas related to improving intake.

II.9.3. To cut back on the reliance on callbacks and help alleviate the number of walk-ins in some offices, PTLA should evaluate the volume of callbacks and walk-in intake and where appropriate consider increasing resources devoted to improving access by phone.

II.9.4. To the degree it has not already done so, the program should develop written scripts of screening questions which could be used by new staff, interns, and volunteers to support intake and for quality control.

II.9.5. PTLA should address the goals of the program's strategic plan by considering the implementation of online intake programwide possibly through the expansion of the VLP A2J[®] online intake system. Online intake can be used to pre-screen and screen out ineligible applicants and alleviate the high volume of callbacks and individuals walking in to apply.

II.9.6. PTLA should consider upgrading its telephone system to allow it to use automatic call distribution and queue features.

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

Criterion 1. Legal representation.

Finding 10: PTLA's legal work management staff and case handlers are experienced and aware of key issues in their substantive areas of practice.

Improving the delivery system and expanding access to justice for low-income clients is one of PTLA's priorities. One way PTLA meets this priority is through its multi-layered delivery system. PTLA's legal assistance system is organized in a way that

seeks to apply the most appropriate level of service and method of assistance to the specific legal issue. The program's legal work is overseen by a litigation director, northern and southern regional managing attorneys, local office directing attorneys and grant-specific managers. PTLA's attorneys average 16 years experience and paralegal/advocates average 14 years experience in legal services.

Through strategic use of resources and internal and external collaborative efforts integrated through all levels of management and staff, PTLA serves a broad spectrum of Maine's low income community. PTLA has implemented a delivery system where the most pressing needs of clients are first analyzed, then periodically reviewed for adjustments. In each of its priorities, PTLA clearly articulates the methods used to achieve desired outcomes for its clients. Interviews with staff about their casework, feedback from community partners and judges and a review of staff's legal work writing samples show that PTLA's legal work and client representation is high quality. Writing samples and interviews revealed that casehandlers overall possess the knowledge about the clients' legal problems and the requisite practice skills to address them.

Program advocates are provided sufficient resources to accomplish the program's mission. Legal research resources include online research tools, listservs, task forces, the program's in-house library, practice publications, and other state and national support center materials. Training of new attorneys is supported by open door support from supervising attorneys. Case review meetings, sometimes conducted using video conferencing, offer a meaningful way for program advocates to interact in particularized substantive areas across traditional geographic boundaries. Casehandlers make use of the assistance of in-house advocates with expertise in a specific area. PTLA has a programwide brief and pleading bank available via an intranet.

Finding 11: Staff training is a priority of management and supports the quality of legal work. PTLA has uniform, written legal work management policies and procedures.

PTLA puts a high premium on training staff on a wide range of poverty law issues and provides training opportunities to ensure that staff receives training especially in areas of new needs. The program uses a staff orientation training chart for new employees addressing various aspects of its work and assigning learning tools, strategies and goals. The program tailors the chart as appropriate for each new employee. In addition, the program follows-up with staff to ensure they are working through the training tasks. Supervisors consult with staff on training needs and forward training requests to the litigation director for approval. PTLA has training a committee that reviews training needs periodically, prioritizes in-house programming and helps develop training programs, including the annual staff retreat. Examples of past in-house training events include a two-day intensive foreclosure training presented by the National Consumer Law Center; in-house introductory trainings on public benefits and subsidized housing; and a training offered via videoconferencing on using interpreters. The VLP organized a series of ten two-hour "brunch and learn" programs for summer interns and

new staff covering general information about PTLA and other legal services providers in Maine as well as substantive law issues.

PTLA has a core of experienced senior legal staff members who are generally accessible when staff requests assistance on a particular case. However, senior staff members also carry caseloads. Their casework responsibilities make it difficult for them to provide support, assistance and coaching affirmatively to lesser experienced staff.

PTLA has systems in place which are intended to ensure high quality representation and client file maintenance. Most of these systems and procedures are memorialized in PTLA's Standards. This document captures both good practices and the underlying philosophy of PTLA. The Standards are available to staff online via an intranet.

Finding 12: Advocates receive feedback on casework during staff meetings and in discussions with their directing attorneys. Staff evaluations are not occurring on a regular basis.

The program's Standards and job descriptions outline PTLA's supervisory guidelines. The litigation director oversees the quality of PTLA's legal work. Advocates receive assistance with case strategy and legal research from their directing attorneys or the litigation director. The litigation director is responsible for ensuring that new, less experienced advocates acquire basic advocacy skills. Regional directing attorneys (RDAs), who also carry caseloads, supervise the individual employees who work in the offices or project under their direction. Directing attorneys oversee compliance with LSC regulations and coverage for intake and case acceptance. New cases are assigned by the directing attorneys based on existing caseloads, other work and skill levels. Under the Standards, directing attorneys are primarily responsible to review closed cases.

While PTLA advocates perform quite a bit of high quality work, as evidenced in the legal writing samples and interviews with staff and judges, the program's supervisors do not uniformly adhere to the required systems. Staff receives periodic feedback on casework through several mechanisms including one on one interaction with directing attorneys and also during staff meetings. It does not appear, however, that staff members are receiving regular case reviews. This is attributed to the directing attorneys' high volume of work. Likewise, annual staff evaluations are not occurring on a regular basis. Some staff reported that supervisors were not uniformly providing ongoing supervision or reviewing closed cases.¹⁰ Case review meetings and one-on-one informal discussion are the primary means for advocates to discuss casework and receive feedback and input from directing attorneys. Several staff noted that case-specific feedback occurred at the request of the advocate rather than initiated by a supervisor. One problem with this ad hoc structure is that it requires inexperienced advocates to recognize when they need help.

¹⁰ At the time of the visit, an experienced attorney was in the process of reviewing all closed cases program-wide.

Recommendations:

III.12.1. While PTLA has a rich informal network of communication and support among its case handlers, management staff needs to consider ways in which regular and periodic case supervision and evaluation is provided to all case handlers that is appropriate given the level of experience of the staff member.

III.12.2. PTLA senior staff should identify increased opportunities to engage lesser experienced attorneys as co-counsel on interesting and complex cases.

III.12.3. PTLA should give some consideration to making its directing attorneys more regularly accessible to lesser experienced staff for regular, ongoing case review and strategic case planning by relieving them of some of their management duties. The program might consider assigning some of the tasks not directly related to litigation, such as reviewing closed cases, to other experienced attorneys, as was being done at the time of the visit. These experienced attorneys could serve as middle managers focusing on management of administrative tasks. This may also provide an opportunity to nurture future program leaders.

Finding 13: In the case of some of PTLA's grant-specific projects, the program's legal work and supervision is defined by case closing requirements and outcome-based goals.

In a recession and with decreased revenue from the State of Maine and the IOLTA program, PTLA has continued to develop creative responses to the emerging needs of clients. PTLA utilizes Maine's limited representation rule creatively both with staff attorneys and through the VLP in courthouse-based legal clinics in domestic violence, family law and housing cases. The delivery of limited scope representation is clearly outlined in documents which the client must read and sign prior to the attorney undertaking representation.

In addition to projects with VLP, PTLA has obtained project-specific funding and established partnerships with other key providers to address emerging client needs. The most recent examples of this creativity are the establishment of the Foreclosure Prevention Project and the KIDS LEGAL Project. One unfortunate by-product of these targeted grants is that they often dictate the number of cases that PTLA must work on, resulting in an atmosphere of grant-driven outcomes that is not always conducive to PTLA's integrated objectives and outcome goals.

Thanks to the high caliber of PTLA staff and the availability of experienced managing attorneys who respond helpfully when less experienced staff approach them, the legal work carried out under these grants appear to be high quality. Nonetheless, the supervision structure which PTLA imposes on its staff in order to meet the resource allocation requirements of the specialized grants (where staff in a branch is supervised by a directing attorney in a different branch) is not optimal for staff development.

Finding 14: Proceeding with affirmative litigation in the FWU is impacted by the difficulty serving Haitian clients and cases requiring immediate attention.

As noted above, in recent years the FWU has seen an increase in Haitian-Creole speaking workers. Advocates estimate that as many as 40% of the FWU's cases are for Haitian-Creole speaking clients and that a much larger percentage of the FWU's active, extended representation cases involve this sub-population. Although the program contracts with Haitian-Creole speaking interpreters on an as needed basis, the lack of staff capacity with the language compounds the already difficult issue of managing cases involving this sub-population, many of whom are based primarily in Florida.

Members of the FWU express the obvious tension between responding to immediate client needs versus the development of larger pieces of affirmative litigation. The unit has several large multi-plaintiff cases, yet to be filed, that have been on hold due to the press of new matters. Large scale wage and housing conditions cases are document intensive and involve substantial client management issues with distant clients. These logistical hurdles can significantly delay the filing of affirmative suits.

Recommendation:

III.14.1. The FWU should assess the current status of potential affirmative suits and prioritize the development of those cases. As future affirmative suits are undertaken, their development and prosecution should be managed, and other work limited, to ensure that affirmative cases are filed while the clients are motivated and the facts are fresh.

Finding 15: The current leadership structure is under review by the program and may be restructured in the future.

All members of the program's management staff appear to take pride in their work and the work of the program. As described above, PTLA's management structure is multi-tiered. A litigation director shares some of the supervisory duties with RDAs and local directing attorneys. The program does not currently employ a deputy director. PTLA did not replace the previous deputy director after her departure. Some of the prior deputy director's duties have been undertaken by the administrative assistant. PTLA reported at the time of the visit that the program was considering a change in the management structure. In addition, PTLA is exploring options to expand the breadth of the leadership opportunities available to staff in the program. The PTLA board's evaluation of the leadership structure is in progress.

Recommendation:

III.15.1. PTLA should finalize and implement a revised leadership structure that includes increased leadership opportunities for mid-range staff.

Finding 16: PTLA's case service reporting demonstrates a highly productive program.

The program's 2009 case closings are well-above national medians. In 2009, the program closed 5,396 cases or 409 cases per 10,000 poor persons in its service area. This compares to the national median of cases closed per 10,000 poor of 265. In 2009, PTLA closed 952 extended service cases (18% of the total cases) and 4,444 limited service cases (82% of the total cases). This compares to a national extended service average of 21%. The lower extended service ratio is attributable to a broad mix of service delivery options providing a range of potential avenues for clients, particularly those clients capable of and suitable for limited assistance and pro se advice.

Finding 17: FWU and NAU staff is experienced. The FWU case closings and other case data indicate the program is handling time intensive cases.

The FWU and NAU are managed by a directing attorney experienced in both migrant farmworker and Native American law. At the time of the visit, he had been DA for the FWU for 19 years and for the NAU for 15 years. The FWU is staffed by one staff attorney who has more than 20 years legal services experience and a paralegal/advocate with over 8 years experience. The NAU is staffed by three part-time experienced staff attorneys and a part-time paralegal/advocate. PTLA received \$92,299 in Native American LSC funding and \$143,791 in migrant LSC funding for 2010. In addition, the FWU received \$67,543 non-LSC funding from IOLTA and other sources in 2010. The NAU also received \$67,543 non-LSC funding from the same sources as the FWU.

Legal writing samples, interviews, CSR data and notes from the program's 2010 priority discussions show complex advocacy is being conducted by the NAU and the FWU in time intensive areas such as employment, housing discrimination and social security. In 2009, the FWU reported 109 closed cases to LSC: 1 consumer, 57 employment, 2 health, 1 housing, 32 income maintenance, 12 individual rights and 4 miscellaneous cases. The 2009 FWU case service reporting (CSR) showed 90 cases as closed for limited service and 19 as extended service. In 2009, the NAU reported 52 closed cases to LSC: 1 consumer, 4 employment, 8 family, 8 housing, 9 income maintenance, 10 individual rights and 12 miscellaneous cases. The 2009 NAU CSR showed 40 closed for limited service and 12 as extended service.

Criterion 2. Private attorney involvement (PAI).

Finding 18: PTLA effectively integrates private attorneys into its legal representation and client services. Pro bono participation is high.

Overall, PTLA's PAI program is excellent. Created in 1983, the Maine Volunteer Lawyers Project (VLP) is a statewide collaborative project between PTLA and the Maine Bar Foundation. In general, requests for assistance are routed through a statewide intake system answered in the Portland office by student interns and volunteers. Clients come to the VLP largely through telephone intake. Clients can call directly to the VLP or be

referred by agencies via email. Walk-ins for the VLP are rare, accounting for only about 5% of the cases. All applicants are screened for LSC eligibility and legal problem. Under the direction of an attorney project director, VLP refers cases based on the priorities of PTLA. The VLP uses an extensive array of community volunteers and law students. These volunteers are supervised by 2.5 staff people.

Approximately 4,000 people call into the VLP program each year. If the project is unable to place a case for full representation, the client is advised of the VLP's limited representation clinics. Half of new eligible applicants receive either full representation or limited scope representation; the remaining half typically receives a referral to another resource or to one of the program's websites. The VLP handles approximately 800-900 full representation cases a year.

Finding 19: PTLA provides pro bono attorneys with a wide variety of volunteer opportunities.

Private attorney involvement has historically been high. Over 1,400 attorneys have expressed willingness to serve low-income clients pro bono. PTLA offers a wide range of pro bono opportunities to volunteer attorneys. Beyond the usual individual client referrals to attorneys, VLP attorneys are also used in limited scope representation projects primarily in the family law area. These pro bono projects serve a large portion of unmet client needs. Examples of these projects include: a Family Law Helpline; Domestic Violence Pro Bono Panel; Court House Assistance Projects in Portland, Lewiston and Bedford; and the Maine Attorneys Saving Homes project (MASH).

The VLP also has one bar-sponsored project courthouse-based advice project in Bangor and several telephone clinics. There are courthouse-based domestic violence panels in Portland and Springvale. The VLP plans to create a domestic violence court project in Lewiston as well. These court clinics are held once a week. Applicants are screened and qualified for the project. Clients meet with an attorney who provides advice and counsel. If the attorney determines that the clinic setting is inadequate to meet the legal needs of the client due to an inability to proceed pro se, the client is referred back to the VLP for additional assistance and review for representation. Staff reports that Maine's family courts are "pro se friendly". There are between 20 and 30 attorneys on the roster who are willing to participate in these in-court limited representation clinics.

The VLP also operates a statewide family law telephone conference program which occurs on Friday afternoons. One firm staffs the clinics and supervises the law students. Applicants are screened under LSC guidelines. Generally there are two attorneys and three to four law students staffing this clinic. The law students often stay for one or two years ensuring consistent coverage and a return on the programs investment in training. On Wednesday evenings a similar clinic is staffed by private attorneys from a variety of firms. The VLP is planning a debt clinic helpline to identify chronically troublesome creditors who often try to collect on debts past the statute of limitations, also referred to as Zombie debts, and who engage in other deceptive practices.

Recently, VLP volunteer attorneys have gained local and national recognition in the media for significant outcomes benefitting clients facing foreclosure.¹¹

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

Finding 20: Consistent with its goals, objectives, and strategies, PTLA participates in a wide range of services and activities that benefit the client population.

PTLA has been a national leader in the provision of legal information and self-help materials to the low income population of Maine. PTLA has excellent self-help websites which provide appropriate and well-written information. These materials are outstanding examples of what can be done to help self-represented individuals in court. PTLA also has an active Facebook page featuring links to program activities fundraising, press releases and other media coverage.¹²

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

Criterion 1. Board governance.

Finding 21: PTLA's board demonstrates effective oversight and is actively engaged in decision making. PTLA is less focused on formal, in-house board member training than in the past.

The 28-member board meets quarterly and in September for the annual meeting. The board is comprised of 17 lawyers, 10 client representatives and 1 "at large" member elected by the board. Board members serve terms of two years subject to reappointment. Officers serve one year terms. PTLA's bylaws provide for the election of one or more emeritus directors, selected from retiring directors or those no longer eligible to serve, without term limits. Meetings are consistently well-attended in person and via telephone and video conference as needed. As a whole, the board is representative of the various geographical areas and low-income populations served by the program.

There are several committees tasked with specific duties. The present committees are: executive, finance, facilities, grievance, intake, needs assessment, management succession planning, negotiating and program. Traditionally, a PTLA board member serves on the committee for the Muskie Access to Justice Dinner.

Client board members are actively engaged in board decision making. All client positions are filled. Client board members interviewed for this visit were informed,

¹¹ http://www.nytimes.com/2010/10/15/business/15maine.html?_r=1&pagewanted=all.
<http://www.npr.org/templates/story/story.php?storyId=130065609>.

http://www.huffingtonpost.com/2010/09/20/pizza-soda-and-legal-advice_n_731927.html.
¹² <http://www.facebook.com/pages/Pine-Tree-Legal-Assistance/103675572334?v=wall>.

interested and committed. Client members serve on all committees and some serve on multiple committees. A client member serves on the executive committee, and several client members serve on the finance committee. Client members have served as executive officers in the past.

The board president and executive director communicate at least several times each week. The PTLA board is involved in major policy decisions, aware of issues in and performance of the program, while leaving day to day management of operations to program management. PTLA's board is committed to regular, periodic evaluation of the executive director. The board conducted a comprehensive assessment of the executive director three years ago. That review has been updated annually. A board member reported that the next full evaluation would occur in the coming year.

To its credit, the board has undertaken an ambitious management and succession planning initiative designed to improve internal management and prepare the program for both emergency and planned changes in program leadership. The process is being led by a board committee with substantial input from program staff. It has resulted in a draft succession plan and on-going discussions regarding potential improvements to the management structure. The board is to be commended for its leadership in this area.

Board members interviewed for the visit expressed an awareness of their fiduciary duties to the program.

The board exercises financial oversight of the law firm through:

- review of financial reports;
- approval of budgets and prospective budget planning;
- review and approval of other management and regulatory reports;
- evaluation of program services and the executive director and staff reporting to the full board;
- approval of a conflict of interest policy; and,
- interim activities of the finance committee.

The board members are committed to the mission of PTLA. The board demonstrates that it exercises judgment independent of the executive director, where appropriate. The board engages in activities to effectively promote and expand the reach and influence of the program in the communities it serves. A board committee is assisting PTLA with the renovations to the Augusta office, the relocation of the Bangor office and with negotiations for possible expansion and renovation of the Portland office.

Most board members are not actively involved in the program's fundraising and development activities although, as noted above, a board member participates on the Muskie Access to Justice Dinner Committee.

The program has a multi-year strategic plan. Strategic planning began in 2006, in an effort led by the board to develop a long-range strategic plan tied to the LSC Performance Criteria. This planning group met on a monthly basis for a year. The final

plan was approved November 2007 and effectively covers the areas of PTLA's delivery system including board governance and leadership.

Formal in-house training presentations for the board are no longer in use at PTLA. The program now uses a comprehensive board manual outlining the areas of significance to PTLA board members and the work of the program, which is distributed at the annual meeting. In addition, board members are encouraged to access training offered by the United Way. Some new and client board members expressed a desire for one on one or subject specific training to aid in their integration into the board.

Recommendation:

IV.21.1. The board should consider whether new members would benefit from additional training. In addition to training for new members on board member roles and responsibilities, PTLA might consider training on discrete subjects such as resource development. The program should also consider formal ongoing training for all members. Board Source is a resource for non-profit boards.

Criterion 2 and 3. Leadership. Overall management and administration.

Finding 22: PTLA has effective leadership and administration.

Key program staff members, starting with the executive director, are recognized as the program leaders. They have an extraordinary level of experience and are respected both internally and externally. The executive director has served in this role for 20 years and her legal career is marked by a commitment to legal services. Based on interviews with staff, and members of the judiciary and the bar, the executive director is viewed as a highly effective leader. One of her primary focuses is on resource development and she is actively involved in grant writing and other development activities along with the administrative assistant. PTLA is in the process of succession planning and finalizing a written plan.

Finding 23: PTLA's management staff has been consolidated as positions have been vacated and staff is stretched to accommodate the added work of new grants.

PTLA's management team is skilled, experienced and dedicated. As previously described, the management team is comprised of the executive director, a litigation director, a Northern and Southern regional director, and local and project-based directors. In recent years their responsibilities have grown. As positions have been vacated, management functions have been consolidated. As new grants have been secured to support critical work, new supervision and reporting responsibilities have arisen. As a result, the management team has been stretched. For example, one manager currently has responsibility for four discrete units or specialized projects. Further, some supervisors are overseeing staff in several offices. As a result of managers taking on additional responsibilities, some of their current duties are being neglected. For example, as previously noted legal work supervision and feedback does not occur on a regular basis.

At the time of the visit the program reported that the current leadership structure is being studied by the staff and board. The program expressed a desire to increase depth on program capacity and leadership.

Recommendations:

III.23.1. For smaller units with dispersed staff members, extra attention should be brought to bear to ensure quality supervision.

Finding 24: PTLA has devoted adequate resources to its current technological structure.

PTLA has dedicated, and experienced staff to support the technological needs of its staff as well as providing support to other legal nonprofit partners. PTLA staffs an IT coordinator and an IT specialist housed in the Portland office and a website and client education coordinator housed in the Bangor office.

The Technology Resource Center (TRC) is PTLA's umbrella for using technology to serve clients as well as supporting the technological needs of staff. The TRC includes the LegalServices Network and PTLA's web-based initiatives. The LegalServices Network was established in 2000 and is the agreement among several legal services providers in Maine to pool resources and share a computer network to support technology needs. The TRC provides the CMS, Microsoft Office and other relevant software, training and related tools for users, and hardware and software maintenance statewide.

PTLA was also one of the first legal services programs to use video conferencing as a way to connect with clients and to conduct staff intake meetings among its offices. Generally PTLA's technology works well but, as noted above, there are staff concerns about the functionality of the Legal Files.

PTLA's websites are frequently cited by many lawyers as sources of useful information for clients, staff lawyers and members of the private bar. As previously outlined, PTLA's websites are: www.ptla.org, www.helpmelaw.org, www.vlp.org, www.kidslegal.org, and its newest addition www.statesidelegal.org.

PTLA's 2010 Technology Plan was developed by management and staff. It addresses procedures for a contingency plan in the event of a disruption of computer and network services. The plan outlines comprehensive mission and vision statements that provide for maximizing productivity and efficiency within the organization and among staff through a strategic use of technology. At this time, PTLA's administration of technology is handled by a full-time IT coordinator, a full-time IT specialist/systems analyst and a full-time website coordinator. The program's executive assistant helps with updating the Facebook page. PTLA has a technology committee comprised of management, technology staff and other staff.

Criteria 4, 5 and 6. Financial Administration. Human Resources Administration. Internal Communications.

Finding 25: The program has sufficient, capable, trained and effective staff dedicated to financial administration.

The program has sufficient and capable staff dedicated to financial administration. PTLA's fiscal manager has served in that role since 1990; the bookkeeper has served in her role since 1994. The program has detailed written policies and procedures describing its financial operations. The policies have been reviewed and revised recently. These changes will be integrated into the fiscal manual. The program utilizes MIP accounting software. Payroll is administered by ADP. The program's fiscal manager generates most budget and other reports manually, in Excel, based on raw data printed out of the financial management software. Annual program audits do not reveal any significant problems or issues. The program issues financial statements on a timely basis to the finance committee and the board.

Recommendations:

IV.25.1. PTLA should review its fiscal manual in light of the new Accounting Guide for LSC Recipients and amend its own guide as appropriate.

IV.25.2. The program should consider automating standard reports from the financial management software, and purchasing the Excel export module to MIP, to reduce staff time and increase the integrity of the financial reports reviewed by the staff managers and the board. In this regard, using the export module also serves as an internal control. PTLA might also consider training more than one person on using the export module.

Finding 26: PTLA does not have a full-time human resources director. Staff evaluations are not being conducted on a regular basis.

PTLA's management staff shares the human resources responsibilities for the program. PTLA's staff corresponds to the diversity of its service area. Interviews of staff demonstrate that morale is high. PTLA staff attorneys are eligible to participate in a law school loan repayment assistance program (LRAP) administered by the Maine Bar Foundation that provides up to \$5,000 a year. Under certain circumstances, the program also provides reimbursement of bar examination fees or paid leave for bar examination study. PTLA has an innovative retention incentive leave program (RIL) in recognition of the value of experienced employees. The RIL is a contract with staff that allows for additional leave accrual in return for an agreement to remain employed in the program for an additional two years. Staff employed for three years with PTLA are entitled to take RIL of three weeks with pay. Thereafter, following six years, nine years and every three years thereafter of employment, staff is entitled to take RIL of six weeks with pay. Staff, who depart before their two-year commitment have been met, are required under the contract to repay a *pro rata* portion of paid RIL time.

PTLA's policy is that staff evaluations occur after the first 6 months of employment and then every two years. It appears that only the 6-month evaluation of new staff is carried out in accordance with the policy. The majority of long term PTLA staff reported that they have not been evaluated on a regular basis.

PTLA recently instituted regular managers meetings. There also are periodic meetings between management and union representatives referred to as the Project Advisory Committee (PAC). The PAC meets four times a year and has been in place for over 25 years. PAC meetings are used to address a range of issues affecting the program as a whole. The budget and related issues are reviewed and discussed at each PAC meeting. PTLA conducts an annual retreat for staff. Staff reported an overwhelming support and appreciation for this event. Maximum use of technology is made to facilitate and enhance internal communication.

Recommendations:

IV.26.1. PTLA management should conduct staff evaluations and follow a plan of regular periodic reviews.

IV.26.2. Consideration should be given to distributing summary notes from the manager's meetings and the PAC meetings to all staff, as is appropriate.

Criterion 7. General resource development and maintenance.

Finding 27: PTLA does not have a resource development director. Grant writing and other resource development is primarily handled by the executive director and the administrative assistant.

The program does not employ a resource development director. Resource development is currently handled by the executive director with the assistance of her central administrative assistant. PTLA's executive director has been very successful at raising new grant funds for the program. PTLA often engages in collaborative fundraising with other legal services programs and law school clinical programs. This collaborative approach has been successful in increasing the funding available to all six legal services programs in the state. One of the best examples of that collaborative is the annual Campaign for Justice. Since its implementation in 2004, donations have increased. The campaign has received approximately \$300,000 to \$400,000 each year from 2005 to 2009. Approximately 1,500 attorneys and judges in Maine contribute to the campaign.¹³

The program has developed and has effective relationships with other major institutional resources in the service area. These community allies are involved in or provide some support in the provision of legal assistance to eligible clients, as well as help in expanding program funding.

¹³ <http://www.campaignforjustice.org/report>.

Criteria 8 and 9. Coherent and comprehensive delivery structure. Participation in integrated legal services delivery system.

Finding 28: PTLA's delivery structure is effective and the program is an active participant in an overall delivery system statewide.

PTLA has a reasonable, thoughtful and effective overall delivery system, which utilizes and integrates staff, private attorneys, volunteers, branch offices, outreach, and alternative delivery methods, and which strikes an effective balance on key issues such as specialization, experience of staff, use of attorneys and paralegals, and other major design choices. The VLP, for example, utilizes a unique combination of volunteer attorneys, student interns and lay volunteers to perform intake, triage and placement of pro bono cases. Both the PTLA basic field unit and the VLP use in court triage and representation models resulting in court pick ups of high priority cases such as housing and domestic violence.

PTLA's choices about allocation of resources to competing activities and functions are reasonable and balanced, and consistent with its mission, goals, priorities, objectives and strategies. Staff notes on-going discussions regarding efforts to balance limited and extended representation strategies with the goal of enhancing the impact of the program's work.

Finding 29: PTLA has a coherent, comprehensive delivery system that effectively coordinates its efforts with those of other providers.

PTLA is a leader in statewide efforts to provide low-income persons in the state with equal access to a full range of civil legal assistance services. PTLA is a key player in Justice Action Group (JAG), Maine's access to justice commission. The JAG is comprised of members of the state and federal judiciary, the Maine legislature, the Office of the Governor, the Maine State Bar Association, the Maine Bar Foundation, the Maine Civil Legal Services Fund Commission, the Maine Trial Lawyers Association, and members of the boards of PTLA, Legal Services for the Elderly, and the University of Maine School of Law. More than one judge interviewed noted the program's leadership in the JAG initiative. The FWU also serves as a leader throughout New England on issues impacting migrant farmworkers.

The program participates in local and statewide efforts to maximize the effective use of available human and financial resources and to increase such resources to better address the civil legal needs of the state's low-income populations. PTLA takes a leadership role in the annual Muskie Access to Justice Dinner and the Campaign for Justice, two combined fundraising initiatives that benefit a coalition of legal services providers in Maine. As described above, the program led the initiative developing the LegalServices Network, which is a coalition of programs participating in an integrated technology infrastructure hosted by PTLA. This network allows participating programs

to leverage their buying power and realize economies of scale that would be difficult to obtain individually.

PTLA coordinates with other providers, the bar, law schools and other relevant entities in seeking to ensure that support is provided to advocates and managers, including training, dissemination and exchange of information, and communication and coordination among practitioners in key areas of law and practice. Of particular note are the several substantive websites created and maintained by the program. Several contacts mentioned these resources as indicative of PTLA's leadership in the provider community.

The program participates in statewide planning and oversight activities to achieve an integrated statewide delivery system, and coordinates and collaborates with other civil legal aid providers, private attorneys, government and corporate attorneys, the organized bar, courts and court personnel, law schools, and other public and private entities that provide legal and other social services to low-income persons. The above-referenced participation in the JAG is a prime example.