



Legal Services Corporation

Strategic Plan 2017-2020

*Adopted by the Board of Directors
September 2016*



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A publication of
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Available online at
<http://www.lsc.gov/about-lsc/who-we-are/strategic-plan>

LEGAL SERVICES CORPORATION

Strategic Plan 2017-2020

Part I: Executive Summary

Fundamental Principles

The Legal Services Corporation (LSC) is an independent, non-profit organization established by Congress in 1974 to provide financial support for civil legal aid to low-income Americans. LSC was founded on the shared American ideal of access to justice regardless of one's economic status. LSC is the largest single funder of civil legal services to the poor in the United States. LSC is a grant-making organization, distributing nearly 94% of its federal appropriation to eligible, nonprofit organizations delivering civil legal aid. LSC grantees handle the basic civil legal needs of the poor, addressing matters involving safety, subsistence, and family stability. Most legal aid practices focus on family law, including domestic violence, child support and custody, and on housing matters, including evictions and foreclosures.

The LSC Mission

The United States Congress, in the declaration of purpose of the Legal Services Corporation Act, found that “there is a need to provide equal access to the system of justice in our Nation for individuals who seek redress of grievances,” that “there is a need to provide high quality legal assistance to those who would be otherwise unable to afford adequate legal counsel,” and that “providing legal assistance to those who face an economic barrier to adequate legal counsel will serve best the ends of justice and assist in improving opportunities for low-income persons.” In keeping with this mandate, LSC has established these Strategic Goals to support implementing its mission:

***To promote equal access to justice in our nation
and to provide high-quality civil legal assistance to low-income persons.***

The Current Landscape

Over the last decade, the United States has been slowly recovering from an economic recession that has had a significant double impact on LSC and its grantees. First, millions of Americans sank into poverty resulting in more people qualified for LSC's services. Second, the financial resources available to LSC to provide for this increased demand have decreased since 2010. In this environment, LSC is working with its grantees to do more with less and to support more low-income Americans who seek equal access to justice.

LSC's Strategic Goals

LSC's 2017 – 2020 Strategic Plan outlines the three strategic goals identified by the Board of Directors that will guide it for the next four years:

1. Maximize the availability, quality, and effectiveness of the services its grantees provide to eligible low-income individuals.
2. Expand the role of LSC as a convener and leading voice for civil legal services for eligible persons living in poverty in the United States.
3. Continue to achieve the highest standards of management for LSC and its grantees to sustain a capable, responsive, and accountable organization.

Implementing this Strategic Plan

LSC will hold itself accountable for results, just as it holds its grantees accountable. Each strategic goal includes specific initiatives that will be implemented to make progress against each goal and the Strategic Plan as a whole. Annually, LSC will publish actions taken towards implementing this 2017 – 2020 Strategic Plan.

Part II: Introduction

History: About the Creation of the Legal Services Corporation

The Legal Services Corporation (LSC) was created on July 25, 1974, when President Richard Nixon signed the Legal Services Corporation Act. The statute passed both houses of Congress with bipartisan support. LSC was the successor to the Legal Services Program, which was part of the Office of Economic Opportunity (OEO) created by President Lyndon Johnson as a part of his War on Poverty.

About the Legal Services Corporation

LSC is an independent non-profit organization established by Congress to provide financial support for civil legal aid to low-income Americans. LSC is the largest single funder of civil legal services to the poor in the United States. LSC is a grant-making organization, distributing nearly 94% of its federal appropriation to eligible, nonprofit organizations delivering civil legal aid. LSC awards grants through a competitive process and currently funds 134 independent legal aid organizations. With 800 offices nationwide, these organizations serve thousands of low-income individuals, children, families, seniors, and veterans in every congressional district. LSC grantees handle the basic civil legal needs of the poor, addressing matters involving safety, subsistence, and family stability. Most legal aid practices focus on family law, including domestic violence, child support and custody, and on housing matters, including evictions and foreclosures.

Legal Services Corporation Leadership

An eleven-member Board of Directors governs LSC. Each Board member is appointed by the President of the United States and confirmed by the Senate to serve a three-year term. By law the Board is bipartisan; no more than six members may be of the same political party. The current Board includes leaders from across the country with a wealth of professional experience at major law firms, law schools, and civil legal aid providers; two Board members are client-eligible representatives. The Board is responsible for hiring the President of the Corporation. The President oversees LSC's staff and is responsible for the final approval of all awards made to the Corporation's grantees. LSC's current senior management has considerable experience in both the public and private sectors. Since 1988, LSC has been overseen by its own Office of the Inspector General (OIG). The OIG's primary goals are to assist management in identifying ways to promote efficiency and effectiveness in the activities and operations of LSC and its grantees and to prevent and detect fraud, waste, and abuse.

The Shared Values of the Legal Services Corporation

LSC was founded on a shared American ideal: access to justice regardless of one's economic status. In the Preamble to the United States Constitution, the Framers recognized that to "establish justice" was a primary goal of the new Republic. As James Madison explained in *Federalist 51*: "Justice is

the end of government. It is the end of civil society. It ever has been and ever will be pursued until it be obtained, or until liberty be lost in the pursuit.” America’s promise of liberty is rooted in the availability of justice for all, which can only be realized when all have access to the system that administers justice.

Congress recognized this in its finding and declaration of purpose in the Legal Services Corporation Act: “...for many of our citizens, the availability of legal services has reaffirmed faith in our government of laws.” In his address at the LSC’s 40th Anniversary, the late Justice Antonin Scalia reminded us of the full meaning of this promise: “The American ideal is not for some justice, it is as the Pledge of Allegiance says, ‘Liberty and justice for all,’ or as the Supreme Court pediment has it, ‘equal justice.’ ... Equality, equal treatment, is perhaps the most fundamental element of justice.”

Part III: Strategic Goals

LSC's 2017 – 2020 Strategic Plan outlines the three strategic goals that will guide it for the next four years:

1. Maximize the availability, quality, and effectiveness of the services its grantees provide to eligible low-income individuals.
2. Expand the role of LSC as a convener and leading voice for civil legal services for eligible persons living in poverty in the United States.
3. Continue to achieve the highest standards of management for LSC and its grantees to sustain a capable, responsive, and accountable organization.

This section includes an overview of each strategic goal and the initiatives identified to implement each strategic goal.

Strategic Goal One: Maximize the availability, quality, and effectiveness of the services its grantees provide to eligible low-income individuals.¹

Maintenance of the rule of law is, and always has been, a central purpose of the American Republic. The rule of law requires an opportunity to vindicate one's legal rights, which often requires legal assistance to those who need it the most. To achieve this goal, LSC must work to afford its grantees the resources, tools, and management expertise to reach and assist their clients most effectively.

- **Initiative One: Continue the identification, validation, and sharing of best practices to ensure grantees are most effectively meeting the civil legal needs of low-income Americans.**

¹ Throughout this document, "low-income" and "poor" refer to the definitions in LSC's governing act and include compliance with the eligibility rules. *See* Legal Services Corporation Act as amended, 42 U.S.C. §§ 2996 et seq., Public Law 93-35593 Congress, H.R. 7824, July 25, 1974; LSC Act, Public Law 95-222, 95 Congress, H.R. 6666, December 28, 1977; LSC Reauthorization Act, and other amendments. *See* also 24 C.F.R. §§ 1611 & 1611X. While the primary focus of LSC's grantees remains on the provision of civil legal services, in 2010 Congress amended section 1007(b) of the LSC Act to permit LSC recipients to use LSC funds to represent persons in all criminal proceedings in tribal courts. *See* Indian Arts and Crafts Amendments Act, Pub. L. 111-211, 124 Stat. 2258, 2282 (July 29, 2010), substantively increasing tribal courts' criminal jurisdiction. Any discussion of the provision of civil legal services in this Strategic Plan should be understood to include those limited criminal legal services in tribal courts, as permitted by law.

- Develop and publish a clear and simple process outlining how best practices will be reviewed and shared nationwide.
 - Identify, validate, and share best practices regarding the use of technology to support client intake, delivery of services, and management.
 - Identify systematic ways in which organizations outside of the traditional legal aid world may provide more efficient service to clients in addressing civil legal needs.
- ***Initiative Two: Continue the development and implementation of meaningful performance standards and metrics to ensure assessment of grantees in as fair, objective, and effective a way as possible while supporting the best possible performance of all grantees.***
 - Continue to update the Performance Criteria to ensure they reflect the changing service delivery models for legal aid.
 - Track grantees' implementation of the Performance Criteria nationally to identify best practices and to support grantees better.
 - Continue the development and analysis of outcome measures, needs measures, and efficiency measures across LSC-funded programs to identify and support the most effective delivery of services.
- ***Initiative Three: Provide legal practice and operational support to grantees to further improve the quality of civil legal services to low-income Americans. Assess and prioritize actions to ensure grantees have the training and technical assistance required to support grantees effectively.***
 - Conduct a gap analysis to identify aspects of grantee operations that need appropriate training resources, especially in the area of grants and financial management. If no appropriate training resource exists, LSC will support the development of training modules to support grantees in these areas.
 - Evaluate the current system of peer support and collaboration among grantees and update it as necessary to serve grantees better in such areas as non-profit governance, succession planning, fundraising, hiring, retention, financial management, practice management, case management, and operations.

- Continue to support the development and strategic use of innovative technology for delivering professional development programs.
- Continue to foster private attorney involvement through support of the implementation of the recommendations of the Pro Bono Task Force. As part of this effort, periodically consider and assess the effects of recent changes to the private attorney involvement (PAI) rule.
- ***Initiative Four: Provide guidance for grantees to foster the provision of services in a culturally competent² manner that reflects the actual needs and circumstances of clients and potential clients while conveying attention and responsiveness to their contexts and situations.***
 - Evaluate the circumstances of populations traditionally underserved by law and also those eligible for but not utilizing LSC-funded services.
 - Develop guidelines as part of the Performance Criteria to provide appropriate language that supports awareness of the diverse cultural and other contexts in which clients and potential clients live and work.
 - Identify and work to overcome difficulties related to access to legal services experienced by eligible clients, including populations such as veterans and residents of rural communities, and work to ensure that their legal needs are adequately addressed.

Strategic Goal Two: Expand the role of LSC as a convener and leading voice for civil legal services for eligible persons living in poverty in the United States.

The nation needs greater and more focused leadership in addressing the civil legal needs of the poor. As the only federally-created, national legal services organization, as the largest single funder of civil legal services in the United States, and with its detailed knowledge of the activities of 134 legal services organizations serving every state and the territories, LSC has the opportunity and obligation to expand its leadership and organizational role as a convener and leading voice in raising awareness of the need for civil legal services and securing access to civil justice for the poor.

² See, e.g., the American Bar Association’s *Standards for the Provision of Legal Aid* (2006), which states, “A provider should ensure that its staff has the skills, knowledge, and resources necessary to provide assistance in a culturally competent manner.” The ABA Standard provides a detailed definition of the provision of services in a culturally competent manner.

- ***Initiative One: Continue to broaden and build bipartisan support for LSC’s primary goal of improving access to justice as well as the funding resources necessary to reach that goal.***

- ***Initiative Two: Expand LSC’s communications program to increase awareness of the need for civil legal services and of the impact of LSC programs.***
 - Identify the core audiences to reach as part of the program, to include new Members of Congress and every new Presidential administration.
 - Expand outreach to Members of Congress and congressional staff.
 - Continue to use outcomes data from LSC grantees to develop and share a compelling narrative with key messages focused on explaining what LSC is, its role in civil legal aid, and the benefits resulting from civil legal services on the everyday lives of individuals, families, and communities.
 - Continue to present to core audiences key messages and stories demonstrating the effect of LSC-funded legal aid programs using social media and other appropriate mechanisms.

- ***Initiative Three: Serve as a convener of key stakeholders in the civil justice system to collaborate in improving access to justice.***
 - Provide a voice for clients in national discussions on access to justice.
 - Continue collaborating with the administration and the efforts of the White House Legal Aid Interagency Roundtable to coordinate federal programs that support the populations served by LSC grantees and to identify opportunities for funding, service integration, and administrative effectiveness.
 - Collaborate with other funders, legal services providers, bar associations, state judicial associations, and non-profits on issues affecting the provision of civil legal services to the poor.

- ***Initiative Four: Continue to expand engagement with organizations and individuals outside of the traditional legal services community—including other non-profits serving low-income people, the business community, judges, law schools, and leaders across a wide range of disciplines—to reach new audiences and support expanded access to legal services for eligible persons living in poverty in the United States. Continue to develop the LSC Leaders’ Council to raise public awareness of the current crisis in legal aid.***
- ***Initiative Five: Increase private support for civil legal services through private fundraising and the development of a long-term institutional advancement plan to support expanded services. All LSC private-fundraising efforts shall complement its Congressional mandate and be reviewed to mitigate any competition with grantees.***

Strategic Goal Three: Continue to achieve the highest standards of management for LSC and its grantees to sustain a capable, responsive, and accountable organization.

The United States Congress entrusts LSC and its grantees with funds collected from the American taxpayer. To live up to that trust and justify further confidence, LSC is a prudent steward of the resources allocated to it. LSC and its grantees should be models of fiscal responsibility and strong professional management.

- ***Initiative One: Maintain the highest standards of fiscal responsibility and regulatory compliance for LSC and its grantees through effective grants management and oversight.***
 - Maintain and clearly communicate LSC’s high standards for grants management for all grantees.
 - Continue transparent management, regulatory compliance, and fiscal accountability as a grant-making organization while ensuring the measures in place take appropriate account of their effect on grantees’ delivery of legal services. Maintain strong coordination with the Office of Inspector General (OIG).
 - Evaluate the changes in fiscal oversight implemented pursuant to the recommendations of the Financial Oversight Task Force to ensure financial oversight of grantees is as efficient and effective as possible.
 - Provide grantees with guidance and technical assistance to foster greater regulatory compliance and fiscal accountability.

- ***Initiative Two: Maintain transparency and accountability through a strong organizational culture of responsible governance and strong leadership.***
 - Through the Performance Criteria, LSC will review the effectiveness of grantees' Board of Directors. These criteria should include LSC's continual development and sharing of best practices regarding non-profit corporate governance; the development of plans and processes by grantee boards of directors for training and transitioning of members of their boards of directors; the conducting by grantee Boards of Directors' of regular self-evaluation regarding their oversight role; and LSC's encouragement of the use of non-board member experts in accounting, finance and oversight to serve on grantees' board committees.
 - Develop a plan and briefing materials to support the transition to a new Presidential administration, Congress, and LSC Board.
 - Encourage continuity of governance at LSC in order to maintain institutional history through practices such as the sequencing of Board appointments.
 - Continue the practice of having experts (who are not LSC Board Members) in accounting, finance, and other relevant disciplines serve on LSC Board committees.

- ***Initiative Three: Strengthen and maintain information technology systems to enhance efficiencies, promote program effectiveness, maintain security, and improve accountability.***
 - Conduct capabilities and gap assessments across all internal LSC offices to ensure that investments in information technology support the most strategic use of resources.

- ***Initiative Four: Retain a talented, diverse, and adaptive workforce that continues to promote organizational excellence.***
 - Evaluate the current needs of LSC for staffing and the current staffing model to ensure a sufficient level of personnel to promote LSC's mission of oversight and support of grantees.
 - Identify training and additional resources to promote maximum performance of LSC staff.

Appendix A: Actions to Implement LSC's 2012-2016 Strategic Plan

The following provides highlights of actions LSC has undertaken to implement the three goals and related initiatives identified in LSC's 2012-2016 Strategic Plan:

Strategic Goal One: Maximize the Availability, Quality, and Effectiveness of Legal Services (2012 – 2016 Strategic Plan pp. 5-11)

- Expanded the collection of useful practice and operational tips in the Grantee Resources section of LSC's website (<http://www.lsc.gov/grants-grantee-resources/resources>).
- Updated "Technology Baselines" for LSC grantees, which are LSC's recommendations for the basic technology that all grantees should have.
- Improved access to the courts and legal information and grantees' operating efficiency through LSC's Technology Initiative Grant (TIG) program. LSC has been a leader in funding online intake solutions that allow prospective clients to apply for assistance conveniently through the web. Following some early successful pilots, the TIG program has encouraged replication and improvement of online intake systems across the country.
- Established the Pro Bono Innovation Fund (PBIF) to award grants to support innovative ways to engage more pro bono lawyers in the delivery of legal services and to enhance the quality of pro bono programs of LSC grantees.
- Inaugurated a process for including clients in some program quality visits to improve client service.
- Created a new Office of Data Governance and Analysis to allow LSC to improve its collection and analysis of data from grantees and to develop new performance standards and metrics.
- Awarded a grant to American Samoa Legal Aid to establish a legal aid program for the first time since 2007.
- Announced a requirement that LSC grantees will need to collect outcomes data in all extended service cases as of mid-June 2016.
- Developed a toolkit and online guide to enable LSC grantees to track outcomes in cases handled for clients, so that grantees can improve client service and enhance their own management.
- Introduced a new online portal to serve as a central LSC data and document repository for all staff to use. The portal will allow enhanced analysis of and reporting on grantee performance.
- Updated a comprehensive, multi-year analysis of Grant Activity Reports to compare cases closed by each LSC grantee against the median for all grantees and against results for each other grantee.
- Began the process of revising LSC's Performance Criteria for grantees.
- Developed and implemented performance standards for LSC staff.
- Enhanced LSC's Tech Blog, which provides a channel for technology leadership in the legal services community.

- Developed a privately funded Vieth Leadership Development Grant program to improve leadership and service delivery of LSC grantees.
- Closed out all Government Accountability Office (GAO) recommendations.
- Initiated the Midwest Legal Disaster Coordination Project with private funding and awarded subgrants to LSC grantees in Iowa and Nebraska.
- Continued expanding outreach to Members of Congress to raise awareness about the value of LSC and its programs.
- Promulgated or drafted regulations relating to:
 - recipient fund balances (Part 1628);
 - the proper use of federal funds (Part 1640);
 - Private Attorney Involvement (PAI) Regulations (Part 1614);
 - restrictions on legal assistance to aliens (Part 1626); and
 - criminal representation in tribal courts (Part 1613);
- Developed a rulemaking agenda to guide future rulemaking by the Board;
- Implemented the new internal risk management committee, including enhanced reporting to the Board on risk management;
- Obtained private grant funds to permit LSC to:
 - Develop a Rural Summer Legal Corps fellowship program using private funds, which placed 30 law students with LSC grantees serving rural areas in the summer of 2016;
 - Begin planning a legal aid curriculum for public librarians, who are often the first people low-income Americans consult when seeking help in finding legal aid;
 - Begin a project to evaluate the accessibility and usability of statewide and territory-wide legal aid websites, which currently differ in terms of quantity and quality of information.

Strategic Goal Two: Become a Leading Voice for Access to Justice and Quality Legal Assistance in the United States (2012 – 2016 Strategic Plan pp. 11-15)

- The LSC President and Board Chairman regularly represent LSC and participate in national events.
- Sponsored annual briefings for congressional staff in the House and Senate.
- Expanded media coverage in both national and local markets.
- The LSC President serves on the ABA Commission on the Future of Legal Services.
- Continued to expand use of social media to amplify and promote LSC activity and practices.
- Expanded the use of analytics on LSC’s website and in social media.
- Expanded LSC’s library of studies of the economic benefits of legal aid for communities and for government.
- Used surveys of grantees to obtain evidence of the impact of funding reductions on client service.
- Developed a comprehensive case statement for private funding for LSC.

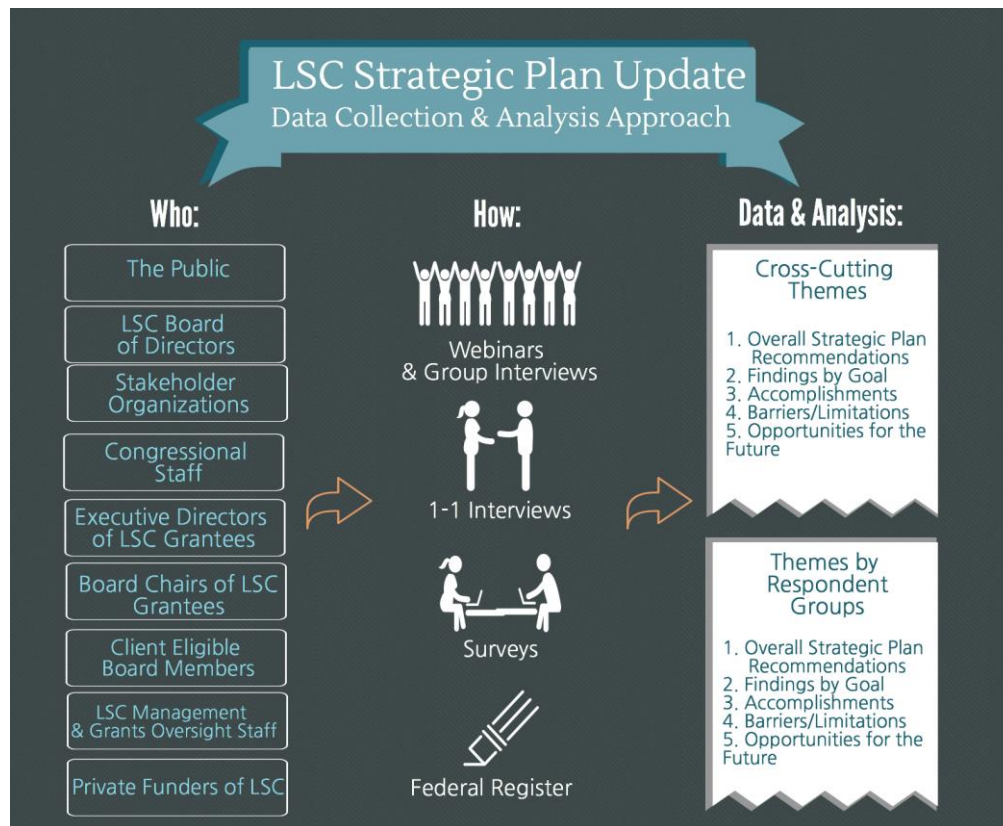
- Secured grants, contributions, or pledges now totaling more than \$5,000,000 from law firms, private foundations, and individuals.
- Coordinated and executed more than 40 development meetings, including several major cultivation events across the country
- Convened panels of state and federal justices and judges to address access to justice issues at quarterly Board meetings.
- Recruited and expanded list of messengers for civil legal aid through the 40th Anniversary Conference and related cultivation activities.
- Established an LSC Leaders' Council to assist LSC in its mission.
- Worked with the U.S. Department of Justice's Office for Access to Justice and the White House Legal Aid Interagency Roundtable (LAIR) to identify those Federal policies, programs and resources, where integrating civil legal aid can improve their effectiveness and enhance justice in our communities. The LSC was invited to join a total of 21 federal agency partners as a Roundtable member, and is represented by the LSC President.
- Collaborated regularly with the ABA's leadership, Standing Committee on Legal Aid and Indigent Defendants, Standing Committee on Pro Bono and Public Service, and Resource Center for Access to Justice Initiatives.

Strategic Goal Three: Ensure Superior Fiscal Management (2012 – 2016 Strategic Plan pp. 15-17)

- Implemented the recommendations of the Financial Oversight Task Force and the Pro Bono Task Force.
- Restructured the corporation to provide a single Vice President for Grants Management, to whom the directors of the Office of Program Performance (OPP), the Office of Compliance and Enforcement (OCE) and the Office of Data Governance and Analysis (ODGA) report.
- Focused on maximizing communication, coordination, and cooperation between the OPP and OCE, including instituting joint regional teams of OCE and OPP staff to share information about grantees and to educate each office about the other's work.
- Strengthened and formalized communication between LSC Management and the LSC Office of the Inspector General to improve help improve oversight.
- Continued to revise the Fiscal Compliance Analysts' (FCA) review of grant applications during the LSC grants competition and renewal process.
- Implemented new procedures for the review of grantees' audited financial statement to allow LSC to better assess the fiscal health of grantees.
- Revitalized the use of Technical Assistance Reviews (TAR) as a vehicle for providing grantees with practical guidance on regulatory and fiscal compliance issues.

Appendix B: Methodology to Update the Strategic Plan

LSC engaged Corner Alliance Inc. was engaged in January of 2016 to collect data and analyze responses from LSC stakeholders to support the 2017 – 2020 Strategic Plan update. Corner Alliance solicited eight respondent groups as part of this Strategic Plan update: the LSC Board of Directors; congressional staff; stakeholder organizations such as the National Legal Aid and Defenders Association (NLADA) and the American Bar Association (ABA); LSC management and grants oversight staff; executive directors of grantee programs; board chairs of grantee programs; client-eligible board members of LSC grantees; and private funders of LSC. LSC also engaged the public for guidance about the Strategic Plan update by twice soliciting comments through the Federal Register. LSC received responses from 164 organizations and individuals overall that provided guidance and input for this update of the LSC Strategic Plan. Corner Alliance interviewed all of the LSC board members were interviewed, received 136 survey responses, conducted 16 other interviews. LSC received five Federal Register comments on the 2012-2016 Strategic Plan. Corner Alliance hosted two webinars as part of the effort to elicit comprehensive input into the Strategic Plan update. Finally, LSC received six Federal Register comments on the final draft of this Strategic Plan.



Overall, the respondents voiced consensus that the 2012 – 2016 LSC Strategic Plan outlines the right priorities for the organization. Many respondents commended LSC for its commitment to equal access to high quality justice for low-income Americans. Most recommended changes for the 2017 – 2020

Strategic Plan focused on incorporating the progress made towards achieving the current goals, such as incorporating LSC's Performance Criteria into comprehensive outcome-measures that will facilitate the sharing of best practices among grantees. Other recommendations included adding an emphasis on the use of technology to improve service delivery to clients. Many respondents also expressed appreciation for the role of LSC as a convener and the need to leverage strategic partnerships to raise awareness of the need for and value of legal aid.

After the findings were organized into themes in March of 2016, the information was presented to the LSC Board of Directors at its April 2016 meeting for their guidance and review. At its July 2016 meeting, the Board approved a draft version of the Strategic Plan and ordered a second period of comment in the Federal Register.