

Appalachian Research and Defense Fund of KY, Inc.

AppalReD Legal Aid

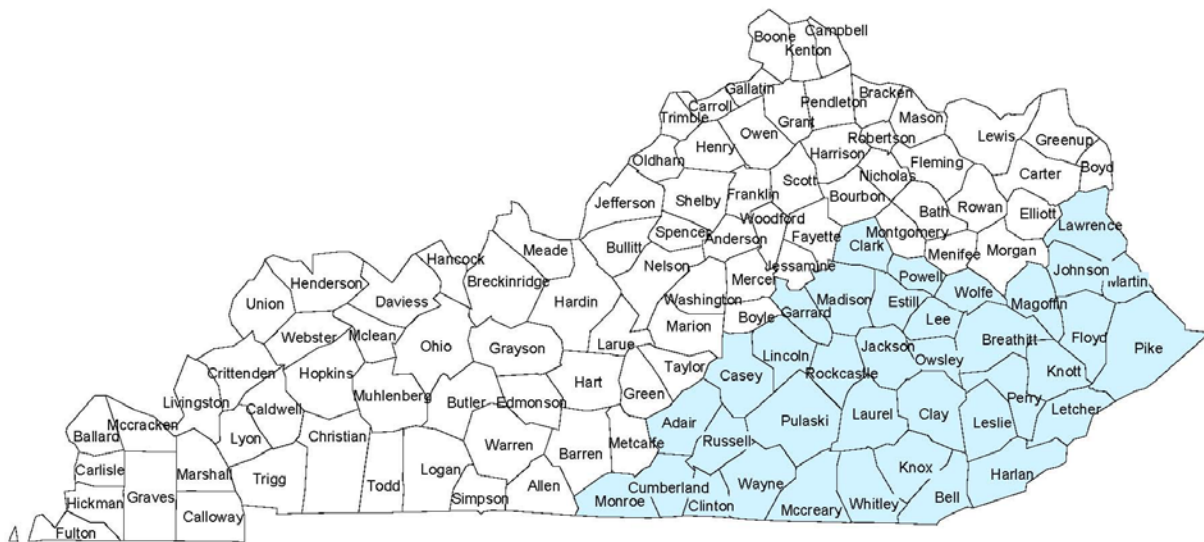
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Appendix to Strategic Plan 2020-2022



LSC

America's Partner
for Equal Justice

LEGAL SERVICES CORPORATION

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Summary of AppalReD's Strategic Planning Committee (SPC) Meeting 3/29/2019

Committee Participants: Dick Cullison, Robert Johns, Kelly Ward Wallen, Mary Going, Carolyn Layne, Joe Lane, Leigh Ann Moore, Betsy Davis, Ellen Johnson, Kristin Alexander

Others: None

Following introductions, the Strategic Planning Committee (SPC) considered AppalReD's mission statement to wit: "To promote equal access to justice, to encourage self-sufficiency, to empower and to improve the lives of low income and other vulnerable people and families in eastern and south central Kentucky by providing them high quality legal assistance."

The SPC reviewed staff and board comments regarding the mission statement as expressed in their responses to the Survey Monkey. (Survey Monkey Responses Attached). Nearly 75% of the Survey Monkey responders stated that the current mission statement was acceptable. The Survey Monkey comments for the most part focused on syntax and clarity rather than on substance.

Upon further review, the SPC discussed whether the statement could be clarified by leading with high quality legal assistance and making it more readable. Some committee members thought that "self-sufficiency" should be stricken as it is an unrealistic goal, while others suggested that it should mention "protecting legal rights, or alleviating human suffering".

This discussion was tabled. Some committee members were asked to send Dick Cullison a draft mission statement to be considered at the next SPC meeting. The SPC will attempt to approve a revised mission statement at its next meeting. It will review this revision at its final meeting. (The proposed revised drafts Dick has received are attached).

Next, Robert Johns reported on the extent to which AppalReD has addressed the issues raised in the Legal Services Corporation's (LSC) Report on its Program Quality Visit of August 14-17, 2017. Most of the recommendations contained in the report have already been implemented (See attached report). There were some recommendations that AppalReD needs to address that do not necessarily need to be addressed by the SPC. These include AppalReD's reviewing and revising its job descriptions and revising its staff evaluation methodology. (Recommendations IV.3.18.1; and IV.3.19.2)

Other LSC recommendations will definitely be considered by the SPC. These include whether cases should be assigned by expertise or geography; where private volunteer services are best deployed; improving its technology; and revising the manner in which AppalReD selects new members for its Board of Directors. (Recommendations III.1.10.2; III.2.11.1 and 2; IV.1.4.4 and 2)

Then, the SPC reviewed the Survey Monkey results in an attempt to determine what its areas of inquiry should be for the planning process. After much discussion, the SPC noted that at least 2/3 of the Survey Monkey responders stated that every topic in the survey was either highly Important or Important. (Summary sheet attached) With the exception of “physical condition of offices”, the SPC decided that it would review every topic contained in the Survey Monkey. The administration will continue working to keep AppalReD’s work spaces attractive and functional.

Finally, the SPC developed a tentative schedule of meetings to consider each of the 14 topics. Each meeting will be at 2:00 PM conducted by video conference. There will be approximately one meeting per month between now and November. The SPC agreed to a tentative schedule (Dick picked the dates after the fact):

- **May 3rd:** Private Attorney Involvement; How can it be improved to meet our clients’ needs? Contracts versus uncompensated; where is the need geographically and substantively; etc.
- **May 24th:** Intake and Extended Service Legal Work: Discussion of counsel and advice and extended service, and ways to improve both; can we provide some help to more applicants, thereby having fewer rejections? Can we come develop ways that more clients can have extended service by coordinating attorney calendars? What do intake personnel and extended servers need that they do not have to make their work more productive? Is there a proper blend or ratio between impact and service work?
- **June 21st:** Legal Work Management: Is AppalReD providing substantially equal access to its services throughout its service area? Should cases be assigned by geography, or expertise, or a mixture? Are AppalReD’s offices in the right locations? Are they staffed appropriately? What is AppalReD’s legal work supervisory structure, and is it effective?
- **July 26th:** Branding, Marketing, Fundraising, Resource Development, and Outreach: First define our terms; then discuss what AppalReD needs to do to improve its branding, marketing fundraising and resource Development? We will hear from an outside consultant regarding these questions. What is the purpose of AppalReD’s doing more targeted outreach? Should AppalReD create an annual outreach plan with measurable outcomes?
- **August 23rd:** Budget Planning, Salary Administration, Technology, What is AppalReD’s budgeting philosophy? How much carryover is necessary? Should AppalReD continue to increase its salaries even if it means getting smaller? Of

the wide array of technology tools available to AppalReD staff, how many are actually using them to their potential? What is AppalReD staffs' wish list? We will conduct another Survey Monkey to assist us in answering these questions.

- **September 20th:** Examine LSC Performance Criteria to determine the extent of AppalReD's adherence to them. Examine the role of AppalReD's Board of Directors in exercising oversight responsibility, including methods for recruiting new board members.
- **October 16th:** Clear up any loose ends; finalize mission statement; discuss what will be in the draft SP.
- **November 1st:** No meeting. Dick will circulate a draft Strategic Plan to the SPC, staff and Board for comments.
- **November 15th:** After reviewing the comments and incorporating them where appropriate, Dick will circulate a proposed final draft that will be submitted to the full Board at its December meeting.

Prepared by Dick Cullison

Strategic Planning 2019 Survey Monkey Responses

February 2019



Q1

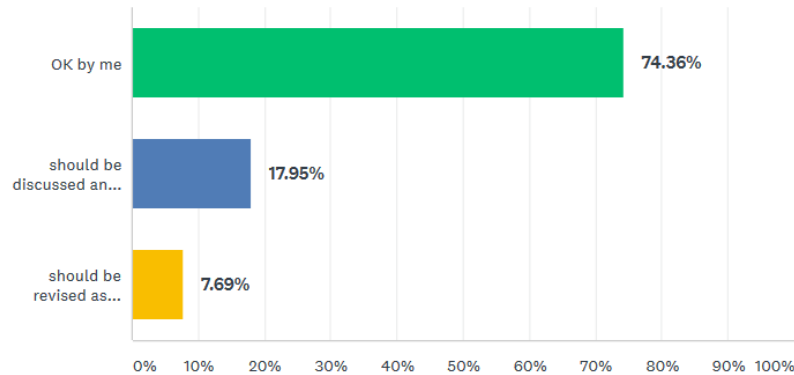


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AppalReD's Mission: To promote equal access to justice, to encourage self-sufficiency, to empower and to improve the lives of low income and other vulnerable people and families in eastern and south central Kentucky by providing them high quality legal assistance. The mission statement is:

Answered: 39 Skipped: 0



ANSWER CHOICES ▼	RESPONSES ▼
▼ OK by me	74.36% 29
▼ should be discussed and possibly revised	17.95% 7
▼ should be revised as stated in the space below	7.69% 3
TOTAL	39

Comments: 5 Responses

1. Sounds spot-on.
2. Our mission statement is good- but I think it could "flow" better. AppalReD Legal Aid - through its board, management, and staff - helps low-income, elderly, and other disadvantaged people of Eastern Kentucky obtain justice and empowerment through advocacy and high-quality legal assistance.
3. To help low income and elderly people in eastern and south central Kentucky by providing civil legal services, ensuring equal access to justice, and removing legal barriers to economic opportunity.
4. I think providing high quality legal assistance should be in the beginning of the mission statement instead of at the end

5. My only quibble is with the word "empower"; "to empower . . . the lives" (as opposed to empower individuals) doesn't really make sense. Ie., you empower people, not their "lives"

Q2. Please name 3 strengths of AppalReD.

Strengths Line 1:

1. Service to victims of DV
2. Caring
3. Allowing for people's concerns to be heard
4. The leadership
5. knowledgeable and dedicated staff
6. professionalism
7. Helps with many different kinds of legal problems.
8. great employees!
9. Long history of service by legal aid standards to Appalachia
10. We listen
11. Qualified attorneys
12. Budgeting
13. Program leadership
14. the staff
15. commitment to clients
16. leadership of the ED
17. Qualified Leader
18. Helping clients
19. Caring and hardworking staff
20. legal staff
21. Always ready to assist those in need
22. Staff
23. Compassion
24. Making the most with limited financial resources. Meaning, the staff, attorneys, and administration stretch every dollar to provide highest quality legal counsel and services to the maximum number of people.
25. Committed Employees
26. Great leadership
27. Experience & expertise.
28. Dedicated and Compassionate Staff
29. strong advocacy
30. Personable
31. Our ability to protect victims of domestic violence when they are in need of our services.
32. effective leadership
33. Compassion of staff/attorneys
34. Quality of service

- 35. staff
- 36. commitment to low-income persons
- 37. high quality legal representation
- 38. Understanding clients
- 39. Mission

Strengths Line 2:

- 1. Provision of extensive services in general, in comparison to other legal aid programs
- 2. Affordable
- 3. Providing free needed legal assistance
- 4. The staff
- 5. Understanding of our clients needs
- 6. Helps low income people.
- 7. Supportive supervisors and leadership
- 8. Broad range of legal services offered
- 9. We try to help as many as possible
- 10. Service provided
- 11. Office locations
- 12. Committed staff and board
- 13. Communication amongst staff
- 14. Accessibility and capability of the Admin staff
- 15. Experienced Staff
- 16. Experience of Staff
- 17. The ability to keep staff well trained
- 18. Executive director
- 19. Assist with a range of cases
- 20. Willingness to help
- 21. Integrity
- 22. Looking beyond today to find additional avenues and areas to provide services. I.e. . .
Obtaining glasses and dental work or domestic violence survivors.
- 23. Longevity and Overall Positive Reputation
- 24. Strategic Planning
- 25. Efficiency of case handline
- 26. In-House (and out of house) Training for Staff
- 27. Caring staff
- 28. Fights for the poor
- 29. Our ability to serve the underserved population in our area who would usually not
be able to afford an attorney.
- 30. Staff
- 31. Non-judgmental staff/attorneys
- 32. Strength of staff and attorneys
- 33. History
- 34. Longevity
- 35. Experienced staff
- 36. VLAK

37. Staff & Volunteers

Strengths Line 3:

1. Knowledgeable and hard working
2. Helping protect victims
3. Equal justice for our clients
4. Helps in many different counties
5. Sick/vacation benefits & family friendly employer
6. Willingness to litigate cases instead of pressuring clients to settle
7. We aren't afraid to appeal when necessary to attempt change
8. Quality of support staff
9. Accountability
10. High quality legal work
11. Service areas of law
12. Overall morale
13. Cash Reserves
14. N/A
15. Involvement in the community
16. All staff are wonderful to work with
17. Welcoming atmosphere
18. High standards
19. Constantly growing in technology and improving facilities
20. Excellent executive leadership
21. Community partners
22. Community involvement
23. Good allocation of resources
24. Good representation
25. Our ability to be a major part of the communities we serve by representing people in those communities.
26. Transparency
27. Recognizing the great need of the area for its services
28. Clients
29. Strength of management
30. Recognition in legal community
31. Helping others
32. Financial stability

Q3. Please name 3 weaknesses of AppalReD that you would like to see improved.

Weaknesses line 1:

1. Cohesive attorney training planning
2. Not enough lawyers for service area
3. Attorneys are overloaded with cases.
4. Awareness / Marketing

5. we need more attorneys
6. more attorneys
7. n/a
8. low hourly rate (although the recent raises have helped this some)
9. Limited outreach efforts
10. Decreased case load
11. Underfunded
12. Training
13. Offices not connected enough especially on legal work (addition of director of advocacy should help)
14. keeping competent personell
15. need for more attorneys/staff
16. local Bar support
17. VLAK
18. Outreach
19. Lack of support from the legal community
20. marketing/branding
21. Coverage area but we cover alot of area
22. Wish we could help more
23. Unity
24. Sometimes, the economic and guideline limitations require deserving applicants to be turned away. Everyone cannot be served, but we do have those that have to be turned down. . .
25. Efficiency
26. increased revenue streams
27. Diversity
28. Non-diverse funding base
29. diversity of funding
30. Accept more child cases
31. I would like to see more attorneys hired so that we can reach more underserved clients.
32. offices going off intake
33. Richmond office is not very accessible. We do have a ramp to the door from the sidewalk. However, there is no way to get up to the sidewalk from the street when the person is in a wheelchair or walker. Our restroom is also not very accessible.
34. too much bureaucracy
35. need for more communications of successes
36. need more diversity in case types
37. low salaries
38. Limited staffing
39. Service Area

Weaknesses line 2:

1. Staff retention
2. Na

3. more private attorney involvement
4. n/a
5. More pro se clinics and other types of do it yourself forms would empower many more people to be able to handle legal problems on their own
6. Difficulty retaining staff
7. Accepting clients who are difficult to work with and don't cooperate in their representation
8. Limited caseload
9. Fundraising
10. Too much emphasis on volume of cases and not enough focus on impact
11. Board Involvement
12. N/A
13. Resistance to working on cases outside one's comfort zone
14. resource development/fund raising
15. short staffed in some offices
16. Law firm identity
17. We recruit support staff and attorneys within the economic perimeters. Wish we could get a super sponsor, ie. . . Bill Gates or Warren Buffett who fund AIDS and Mosquito projects and laptops for middle school students, have a somebody approach them for major sponsorship etc
18. Employee Retention
19. private attorney participation
20. Outreach related to underserved issues
21. Inaccessibility (to a certain extent) to clients
22. more staff
23. Accept more domestic cases
24. I would like to see AppalReD increase their social media presence to make the public more aware of our services.
25. This is more of a pet peeve, but it's annoying to have calls roll to Richmond when the person is trying to reach another office where people don't bother to answer the phone.
26. failure to network effectively within each community. Too many people and organizations still don't know who or what Appalred is or does.
27. dependence on LSC funds
28. need to explore and serve special populations
29. outdated KEMPS
30. Outreach
31. Engagement with law schools

Weaknesses line 3:

1. Development of non-LSC funding resources
2. Na
3. more outreach to the public
4. n/a
5. Limited hours means the working poor have less access to justice at AppalReD

6. Giving too many chances
7. Private Attorney Participation
8. Technology
9. More administrative staff may be needed to focus on things like development and communications
10. Development and Fundraising
11. N/A
12. need more funding to help more clients
13. Professional appearance
14. Have more info meet and greets within the service area to let population understand what ARDF is and oes. . . .
15. Practice areas besides consumer law
16. board investment
17. Staff turnover
18. better salaries for support staff
19. Accept adoption cases
20. I would like to have more training for staff in using our case management software to its full potential.
21. At least 50% of the calls we receive are from people who want a simple divorce. Which is understandable when our brochure plainly states that we handle divorces. That frustrates people.
22. failure to serve underserved areas within our service area
23. not enough connection to legal powerbrokers (law firm partners, judges, professors, etc.)
24. need to reach more remote counties
25. bureaucracy can be burdensome
26. More training

Q4. Please list 3 threats or barriers facing AppalReD in fulfilling its mission.

Line 1:

1. Funding
2. Not enough lawyers
3. Not enough attorneys.
4. Rural Area
5. funding
6. funding and outreach to public
7. n/a
8. funding/lack of resources
9. Heavy reliance on LSC grant revenue
10. Large case load
11. Funding
12. Funding
13. Lack of urban centers and wealth in region makes development and fundraising challenging

14. funding
15. funding
16. funding is always a concern
17. Funding Cuts
18. Not reaching certain areas
19. People assuming we provide low quality representation because we provide a free service
20. inability to reach those in need
21. Government
22. Funding
23. Resistance to/fear of change
24. Unguarded political whims of the uber rich where continued funding is at risk
25. Funding
26. funding
27. Funding and resources
28. Inconsistent funding
29. funding
30. Funding
31. We are sometimes not able to serve all of those who need our services due to high caseloads or not enough resources to provide services.
32. dependance on LSC funding
33. Funding is always a threat, but it seems like AppalReD has effective lobbyists
34. Clients' transportation and communication issues
35. distance from offices to clients
36. chronic instability of federal funding
37. political climate
38. Distance to some counties that offices serve
39. Staffing Level

Line 2:

1. Rural/hard-to-reach areas
2. Not enough funding
3. need for more attorneys
4. n/a
5. lack of community knowledge about our organization, what we do, and how important it is in the lives of our clients
6. Availability of training opportunities
7. Not always understanding how community organizations can further help our clients to provide holistic representation and assistance
8. Funding
9. Staffing
10. Serving the western part of our service area with just one office
11. more intakes than staff to handle cases
12. Increased Regulations by LSC
13. Monitoring New Staff

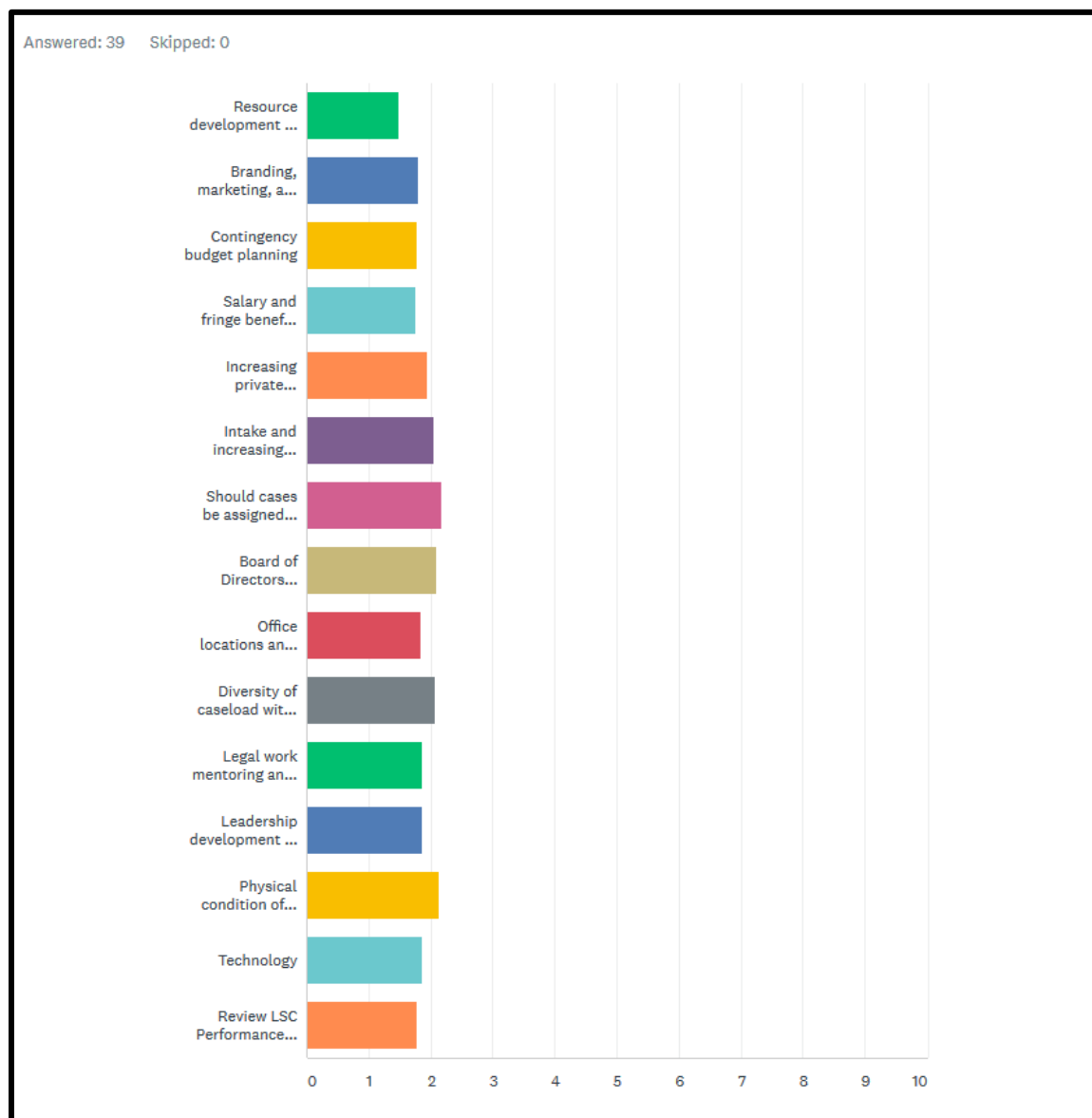
14. Lack of support from the legal community (this is a repeat)
15. federal funding fluidity
16. Negative feedback from clients we couldn't assist
17. Staff leaving for higher pay
18. Disconnect between parts of firm
19. The need to expand the areas to receive services. Where tough choices and decisions require not accepting one client or accepting one and turning away another.
20. Employee turnover
21. private attorney participation lacking
22. Lack of support by some of the private bar
23. Lack of good applicants for vacant positions
24. lack of public transportation
25. Staffing
26. Sometimes people in our communities are not aware of the services we offer so they don't realize we are here to help them.
27. It seems to me that we need more attorneys who handle financial law.
28. Hostility in certain political circles from leaders who continue to think that poor people should not have representation
29. loss or decrease in government grants
30. minimal participation by private bar
31. funding
32. Funding
33. Geography

Line 3:

1. Barriers to client cooperation, like transportation and telephone # and address stability
2. Client transportation
3. underserved areas
4. n/a
5. lower pay makes it more of a challenge to attract and keep high quality employees
6. Staff turnover
7. Funding
8. Remote Service Areas
9. Lack of support from the private bar including financial and willingness to take cases
10. Opioid Crisis
11. N/A
12. Stability of the government
13. Common goals
14. Having to limit the physical perimeters of the area served, resulting in the extreme outer barriers receiving limited areas of service
15. Client Transportation to Offices
16. not enough attorneys/staff for all counties
17. sufficient staffing for all offices

18. cavalier attitudes toward domestic violence
19. Access to services
20. Limitations in funding sometimes make us unable to serve all of the clients we would like to.
21. Continuous threats of abolition of LSC and cuts to federal funding
22. potentially losing key staff
23. lack of public transportation in the most rural areas
24. burnout
25. Limited staff
26. Budget constraints & funding

Q5. Please rate the following topics as to their importance for the strategic planning committee to consider.



	HIGHLY IMPORTANT, URGENT	IMPORTANT	RELATIVELY UNIMPORTANT, ONLY IF THERE IS TIME	NOT IMPORTANT, FORGET ABOUT IT	TOTAL	WEIGHTED AVERAGE
▼ Resource development and fundraising	51.28% 20	48.72% 19	0.00% 0	0.00% 0	39	1.49
▼ Salary and fringe benefit analysis	28.95% 11	65.79% 25	5.26% 2	0.00% 0	38	1.76
▼ Contingency budget planning	35.90% 14	51.28% 20	12.82% 5	0.00% 0	39	1.77
▼ Review LSC Performance Criteria as revised	38.46% 15	48.72% 19	10.26% 4	2.56% 1	39	1.77
▼ Branding, marketing, and outreach	33.33% 13	53.85% 21	12.82% 5	0.00% 0	39	1.79
▼ Office locations and staffing patterns	35.90% 14	43.59% 17	20.51% 8	0.00% 0	39	1.85
▼ Legal work mentoring and oversight	25.64% 10	64.10% 25	7.69% 3	2.56% 1	39	1.87
▼ Leadership development and succession planning for key positions	30.77% 12	51.28% 20	17.95% 7	0.00% 0	39	1.87
▼ Technology	33.33% 13	48.72% 19	15.38% 6	2.56% 1	39	1.87
▼ Increasing private attorney involvement	23.68% 9	57.89% 22	18.42% 7	0.00% 0	38	1.95
▼ Intake and increasing counsel and advice cases	20.51% 8	53.85% 21	25.64% 10	0.00% 0	39	2.05
▼ Diversity of caseload within priority areas	17.95% 7	56.41% 22	25.64% 10	0.00% 0	39	2.08
▼ Board of Directors oversight and accountability	20.51% 8	51.28% 20	25.64% 10	2.56% 1	39	2.10
▼ Physical condition of offices	18.42% 7	55.26% 21	21.05% 8	5.26% 2	38	2.13
▼ Should cases be assigned based upon expertise rather than geography?	20.51% 8	46.15% 18	28.21% 11	5.13% 2	39	2.18

Q6. Please list any topics not noted in the previous question that you would like the strategic planning committee to consider.

1. None
2. None
3. N/A
4. You covered more than I thought of.
5. N/A
6. none
7. n/a
8. Branding, marketing, and outreach are essential to resource development and the continued funding of legal aid.
9. Consider whether there is there a meaningful nonretaliation policy for reporting material problems or only a policy statement that says there is a nonretaliation policy.
10. N/A
11. None
12. N/A
13. Volume vs. impact
14. Can't think of anything
15. n/a
16. n/a
17. None
18. N/A
19. None
20. none
21. N/A
22. I think all is covered
23. New evaluation system Training standards for all new staff Mentoring
24. Expanding legal services to veterans, and also providing information meet and greets to inform the public as to 'how ARDF' can help population at large
25. Efficiency of Admin processes
26. Targeted outreach to low served counties with a way to measure success of outreach efforts
27. N/A
28. Intensive Basic Skills Training for New Attorneys
29. I don't have any other topics.
30. More diversified cases
31. These topics covered all relevant topics in my opinion.
32. I can't think of any.
33. need to expand services into under-served areas. Discussion of how to do that preferably with qualified staff within the program
34. N/A

Q7. Please make any other comment that you think is pertinent to the strategic planning effort.

1. I marked that the assigning cases by expertise is highly important. Not because I think that definitely needs to be done, but because it is important to consider it. Due to the physical size of our service area, though, I think there will always have to be some element of assignment by geography.
2. None
3. N/A
4. Keep up the good work.
5. N/A
6. none
7. n/a
8. .
9. Questions 8 and 9 will probably have a chilling effect on responses to other questions.
10. N/A
11. None
12. N/A
13. None
14. have none
15. n/a
16. n/a
17. None
18. N/A
19. None
20. none
21. N/A
22. I highly agree on getting private attorneys more involved
23. Allocate staff based upon caseload????
24. Understand there are areas that require priority over others, but expanding new developing areas might provide services to the 'forgotten, thrown away, and left behinds'...
25. None
26. None
27. N/A
28. We have a great program, with a wonderful history.
29. No other comment.
30. Domestic cases need more priority.
31. No further comments.
32. I can't think of any.
33. N/A
34. Mobile technology needs to be a focus to better serve our clients.

Q8

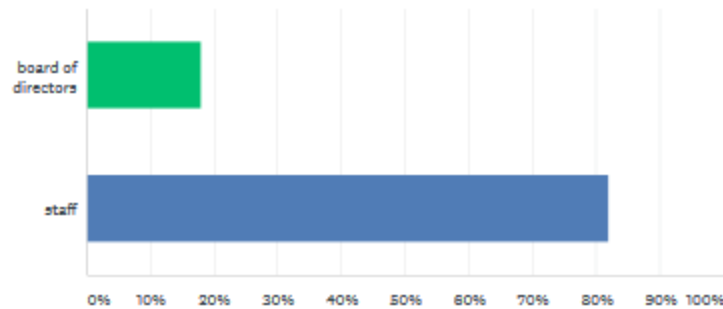


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I am a member of:

Answered: 39 Skipped: 0



ANSWER CHOICES	RESPONSES	
▼ board of directors	17.95%	7
▼ staff	82.05%	32
TOTAL		39

Q9

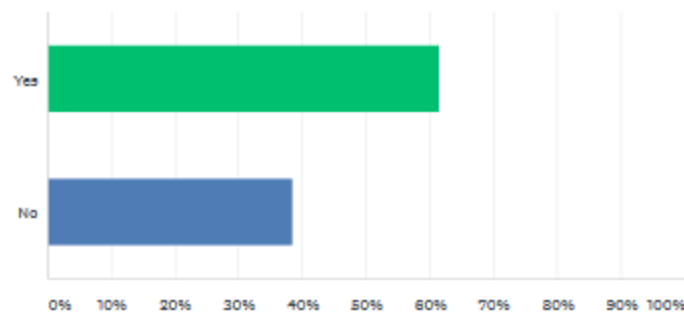


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I am a lawyer:

Answered: 39 Skipped: 0



ANSWER CHOICES	RESPONSES	
▼ Yes	61.54%	24
▼ No	38.46%	15
TOTAL		39

- AppalRed Legal Aid, through high quality legal assistances promotes equal access to Justice and encourages stability to improve the lives for low income and other vulnerable individuals and their families throughout eastern and south central Kentucky.
- To improve the lives of low-income and other vulnerable people and families by providing high quality legal assistance that protects their rights and promotes equal justice, empowerment, and access to the basic necessities of life.
- To provide high quality legal advocacy and legal resources to vulnerable populations in Eastern and South Central Kentucky in order to deliver an equal access to justice, as well as promote stability and empowerment, in the lives of Kentucky's underserved individuals and families.
- Our mission is to provide high-quality legal representation to the poor, the elderly, and the unprotected in the heart of Appalachia, clearing a path through the mountains for a community where justice and dignity are afforded to all.

RECOMMENDATIONS FROM 2017 LSC PQV

- Recommendation I.1.1.1*AppalReD should analyze its needs assessment thoroughly and incorporate its conclusions into the future service delivery.

Completed.

- Recommendation I.2.2.1 AppalReD should continue to execute the objectives identified in the strategic plan, and analyze the success of each with an eye on the next strategic plan.

Completed.

- Recommendation II.1.4.1: AppalReD should continue to explore improvements to its Central Intake Unit and incorporate them as possible, such as non-working hour intake and adaptation of the CMS for online intake applications.

Completed. We regularly review Central Intake operations at directing attorney meetings and during regular discussions between the Central Intake directing attorney and the executive director. We are currently working on being able to export data to Kemp's from the online application. We now have two full-time intake paralegals.

- Recommendation II.1.5.1*: The update of the intake manual is an important goal that should be completed with diligence, and the manual should include guidance to help determine which types of cases receive limited versus extended service, workflow as it relates to routing of particular types of intakes, types of case which can be designated for PAI, and intake adjustment based on communication with branch offices.

Completed.

- Recommendation II.2.7.1*: AppalReD should develop a vision and plan for outreach to guide its efforts at branding and at extending its reach throughout the service area, and should continue with projects akin to the video presentation.

Completed. We are currently implementing an outreach plan to try to increase awareness about AppalReD Legal Aid and all the legal areas we handle. We continue our efforts at branding as AppalReD Legal Aid, and we recently filed a certificate of assumed name with the Secretary of State for the use of "AppalReD Legal Aid".

- Recommendation III.1.10.1*: The firm should develop manuals with guidelines and procedures for case management, case acceptance, and supervision.

Completed.

- Recommendation III.1.10.2: The legal work management team should consider whether attorneys should be generalists or be aligned in work groups/units and should weigh the relative strengths and weakness of each. Any decisions should then be incorporated into the case management manual.

This will be explored during the new strategic planning process.

- Recommendation III.1.10.3: The firm should hire a director of advocacy as soon as funds permit.

Completed.

- Recommendation III.2.11.1*: AppalReD should study its needs assessment and the geographic dispersal of its client population, then determine where it can best deploy PAI services.

Not completed. We will be starting soon.

- Recommendation III.2.11.2*: AppalReD should thoroughly evaluate its PAI plan and: adopt strategies for recruitment and mentoring of volunteer attorneys; provide limited volunteer access to the CMS for case referral and oversight if possible; if limited access to the CMS is not possible then evaluate referral and oversight methods that would be faster and more reliable than mail; and analyze the personnel requirements necessary to accomplish its PAI goals.

Not completed. We will be starting soon.

- Recommendation III.2.12.1: The firm should continue to explore other ways for volunteers to help expand services, such as the law students, pursuant to 45 CFR § 1614 and the expanded range of potential opportunities included therein.

We plan to continue to look for ways to utilize law students to help us serve our clients.

- Recommendation III.3.13.1 AppalReD should continue to develop pro se services, and explore the use of clinics for other types of services, and while developing these efforts it should devise a mechanism to track outcomes.

We continue to work on expanding our pro se services. We have developed additional pro se packets including a domestic relations answer, a regular civil answer, and a motion for contempt. Our VLAK summer law student clerk will be working on some

other packets. We have expanded the number of pro se divorce clinics we are conducting, and we have organized some expungement clinics. We continue to explore the use of clinics in other legal areas.

- Recommendation IV.1.14.1 The board should create a nominating or recruiting committee, create a profile for potential new members, develop a strategy to fill vacancies, and vet new candidates according to the firm's vision and mission.

Not completed.

- Recommendation IV.1.14.2: The board should analyze its current practices for identifying new members for compliance with 45 CFR § 1607.

Not completed.

- Recommendation IV.1.14.3 The board should continue its training regimen at least once annually.

Completed. The Board has training each year at its December meeting. Every 4 or 5 years, a comprehensive training is presented to the Board. We had one in 2015 presented by Dick Cullison. The next comprehensive board training is scheduled for September 2019 to be presented by Management Information Exchange (MIE).

- Recommendation IV.2.16.1*: AppalReD should develop and adopt a succession plan that addresses potential gaps in leadership at all important administrative and management levels, and for foreseeable and emergency circumstances.

We have drafted a succession plan with input from the Board of Directors. We will be submitting the plan to the Board at its April 6, 2019 meeting.

- Recommendation IV.3.18.1: AppalReD management should seek ways to simplify assignment of responsibilities, to structure job descriptions to best fill organizational needs, and continue to evaluate staffing to promote efficiency and growth. This could be an integral part of the next strategic plan.

Not completed. We may explore this during the new strategic planning process.

- Recommendation IV.3.19.2: AppalReD should continue to refine the staff evaluation procedure, and should consider looking to other legal aid providers for models.

Not completed, but we plan to review and improve our staff evaluation procedure in the future.

- Recommendation IV.4.20.1: AppalReD should continue to explore ways to improve technology, especially broadband connections, cloud computing, and online intake.

Completed. We have improved our technology in various ways. Everyone is using a computer that has been bought within the last 3 years. According to our replacement schedule, we will start replacing computers next year. We now use Microsoft Office 365. We have increased the bandwidth of our internet connections. We will be purchasing second monitors for staff that wants them. The IT director and executive director meet regularly to discuss technology.

- Recommendation IV.7.21.1: AppalReD should incorporate the board into a larger development strategy, and, as resources permit, create a dedicated resource development position.

In 2018, we hired consultant Lee Ellen Martin to do an assessment of our fundraising and development operations. She issued a written report with some good recommendations. We have already incorporated some of them.

Recommendations in this report will have a Roman Numeral to identify the Performance Area, followed by three numbers identifying, respectively, the Criterion addressed by the recommendation, the number of the finding and a number designating whether it is the first, second, third, etc., recommendation under that finding. For example, III.2.14.3 designates Performance Area III, Criterion 2, finding 14, and third recommendation under finding 14. There are two levels of recommendations in this report: Tier One and Tier Two. Recommendations that are indicated with an asterisk are Tier One recommendations and are seen as having a greater impact on program quality and/or program performance. In its next Application or Renewal, the program will be asked to report on its implementation of Tier One recommendations.

	HIGHLY IMPORTANT, URGENT	IMPORTANT	RELATIVELY UNIMPORTANT, ONLY IF THERE IS TIME	NOT IMPORTANT, FORGET ABOUT IT	TOTAL	WEIGHTED AVERAGE
▼ Resource development and fundraising	51.28% 20	48.72% 19	0.00% 0	0.00% 0	39	1.49
▼ Salary and fringe benefit analysis	28.95% 11	65.79% 25	5.26% 2	0.00% 0	38	1.76
▼ Contingency budget planning	35.90% 14	51.28% 20	12.82% 5	0.00% 0	39	1.77
▼ Review LSC Performance Criteria as revised	38.46% 15	48.72% 19	10.26% 4	2.56% 1	39	1.77
▼ Branding, marketing, and outreach	33.33% 13	53.85% 21	12.82% 5	0.00% 0	39	1.79
▼ Office locations and staffing patterns	35.90% 14	43.59% 17	20.51% 8	0.00% 0	39	1.85
▼ Legal work mentoring and oversight	25.64% 10	64.10% 25	7.69% 3	2.56% 1	39	1.87
▼ Leadership development and succession planning for key positions	30.77% 12	51.28% 20	17.95% 7	0.00% 0	39	1.87
▼ Technology	33.33% 13	48.72% 19	15.38% 6	2.56% 1	39	1.87
▼ Increasing private attorney involvement	23.68% 9	57.89% 22	18.42% 7	0.00% 0	38	1.95
▼ Intake and increasing counsel and advice cases	20.51% 8	53.85% 21	25.64% 10	0.00% 0	39	2.05
▼ Diversity of caseload within priority areas	17.95% 7	56.41% 22	25.64% 10	0.00% 0	39	2.08
▼ Board of Directors oversight and accountability	20.51% 8	51.28% 20	25.64% 10	2.56% 1	39	2.10
▼ Physical condition of offices	18.42% 7	55.26% 21	21.05% 8	5.26% 2	38	2.13
▼ Should cases be assigned based upon expertise rather than geography?	20.51% 8	46.15% 18	28.21% 11	5.13% 2	39	2.18

Summary of AppalReD's Strategic Planning Committee (SPC) Meeting 5/03/2019

Committee Participants: Dick Cullison, Robert Johns, Mary Going, Carolyn Layne, Joe Lane, Betsy Davis, Ellen Johnson, Kristin Alexander

Others: None

The first item of business was to address AppalReD's mission statement. Because the SPC expressed some dissatisfaction with AppalReD's mission statement at the last meeting, Dick suggested that each office send him a proposed draft of a revised statement that would be considered at the next meeting. He received four such statements:

- AppalReD Legal Aid, through high quality legal assistance promotes equal access to justice and encourages stability to improve the lives for low income and other vulnerable individuals and their families throughout eastern and south central Kentucky.
- To improve the lives of low-income and other vulnerable people and families by providing high quality legal assistance that protects their rights and promotes equal justice, empowerment, and access to the basic necessities of life.
- To provide high quality legal advocacy and legal resources to vulnerable populations in Eastern and South Central Kentucky in order to deliver an equal access to justice, as well as promote stability and empowerment, in the lives of Kentucky's underserved individuals and families Kentucky's underserved individuals and families.
- Our mission is to provide high-quality legal representation to the poor, the elderly, and the unprotected in the heart of Appalachia, clearing a path through the mountains for a community where justice and dignity are afforded to all.

The SPC thought that the fourth statement provided a good framework for a vision statement should AppalReD elect to adopt one. After some discussion as to whether the word "empowerment" might be misinterpreted, by consensus, the SPC adopted the following as a tentative new AppalReD mission statement. It is basically a composite of the four drafts. This decision will be revisited at the SPC's last meeting:

- **AppalReD Legal Aid's mission is to provide high quality legal services to low-income, elderly and other vulnerable people to empower them by securing their basic necessities of life, stabilizing their families, protecting their legal rights, providing access to the justice system, and improving their lives.**

Next the SPC reviewed AppalReD's use of private attorneys to deliver civil legal services to its clients. It reviewed 45 CFR part 1614 on the LSC requirement that an amount equivalent to 12.5% of its basic field grant (some \$222,000) be spent annually for this purpose. AppalReD's audit demonstrated that it is spending in excess of the LSC 12.5% PAI requirement, some \$237,000 in 2017 (15.5% of basic field grant and \$304,000 (17.4% of basic field grant) in 2018. At first glance these amounts seemed excessive; however much of it is attributable to overhead that would be spent in any event.

Mary Going, AppalReD's Pro Bono Coordinator reported on last year's PAI effort. (Reports attached). In 2018 AppalReD closed 85 extended service cases (mostly divorce, custody, and bankruptcy) and 205 advice or brief service cases (mostly pro se divorce clinics and advice cases delivered by an intake contract attorney). There were 111 cases referred last year to private lawyers for extended service work. These amounts represent about 9% of AppalReD's total cases, which is about what AppalReD's percentage of PAI cases has been through the years. It was higher than this in recent years because of the extraordinary effort of the private bar in taking Social Security Cases arising from the Eric Conn fiasco.

The average cost per case was somewhat less than for staff cases. On the other hand, staff cases were 44% extended services while PAI cases were 29% extended service. On balance, however, the SPC believed that the PAI effort was reasonably cost effective, but there was a strong sense that AppalReD should try to improve and enhance its PAI effort.

Mary noted that last year, 22 private attorneys took PAI cases but only 4 took them pro bono. These 4 attorneys accepted 16 cases pro bono, a yeoman's effort. More than 85% of the extended service PAI cases were handled by contract attorneys. Under 45 CFR Part 1614 this is permissible as long as the compensation is less than 50% of market. AppalReD's contract attorney rate of \$60 per hour meets this requirement.

Mary noted that the 2 ½ year effort to establish pro se divorce clinics has been quite successful, with a high percentage of those filing pro se receiving a decree dissolution of their marriage. On the other hand, recent efforts to attract more pro bono or contract attorneys have not been successful. Last year 300 lawyers were solicited via email to participate in AppalReD's PAI effort. Only 4 responded. There was some discussion as to why pro bono participation is down. One theory is that the pro se clinics siphon off cases that have historically been handled pro bono or on a contract basis and that some lawyers are resentful of this.

There was some discussion to the effect that AppalReD could give up on pro bono by just using the few lawyers who were easy to recruit. It could then focus on running as efficient a contract system as possible without the pro bono recruiting distraction. This view was not accepted. Rather the SPC believed that lawyers should be afforded a wide array of options in fulfilling the aspirational goal of SCR 6.1 (A lawyer performs 50 hours of donated legal services annually).

There was consensus that, over a two to three year period, AppalReD should develop and implement an aggressive pro bono recruitment plan. Elements of the plan could include: 1). Each attorney member of AppalReD's Board of Directors taking 2 pro bono cases per year; 2). At the end of the first year, each pro bono attorney would be asked to recruit a new pro bono attorney. (The theory is that the best recruiting method is a face to face ask from a peer) 3). AppalReD will attempt to refer pro bono cases in new substantive areas such as consumer or housing; 4). Members of the staff will try to recruit pro bono attorneys; 5). Staff attorneys will attempt to recruit an attorney in distant counties they serve to stand in for them on perfunctory court motions. (Staff attorneys should report what they are already doing in this regard to determine whether it can be counted as a permissible PAI activity. (Even if such activities are not countable, they are still useful in improving AppalReD's overall efficiency). 6). Surveying former pro bono lawyers to determine what the barriers are to their "reenlisting."

The SPC did not determine whether the PAI recruitment plan would be finalized by the SPC or by a separate committee, but the goal was set to increase the number of pro bono attorneys from 4 to 25 within a three year period. Of course, the 25 is to be regarded as a goal not a ceiling.

Next the SPC examined the cases closed by PAI and staff county by county to determine whether potential clients in each of AppalReD's counties have substantially equal access to its services. It was obvious that counties far from an AppalReD office were underserved and that a relatively high percentage of AppalReD's clients were served in a county where it has an office. (Chart attached).

LSC recommended that AppalReD consider ways its PAI program could level out its services throughout its service area (LSC Office of Program Performance Final Report for Program Quality Visit August 14-17, 2017 Recommendation III.2.11.1). The SPC regarded this suggestion as not realistic since PAI cases account for fewer than 10% of those AppalReD closes in a given year, and there will need to be a significant increase in the number of cases closed in smaller counties if AppalReD is going to be more nearly proportionate in cases closed compared to poverty population county by county. Of course, if AppalReD is able to recruit more contract attorneys in its smaller counties that would be a plus. There was discussion on how AppalReD might do more outreach to "underserved counties" to attract more clients. There was consensus that AppalReD should do more to serve clients in smaller counties, but no one wanted the price to be turning more applicants away in larger counties.

Because this topic is so complex and because it goes beyond a PAI discussion, it was tabled for the next meeting.

The SPC agreed that the next meeting May 24, 2019 will address the topics originally set for June 21st:

- *Legal Work Management: Is AppalReD providing substantially equal access to its services throughout its service area? Should cases be assigned by geography or expertise or a mixture? Are AppalReD's offices in the right*

locations? Are they staffed appropriately? What is AppalReD's legal work supervisory structure, and it functioning appropriately?

The June 21st meeting will address the topics originally set for May 24th:

- *Intake and Extended Service Legal Work: Discussion of counsel and advice and extended service, and ways to improve both, can we provide some help to more applicants, thereby having fewer rejections? Can we develop ways that more clients have extended service by coordinating attorney calendars? What do intake personnel and extended servicers need that they do not to make their work more productive? Is there a proper blend or ratio between impact and service work?*

Due to a variety of schedule conflicts, the SPC meeting schedule was amended so that the meeting originally set for September 20th will now be on October 11, and the meeting set for October 16th will now be on October 18th.

Respectfully submitted,

Richard A. Cullison
SPC Facilitator
5/7/2019

VLAK Summary
Based on 2018 data

1. PAI extended service cases in 2018

- In 2018, 111 extended service cases were placed with 22 attorneys in 30 counties
- 31 of these cases were custody, 48 were divorce, and 32 were Chapter 7 bankruptcy
- All were prescreened and referred to VLAK from Central Intake
- At any given time VLAK has about 110 open extended service cases; approximately 25% of these are pro bono and the remainder are contract cases.
- We have started tracking the counties and case types where cases referred to VLAK were unable to be placed for lack of an available PAI attorney

2. Recruitment

- In the fall of 2018 a recruitment letter was sent to more than 300 attorneys throughout the 37-county service area, asking for volunteers with extended service cases, pro se clinics, and mentoring of other attorneys
- Approximately four volunteer applications were received as a result of this recruitment effort

3. Pro Se Clinics

- Since the fall of 2016 we have conducted pro se clinics for uncontested divorces, for couples with and without children of the marriages
- We conducted one wills clinic in a nursing home, which was successful
- We conducted several information sessions in senior centers about POA's and living wills
- All of these clinics and sessions were conducted with the assistance of law students (most recently from Notre Dame and UC Berkeley) and (a few) PAI attorneys (as well as assistance from AppalReD staff attorneys and notaries)
- In 2018, VLAK conducted six clinics in five cities (Prestonsburg, Hazard, Somerset, Barbourville and Richmond)
- 94 clients attended these clinics and completed divorce documents
- Of these 4 ended up hiring attorneys rather than filing pro se
- 61 filed pro se (65% of attendees)
- Of those who filed, 45 have received decrees (74% of those who have filed)
- Of those without decrees yet, 1 had a service problem, 1 a "defective order", 2 had reduced filing fees ordered, and one had the IFP denied; the remainder are pending
- Two problematic issues identified with the clinic have to do with consistency throughout the court system in the service area (i.e. differences in whether bond paper is required for the VS-300 and local differences in requirements for filing various documents)

4. Pro Se Forms on AppalReD website

- Several pro se forms have been drafted and made available on the AppalReD website: divorce packets, a Motion for Default Judgment, a Motion for Contempt, and an Answer
- Links to AOC forms (Summons, Name Change, Notice of Relocation, and Power of Attorney for Medical or School Reasons have been added to the site.

5. Case Management

- A spreadsheet is being developed to track the progress of extended service cases, to identify delays and offer assistance
- Case Update forms are emailed to PAI attorneys every 90 days (there is some difficulty in getting these returned)
- Case progress is also tracked through CourtNet searches

6. VLAK Newsletter
 - A VLAK e-newsletter is published twice a year
7. "Conn 2.0"
 - Referrals of all clients for the second round of Eric C. Conn hearings were processed through VLAK
 - 413 referrals were processed
 - Of these, 210 were distributed in-house to all AppalReD offices
 - 203 were referred pro bono to volunteer attorneys throughout the country
8. Mentoring
 - VLAK needs to develop a system to mentor and assist its PAI attorneys

From: [Robert Johns](#)
To: [Lorie Elam](#)
Subject: FW: [EXT] additional PAI information for Strategic Planning
Date: Monday, April 29, 2019 11:13:48 AM

For SPC.

From: Dick Cullison <DickC@lablaw.org>
Sent: Monday, April 29, 2019 11:08 AM
To: Lorie Elam <lorief@ardfky.org>; Robert Johns <robertj@ardfky.org>
Subject: Fwd: [EXT] additional PAI information for Strategic Planning

Please add to doc meeting materials subject to Rob's approval.
Sent from my iPhone

Begin forwarded message:

From: Mary Going <maryg@ardfky.org>
Date: April 29, 2019 at 10:23:47 AM EDT
To: Dick Cullison <DickC@lablaw.org>
Subject: RE: [EXT] additional PAI information for Strategic Planning

4 lawyers took at least one pro bono extended service case.

From: Dick Cullison <DickC@lablaw.org>
Sent: Monday, April 29, 2019 10:21 AM
To: Mary Going <maryg@ardfky.org>
Subject: Re: [EXT] additional PAI information for Strategic Planning

Thanks Mary; how many lawyers took at least one pro bono extended service case?

Sent from my iPhone

On Apr 29, 2019, at 10:06 AM, Mary Going <maryg@ardfky.org> wrote:

Re: our conversation, I have the following additional numbers:

- During 2018, 95 cases were placed PBI (contract); 16 were placed pro bono
- 3 PAI attorneys took both pro bono and contract cases
- 1 attorney (a Board member) took only pro bono (1 case)
- 22 attorneys took only contract cases
- Of the pro bono cases, 11 were divorce and 5 were custody
- Contract cases were contested divorce (uncontested divorce is now referred to pro se clinics), custody and Chapter 7 bankruptcy

[<image006.png>](#) **Mary Going**

Pro Bono Director

Office: 606.886.9876 Ext: 1315

Fax: 606.886.0079

Email: maryg@ardfky.org

Address: 120 N. Front Avenue, Prestonsburg, KY 41653

Delivering Equal Justice

[<image003.jpg> <image004.jpg> <image005.jpg>](#)

The information contained in this message is privileged confidential and intended only for the use of the above-named individual or entity. If you have received this communication in error, please notify me IMMEDIATELY by telephone or email.

 Dick Cullison

Office: Covington ext. (859) 431-8200 Ext. 230 | Direct:

Fax: (859)431-3009 | DickC@lablaw.org

302 Greenup | Covington, KY 41011

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2018 CLOSED CASES

COUNTY	POV. POP.	PAI		STAFF		
		EXTENDED	ADVICE/ BRIEF	EXTENDED	ADVICE/B RIEF	
			SERVICE		SERVICE	
ADAIR	4,150		4		22	20
BELL	10,438		6	3	6	32
BREATHITT	4,779			1	9	11
CASEY	4,204		3	5	5	14
CLARK	5,364		3	4	29	49
CLAY	8,242			3	6	16
CLINTON	2,042			4	23	5
CUMBERLAND	1,396		2	1	15	14
ESTILL	4,372			3	57	24
FLOYD	11,496		13	14	190	260
GARRARD	3,135				8	15
HARLAN	9,807		3	1	7	25
JACKSON	4,412			4	9	15
JOHNSON	5,558		3	10	84	85
KNOTT	5,115			1	18	25
KNOX	10,904		6	9	36	79
LAUREL	14,736		5	5	17	61
LAWRENCE	3,882		1	2	22	21
LEE	2,196			3	6	7
LESLIE	3,674			3	9	8
LETCHER	7,018		2	2	34	30
LINCOLN	5,810		6	4	7	22
MADISON	17,233			30	137	245
MAGOFFIN	3,656		2	5	42	29
MARTIN	3,628		2	9	25	21
MCCREARY	7,277		1	4	8	14
MONROE	2,502		1		13	11
OWSLEY	1,484				6	2
PERRY	7,160		4	8	61	67
PIKE	16,259		5	13	224	102
POWELL	2,976			3	9	30
PULASKI	16,121		9	36	102	152
ROCKCASTLE	3,531		1	2	14	18
RUSSELL	4,486		3	4	26	19
WAYNE	4,801		2	2	15	16
WHITLEY	9,079		2	3	25	58
WOLFE	2,676		0	0	5	10
TOTALS	235599		85	205	1331	1632
						3253

Committee Participants: Dick Cullison, Robert Johns, Kelly Ward Wallen, Mary Going, Carolyn Layne, Joe Lane, Leigh Ann Moore, Ellen Johnson, Kristin Alexander and Evan Smith

Others: None

A Barrier to Pro Bono Service

Kathy Burke submitted a comment following the circulation of a summary of the SPC's May 3rd meeting. She, in effect, suggested that one barrier to lawyers in AppalReD's service area providing pro bono service is that a study establishes that many lawyers in Appalachia are not earning much. There was discussion that some lawyers may believe that pro bono is a luxury they cannot afford. It was noted that some lawyers in private practice with 5 years of experience are earning about what AppalReD staff attorneys earn. There was consensus that AppalReD's next pro bono recruitment plan should emphasize that pro bono participation can help build a private practice.

Geography vs. Specialization

The SPC considered whether AppalReD should assign cases based upon geography or expertise. In its most recent Program Quality Visit (PQV), LSC encouraged AppalReD to consider this issue: "Recommendation III.1.10.2: *The legal work management team should consider whether attorneys should be generalists or be aligned in work groups/units and should weigh the relative strengths and weakness of each...*" Somewhat ironically, LSC has also recommended that programs that emphasize specialists rather than generalists explore whether their attorneys need to have a wider legal focus so they can serve clients holistically.

Leigh Ann Moore and Ellen Johnson surveyed AppalReD's staff attorneys concerning this issue. Twelve lawyers responded. Four were for specialization, four were for non-specialization, and 4 were in favor of a mix. (Survey Responses Attached)

Those favoring specialization emphasized that if lawyers had a broader depth of knowledge and were responsible for keeping up to date in fewer areas of poverty law, the quality of service to clients would be enhanced. They thought that this improved quality of lawyering was worth the tradeoff of having to travel greater distances to courthouses etc.

Those opposed to more specialization stressed the vastness of the area each office serves. In their opinion, too much of the "specialists" time would be wasted in travel. They also noted that it is difficult to specialize in an office by office approach because a majority of AppalReD's offices have only two or three lawyers.

Those favoring a mixed approach believed that some specialization could be achieved within the offices if each lawyer were responsible for two or three areas of law.

The SPC discussed that in some ways AppalReD's lawyers are already specialized. Some handle family and DV cases almost exclusively; another focuses on foreclosure; another on public benefits etc. However, these developments were somewhat random based in part on the lawyer's preference. It was agreed that consumer, housing, public benefits, and family law including DV prevention were the main areas where specialization might be workable.

The SPC decided that each office should develop a plan whereby cases in each of these areas of poverty law (and perhaps others) should be assigned to lawyers who are well versed in the area. Due to the volume of cases AppalReD handles in family law, most of its lawyers are likely to have family law as one of his/her areas of expertise, but they should also have one or perhaps two other "specialties." In some instances, the plan can allow for lawyers from another office to be responsible for cases in its service area. The SPC thought that bankruptcy cases were particularly well suited for this because it is a complex area lending itself to specialization. It is fully automated, and the bankruptcy courts are not local, but are in larger communities. These "specialty plans" should be submitted to AppalReD administration and reviewed annually.

The SPC believed that Senior Attorneys should develop expertise in one area of poverty law so they may serve as a mentor, coach, or co-counsel for less experienced lawyers who are developing their expertise in that area of poverty law. These mentoring duties should be included in a Senior Attorney's job description so that less experienced advocates will be comfortable seeking assistance.

New AppalReD Legal Work Policies

The SPC considered three AppalReD policies adopted September 22, 2018:

LEGAL SUPERVISION POLICY AND GUIDELINES;

CASE ACCEPTANCE GPOLICYAND PROCEDURE;

CASE MANAGEMENT AND PRACTICE GUIDELINES

Kelly Ward surveyed the Directing Attorneys regarding the Supervision Policy Guidelines and the Case Management Policy and Practice Guidelines. Four of Five Directing Attorneys thought that both these policies were fine as written. One of five thought they needed changing.

The SPC reviewed these two policies in light of LSC's Performance Area Three-Criterion 1-Legal Representation as well as ABA Standards 6.2 on Assignment and

Management of Cases and Workload; 6.3 on Responsibility for the Conduct of Representation; and 6.4 on review of representation.

The SPC determined that these new policies are appropriate. Rather than tinker with them, the SPC thought that AppalReD should focus its effort on making sure that they are followed. E.g. they call for every attorney having a quarterly case review where every open case is examined by a supervisor or a peer. While this is solid practice, it is time consuming. The SPC suggests that the policy be reviewed 18 months from its adoption to ascertain the extent to which it is being followed. If any problems have surfaced in implementing these policies, they can be addressed then. Suffice it to say that currently, the SPC was assured by the AppalReD lawyers on the committee that the policies are being implemented in an appropriate manner and that they are universally regarded as a welcome improvement in legal work oversight.

With respect to the Case “Acceptance Policy and Procedures”, there was discussion concerning whether a group attorney meeting was necessary to decide whether or not a case was to be opened for extended service rather than advice or brief service. Many LSC programs have abandoned that practice for its being too time consuming. The AppalReD lawyers on the committee said that these meetings are short and to the point, and that they were excellent training for new attorneys.

High Quality Legal Work

The SPC determined that these new procedures are designed to assure that AppalReD’s legal representation be “high quality” as required by the LSC Act. This led to a discussion of what constitutes the high quality legal service that AppalReD aspires to deliver.

It was suggested that AppalReD’s clients should receive as good a service as a client paying a private attorney. Some thought that was too low a bar. Absence of malpractice was also regarded as too low a bar since ordinary service must meet that standard of care.

After much discussion, the SPC decided that high quality starts with the initial client contact. Clients and applicants must be treated with dignity and respect. AppalReD personnel should engage in an active dialogue to determine what the clients presenting problem is as well as whether or not the conversation raises other legal issues which AppalReD can address. AppalReD must recognize that the client has the right to define the objective of the representation and to be informed of what strategies AppalReD will employ to achieve the best possible outcome with that objective. AppalReD lawyers should have time and resources to conduct appropriate legal research, engage in discovery, and have resources for litigation costs such as depositions and expert witnesses.

This led to a discussion of whether AppalReD's lawyers were using experts and taking depositions when necessary. It appears that there are funds available for such purposes, but they are seldom tapped. AppalReD's lawyers should be advised as to their availability and be informed about the procedure to requisition them.

Office Configuration and Staffing

The SPC considered whether or not AppalReD's office configuration is appropriate and whether the offices are staffed appropriately. It reviewed a chart (copy attached) which showed that the Barbourville office with three lawyers has 1 for every 21,068 poor people residing in counties within its service area, Hazard has 1 for every 14,492 poor, Prestonsburg 1 for every 9,918, Richmond 1 for every 12,497, and Somerset 1 for every 11,304.

The SPC thought that it was obvious that Barbourville needed at least one and preferably two more lawyers. Tentatively the plan will be for AppalReD to add an attorney there through VOCA funding, and if the LSC budget news is good, add another lawyer there with LSC funding. If two lawyers are added to the Barbourville office, it will have a lawyer for every 12,641 poor people residing in its service area; if one is added it will have 1 for 15,081.

The SPC considered that it is not only the number of poor people residing in an office's service area that should determine how many lawyers are assigned to that office. It is also important to consider how many of the pool of eligible clients actually apply for service. There was discussion that the Richmond office had recently begun handling domestic violence cases that had previously been handled by Legal Aid of the Bluegrass. This increased demand for its services considerably. Leigh Ann Moore reported that she had 9 DV hearings last week. She is in court almost every day. In light of this information, the SPC determined that AppalReD should try to add an attorney funded by VOCA in the Richmond office.

Substantially Equal Access: Underserved Counties

The SPC was concerned that some counties were "underserved." For example, in 2018 AppalReD's Somerset office closed 26 cases in McCreary County (poverty population 7,277) compared to 299 in Pulaski County (poverty population 16,259). Its Barbourville office closed 25 in Clay County (poverty population 8,242) compared to 130 in Knox County (poverty population 10,904). Its Richmond office closed 442 in Madison County (poverty population 17,233) compared to 28 in Jackson County (poverty population 4,412). Its Hazard office closed 140 cases in Perry County (poverty population 7,160) compared to 16 in Lee County (poverty population 2,196).

The SPC is mindful that AppalReD will always close more cases in counties where it has an office than in counties far away from an office, and that efforts to attract more cases in the past from underserved counties have frequently not worked. Nonetheless, it is committed to providing more services in counties that seem grossly underserved.

Its plan to address this issue calls for the Directing Attorney of each office to develop an annual saturation outreach plan for one county within its service area. Outreach efforts might include placing promotional material in every courthouse, social service agency, church, school, and other places where people gather. Perhaps a lawyer could attend motion hour even when he or she does not have a case on the docket for meet and greet purposes. Perhaps once a month AppalReD could perform on site intake somewhere in the target county. AppalReD should reach out to the “powers that be” in the target county to advertise its service, but more importantly to whatever groups of poor people there are in the county.

At the end of the year, the plan should be evaluated to see if the cases are picking up. The next year, the plan could be for the same county or a different underserved one depending upon the analysis. This outreach effort will require considerable effort on the part of the staff, and the burden should be a shared office responsibility and not be relegated exclusively to the lawyer who has been assigned the county.

Office Locations

The previous strategic plan called for AppalReD to analyze its office locations periodically. The SPC continues to believe that given AppalReD’s budget constraints, it has its offices in the right cities. The previous SPC reluctantly agreed that it was acceptable if a county courthouse was within one hour and 15 minutes from the AppalReD office that serves that county. AppalReD is for the most part meeting this goal. Courthouses in Lee and Owsley counties are more than an hour but less than an hour and 15 minutes from the Hazard office. Clinton and Cumberland counties are within an hour and 15 minutes from the Somerset office. Monroe County, however, is an hour and 34 minutes from Somerset. These three counties would have much easier access to AppalReD’s services if AppalReD reopened its Columbia office. The SPC thought that reopening Columbia should be part of a long range plan. Adding lawyers in Barbourville and Richmond should rank higher in priority.

For now, AppalReD should continue exploring whether it can find no cost outpost offices in its most remote counties, similar to what it does in Pikeville. It would also be helpful if AppalReD could recruit a contract attorney in its remotest counties.

Next SPC Meeting

The next SPC meeting is Friday June 21 at 2 PM. The topics are:

Intake and Extended Service Legal Work: Discussion of counsel and advice and extended service, and ways to improve both. Can we provide some help to more applicants, thereby having fewer rejections? Can we develop ways that more clients can have extended service by coordinating attorney calendars? What do intake personnel and extended servers need that they do not have to make their work more productive? Is there a proper blend or ratio between intake and service work?

Respectfully submitted,

Richard A. Cullison
SPC Facilitator
5/28/2019

Responses to Specialization v. Geography

Yes:

I would prefer to have cases assigned more on specialization simply because that would allow for greater depth of knowledge of a particular area of the law instead of trying to keep up with so many different areas of the law. I wouldn't mind driving farther to court if it meant I could limit my practice areas. I would rather drive farther for a case I know a lot about than drive a short distance for lots of different kinds of cases that I have to constantly research to stay on top of changes in the law.

Yes! If that were the case, we (the attorneys) would be able to develop a deeper understanding of the area of law that we're assigned. Ultimately, I think we'd be able to represent our client better and provide thorough representation. When I say this- I mean within our offices, not program wide.

I do believe that cases should be assigned by specialization rather than geography. The law is constantly evolving and changing. It seems to me that it is easier to stay current on evolving legal authority if you are specializing in certain areas rather than be expected to be an expert in all practice areas of the cases we accept.

No problem with the way things are, but I think that more specialization could be beneficial. I am not sure how the logistics would work out if case assignments were not done by geography, but I would be for more case assignment based on specialization if there is a way to do it that makes sense and can be efficiently done. I think specialization could allow our clients to get higher quality representation. Attorneys could gain more experience and training in their area(s) of specialization and, in turn, our clients would be receiving representation/advice from experts in their area of need, as opposed to someone who does it as a small part of their general practice.

No:

I am not in favor of specializing if it puts us serving clients outside our service areas. I think regionally our counties are spread out that any extra time on the road driving to/from court would be difficult, and I think our caseloads are generally too high to add the extra demand of driving more significant distances. Also, having grant specific jobs (like VOCA) would make specialization even more difficult, as so many of the attorneys are limited to what they can do with those grants.

I think it would be hard considering the number of attorneys in each office. Barbourville only has three and Hazard has two. I don't think it's feasible with the attorney staff we have at this time.

Assignments shouldn't change, but we should create more opportunities for interoffice collaboration and cocounseling so that clients can benefit from our staff's expertise regardless of geography.

Based upon the vastness of our service area I think that it would be difficult to assign cases based upon specialization but perhaps I am not familiar with exactly how this would work. I think the downside to this approach is that losing a 'specialist' in an office leaves a large gap that is often difficult to fill. If I had to choose one over the other, I would vote to leave things as they are as I don't think our current system is broken...so why break what isn't broken?

Mix of Yes and No

So here are my thoughts on geographic versus specialization

If attorneys only specialize in one or two practice areas, what happens when folks desperately need help in another practice area? I would think we would still help them, and I feel like that's fairly close to what we have now. For instance, I think most of what Somerset takes in, if it isn't DV, is probably expungement and landlord tenant issues. We have some, though not as many, foreclosures and bankruptcies. If we divvy up specialization in a given office—for instance, Attorney A takes expungement and foreclosure, Attorney B has bankruptcy and landlord-tenant, then I would be concerned about some attorneys having a massive caseload with others having minimal.

If we do as we do now to some extent, geographically, there are drawbacks, of course. First and foremost, an attorney won't have specialized knowledge and may not know as much about a given field of law. However, I think that drawback is offset by experience, since attorneys will accumulate more of those cases the longer they've been there. If it's a problem we see a lot anyway, justifying specialization, that knowledge would come naturally (hypothetically, anyway). There are also benefits to working geographically in that you get to know the players—the attorneys, the judges. They know you, you know them, and the people of the community get to know you.

Here's what I think. I think some sort of a happy medium is possible. For instance, we assign geographically—like with Attorney A covering County A and B, for example, but we also encourage—or assign—a particular area of law for each attorney in an office to study. Maybe we do one area for say, six months. If we get wind of training/webinars in a given area, we particularly encourage (or require) that person to get that training. Essentially, we end up with a resident expert—a Betsy, of sorts. And when someone less experienced/not specialized gets a case in that subject matter in the counties they cover, you have a go-to person to point them to. As a point of reference, I pretty much straight had divorces with kids and no property for the first 6-8 months I was here when I had divorces. Now, I think I know (something) about custody, and I'm getting more divorces with a ton of property. Hope all this makes sense!

I think we do a mix of assigning cases by specialization and geography, at least within each office. We have people who bill only to VOCA or LAV and at least in the Prestonsburg/Pikeville office, those folks do all the family cases while the rest of us are assigned consumer, housing and benefits cases, etc and occasionally a family case. We also assign by county so that we can avoid scheduling conflicts as much as possible. This mix works well for us. So I guess what I'm saying is that I think each office needs its own geographic area to cover but within that office, work could be assigned by specialty, if that works for that office.

2019 APPALRED OFFICES/CASE HANDLERS

COUNTY	POV. POP.	OFFICE	# CASE HANDLERS	# LAWYERS/POOR *DRIVE TIME
BELL	10,438	BARBOURVILLE	3	
CLAY	8,242	BARBOURVILLE		
HARLAN	9,807	BARBOURVILLE		
KNOX	10,904	BARBOURVILLE		
LAUREL	14,736	BARBOURVILLE		
WHITLEY	9,079	BARBOURVILLE		1/21,068
	63,206			
BREATHITT	4,779	HAZARD	2	
*LEE	2,196	HAZARD		
LESLIE	3,674	HAZARD		
LETCHER	7,018	HAZARD		
*OWSLEY	1,484	HAZARD		
PERRY	7,160	HAZARD		
WOLFE	2,676	HAZARD		
	28,987			
FLOYD	11,496	PRESTONSBURG	5 & 1 Dir. Advocacy	
JOHNSON	5,558	PRESTONSBURG		
KNOTT	5,115	PRESTONSBURG		
LAWRENCE	3,882	PRESTONSBURG		
MAGOFFIN	3,656	PRESTONSBURG		
MARTIN	3,628	PRESTONSBURG		
PIKE	16,259	PRESTONSBURG		
	49,594			
CLARK	5,364	RICHMOND	3 & 1 LITC Dir.	
ESTILL	4,372	RICHMOND		
GARRARD	3,135	RICHMOND		
JACKSON	4,412	RICHMOND		
MADISON	17,233	RICHMOND		
POWELL	2,976	RICHMOND		
	37,492			
ADAIR	4,150	SOMERSET	5	
CASEY	4,204	SOMERSET		
*CLINTON	2,042	SOMERSET		
*CUMBERLAND	1,396	SOMERSET		
LINCOLN	5,810	SOMERSET		
MCCREARY	7,277	SOMERSET		
*MONROE	2,502	SOMERSET		*1 hr. 34 mins
PULASKI	16,121	SOMERSET		
ROCKCASTLE	3,531	SOMERSET		1/11,264
RUSSELL	4,486	SOMERSET		
WAYNE	4,801	SOMERSET		
	56,320			

Committee Participants: Dick Cullison, Robert Johns, Kelly Ward Wallen, Mary Going, Carolyn Layne, Joe Lane, Ellen Johnson, and Kristin Alexander

Others: None

Material reviewed by the committee prior to meeting:

- Final Report on the Assessment of Telephone-Based Legal Assistance Provided by Pennsylvania Legal Aid Programs Funded Under the Access to Justice Act.
- Tempering the Need to Measure Outcomes with Common Sense: Hotlines as a Case in Point
- Evan Smith Memo – Re: Impact Work and Legal Work Management
- Alchemizing Volume by Lee Richardson, Jason Auer, and Kevin De Liban
- Securing Stability: Legal Aid's Lasting Impact (A report by The Center for Community Solutions)

Topics:

The topics for consideration were: *Intake and Extended Service Legal Work: Discussion of counsel and advice and extended service, and ways to improve both; can we develop ways that more clients can have extended service by coordinating attorney calendars? What do intake personnel and extended servers need that they do not have to make their work more productive? Is there a proper blend between impact and service work?*

At Dick's suggestion the SPC relegated consideration of calendar coordination and what do extended servers need to make their work more productive to AppalReD's administration. The SPC is of the opinion that its mission is not to address every problem there may be, but to focus upon broad themes.

Intake:

Katie Mullins, AppalReD's Intake Directing Attorney, reported on how centralized intake has evolved between December of 2014 and the present. In 2014, there was only one lawyer and one paralegal handling centralized intake. There were 7 incoming lines in the telephone queue. This meant that applicants had to wait on hold for as long as an hour and 45 minutes. Walk in applicants in branch offices were told to call the intake line. The intake attorney sent a letter to every client she counseled which summarized the conversation. Many applicants never got through to AppalReD, and when they did, there was no guarantee that their application would be timely processed because the intake staff was overwhelmed.

The Interim Executive Director in December, Dick Cullison, and then the incoming Executive Director, Robert Johns, with Katie Mullins, implemented significant changes designed to improve the centralized intake system and make it more humane. These changes included cutting the number of lines in the queue from 7 to 4; having branch offices handle their walk-in intake, eliminating (albeit reluctantly) summary letters to clients who received legal advice over the telephone, consolidating pro bono intake into the centralized intake system, and adding an extra paralegal to work in the centralized intake system.

The benefits derived from these changes were substantial and immediate. AppalReD received significantly fewer complaints regarding centralized intake, and it became capable of keeping up with the intake flow. During the next four years, AppalReD implemented other improvements including adding a voice message for callers on hold or who call when the queue is full advising the applicants of the types of cases AppalReD handles etc. This is much preferable to a silent wait on hold or a busy signal. There was discussion as to how many callers reach the intake line when the queue is full. We do not know, but we are in the process setting up an electronic system that will monitor that. Kristin Alexander, an intake paralegal, noted that when a caller is waiting in the queue, the phone system alerts the intake workers. She opined that this does not happen very often, and that it is rare at the end of the intake day that there are any callers waiting in the queue. The typical wait on the queue is about 15 minutes.

Applicants may now apply online, and about 200 per month are doing so. They are processed within 24 hours. Cases referred from the intake line directly to the branch offices are addressed promptly. Where the service is to be advice only, Katie Mullins, another AppalReD attorney, or the contract attorney deliver the advice within 72 hours. Occasionally, one of AppalReD's intake paralegals gives telephone advice. This is permissible in Kentucky provided the paralegal is supervised by an attorney. Katie reviews the advice given by a paralegal each day so in the unlikely event that advice was incorrect, she could provide corrective information before the client has acted on it.

The SPC was much impressed with AppalReD's centralized intake system. It is a system not a venue. Every one of AppalReD's offices is involved in the system as is a contract attorney working in Philadelphia. Significantly, AppalReD's administration receives almost no complaints anymore concerning its intake system.

Next, the SPC considered whether AppalReD's clients find the telephone advice helpful. Katie Mullins said she makes sure the client understands what she said before terminating the call. In rare instances (perhaps 5% of the cases) she does send a summary letter to the client. Occasionally, she gives the client her phone number so the client may call her back should he/she need clarification or further guidance in how to proceed. There is no systematic follow up with the client. The SPC believes that AppalReD should develop an electronic system of client follow-up, where we can get feedback on the usefulness of our work without AppalReD's devoting additional personnel to the task. There are other things that could be automated including encouraging people who cannot call AppalReD during business hours to apply online.

The SPC reviewed the Final Report on the Assessment of Telephone on the Assessment of Telephone Base Legal Assistance (Pennsylvania IOLTA BOARD, 2012). This study concluded that advice cases are not only effective, they are essential, with 8 out of 10 advice recipients indicating that it was helpful. The Pennsylvania programs involved in this study were using best practices defined in part by the American Bar Association, LSC and NLADA (see page 16 of the report) These best practices recommend follow up letters to each client receiving advice, an opportunity for the client to call back for clarification or further telephone assistance, and a follow-up phone call about a week after the advice was given to determine whether the client profited from the advice.

The SPC agreed that the time needed to follow these suggested best practices would require additional intake personnel and dilute the amount of extended service AppalReD could provide. AppalReD has an above average ratio of extended service compared to advice and brief service. The SPC wants to keep it that way unless a way can be found to increase advice only cases without reducing the number of extended service cases.

The SPC recommends that AppalReD perform an assessment to determine how technology could improve its intake and legal advice system, and whether it could adopt all or some of the best practices highlighted in the Pennsylvania IOLTA report without a significant increase in resources devoted to Central Intake.

Impact and service work:

Next the SPC considered how AppalReD might balance impact and service work. A generation ago, there was more impact litigation in LSC programs. (The SPC defined impact work to be work which if successful would provide a substantial benefit in a priority area to large numbers of low-income people). There are a number of reasons for this. Government agencies and businesses dealing with low income people were not accustomed 40 years ago to being scrutinized. For this reason, they often engaged in blatantly illegal activities that provided many opportunities for legal aid lawyer to litigate. The federal courts tended to be more sympathetic to plaintiff's claims before judges appointed after 1980 began restricting access to federal court. There was no restriction on an LSC program's bringing a class action suit until 1996.

Despite the increased difficulty in bringing impact litigation, there is still a place for it in a LSC program. It is easier and more effective to win one case reforming the law than to bring hundreds of service cases on the same issue. AppalReD should assure that at least some of its lawyers receive training on federal and complex litigation and have opportunities to work with its Director of Advocacy to acquire the skills necessary to pursue complex law reform litigation.

The SPC was mindful that impact work need not be limited to litigation. Sometimes much can be accomplished through negotiations, community education, and a concerted concentration of service cases, such as work performed in AppalReD's domestic violence projects or the way AppalReD practices predatory lending cases.

The SPC reviewed a letter from AppalReD's Advocacy Director Evan Smith wherein he stated, "One of my goals is for all staff to confidently say, "We serve individual clients, and use what we learn to fix the problems they face." Thus impact projects complement and derive from service work. The SPC reviewed a recent study that established that "Legal Aid's assistance has a long term; lasting impact that allows individual's and family's to secure stability in a wide variety of different areas." (Securing Stability: Legal Aid's Lasting Impact; a report by the Center for Community Solutions, p. 6, 2018).

The SPC determined that AppalReD should pursue impact work on a more organized, deliberative manner than has been the case in recent years. To achieve this end, AppalReD should organize substantive advocacy teams across office boundaries. The teams might be Housing, Consumer, Domestic Violence, and Public Benefits, for example. Each team, under the direction of Evan Smith, will identify at least one problem within its substantive area and devise an impact project to address it. It is also possible that a local office could develop its own impact project.

It is anticipated that each lawyer working on a team will devote approximately 135 to 270 hours per year on an impact project(s) which is between 10% and 20% of the annual time that most lawyers have to devote to legal work. (45 weeks per year after vacation, holidays, sick time, and training time deducted at 30 hours per week, the remaining weekly work week is devoted to administrative and other activities. (30 hours x 45 = 1,350 hours that could be devoted to legal work). This leaves a substantial number of hours for individual service work.

Next SPC Meeting

1. The next SPC meeting will be Wednesday, July 31, 2019 at 2:00 PM EDT.

The topics will be Branding, Marketing, Resource Development, and Fundraising. Please note that this is a change in schedule. This meeting was originally scheduled for Friday, July 26th.

Respectfully submitted,

Richard A. Cullison
SPC Facilitator
5/28/2019

- **Final Report on the Assessment of Telephone-Based Legal Assistance
*Provided by Pennsylvania Legal Aid Programs Funded Under the Access to Justice Act.***
- **Tempering the Need to Measure Outcomes with Common Sense: Hotlines as a Case in Point**
- **Evan Smith Memo – Re: Impact Work and Legal Work Management**
- **Alchemizing Volume by Lee Richardson, Jason Auer, and Kevin De Liban**
- **Securing Stability: Legal Aid's Lasting Impact (A report by The Center for Community Solutions)**

Topics: Intake and Extended Service Legal Work: Discussion of counsel and advice and extended service, and ways to improve both; can we provide some help to more applicants, thereby having fewer rejections? Can we come develop ways that more clients can have extended service by coordinating attorney calendars? What do intake personnel and extended servers need that they do not have to make their work more productive? Is there a proper blend or ratio between impact and service work?

Next meeting: July 31st at 2:00 pm: Branding, Marketing, Fundraising, Resource Development, and Outreach: First define our terms; then discuss what AppalReD needs to do to improve its branding, marketing fundraising and resource Development? We will hear from an outside consultant regarding these questions. What is the purpose of AppalReD's doing more targeted outreach? Should AppalReD create an annual outreach plan with measurable outcomes?



**Final Report on the Assessment
of Telephone-Based Legal Assistance
*Provided by Pennsylvania Legal Aid Programs
Funded Under the Access to Justice Act***

*Report Prepared for the
Pennsylvania IOLTA Board*

Pennsylvania IOLTA—The Lawyers Trust Account Board



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About This Report This report, related to funding received as a result of the Access to Justice Act (42 Pa. C. S. Section 4901 et. seq.), was sponsored by the Pennsylvania Lawyers Trust Account Board (the PA IOLTA Board), with data provided by the Pennsylvania Legal Aid Network, Inc. (PLAN, Inc.) and by the ten legal aid programs that participated in the Helpline Evaluation. The report was produced for the PA IOLTA Board by The Resource for Great Programs, Inc.

Appendices to this report describing the two main elements of the Helpline Evaluation—the Client Survey and the Best Practices Assessment—are available in the PA IOLTA Board's web site www.paiolta.org/.

**Final Report on the Assessment
of Telephone-Based Legal Assistance
*Provided by Pennsylvania Legal Aid Programs
Funded Under the Access to Justice Act***

Prepared for the Pennsylvania IOLTA Board

By

**Ken Smith, Ph.D
Kelly Thayer, MA
Kathy Garwold, MBA**

The Resource for Great Programs, Inc.

July 2012

EXECUTIVE SUMMARY

This report presents the principal findings and conclusions from a comprehensive evaluation of telephone-based legal assistance provided by Pennsylvania legal aid programs.

As background, in May 2011, the Pennsylvania Legislative Budget & Finance Committee released the results of its performance audit of Pennsylvania's Access to Justice Act (AJA) (the "Performance Audit Report")¹, which recommended that the General Assembly consider making the AJA fee and surcharge permanent to provide a more stable funding stream for civil legal aid. The audit recommended a "follow-up process" to determine whether telephone-based legal assistance provided by Pennsylvania legal aid programs is effective. Clarity was sought because "[c]ase resolution was unknown for the 50 percent of cases that were resolved through advice to clients."

In response, the Pennsylvania IOLTA Board undertook a comprehensive evaluation of telephone-based intake and legal assistance systems operated by legal aid programs in Pennsylvania (the Study). To conduct the Study, the Pennsylvania IOLTA Board:

- Invited ten major Pennsylvania legal aid programs that provide telephone-based intake and legal assistance to participate in the Study.
- Established a Steering Committee that included representatives of several of the AJA-funded legal aid programs, Pennsylvania Legal Aid Network, Inc. (PLAN, Inc.), and the Pennsylvania IOLTA Board.
- Engaged a national consulting firm, *The Resource for Great Programs, Inc.*, to provide technical assistance with this effort.

The Study had two major elements:

- **The Client Survey** – telephone interviews of a representative sample of 400 clients whose cases were closed by "advice-only" or "brief services"² from Pennsylvania legal aid programs in FY 2010-11, and
- **The Best-Practices Assessment** – a self-assessment by the programs of the alignment between the operations of their telephone-based intake and legal assistance systems and best-practices that have emerged from two decades of experience with, and research on, this service delivery method within Pennsylvania and across the nation.

The Evidence Shows that Advice and Brief Services Are Not Only Effective; They Are Essential.

The Client Survey provided for the first time a picture of what happens to clients of the 50 percent of cases resolved through "advice" (including advice-only or brief services) from

¹ See "A Performance Audit of Pennsylvania's Access to Justice Act," Pennsylvania Legislative Budget and Finance Committee, May 2011.

² "Advice only" refers to legal advice provided by a legal aid program to an eligible client. "Brief services" (also called "Limited Action") are matters in which a legal aid program took limited action(s) on behalf of an eligible client that addressed the client's legal problem that is not so complex or extended as to require an entry of appearance in a court or administrative hearing. Examples include communications by letter, telephone or other means to a third party; preparation of a simple legal document such as a power of attorney; or assisting a person who is representing oneself in a court or administrative law proceedings with the preparation of documents.

Pennsylvania legal aid programs. It shed light on the question raised by the legislative auditors: *is the advice being provided to clients “effective?”*

The Client Survey revealed that:

- **One out of every three recipients of advice-only or brief services reported positive outcomes that were tangible and measurable.** For example, they were granted custody of their children, obtained the public benefits they applied for, or avoided a crisis such as eviction or foreclosure.
- **A majority of recipients met some or all of their goals in seeking legal help.** They were able to consult a lawyer or paralegal, find out what their legal rights were, and get an expert perspective on what they should do about a legal issue they faced.
- **Almost half of the cases produced complete or partial solutions to clients’ legal problems.**
- **Six out of ten recipients achieved results they deemed favorable.** In some cases the result was dealing with a major crisis, such as a suspension of heating fuel delivery in the midst of winter. In other cases, it was resolution of a lingering dispute, such as repairs promised by a landlord but never delivered.
- **Eight out of ten recipients reported that the legal aid program was helpful to them.** Often all that clients desired was simply to talk with a legal advocate to learn the legal implications of situations they were facing and to get advice about what to do.

Moreover, the Client Survey confirmed that when these services are delivered by telephone they are not only effective but provide more convenient access to services and enable vastly more people to get legal help than would be possible if delivered exclusively through in-person methods with the same amount of resources. The Client Survey revealed that:

- **Legal aid programs’ telephone-based legal assistance systems are more than “hotlines.”** They are serving as the “front door” of a sophisticated, multi-faceted service delivery approach that performs intake, triage, and case assignment by telephone for the whole of array of legal services offered by the program. These services include advice-only and brief services (over the telephone or at a program office), appointments at legal clinics or with pro bono attorneys, or extended legal representation by program advocates if the situation and available resources warrant it.
- **The majority of clients of telephone-based assistance receive follow-up from the program after having been served.**
- **Pennsylvania legal aid clients are benefiting from best practices developed through a decade of research and technical assistance by the legal aid community on telephone-based legal assistance.**
- **The vast majority – between 79 and 96 percent - of clients served by telephone took follow-up action on the advice they were given.**
- **Between 50 and 88 percent of those who took action said it worked “very well” for them.**

- **Telephone-based services achieved significant results for clients.** Approximately half of clients achieved their goals “completely” or “somewhat.” Twenty-nine percent achieved positive outcomes beyond receipt of advice-only or brief services.
- **One-half of the clients served by telephone achieved complete or partial solutions to their legal problems.** This was slightly higher than the results of a previous, national evaluation of legal hotlines conducted in 2002.
- **Six out of ten clients considered the results of their cases to be “favorable.”**
- **Three out of four clients of telephone-based assistance said their experience was positive.**

These findings provide strong evidence that from a clients’ perspective, telephone-based advice and brief services are providing not only broader and more convenient access to services but real solutions to legal problems and outcomes that the majority of clients deem favorable, even in some cases where the facts of the situation are not favorable to the client’s preferred outcome.

Pennsylvania Programs in this Study Are Achieving the Primary Goal of Telephone-Based Legal Assistance.

The Best Practices Assessment affirmed that all the Pennsylvania programs examined are achieving the primary goal of telephone-based legal assistance, which is to make legal assistance accessible to every eligible person – including residents in rural areas and those facing special obstacles such as disability or limited English proficiency – without sacrificing service quality and effectiveness in the process.

Low-income people anywhere in Pennsylvania who face a legal problem – ranging from a landlord’s refusal to refund a security deposit as required by the lease to receipt of a letter from Social Security saying one owes thousands of dollars in back payments – no longer have to travel to a legal aid office to seek answers. They can call a toll-free legal helpline and, if eligible for service under the program’s guidelines, quickly receive expert advice from a legal aid attorney or paralegal.

The Findings of the Best Practices Assessment Provide Support for Efforts to Optimize Results for Clients Going Forward.

Programs participating in the Best Practices Assessment acknowledge that while they have made great strides by implementing telephone-based legal assistance systems in recent years, the systems are not perfect, nor do they have the capacity to serve all the people who need them.

The Best Practices Assessment identified scores of concrete examples wherein Pennsylvania legal aid programs are applying best practices to optimize results for their clients. Pennsylvania legal aid programs could use the information produced from the evaluation, individually and perhaps collectively, as a starting point for a more thorough self-assessment than was possible here. The review would step back and take a closer look at opportunities, now that basic systems are in place, for moving forward from here to further optimize results for clients.

Among initiatives that could be carried out without great expense are the following:

- **Further self-assessment in light of this evaluation.** The documentation of best practices provided in the report provides a useful starting point for a more detailed self-assessment.

It identifies Pennsylvania programs that can demonstrate with concrete policies and implementing procedures the application of best practices in their day-to-day operations.

- **Exchange of site visits by intake and legal assistance staff.** A useful initiative that programs could take would be to arrange site visits for their telephone assistance staff to other programs for a closer look at common issues – for example, examining the merits of “live” advice systems versus “call-back” systems; exploring approaches for minimizing the long wait times that some clients experience before being connected with legal advocates; and observing systems in place for handling large volumes of calls effectively and efficiently.
- **Statewide conference on telephone-based intake and legal assistance.** State funders PLAN, Inc. and/or the Pennsylvania IOLTA Board could convene a statewide summit meeting at which programs compare notes and share what they have learned about telephone-based legal assistance. Information from the Client Survey as well as from the Best Practices Assessment could be helpful in identifying practices that correlate with good results and high satisfaction among clients being provided with advice-only and brief services.
- **Capitalizing on national trainings.** Opportunities for cross-fertilization among programs are offered by the training and technical assistance offerings of the national civil justice community. For example, two national associations, NLADA and the ABA, collaborate in May of each year to present the Equal Justice Conference, a major focus of which is telephone-based legal assistance. Each Pennsylvania program should consider sending one or more of its telephone-based legal assistance staff to this conference, and indeed, encourage them to submit proposals for presenting workshop sessions at the Conference.

The Best Practices assessment and the Client Survey, taken as a whole, have shown that telephone-based legal assistance is a legitimate vehicle for effective, high-quality assistance to clients. Regardless of where they go from here, Pennsylvania programs can take satisfaction in having achieved something remarkable – that is, establishing and operating service delivery systems that are providing real benefits day in and day out to thousands of clients who otherwise would be unable to get the legal help they sorely need.

I. INTRODUCTION:

PURPOSE AND OVERVIEW OF THIS REPORT

This report presents the principal findings and conclusions from a comprehensive evaluation of telephone-based legal assistance being provided by Pennsylvania legal aid programs.³ It integrates and summarizes the two major elements of the evaluation, each described in a separate report:

- **The Client Survey** – telephone interviews of a representative sample of 400 clients whose cases were closed by advice-only or brief services from Pennsylvania legal aid programs in the last six months in 2011,⁴ and
- **The Best-Practices Assessment** – a self-assessment of best practices applied by Pennsylvania legal aid programs in the operations of their telephone-based intake and legal assistance systems.⁵

Background. In May 2011, the Pennsylvania Legislative Budget & Finance Committee released the results of its performance audit of Pennsylvania’s Access to Justice Act (AJA), which recommended that the General Assembly consider making the AJA fee and surcharge permanent to provide a more stable funding stream for civil legal aid.

The Performance Audit Report⁶ recommended a “follow-up process” to determine whether telephone-based legal assistance provided by Pennsylvania legal aid programs is effective. Clarity was sought because “[c]ase resolution was unknown for the 50 percent of cases that were resolved through advice to clients.”

³ These systems are often called “legal hotlines” in the legal aid community generally. In Pennsylvania, they are more frequently called “helplines.” In this report, we use the term “helplines” as shorthand for systems that provide intake, legal advice and/or brief legal services primarily by telephone.

⁴ See Appendix A, *Final Report on the Survey of Clients Provided with Advice or Brief Services by Pennsylvania Legal Aid Programs Funded under the Access to Justice Act*

⁵ See Appendix B, *An Analysis of Best Practices Applied by Pennsylvania Legal Aid Programs in Delivering Telephone-Based Legal Assistance*.

⁶ See *A Performance Audit of Pennsylvania’s Access to Justice Act*, Pennsylvania Legislative Budget and Finance Committee, May 2011.

This Report at a Glance

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In response, the Pennsylvania IOLTA Board undertook a comprehensive evaluation of telephone-based intake and legal assistance systems operated by legal aid programs described in this report (“the Study”). To conduct the Study, the Pennsylvania IOLTA Board:

- Invited ten major Pennsylvania legal aid programs that provide telephone-based intake and legal assistance to participate in the Client Survey. (See Exhibit 1, page 5 for a map of the service areas covered by the ten programs.)
- Established a Steering Committee that included representatives of several of the AJA-funded legal aid programs, Pennsylvania Legal Aid Network, Inc. (PLAN, Inc.), and the IOLTA Board.
- Engaged *The Resource for Great Programs, Inc.*, (“The Resource”) to provide technical assistance with this effort.⁷

Purposes of the Client Survey. The Client Survey addressed an important question raised in the performance audit of AJA: how are the 50 percent of cases closed through advice (including both advice-only and brief services) resolved? Data from the Client Survey were used to explore the following questions:

- What actions, if any, did clients take after receiving legal advice and assistance?
- Was the advice helpful?
- What outcomes resulted from the legal assistance clients received?
- Did contacting Legal Aid help clients achieve their goals?

⁷ *The Resource* is a national corporation dedicated to providing strategic support to civil justice programs that seek to expand access to justice for low-income people. Details about this organization may be obtained at www.GreatPrograms.org.

THE CASE FOR TELEPHONE-BASED LEGAL ASSISTANCE

*From The Response by
Legal Aid of Southeastern Pennsylvania (LASP)
To the Best Practices Self-Assessment Questionnaire:*

LASP's legal Helpline has enabled our program to serve residents living in many communities in our four-county region that are not served by public transportation, particularly rural areas of Bucks and Chester Counties.

Without public transportation, people have to rely on cars to get to our local offices, which may be as much as 20 miles from where they live.

Many of the poorest living in our region either do not have cars or their cars are unreliable. For some, the cost of fuel has made operating a car prohibitive.

Previously, that meant many people who needed our services could not or would not get them.

The same can be said for clients who would have trouble coming to the office because of limitations and disabilities due to age or handicap. Telephone access allows the elderly and the disabled to obtain legal advice and brief services from the safety and security of their own home. Without it, many of these clients would not have received services.

The Helpline also allows the working poor and those with school commitments to access our services. Traveling to one of our local offices during the work week can be impossible for people who have jobs they cannot afford to lose, or school obligations they cannot miss.

Limited resources currently make it impossible for the Helpline to be open on weekends or evenings, but finding a time to call the Helpline during a work or school break, or during the lunch hour, is feasible for someone who could not take the time required to travel to a local office.

Without the Helpline, many would not get this assistance. They would move out of their apartment, not knowing that they had a right to stay. They would get farther behind in their utility bills, not knowing that there was an assistance program for which they might be eligible.

They would accept a denial of unemployment compensation or food stamps or Medicaid, even though an appeal would be successful, because they did not know their legal rights, or how to carry out an appeal.

The Helpline has changed all this. The benefits are pretty obvious: people with critical legal problems can get assistance when they need it.

- Were clients satisfied with the results?

Another purpose was to shed light on the effectiveness of telephone-based legal assistance, which has grown in importance among Pennsylvania legal aid programs and across the country as legal aid organizations seek to help more people with limited resources and to improve access to their services, particularly for people facing barriers such as physical disability, lack of access to public transportation and location in rural areas far from program offices.

Data from the Client Survey provided context for better understanding of:

- The impact of whether legal assistance was provided by telephone or in-person on the results that were achieved.
- The impact of whether the service was “advice-only” or “brief services” (such as a call or a letter to an opposing party on the client’s behalf) on the results that were achieved.
- The impact of a client’s legal problem on the results that were achieved – for example, whether the client was seeking prevention of an eviction from rental housing or custody of one’s children.

Purposes of the Best Practices Assessment: One of the central purposes was determining the extent to which the telephone-based legal assistance systems operated by Pennsylvania legal aid programs align with national and state standards and guidelines for legal helplines.⁸

Another purpose was identifying practices in Pennsylvania programs that can be replicated in other programs across the state. Since 2000, telephone-based legal assistance has grown in importance among Pennsylvania legal aid programs and across the country. Today, legal aid programs are helping more people with limited resources and improving access to their services, particularly for people facing barriers such as physical disability, lack of access to public transportation and location in rural areas far from program offices. The Best Practices Assessment sought to identify steps that could further promote efficiency, effectiveness and quality of services for clients of legal aid programs across Pennsylvania.

Approach Used in the Evaluation: The Resource worked with the Steering Committee and leaders of the ten programs to develop and carry out the Client Survey and Best Practices Assessment. The Resource also collected extensive information regarding telephone-based legal assistance in Pennsylvania and across the United States using the following methods:

- Previous evaluation research on telephone-based legal assistance systems in the United States.
- Structured interviews with leaders of the ten legal aid organizations included in the Study.

Overview of the Report. Following this Introduction, Section II provides an overview of the ten programs included in the Client Survey. Section III describes the methodologies that were used for the Client Survey and Best Practices Assessment.

Section IV presents findings on the first question addressed by the evaluation, which was: what results are achieved by clients after they have received advice-only or brief services from a Pennsylvania legal aid program? This question was raised in the May 2011 Performance Audit Report.

⁸ See page 16 for the sources of standards and guidelines that were applied in this assessment.

Section V presents findings on the second question addressed by the evaluation, which was to gauge the effectiveness of these services when they are delivered by telephone. This was also raised by the May 2011 report of the legislative auditors.

Section VI presents the results of a further analysis of the Client Survey data exploring the impact on results of three major factors: whether clients had received advice-only or brief services; whether clients had been served primarily by telephone or in-person; and whether results were better or worse depending on the specific legal problems faced by clients.

Section VII summarizes the findings of the Best Practices Assessment regarding the alignment of the telephone-based legal assistance systems in Pennsylvania with best practices emerging from the experience and research on this service delivery approach by the civil justice community in Pennsylvania and across the nation.

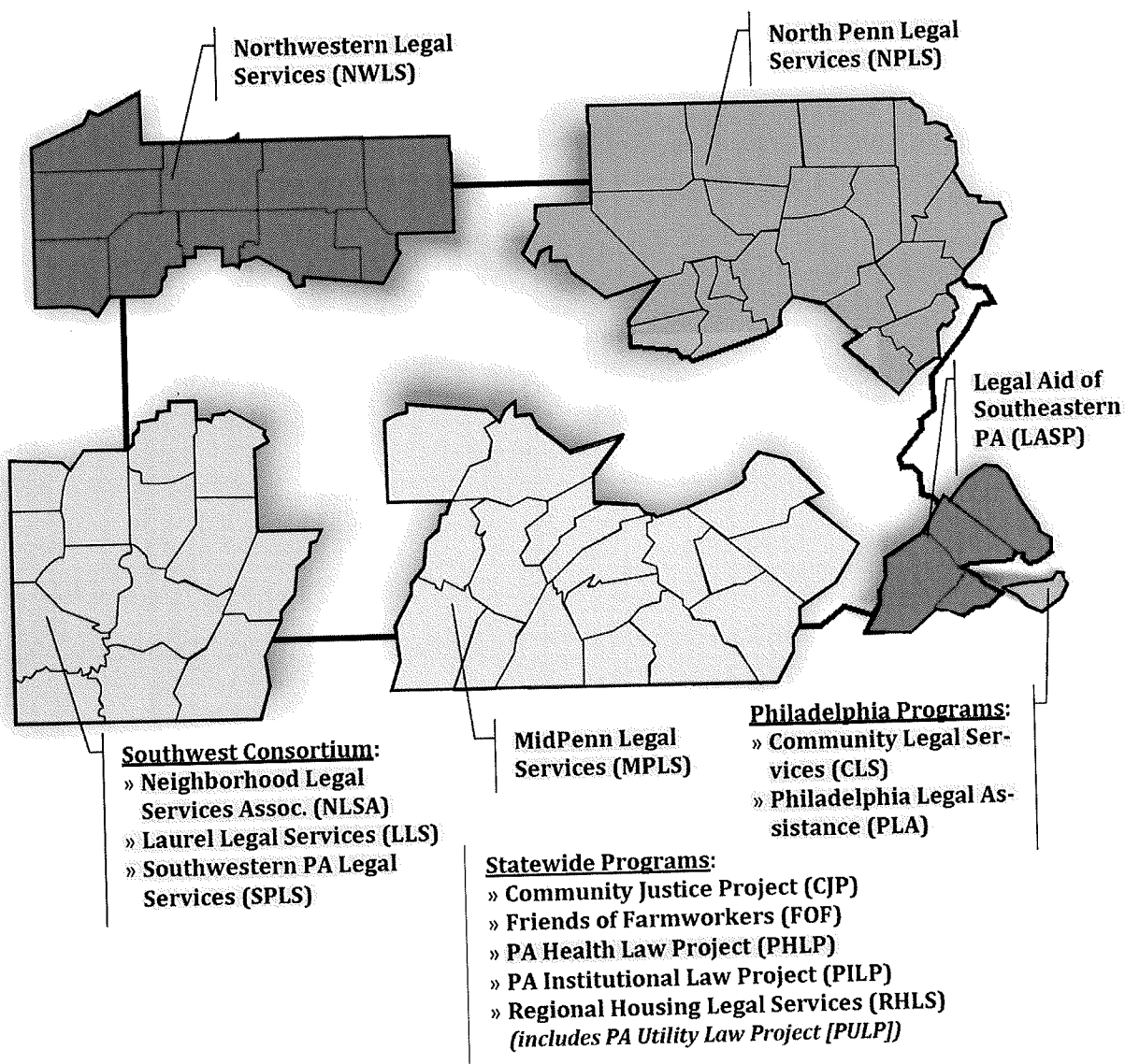
And Section VIII summarizes the overall conclusions from the Study, based on integration of the findings from both elements – the Client Survey and the Best Practices Assessment – regarding the effectiveness of telephone-based legal assistance systems in Pennsylvania.

Continued on next page...

II. OVERVIEW OF TELEPHONE-BASED INTAKE AND LEGAL ASSISTANCE SYSTEMS IN PENNSYLVANIA

Exhibit 1 below highlights the ten programs included in the Study and the geographic areas they cover.⁹

Exhibit 1



⁹ One of the programs in the Study, Philadelphia Legal Assistance (PLA), does not receive AJA funding but was included in the Study because of its importance as the operator of the telephone-based legal assistance system serving Philadelphia, the largest city in the state.

- Geographic coverage.
- Population segments served.
- Services provided by telephone.
- Hours of operation.
- Volume of telephone-based legal assistance.

Key for Self-Ratings

- Practice in place
- In place in some locations - See Note 1
- Special populations or circumstances - see notes 2 and 3.

Note 1: MPLS planned to roll out its telephone-based legal assistance system to all counties in mid-2012.

Note 2: PHLP Helpline serves people with health insurance problems, or who do not have health insurance. Total AJA- (and IOLTA-) eligible, advice & brief services cases closed in FY 2010-11: **2,019**. In total, counting clients served with funding from other sources, PHLP closed **3,714** advice/brief services cases in FY 2010-11.

Note 3: NWLS does not have evening or weekend intake hours, but has a web intake application for services which can be completed at any time by an applicant for services.

¹⁰ The table shows only the nine programs that operate telephone-based intake and legal assistance systems. A tenth program, Community Legal Services (CLS) in Philadelphia also participated in the Client Survey, but was not included in the above table because its intake and legal assistance is provided in-person at the program's offices only. Telephone-based intake and limited assistance for the general low-income population in the Philadelphia region is provided by Philadelphia Legal Assistance (PLA). The two programs collaborate closely as the principal legal aid programs in Philadelphia, under an arrangement that assigns specific services to each program.

A. Geographic Coverage.

As indicated in Exhibit 2 (see previous page), all regions of the Commonwealth are covered by telephone-based intake and legal assistance systems. Each of the regional legal aid programs maintains a centralized telephone intake and legal assistance system covering its entire service area.¹¹

B. Population Segments Served.

Eight of the programs serve the general low-income population with their telephone-based legal assistance systems. The ninth program – the Pennsylvania Health Law Project (PHLP) – operates a statewide telephone helpline that helps eligible Pennsylvanians establish or maintain state funded health care coverage (primarily Medicaid) and ensures the insured population receives medically necessary services. PHLP's helpline provides access to legal assistance for the 2.1 million low-income Pennsylvanians on Medicaid, the one million Pennsylvanians without health insurance, and the 197,000 low-income children enrolled in the Children's Health Insurance Program (CHIP). Many of these unduplicated three million plus Pennsylvanians also have some complicating combination of private insurance, and/or public health insurance (e.g., Medicare, Veterans Administration).

C. Services Provided by Telephone.

Intake is conducted by telephone in most programs. Legal advice, brief services and referrals for further assistance are also provided. For most of the programs, the telephone-based system serves as the primary channel for intake; however, in most programs, clients can also come to program offices for service during scheduled intake hours or call for an appointment.

D. Hours of Operation.

All programs provide telephone-based legal assistance during regular business hours. Clients of the three programs serving Southwestern Pennsylvania and clients of the Pennsylvania Health Law Project can also get help during evening hours on specific weekdays.

E. Volume of Telephone-Based Legal Assistance.

As indicated in Exhibit 2, the volume of cases handled by telephone-based assistance varies widely among programs. For example, only 28 percent of the advice-only and brief services cases handled by MidPenn Legal Services (MPLS) are handled primarily by telephone. At the other end of the spectrum, Pennsylvania Health Law Project conducts 100 percent of its direct legal assistance for low-income people through its statewide legal advice-only and brief services helpline.¹²

Please see Appendix B - the Best Practices Assessment report – for a more detailed description of the telephone-based intake and legal assistance systems operated by Pennsylvania legal aid programs.

¹¹ PLA provides a telephone intake and legal assistance system covering the entire Philadelphia Region served by both PLA and CLS, under an agreement between the two programs. MidPenn planned to expand its telephone-based system to cover its entire service area by mid 2012.

¹² In addition to its services for low-income people, PHLP also assists people whose income is above the income guidelines for AJA and IOLTA, using grant funds from other sources. PHLP clients included in the Client Survey consisted only of clients whose incomes met the AJA and IOLTA eligibility guidelines.

III. METHODOLOGIES USED IN THE EVALUATION

Information was collected by four methods:

1. **Research into telephone-based legal assistance systems.** The Resource interviewed key leaders of telephone-based legal assistance across the nation. The Resource also created a checklist of best practices based on the findings of that research. This work was the groundwork for the goals and methodology of the rest of the Study.¹³
2. **Interviews with executive directors and managers of telephone-based intake and legal assistance systems.** Guided by the checklist of best practices and research, the Resource conducted 30-to 60-minute telephone interviews with executive directors and helpline managers of AJA-funded programs in Pennsylvania. These interviews provided an overview of the role and structure of the systems in place in each of the programs.
3. **The Client Survey.** The survey was carried out using computer-assisted telephone interview (CATI) facilities and trained survey interviewers at Northwestern Michigan College (NMC) in Traverse City, Michigan. The Resource worked with the ten legal aid organizations participating in the study to select representative samples totaling 400 clients (an average of 40 per program) from the universe of all cases closed by advice-only or brief services between July 1 and December 15, 2011.¹⁴
4. **Program self assessment of alignment with best practices.** The Resource created and implemented a pair of self-assessment instruments to determine how closely the telephone-based legal assistance systems used in Pennsylvania are aligned with the best practices identified in the research:¹⁵
 - **A narrative questionnaire**, which provided the programs with an opportunity to describe, and showcase the best practices used in, their telephone-based assistance systems.
 - **A web-based survey**, which used a combination of closed- and open-ended questions about the best practices to enable programs to self-classify whether their policies and practices were in place, under development, or not in place.

¹³ A summary of the findings of the research is provided as an attachment to the Best Practices Assessment report – see Appendix B.

¹⁴ A description of the sampling methodology and a copy of the questions used for the Client Survey are provided as Attachment A to the Client Survey report – see Appendix A.

¹⁵ Copies of the narrative questionnaire and web-based survey instrument are provided as attachments to the Best Practices Assessment report - see Appendix B.

IV. SUMMARY OF FINDINGS ON “ADVICE” CASES (INCLUDING “ADVICE-ONLY” AND “BRIEF SERVICES” CASES)¹⁶

The Client Survey provided a picture of what happens to clients of the 50 percent of cases resolved through “advice” (including advice-only or brief services) from Pennsylvania legal aid programs.¹⁷ It shed light on the question raised by the legislative auditors: *is the advice being provided to clients “effective?”*

For a strong majority of clients, the answer was “Yes.” As summarized in Exhibit 3 below, the Client Survey revealed that:

- **One out of every three recipients of advice-only or brief services reported positive outcomes that were tangible and measurable.** For example, they were granted custody of their children, obtained the public benefits they applied for, or avoided a crisis such as eviction or foreclosure.
- **A Majority of Clients Achieved Their Goals** (page 10). Often all that clients desired was simply to talk with a legal advocate to learn the legal implications of situations they were facing and to get advice about what to do.
- **Almost half of the cases produced complete or partial solutions to clients’ legal problems.**
- **Six out of ten recipients achieved results they deemed favorable.** In some cases the result was dealing with a major crisis, such as a suspension of heating fuel delivery in the midst of winter. In other cases, it was bringing closure to a lingering dispute such as repairs promised by a landlord but never delivered.
- **Eight out of ten recipients reported that the Legal aid program was helpful to them.** Often all that clients desired was simply to talk with a legal advocate to learn the legal implications of situations they were facing and to get advice about what to do.

Exhibit 3:
Percentage of Clients Who Reported the Results Indicated

All "Advice" Cases (Including "Advice-Only" and "Brief Services")	
<i>Achieved At Least One Positive Outcome</i>	34%
<i>Met Goals Completely or Somewhat</i>	53%
<i>Had Legal Problem Solved Completely or Somewhat</i>	48%
<i>Considered Result to Be Favorable</i>	65%
<i>Thought Legal Services Program was Very or Somewhat Helpful</i>	84%

¹⁶ For details of the Client Survey, see Appendix A, which is a complete copy of the Client Survey report.

¹⁷ “Advice only” refers to legal advice provided by a legal aid program to an eligible client. “Brief services” (also called “Limited Action”) are matters in which a legal aid program took limited action(s) on behalf of an eligible client that addressed the client’s legal problem that is not so complex or extended as to require an entry of appearance in a court or administrative hearing. Examples include communications by letter, telephone or other means to a third party; preparation of a simple legal document such as a routine power of attorney; or assisting a person who is representing oneself in a court or administrative law proceedings with the preparation of documents.

Exhibit 4 below provides examples of “positive outcomes” reported by clients in their responses to the Client Survey.

Exhibit 4

EXAMPLES: MEASURABLE OUTCOMES OF “ADVICE” CASES

Thirty-four percent of clients interviewed for the Client Survey indicated they achieved positive outcomes. The following are examples of their comments about results they achieved:

- **Obtained alternative housing.** *The house that I was in was going into foreclosure and I was trying to get in other housing. I called Legal Aid to be informed of my rights. I followed all the steps and called all the people. I wrote a letter to the housing authority and was able to get into housing.*
- **Got credit straightened out.** *I contacted Legal Aid to inquire about claiming bankruptcy. After talking with them, I checked my credit and it wasn't too bad. I ended up not filing for bankruptcy. I applied for a mortgage and went back to work.*
- **Dealt with bad news from Social Security.** *I got a letter from Social Security that said I owed \$4000 for SSI. There was a form that I was supposed to fill out and I didn't understand it. Legal Aid helped me with the form and Social Security waived the overpayment. I didn't have to pay it back.*

The evidence from the Client Survey indicates that advice-only and brief services are not only effective; they are essential. Without them, thousands of low-income families a year would be forced to confront their legal problems without any legal help at all, with consequences that in some circumstances would be devastating.

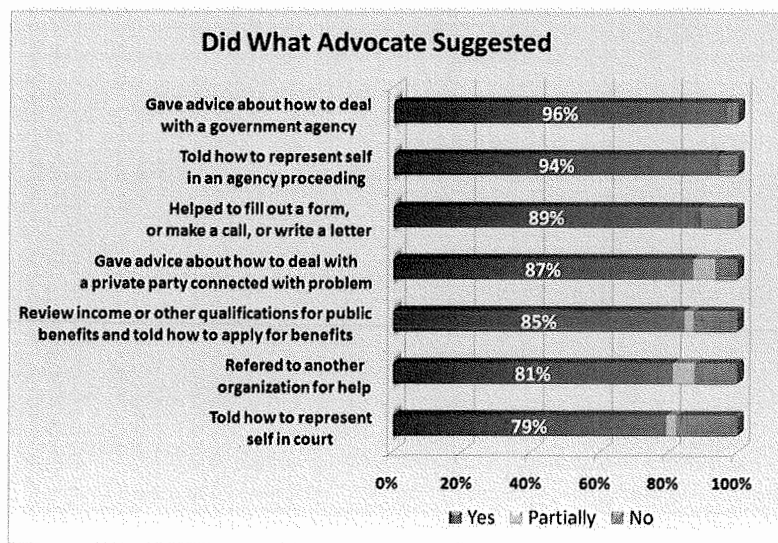
V. OVERALL FINDINGS ON *TELEPHONE-BASED* LEGAL ASSISTANCE

In addition to clarifying the results being achieved through advice-only and brief services generally, the Client Survey shed light on the effectiveness of those services when delivered via one of the telephone-based intake and legal assistance systems that have come into wide use by Pennsylvania legal aid programs since 2000. As summarized in Exhibits 5, 6 and 7 below and on the following page, the Client Survey revealed that:

1. *The vast majority – between 79 and 96 percent - of clients served by telephone took follow-up action on the advice they were given.* (See Exhibit 5.)
2. *Between 50 and 88 percent of those who took action said it worked “very well” for them.* (See Exhibit 6.)
3. *Telephone-based services achieved significant results for clients.* (See Exhibit 7.)
 - Twenty nine percent achieved positive, measurable outcomes beyond receipt of advice-only or brief services.
 - A majority of clients achieved their goals “completely” or “somewhat.”¹⁸
 - Almost half of the cases produced complete or partial solutions to clients’ legal problems.
 - Six out of ten clients said their results were “favorable.”
 - Eight out of ten said the legal aid program was helpful to them.

These findings provide strong evidence that from a clients’ perspective, telephone-based advice and brief services are providing not only broader and more convenient access to services but real solutions to legal problems and outcomes clients deem favorable, even in some cases where the facts of the situation are not favorable to the client’s preferred outcome. Taken as a whole, they indicate that telephone-based legal assistance is a legitimate vehicle for effective, high-quality assistance to clients.

Exhibit 5:
Follow-Up Reported by Clients of Telephone-Based Legal Assistance



¹⁸ Choices posed to clients were: “Yes, completely,” “Yes, somewhat,” “No, not completely” or “No, not at all.”

Exhibit 6:
Results of Follow-Up Reported By Clients in the Survey

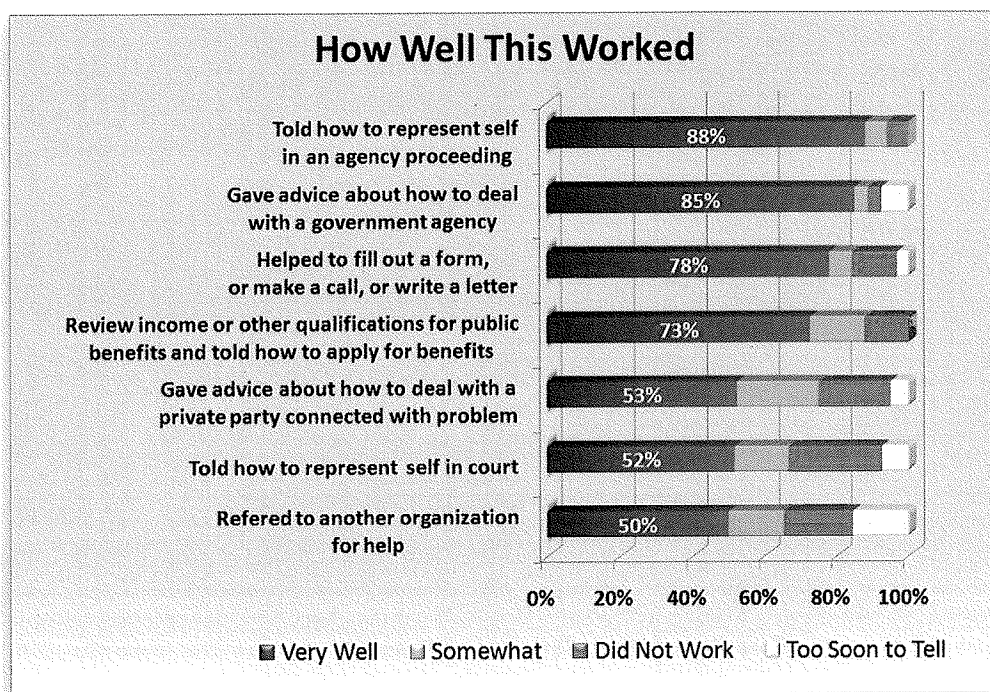


Exhibit 7:
Results of Legal Assistance Delivered by Telephone
Percentage of Clients Who Reported the Results Indicated

All Telephone-Based "Advice" Cases (Including "Advice-Only" and "Brief Services")	
	Yes
Achieved At Least One Positive Outcome	29%
Met Goals Completely or Somewhat	50%
Had Legal Problem Solved Completely or Somewhat	46%
Considered Result to Be Favorable	58%
Thought Legal Services Program was Very or Somewhat Helpful	76%

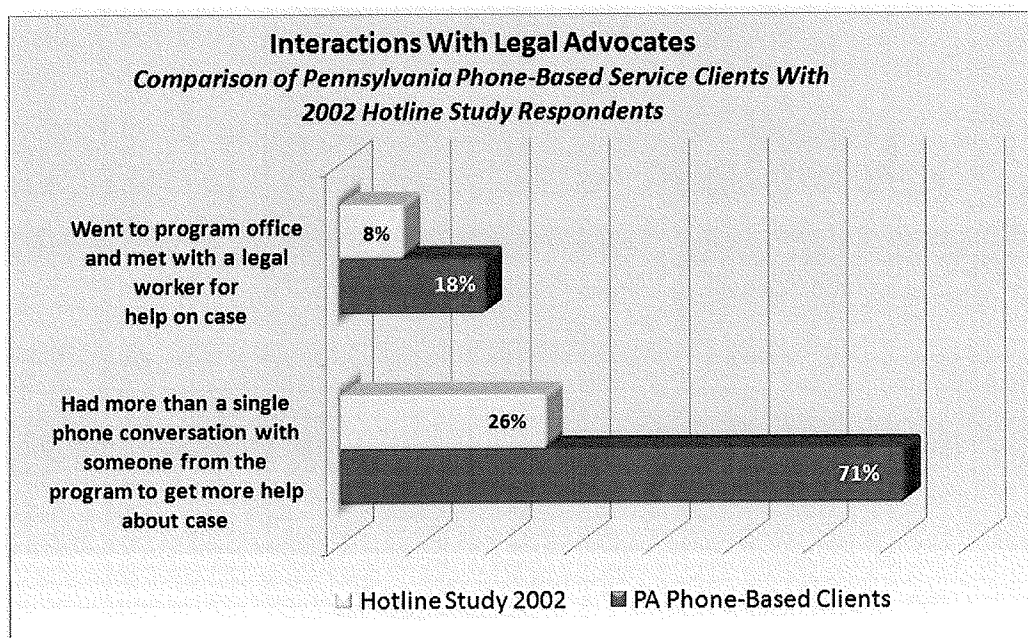
In addition to findings “1” through “3” above (illustrated by exhibits 5, 6 and 7), the Client Survey provided insights about how the Pennsylvania telephone-based legal assistance systems have evolved over the past decade into a sophisticated, multi-faceted service delivery approach. The first of these insights was as follows:

4. *Legal aid programs’ telephone-based legal assistance systems are more than “legal hotlines.”*

This finding is indicated by Exhibit 8 below, which compares findings of the Pennsylvania Client Survey with the 2002 Hotline Study.¹⁹ The table displays the responses to similar questions about the frequency and nature of interaction (that is, by telephone versus in-person) between clients and their legal advocates.

- Pennsylvania clients were over twice as likely (18 percent versus eight percent) to receive services in-person in the program office as the 2002 Hotline Study respondents.
- Pennsylvania clients were almost three times as likely (71 percent versus 26 percent) to have more than a single conversation with their legal advocates as were the clients interviewed in the 2002 Hotline Study.

Exhibit 8



¹⁹ Pearson, Jessica and Lanae Davis, “The Hotlines Assessment Study: Final Report;” 2002, available at <http://www.nlada.org/DMS/Documents/1037903536.22/finalhlreport.pdf>.

The comparison in Exhibit 8 suggests an important distinction between the telephone-based legal aid systems of today and a typical legal “hotline” of a decade ago. In Pennsylvania, many clients have extensive interactions with their legal advocate after intake, and a significant number are asked to come into the program office for in-person services. Telephone-based systems have evolved into the “front door” of a sophisticated, multi-faceted service delivery approach that performs intake, triage, and case assignment by telephone for the whole array of legal assistance offered by the program.

By contrast, the “hotlines” that were the focus of the 2002 Hotline Study served primarily as a quick source of legal information and limited representation, almost entirely by telephone.

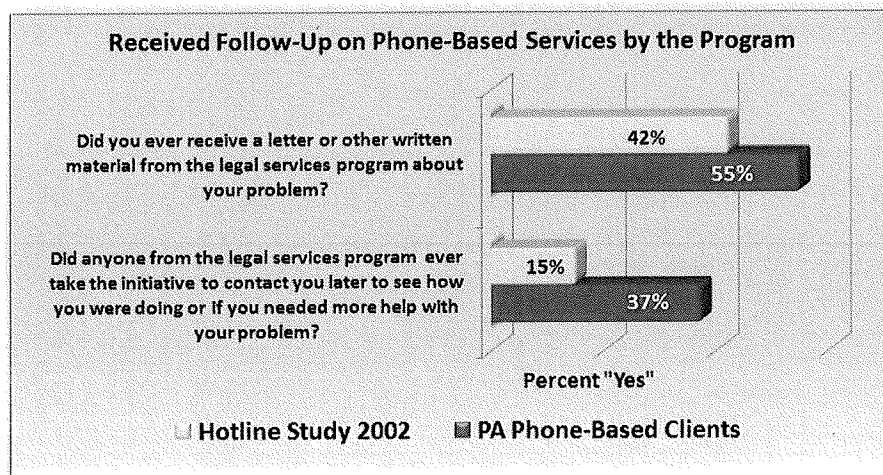
Two additional important findings of the Client Survey were as follows:

5. ***The majority of clients of telephone-based assistance receive follow-up from the program after having been served.*** In this respect, the Client Survey affirmed that the Pennsylvania telephone-based legal assistance systems are in alignment with one of the best practices recommended by the 2002 Hotline Study.
6. ***Pennsylvania legal aid clients are benefiting from best practices developed through a decade of research and technical assistance by the legal aid community on telephone-based legal assistance.*** As indicated in Exhibit 9 below, a higher percentage of clients in the Client Survey reported receiving follow-up assistance than clients who were interviewed in the 2002 Hotline Study. These kinds of follow-up activities were recommended by the Hotline Study and reinforced over the following decade in training and technical assistance by NLADA, the ABA and AARP. The findings in Exhibit 9 suggest that Pennsylvania programs have benefitted from those recommendations and apply them widely.

PENNSYLVANIA’S TELEPHONE-BASED LEGAL ASSISTANCE SYSTEMS ARE MORE THAN “LEGAL HOTLINES.”

Telephone intake and legal assistance systems are serving as the “front door” of a comprehensive service delivery approach that performs intake, triage and case assignment by telephone for the whole of array of legal assistance offered by the program; these can include advice-only and brief services (over the telephone or at a program office), appointments at legal clinics or with pro bono attorneys, or extended legal representation by program advocates if the situation and available resources warrant it.

Exhibit 9



VI. FINDINGS REGARDING IMPACTS OF MAJOR VARIABLES ON EFFECTIVENESS OF TELEPHONE-BASED LEGAL ASSISTANCE

In an analysis of major factors potentially affecting the results of telephone-based legal assistance, the Client Survey found that:

1. ***There were no large differences in results between advice-only cases and brief services cases.*** None of the slight differences proved to be statistically significant.
2. ***Results for clients were found not to be correlated with the legal problems clients faced.*** Slight differences in results were observed, but statistical significance tests indicated the sample sizes for the Client Survey were too small to say with confidence that some problems are more amenable to telephone-based assistance than others.
3. ***Marginally better results were reported for in-person services than for services provided primarily by telephone.*** As indicated in Exhibit 10 below, differences between the two modes of service delivery were small in percentage terms – between 4 and 11 percentage points; however, the apparent advantage of in-person over telephone-based assistance was found to be statistically significant for three of the five measures applied in the comparison.

Exhibit 10:
Results Achieved by Clients
by Mode of Service – Telephone Based or In-Person

All "Advice" Cases <i>(Including "Advice-Only" and "Brief Services")</i>	TELEPHONE-BASED			IN-PERSON			Significant Difference (See Note *)
	Advice-Only and Brief Services			Advice-Only and Brief Services			
	Yes	Some- what	Total YES	Yes	Some- what	Total YES	
<i>Achieved At Least One Positive Outcome</i>	29%	(NA)	29%	39%	(NA)	39%	✓
<i>Met Goals Completely or Somewhat</i>	38%	12%	50%	43%	11%	54%	
<i>Had Legal Problem Solved Completely or Somewhat</i>	36%	11%	46%	45%	6%	51%	
<i>Considered Result to Be Favorable</i>	58%	(NA)	58%	69%	(NA)	69%	✓
<i>Thought Legal Services Program was Very or Somewhat Helpful</i>	54%	22%	76%	60%	24%	84%	✓
*NOTE: The differences in results indicated with "✓" were found to be statistically significant at a 93 percent or higher confidence level.							

A conservative application of these findings would be for programs to observe the following guidelines:

- **Clients with difficult legal problems or facing unusual challenges should continue to be provided with in-person services** where they can benefit from the extra attention and enhanced communication that can result. Intake procedures should be applied that provide screening for difficult problems or special client challenges, such as limited English proficiency, disabilities or low literacy.
- **Clients who do not have difficult problems or unusual challenges can effectively be served by telephone.** The benefits of easier access, greater efficiency – both for clients and for the program – and generally good results make the telephone-based services of Pennsylvania programs a vital component of a modern, full range, mixed-service delivery system.

VII. FINDINGS ON ALIGNMENT OF PENNSYLVANIA TELEPHONE-BASED SYSTEMS WITH BEST PRACTICES²⁰

The Best Practices Assessment offered an opportunity for program leaders to describe their best efforts in the context of standards and guidelines that are widely accepted in the civil justice community, and in the process, create opportunities for replicating success and fostering program improvement throughout the network of Pennsylvania legal aid provider organizations.

The best practices on which this assessment was based are found in three sources:

- ***American Bar Association (ABA) Standards For The Operation Of A Telephone Hotline Providing Legal Advice And Information (“the ABA Standards”).*** A copy of these standards can be downloaded from the following web address:
<http://www.americanbar.org/content/dam/aba/migrated/legalservices/downloads/delivery/hotlinestandards.authcheckdam.pdf>
- ***Legal Services Corporation (LSC) Guidelines for Telephone-Based Intake and Legal Assistance Programs (the “LSC Guidelines”).*** A copy of these guidelines can be downloaded from the following web address:
http://grants.lsc.gov/sites/default/files/Grants/Prgltr2002_4.htm .
- ***The results of past evaluations of phone-based legal assistance systems,*** such as the 2002 Hotline Study performed for the Project for the Future of Equal Justice at the National Legal Aid and Defender Association (NLADA). Further information and copies of relevant studies are posted at the following web address:
<http://www.legalhotlines.org/outcomesurveys.php> .

The Resource organized the Best Practices Assessment around themes and associated principles outlined in the *LSC Guidelines*.²¹ LSC’s framework was used because:

- ***It articulates practices and principles widely accepted within the civil justice community.*** The *LSC Guidelines* incorporate the *ABA Standards*, which were issued in 2001 after broad consultation with civil legal aid leaders to ensure that phone-based systems being adopted by legal aid programs conformed to the ethical and professional standards of the legal profession.
- ***The LSC Guidelines are practical and concrete.*** They translate the broad aspirational goals of the *ABA Standards* into a relatively short document that nicely captures the best practices developed by legal aid programs seeking to deploy new technology as a means of providing as many people as possible with access to the civil justice system while honoring basic tenets such as respect for the basic interests and dignity of clients, service quality, efficiency, and effectiveness.

²⁰ For details of the Best Practices Assessment, see Appendix B, which is a complete copy of the assessment report.

²¹ Our use of the LSC Guidelines as the organizing structure for this questionnaire is for convenience only and is not intended to have any regulatory implications. The underlying premise of our study is that all Pennsylvania programs are committed to the goal of maximizing their impact on the communities they serve and vitally interested in learning how well they are doing when assessed against the high standards established by their peers in Pennsylvania and elsewhere. The LSC Guidelines provide a concise and practical articulation of those standards. For the two legal aid programs in the study that are NOT LSC recipients, the LSC Guidelines have no formal regulatory force. Even for the eight programs in this study that are LSC recipients, the LSC Guidelines are aspirational; conformance with them is not a condition of federal funding.

The Best Practices Assessment was organized into five sections, corresponding to the major themes expressed in the LSC Guidelines:

- A. Client Access:** *Applicants should have prompt access to a person who can initiate the intake process in a courteous and professional manner.*
- B. Staffing the Telephone Intake and Delivery System:** *While staffing may vary as to professional background and employment status, all staff on the telephone intake and delivery system are well trained, experienced and closely supervised.*
- C. Decisions on Assistance:** *Applicants for service should receive prompt determination as to the type of services that they will receive from the program.*
- D. Technology:** *The applicant's journey from initial application to appropriate advice, brief service or referral should be expedited.*
- E. High Quality Legal Services:** *The quality control system ensures that the service provided to clients is accurate, informative, prompt, professional and conflict-free.*

Findings of the Best Practices Assessment

Exhibit 11 on the next page summarizes the overall alignment of the ten programs across the five best-practice performance areas.²² The text box on page 19 provides examples of best-practices reported by programs in the evaluation.

The results affirmed that all the Pennsylvania programs examined are achieving the primary goal of telephone-based legal assistance, which is to make legal assistance accessible to every eligible person – including residents in rural areas and those facing special obstacles such as disability or limited English proficiency – without sacrificing service quality and effectiveness in the process.

Low-income people facing a legal problem – ranging from a landlord's refusal to refund a security deposit according to terms of the lease to receipt of a letter from Social Security saying one owes \$4,000 in back payments – no longer have to travel to a legal aid office to seek answers; they can call the toll-free legal helpline and, if eligible for service under the program's guidelines, quickly receive expert advice from a Legal Aid attorney or paralegal.

In addition to gauging programs' alignment with the five best-practice areas as summarized in Exhibit 11, the Best Practices Assessment report identified scores of concrete examples wherein Pennsylvania legal aid programs are applying these approaches to optimize results for their clients. The report recommended that programs individually, and perhaps collectively, apply the information produced by the Best Practices Assessment as a starting point for a more thorough review of their telephone-based legal assistance systems. Exhibit 11, and the supporting detail outlined in the Best Practices report, provides a useful point of departure for such a review by identifying Pennsylvania programs that can demonstrate with concrete policies and implementing procedures the application of these best practices in their day-to-day operations, which staff in other programs can readily observe and learn from at minimal expense.

²² The details of this analysis are summarized in Appendix B, exhibits 7 through 14.

Exhibit 11:

Summary – Alignment of Phone-Based Intake and Legal Assistance Systems with Best Practices²³

Best-Practice Area	Percent of Programs in Alignment	Best-Practice Models (Examples)	Page
A. Client Access	56-89 Percent	<i>Intake Through Central Portal:</i>	Legal Aid of Southeastern Pennsylvania (LASP)
		<i>Legal Service Provided in First Call:</i>	LASP
		<i>Helpline for Specialized Services:</i>	Pennsylvania Health Law Project (PHLP), Philadelphia Legal Assistance (PLA), MidPenn Legal Services (MPLS)
		<i>Evening Hours:</i>	Southwestern Pennsylvania Consortium - Neighborhood Legal Services Association (NLSA), Laurel Legal Services (LLS), Southwestern Pennsylvania Legal Services (SPLS)
		<i>Telephone assistance in caller's native language:</i>	MPLS
		Changes or Additions That Would Improve What's In Place	
		<i>New Technology</i>	LASP: New call center
		<i>Redesign of Intake</i>	NLSA: More centralized telephone system
		<i>More staff to handle telephone intake</i>	All programs
B. Staffing and Training	100 Percent	Best-Practice Models (Examples)	
		<i>Staff with appropriate qualifications assigned to helplines</i>	SPLS, MPLS, North Penn Legal Services (NPLS)
		<i>Practices that minimize turnover</i>	LASP, NLSA, Northwestern (Pennsylvania) Legal Services (NWLS)
		<i>Appropriate training</i>	LASP, NLSA, SPLS
C. Prompt Decisions on Assistance	89-100 Percent	Best-Practice Models (Examples)	
		<i>Simplified process</i>	LASP, PLA
		<i>Clear guidance for intake staff</i>	NWLS, NLSA
		<i>Clients provided with follow-up letters</i>	MPLS, PHLP, LLS, NLSA, SPLS
		<i>Follow-up letters in client's native language</i>	MPLS
D. Technology: Expediting the Applicant's Journey from Initial Application to Appropriate Advice, Brief Service or Referral	89-100 Percent	Best-Practice Models (Examples)	
		<i>Automated document assembly</i>	LASP
		<i>Various approaches for making resources accessible to staff</i>	LASP (wiki); MPLS, SW Consortium (SharePoint sites); NLSA, PHLP (case management or phone systems); NWLS (program website)
		<i>Automated scheduling</i>	PLA
		<i>Automated court dockets</i>	PLA
		<i>Online document retrieval systems</i>	PLA (Save Your Home Philly hotline)
		<i>Paperless system</i>	NLSA
		Changes or Additions That Would Improve What's In Place	
		<i>Google apps for staff chat</i>	LASP
		<i>New hardware or software</i>	LASP, NLSA
		<i>More staffing for tech function</i>	MPLS
		<i>Roundtables for tech people</i>	NLSA
		<i>Case Management System software improvements</i>	PHLP, PLA
E. High Quality Legal Services	100 Percent	Best-Practice Models (Examples)	
		<i>Best-Practice research informs launch of helpline</i>	MPLS
		<i>Helpline assists trend spotting</i>	LASP (weekly meetings); NLSA (monthly meetings); NLSA, PHLP (examples of impact)
		<i>Brief services provided by phone</i>	LASP
		<i>Regular client feedback</i>	MPLS, NWLS
		<i>Comprehensive management approach</i>	SPLS
		<i>Pro se materials provided as complement to telephone-based assistance</i>	NLSA, PHLP

²³ "Page" column refers to page numbers in Appendix B.

EXAMPLES: Best Practices Applied By Pennsylvania Legal Aid Programs

The following are just a few of the scores of examples outlined in the Best Practices Assessment report under the five headings listed here.

1. Client Access

Pennsylvania Health Law Project (PHLP) operates a toll-free statewide legal Helpline that each year serves approximately 3,700 consumers and their advocates across Pennsylvania with an enormous range of health related needs and concerns. PHLP serves the 2.1 million low-income Pennsylvanians on Medicaid/Medical Assistance, the 1 million Pennsylvanians without health insurance, and the 197,000 low-income kids enrolled in the Children's Health Insurance Program (CHIP).

2. Staffing and Training

The *Southwestern Pennsylvania Legal Services (SPLS)* Hotline is staffed by veteran program employees, most with over ten years of program experience, including two intake workers in the program's central Washington County office, an intake worker in each of three other program offices, a senior staff attorney with 32 years of legal experience providing telephone advice and brief service, and the Washington County Managing Attorney acting as project supervisor.

3. Prompt Decisions on Assistance

Callers to the *Legal Aid of Southeastern Pennsylvania (LASP)* Helpline speak immediately to a paralegal who is trained and experienced not only in determining financial and other eligibility, (such as absence of conflicts, restrictions, etc.), but also in determining whether the caller's problem falls within program priorities, case acceptance policies and intake guidelines.

As a result, clients are almost always told upon their first contact whether or not LASP will be able to help them. They are also usually told on that call whether that assistance will be limited to telephone advice from the Helpline or might include additional services delivered by the local office. Not only is this beneficial to the client, it respects their time and the time of the staff since it involves little in the way of transferring calls and call backs. It is very efficient given the level of technology currently available to Helpline staff.

4. Technology

LASP uses automated document assembly (including Hot Docs and ATJ software) programs to develop templates for the use of staff and callers. These templates allow the staff to generate customized letters to callers following telephone advice and brief service. Others provide self-help materials for callers with certain landlord/tenant issues.

5. High quality legal services

PHLP works to turn clients' experiences into policy change that improves clients' lives and keeps PHLP from having to solve the same problem over and over again. For example, PHLP received numerous Helpline calls from families of Medicaid eligible children denied home health services by their physical health Medicaid managed care plans (physical health Managed Care Organizations, or MCOs). Armed with this information, PHLP followed up with administrative advocacy that resulted in a Department of Public Welfare (DPW) investigation, which found that seven Medicaid MCOs improperly denied home health care. DPW put the MCOs on a Corrective Action Plan requiring them to stop issuing the erroneous denials, review these cases, and correct the previous denials sent.

VIII. CONCLUSION: NEXT STEPS FOR OPTIMIZING THE EFFECTIVENESS OF PHONE-BASED LEGAL ASSISTANCE SYSTEMS IN PENNSYLVANIA

1. The Evidence Shows That “Advice” Services (Including “Advice-Only” And “Brief Services”) Are Not Only Effective; They Are Essential.

Advice-only and brief services are legal aid’s “emergency room” cases. Without them, thousands of low-income families a year would be forced to confront their legal problems without any legal help at all, with consequences that in some circumstances would be devastating.

The findings of the Client Survey indicate that for a strong majority of clients whose cases are resolved by advice – either advice-only or brief services – the services they have received are effective. For example, six out of ten achieve results they deem “favorable,” and eight out of ten find these services to be “helpful.” These services provided by Pennsylvania legal aid programs are enabling many thousands of people a year to address simple legal problems quickly, with much better results than they would have if left to deal with these problems without access to any legal assistance.

Moreover, the Client Survey confirmed that when that these services are delivered by telephone they are not only effective but provide more convenient access to services and enable vastly more people to get legal help than would be possible through only traditional, in-person methods with the same amount of resources.

2. Pennsylvania Programs in This Study Are Achieving the Primary Goal of Telephone-Based Legal Assistance.

The Best Practices Assessment has affirmed that all the Pennsylvania programs examined are achieving the primary goal of telephone-based legal assistance, which is to make legal assistance accessible to every eligible person – including residents in rural areas and those facing special obstacles such as a disability or limited English proficiency – without sacrificing service quality and effectiveness in the process.

Moreover, the companion research effort – the survey of 400 clients served by the programs in this Study – has demonstrated that clients of telephone-based advice and brief services are getting not only access to services but solutions to legal problems and outcomes that the majority of clients deem favorable, even in some cases where the facts of the situation are not favorable to the client’s preferred outcome.

The Best Practices Assessment enabled each participating program to consider, and to carefully assess its own alignment with, the best practices that have emerged from almost two decades of research, technical assistance, training, and “on the ground” experience with telephone-based intake and legal assistance in practice in Pennsylvania and across the nation. It highlighted examples and vignettes illustrating how those practices are being applied within the specific context of individual programs across Pennsylvania.

3. The Findings of This Assessment Provide Support for Efforts to Optimize Results for Clients Going Forward.

The Client Survey and the Best Practices Assessment, taken together, have shown that telephone-based legal assistance is a legitimate vehicle for effective, high-quality assistance to clients. Yet, programs participating in the Best Practices Assessment acknowledge that while

they have made great strides by implementing telephone-based legal assistance systems in recent years, the systems are not perfect, nor do they have the capacity to serve all the people who need them.

A productive use of these findings would be for programs to use the findings of this Study individually and perhaps collectively, as a starting point for a more thorough review than has been possible here. The review would step back and take a closer look at opportunities, now that basic systems are in place, for moving forward from here to further optimize results for clients.

Many of these opportunities lie in best-practices that other programs already have in place. A useful initiative that programs could undertake would be to arrange site visits for their telephone assistance staff to other programs for a closer look at how they handle common issues – for example, “live” advice systems versus “call-back” systems; approaches for minimizing the long wait times that some clients experience before being connected with legal advocates; systems in place for handling large volumes of calls effectively and efficiently. These are just some of the issues that could be discussed in exchanges of site visits among telephone service staff of Pennsylvania programs.

Another step would be for state funders PLAN, Inc. and/or the Pennsylvania IOLTA Board to convene a statewide conference or summit meeting at which programs compare notes and share what they have learned about telephone-based legal assistance. Information from the Client Survey as well as from the Best Practices Assessment could be helpful for identifying practices that correlate with good results and high satisfaction among clients being provided with advice-only and brief services.

Other opportunities are offered by the training and technical assistance offerings of the national civil justice community. For example, two national associations – NLADA and the ABA – collaborate to present in May of each year the Equal Justice Conference, a major focus of which is telephone-based legal assistance. Each Pennsylvania program could consider sending one or more of its telephone-based legal assistance staff to this conference, and indeed, encourage them to submit proposals for presenting workshop sessions at the Conference.

Regardless of where they go from here, Pennsylvania programs can take satisfaction in having achieved something remarkable: establishing and operating service delivery systems that are providing real benefits day in and day out to thousands of clients who otherwise would be unable to get the legal help they sorely need.

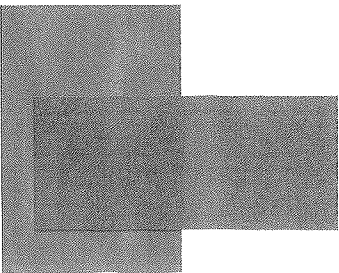
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October 15, 2018

Tempering the Need to Measure Outcomes with Common Sense: Hotlines as a Case in Point

Jan Allen May

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Over the past 35 years I have been involved with designing, implementing, and evaluating 30 or more legal delivery systems ranging from staff attorney to pro bono to hotline to brief services units to reduced fee panels. Each has its pluses and minuses and each presents its own unique challenges in terms of measuring "outcomes." We incubated many of these delivery systems at Legal Counsel for the Elderly and, with varying degrees of success and failure, we tried to help other programs replicate these systems across the country. In doing so, we learned something about human nature and change, the curiosities of "measurement," the culture of legal services programs, and how quickly emotions can overcome common sense in discussions about how best to serve our clients and how best to expend program resources.

The delivery system that has perhaps caused the most stir around the country is the hotline. And, after more than 25 years overseeing a hotline, I am acutely aware of both its strengths and limits as a delivery system when compared to other methods of providing services. Because it was so controversial, the hotline went through an inordinate amount of scrutiny, evaluation, outcome studies, client satisfaction reviews, and other attempts to measure whether hotlines were worthwhile (see, for example, the plethora of "Outcomes Studies" posted on the Legal Hotlines website under "Reports").

In recent years, there has been a heightened discussion of outcomes as they pertain to hotlines, full-service, and other methods of service delivery. I think that hotlines do provide a good example of some of the complexities of measuring outcomes and the need for common sense in terms of one's approach.

To ensure that everyone is on the same page, let me explain what I think a legal hotline does and does not do. A hotline provides to callers relatively immediate access to an attorney who can elicit facts from the caller on the phone, analyze those facts, usually determine the issues, and make a

preliminary assessment of what needs to be done. In maybe half of the calls, the caller simply needs some information and advice which the hotline attorney can provide.

In my view, providing thorough, accurate, and complete advice in terms the caller can understand is a very useful service. If you have ever had a legal problem in which a knowledgeable attorney provided you with a few minutes of reliable information or advice in a timely manner, you probably experienced a peace of mind or anxiety reduction which you can even recall to this day. I certainly remember the enormous relief on one client's face when I informed him that there is no debtor's prison and that he would not go to jail for failing to pay a credit card bill. That peace of mind is in my view worth something—and sometimes a great deal. Legal services programs provide that service, whether through hotlines or other mechanisms, on a daily basis—a valuable service, indeed, but not one easily measured. One might log "client obtained legal advice" in the outcome field, having recorded the substance of the conversation in the case notes. To the purist, this is not an "outcome" but rather it is an "output." Thus, there is arguably no measurable "outcome" for such a case. I should also note that a large percentage of legal services programs *without* hotlines log closed cases as "advice and counsel," so such cases, regardless of the delivery system, are difficult to measure in terms of outcomes (For example, according to the Legal Services Corporation Annual Report of 2010, 61.5% of all cases reported to that entity were closed for the reason of "counsel and advice:").

As one author correctly points out (David Godfrey, *Legal Hotline Quarterly*, Summer 2007), however, it may be not just what you say but how you say it. The example he cites is the "drafting of a power of attorney." Rather than phrasing an activity as an output such as "drafting a power of attorney document" one might record an outcome such as "getting bills paid," "promoting independence," or "averting guardianship proceedings." Maybe that is just semantics, or maybe it is translating our work into language a funder can appreciate.

Some of those hotline "cases" ultimately will have an outcome if the caller follows the advice of going to small claims court and suing the repairman for the \$500 caller paid but from whom she did not receive the services. Here, again, the "outcome" is not realized until a judgment has been entered and the caller has collected. To figure out whether this happened may take not one telephone call but several. A hotline receiving thousands of calls has to make the resource judgment call as to whether it makes sense to make multiple calls on this "case" to discern the ultimate outcome or simply provide the advice and move on to the next case. Compelling arguments can be made for taking either step. Many a program, strapped for resources, would opt

for the one telephone call and then move on to the next caller. Depending on the ability and level of motivation on the part of the caller this may or may not be a wise choice.

Some hotlines, like ours, have made the decision to separate out "brief services" so that the hotline attorneys do not review documents, call third parties, or draft letters on callers' behalf. This allows the hotline to be truly "hot" and not engage in the time-consuming activity of what is labeled in the trade as "brief services." The hotline attorneys mainly screen for conflicts, develop the facts, identify the issues, and then provide information and advice, or schedule the caller for an appointment with the "brief services unit" or other staff attorney. There is value to the program in conducting a conflicts check, developing the facts, identifying issues, and scheduling an appointment with staff. These steps are, however, in the jargon of program measurement, outputs and not outcomes. For those programs where the hotline also performs "brief services" there is a greater likelihood of achieving a measurable outcome, especially in the context of completion of a form or phone call to a third party to resolve a simple dispute.

An additional function that the hotline performs is that of screening out "cases" which are lacking in legal merit or are time-barred or both. An informed hotline attorney who tells a caller diplomatically, fully, accurately, but firmly, that the client does not "have a case" or that there is no legal remedy performs a valuable service. Too often, program staff will take the easy way out and refer such individuals to some other program or lawyer though it is apparent that legal representation will not help. A hotline attorney who performs his or her job well in this regard just might prevent this caller from calling every attorney within a 50 mile radius to explain the problem. There is programmatic and societal value in this function, a sort of "tough love" for those few individuals who clog intake systems with frivolous matters and endless rants. But again, there is no measurable "outcome" that we can easily assign to such a situation.

One methodology that we and some other hotlines use is volunteer follow-up to check on callers to ensure that they acted on the information and/or advice that the hotline gave. This is a very good addition to the hotline and our experience has been that we have been able to greatly increase the chances that the caller will follow through. Typically, that follow-through might involve ensuring that an appointment was kept or some other referral was pursued. Thus, even if the caller has done so, or says that they will after getting the call from the volunteer, it again is really only another "output" measure, not an "outcome." It could take a number of calls over the course of a number of months if the program wants to determine if a client got the benefit, judgment, or other result that was being sought. So, while adding a volunteer follow-up component is a good idea, it does not guarantee that the ultimate "outcome" will be captured by the program. A caller who has been

instructed to go to court and file documents pro se will often also rely on friends, neighbors, relatives, court personnel, kiosks, and other sources of support. In light of that additional help, is it appropriate to attribute the outcome only to the hotline that originally advised the client to go to court?

Of course there is always the client satisfaction survey that might be used to help answer the hotline outcome conundrum. A survey might ask whether the question or problem was resolved, how much was resolved, and what difference the attorney's involvement has made (choices might be: "a lot," "some," "a little," or "none"). There are a number of complexities here as well. First, the return rate of client satisfaction surveys typically is not high and therefore the accuracy of the data comes into question. Second, client satisfaction surveys are subjective and thus not a definitive source of information on the true outcome of a case. Third, for those situations in which the hotline attorney correctly tells the caller that there is no case to be made, a negative client satisfaction survey could result despite the attorney's good advice. Thus, the results of client satisfaction surveys have to be taken with more than a grain of salt and should not be considered the end-all and be-all of outcome measures for the function. Nevertheless, survey results often do reveal many positive outcomes, give feedback about how well a system is working, and provide testimonials regarding "success stories" (see below).

Finally, there is the issue of the client and the nature of the problem. One well-respected study of hotline outcomes (Dr. Jessica Pearson and Lanae Davis, *The Hotlines Outcomes Assessment Study, Final Report—Phase III*, 2002) found, not surprisingly, that better educated (eighth grade or higher), English-speaking callers were more likely to obtain more favorable outcomes as a result of the hotline advice. That study also found that certain types of cases (housing and consumer) were more inclined to achieving favorable outcomes via a hotline service than were other types of legal matters. These findings raise two issues: (1) whether or not to follow up on a hotline call may require an assessment by the hotline attorney on both the caller's ability to grasp the information and on the likelihood of the client following through without a follow-up call from a volunteer; and (2) while the instance of a granting agency on achieving "outcomes" may be valuable in prompting the hotline to find cases where outcomes are easily obtainable, it seems inappropriate to favor certain types of cases over others simply because of this strict definition of success. We should not, in the words of Thoreau, become "the tools of our tools" by letting the ease of measurement dictate what cases we work on.

Conclusion

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Conclusion

We should infuse a good deal of common sense into the discussion of outcome measures. A hotline is, in many instances, simply one stage in a continuum of services that a client needs. It can provide valuable service in determining the merits of a case. It can provide valuable service in identifying issues, adverse parties, and next steps. This is useful to whoever ultimately handles the case. It can provide a good deal of peace of mind for callers anxious about a whole gamut of legal issues. It can provide guidance about simple matters, which, especially with follow-up, might well result in favorable outcomes. To conclude that a hotline cannot always produce tangible outcomes for all or most of its callers, however, does not mean that the hotline is not worthwhile. It may mean it is simply a short, meaningful service that adds value but often is not the end-point of the service delivery. We cannot fully evaluate a hotline by strict outcome measures any more effectively than we can judge a restaurant by its maitre d' or a college by its freshman week.

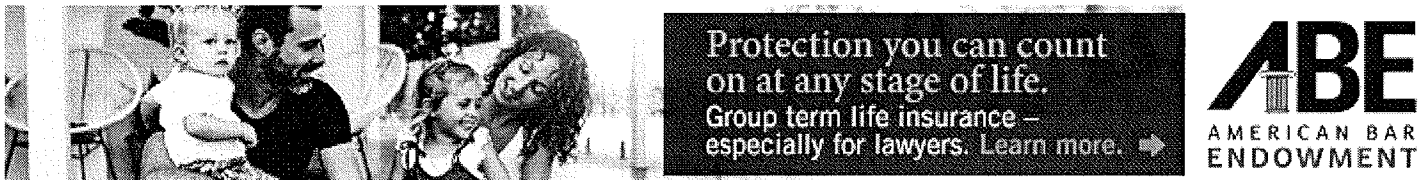
What can we conclude about outcome measures and legal hotlines?

Here are my recommendations:

- Where possible, hotline attorneys should record outcomes they can justify based on their calls with clients (there are many templates available).
- Consider carefully how you express the “outcome” (such as with the power of attorney example described above).
- Where possible and where feasible, hotlines should utilize volunteers to follow up on hotline callers to try to ensure that the callers took the advice and acted on it. Again, where possible, the volunteer should record any “outcomes” that are achieved.
- Utilize a short, easy-to-complete client satisfaction survey, asking about how much of the caller’s question or problem was resolved. This should be mailed out perhaps a month or two

after the call (close enough in time that the caller remembers, but long enough for there to be a reasonable chance for the problem to be resolved).

- Do not re-order a program's priorities based on cases where outcomes are easily measurable—this is the hotline equivalent of the tail wagging the dog. That said, you may find that tweaking hotline procedures on certain cases (e.g., sending written materials) might enhance hotline outcomes.
- Appreciate the value added in many cases where the hotline simply develops cases for others to work on because the case cannot be resolved through advice and counsel.
- Appreciate that a hotline can effectively weed out frivolous claims; ultimately, this is a benefit to both the client and program resources.
- Tell the story and tell it well. Capturing and compiling client success stories from the hotline or client surveys is certainly one significant part of the hotline outcome puzzle.
- Implement and review your hotline system in accordance with the standards adopted by the BA (see Standards For the Operation of a Telephone Hotline Providing Legal Advice and Information, Adopted by the American Bar Association, August 2001). Setting standards, implementing them, and periodically reviewing your operation may well be the best way to ensure that your system is producing quality outcomes for clients served by a hotline or any other legal delivery system.



Authors



ABA American Bar Association

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To: Dick Cullison and the rest of the AppalReD Strategic Planning Committee

From: Evan Smith

Date: June 14, 2019

Re: Impact Work and Legal Work Management

I regret that I cannot join the Committee's June 21, 2019 meeting. At your request, I am providing brief narrative thoughts about the relationship between impact work and our other direct service work at AppalReD. As advocacy director, one of my purposes is to establish a program-wide balance between impact and service work. I appreciate your assistance with this goal and plan to discuss this topic further.

One of my goals is for all of our staff to confidently say, "*We serve individual clients and use what we learn to fix the problems they face.*" This phrase encapsulates both our primary role—serving individual clients—and our larger effort to change the conditions creating our clients' problems. Our impact work goes to this second effort at systemic advocacy, but it must always be rooted in our individual case work.

Among AppalReD's greatest strengths is that every year we have direct contact with thousands of low-income Kentuckians who are facing legal problems. Our clients come to us because they have an immediate need and are aware that we provide direct services to address that need. As resources allow, we should continue to meet that need where it cannot be met elsewhere. But, of course, our resources *are* constrained and, for the foreseeable future, will never be sufficient to serve the full needs of our client population. Impact work provides a way that we can help more people than we can serve through one-on-one client contact.

We are working to identify (1) patterns among our clients' problems and (2) good facts and procedural postures to push for wins that go beyond what our individual client needs. Appellate courts are the most obvious place that such advocacy can impact future cases, but we should be looking for good facts in our trial level work as well and think about ways that we can amplify the impact of those cases through media attention and other ways to increase the visibility of that work.

The balance of impact and other work will vary but when we identify opportunities for impact, I hope to work with the rest of our staff on winning big for our clients.

Alchemizing Volume

BY LEE RICHARDSON, JASON AUER, AND KEVIN DE LIBAN



Today, as I was wending my way through my 80 cases for an open case review, I closed at least 10 for reasons that disappointed me. Either legal issues had sat so long that they resolved themselves, or clients had grown frustrated and given up. I was upset at the thought that I had let the clients down, given a bad impression of Legal Aid of Arkansas, or consigned the clients to fighting whatever battle they had without the benefit of an attorney. Then I asked myself if I could have done anything differently. And the only answer occurring to me was equally distasteful—my colleagues and I could have forgone the immensely time-intensive impact cases that had so defined the last year.—KEVIN DE LIBAN

The frenetic tension between high-volume direct service work and high-impact work vexes many legal aid organizations.¹ Legal Aid of Arkansas for years has gaspingly recited the “impact” mantra while wearily staggering on the “volume” treadmill. Now, finally, undeniable injustice in housing and Medicaid forced us to turn the emergency shutoff key and focus on achieving impact through strategic campaigns. In the last year alone, Legal Aid of Arkansas, with significant contributions from the state’s only other legal services organization, the Center for Arkansas Legal Services, effectively defeated Arkansas’s one-of-a-kind criminal eviction statute for 60 percent of the state’s population and, for the first time in decades, forced the interests of Medicaid consumers to the attention of the highest levels of

the Arkansas Department of Human Services, our state’s Medicaid agency.

The Medicaid campaign and the criminal eviction campaign demonstrate different transfigurations of volume into impact. Whereas the Medicaid advocacy uniquely harnessed dozens of individual cases to create impact, the housing campaign recognized volume as the key to finding the proper clients through whom the

with a frank acknowledgment that the campaigns sacrificed some clients’ interests for others, and we contemplate how the organization can further manage volume in the interest of impact.

Organizational Background

Legal Aid of Arkansas’s strategic planning in 2010 inaugurated a major, yet slow, shift from a geography-based, office-centric, generalist approach to legal services

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winning legal arguments could be raised. In both instances, however, what had been a multitude of disjointed individual cases became cohesive fuel for change.

Before discussing the campaigns in depth, however, we explore the organizational shifts that allowed Legal Aid of Arkansas—an organization that receives funding from the Legal Services Corporation—to alchemize volume into impact. We close

provision to a workgroup-based, statewide model expected to enhance client access, develop substantive expertise, and foster focused advocacy. Although similar shifts were undertaken long ago by many legal services providers in urban settings, Arkansas’s rural nature delayed organizational restructuring. Legal Aid of Arkansas’s service area features a population density of only 54.9 people per square mile and

¹ See Gary F. Smith, *Poverty Warriors: A Historical Perspective on the Mission of Legal Services*, 45 CLEARINGHOUSE REVIEW 34 (May–June 2011). See also Victor Geminiani, *Whence We Come: Review of Earl Johnson Jr., To Establish Justice for All: The Past and Future of Civil Legal Aid in the United States*, CLEARINGHOUSE ARTICLE (July 2015); Gary F. Smith, *Remembering Edward V. Sparer: An Enduring Vision for Legal Services*, 39 CLEARINGHOUSE REVIEW 329 (Sept.–Oct. 2005).

What had been a multitude of disjointed individual cases became cohesive fuel for change.

has some offices located as many as 300 miles apart, a distance that lends itself to significant regional independence.

Under the old service model, advocates from a regional office functioned as a unit, with little specialization and interaction with other regional offices. This arrangement yielded a distinguished history as a high-volume organization, counting success by the number of people served in fairly routine issues more than by the laws changed or the scope of injustice remedied. The approach attracted devoted advocates willing to work hard for their many clients. Our institutional knowledge emphasized compassion, immense competence in routine issues, and significant domestic relations court experience. However, we lacked advocates who were well versed in the nuances of complex litigation, were able to translate individual cases into wider impact through litigation or other approaches, or had authored complex appellate and motion briefs enough that such work was undaunting. Repeatedly seeing the same problems not only raised questions about Legal Aid of Arkansas's stewardship of scarce resources to promote justice in a meaningful way but also led to a lack of morale for advocates seasoned and new who were unable to see progress.

Understanding that resources will never be sufficient to grant total access to all those in need, Legal Aid of Arkansas overhauled its delivery system. Each advocate was assigned to a workgroup that developed case-acceptance priorities and made all case-acceptance decisions. The workgroup model was empowered by technology-driven information sharing. Linked by an

organizationwide Dropbox, workgroups could share pleadings, memos, treatises, and advice letters to create a repository of knowledge. A case management system upgrade in the third year of the strategic plan further enhanced the ability to collaborate. We implemented a novel HelpLine model requiring every staff attorney to work one or two intake shifts per week in that attorney's substantive workgroup to ensure that the intake line's practices would work in full concordance with workgroup priorities.

While many long-term advocates resisted these changes, Legal Aid of Arkansas recruited a banner crop of freshly minted attorneys to fill Equal Justice Works AmeriCorps and state AmeriCorps fellowship slots.² The new advocates developed within the workgroup framework and were better able to learn the nuances of a particular area of law and transmit the knowledge to the rest of the group. Even modest substantive knowledge was better preserved by the workgroup model.

As of 2015, advocates had developed deep enough expertise to initiate several challenges to problematic laws or practices through affirmative litigation or appellate court work. However, the organizational restructuring did not feature any practical steps to offset the increased workload generated by the higher-level advocacy. Resource fluctuations also complicated matters by forcing advocates to absorb more work from occasional staff contractions. The Medicaid and housing advocacy thus took

² A full discussion of the extensive criticisms surrounding the shift is outside our scope here.

place in the context of a struggle against the vestigial pressure toward volume.

What We Accomplished

Our accomplishments must be seen in light of the degree of difficulty, which is generated as much by our organizational history as by the extent of the substantive injustice we sought to ameliorate.

Medicaid. Any program with mature and effective Medicaid advocacy is unlikely to be impressed by the outcomes of our efforts. After all, those programs can already boast of regular meetings with state agency officials to share concerns and information, complex litigation involving the most arcane federal regulations, and appellate advocacy challenging problematic state policies and assuring that hearing officer decisions have adequate oversight. We, however, could not boast of such things. No Legal Aid of Arkansas representative in the last two decades had met with high-level Department of Human Services officials to raise consumer concerns, filed an affirmative Medicaid suit in either state or federal court, commented on proposed state regulations, or undertaken any significant appellate Medicaid work.

Given our lack of history of Medicaid advocacy, nobody at Legal Aid of Arkansas planned for 2015 to be the year for a breakthrough change. Advocates in our economic justice workgroup had their usual assortment of public benefits, disability, and employment law cases and prioritized those according to pressing deadlines or human needs. We were trying to learn more about Arkansas's Medicaid expansion as best as we could when individual cases came in or as we had time in between the other daily rigors.

The lack of a history of Medicaid advocacy and the haphazard efforts at learning became problematic when we were faced

with an abundance of clients facing the same Medicaid problem. We saw that processing delays in applications for expanded Medicaid far outnumbered intakes for any other Medicaid issue.³ Anecdotal evidence suggests that Medicaid expansion has been a great boon to our clients, and statistics show that Medicaid expansion has reduced the rate of uninsured Arkansans from 22.5 percent in 2013 to 9.6

but we did not see how a few scattered fair hearing requests would fix the underlying systemic issue.⁶ Without class action capabilities or a ready organizational plaintiff, we deemed individual suits unattractive because of the likelihood of easy mootness. And we did not have ready connections in the Department of Human Services to bring up the issue to officials with the power to undertake any remedial

Legal Aid of Arkansas for help if desired. We built and staffed a special Medicaid intake line to accommodate the expected influx of calls, standardized case handling to minimize the time between the client call and the return of forms needed to authorize our action, and coordinated with the Center for Arkansas Legal Services to streamline referrals to ensure statewide impact. During the two-week Extravaganza, we received around 110 Medicaid-related calls, 1,000 percent of what would normally be expected in the same span. Three quarters of those calls involved application-processing delays. Within a few weeks of the Extravaganza (some time was required for paperwork to be returned), Legal Aid of Arkansas and the Center for Arkansas Legal Services had made over 50 fair hearing requests, a number that ballooned to over 200 by the end of 2015. The clients served in the first weeks after the Extravaganza received nearly universal approvals and functioning Medicaid within one to two weeks of lodging the fair hearing requests. The department acknowledged the efficacy of our strategy by asking us to modify our fair hearing requests to include the applicants' addresses so that the requests could be processed more quickly.

The Extravaganza was not a stand-alone tactic. We paired it with a thorough, 25-item open records request designed to obtain statistics on the number of applications pending, the waiting times for pending applications, the reasons for the processing delays, the department's consideration of possible solutions, and any communications between the department and the Center for Medicare and Medicaid Services, the federal body that oversees state Medicaid agencies.⁸ The request was wholly refused, with the department claiming that it had no responsive documents and asserting

The lack of a history of Medicaid advocacy and the haphazard efforts at learning became problematic when we were faced with an abundance of clients facing the same Medicaid problem.

percent in 2015.⁴ However, in early 2015, clients started calling every week to report that they had applied for Medicaid months before and were still waiting on a decision from the Department of Human Services. Many had a critical need for insurance to receive prenatal care, cancer treatments, or management of chronic conditions such as diabetes and heart disease. Our contacts in the health insurance marketplace navigator network likewise told us about their frustrations with long application-processing times, which were routinely running between three and six months.

Federal law gives a Medicaid state agency 45 days from the date of application to render a decision on eligibility.⁵ With the Department of Human Services out of compliance by several months, the question was how to respond. Individuals can request fair hearings for the failure to process applications in a timely fashion,

measures. Moreover, the department had already signaled its likely response when it told the press that delays were due to technology problems caused largely by contractors working to update the state's antiquated case management database.⁷

At that point, we realized that "volume" could work to our advantage and termed the resulting plan the "Medicaid Extravaganza." The idea was to collect as many individual cases as possible in a two-week span and then make a massive set of fair hearing requests to the Department of Human Services to signal the enormity of the problem. We decided on this course of action in late April 2015 and gave ourselves three weeks to put the plan into place. We alerted our state's health insurance marketplace navigator network, community health center partners (with whom we have medical-legal partnerships), and other allied community groups to let any applicants who had been waiting more than 45 days know that they could call

3 The next most frequent issue we encounter relates to home-and-community-based waiver programs. The waiver issues led us to the state court of appeals, but they have not been the subject of a strategic campaign.

4 Dan Witters, *Arkansas, Kentucky Set Pace in Reducing Uninsured Rate*, GALLUP (Feb. 4, 2016).

5 *Timely Determination of Eligibility*, 42 C.F.R. § 435.912 (2016). See also *State Plans for Medical Assistance*, 42 U.S.C. § 1396a(a)(8) (2014).

6 *When a Hearing Is Required*, 42 C.F.R. § 431.220. See also 42 U.S.C. § 1396a(a)(3).

7 See generally Gina Mannix et al., *How to Protect Clients Receiving Public Benefits When Modernized Systems Fail: Apply Traditional Due Process in New Contexts*, CLEARINGHOUSE ARTICLE (Jan. 2016).

8 See *Freedom of Information Act*, ARK. CODE ANN. §§ 25-19-101-110 (2010).



that it did not need to compile information. The unreasoned refusal suggested that the department, in fact, lacked an adequate remedial plan and evinced a troubling disregard for accountability and responsiveness.

At the same time as the Extravaganza was being planned and executed, a community partner set up a meeting with high-level officials at the Department of Human Services to discuss consumer issues. The partner invited us to participate in the meeting, which took place approximately one month after the Extravaganza. At the meeting, we used data gained through the Extravaganza to illustrate the extent of the application delays and associated issues such as out-of-pocket costs. Department officials expressed interest in our data but did not offer any indication of planned systemwide remedies or timelines. They did not acknowledge the existence of any widespread problem of application delays and attributed our clients' experiences to technical problems.

Concerned by the lack of responsiveness, we filed another open records request, reiterating many of the previously rejected

requests while removing anything potentially requiring compilation. Although the department responded to many of the items, it claimed that it lacked, among other missing data, any information about the number of pending applications and the processing times for those applications. Buried in its responses were documents suggesting that the department did, in fact, have the numbers we sought. Accordingly, in late August 2015 and aided by a pro bono partner, we filed suit in state court to enforce our right to information pursuant to the state Freedom of Information Act.⁹ The lawsuit prompted extensive discussions with department officials about the data sought and the underlying problem of application-processing delays. The department took a remarkable position. It claimed that it did not have the capacity to produce regular reports about application-processing delays; it stated that only one person in the

⁹ See [John Lyon, *Lawsuit: Arkansas DHS Withholding Info on Medicaid Verification Delays*](#), SOUTHWEST TIMES RECORD, Aug. 26, 2015. We did not anticipate litigation at the time of the open records request and did not thoroughly consider the issue of witnesses. Once litigation became necessary, we realized that the person who was most familiar with the requests and the data sought would have had to serve as a witness and could not therefore have served as counsel at the same time.

entire state had the technical knowledge and that having him run such a report cost the state \$70,000 each time. In other words, the state had no way of determining how many applications were pending at any given time or how long those applications had been waiting. The last report had been run in November 2014, six months before our first open records request. The department was also unwilling to commit to a regular schedule for running such reports and refused even regular quarterly updates. To the extent the department made some efforts to be amenable in response to the lawsuit, the information that it disclosed was not directly relevant to the problem of application-processing delays. More problematic, it had taken two open records requests and a lawsuit to get to that point.

Eventually the department authored and released a "Proposed Plan to Increase Capacity and Improve Customer Service" and vehemently denied that consumer advocacy had anything to do with the development of such a plan.¹⁰ The plan aimed to hire more staff to process applications. However, the plan still contained no capacity to generate reports regarding the number of and wait times for pending applications. Instead the department intended to track progress by evaluating whether its newly hired employees had anything left to do. The department seemed to wish to remain as uninformed about the problem as possible.

As the open records kerfuffle was ongoing, individuals continued to seek our services because of application-processing delays. Our earlier efforts had gotten significant

¹⁰ To be fair to the Arkansas Department of Human Services' claim, the Freedom of Information Act suit was not initiated until after the publication date of this plan. However, by the time the plan was released, we had already initiated the Medicaid Extravaganza, made two open records requests, and met with department officials as part of a larger group of consumer advocates. Eligibility and renewal problems had also been covered by the media.

attention in the press, and the wider network of navigators knew that help was available. We continued making batch fair hearing requests while contemplating further action. From the individual cases, we noticed a particularly disturbing problem. A spate of applications originally made through the federally facilitated marketplace and determined to be likely eligible or definitely eligible for Medicaid had never been acted upon by the Arkansas Department of Human Services.¹¹

In early October 2015, we filed the first federal lawsuit on behalf of a Medicaid consumer in Arkansas in decades.

The new problem demanded a new level of advocacy. After we requested fair hearings for the failure to determine eligibility promptly, the department dismissed the fair hearing requests; it asserted that the applicant had to request a fair hearing through the federally facilitated marketplace instead of the state. This position outlandishly violated Medicaid law and erected even more bureaucratic hurdles to access for people who had already been waiting up to six months for a decision. After receiving several fair hearing dismissals, we attempted to leverage the new relationships with department officials to tackle the issue at the policy level. We were rebuffed with faulty legal reasoning, and we responded with a second attempt at conciliation. Our efforts were ignored.

As a result, in early October 2015, we filed the first federal lawsuit on behalf of a Med-

icaid consumer in Arkansas in decades.¹² Within three weeks of filing, we had won a 43-page preliminary injunction order, which guaranteed complete relief to our client and prompted significant favorable media attention. The federal district court judge rejected every argument from the department. Some back-and-forth motions continued, but, because we secured complete relief, the case was rendered moot and was recently dismissed.¹³ The lasting impact of the case has been demonstrated

in the department's willingness to accord the relief won in the lawsuit to other individual clients presenting the same issues.

The successful federal litigation was the culmination of eight months of strategic advocacy incorporating several tactics—the Extravaganza, open records requests, meetings with department officials, a Freedom of Information Act lawsuit, attempts at informal resolution, and, ultimately, a federal lawsuit.¹⁴ We did not plan for the campaign; it developed in response to immense client need. As a result, we did not have the opportunity to reduce caseloads or implement other time-freeing measures. Our economic justice workgroup ended up working even longer hours, the members covering hearing and intake dates for one

another, and developing a sense of teamwork that had not been present before.

Analyzing our impact, we now know much more about Medicaid than ever before, have relationships with high-level Department of Human Services officials that may be adversarial but are largely respectful, can boast of a decisive victory involving complex federal litigation, are recognized by the press as competent representatives of consumer interests, and have the confidence and experience to do similar work in the future. Our impact is likely heightened by the department having been unaccustomed to being held to account to Medicaid consumers through this level of legal advocacy.

Despite being a watershed victory in the context of our organizational history, the 2015 Medicaid advocacy must be seen as only the first step toward a level of advocacy routinely seen in other legal aid organizations. After all, the Department of Human Services has not implemented systemwide reform that prevents the problems causing clients to need our help and has not extended the relief afforded to our clients to those low-income Arkansans who do not come to Legal Aid of Arkansas. We recognize that our gains are modest. Thus, moving forward, we aim to consolidate our victories, apply the heightened advocacy to other Medicaid issues, and thereby protect consumer interests during possible changes in our Medicaid system; such changes include the renewal of Medicaid expansion, the introduction of managed care, and those related to the home-and-community-based waiver programs.

Housing. Arkansas is undeniably the most landlord-friendly state in the nation. Over the past 100 years, Arkansas has developed a scheme of statutory and common law that completely favors landlords and is

¹¹ Arkansas does not operate its own health insurance exchange.

¹² *Walker v. Selig*, No. 2:15-cv-00166 (E.D. Ark. Oct. 9, 2015). See [Arkansas Department of Human Services Sued for Alleged Delay in Private Option Coverage](#), LA OPINIÓN, Oct. 20, 2015; [Lawsuit Against Arkansas DHS Alleges Private Option Delay](#), TVH11, Oct. 9, 2015; [John Lyon, Woman Sues Arkansas DHS over 10-Month Wait to Enroll in Private Option](#), SOUTHWEST TIMES RECORD, Oct. 10, 2015.

¹³ *Walker v. Selig*, No. 2:15-cv-00166 (E.D. Ark. Jan. 15, 2016).

¹⁴ We also had several significant hearings and did some appellate work in Medicaid areas other than application-processing delays. These cases certainly form part of our increased competence and confidence, even if they do not deal directly with processing delays.

wholly devoid of the many tenant protections that have developed and thrived across the country. Examples are as numerous as they are shocking. Arkansas is the last remaining state to embrace caveat lessee by not implying a warranty of habitability into lease agreements. The effect is that a landlord has no implied obligation to ensure that rental units are safe and livable. Another example is Arkansas's version of the Uniform Residential Landlord-Tenant Act. The National Conference of Commissioners on Uniform State Laws created the act in 1972 to be a comprehensive and fair scheme to govern state landlord-tenant relations. Arkansas adopted roughly half of the act in 2007 but deleted nearly all tenant protections before passing it.¹⁵ While the lack of an implied warranty of habitability and half of a landlord-tenant act are indeed unfortunate, the most striking example of the legal imbalance favoring landlords is that Arkansas is the only state where missing a rent payment is a criminal act.

Arkansas's criminal eviction law was a unique concept even when it was enacted in 1901. As originally conceived, the law made it a misdemeanor for tenants to fail to vacate their home after receiving a 10-day written notice from their landlord.¹⁶ Tenants who failed to vacate were subject to a per diem fine of up to \$25. Amendments enacted in 2001 heightened the penalty by introducing the possibility of jail time for any tenant who pleaded not guilty and was subsequently convicted. Interestingly, tenants pleading guilty were not subject to the prospect of incarceration.¹⁷

15 See generally [Marshall Prettyman, Landlord Protection Law Revisited: The Amendments to the Arkansas Residential Landlord-Tenant Act of 2007](#), *Ark. Code Ann. §§ 18-17-101 et seq.*, 35 UNIVERSITY OF ARKANSAS AT LITTLE ROCK LAW REVIEW 1031 (2013).

16 [ARK. CODE ANN. § 18-16-101](#) (2010).

17 For a full discussion of the statute, see [Lynn Foster, The Hands of the State: The Failure to Vacate Statute and Residential Tenants' Rights in Arkansas](#), 36 UNIVERSITY OF ARKANSAS AT LITTLE ROCK LAW REVIEW 1 (2013).

Many Arkansas landlords love criminal eviction. It gives the landlord an easy way to coerce a tenant to move out without being troubled by hiring a lawyer or paying a civil filing fee. The landlord's only obligations are to give a 10-day notice and then make an affidavit at the local prosecutor's office. From there, the prosecutor does the work, and the taxpayers foot the bill. Roughly 2,000 such prosecutions take place per year statewide.¹⁸ During 2012 over 500 prosecutions took place in the Little Rock area alone.¹⁹ To make matters worse, the number of actual prosecutions likely pales in comparison to the number of tenants coerced out of their homes by the threat

The lack of a challenge was particularly surprising considering the 2001 amendments to the statute. Those amendments took an already constitutionally dubious statute and made it an outright affront to the Constitution by introducing the concept of a registry payment. The current version of the statute requires a tenant, at the time of the tenant's arraignment, either to plead guilty or to deposit the amount of rent the landlord alleges is owed into the court's registry.²¹ If the tenant fails to deposit the money and pleads not guilty, then the tenant will be subject to heightened sanctions if subsequently convicted. These sanctions include incarceration for up to 90

The housing workgroup immediately identified challenging the constitutionality of the criminal eviction statute as its primary goal and developed a practical plan.

of criminal charges. Since the 10-day notice is typically given by the landlord prior to state intervention, we have no way to track the number of tenants who simply decide not to fight the process.

The Arkansas legal services community has long believed criminal eviction to be unjust. One legal aid program brought in 1989 a case challenging the constitutionality of a prior version of the law to the Arkansas Supreme Court; the law was upheld.²⁰ Then, for a quarter century, legal services brought no significant litigation to quell the use of the procedure. This is not to say that legal services attorneys did not represent tenants, sometimes even successfully, in individual cases, but there was no concerted effort aimed at bringing the practice to an end.

days and a \$25 dollar fine for each day the property is detained. The fine has no upper limit. The process is extremely coercive. A tenant who wishes to maintain innocence must decide either to vacate quickly and face a minimal fine or to incur all of the risks associated with fighting the charge.

In spite of the obvious constitutional deficiencies of the statute, its use raged on for years. In 2010 the climate at Legal Aid of Arkansas began to change with the adoption of our strategic plan and the introduction of our substantive workgroup model. The housing workgroup immediately identified challenging the constitutionality of the criminal eviction statute as its primary goal and developed a practical plan.²²

21 The court is simply to take the landlord's word as to the amount owed. There is neither a provision for a predeprivation hearing to set the amount of rent nor any determination of mitigating factors such as the tenant/criminal defendant's ability to pay the fee.

22 Of course, the habitability issue was high on the priority list as well.

We engaged the University of Arkansas Bowen School of Law professors and students who were actively researching the use of the statute and who had begun to speak out about its unfairness. Bowen's Consumer Protection Clinic had begun a vigorous effort to represent criminal eviction defendants in Little Rock. By late 2013, we were holding regular strategy sessions with the Center for Arkansas Legal Services, Bowen, and other community partners to develop the legal arguments and materials necessary to carry out a challenge. In 2014 the American Civil Liberties Union joined our task force, and we welcomed its attorneys' technical and litigation assistance.²³

municipal-level district court system before they could be appealed to a county-level circuit court. Once the cases were appealed, we filed a motion to dismiss the charge and a brief detailing the constitutional issues.

The house of cards finally began to crumble on January 20, 2015, when the circuit court in Little Rock became the first court to find the criminal eviction procedure unconstitutional.²⁴ This ruling immediately halted all active prosecutions in the county, and the prosecuting attorney's office stopped taking new affidavits from landlords. Within three months, two additional circuit judges issued similar rulings.²⁵ These decisions halted criminal eviction in most

realizing its potential to make an impressive impact after undertaking extensive planning and institutional change. However, we are still very much catching our breath. The success of 2015 came at a cost, and repeating it will be challenging. Client cases that were not encompassed by the impact work received insufficient attention. Although we did not miss any filing deadlines, we were simply not able to deliver the desired service and, perhaps worse, were not able to tell the client either upfront or in a timely manner that we could not deliver the desired service after having formally accepted the client's case. Also, the resulting stress and workload taxed individual advocates beyond sustainable levels. Management, hampered by resource limitations and staff changes, was not fully able to reduce caseloads and otherwise center impact cases as the organization's sustainable focus.

Other Helpline models, including those staffed by full-time intake-only attorneys, would have been unlikely to have the same alchemistic effect of turning volume into impact.

With developed legal arguments, the central remaining challenge was finding prospective litigants. Our Helpline was a model filter for identifying promising cases. Because housing attorneys performed or reviewed all of the intakes, we were readily able to identify cases that were promising for a challenge. Other Helpline models, including those staffed by full-time intake-only attorneys, would have been unlikely to have the same alchemistic effect of turning volume into impact.

Legal Aid of Arkansas and the Center for Arkansas Legal Services had brought challenges to the constitutionality of the statute in three separate cases by the fall of 2014. Each potential challenge took a significant amount of time to develop because the individual cases first had to be litigated in the

of eastern Arkansas.²⁶ We estimate that our advocacy in all thwarted over 1,000 criminal eviction prosecutions that would have taken place over the past year.

Despite our work, use of the criminal eviction statute persists. It continues to be used heavily in several large cities including Hot Springs, Texarkana, and Springdale. However, Legal Aid of Arkansas and our partners continue to work to protect tenants and the Constitution. We are now confident that we have an organization capable of achieving that goal.

Lessons Learned

The Medicaid and housing stories are remarkable examples of an organization

Our shortcomings here can partly be attributed to not anticipating the need for the advocacy that we eventually undertook. Such a lack of foresight is also problematic. It demonstrates an entrenched reactive approach to volume-driven casework that does not allow time and energy to identify issues of widespread concern to client communities and develop affirmative responses. As a whole, then, we had idealized impact without being prepared to take obvious steps to subvert the overwhelming pressures of volume, whether through reduced intake, tighter application of priorities, shifting routine cases to advocates less involved in the impact work, or support mechanisms to embolden compassion-driven advocates to say "no" to more cases, even those involving clients in desperate need. Moving forward, we can employ these simple mechanisms to facilitate impact while also implementing bolder initiatives to systematize impact work.

²³ We would particularly like to thank Brandon Buskey, an attorney with the American Civil Liberties Union's Criminal Law Reform Project.

²⁴ *State v. Smith*, No. CR 2014-2707 (Ark. Cir. Ct. Pulaski Cnty. Jan. 20, 2015).

²⁵ See, e.g., *State v. Jones*, Nos. CR 2014-389, 2014-390 (Ark. Cir. Ct. Poinsett Cnty. 2015).

²⁶ Interestingly, Arkansas elected not to appeal any of these decisions.

Informed by the successes and struggles of 2015, Legal Aid of Arkansas's strategic plan for 2016–2020 innovates institutional practices to emphasize impact work in the context of resource limitations and volume pressures. Specifically, workgroups will define “impact” in the context of particular case types and use an “impact matrix” to choose among meritorious cases that otherwise meet priorities. Though initially an administrative task that takes time away from casework, such defining will in the long term form a rational guide for choosing among compelling cases, and the process of building consensus around impact should deepen the teamwork of workgroups. Moreover, Legal Aid of Arkansas is allowing workgroups to move toward campaign-based advocacy, where two or three issues are identified around which a majority of workgroup resources will be oriented for the year, with the remainder of advocate time left for potent individual cases. The campaign-based approach requires the identification of a campaign goal with a measurable outcome and developing appropriate comprehensive advocacy in response, ranging from targeted community education, open records requests, development of press-friendly stories, discussions with key officials, and traditional legal strategies.²⁷ Client voice is reflected in community-needs surveys, intake data, and client conversations. Campaign decisions will further be influenced by input from community allies.

The world does not give us the resources to answer all injustice present in our state. In 2015 Legal Aid of Arkansas

stumbled upon alchemy and haphazardly turned volume to impact. Ironically we must now disavow the magical thinking that led to our accidental discovery. Future efforts will be aimed at making our alchemy a science. We hope to have more success than our medieval forebears.

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²⁷ If carefully crafted and managed, all such tactics can be used within the context of Legal Services Corporation restrictions (see Smith, *Poverty Warriors*, *supra* note 1, at 39 (“Indeed, to its credit, LSC[s] ... ‘performance criteria[]’ ... actually encourage programs to engage in advocacy that will achieve systemic benefits and create broad legal remedies not only for individual clients but also for similarly situated low-income persons and indeed for the poor community as a whole.”)).

Securing Stability: Legal Aid's Lasting Impact

A report by The Center for Community Solutions



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Introduction

There are significant differences between criminal law and civil law and the legal rights associated with each. Miranda rights, often recited in television shows, movies and other pop-culture entertainment, lead many people to believe that protection is assured for people who cannot afford legal help in the United States. But this is not true. These rights only apply in serious criminal cases. There is no constitutional right to free legal representation in civil cases, such as those dealing with health, safety, shelter, education and economic security. That is where civil legal aid makes an impact.

Legal issues related to civil law often impact low-income individuals and families negatively and contribute to the perpetuation of poverty. Individuals and families face high stakes and dismal odds when they must navigate the civil legal system alone, without a lawyer. If they lose one civil case, additional legal problems, other challenges and expenses can quickly multiply.

Civil legal assistance, like that provided by legal aid nonprofits in the United States, is meant to address these problems. Cases have clear outcomes, either favorable or unfavorable for each client. Civil legal assistance can have a direct impact, in foreclosures prevented, orders of protection granted, and benefits and income obtained. But the impact of legal aid assistance goes beyond those case outcomes and direct effects. **Civil legal assistance is closely tied to improvements in stability for individuals and families, which has been shown to cause improvements to quality of life and the broader societal benefit.**

This study sought to examine the longer-term tangential, or indirect, impact of civil legal assistance especially those impacts that relate to broader societal good.¹ Utilizing a mixed-methods approach to collect primary qualitative data, we found that **the majority of former Legal Aid clients who responded reported an improvement in stability following their interactions with Legal Aid.** Further, legal aid assistance has a lasting impact, and **clients who worked with Legal Aid between two and five years ago were most likely to report at least one improvement in stability.**

About Legal Aid

The Legal Aid of Society of Cleveland (serving Ashtabula, Cuyahoga, Geauga, Lake and Lorain counties) and Community Legal Aid (serving Medina, Portage, Stark, Summit, Mahoning, Trumbull, Columbiana and Wayne counties) are two independent nonprofit civil legal aid programs in Northeast Ohio. The 13 county area both organizations serve contains the cities of Akron, Canton, Cleveland and Youngstown and hundreds of smaller municipalities spread in rural, suburban and urban areas.

The mission of The Legal Aid Society of Cleveland is, *“to secure justice and resolve fundamental problems for those who are low income and vulnerable by providing high quality legal services and working for systemic solutions.”* This is similar to the mission of Community Legal Aid, *“through legal advocacy, we transform the lives of those in poverty to increase opportunities, fairness, and stability, for a stronger community and justice for all.”* Both of these guiding statements shape the work of the organizations. For the purposes of this report, The Legal Aid Society of Cleveland and Community Legal Aid are collectively referred to as “Legal Aid.”

Legal Aid represents clients in court and administrative hearings. Legal Aid also provides advice, brief assistance, and community education on legal rights. Legal Aid handles cases that affect basic needs

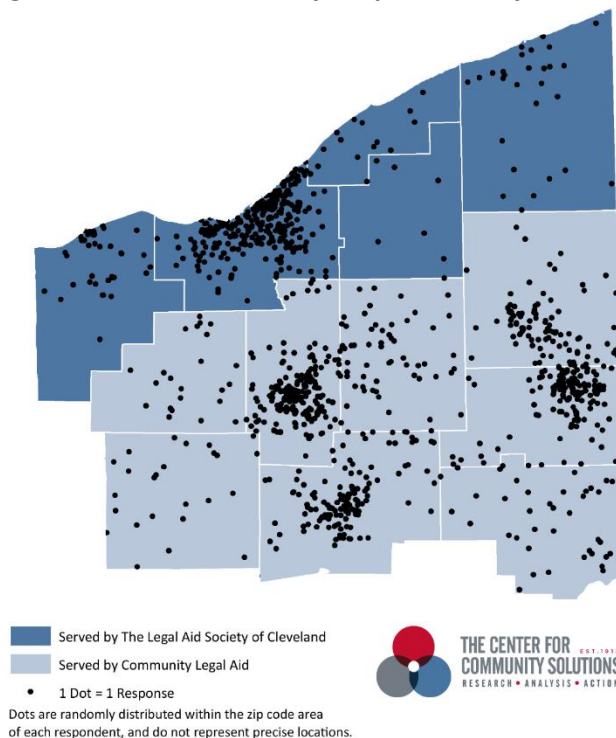
¹ This report was commissioned by The Legal Aid Society of Cleveland and Community Legal Aid, who engaged The Center for Community Solutions to conduct the research.

such as health, shelter and safety, economics and education, and individual rights. **Legal Aid helps individuals overcome the chaos brought on by legal troubles. Legal aid services allow clients to regain control of and stabilize their lives by securing the benefits they've earned, reducing violence and discrimination, and preserving dignity and independence.** Legal Aid's attorneys practice in the areas of consumer rights, domestic violence, education, employment, family law, health, housing, foreclosure, immigration, public benefits, utilities and tax.

Research Approach

In order to assess this lasting impact, The Center for Community Solutions sought out clients who reached out to Legal Aid two or more years ago. More than 1,250 former clients responded to a survey which asked several open-ended questions about the client's experience with Legal Aid and their lives since. The survey requested information about the client, the type of problem they sought assistance for, how Legal Aid helped and how their lives were impacted. The surveys were distributed by The Legal Aid Society of Cleveland and Community Legal Aid via email, text message, social media, and paper mail.²

Figure 1: Location of Survey Respondents by ZIP Code



Because the response rate was higher than anticipated, the survey responses represent a rich source of qualitative data from former clients. Verbatim quotes from these responses are included throughout this report. Responses were assessed individually by researchers and the content was evaluated to see if it indicated an improvement in stability which was then categorized.

Survey respondents could opt-in to be contacted for an interview to provide more details about their experiences with Legal Aid, and their lives since resolution of their legal problems. Interviews were conducted with 20 former Legal Aid clients. Interviewees were randomly selected from the pool of survey responses and were chosen to represent a variety of legal problems, counties of residence, and length of time since legal assistance. Case studies developed from interview conversations are included

throughout the report. Interviews were analyzed using a model adapted from the Wenger-Trayner framework³ for promoting and assessing value creation. For the purposes of this report, the value analyzed is the impact of a legal intervention provided by Legal Aid on the individual and his or her family.

² Although every former Legal Aid client had an equal chance of being included in the study, respondents likely do not represent a statistically valid sample of clients.

³ Wenger, E., Trayner, B., and de Laat, M. "Promoting and Assessing Value Creation in Communities and Networks: a Conceptual Framework." *Open University of the Netherlands*, 2011.

On a parallel line of research, we conducted an extensive literature review that explored the assumptions that are necessary to believe the work of Legal Aid has a positive impact on clients. Through this, we sought to understand the documented links between the types of issues legal aid assistance addresses and societal goods such as civic participation, parent engagement, educational success and decreased reliance on public assistance. We specifically examined a variety of legal aid problem areas to learn what, if any, documented improvements for individuals, families or society could result. These areas included bankruptcy, civil protection from intimate partner violence, lead exposure in homes, tax issues, public benefits, housing loss or conditions, expungement, vital documents, immigration and education. Published research was reviewed for each area of practice to identify connections to one or more of the assumed benefits; family stability, housing stability, children's educational success, health, financial stability and community and civic involvement.

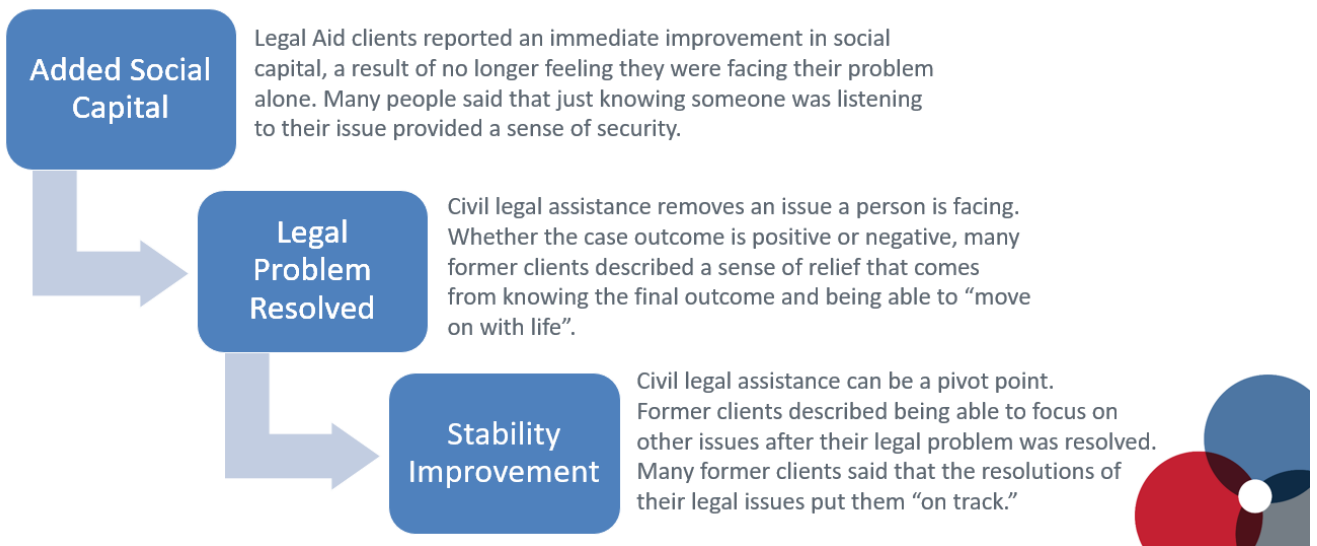
The body of this report is organized by the six areas of stability assessed. In each section, the report includes the data on reported stability by time since Legal Aid assistance; by problem area; and for certain problems, the share of people who experience different types of stability. These data are presented in the context of literature on each type of stability, and are illustrated with client quotes and case scenarios.

Overall Findings

Finding: Legal Aid’s assistance has a long-term, lasting impact that allows individuals and families to secure stability in a wide variety of different areas.

There are immediate, intermediate and long-term impacts of legal aid assistance. An understanding of these improvements provides some explanation of the mechanisms that enable some clients to experience stability improvements as a result of their interactions with Legal Aid.

Figure 2: Phases of Legal Aid Impact



In addition to the changes that occur from simply getting help with a civil legal problem, this study examines the impact of 11 legal problems on six areas of stability improvement, which are linked to benefits for individuals and society.







Former clients attributed the improvements that have occurred in their lives since interacting with Legal Aid to the assistance they received. Overall, we found that **54 percent of clients who responded to the survey reported an improvement in at least one area of stability**. Figure 3, below, defines the areas of stability and the number of clients who reported improvements in that area. Many described improvements in several stability areas.



“I felt helpless for a very long time until they came along and made me feel very hopeful.”

(Client from Cuyahoga County, Family Problems, 2 to 5 years ago.)

Figure 3: Areas of Stability Improvement

Stability Improvement Area	Number of Clients (n=1,267)⁴	Definition
Financial Stability 	314 Clients experienced improvements (25 percent) ⁵	Financial stability requires adequate and predictable income and sufficient financial resources. Income can be wages, retirement income, public benefits or disability benefits. Financial resources include assets and savings to cover unexpected expenses and access to affordable housing and other goods and services.
Family Stability 	189 Clients experienced improvements (15 percent)	Family stability is the consistency of family activities and routines. In contrast, family instability is a chronically chaotic and unpredictable family environment. Indicators for family instability include residential mobility, rotating intimate relationships among adult primary caregiver, number of families a child has lived with, serious childhood illness and other recent negative life events including but not limited to job change, death and eviction.
Health Stability 	169 Clients experienced improvements (13 percent)	In one generally-accepted definition, health stability does not mean an individual is in perfect health, but rather his or her health is predictable, implying the proper conditions are in place to manage health. In addition to needing access to doctors, hospitals and pharmacies, environment and other social determinants play a crucial role in health stability.
Housing Stability 	142 Clients experienced improvements (11 percent)	It is widely recognized that housing stability exists on a continuum, however, there is currently no standard or formal definition of that continuum. At the most basic level, the housing stability continuum spans from being homeless to having permanent housing. But merely looking at the extremes overlooks the struggle many Americans experience, often referred to by various terms that include housing insecurity, instability, insufficiency and risk of homelessness.
Education Stability 	29 Clients experienced improvements (2 percent)	A broad definition of educational success goes beyond measures of academic achievement, to include skill attainment, satisfaction, social and emotional development, access to trauma-informed classroom practices and inclusion in educationally purposeful activities.
Civic Involvement 	22 Clients Experienced improvements (2 percent)	Civic behaviors are “activities oriented toward collective action, care, concern and development of others, as well as societal decision making and resource allocation.” This includes voting and political participation, volunteering and participation in voluntary associations and social groups.

⁴ A total of 675 clients reported at least one stability improvement.

⁵Number of clients refers to the number who reported a stability improvement, not the legal problem for which they sought assistance from Legal Aid.

Clients who received help with a variety of civil legal problems were included in this study. Case problem areas were placed in 11 distinct categories. The civil legal matters included in each category are defined in the table below.

Figure 4: Definition of Civil Legal Problem Area Categories

Legal Problem Area/ Area of Practice	Number of Clients Who Responded (n=1,267)	Number Reporting Improvement in Stability
Family Problems: Adoption, custody, divorce, adult guardian, name change, parental rights, paternity, domestic abuse	380	200
Debt Problems: Bankruptcy, collections, repossession, garnishment	349	205
Housing Problems: Subsidized housing, homeownership, landlord/tenant, public housing, mobile homes, public utilities, discrimination, foreclosure, predatory mortgage lending	256	144
Income and Benefits Problems: TANF ⁶ , Social Security, SSI ⁷ , SSDI ⁸ , unemployment, veterans benefits, state and local income benefits	147	80
Work-Related Problems: Discrimination, EITC ⁹ , taxes, employee rights, wage claims	75	39
Health Care Problems: Medicaid, Medicare, CHIP ¹⁰ , home and community-based care, private health insurance, long-term care	56	26
Discrimination and Individuals Rights Problems: Mental health, disability rights, civil rights, human trafficking, criminal records expungement	42	18
School Related Problems: Discipline, special education, IEP ¹¹ , 504 plans, vocation education	38	27
Fraud and Consumer Protection Problems: Predatory lending, deceptive sales	38	16
End of Life Planning Problems: Wills and estates, advance directives, powers of attorney	28	11
Problems for Children: Delinquency, neglect or abuse, emancipation, minor guardian conservatorship	17	7

Stability improvements were found for at least one-third of clients who received help in each civil legal problem category. As shown below, in six of the 11 categories, more than half of former clients who responded reported at least one stability impact area.

⁶ Temporary Assistance for Needy Families

⁷ Supplemental Security Income

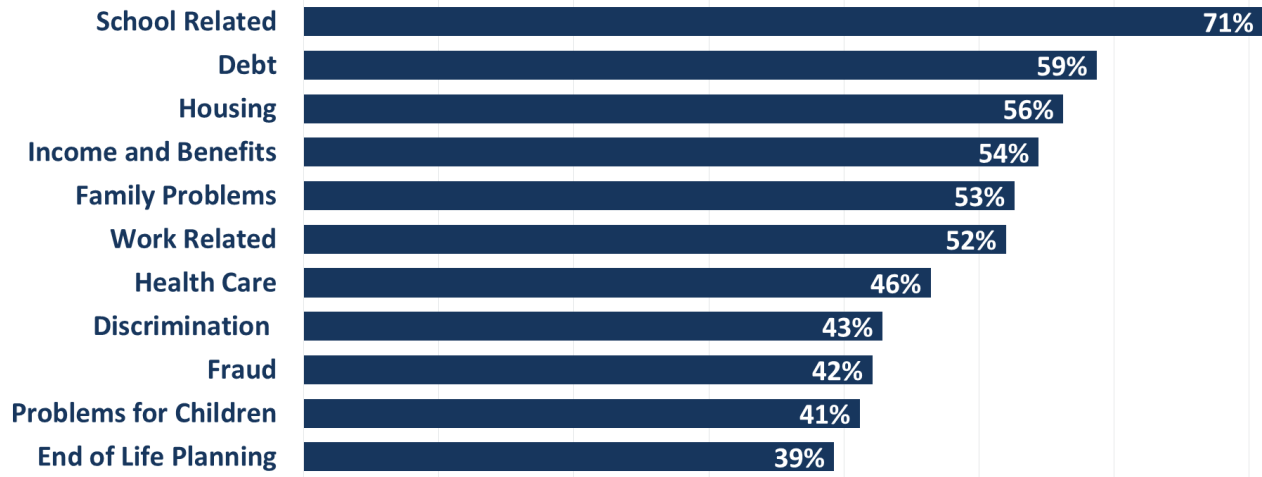
⁸ Social Security Disability Insurance

⁹ Earned Income Tax Credit

¹⁰ Children's Health Insurance Program

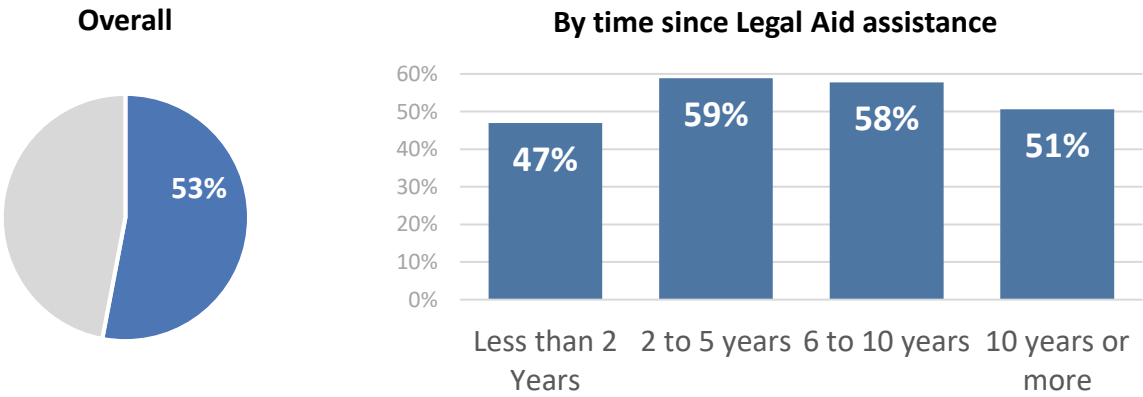
¹¹ Individualized Education Program

Figure 5: Clients Who Reported a Stability Improvement, by Legal Problem



Improved stability was most often seen in those issues related to the legal problem. For example, clients whose cases related to income and benefits and debt saw the greatest improvements in financial stability. However, **stability improvements were also reported by individuals in areas unrelated to their original legal problem**, with the most common happening between family problems and health stability. These intersections are described in greater detail in subsequent sections of this report.

Figure 6: Share of Former Legal Aid Clients Who Reported a Stability Improvement



Legal aid assistance has lasting impact. Across all problem categories, clients whose cases were resolved between two and five years ago were most likely to report a stability improvement. **More than half of clients whose interaction with Legal Aid was more than a decade ago attributed changes in at least one stability area to civil legal aid assistance.** Among this group of the oldest cases, improvements in family stability were most common. Nearly one-quarter of respondents whose case occurred 10 or more years ago reported improvement in family stability. Research indicates that family stability is particularly important to help children rebuild resiliency and overcome disadvantages like Adverse Childhood Experiences (ACEs).

Financial Stability

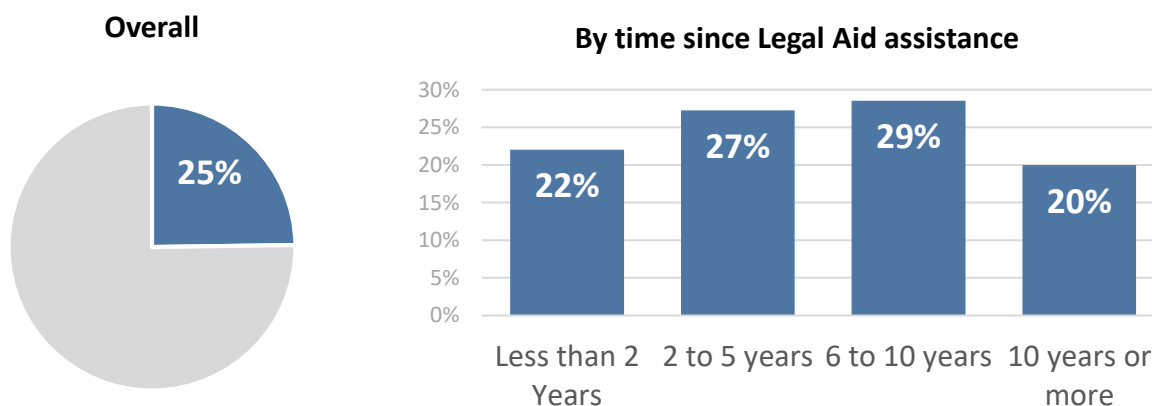


Finding: Working with Legal Aid impacts a client's financial well-being for many years following a case, regardless of the type of legal problem the initial case addressed.

Legal Aid focuses on employment, bankruptcy and income maintenance with the expectation that intervening in cases related to these areas will result in financial stability for the individual and his or her family.

One definition of financial stability comes from United Way Worldwide (United Way). United Way states, **“to achieve financial stability, families must have stable, adequate income as well as stable, adequate financial resources.** Stable, adequate income is derived from a job that pays family-sustaining wages and public, employer and informal income supports and subsidies. Stable, adequate financial resources include savings and assets to cover unexpected expenses, affordable and accessible goods and services and safe, affordable housing.”¹² An effective way to improve financial stability is to increase income. Income can be wages, retirement income, public benefits or disability benefits. However, accessing income and maintaining income can be challenging for individuals and families with multiple sources of instability in their lives.

Figure 7: Share of Former Legal Aid Clients Who Reported a Financial Stability Increase



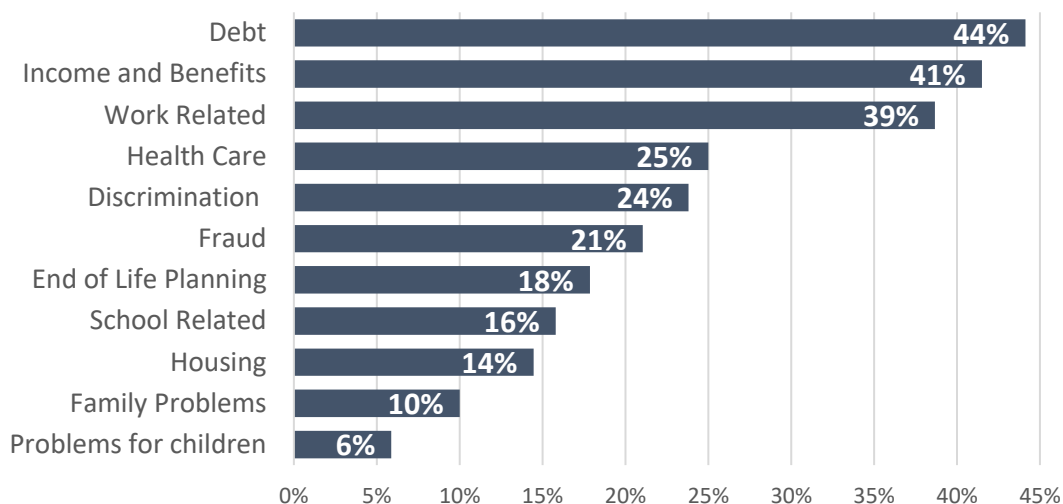
One-quarter of former Legal Aid clients who responded reported an increase in financial stability.

Clients who worked with Legal Aid as recently as a month ago, as well as those with legal cases from more than 10 years ago, experienced an increase in financial stability. These clients represent various types of cases, many not related to financial problems.

Clients who sought help for a problem related to income, employment or benefits who had a positive case outcome saw an immediate impact. In the longer term, impact peaks six to 10 years after case resolution. **This supports the assumption that working with Legal Aid impacts clients' financial well-being for many years following their cases, regardless of type of legal problem addressed.**

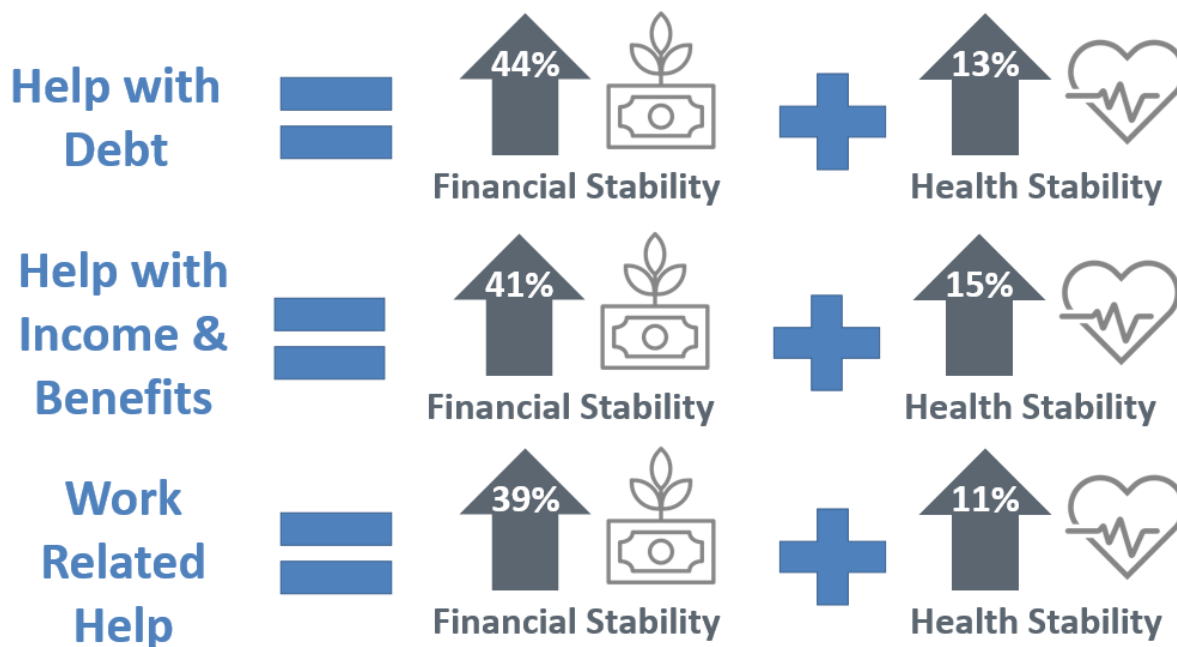
¹² United Way Worldwide, “Achieving financial stability for individuals and families through integrated service delivery.” 2013.

Figure 8: Rates of Financial Stability Improvement by Legal Problem



Clients reported the highest rate of financial stability when their initial case was related to finances, such as debt, income and benefits, work-related and/or fraud. It is notable that **cases related to health care had a higher rate of increased financial stability than those related to fraud.**

Figure 9: Share of Clients Helped with Certain Legal Problems Who Experienced Stability Improvement



The most common impact from civil legal aid assistance was financial improvement, which was often related to debt, income, benefits and work-related cases. These categories include bankruptcy, collections, repossession, garnishment, Temporary Assistance to Needy Families (TANF), Social Security, Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI), unemployment, veteran's

benefits, state and local income benefits, workplace discrimination, Earned Income Tax Credit (EITC), other taxes, employee rights and wage claims.

In addition, numerous studies have linked increased income or access to public benefits with improvements in other aspects of well-being, including health, educational success and social inclusion. Clients who sought help for financial-related problems reported stability improvements in areas including health and housing stability.

Low-income families with little to no savings likely receive the greatest immediate benefit from a legal intervention that prevents income disruption for the family. A study by the Urban Institute examined the impact of income disruption and financial instability on families, including those with low incomes. Families who lose a job are about twice as likely to miss housing and utility payments as families who do not lose a job. Loss of housing resulting from loss of income impacts children's educational success and parents' ability to find new employment.¹³

Most American families do not have enough savings to ease the blow of income disruption.¹⁴ Families with even a modest savings cushion of \$749 who miss a utility payment, miss a housing payment or are evicted do not experience hardships to the same degree as those with no savings, regardless of income. When looking specifically at low-income families, the study found the higher the savings, the less hardship the family experienced when an income disruption occurred.

Research indicates that financial stability impacts nonfinancial aspects of an individual's life.

Participants who worked with in Financial Empowerment Centers who worked to open bank accounts, improve credit, reduce debt and increase savings reported a reduction in stress, improved emotional health, higher confidence and self-efficacy and a development of decision-making and negotiating skills. An evaluation of Financial Empowerment Centers found that **working towards financial stability augments social service programs and improves client outcomes in those programs.**¹⁵



"Just feeling there was hope somewhere gave me the strength to address [my] gambling problem. Worked!! Thank you, saved my life. Did not want to be that person."

(Client from Cuyahoga County, Housing and Utilities, 2 to 5 years ago)

Improvement in financial stability was most common for clients who received help with debt problems, including bankruptcy. Legal Aid provides assistance in this area through brief advice clinics and by representing clients in bankruptcy court. Filing for bankruptcy can lead to financial stability improvements long after the bankruptcy has been granted. For instance, one study compared those who were granted Chapter 13 bankruptcy to those in similar financial situations who filed for but were not granted bankruptcy. The study found that, over the course of the first five years after filing, those who received bankruptcy earned on average around \$5,000 more annually than those that did not.¹⁶

¹³ McKernan, S.M., Ratcliffe, C. Braga, B. Kalish, E.C. "Thriving Residents, Thriving Cities: Family financial security matters for cities." *Urban Institute*, 2016.

¹⁴ Ibid

¹⁵ "An Evaluation of Financial Empowerment Centers" *Cities for Financial Empowerment Fund*, 2017.

¹⁶ Dobbie, W., & Song, J. "Debt Relief and Debtor Outcomes: Measuring the Effects of Consumer Bankruptcy Protection." *American Economic Review*, 2015.

This research also found that employment was 3.5 percent higher over a five-year period for those granted bankruptcy than it was for those whose bankruptcy was rejected.¹⁷

Other research has shown ties between bankruptcy and the other areas of stability.

People who are granted bankruptcy protection were 20 percent more likely to stay in the jobs they had before filing, 20 percent more likely to stay in the same industry and 17 percent more likely to stay in the same state than those who were not granted bankruptcy protections.¹⁸

Bankruptcy could decrease the likelihood that the family will have to move, thereby fostering housing stability. However, the effect of bankruptcy on one's ability to remain in the same house is unclear. A survey of other studies on this topic found that, on average, a person who files for bankruptcy delays the foreclosure process for one year, but that 30 percent of those who file for bankruptcy still end up losing their homes to foreclosure.¹⁹

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“It had a major impact, I was able to rebuild my credit. The bankruptcy has since fallen off my credit report, and now I have an awesome credit score.”

(Client from Cuyahoga County, Debt, More than 10 years ago)

The health effects of filing for bankruptcy have been studied by researchers who measure both direct and indirect measures of health. For instance, a number of publications use bankruptcy declarations as a way of gauging whether or not a person was in financial distress. Results of declaring bankruptcy are mixed. One example found that cancer patients who declare bankruptcy have an increased risk of mortality.²⁰ However, it is unlikely that the

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“Being able to get the bankruptcy filing relieved a lot of stress in my life!”

(Client from Summit County, Debts, Less than 2 years ago)

act of declaring bankruptcy actually led to an increased chance of death amongst cancer patients. Instead, a declaration of bankruptcy is used to measure a person's overall financial stress, leading the authors to conclude that “severe financial distress...after cancer diagnosis appears to be a risk factor for mortality.”²¹

¹⁷ Dobbie, W., & Song, J. “Debt Relief and Debtor Outcomes: Measuring the Effects of Consumer Bankruptcy Protection.” *American Economic Review*, 2015.

¹⁸ Ibid

¹⁹ Li, W. “Residential Housing and Personal Bankruptcy, Business Review.” *Federal Reserve Bank of Philadelphia*, 2009.

²⁰ Ramsey, S., Bansal, A., Federenko, C., Blough, D., Overstreet, K., Shankaran, V., & Newcomb, P. “Financial Insolvency as a Risk Factor for Early Mortality Among Patients With Cancer.” *Journal of Clinical Oncology*, 2016.

²¹ Ibid

Interview Case Study A: Bankruptcy

About five years ago, Ms. K. contacted Legal Aid for advice about her financial situation. She was recently divorced and had accumulated credit card debt that she was unable to pay. She expected Legal Aid might give her some advice about how to handle the creditor or find help with bankruptcy but was pleasantly surprised that Legal Aid took on her case. She had lost her job just before the divorce, and although she had found new employment, she did not have benefits and said “things didn’t come together as quickly as [she] hoped” after the divorce. She was struggling to pay rent and bills, and all her child support payments were going to credit card bills.

Legal Aid was able to help her obtain what she considered a positive resolution by declaring bankruptcy. She said this enabled her to pay for food and necessities. She was no longer stressed about losing her car, and she wasn’t harassed by creditors. Ms. K. describes the time after working with Legal Aid as very freeing.

She said her lawyer was excellent to work with and lifted a lot of the burden. Her lawyer also referred her to other services, such as EITC, and gave her information on student loan payments. Since filing for bankruptcy, Ms. K. has been able to slowly rebuild her credit and open some credit cards. If she hadn’t resolved this issue, she would have been more stressed and worries she would have had to figure out a way to pay a lawyer out of pocket, which would have been challenging. Overall, the most positive impact to come out of working with Legal Aid was “getting to restart everything.” She is now employed as a home nurse, where she interacts with many low-income families and has made referrals to Legal Aid.

While financial distress may increase mortality on the whole, evidence has shown that, for those in financial trouble, declaring bankruptcy may actually improve outcomes. The five-year mortality for those who were granted bankruptcy is around 2 percent lower than for those who did not receive bankruptcy protections. This effect is especially drastic amongst those who are older than age 60. **For those older than age 60, the five-year mortality of those who are granted bankruptcy is 17.6 percent lower than it is for those who are not.**²² It is interesting to note that, in the same paper, filing for Chapter 13 bankruptcy has a statistically insignificant effect on the annual income of those older than age 60.²³ The fact that declaring bankruptcy decreases mortality, but may not impact earnings provides more evidence for the idea that **mortality is linked to stress, and there is evidence that declaring bankruptcy reduces stress.** According to other research, 84 percent of debtors reported feeling “very stressed” before filing for bankruptcy. Afterwards, 35 percent of debtors reported having that feeling.²⁴ The results of these studies indicate that stress alleviation may be a mechanism to explain the health stability improvements described by former Legal Aid clients who were helped with debt problems.

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“I was diagnosed with cancer and subsequently lost my employment. It was a great relief to have this resolved. I have no resource other than social security!”

(Client from Summit County, Debts, 2 to 5 years ago)

²² Dobbie, W., & Song, J. “Debt Relief and Debtor Outcomes: Measuring the Effects of Consumer Bankruptcy Protection.” *American Economic Review*, 2015.

²³ Ibid

²⁴ Porter, K. “The Pretend Solution: an Empirical Study of Bankruptcy Outcomes.” *Texas Law Review*, 2011.

Another area related to financial stability where Legal Aid helps clients is to gain access to tax credits and income support benefits. One of the most utilized income supports for working families is the Earned Income Tax Credit (EITC). The Center on Budget and Policy Priorities estimates that the **EITC lifted approximately 5.8 million people out of poverty in 2016 and reduced the severity of poverty for an additional 18.7 million people.**²⁵

During the 2016 tax year, the average credit amount for a family with children was \$3,175, the equivalent of an additional \$265 in monthly wages.



"I have fibromyalgia and my husband has spinal issues, if we had cuts to that grant, I don't know how we could have survived"

(Client from Mahoning County, Income & Benefits, Less than 2 years ago)

In a study conducted at The Ohio State University shortly after the EITC was last expanded in the 1990s, **researchers estimated EITC recipient families with children under age 18 experienced a 10 percent increase in disposable income and a 27 percent reduction in poverty attributable to the credit.**²⁶ More broadly, the researchers estimated that the EITC resulted in a 15 percent reduction in the overall child poverty rate in America.

Further, the EITC has been shown to increase employment, particularly among single mothers. A comprehensive study showed that the EITC was responsible for nearly two-thirds of the rise in labor force participation among single mothers between 1984 and 1996, when the credit was expanded.²⁷ Increases in income from the EITC can reasonably be expected to have a positive effect on family wellbeing, particularly if the extra income is used for things that help children, like books, quality daycare or preschool or moving to a better neighborhood.²⁸

In addition to tax benefits, access to income supports can impact an individual long after they have received the benefit. **A recent study found that participation in safety net programs during childhood, specifically SNAP, increase a women's self-sufficiency in adulthood.** Women who benefited from safety net programs at a young age saw increased educational attainment, earnings and income.²⁹ Families who are able to supplement their earned income through public assistance create opportunities for their children's future success.



"Took care of a lot of bills for the time until I found a new job. Before I couldn't even come up with bus fare to look for work."

(Client from Summit County, Income & Benefits, 2 to 5 years ago)

²⁵ Center on Budget and Policy Priorities, "Policy Basics: The Earned Income Tax Credit." 2018.

²⁶ Kim, R. Y. "The Effects of the Earned Income Tax Credit on Children's Income and Poverty." *Journal of Poverty*, 2001.

²⁷ Meyer, B. and Rosenbaum, D.T. "Welfare, the earned income tax credit and the employment of single mothers." *Quarterly Journal of Economics*, 2001.

²⁸ Dahl, G., & Lochner, L. "The Impact of Family Income on Child Achievement: Evidence from the Earned Income Tax Credit." *American Economic Review*, 2012.

²⁹ Hoynes, H., Whitmore Schanzenbach, D., Almond, D. "Long-run impacts of childhood access to the safety net." *American Economic Review*, 2016.

Though little conclusive research exists on the long-term health effects associated with shifts in income, several studies have found that **families who receive the EITC or certain other income transfers are significantly more likely to self-report healthier children, as well as better mental health for mothers and children.**^{30,31} Additional research has uncovered promising findings relating to specific health outcomes for EITC recipients. One such study that analyzed Current Population Survey data from the U.S. Census Bureau and found that low- to moderate-income single mothers who were ineligible for the EITC were 1.4 times more likely to not have health insurance for their children than low- to moderate-income single mothers who were eligible.³²

Increased income has also been linked to improved birth outcomes and a lower risk for infant mortality. Researchers found that, in general, **higher household income is marginally associated with earlier prenatal care and higher birth weight.** It also is associated strongly with a reduced likelihood of tobacco use and increased likelihood of attending a well-child check-in the first month after birth.³³ These improvements were found even after researchers controlled for possible confounding variables including marital status, annual hours worked, number of dependent children, educational attainment, physical and mental health, the child's gender and race.

The EITC has also been found to improve the lives of recipients by enhancing feelings of citizenship and social inclusion, according to the findings from 115 in-depth interviews with EITC recipients.³⁴ Further, **accessing income supports builds social capital through relationships and improved quality of life.** Through the process of applying for and receiving a public benefit, an individual creates a new relationship with a social service agency. Often, these agencies offer additional services that support families, or they can provide referrals to assistance agencies. Developing a relationship with a caseworker can offer the family an opportunity to seek additional assistance or guidance from a trusted source. Studies have shown that accessing one benefit often leads to enroll in multiple benefits.³⁵ Receiving multiple benefits increases overall income and provides the family with opportunities to spend time and resources on interests beyond obtaining basic needs.

While EITC is just one of many benefit programs Legal Aids works with, it has been studied extensively and it is reasonable to assume that at least some of the proven impacts of EITC are present for other income supports.

Civil legal aid assistance can reduce barriers to employment, such as having a criminal record. In this study, expungement cases are included in the discrimination and individual rights problems category. In an interview-based study of 53 expungement seekers in Illinois, only 13 percent of participants reported being employed in the formal economy. Fifty-eight percent were unemployed and 28 percent had

³⁰ Ibid

³¹ Hamad, R., & Rehkopf, D. "Poverty, Pregnancy, and Birth Outcomes: A Study of the Earned Income Tax Credit." *Paediatric and Perinatal Epidemiology*, 2015.

³² Arno, P., Sohler, N., Viola, D., & Schechter, C. "Bringing health and social policy together: The case of the earned income tax credit." *Journal of Public Health Policy*, 2009.

³³ Hamad, R., & Rehkopf, D. "Poverty, Pregnancy, and Birth Outcomes: A Study of the Earned Income Tax Credit." *Paediatric and Perinatal Epidemiology*, 2015.

³⁴ Sykes, J., Kriz, K., Edin, K., & Halpern-Meekin, S. "Dignity and Dreams: What the Earned Income Tax Credit (EITC) Means to Low-Income Families." *American Sociological Review*, 2015.

³⁵ Moffitt, R., "Multiple Program Participation and the SNAP Program." *University of Kentucky Center for Poverty Research Discussion Paper Series*, 2014.

“under-the-table” jobs in the unregulated “gray” economy.³⁶ This is illustrative of the limitations to economic opportunity that face those seeking expungement. The study found that participants faced blocked opportunities in employment, along with housing and education, regardless of the severity of their criminal history.

The following case study demonstrates the positive impact expungement can have on employment opportunities, increased financial stability and the desire to set goals.

Interview Case Study B: Expungement

Ms. D. graduated from college with a culinary degree, but every time she applied for a job her criminal record prevented her from getting a position. Ms. D. worked with a lawyer at Legal Aid to have charges from 20 years ago removed from her record. Having that record was stressful, and one mistake she made decades ago impacted her ability to support her family. Her lawyer was able to get most of the charges removed, however one charge still remains. Ms. D. was able to get a higher paying, more rewarding job; if she had not worked with Legal Aid she believes she would be working in a fast food restaurant without the option to be promoted. Her goal now is to have the final charged removed and open up her own business.

While there is limited research on direct outcomes for those who have successfully had their criminal records expunged or sealed, recent research shows promising results. A 2018 study tracked participants in a records-clearing clinic in Alameda County, California, and found employment rates among participants increased by five to 10 percent within three years after the intervention.³⁷ Average real earnings increased by nearly \$6,000. The authors noted that clients typically entered the program after years of suppressed earnings. Another study estimated that when jobseekers with criminal records are given the opportunity to build rapport with an employer, the negative effects associated with a criminal record on job applications are reduced by approximately 15 percent.³⁸ In other words, these jobseekers see better outcomes when they are given the opportunity to make an impression in person, whereas they may have been immediately screened out had they been required to report criminal history in the application stage.

Overall, financial stability was the most common area where former clients reported stability improvements. These took the form of better jobs, higher wages or the ability to make ends meet. For some legal problems, such as interventions that secure benefit eligibility, resolve tax issues or increase payments, the impact is direct. A substantial number of clients whose legal problem was related to financial matters also indicated an improvement in health, a more indirect impact.

³⁶ Ipsa-Landa, S., & Loeffler, C. “Indefinite Punishment and the Criminal Record: Stigma Reports Among Expungement-Seekers in Illinois.” *Criminology*, 2016.

³⁷ Selbin, J., McCrary, J., & Epstein, J. “Unmarked? Criminal Record Clearing and Employment Outcomes.” *The Journal of Criminal Law and Criminology*, 2018.

³⁸ Pager, D., Western, B., & Sugie, N. “Sequencing Disadvantage: Barriers to Employment Facing Young Black and White Men with Criminal Records.” *The Annals of the American Academy*, 2009.

Family Stability



Finding: Legal Aid's impact on family stability appears to increase over time no matter the original reason a client sought assistance from Legal Aid.

Family stability can be defined as the consistency of family activities and routines.³⁹ In contrast, **family instability is described as a chronically chaotic and unpredictable family environment.** Indicators for family instability include residential mobility, rotating intimate relationships among the adult primary caregiver, number of families a child has lived with, serious childhood illness and other recent negative life events including, but not limited to, job change, eviction and death.⁴⁰ Family instability often is associated with low-income families as many of the impacts of living at or near poverty can result in a chaotic environment. However, research shows that poverty does not automatically mean family instability.

Through multiple avenues of casework, **Legal Aid services can reduce chaotic experiences including residential mobility, volatile relationships and rotating custody arrangements that lead to family instability.** Interventions by Legal Aid that result in eliminating a single instance of instability in an otherwise stable family will likely have an immediate positive result.

On the other hand, Legal interventions for a single instance of instability in a family living in a constant state of disorder will have a very short-term impact with little to no intermediate or long-term impact. This is because the persistent instability overrides moments of stability. **The longest and most powerful impact on family instability occurs when a case outcome results in a complete and permanent removal of the source of persistent instability.** The resulting benefits of stability will have a cumulative effect as the families are able to develop routine and structure in the absence of chaos.



"It helped maintain our normal day-to-day existence."

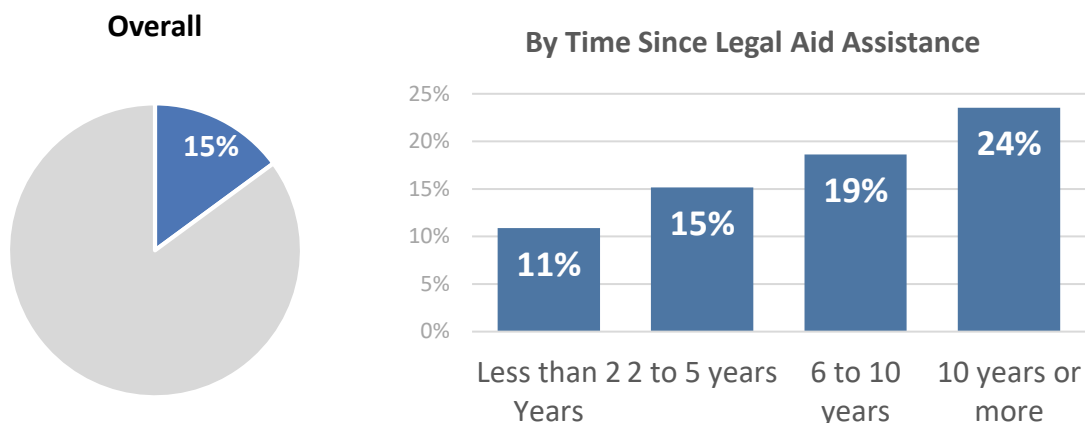
(Client from Stark County, Income & Benefits, 2-5 years ago)

In the survey of former Legal Aid clients, **15 percent of respondents reported a family stability improvement, regardless of the legal problem for which they sought help.** The impact of Legal Aid's work on family stability appears to increase over time. While 11 percent of clients who worked with Legal Aid less than two years prior to this study reported a family stability improvement, **24 percent of clients who worked with Legal Aid 10 or more years ago experienced increased family stability.**

³⁹ Masha Y. Ivanova & Allen C. Israel. "Family Stability as a Protective Factor Against Psychopathology for Urban Children Receiving Psychological Services." *Journal of Clinical Child & Adolescent Psychology*, 2010.

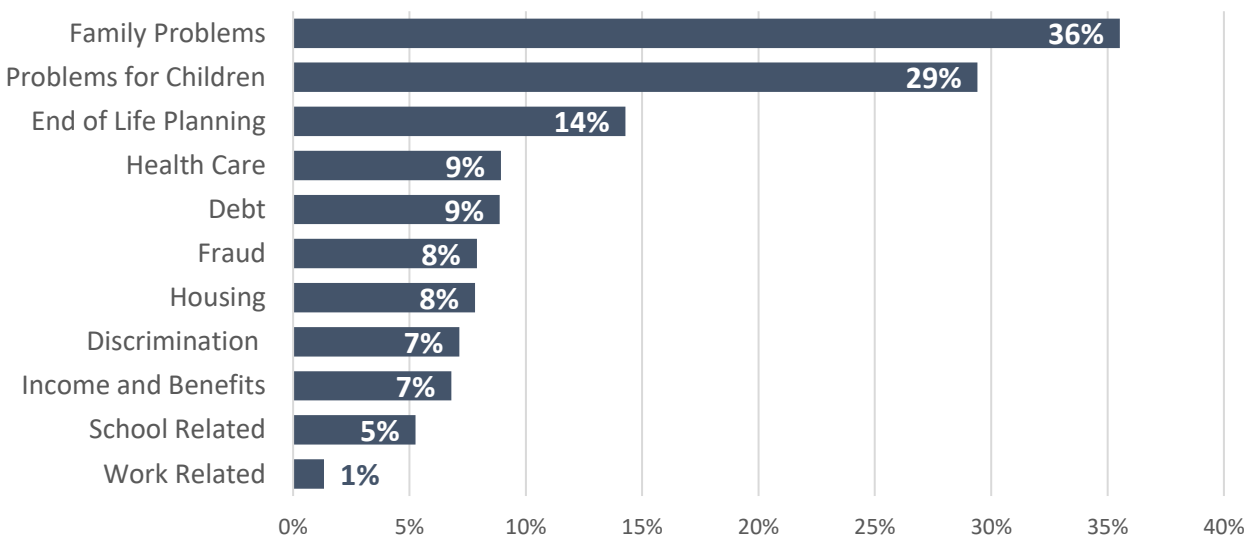
⁴⁰ Ackerman, B. P., Kogos, J., Youngstrom, E., Schoff, K., & Izard, C. "Family Instability and the Problem Behaviors of Children from Economically Disadvantaged Families." *Developmental Psychology*, 1999.

FIGURE 10: Share of Former Legal Aid Clients Who Reported a Family Stability Improvement



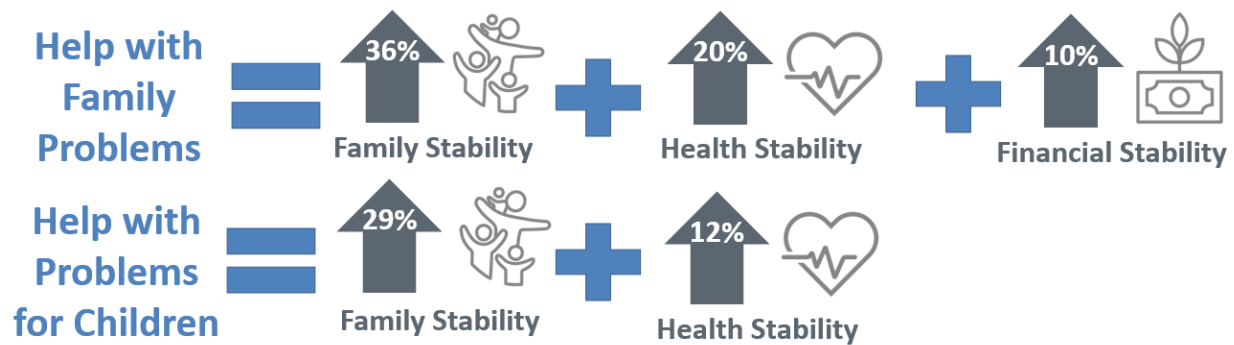
When the client's legal problem was directly related to family problems such as adoption, custody, divorce, adult guardian, name change, parental rights, paternity and domestic violence, the rate of family stability improvements was higher than when the case was not related to a family problem. **Fifty-three percent of Legal Aid clients helped with family problems experienced a positive change in stability after receiving services.** More than a third of clients experienced a family stability improvement and 20 percent also indicated a health stability improvement as a result of working with Legal Aid to resolve their family legal problem.

Figure 11: Rates of Family Stability Improvement by Legal Problem



There were also strong ties between people who received help for problems with children, such as delinquency, neglect or abuse, emancipation and minor guardian conservatorship, and family stability improvements.

Figure 12: Share of Clients Helped with Certain Problems Who Experienced Improved Stability



Many of the events considered to be Adverse Childhood Experiences (ACEs) that have links to poor health outcomes are also related to the conditions that result in family instability. These include abuse, neglect and household dysfunction. Eliminating the conditions that lead to ACEs will likely increase family stability and decrease poor health outcomes. Improving family stability also helps build the types of child-adult relationships proven to have a buffering effect that mitigate the impact of ACEs and toxic stress. **Civil legal aid assistance directly impacts ACEs by helping victims of intimate partner violence obtain orders of protection and other arrangements that remove abusers from the house.**

“

“My life was positively impacted first of all by its continuance, since I was in mortal danger when I left. I found an apartment, some physical and mental space to call my own. I got some alimony and managed to retrieve about half of my household goods. Then I worked for about a year until I was unable to walk. Then I got treated for my old injuries. Now I can walk again.”

(Client from Ashtabula County, Family Problems, 2 to 5 years ago)

Those who inflict intimate partner violence and other abusive behaviors in a family setting often use techniques to maintain control of the family members. These techniques include denial, rationalization, minimization and assigning blame.⁴¹ By manipulating information and situations to their benefit, abusers are able to maintain or regain control of the family power. **A family’s stability is at risk of disruption when the sense of reality is distorted by a powerful individual.** This prevents the development of routines and traditions associated with stability. Furthermore, repeated individual instances of abuse create an unpredictable environment of chaos that is not consistent with family stability.

A recent study examined self-sufficiency among women who had experienced intimate partner violence and sought civil legal services for assistance. Researchers found that study participants reported a 19 percent increase in income between intake and one year later. This finding is contrary to earlier studies of survivors of intimate partner violence which typically have showed a decrease in economic self-sufficiency. Women in the study also reported an increased

“

“I moved on with my life, divorced, got an excellent job and restarted my life again. Working now for a great company and am grateful for Legal Aid.”

(Client from Cuyahoga County, Family Problems, 6 to 10 years ago)

⁴¹ Whiting, J. B., Oka, M., & Fife, S. T. “Appraisal distortions and intimate partner violence: Gender, power and interaction.” *Journal of Marital and Family Therapy*, 2012.

ability to provide “extras” for their families such as travel and entertainment.⁴² Being able to provide traditions and routines with extra resources contributes to family stability as well.

Witnessing intimate partner violence can have long-lasting negative impacts on young children as they reach adolescence. These children can display antisocial behavior like violence including felony assault (gang fights, having the idea of seriously hurting or killing a person, hitting a non-family member, sexual assault), minor assault (hitting or threatening to hit a parent, supervisor, coworker), status offenses (running away from home, poor school attendance, drinking alcohol, getting suspended) and delinquency (theft, disorderly conduct and other related behaviors).⁴³ These types of behaviors are disruptive to the family environment and can greatly reduce family stability.



“My children and I left an abusive father and husband. Now w/ an amazing man that treats the children and I very well. Currently back in school for medical billing and coding. The kids are doing great.”

(Client from Wayne County, Family Problems, 6 to 10 years ago)

In addition, children who witnessed a sustained level of intimate partner violence are more likely to experience depression and anxiety. The longer the violence persists through recurring instances of abuse, the stronger the correlation with poor mental health outcomes. The impact is lessened when family supports are consistently present.⁴⁴ These findings indicate **an intervention, such as a civil protection order against the abusive individual, could lessen the impact of witnessing violence and protect against negative health outcomes.**

Witnessing intimate partner violence during childhood has been shown to have a negative impact on economic well-being. A study examining the financial health of children who witness familial violence found increased costs of more than \$50,000 due to increased health care needs, increased involvement in crime and productivity losses. It is estimated that around 60 percent of children who witness intimate partner violence also experience maltreatment, which carries a set of outcomes that would likely increase the lifetime costs beyond \$50,000. The study recommends prevention programs and interventions to remove the risk of witnessing violence as a way to reduce individual and societal costs.⁴⁵ One such intervention is civil protection orders like those Legal Aid helps clients obtain.

It is increasingly acknowledged by those who work with children that ACEs such as abuse, neglect and household dysfunction result in negative health and academic outcomes. An article from 2008 outlined how **a student who has experienced trauma will experience barriers to academic success in a classroom environment that does not employ trauma-informed educational practices.**⁴⁶ Legal Aid can

⁴² Harlley, C.C., Renner, L.M. “Economic self-sufficiency among women who experienced intimate partner violence and received civil legal services.” *Journal of Family Violence*, 2018.

⁴³ Sousa, Sousa, C., Herrenkohl, T. I., Moylan, C. A., Tajima, E. A., Klika, J. B., Herrenkohl, R. C., & Russo, M. J. “Longitudinal study on the effects of child abuse and children's exposure to domestic violence, parent-child attachments, and antisocial behavior in adolescence.” *Journal of Interpersonal Violence*, 2010.

⁴⁴ Kennedy, A. C., Bybee, D., Sullivan, C. M., & Greeson, M. “The impact of family and community violence on children's depression trajectories: Examining the interactions of violence exposure, family social support, and gender.” *Journal of Family Psychology*, 2010.

⁴⁵ Holmes, M.R., Richter, F.G.C., Votruba, M.E., Berg, K.A., Bender, A.E. “Economic Burden of Child Exposure to Intimate Partner Violence in the United States.” *Journal of Family Violence*, 2018.

⁴⁶ Oehlberg, B. “Why schools need to be trauma informed.” *Trauma and Loss: Research and Interventions*, 2008.

help improve the likelihood of educational success for children who have experienced trauma by facilitating placement into appropriate school settings.

In addition to consistent supportive relationships, **the stability of family life is intertwined with the stability of housing.** It is generally easier to create order, routine and tradition (the markers of family stability) when the physical space where family members gather is safe, secure and stable. Stability can come from a variety of housing situations including homeownership, market rate renting and housing subsidies. Based on research conducted on housing and family stability, it can be argued that legal assistance that increases housing stability will likely lead to longer periods of family stability.



“Helped put us on the path of health, stability & growth. We (the children & I) survived and are thriving in big part due to the assistance from Legal Aid! The kids and I are all doing so well! I celebrated 2 years of sobriety. Thank you all for your part in our families [sic] recovery, rebuilding and healing process.”

(Client from Stark County, Family Problems, Less than 2 years ago)

While not all families who seek legal assistance for family problems experience housing instability, 12 percent of former clients who experienced a family stability improvement also reported a housing stability improvement. **By working to improve their family dynamics through legal intervention, clients were able to also improve their ability to maintain safe, affordable housing.**

Interview Case Study C: Divorce

Ms. S worked with Legal Aid about eight years ago to get help filing for a divorce. Ms. S had previously worked with Legal Aid and remembered her good experience with her lawyer and reached out to the same lawyer to help free her from a violent relationship. Ms. S was seeking to divorce her husband who was abusive toward her and her children. Her lawyer helped obtain a restraining order against her husband and file for divorce. Her husband posted a notice with the court that he intended to sue Ms. S for half of her worth. Ms. S received support from Legal Aid during this process and said that from the moment she first contacted her lawyer, she knew she would “finally be free” and it was a relief “knowing she (her lawyer) had my back.” Ms. S’s husband passed away before the divorce was final.

When describing what life was like without her husband, she said the most important thing was, “I can be me again. I got me back.” After filing for divorce, she was able to do simple things like take walks in the park and help her elderly neighbors out. She was also able to begin the process of healing relationships with her children. Ms. S has made changes in her own life and said, “I would never let myself get myself in that situation again.” She also helped her son who is separated from his wife understand the process of filing for divorce and recommended he reach out to Legal Aid for assistance.

Those who were helped with family problems also reported a financial stability improvement. Stable sources of income and resources provide an opportunity for families to enjoy a level of consistency in providing basic needs. Participation in SNAP (Supplemental Nutrition Assistance Program also referred to as food stamps) has been shown to reduce poverty, particularly for working families or those who

experience short stints of unemployment.⁴⁷ With the added resources provided by SNAP and other public benefits, families are able to maintain routines and traditions. Parents who experience the economic stress associated with living in poverty are more likely to experience conflicts with partners and hostility towards their children.⁴⁸



“It kept my family together and let me continue my education to get my degree.”

(Client from Cuyahoga County, Housing and Utilities, 2 to 5 years ago)

Persistent conflict within a family is disruptive to the routines and patterns that are emblematic of a stable family. **Therefore, maintaining assistance through income supports and benefit programs can help maintain family stability.** One study from 2005 found that among low-income parents, lacking financial stability created a barrier to marriage, even when the couple continued their relationship.⁴⁹

The process of immigrating is particularly disruptive to family routines and familiarity. As a family settles into a new home, a return to the routines and traditions that had been previously a part of daily life can help establish a sense of stability. **Even when some level of stability has been established, undocumented immigrants often live in fear of that stability being disrupted.** Deportation has considerable and lasting impacts on the children of those who were deported. Children experience a major disruption in their familial routines when a member is removed, especially if it happens unexpectedly. A study by the Urban Institute found that six months after deportation, children continued to experience both behavioral and emotional changes including disrupted sleeping, crying, anger, aggression, withdrawal and a heightened sense of fear.⁵⁰

Immigrants may struggle to find stable employment or access to benefit programs without proper documentation. Jobs they are able to obtain are not likely to pay high wages, provide health care or have consistent schedules. A study looking at the impact of naturalization for young male immigrants' employment prospects found that **those who naturalized gained access to public sector jobs, white collar jobs, union jobs and higher wages,**⁵¹ basically for those able to obtain proper documentation, more stable and higher paying jobs become accessible. A study of undocumented Latino students found those who did not find a path to further their education and legally participate in adult life were at risk for poverty and hardship into adulthood.⁵²

Civil legal interventions that enable families to maintain routines and establish supportive interpersonal relationships can improve family stability. These effects are often long lasting, as indicated by research and comments from former Legal Aid clients.

⁴⁷ Wheaton, L., Tran, V. “The Antipoverty Effects of the Supplemental Nutrition Assistance Program.” *Urban Institute*, 2018.

⁴⁸ Rand D. Conger, Xiaojia Ge, Glen H. Elder, J., Frederick O. Lorenz, & Ronald L. Simons. “Economic Stress, Coercive Family Process, and Developmental Problems of Adolescents.” *Child Development*, 1994.

⁴⁹ Gibson-Davis, C.M., Edin, K., McLanahan, S. “High hopes but even higher expectations: The retreat from marriage among low-income couples.” *Journal of Marriage and Family*, 2005.

⁵⁰ Chaudhary, A., Capps, R., Pedrosa, J.M., Casteneda, R. M., Santos, R. M., & Scott, M. M. “Facing our future: Children in the aftermath of immigration enforcement.” *The Urban Institute*, 2010.

⁵¹ Bratsberg, B. Ragan, J.F., Nasir, Z.M. “The Effect of Naturalization on Wage Growth: A Panel Study of Young Male Immigrants.” *Journal of Labor Economics*, 2002.

⁵² Abrego, L.J. Gonzales, R.G. “Blocked Paths, Uncertain Futures: The Postsecondary Education and Labor Market Prospects of Undocumented Latino Youth.” *Journal of Education for Students Placed at Risk*, 2010.

Health Stability



Finding: Some former Legal Aid clients reported a health stability improvement regardless of the legal problem they initially sought assistance to solve, but the impact on health stability peaks two to five years after case resolution.

There are many facets of health that contribute to an individual or family achieving stability. Health stability does not mean an individual is in perfect health, but rather their health is predictable.⁵³ This implies the proper conditions are in place to manage health. These conditions would include access to medical services, such as those provided by doctors, dentists and mental health professionals, in facilities like doctor's offices, health clinics, hospitals, ambulances and, for some, within their homes. In addition to needing access to doctors, hospitals and pharmacies, an individual's environment plays a crucial role in the stability of health.

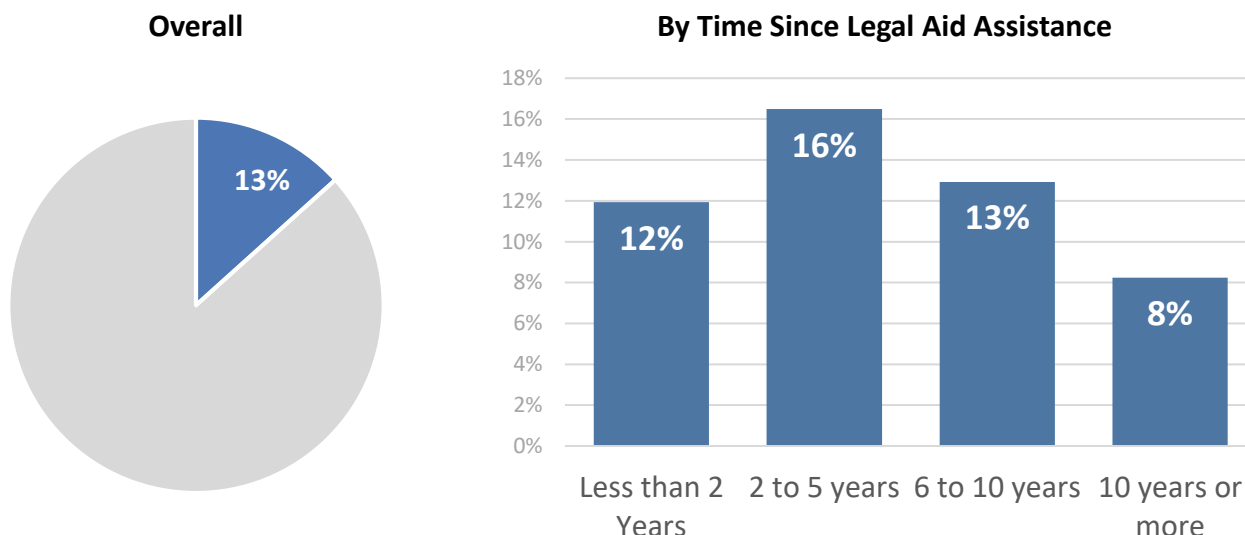
Recently much attention has been given to the social determinants of health. Healthy People 2020, a program of the U.S. Office of Disease Prevention and Health Promotion, defines social determinants of health as "the conditions in the environments in which people are born, live, learn, work, play, worship and age that affect a wide range of health, function and quality-of-life outcomes and risk."⁵⁴ Healthy People 2020 identifies five key determinants that influence health; economic stability, education, social and community context, health and health care, and neighborhood and environment. Within these categories, interventions by Legal Aid can increase access to health services and create a positive impact on these determinants.

Thirteen percent of former Legal Aid clients reported an increase in health stability regardless of the legal problem they sought assistance to solve. Many clients reported an immediate improvement in mental health, most often via a reduction in anxiety. The impact on health stability peaks two to five years after case resolution. This supports research that suggests the removal of issues that result in legal problems can improve health outcomes and that the benefit is cumulative over time. After five years, impact on health stability decreases. This could be a result of multiple barriers low-income individuals and families face and when it comes to accessing appropriate and affordable care. Another explanation could be that as time passes, the client who sought assistance for a non-health related issue no longer associates gains in health with their legal outcome.

⁵³ Stability. (n.d.) *Mosby's Dental Dictionary, 2nd edition*, 2008.

⁵⁴ Office of Disease Prevention and Health Promotion, "Social Determinants of Health." *Centers for Disease Control and Prevention*, <https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-of-health>.

Figure 13: Share of Former Legal Aid Clients Who Reported an Increase in Health Stability



Nearly half of clients who sought assistance with a legal problem directly related to health care experienced an increase in at least one area of stability. For this study, health care problems included issues with Medicaid, Medicare, CHIP, home and community-based care, private health insurance and long-term care.

Experiencing a health stability improvement appears to correspond with gains in family and financial stability. **More than a quarter of those with health stability improvements also indicated progress in family and financial stability.** These findings support research that financial stressors negatively impact health.

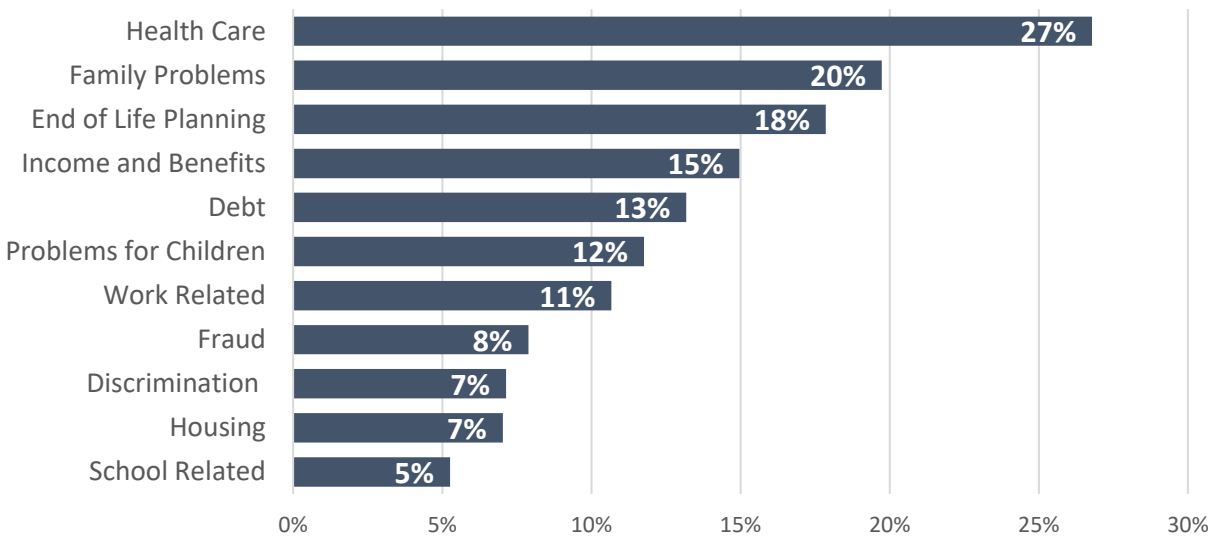
Legal interventions can lead to health improvements through the removal of a barrier or a lessening of persistent stress. Many of the issues faced by the Legal Aid's clients have been shown to have links to chronic health conditions.



"It made a stressful situation a lot easier to handle, although I am not in much of a better situation. Financially, it is a relief getting out of that problem with the help of Legal Aid. I live a different lifestyle now than I did before this issue."

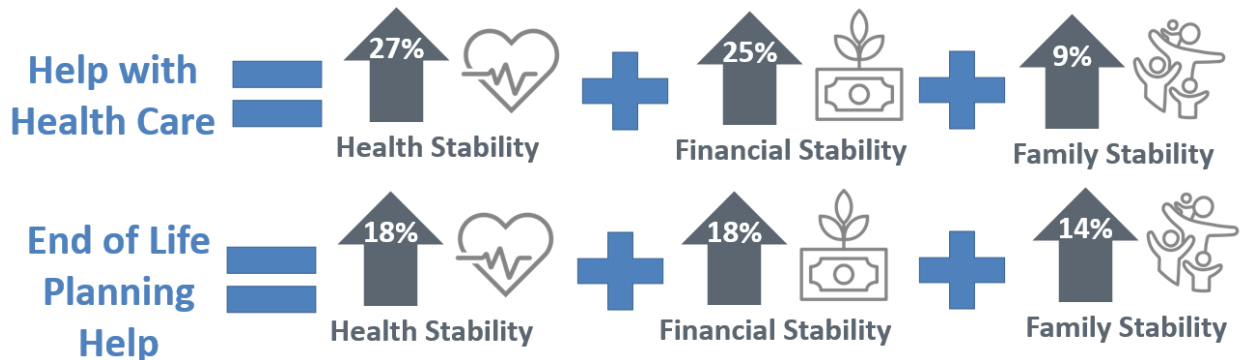
(Client from Trumbull County, Housing & Utilities, Less than 2 years ago)

Figure 14: Rates of Health Stability Improvement by Legal Problem



The connection between the resolution of family problems and health was stronger than any other non-health problem area, with one-in-five clients for Family Problems reporting an improvement in health. At least 10 percent of clients said their health improved for seven different problem areas – ranging from income and benefits, to problems for children and end of life planning.

Figure 15: Share of Clients Helped with Certain Problems Who Experienced Stability Improvements



Many problems that civil legal assistance addresses have been linked to positive health outcomes. One example is family problems and civil protection orders. A large body of research exists that looks at the impact of intimate partner and domestic violence on the physical and mental health of survivors. A literature review detailed the increased instance of conditions such as injury, chronic pain, gastrointestinal issues, sexually-transmitted diseases, depression and post-traumatic stress disorder among survivors compared to peers who did not experienced abuse.⁵⁵ Intimate partner violence has also been linked to nearly every system within the body, and the study explains that violence leads to “adverse health outcomes affecting the brain and nervous system, cardiovascular system, gastrointestinal system, genitourinary system, immune and endocrine system, reproductive system, adverse pregnancy outcomes and other health outcomes” including poor mental health outcomes.⁵⁶ The

⁵⁵ Campbell, J. C. “Health consequences of intimate partner violence.” *The Lancet*, 2002.

⁵⁶ Black, M. C. “Intimate Partner Violence and Adverse Health Consequences: Implications for Clinicians.” *American Journal of Lifestyle Medicine*, 2011.

impact of the violence upon survivors increases with each instance of abuse so that the more abuse one endures, the worse health outcomes they are likely to experience.⁵⁷ Legal interventions that are successful in removing the source of abuse are likely to have a positive impact on health outcomes as long as the abuser remains away.



"It was such a blessing. I now get my food stamps and my life saving Medicaid that provides me with my health care and prescriptions."

(Client from Medina County, Income & Benefits, 2 to 5 years ago)

Food insecurity also has links to health. Legal Aid assists clients in obtaining or maintaining income and benefits, including SNAP⁵⁸. Accessing SNAP has been shown to improve health outcomes, while lifetime chronic hunger can lead to various negative health effects. Children ages 10 to 15 experienced poor general health outcomes associated with food insecurity whereas youth ages 16 to 21 saw impacts related to chronic conditions and asthma.⁵⁹ **The more often a person experiences food insecurity, the more exacerbated their health conditions are likely to become.**⁶⁰ Clinical evidence has linked food insecurity to diabetes and hypertension among low-income working-age adults.⁶¹ The study also found food insecure older adults maybe more likely to underreport a diagnosis of diabetes. Diabetes was more strongly associated with food insecurity than hypertension, particularly high levels of food insecurity. By accessing SNAP, individuals and families are able to reduce the impact of food insecurity by lessening personal incidences of household food scarcity.

When individuals lack access to income support programs, they may experience conditions that lead to poor health outcomes. When supports are in place, health improves. For instance, food security has a statistically significant positive impact on children's health. A recent study found that previous research may have underestimated the causal

relationship between food insecurity and poor health outcomes.⁶² Income support programs like SNAP and WIC (Women, Infants, and Children) directly increase food available to a beneficiary while other income supports either provide cash or release financial resources to purchase food. **A study on the long-term impacts of**



"It gave me the strength to keep fighting to survive the cancer without the burden of financial stress."

(Client from Cuyahoga County, Income and Benefits, 2 to 5 years ago)

safety-net programs found that children who had access to such programs from the prenatal period to age five had significant reductions in metabolic syndromes in adulthood including obesity, high blood pressure, heart disease and diabetes.⁶³

⁵⁷ Bonomi, A. E., Thompson, R. S., Anderson, M., Reid, R. J., Carrell, D., Dimer, J. A., & Rivara, F. P. "Intimate partner violence and women's physical, mental, and social functioning." *American Journal of Preventive Medicine*, 2006.

⁵⁸ Supplemental Nutrition Assistance Program

⁵⁹ Kirkpatrick SI, McIntyre L, Potestio ML. "Child Hunger and Long-term Adverse Consequences for Health." *Archive of Pediatric and Adolescent Medicine*, 2010.

⁶⁰ Ibid.

⁶¹ Hilary K. Seligman, Barbara A. Laraia, Margot B. Kushel. "Food Insecurity Is Associated with Chronic Disease among Low-Income NHANES Participants." *The Journal of Nutrition*, 2010.

⁶² Gunderson, C. Kreider, B. "Bounding the effects of food insecurity on children's health outcomes." *Journal of Health Economics*, 2009.

⁶³ Hoynes, H., Whitmore Schanzenbach, D., Almond, D. "Long-run impacts of childhood access to the safety net." *American Economic Review*, 2016.

Evidence suggests that another benefit program, Supplemental Security Income (SSI) reduces negative impact of disability. A study that included an examination of SSI benefit amount changes between 1990 and 2000 and the level of disability in older adults in Census data indicated that more generous SSI benefit levels lead to reductions in disability. A \$100 increase in SSI led to reduction in mobility limitations for the total older adult population of about one-half of a percent.⁶⁴ Legal Aid works with clients to access SSI and other public benefits and to maintain payment levels.

The importance of student health outcomes is evident in a study that examined the health of adolescents and their plans to continue their education beyond high school. **Students who identify themselves as healthy are more likely to have intentions to go to college.** Eighty-five percent of adolescents in very good/excellent health planned to go to college whereas only 77 percent in good health and 75 percent in fair to poor health intended to go to college.⁶⁵

Quality of housing is considered a social determinant of health. Researchers cite several studies that show poor housing conditions such as lead paint can cause considerable emotional distress and significantly reduces family well-being.⁶⁶ The fact that issues such as lead paint, mold and fire hazards are more common in older, less-expensive housing has caused others to argue that there is a link between poor housing, social inequality and health problems. In fact, one study goes so far as to state that, “the most important antecedents of human health are not medical care inputs and health behaviors (smoking, diet, exercise, etc.) but rather social and economic characteristics of individuals and populations.”⁶⁷ Among adult populations, housing instability is negatively associated with poor health behaviors. Compared to peers who obtained housing stability, **experiencing housing instability was associated with not having a usual source of care, postponing needed medical care, postponing medications, increased emergency department use and more hospitalizations.**⁶⁸ The intersection of housing and health is explored in greater detail in the Housing section of this report.

“

“I’m less stressed. I was scared I’d be homeless. It relieved so much.”

(Client from Lorain County, Housing & Utilities, Less than 2 years ago)

⁶⁴ Herd, P., Schoeni, R.F., House, J.S. “Upstream Solutions: does the Supplemental Security Income Program Reduce Disability in the Elderly?” *Milbank Quarterly*, 2008.

⁶⁵ Sentell, T. “Adolescent-rated health and intention to attend college: variation by race/ethnicity and levels of health status.” *Race and Social Problems*, 2012.

⁶⁶ Mueller, E. & Tighe, J.R. “Making the Case for Affordable Housing: Connecting Housing with Health and Education Outcomes.” *Journal of Planning Literature*, 2007.

⁶⁷ Dunn, J. “Housing and Health Inequalities: Review and Prospects for Research.” *Housing Studies*, 2000.

⁶⁸ Kushel, M.B., Gupta, R. Gee, L., Haas, J. “Housing instability and food insecurity as barriers to health care among low-income Americans.” *Journal of General Internal Medicine*, 2006.

Housing Stability



Finding: Eleven percent of former clients reported a housing stability improvement regardless of the legal problem that lead them to Legal Aid, but this stability appears to fluctuate and declines at the 10-year mark.

It is widely recognized that housing stability exists on a continuum, however, there is currently no standard or formal definition of that continuum. At the most basic level, homelessness and permanent housing represent the beginning and end of the housing stability continuum. This dichotomy overlooks the struggle many Americans experience, often referred to by various terms including housing insecurity, instability, insufficiency and risk of homelessness. **The space between homelessness and housing permanence is quite familiar to many low-income individuals and families.** Indicators of housing instability include difficulty paying housing expenses such as rent, mortgage and utilities, denial of affordable housing due to poor credit, eviction threats or notices, moving frequently and living in overcrowded conditions.

Regardless of a precise definition or system of measurement, the results of housing insecurity, instability or insufficiency have been documented by multiple sources and are tied to areas where Legal Aid's civil legal assistance has an effect. Legal Aid's housing work includes fighting against housing discrimination, increasing access to subsidized housing, increasing opportunity for homeownership, reducing risk of foreclosure and helping individuals facing eviction. Each of these areas can have impact on the stability of family, housing, education, health, finances and community involvement.

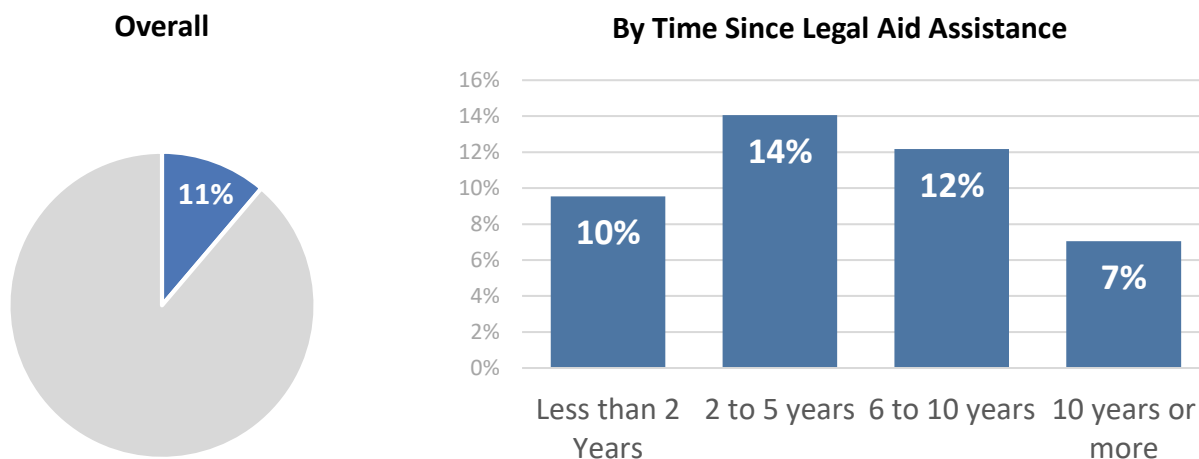


"I was able to continue paying my house payments and utilities on time and ease into final retirement."

(Client from Mahoning County, Work Related Problems, 6 to 10 years ago)

Eleven percent of former clients reported a housing stability improvement, regardless of the legal problem that lead them to seek assistance from Legal Aid. Unlike some other type of stability, housing stability improvements appear to fluctuate in the period following civil legal assistance. Housing stability improvements were most common for people who received assistance from Legal Aid between two and five years ago.

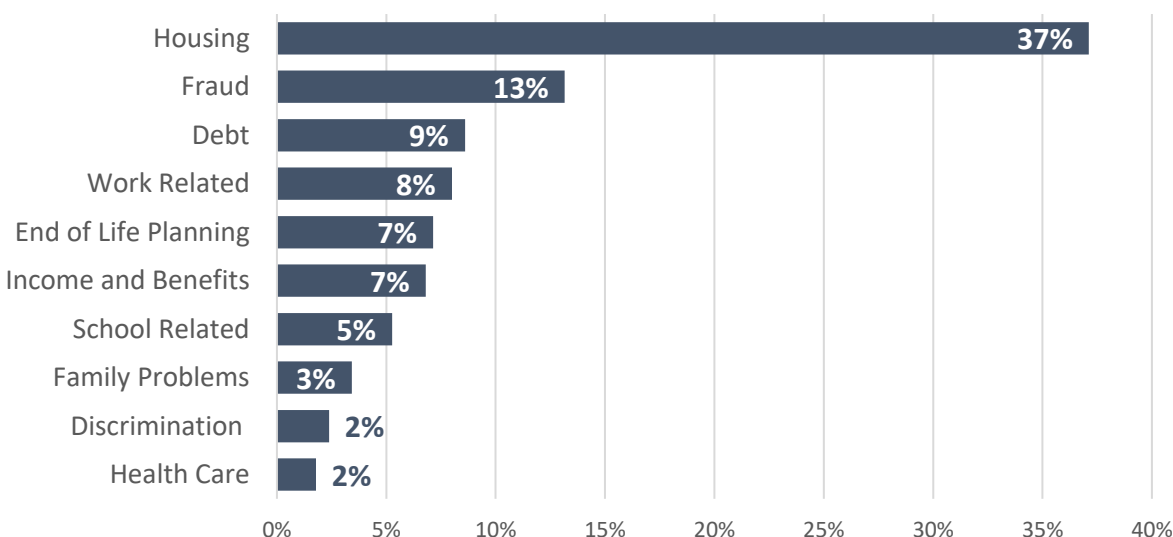
Figure 16: Share of Former Legal Aid Clients Who Reported a Housing Stability Improvement



Twenty-one percent of people who had a housing stability improvement also experienced a financial impact, and 15 percent reported a family stability improvement. This aligns with the literature that suggests that housing is closely related to financial issues and family stability. Among clients who were helped with a housing issue, 37 percent expressed that their housing stability improved.

A secondary indicator of the housing stability of former clients comes from the fact that so many replied to a survey mailed to the last known address Legal Aid had on file. Due to eligibility requirements, Legal Aid services are confined to the low-income population, a group which is often expected to be transitory.

Figure 17: Rates of Housing Stability Improvement by Legal Problem



Fifty-six percent of clients who sought assistance specifically for problems related to housing experienced at least one stability improvement. The greatest share, nearly 40 percent, reported a housing stability improvement, and 14 percent reported a financial stability improvement. Housing

problems include issues related to subsidized housing, homeownership, landlord/tenant, public housing, mobile homes, public utilities, housing discrimination, foreclosure and predatory mortgage lending.

Figure 18: Share of Clients Helped with Housing Problems Who Experienced Stability Improvements



If families experience low levels of housing instability and a civil legal aid intervention improves their situation, their stability is likely to be maintained for a period of time. If housing instability is more complex and civil legal aid intervention removes some, but not all, sources of the instability, we would not expect to see sustained impact. A single threat to housing security may be overcome by legal intervention, but as the challenges or problems stack upon each other, interventions alone may not be enough to prevent housing instability. For instance, preventing the loss of a housing subsidy would increase housing security. But, if that same individual also has a poor landlord/tenant relationship and has been unable to access need care for their behavioral health issues, only restoring the housing subsidy is not likely to be effective in the long term.

“

“My children and I would of [sic] been homeless and it was a very stressful. And depressing time for me.”

(Client from Cuyahoga County, Housing & Utilities, less than 2 years ago)

The case studies below demonstrate the variations in impact legal intervention can have on housing stability. In the first case, the client sought assistance through a voucher program after her rent had increased. Legal Aid successfully reduced her payments so she could maintain housing. Her housing instability resulted from a lack of financial stability, which the client indicated was ongoing. Thus, it seems likely that if this client experiences another complication that disrupts her voucher assistance in the near future, she will experience housing instability.

Interview Case Study D: Subsidized Housing

Ms. M contacted Legal Aid because she needed assistance with a change in her rent payments to the local housing authority in 2016. She rented an apartment with a Section 8 (Housing Choice Voucher Program) voucher, which required her to pay rent based on her income. Her payments went up more than they should have based on her income, and she couldn't afford the rent. The increased payments caused her to have to come up with more money for rent, which meant she had trouble affording other basic necessities, such as food. She met with a Legal Aid attorney right away, and although her case had a positive outcome (she no longer has needed to make rent payments since the case was resolved), she does not feel that she learned skills that would help her handle an event like this in the future. She stated that she is glad that she doesn't need to rely on family to help her pay rent, but she does not have a job and has not identified goals for her future as a result of working with Legal Aid.

In a second case, the client experienced housing instability as the result of a health issue that led to financial instability. The intervention provided by Legal Aid returned the client to the stable level of housing the client had enjoyed prior to the disruption caused by high medical costs. As her health stabilized, her financial situation improved, and she is no longer at risk for housing instability.

Interview Case Study E: Foreclosure

Ms. G. experienced a health crisis that consumed a substantial amount of time and financial resources. During this period, she fell behind in making mortgage payments and received a foreclosure notice. Ms. G. contacted a private attorney for assistance who suggested she reach out to Legal Aid. Once she began working with Legal Aid she felt an “ease of mind” for a situation that was “devastating.” Going through medical treatment was difficult enough, and worrying about losing her home made it even harder. Ms. G.’s lawyer took care of all the paperwork and was able to work out a modification that allowed her to keep her home. Ms. G explained that working with Legal Aid changed her life, as she was able to maintain housing during her treatment and return to work once her health stabilized. Without Legal Aid, she imagines she would be further in debt, would need to file bankruptcy and be in financial ruin. She also was able to focus on her health without further stress. One thing Ms. G. appreciated was that Legal Aid was discreet, and she was able to keep her problems private from her other family members.

Housing assistance through government subsidies is a key tool for many low income families to achieve housing stability. Subsidies in Ohio come in a variety of forms including buildings subsidized by the U.S. Department of Housing and Urban Development (HUD), rent voucher programs, subsidies for specific populations such as veterans and those living with HIV/AIDS and subsidized housing for older adults and adults with disabilities. Access to housing is protected by the Fair Housing Act, which prohibits discrimination based on race, color, national origin, religion, sex, familial status and/or disability.

Clients that Legal Aid assisted with housing issues reported improvements in health. This connection has been demonstrated in other studies that show housing instability has major impact on health, including mental health. The Michigan Recession and Recovery Study found that more than 30 percent of respondents recently experienced some type of housing instability and many reported negative health outcomes. A policy brief from the National Poverty Center identified key findings of the report: “Respondents who were behind on their mortgages or who had gone into the process of foreclosure were more likely to self-report fair/poor health and to have had a recent anxiety attack than mortgage holders without any recent housing instability. Those behind on rent were more likely to meet criteria for major or minor depression than renters with no housing instability. **Respondents who moved due to cost in the past three years were substantially more likely to report an anxiety attack than those with no recent housing instability.**”⁶⁹

⁶⁹ National Policy Center, “Policy Brief Housing Instability and Health: Findings from the Michigan Recession and Recovery Study.”2012.

A study that researched unstable housing among renters found that caregivers and children experience adverse health outcomes related to housing instability. **Each instance of housing instability increased the negative health outcomes.** Measures of housing instability, such as being behind in rent or having multiple moves in a short time span, resulted both in caregivers and children having a higher likelihood of reporting fair/poor health.

Caregivers also had an increased risk of maternal depressive symptoms and children had increased odds of lifetime hospitalizations and risk of falling behind on developmental milestones. Caregivers and school-age children in unstable housing also were more likely to experience food and utility insecurity, which have direct negative impacts on health and wellbeing.⁷⁰ **Children younger than three years old living in insecure housing also have increased risk of poor health, diminished weight and developmental challenges.** Housing subsidies can mitigate the impact of poor health related to housing and food insecurity.⁷¹

“

“Returned our credit rating to a realistic level saved our home and probably our marriage restored our faith in the justice system allowed us to retire only a few years later than planned removed the stress so my husband could heal from a massive heart attack.”

(Client from Summit County, Housing & Utilities, 6 to 10 years ago)

The Urban Institute describes some of the negative effects of housing instability on children, including a family’s inability to provide basic necessities, frequent school moves, high rates of absenteeism, low test scores, increased family stress and the exposure of children to prenatal and early childhood toxic stress/trauma⁷². One study stated that,

“Housing instability presents barriers to the maintenance of family routines and rituals,”⁷³ a marker of family stability. **Achieving family stability is very difficult without housing stability, though many parents go to great lengths to provide some consistency and stability during times of housing insecurity.**

“

“After my divorce was finally final, I was able to move on with my life and my kids. The legal assistance I received for my housing issue was able to stop AMHA from evicting myself and my family of 8 (2 adults, 7 children) which would have left us homeless on the street!”

(Client from Summit County, Family Problems, 2 to 5 years)

A common marker of housing instability is moving multiple times in a short period of time. In a study of urban students,

researchers found that residential mobility correlates with a decrease in reading scores if the move happens during kindergarten through second grade, when reading formation occurs. Math scores also suffered for those students who experience residential moves. Together these findings indicate that residential moves, including those due to eviction or foreclosure, are likely to have a negative impact on

⁷⁰ Sandel M, Sheward R, Ettinger de Cuba S, et al. “Unstable Housing and Caregiver and Child Health in Renter Families.” *Pediatrics*, 2018.

⁷¹ Meyers A, Cutts D, Frank DA, et al. “Subsidized Housing and Children’s Nutritional Status Data from a Multisite Surveillance Study.” *Archives of Pediatrics and Adolescent Medicine*, 2005.

⁷² Cunningham, Mary K. “Reduce poverty by improving housing stability.” *Urban Institute*, 2016.

⁷³ Mayberry, L. S., Shinn, M., Benton, J. G., & Wise, J. “Families Experiencing Housing Instability: The Effects of Housing Programs on Family Routines and Rituals.” *The American Journal of Orthopsychiatry*, 2014.

a child's educational success.⁷⁴ Removing the need for multiple moves through legal assistance has the potential to improve educational outcomes for both young children and adolescents.

Many low-income families and individuals benefit from the stability that housing subsidies provide, whether that is through public housing projects, senior high-rises or housing vouchers. Researchers propose a number of factors unique to public

housing that could lead to positive outcomes when compared to free market low-income housing. Public housing is more structurally sound, and regular certification of the quality of the dwelling is required.

When families can afford rent they are able to achieve housing stability and reduced mobility. The reduction of a rent burden increases available financial resources for other basic needs such as food. Parents in public housing may also experience less financial distress and psychological burden as a result of housing insecurity which, in turn, can reduce the potential adverse impact on children.⁷⁵

“

“I have a forever home.”

(Client from Cuyahoga County, Debts, Less than 2 years ago)

While subsidized housing does appear to have a positive impact on the economic stability of low-income individuals and families, the impact is not enough to move them out of poverty. However, there is evidence to suggest that the longer a child lives in subsidized housing, the greater the economic impact in adulthood. **Children who live in public housing and voucher-assisted housing have higher earnings as young adults compared to low-income children who have not lived in subsidized housing.** For males, each year spent in subsidized housing increased their annual income as young adults (age 18 to 26) by \$508 for public housing and \$256 for voucher assisted housing. For females, each year spent in subsidized housing increased annual income by \$488 for public housing and \$468 for voucher-assisted housing. It appears subsidized housing has the most positive impact on earnings for females from non-Hispanic black households.⁷⁶ Civil legal assistance that enables individuals to remain in housing supported by public assistance should allow them to realize similar benefits.

For those without subsidized housing, a major area of work for Legal Aid in recent years relates to foreclosure and eviction. Owning a home is a quintessential marker of reaching the “American Dream.” It can also be a means to increasing financial security. Analysis suggests homeownership, “remains very beneficial for most families, offering both financial gains and a chance to build wealth,” particularly for those who will retain ownership long enough to recover

“

“I was able to stay in my home with an affordable note. Was a really huge relief off my shoulders.”

(Client from Cuyahoga County, Housing & Utilities, 2 to 5 years ago)

transaction costs and can take advantage of cyclical markets.⁷⁷ Home ownership gives low-income families an opportunity to build wealth and increase their financial security. Accessing and maintaining

⁷⁴ Voight, A. Shinn, M., Nation, M. “The longitudinal effects of residential mobility on the academic achievement of urban elementary and middle school students.” *Educational Researcher*, 2012.

⁷⁵ Newman, S. and Harkness, J. M. “The long term effects of public housing on self-sufficiency.” *Journal of Policy Analysis and Management*, 2002.

⁷⁶ Anersson, F., Haltiwanger, J.C., Kutzbach, M.J., Palloni, G.E., Pollakowski, H.O., Wienberg, D.H. “Childhood housing and adult earnings: a between siblings analysis of housing vouchers and public housing.” *NBER Working Paper Series*, 2016

⁷⁷ Goodman, L.S., Mayer, C. “Homeownership and the American dream.” *Journal of Economic Perspectives*, 2018.

homeownership for these families may require intervention from community supports in order to obtain appropriate financial products and avoid predatory lending.

The Institute for the Study of Social Change describes the impacts to families displaced by foreclosure. **Similar to eviction, the very nature of foreclosure requires moving, which is disruptive to family routine regardless of the reason for moving.** Legal Aid works with families to prevent foreclosure and eviction. When a move is a result of foreclosure, an individual will also suffer from poor credit, which greatly reduces options for purchasing a new home or passing a credit check to rent in the future. Those who experienced a foreclosure or eviction may split up their family and send children to whomever has space for them. Family stability is very difficult to maintain across multiple temporary households. Moving out of the community may be the only option for these families, particularly if their home had been in an area with high market rents. Leaving a physical community often means a loss of social supports at a time when any available support is highly valued.⁷⁸



"If I lost SSDI, my son and I would be homeless. I am in quite a bit of debt. Not only did the debt clinic help with two lawsuits, it also has given me tools and confidence to face my debt."

(Client from Lake County, Income & Benefits, 2 to 5 years ago)

Legal Aid can help renters with landlord/tenant issues including conditions issues, which can improve the quality of housing in which children live. Lead exposure is just one example. The negative effects of lead poisoning, especially in regards to the effect on the mental development of children, have been well documented. Despite this, many communities in Northeast Ohio lag behind in abating lead paint hazards in homes. In 2018, Legal Aid was successful in procuring a court order that requires the City of Cleveland to place warning placards on homes that have a known lead hazard.⁷⁹ While this may have limited benefits for those who already suffer from lead poisoning, it will provide significant benefits to both the future residents of those homes and society as a whole.

Several studies have developed a societal cost-benefit analysis for lead abatement. **Generally, the results have shown that it is to the financial benefit of society to implement a strict lead abatement policy.** Using a strategy that links earnings to IQ to lead, researchers found that lead exposure could cost the cohort of American five-year-olds in 2002 a total of \$43.4 billion in net present value of lost earnings. They also looked at three other diseases related to environmental factors: asthma, childhood cancer and neurobehavioral disorders. Weighing for the percent of each disease that is due to environmental factors, they found that the total cost of illnesses caused by environmental factors for that cohort of five-year-olds is \$54.9 billion.⁸⁰ By this measurement, lead poisoning makes up 79 percent of the annual costs for children who have major childhood illnesses linked to environmental factors.

In another study, researchers compared lead abatement costs to the benefits of decreased health care and special education spending and increased earnings for children who may live in the house after the

⁷⁸ Martin, A.J. "After Foreclosure: The displacement crisis and social and spatial reproduction of inequality." *UC Berkeley: Institute for the Study of Societal Issues*, 2010.

⁷⁹ Dissell, R., & Zeltner, B. "Court order requires Cleveland to placard hundreds of lead hazard homes this month." *Cleveland Plain Dealer*, 06 June 2018.

⁸⁰ Landrigan, P., Schechter, C., Lipton, J., Fahs, M., & Schwartz, J. "Environmental Pollutants and Disease in American Children: Estimates of Morbidity, Mortality, and Costs for Lead Poisoning, Asthma, Cancer, and Developmental Disabilities." *Environmental Health Perspectives*, 2002.

hazard is discovered. This was done across two neighborhoods, one that required “strict” enforcement, in which lead abatement was required when a hazard was recognized, and one that required “limited” enforcement, in which enforcement failed to ensure that lead abatement would occur once a hazard was recognized. Considering all of these factors, “strict” enforcement would save society \$45,360 per building abated compared to “limited” enforcement.⁸¹

Housing vouchers or other assistance can have a transformative impact on low-income family stability if families are able to move out of neighborhoods with extreme poverty into less economically distressed areas. However, research suggests the long-term impact of a move to a better neighborhood is dependent on age, with adolescents seeming to have more adverse outcomes following any residential move.⁸²

Children under age 13 who experienced a move out of high-poverty public housing into a census tract with less than 10 percent poverty had higher incomes as young adults and were significantly more likely to attend college and attend better colleges than their peers who remained in subsidized housing in high-poverty neighborhoods. This cohort was also more likely to live in better neighborhoods as adults and less likely to become single parents. However, children between the ages of 13 to 18 years old when their families moved into lower poverty neighborhoods did not have a positive long-term economic impact into adulthood. This led the authors to conclude that “providing subsidized housing vouchers to move to lower-poverty areas produces larger benefits for younger children.”⁸³

By providing families with access to housing subsidies, preventing foreclosures and other actions that result in a housing stabilization, civil legal assistance has an impact on the health of individuals in the family. The largest benefits will be experienced by family members with the longest stretches of stability.

⁸¹ “Brown, M.J. (2002). Costs and Benefits of Enforcing Housing Policies to Prevent Childhood Lead Poisoning.” *Medical Decision Making*, 2002.

⁸² Metzger, M. W., Fowler, P. J., Anderson, C. L., & Lindsay, C. A. “Residential mobility during adolescence: Do even “upward” moves predict dropout risk?” *Social Science Research*, 2015.

⁸³ Chetty, R. Nedren, N., Katz, L.F. “The effects of exposure to better neighborhoods on children: new evidence from the Moving to Opportunity experiment.” *American Economic Review*, 2016.

Educational Stability



Finding: Only two percent of former Legal Aid clients reported an educational stability improvement, however one-in-five clients who had an education improvement also reported positive impacts on family stability or housing stability.

Legal Aid plays a role in guaranteeing children receive mandated services that provide the physical, social and emotional academic environment so each student has the opportunity to achieve educational success. A broad definition of educational success goes beyond measures of academic achievement, to include skill attainment, satisfaction, social and emotional development, access to trauma-informed classroom practices and participation in educationally purposeful activities. Students with disabilities, those with limited English proficiency, those suffering from chronic health conditions, immigrants and other vulnerable populations benefit from interventions by community advocates, including Legal Aid, to ensure their schools provide the supports and services they are entitled to receive.

Families who seek to gain access to “free appropriate public education” as outlined in the Individuals with Disabilities Education Act (IDEA) may need legal assistance to achieve compliance from a school district. A student with an identified disability should be granted an individualized education plan (IEP) or Section 504 Plan, which guarantees the student will not be discriminated against (504) and will have special education accommodations for his or her disability (IEP). Parents and guardians may turn to Legal Aid if they do not feel the school is meeting the needs of a student, either by not recognizing the disability or by not adhering to the IEP or 504 plan. Legal Aid also plays a role in educating parents about how to advocate



“Sons [sic] behavior resolved, he graduated HS with a year of AP credit, went to University (in final year) via honors program with substantial aid resulting in zero loans and already admitted to grad school. Convinced all this would have been much harder and less likely with an expulsion on his record.”

(Client from Cuyahoga County, School Related Problems, 6 to 10 years ago)

on behalf of their child. Students with special health care needs and emotional, behavioral or developmental problems experience a greater threat to school success than their peers.⁸⁴ **An IEP increases the likelihood that a student with learning, behavioral and/or emotional disabilities will stay in the school system through high school graduation.** A study that examined educational attainment among adolescents with disabilities found greater financial well-being related both positively and significantly to the likelihood that children finish high school.⁸⁵ The study also found that children with serious disabilities were more than 50 percent less likely than children without disabilities to complete high school.

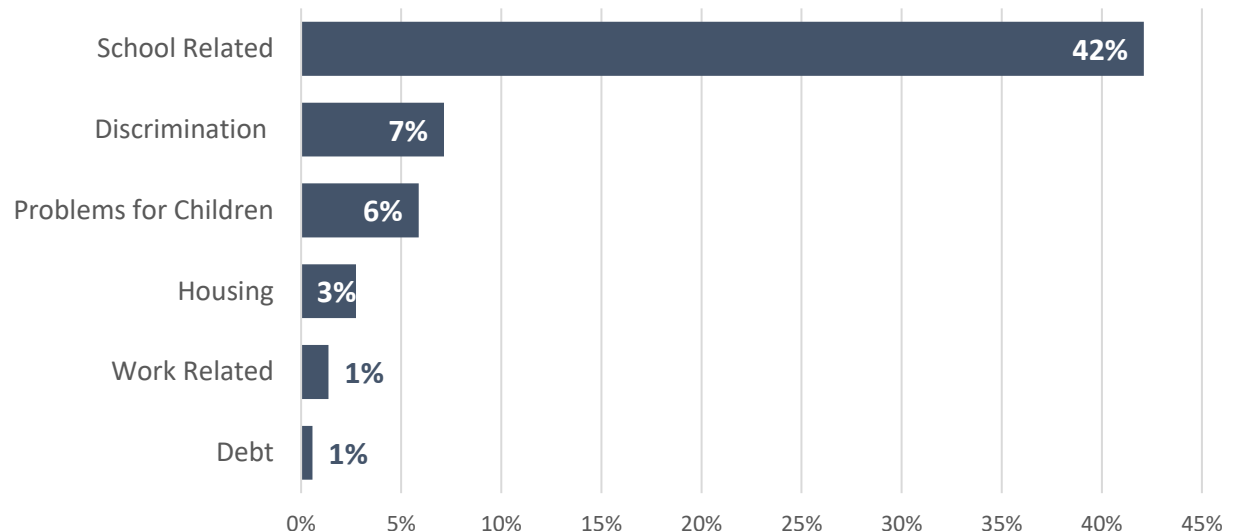
Progress in education stability was less common than other areas, with only 29 clients or 2 percent reporting an improvement. However, one-in-five clients who had an education improvement also a

⁸⁴ Bethell, C., Forrest, C. B., Stumob, S. Gombojav, N. Carle, A. Irwin, C.E. “Factors promoting or potentially impeding school success: disparities and state variations for children with special health care needs.” *Maternal and Child Health Journal*, 2012.

⁸⁵ Shandra, C.L., Hogan, D.P. “The education attainment process among adolescents with disabilities and children of parents with disabilities.” *International Journal of Disability, Development and Education*, 2009.

family stability improvement and 10 percent had a housing stability improvement. **Many people with children said that Legal Aid’s assistance with a housing problem allowed them to keep their children in a school of their choice, preventing disruption in their children’s education.**

Figure 19: Rates of Educational Stability Improvement by Legal Problem



School-related legal problems were most closely associated with education stability improvements. School related problems include issues related to discipline, special education, IEPs, 504 plans and vocational education. Even though it represented a relatively small number of former clients, 71 percent of Legal Aid clients who sought assistance with school-related problems reported a stability improvement.

Figure 20: Share of Clients Helped with School Related Problems Who Experienced Stability Improvements



A student and his or her family who seeks and receives assistance from Legal Aid to obtain appropriate interventions through an IEP or 504 plan will have the immediate benefit of an educational environment that takes the student’s needs into account. This stability often continues throughout the student’s education. Services provided by Legal Aid that result in an introduction of an academic, social or behavioral intervention, or in the enforcement of a previous intervention, have the potential to have lasting impacts as the student transitions into adulthood. The impact is strengthened by further interventions, including academic, behavioral and emotional, whether provided by Legal Aid or another entity. Conversely, if beneficial interventions are not continued, the impact of the civil legal aid service will be lessened over time.

The following case study illustrates the role legal intervention can play in a student's educational success. Informing parents about their children's educational rights and working directly with the school benefits children who need additional support, services or alternative placements to be successful in a school setting. In this case study, the parent's employment stability was also challenged by the situation with her child's school.

Interview Case Study F: IEP

Every day, Ms. D. would receive a phone call from her son's school requesting that she pick him up. Every day, she would leave work at lunch, get him and drop him off at her mom's house. Ms. D twice requested that the school evaluate him to determine if he was eligible for special education services. They refused both times, and instead suggested her son attend school on a reduced schedule, with a daily dismissal at noon. Ms. D. explained that she needed to work and while her boss was very understanding, this arrangement was unworkable. Around this time, Ms. D reached out to Legal Aid for assistance. Her lawyer explained that her son had a right to education and empowered Ms. D. to say no to the school's suggestions if she wasn't comfortable with their ideas. Ms. D felt an immediate sense of relief as her lawyer helped her better understand the process for getting her son the services he needed. The lawyer "stepped up, took charge, she fought back" and showed Ms. D how to fight for her son's educational rights herself. The school agreed to an evaluation and he began to receive the services he needed to be successful in a classroom environment.

In addition to her son receiving appropriate educational interventions, Ms. D. explained that the experience changed how she approached her son. Immediately after she started working with Legal Aid, she had a sense that "it's okay, he is not a bad kid." She explained that she used to get mad at him all the time, but now understood that some of his behaviors are outside of his control. With the interventions in place for her son, Ms. D. no longer gets daily calls, no longer has to leave work mid-shift and has the mental space to address other issues in life beyond her son's education.

Legal Aid often provides immigrants assistance in navigating the educational systems to ensure their children are properly enrolled and receive the services they need from preschool through high school. Children of undocumented immigrants experience academic withdrawal as they transition into adulthood. This is especially true during adolescence as these individuals experience barriers related to their status when they attempt to engage in typical adolescent behavior including part-time work and obtaining a driver's license. At this point, children who had previously been integrated into society through school come to realize they are not like their citizen peers. During this time period, intervention from a trusted adult can help prevent early exit from the educational system.⁸⁶

Educational attainment establishes ties to positive health outcomes including life expectancy. The opportunity to advance through high school and beyond has a significant impact on the remainder of an individual's life. **The difference in life expectancy between someone with less than a high school education and someone with**

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"My son is doing a lot better now. He is thriving in school and on a social level. I needed that extra income for him so I can pay for tutoring and special programs etc."

(Client from Stark County, Income & Benefits, 2 to 5 year ago)

⁸⁶ Gonzales, R.G. "Learning to be Illegal: Undocumented Youth and Shifting Legal Contexts in the Transition to Adulthood." *American Sociological Review*, 2011.

a graduate degree is 12 years.⁸⁷ One study found that each increment of completed education (less than high school, high school only, some college, bachelor's degree, graduate degree) is associated with an incremental improvement in physical health score. The study noted that the difference in physical health score between a bachelor's degree and graduate degree is not significant. This indicates the completion of a bachelor's degree is a breakpoint where educational attainment no longer improves health outcomes.⁸⁸



"[Legal Aid helped] greatly because I would've had to move which would have resulted in having to move my kid out of school where he is doing good."

(Client from Summit County, Housing & Utilities, 6 months ago)

Although fewer clients reported an education stability improvement overall, **those who were helped with school related problems were particularly likely to report at least one stability improvement.** In addition, research links educational stability for children to financial stability and health in adulthood.

⁸⁷ Kaplan, R.M. "Behavior change and reducing health disparities." *Preventive Medicine*, 2014.

⁸⁸ Kaplan, R. M., Fang, Z. Kirby, J. "Educational attainment and health outcomes: data from the medical expenditures panel survey." *Health Psychology*, 2017.

Civic Involvement



Finding: Only two percent of clients reported a civic involvement improvement. Individuals who received Legal Aid help with a discrimination and individual rights problem were most likely to report a civic involvement improvement.

Much of Legal Aid’s work is done with the assumption that solving their clients’ legal problems will allow them to become more civically engaged in their communities and strengthen democracy. Civic engagement is the outer ring of the ripple effect Legal Aid initiates by helping its clients.

Civic behavior has been defined as “activities oriented toward collective action, care, concern and development of others, as well as societal decision making and resource allocation.”⁸⁹ Civil legal aid services can reduce barriers to community engagement. Research has shown that barriers to civic engagement included lack of time, family care issues and divorce, problem neighbors, lack of community groups and isolation due to recent move or lack of transportation.⁹⁰ **Legal interventions to remove barriers that consume individuals’ time can increase the likelihood of civic engagement.**



“I’m now a productive member of society working full time and looking forward to reuniting with my child.”

(Client from Stark County, Discrimination, 2 to 5 years ago)

Only 22 clients, representing 2 percent of the total, reported an improvement in civic involvement. Examples included voting, helping neighbors and being engaged in community activities thanks to Legal Aid assistance. Individuals who received civil legal help with a discrimination and individual rights problem were most likely to report an improvement in civic involvement. This problem category included issues related to mental health, disability rights, civil rights, human trafficking and criminal records expungement. In contrast to many other stability areas, civic involvement improvements were reported less frequently.

⁸⁹ McBride, A.M., Sherraden, M.S., Prtizker, S. “Civic engagement among low-income and low-wealth families: in their words.” *Family Relations*, 2006.

⁹⁰ Ibid.

Figure 21: Rates of Civic Involvement Improvement by Case Area

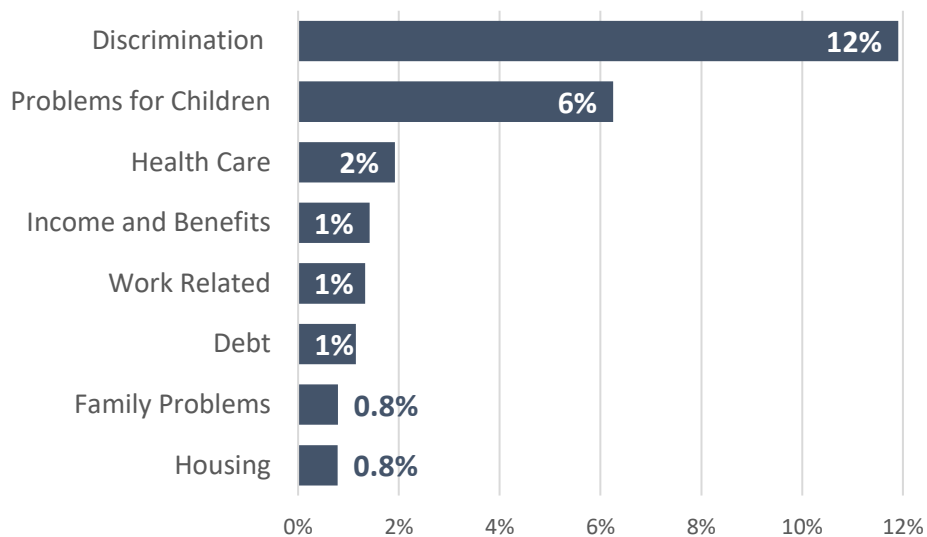
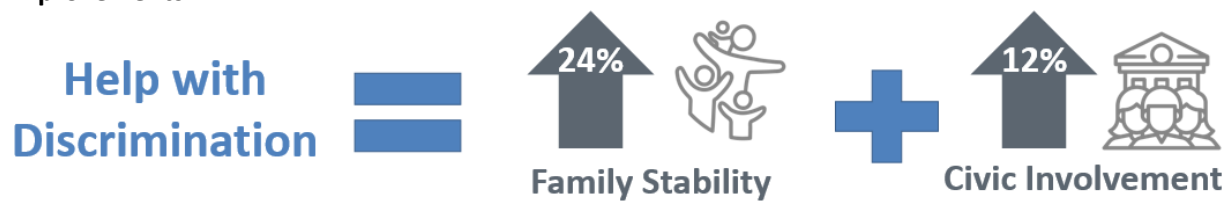


Figure 22: Share of Clients Helped with Discrimination Problems Who Experienced Stability Improvements



In a study focused on low-income individuals, the researcher found that **access to social and human capital resources increased when an individual was socially engaged**. Access to those assets could be parlayed into educational and employment opportunities, and the odds of being employed increased over time for those who were civically engaged. **Civic engagement that involved long-term opportunities were more economically beneficial for participants than short-term or episodic engagements**. Long-term civic engagement more often led to building relationships and networks that provided access to information about employment and education opportunities. However, that study found that increased civic engagement often could not overcome structural barriers faced by low-income individuals such as transportation, housing insecurity, poor local economy, discrimination and incarceration.⁹¹

⁹¹ Benenson, J. "Civic Engagement and Economic Opportunity Among Low-Income Individuals: An Asset-Based Approach." *International Society for Third-Sector Research*, 2017.

Becoming civically engaged can be beneficial to low-income individuals, particularly if they are able to develop relationships across class and racial divides.

These relationships can build social capital and lead to economically-beneficial opportunities. However, the barriers associated with having incomes close to the poverty threshold come into play both in becoming civically engaged and in turning developed social capital into true economic mobility.



“My son is healthy mentally and physically. His presence has pushed me to be more active part of the community.”

(Client from Summit County, Problems for Children, 2 to 5 years ago)

Interview Case Study G: Immigration

A friend suggested Mr. R contact Legal Aid for help with adjusting his residency status. He connected with a lawyer who assisted him in the complicated process of obtaining the proper residency documentation. Mr. R explained that having documentation has been life-changing. He is now able to look for employment which will allow him to financially support his family. He is able to travel without worrying about being unable to return to his new home. He no longer is worried about being accused of being in the country illegally and feels the freedom to be more involved in the community, including in his religious community. Going through this process helped Mr. R understand that community involvement really makes an impact, because he saw firsthand how the work of Legal Aid directly impacts people’s lives. He described the importance of Legal Aid to the immigrant community, especially their help in obtaining the proper documentation. Mr. R explained, Legal Aid is able to intervene with the tools to obtain the documentation necessary for immigrants and refugees to move beyond survival into stability.

Immigrants and refugees face many obstacles to establish stability for themselves and their families in their adopted residences. Recent newcomers to this country who do not speak English fluently may find themselves unable to receive services they need. This may impact their ability to obtain health insurance, stable housing, educational services and income supports. Although government agencies, including schools, are required to provide translation and interpretation services, immigrants and refugees may not be aware of the process for requesting these services. They may also not be aware of how to file a complaint if they have not been provided appropriate services. Civil legal services and guidance may be necessary to obtain the language services guaranteed under federal law. In addition to language, a newcomer’s legal status can impact their ability to become a stable, contributing member of the community. Visa processing, deportation hearings, naturalization and citizenship are areas where Legal Aid can be effective in advocating for decisions that result in a positive impact on an immigrant’s or refugee’s stability. Legal Aid’s legal interventions, and other free legal services, can reduce the impact language barriers and immigration status can have on those who come to this country. As suggested in the case study above, **assisting an individual or family in obtaining proper documentation can have a long-lasting impact on income, housing stability, health and education.**



“Now a proud U.S. Citizen.”

(Client from Mahoning County, Family Problems, 2 to 5 years ago)

Despite the lack of former clients who reported improved civic engagement, there are several civil legal problem areas where other research indicates a relationship to community involvement. One is photo

identification. Lacking photo identification may present a barrier to full participation in civic life. Legal Aid can assist clients in obtaining photo identification and other documents.

Most of the research into the impact of possessing a photo ID relates to voter participation.

Unfortunately, there is conflicting evidence as to whether more stringent photo ID requirements for voter registration or at the polls has an impact on voter participation.⁹² The attention on voter ID requirements may lead some in Ohio to believe that they need a valid form of photo ID to vote, even though the state allows other forms of identification to be used at the polls. Therefore, a lack of a photo ID should not automatically cause disenfranchisement in this state.

“

“I can vote now!”

(Client from Cuyahoga County, Immigration, 2 to 5 years ago)

A greater barrier to civic participation could be the fact that a photo ID is requested, and sometimes required, to enter many government buildings, including court houses and city halls. This presents challenges for those residents who have government business to conduct, but lack a photo ID. In Rhode Island, a policy to bar entrance to courthouses to people without a photo ID resulted in an “extremely detrimental impact on people who had a legal obligation to be in court, such as a criminal defendant or witness under subpoena.”⁹³ Those who attempt to enter Cleveland City Hall without photo ID can be met by a city employee and personally escorted into the building. A birth certificate is often needed in order to obtain photo ID. But a photo ID is required to enter the buildings where one can obtain copies of birth certificates.

“

“I got my license and was able to get to work and drive myself wherever I needed to go.”

(Client from Cuyahoga County, Debts, more than 10 years ago)

Proof of identity and employment authorization are needed to obtain legal employment. Although other forms of ID are accepted by the IRS, employers may ask to see a driver’s license and Social Security card, as those are the most common forms of identification. Yet obtaining a government-issued photo ID carries costs. The U.S. Government Accountability Office found that the direct cost to obtain a driver’s license is as high as \$58.50,⁹⁴ presenting a financial barrier to those living in deep poverty. Obtaining photo identification makes it easier to travel, access services and participate in civic life. Unlike many of the problem areas addressed by Legal Aid, photo IDs are binary – you either have one, or you do not. Lacking a photo ID can be a barrier, yet the impact of gaining a photo ID is usually short-term.

Civic involvement for former clients also has the potential to improve due to domestic violence issues addressed by Legal Aid. People who have experienced intimate partner violence are less connected to their communities than those who have not been subject to partner abuse. In a study examining social connectedness among female victims, researchers found the longer a woman was subjected to intimate partner violence, the less likely she was to be active in voluntary community groups or to trust people in the community. Thirty-seven percent of women in the control group reported not being active in groups compared to 47 percent of women who had endured intimate partner violence for 10 years or more.

⁹²United States Government Accountability Office, “Issues Related to State Voter Identification Laws.” 2014.

⁹³ National Law Center on Homelessness and Poverty. “Photo Identification Barriers Faced by Homeless Persons: The Impact of September 11.” 2004.

⁹⁴ United States Government Accountability Office, “Issues Related to State Voter Identification Laws.” 2014.

Similarly 23 percent of women who had reported no abuse did not trust people in the community compared to 35 percent who had been in an abusive situation for three to 10 years.⁹⁵ These results suggest **interventions that prevent or quickly end abusive relationships can increase community involvement in voluntary groups and allow those who have experienced, or were at risk, of violent relationships to develop trust in their communities.**

Being a civically engaged member of the community generally means following the laws and adhering to social norms. Evidence points to lead poisoning as a factor that may affect one's likelihood to be a law-abiding citizen. **Recent scholarship has shown a relationship between exposure to lead and increased criminal activity.** Young people between the ages of 12 and 18 who had been arrested have been shown to have had, on average, lead levels that were more than 7 times higher than those who had not been arrested. The authors of the study also note that the difference in lead levels are even higher amongst those who do not have other risk factors for "delinquent behavior," such as living in two-parent homes and having parents with higher education levels.⁹⁶

Time lag analysis studies have found a correlation between lead and crime. One such study compared preschool blood-lead levels to crime rate 10 to 25 years later across nine different countries and found a highly significant relationship between pre-school blood lead levels and the rates of a number of different types of crimes, including burglary and assault. There is also considerable evidence that the sharp decline in juvenile murder rates seen in the 1990s could be associated with the decreased frequency of lead exposure amongst those born in the 1970s.⁹⁷

Among other benefits, decreasing lead exposure in a home will decrease the likelihood that children in that residence will commit crimes as they get older. Legal Aid helps people address lead and other housing condition issues. **If lead hazards decrease throughout the community, the community is likely to see an associated decrease in crime 10 to 20 years in the future.**⁹⁸

Improved housing stability also has been linked to civic involvement. A recent study found that homeowners are significantly more likely to vote in local and national elections and join neighborhood and civic groups.⁹⁹ **Providing opportunities for low-income households to join the American tradition of purchasing a home can strengthen the community as the household becomes more civically engaged.** A study examining civic engagement of people in low-income neighborhoods who became homeowners found a significant increase in community involvement as they moved from renting in the same neighborhood to owning a home.¹⁰⁰

⁹⁵ Bonomi, A. E., Thompson, R. S., Anderson, M., Reid, R. J., Carrell, D., Dimer, J. A., & Rivara, F. P. "Intimate partner violence and women's physical, mental, and social functioning." *American Journal of Preventive Medicine*, 2006.

⁹⁶ Needleman, H., McFarland, C., Ness, R., Fienberg, S., & Tobin, M. "Bone lead levels in adjudicated delinquents: A case control study." *Neurotoxicology and Teratology*, 2002.

⁹⁷ Nevin, R. "Understanding international crime trends: The legacy of preschool lead exposure." *Environmental Research*, 2007.

⁹⁸ Stretesky, P. & Lynch, M. "The Relationship between Lead and Crime." *Journal of Health and Social Behavior*, 2004.

⁹⁹ McCabe, B.J. "Are homeowners better citizens? Homeownership and Community Participation in the United States." *Social Forces*, 2013.

¹⁰⁰ Manturuk, K., Lindblad, M., Quercia, R. "Homeownership and civic engagement in low-income urban neighborhoods: a longitudinal analysis." *Urban Affairs Review*, 2012.

A growing body of evidence suggests people are more likely to be civically engaged when the engagement involves a homogenous group with which they identify. The more different they are from those around them, the less likely they are to participate. The homogeneity could be associated with any number of factors including race, education, income, religion, ethnicity or political affiliation.



“It meant I could stay – where my comfort level was my dream home – gives you a sense of worth and pride.”







(Client from Mahoning County, Housing & Utilities, 2 to 5 years ago)

Housing interventions that result in a family or individual moving into a community where they have little to no feeling of commonality with their neighbors are likely to result in less civic engagement than if the housing intervention maintains a similar environment of homogeneity or relocates to an environment with existing similarities. Therefore, it is unlikely that low-income families that belong to minority groups will become more civically engaged if they use vouchers to move into a residential area with low minority representation. **If a legal intervention allows families to stay in a community where they have existing familiarity and commonality, they are more likely to become civically engaged with groups of people similar to themselves.**¹⁰¹ Lack of trust of new neighbors can be overcome as individuals who regularly talk with their neighbors are less influenced by the racial and ethnic character of their surroundings than people who lack such social interaction. Families who move into new neighborhoods will develop stronger ties to their communities if they are actively welcomed into the community.

¹⁰¹ Stolle, D., Soroka, S., Johnston, R. “When does diversity erode trust? Neighborhood diversity, interpersonal trust and the mediating effect of social interactions.” *Political Studies*, 2008.

Conclusion

Stability improvements that clients attribute to civil legal aid assistance are common, persistent and widespread. Other research has demonstrated links between the types of problems civil legal assistance addresses and a range of benefits for individuals, families and society. The results of this research display that various aspects of stability or instability are closely related. When asked open-ended questions, many former Legal Aid clients identified aspects of stability that had improved due to civil legal aid assistance that were unrelated to the civil legal problem for which they sought help. As shown below, ties between financial stability and non-financial matters were particularly strong. In addition, the number of clients who worked with Legal Aid on a problem unrelated to health issues, but reported a health stability improvement, further confirms the ties between health and social determinants such as housing, education and financial stability.

<i>Area of Practice</i>	<i>Total Clients</i>	<i>Percent who Experienced Stability Improvement</i>	<i>Financial Stability</i> 	<i>Family Stability</i> 	<i>Health Stability</i> 	<i>Housing Stability</i> 	<i>Education Stability</i> 	<i>Civic Involvement</i> 
<i>School Related</i>	38	71%	16%	5%	5%	5%	42%	0%
<i>Debt</i>	349	59%	44%	9%	13%	9%	1%	1%
<i>Housing</i>	256	56%	14%	8%	7%	37%	3%	1%
<i>Income and Benefits</i>	147	54%	41%	7%	15%	7%	0%	1%
<i>Family Problems</i>	380	53%	10%	36%	20%	3%	0%	1%
<i>Work Related</i>	75	52%	39%	1%	11%	8%	1%	1%
<i>Health Care</i>	56	46%	25%	9%	27%	2%	0%	2%
<i>Discrimination</i>	42	43%	24%	7%	7%	2%	7%	12%
<i>Fraud</i>	38	42%	21%	8%	8%	13%	0%	0%
<i>Problems for Children</i>	17	41%	6%	29%	12%	0%	6%	6%
<i>End of Life Planning</i>	28	39%	18%	14%	18%	7%	0%	0%

The types of financial and family stability improvements that were most often reported by clients have been shown to help break cycles of poverty. Based on our extensive literature review and primary qualitative data we collected, it is reasonable to conclude that civil legal aid assistance has a long-term impact that allows individuals and families to secure stability.

Appendix A: Survey



The
Legal Aid Society
of Cleveland
Since 1905



Dear former Legal Aid client,

In the past, you have accessed Legal Aid services to help solve a problem. We hope our legal assistance resulted in a positive outcome for you. We are currently in the process of determining how effective our services have been in making a difference in our clients' lives.

We are looking for people who received help from Legal Aid one or more years ago to share their experiences. This survey will help us identify individuals who are interested in sharing their stories.

Please take a moment and complete this survey and mail it back to us in the enclosed postage paid envelope. To show our appreciation, we will be raffling off two \$50 gift cards. All survey responses will be kept confidential.

Thank you,

Colleen Cotter
Executive Director
The Cleveland Legal Aid Society

Steven McGarrity
Executive Director
Community Legal Aid

What County did you live in while receiving assistance from Legal Aid?

- ☐ Ashtabula
- ☐ Cuyahoga
- ☐ Geauga
- ☐ Lake
- ☐ Lorain

- ☐ Medina
- ☐ Portage
- ☐ Stark
- ☐ Summit
- ☐ Other (please specify) _____

How long ago was it that you worked with Legal Aid?

- ☐ Less than a month
- ☐ 1 month to 6 months
- ☐ 6 months to 1 year

- ☐ 2 to 5 years
- ☐ 6 to 10 years
- ☐ More than 10 years
- ☐ Other (please specify) _____

What kind of problem did you ask Legal Aid to help resolve?

- ☐ **Debts** (bankruptcy, collections, repossession, garnishment)
- ☐ **Fraud/Consumer Protection** (predatory lending, contracts, deceptive sales)
- ☐ **School-related problems/Education** (discipline, special education, IEP, 504 plan, vocation education)
- ☐ **Work-related problems/Employment** (discrimination, EITC, taxes, employee rights, wage claims)
- ☐ **Family problems** (adoption, custody, divorce, adult guardian, name change, parental rights, paternity, domestic abuse)
- ☐ **Problems for children** (delinquent, neglected/abused, emancipation, minor guardian conservatorship)
- ☐ **Health care or health services** (Medicaid, Medicare, CHIP, Home and community based care, private health insurance, long term care)
- ☐ **Housing and Utilities** (subsidized housing, homeownership, landlord/tenant, public housing, mobile homes, public utilities, discrimination, foreclosure, predatory mortgage lending)
- ☐ **Income and Benefits** (TANF, Social Security, SSI, SSDI, Unemployment, Veterans Benefits, State and local income benefits)
- ☐ **Discrimination and Individual Rights** (mental health, disability rights, Civil rights, human trafficking, criminal records expungement)
- ☐ **End of Life Planning** (Wills and estates, advance directives, powers of attorney)

Please briefly describe the services Legal Aid provided to you or your family.

What happened with regard to the problem you were facing?

Were the services you received from Legal Aid helpful to reaching a resolution?

In what ways did the resolution of that problem impact your life?

We are seeking former clients for more detailed follow-up interviews. We are looking for a good mix of people, and not everyone will be selected. Anyone who participates in an interview will receive a small gift card as a thank you. All information will be kept anonymous, and will not be used for other purposes unless you give us permission to share it. Are you willing to be interviewed by a researcher from The Center for Community Solutions?

- ☐ Yes
- ☐ No

We will use the contact information below to reach you if you are selected in the gift card drawing, or for a follow-up interview. All contact information will be kept confidential, unless you give us permission to share it, and will not be used for other purposes.

Name _____

City/Town _____

State/Province _____

Zip Code _____

Email Address _____

Phone Number _____

The Center for Community Solutions may need to compare some survey responses with case information kept by Community Legal Aid and The Legal Aid Society of Cleveland. Please read the statements below and select YES or NO to indicate if you give permission to share your information.

The Center for Community Solutions may share my survey response, including my name and contact information, with the Legal Aid program that helped me, either Community Legal Aid or The Legal Aid Society of Cleveland.

- ☐ Yes
- ☐ No

The Legal Aid program that helped me, either Community Legal Aid or The Legal Aid Society of Cleveland, may share with the Center for Community Solutions information about my pat case (s). I understand that if I have a current, open case with the Legal Aid no information will be shared about my current case.

- ☐ Yes
- ☐ No

Thank you for completing this survey! If you have any questions about this survey, please contact Emily Muttillio at emuttillio@communitysolutions.org or 216-781-2988 ext 211.

If you want to apply for legal help with a new problem, please contact Community Legal Aid (330.535-4191) or The Legal Aid Society of Cleveland (216.861-5500)

Committee Participants: Dick Cullison, Robert Johns, Kelly Ward Wallen, Mary Going, Carolyn Layne, Joe Lane, Evan Smith, Leigh Ann Moore, Ellen Johnson, and Kristin Alexander

Others: Lee Ellen Martin, Fundraising Consultant

Material reviewed by the committee prior to meeting:

- Fundraising Standards of LSC and ABA
- Legal Aid Campaign – Moving for Justice
- Kristin Alexander Memo with attachments (Expanding Civil Legal Aid: Strategies for Branding and Communications and Abstract)
- Colleen Mulholland, Past President Burlington Community Foundation – Goal: Develop & Implement a Marketing & Fundraising Plan to Advance its Mission
- Lee Ellen Martin, CFRE – Development Audit and Development Plan Step by Step Major Gift Campaign

Topics:

Branding, Marketing, Fundraising, Resource Development, and Outreach.

The SPC decided that each year the Managing Attorneys of each office in collaboration with AppalReD's administration will develop an outreach plan for its office's service area. In addition to any mandatory outreach obligations contained in grant conditions pertinent to a given office, the plans will focus on informing the public about AppalReD's availability and its priorities. In particular, the plan will attempt to attract more priority cases that the office is not handling in significant numbers. While the plan will use local office employees as part of the outreach effort, employees in the administration or in rare instances from other offices may be involved. (e.g. one office develops a consumer presentation and another a DV presentation and they take the road show to both communities.)

Concerning branding, it was noted that AppalReD has made strides recently in the physical appearance of its offices and in making sure that its logo, signage etc. were uniform office to office. We must remember that we are "AppalReD Legal Aid", and not the "Appalachian Research and Defense Fund."

The next project for branding is for AppalReD to develop a 9 second, 30 second and two minute "elevator speech" about what we do. Too often, even experienced staff become tongue tied when asked this question or they revert to legalese. It would be nice if everyone had a good response. One suggestion: "We assure fairness and strengthen low income families." Then a longer version could add, "by providing legal advice and representation." An even longer version could add "to protect family

members from violence, secure or maintain the family's housing, income, and health care, etc.

Next the SPC defined marketing, fundraising and resource development. Marketing is every communication, poster brochure etc. that AppalReD produces. Fundraising focuses upon charitable donations, through direct solicitation, planned events etc. It is a sub-set of marketing. Resource development focuses on acquiring new funding streams to advance AppalReD's mission. The SPC agreed that AppalReD was doing a good job in resource development in that it had acquired many new grants in recent years. Its administration has the skill set to keep seeking new grants that fund activities consistent with AppalReD's mission.

While AppalReD's marketing seems somewhat adequate, the SPC agreed that it would be much enhanced if AppalReD hired a communications director. The SPC also agreed that AppalReD's fund raising efforts should be improved.

The SPC reviewed Kristin Alexander's memorandum and material (copy attached). The consensus was that she made excellent points that set out some ideas for marketing and/or fundraising in the near future.

Next, the SPC reviewed The ABA Standards and the LSC Performance Criteria on fundraising and resource development. Both stress that raising funds to advance the mission is an important component of a well-run Legal Aid office. The ABA standards place considerable responsibility upon the Board of Directors to plan and oversee fundraising. According to the LSC performance criteria, one of the indicators of a good resource development/fundraising effort, is whether the program has a development director.

The SPC thought that there was no doubt that AppalReD needs more money. We turn away many applicants for service that have serious legal needs, and we provide advice only to many clients who would be better served through extended service. Our goal for salaries is a modest one, 85% of the national mean. While we came close to achieving that recently, it will erode over time without an annual adjustment to the scale.

The SPC discussed hiring a full-time employee (or perhaps a part-timer as a last resort) to be a marketer (communications director) and a fundraiser. There was discussion to the effect that the two functions require different skill sets. Since we cannot afford to hire two people, we need to find a person who can be effective as a communicator and a fundraiser.

Lee Ellen Martin, AppalReD's fundraising consultant, opined that we could hire a person just out of college with a relevant degree for about \$40,000 per year. Of course, with AppalReD's fringe benefit structure, the actual amount might be closer to \$60,000.

AppalReD will carryover about \$100,000 this year to be added to its surplus of nearly \$2,000,000. Accordingly, it is realistic to “float” this position for two to three years to determine whether it can pay for itself. AppalReD employees must understand that filling this position will not relieve them of all fundraising or marketing activities. The new employee will coordinate many activities, but he/she will not be able to do them all.

Next Lee Ellen Martin spoke concerning the fundraising audit she had performed on AppalReD last year as well as her action plan. The action plan was so comprehensive and labor intensive that AppalReD did not attempt to implement it. Ms. Martin explained that her plan contemplated that AppalReD would hire someone to carry it out. She presented a more modest plan (copy attached) that called for AppalReD to conduct a major gift’s campaign targeting only one of its communities each year.

The major gift campaign would have a chair in each community who had a great affinity for AppalReD, had some affluence, and influence in the community. The campaign would employ a variety of strategies, including social events at people’s homes where guests will learn more about AppalReD and be given an opportunity to make a gift or a pledge, telephone solicitations and requests from corporate gifts to name a few.

Ms. Martin recommended that the pilot, major gift campaign be in Somerset where Boo Shea has volunteered to spearhead it, and where there is some corporate wealth. At the end of the year, the campaign will be evaluated. With lessons learned from its initial local campaign, AppalReD will then conduct its next campaign in Richmond. After evaluating that campaign, AppalReD will determine “where we go from here.”

There was discussion as to whether AppalReD could run a major gifts campaign without adding the fundraising position or waiting for a few months before making the hire. While a major gifts campaign is not as labor intensive as some other types of fundraising, most thought that the new hire should receive some training/mentoring from a professional fundraiser such as Ms. Martin, and then begin the campaign in Somerset. This new position should not interfere with plans to add attorneys in Barbourville and Somerset since these are to be funded with new VOCA funds that we anticipate will be available. Jillian Beach, a well-respected Director of Communications at Legal Aid of the Bluegrass is willing to assist the new hire especially on the marketing component of the position.

The next SPC meeting will be Friday August 23rd at 2:00 PM by video conference. The topics will be technology and AppalReD’s budget.

Next SPC Meeting

1. **The next SPC meeting will be Friday, August 23, 2019 at 2:00 PM EDT.** The topics will be technology and AppalReD's budget.

Respectfully submitted,

Richard A. Cullison
SPC Facilitator
8/14/2019

- **Fundraising Standards of LSC and ABA**
- **Legal Aid Campaign – Moving for Justice**
- **Kristin Alexander Memo with attachments (Expanding Civil Legal Aid: Strategies for Branding and Communications and Abstract)**
- **Colleen Mulholland, Past President Burlington Community Foundation – Goal: Develop & Implement a Marketing & Fundraising Plan to Advance its Mission**
- **Lee Ellen Martin, CFRE – Development Audit and Development Plan Step by Step Major Gift Campaign**

Topics: Branding, Marketing, Fundraising, Resource Development, and Outreach: First define our terms; then discuss what AppalReD needs to do to improve its branding, marketing fundraising and resource Development? We will hear from an outside consultant regarding these questions. What is the purpose of AppalReD's doing more targeted outreach?

Next meeting: August 23rd at 2:00 pm: Budget Planning, Salary Administration, Technology, What is AppalReD's budgeting philosophy? How much carryover is necessary? Should AppalReD Continue to increase its salaries even if it means getting smaller? Of the wide array of technology tools available to AppalReD staff, how many are actually using them to their potential? What is AppalReD staffs' wish list? We will conduct another Survey Monkey to assist us in answering these questions.

American Bar Association

STANDARD 1.1-6 ON RESOURCE DEVELOPMENT

STANDARD

The governing body should assure that the provider engages in resource development and should directly assist in those efforts.

COMMENTARY

General considerations

Demand for legal assistance for low income communities almost invariably outstrips the resources available to meet the most compelling civil legal needs of those communities. It is essential, therefore, that a provider pursue assertive strategies to expand available financial resources. The governing body has several key roles to play in helping the provider meet its responsibilities for resource development, including implementing supportive policies, engaging in appropriate planning and assuring adequate staffing and resources to support fundraising efforts.

Governing body members should also participate directly in developing and implementing resource development strategies aimed at private, governmental and corporate funding sources. The governing body's members collectively should have the experience, skills and contacts to be effective in resource development work. The governing body may establish a separate fundraising committee or advisory board to augment its resource development capacity.

Effective resource development is grounded in part on the reputation of the provider as an effective organization. The more stature and credibility a provider has as an institution the more successful it is likely to be in attracting and retaining funding from private organizations, governments and individual donors.¹ The governing body should also assure that the provider's management complies with all grant and contract requirements so that existing funding is preserved.² A reputation for meeting contractual requirements of current funding is one critical component for success in obtaining additional resources.

Governing body responsibilities

Planning. The governing body should adopt a policy that encourages the provider to obtain new resources to support its work. It should assure that the provider's strategic planning includes a component for increasing its financial resources.³ It should work closely with the chief executive who shares fundamental responsibility with the governing body for resource development. Other staff, particularly senior management, are also likely to be called upon to

¹ See ABA Standards for the Provision of Civil Legal Aid (2006), Standard 2.12 (on Institutional Stature and Credibility).

² See ABA Standards for the Provision of Civil Legal Aid (2006), Standard 1.1-1 (on Governing Body Oversight of the Provider).

³ See ABA Standards for the Provision of Civil Legal Aid (2006), Standard 2.1 (on Identifying Legal Needs and Planning to Respond).

Standard 1.1-6 on Resource Development

engage in fundraising efforts in a variety of ways, including helping conceptualize and write grant proposals, working cooperatively with other providers in developing joint proposals and making appropriate contacts with potential funding sources.

The governing body should assure that adequate staff capacity exists to identify potential funding sources that may be available and to pursue them successfully. It should also budget adequate resources to cover expenditures associated with resource development, including items such as the cost of developing materials, travel and purchasing and maintaining audio-visual equipment.. Large providers should consider establishing a dedicated resource development department to work with the governing body, the chief executive and others responsible for fundraising. Smaller providers may want to retain a fundraising consultant to work with staff members who are principally responsible for the provider's fundraising. Very small providers may have to rely on the efforts of a resource development committee of the governing body supported by the chief executive or a fundraising consultant for its fundraising efforts. Consultants who specialize in fundraising may be helpful to providers of any size.

Budgeting. In the budgeting process, the governing body should set a target for program revenue that takes current grants and contracts into account and sets goals for new income to meet the provider's commitments and to respond to the needs of the low income communities it serves. The amount set should be based on a thoughtful assessment of potential funding sources. If the provider is not raising sufficient funds to meet current responsibilities and to respond to newly emerging legal needs in the low income community, the governing body needs to increase efforts to raise additional revenue.

The governing body should be aware of available sources of funds and should, in concert with the provider's resource development staff, make deliberate choices among potential funding sources and strategies to tap those most likely to produce income to support the provider's work. Many resource development efforts may be undertaken by the provider by itself. Others, such as efforts to obtain funding from a state legislature or from state bar dues check-offs or attorney registration fees, involve working in concert with others in the state or regional delivery system, including other providers and the organized bar.⁴ Some fundraising efforts may be undertaken jointly with others, for example, to obtain funds that may be shared among a group of participating providers or to establish a multi-provider project to offer services to the low income community.

There are many factors that affect which strategies are appropriate for a provider. An extended discussion of all potential fundraising strategies and their merits and limitations is beyond the scope of these Standards. The provider should take advantage of the many sources of guidance available to identify resource development opportunities and help choose those appropriate for it to pursue.⁵ The provider's resource development staff and key members of the governing body should attend trainings to increase their skill level and knowledge of fundraising opportunities.

⁴ See ABA Standards for the Provision of Civil Legal Aid (2006), Standard 2.3 (on Participation in Statewide and Regional Systems).

⁵ An extensive list of potential fundraising approaches and an analysis of their effectiveness and cost to implement and sustain can be found at *Innovative Fundraising Ideas for Legal Services-2004 Edition* (Standing Committee on Legal Aid and Indigent Defendants, Project to Expand Resources for Legal Services), <http://www.abanet.org/legalservices/downloads/sclaid/innovatefund2004.pdf>.

Standard 1.1-6 on Resource Development

Establishing clear responsibilities for members of the governing body and the staff. Many resource development tasks will fall to the staff of the provider. Other responsibilities will be assigned to the governing body or to individual members of the governing body. The provider should clearly delineate staff and board responsibilities for all aspects of its resource development efforts, including:

- Research on potential funding sources;
- Development of funding requests and other materials necessary to support the fundraising effort;
- Recruitment of volunteers to lead, organize and implement fundraising efforts like lawyer fund drives and major gift campaigns;
- Cultivation and solicitation of the potential sources of funding, including public and private organizations and individual donors;
- Follow-up with potential donors;
- Acknowledgement of grants, individual donations and other contributions.

Oversight of the provider's resource development. The governing body should oversee the provider's resource development efforts to assure that it accomplishes its fundraising goals and the resources obtained help the provider to accomplish its mission. Resource development plans should tie fundraising to the provider's strategic plan or to new initiatives consistent with its mission. The resources obtained should not dilute the provider's core capacity by taking on projects that are not related to addressing the most compelling needs of the low income communities it serves. The core capacity can also be diluted if the provider takes on a large number of small projects whose funding does not cover administrative support and other staff costs.

Direct support of resource development by the members of the governing body. Individual members of the governing body should support the resource development efforts of the provider, through direct involvement in fundraising as well as making personal contributions to support the provider's work. The provider should, when seeking new members of the governing body, clearly articulate expectations for participation in resource development. It should recruit members who can assist in the provider's resource development efforts, whether through contacts with potential donors and funders or through active engagement in articulating the needs of the communities the provider serves.

Depending on the provider's resource development plan and strategy, individual members of the governing body may be asked to solicit contributions from associates and friends. Members should be prepared to approach their contacts on behalf of the provider for annual giving campaigns, direct mail contributions, special events such as annual dinners and auctions, major gifts or planned giving. Individual members should also use their contacts in government, corporations, foundations and other potential funding sources to support solicitations of grants and contracts.

The provider should also clearly set forth its expectations that members of the governing body make their own personal financial contributions to the provider to the extent of their capacity. The provider should encourage all members to contribute, even if it is only a nominal contribution from client and community members who cannot afford more. Some foundations and major donors expect a 100 percent giving level from current board members of organizations they fund.

Standard 1.1-6 on Resource Development

Creation of additional fundraising capacity. The governing body may wish to consider creating a separate committee or fundraising board to assist with resource development. While all members of the governing body are expected to support the resource development effort, some members will be better suited than others to the active pursuit of funds from individual donors, foundations and other public and private sources. A governing body should have a balance between those members who can open doors to potential funding sources and those who have been recruited because of their substantive expertise or their connections with the low income communities served by the provider.⁶ A separate fundraising group can supplement the capacity of the governing body by recruiting persons who would be effective in raising resources for a provider, but would not be interested in a policy making role, or might not meet the requirements of major funding sources regarding makeup of the governing body.⁷

⁶ See ABA Standards for the Provision of Civil Legal Aid (2006), Standard 1.2 (on Members' Responsiveness to the Communities Served).

⁷ Some funding sources, such as the Legal Services Corporation, set requirements for the selection and make-up of the governing bodies of funding recipients. Legal Services Corporation Act at 42 U.S.C. 2996f(c). See also, 45 CFR 1607.

Criterion 7. General resource development and maintenance. To the extent possible, and consistent with the program's mission, the program seeks to maintain and expand its base of funding, with the goal of increasing the quality and quantity of the program's services to eligible clients. The program also coordinates with and where possible utilizes outside resources such as academic institutions, social service organizations, foundations, corporations, organized bar associations, members of the private bar, and other institutions and individuals to supplement its efforts. The program works to increase the overall resources devoted to the legal problems of the eligible client population.

Indicators

The program has sufficient, capable, trained and effective staff dedicated to resource development, or uses outside professional development assistance as appropriate.

The program makes reasonable efforts at and has success in expanding its funding base, has considered and attempted to secure funding from sources successfully accessed by Legal Services programs, stays abreast of and pursues new opportunities, is innovative in trying to develop new sources, and analyzes and evaluates whether the requirements of a prospective funding source are consistent with the program's mission, goals, priorities, objectives, and strategies.

The program has attempted to develop, and to the extent possible, has effective relationships with other major institutional resources in the service area that are involved or might be able to provide some support in the provision of legal assistance to eligible clients, as well as help in expanding program funding.

Areas of Inquiry

Has the program made reasonable efforts to expand its funding base? Has it been successful?

Is the executive director or fundraiser aware of the options that are available and is there a strategy to seek funds? Have creative approaches and opportunities been developed? Are the results reasonable?

Is the program coordinating development efforts with other community organizations and agencies serving the low-income population? To the extent it does not, is this a deliberate choice based upon careful analysis of the relative value, or lack thereof, of such joint action?

Does the program employ a development professional, or have access to other professional development assistance? How effectively does it staff its development efforts?

Moving for Justice



The Campaign for Legal Aid of the Bluegrass



If we are to keep democracy, there must be a commandment:
Thou shalt not ration justice. — *Judge Learned Hand*

Dear Friend,



On the pages ahead you will read about the achievements and high quality legal services of Legal Aid of the Bluegrass. You will better understand the impact of our work to resolve the most important civil



We hope as you read that you will give heartfelt consideration to the personal impact you can have upon the poor and vulnerable in our community with your support of Moving for Justice. You hold the key to a better future where justice is served. We invite you to open the door.

Sincerely,

Joshua Crabtree
Executive Director

Palmer Gene Vance
*Co-Chair
Moving for Justice*

James R. Kruer
President, Board of Directors

Mindy Barfield
*Co-Chair
Moving for Justice*

legal problems of 9,726 poor and vulnerable people we served in 2013. We believe you will agree that by providing access to justice, we are alleviating human suffering.

We will share our plans for the future that include a new office in Lexington that will be better suited for our clients, volunteers, attorneys and support staff. It will allow us to increase accessibility, expand volunteer opportunities and increase client service.

1

High Quality Legal Services for the Poor and Vulnerable

Legal Aid of the Bluegrass was formed in 2002 when Central Kentucky Legal Services merged with Northeast Kentucky Legal Services and the Northern Kentucky Legal Aid Society. We provide civil legal assistance designed to alleviate the most brutal problems low income people endure. These services are typically in the areas of government benefits, consumer, housing and family law. The service that our attorneys provide is a tool that helps people in emergency situations meet their need for food, shelter, medical care, and freedom from financial or physical abuse. The public service that LABG has provided and continues to provide in the face of crises is extraordinary.

We are a model for a successful, well-run legal services program. Staffed with intelligent, driven and dedicated professionals, we elicit private bar assistance where necessary, and prepare for and respond to immediate and future concerns. We tirelessly seek alternative funding sources and responsibly use them. We continue to provide outstanding legal representation and services, while operating in the black.



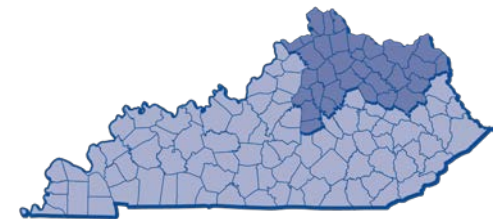
Michelle M. Keller,
*Justice, Supreme Court of
Kentucky
Sixth District*

Mission

To resolve the most important problems of low income and other vulnerable people by providing high quality legal assistance through direct representation, education, advice, advocacy and coordination with other community resources.

Vision

A community where all are treated with dignity, respect and fairness and do not lack the basic necessities of life.



Priorities

Legal Aid of the Bluegrass provides legal services to low income and elderly clients who might not otherwise have access to the courts. This is a valuable service to society. Certainly, an efficient and safe working environment is essential to the organization's effort.

— *The Honorable
Mary C. Noble, Justice Supreme Court of Kentucky, Fifth
District* We have a keen sense of justice and concern for equal treatment under the law. We cannot achieve this goal if the poorest and most vulnerable among us cannot access the courts. The skilled attorneys at Legal Aid of the Bluegrass provide representation in court, as well as education and advice to victims of domestic violence, the elderly, the working poor, and many others. These fine lawyers need a decent, appropriate space to work where their clients can access justice.

--- *The Honorable*

2

Numbers that Matter

3.9 million Annual budget for 2013

4,939 cases closed serving **6,805** adults and **2,921** children in 2013 **46%** of the above number were served from our Lexington office.

4 offices in Lexington, Covington, Ashland and Morehead

10 counties with 6 lawyers 4 paralegals and numerous volunteers form our Lexington office.

213,120 people living at or below 100% poverty in our service area (2010 U.S. Census)

2/3 of our clients are at 125% of the federal poverty guidelines. Some clients have circumstances that place them up to 200% of poverty.

25% of our work occurs in counties where less than 25,000 people live

54% of the families who seek our services and meet our geographic, income and priority guidelines cannot be served because of LABG's resource limitations

assessment to assure that we continue to serve those with the most brutal, unmet needs so we can fulfill our mission. The findings establish that securing and maintaining basic human needs, such as access to subsistence income, food, shelter, physical security, health care, and family integrity should be our priorities. We found that increasing numbers veterans of the United States Armed forces have need of for civil legal assistance.

Strengthening Families and Children

Sometime in their lives, one in four women will experience domestic violence. In 40% of the homes where domestic violence occurs, children under age 12 live and child abuse occurs more frequently. The legal help that we provide paves the way for physical safety and self-sufficiency. Every day, experienced Legal Aid of the Bluegrass attorneys, paralegals, and support staff provide vital legal help to families ripped apart by domestic violence or abuse.

Faye lived with her 2 children and their father Mike, who is violent when he drinks. To protect herself, Faye often slept with the bedroom door locked. One night, Mike broke the bedroom door down and began choking her. The children came out of their bedroom, and witnessed the event. Faye ran to a nearby gas station to call the police because Mike had previously broken her cell phone. He was arrested and charged with assault. Faye went to the hospital and was treated for severe bruising around her neck. She filed for an EPO. LABG represented Faye at the DVO hearing wherein Faye received a Domestic Violence Order which kept Mike away, granted Faye custody and ordered Mike to pay child support.

When we litigate custody cases to protect the family, we average 27 hours per case. In 2013, the most intensive case took 150 hours.

The partnership between GreenHouse17, formerly known as Bluegrass Domestic Violence Program, and Legal Aid of the Bluegrass is critical for victims of intimate partner violence and their children. While we are equipped to address survivors' emotional and physical safety needs, Legal Aid is able to walk our families through complicated legal proceedings. Legal Aid's dedicated professionals provide quality service. Having an attractive, professional atmosphere will inspire the confidence of Legal Aid's clients.

— Darlene Thomas, Executive Director, GreenHouse17

3

Preventing Homelessness

Mortgage foreclosure rates are at an all time high, and the court dockets are stuffed full of foreclosure suits. Our staff is adept at responding to families who are homeless or at the brink because of a housing crisis. Our work includes helping families transition to other housing or stay in their homes through eviction defense and defending those victimized by predatory mortgage lending tactics. Predatory mortgage lending is a combination of harsh loan terms and pressure tactics that puts vulnerable borrowers at risk of overpaying and losing their homes.



Bill and Marcia, a middle aged couple, were about to lose their home in foreclosure because Marcia lost her job, and they fell behind on their payments. We discovered that they had been victimized by predatory lending in that their interest rate was 14%. We negotiated a refinancing arrangement which extended the term of the loan so that the arrearage would be paid off at the end of the loan. The new interest rate was lowered to 7%, reducing the payment by \$108/month. The prepayment penalty was removed from the loan. Now, when Marcia finds a job, they will be able to refinance to an even lower rate. In the meantime they can afford to meet their mortgage.

Linda, age 56, had custody of her four grandchildren. She received an eviction notice in December because her grandson, an honor student, "could not get along with a neighbor's child." She maintained it was a "boys will be boys" situation. We interviewed the neighbors and determined that the grandson had not violated the lease. We requested a jury trial on her behalf. On the eve of the trial, the landlord dismissed the eviction. When Linda heard of the dismissal, she said, "It's a godsend. We would have been spending Christmas in a shelter."

Fostering Independence

Families and the elderly living in poverty live with the risk of losing something — be it their homes, jobs, health, or independence. A report by the Urban Institute found that if families with children had full access to government programs designed to lift them out of poverty, then poverty would decline by more than 20 percent. Accessing public benefits programs is particularly important for the elderly poor since without that help, many must choose between eating and buying their medicine. We foster poor people's independence by helping them access the public benefits for which they are eligible and educating them about protecting the family income.

A 68 year old woman with income of \$900 per month was cut off Medicaid. Now she had to pay a \$104.50 per month premium and all of her Medicare deductibles and co-payments. She had just been in the hospital and could barely make ends meet even when Medicaid paid these costs. Tragically, she had turned in her recertification. When we contacted the Medicaid office to request an administrative hearing, it reopened her case. After much haggling, the Medicaid office approved her benefits retroactively so there was no break in coverage, and she was able to get her medical bills paid. She received a refund for all wrongfully withheld premiums.



A veteran and his wife became unemployed when they each faced a medical crisis resulting in their disability. They could not pay their utility bill while they were waiting to have their disability approved. Their gas and electric services were about to be cut off. They had custody of their two grandchildren who would be removed from their home if they lost utility service. We represented the couple in a Chapter 13 bankruptcy. The court approved a partial payback plan to their creditors. The bankruptcy stopped the utility cut-off, and lowered their car payment by \$125 per month. They needed a car to make their medical appointments. Once their disability payments began arriving, the family was able to live within its means.

4

Helping the Most Vulnerable

In our communities, some vulnerable people suffer, have no voice and few avenues of relief. Two of our elderly nursing home residents and undocumented women have experienced violence. We reach out to these community members in the most brutal situations.



Shirley was frantic when she contacted us. Her 81 year old father was going to be evicted because he spent all of his money on his nursing home care; but now out

istrative hearing. Now her dad can live the rest of his life in comfort with proper medical care. Shirley can provide his companionship needs rather than attempt to provide care for which she was not qualified.

of funds, he was not approved for Medicaid. Her dad had too many physical and medical needs for her to take him into her home. We filed for an administrative hearing and had the eviction stopped during the appeal. We were able to straighten out the Medicaid problem and prevail at the admin-

A

Englishher was only one verifying

Courts. After several discusbe a mailsons, AOC separated the records. That still did not take order bridecare of the problem because the county clerk only

of a medical doctor. He never married her. Rather he had her travel with him as he provided service in various rural hospitals. He kept her chained in motels as a sex slave. We got the woman a court order of protection, a T-Visa, and work papers so she could provide for herself.



help families keep stable housing and access the public benefits to which they are entitled.

Jane, a 30 year old client worked menial jobs all of her adult life. Her criminal record was keeping her from getting a good job. We determined that she only had one misdemeanor on her record. We had the court expunge that old, minor misdemeanor. Nonetheless,

womanwhen she applied for jobs, other criminal records who couldincluding a felony sex crime against a minor, kept not speakshowing up. We determined that these records were twin brother's. He had the same date of birth, and arrived inthere letter difference in their first names. the UnitedWe provided documents to Kentucky's States toAdministrative Office of the

searched criminal record requests by date of birth and name. We convinced the Clerk's office to "red flag" this file so that searches would be done by Social Security numbers. That finally solved the problem, and Jane found a better job.

Whenever a resident is being evicted from a nursing home, we call Legal Aid of the Bluegrass. They are always responsive and usually successful in keeping the residents in their homes. They keep our staff abreast about changes in the law and assist our clients who have problems with Medicare or Medicaid.

– Sherry Culp, Executive Director, Nursing Home Ombudsman of the Bluegrass

5

The partnership between Legal Aid of the Bluegrass and the Fayette County Pro Bono Program is critical to meeting the legal needs of low income clients here in Lexington. Without the work performed by LABG, our Pro Bono Program likely would have ended due to lack of funding. Unfortunately, the current office for LABG is in abysmal condition and is unsuitable for clients. This new facility will enable clients to be served in a traditional law office environment in a convenient location. This is critical to our mission of providing needed legal services to those who are least able to afford an attorney.

--- Gene Vance, Board
Chair Fayette County

Bluegrass; Immediate
Past President, Fayette

Volunteer Lawyers

LABG operates pro bono programs from each of its offices which offer private lawyers the opportunity to provide legal services to the poor. In 1978, we were the first Legal Services Corporation-funded legal aid program in the country to partner with a local bar association (Boone, Kenton, and Campbell) to provide pro bono legal services.

Last year LABG from all of its offices referred 278 pro bono cases. Some 122 lawyers donated their time.

For the past generation, the Fayette County Pro Bono Program and Legal Aid of the Bluegrass (formerly Central Kentucky Legal Services) partnered to provide pro bono services to the indigent population of Fayette County. Each year LABG funded two positions and the program received some \$30,000 from IOLTA (Interest on Lawyers' Trust Accounts). However, IOLTA funding declined by 75% during the recent recession.

In June 2012, with the demise of IOLTA funding for bar sponsored pro bono programs, Legal Aid of the Bluegrass brought day to day operations of the program in house. Currently, the F.C.B.A. Pro Bono Program still refers cases to volunteer attorneys, operates a pro se divorce clinic every other month, administers the Domestic Violence Advocacy Program (DVAP) and is working with the Veteran's Court in an effort to address the civil legal needs of that program's participants.

Recently, a pro bono lawyer who was himself a combat veteran accepted a case for a low income veteran:

Ms. B. is a veteran who served in Afghanistan. During her marriage, she always worked, but her husband controlled their checking account. Although the husband controlled the finances, he often would not pay the family's living expenses. They wound up living in a hotel. The husband would not let the client use the car to go to and from work. Often, he refused to pick her up from work so she had to rely on rides from coworkers. The husband would then accuse her of having "affairs" with the people who gave her rides.

Ms. B. began to make plans to separate from her



husband. He took her cell phone and found text messages she had sent to her family telling them of her plans. He left the family at the hotel in the middle of the night, taking the car and withdrawing all funds from the checking account. The next day, he called the school and children's protective services alleging the client was neglecting children. With the money from the checking account, he hired an attorney who filed a dissolution of marriage action and a motion for emergency temporary custody.

Mrs. B's volunteer attorney represented her in the temporary custody hearing and obtained an order giving her temporary custody of their child and temporary child support. His representation of this low income veteran is ongoing, but he has guaranteed that he will stand by her for as long as the litigation continues.

Pro Bono Program;
Board Treasurer,
Legal Aid of the

County Bar
Association

What has impressed me about LABG is how dynamic the organization is in terms of its mission and staff. For example, in 2010, LABG designed a program and convinced large local law firms to provide lawyers to help LABG lawyers in covering Domestic Violence Order hearings. This program has ensured that true victims of domestic violence get enforceable court orders of protection.

– Mindy Barfield, Member Board of Directors of Legal Aid of the Bluegrass and the Fayette County Pro Bono Program,, Board Chair Fayette County Bar Foundation, Past President of the Fayette County Bar Association

Moving for Justice from 498 Georgetown St.



to 300 East Main St., Lexington, KY



Costs for New Lexington Office

The following is a breakdown of projected costs for completion of the project:

Condominium purchase	\$490,000
Painting and Wiring	\$ 20,000
Office Reconfiguration	\$ 15,000
Moving expenses	\$ 10,000
Furniture	\$ 15,000

Building Maintenance	\$ 50,000
Total	\$600,000

Moving in the Right Direction

Our commitment to providing access to justice inspires our daily work, as well as our vision for the future. We stop foreclosures, evictions, domestic violence and assure that low income and elderly people receive the public benefits (especially Medicare and Medicaid) to which they are entitled. We have a special advice line for veterans of the US armed forces. We strive to deliver the goal recited in the Pledge of Allegiance, "Justice for All." We create positive change in the lives of our clients and in the communities we serve. Now, it is time for another change that will further improve access to justice.

We are relocating to a safer, more accessible and visible location in downtown Lexington as a result of the evolution and growth of our legal services. We are doing more than ever for the most economically challenged in our community, but there is much more we can accomplish in a new facility.

In the past 30 years we have outgrown our current location. We are challenged by its outdated technological capabilities. The configuration of the old, dilapidated school that serves as our office places lawyers on a floor not accessible to our disabled clients. Our staffs are spread out in various parts of the building, which makes our operation less efficient than it could be. Unfortunately, the safety of our clients and staff has been compromised on too many occasions.

A crime analysis of the ¼ mile surrounding radius of our office shows that recently there have been more than a dozen assaults including four shootings; one which took place in our parking lot after hours, while one of our staff attorneys was still at work.

Our clients and staff deserve a more dignified facility. The first floor condominium at 300 East Main St. in Lexington will

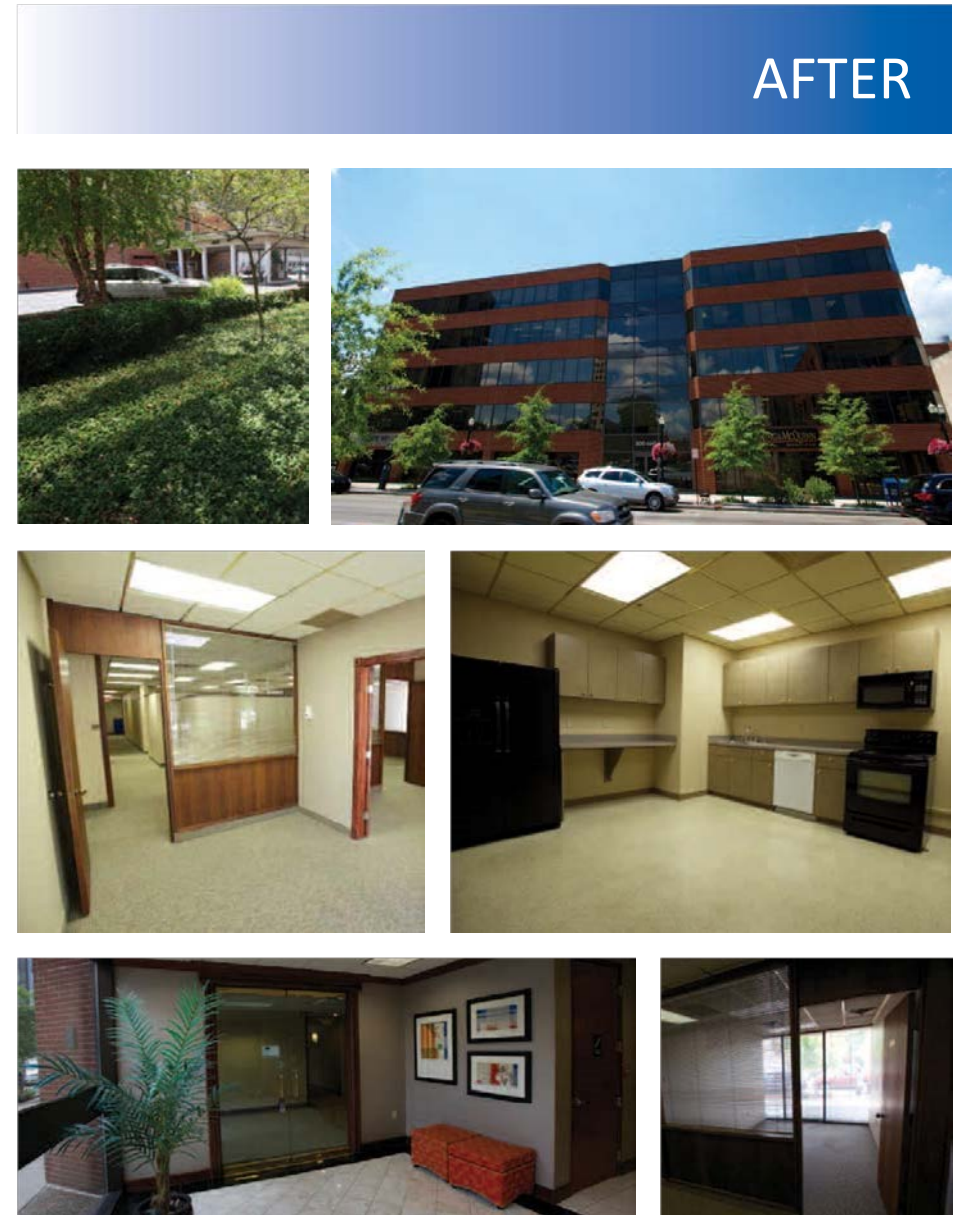
- Enhance accessibility for our clients with mobility issues
- Improve opportunities to grow as a more vital asset to the Lexington legal community
- Provide a more centralized location for clients and volunteers
- Increase opportunities for UK students of law and social work to be involved
- Increase the safety and the efficiency of our office



We have an incredibly close relationship with Legal Aid of the Bluegrass. They keep families in their homes by addressing their current and future housing needs. Their new office will enable Legal Aid to serve their clients in an accessible, professional atmosphere.

– Art Crosby, Executive Director, Lexington Fair Housing Council

BEFORE



When we work with and support Legal Aid of the Bluegrass to deliver civil justice to the least fortunate in our community, we are improving our system of justice for family, friends and neighbors. Justice must be for everyone or no one really has justice.

-- *Wm T. (Bill) Robinson III, Past President of the American and Kentucky Bar Associations*

The volume of work Legal Aid of the Bluegrass's Public Benefits Counselors perform is astonishing. They perform a tremendous service assisting our elderly navigate the Medicare maze. We are pleased that the new facility in a safe neighborhood, on a bus line and all on the first floor, will be much more accessible to the elderly. It won't have asbestos, mold or bats.

-- *Celeste Collins, Bluegrass Area Development Aging Director*



Legal Aid of the Bluegrass

P.O.12947
Lexington, KY 40583
859-431-8200 859-431-3009
(Fax) www.lablaw.org



Subject: FW: SPC meeting topic: Branding, Marketing, Resource Development, and Fundraising
Attachments: Strategies for Branding and Communication.pdf

From: Kristin Alexander <kristina@ardfky.org>
Sent: Thursday, July 11, 2019 4:30 PM
To: Robert Johns <robertj@ardfky.org>
Subject: SPC meeting topic: Branding, Marketing, Resource Development, and Fundraising

Rob,

I'd like to share some ideas I have before the next SPC meeting. I worked with sales and marketing for years at a company spending hundreds of thousands on marketing every year and there's a lot we can do and still be effective without having to spend that kind of money. AppalReD needs a designated "marketing coordinator" and if we don't decide to create an entirely new position it could start with an existing employee willing to work a few extra hours. I see someone in the pro bono department ideally being the most logical fit for a position this because planning events and recruiting and talking to attorney's is already part of the job, but the employee would obviously have to *want* to take on those extra responsibilities for it to be a good fit. The marketing coordinator would be responsible for implementing and tracking our marketing plan and that could include things as simple as reminding/tasking attorneys to drop off brochures in court, local libraries, school Family Resource Offices, DCBS, Probation and Parole, and CPS offices while they are in different counties. I think this gets done to a certain extent by well-meaning attorneys already... but they are busy and it's not happening regularly and it's not happening in every county. Unless we are keeping track of when, where, and how many brochures we're dropping off we have no way of knowing the info is being disseminated to those needing it most.

We can create more of a presence in the community for AppalReD by regularly attending and having a booth at local events- we could even get a popcorn or cotton candy machine and sell those items and/or soda for a couple dollars as an inexpensive and effective way of fundraising a few extra dollars while disseminating info about who we are and what we do at the same time. I'd be willing to work an extra Friday night or Saturday to do things like this and we're going to have a lot of well attended back to school events coming up in Pulaski County next month - I'd love to get AppalReD a booth at that or an event in another county where our attorneys have less of a presence. I'd give kids a piece of hard candy to put in their new backpacks while I talked to the parents and guardians about the issues AppalReD can help with. People need to see our name and logo to become familiar with it, and if people are familiar with it, it will help with fundraising and recruiting donors and volunteer attorneys in the future. Because when people see AppalReD working hard in and for our community- they will be inspired to do the same. Most of the wonderful work we do here happens behind closed doors and many praises go unsung. We need to change that.

I'd love to hear more good stories about our clients and read more op-eds. I don't even know what the other offices in AppalReD are doing except for the occasional email that someone's sends out. So, I know most of the public has no clue about impact we have and the lives we change through our advice and legal representation. We need to get permission from more clients to share their stories! The elderly widow who was a client of Amber's and the victim of a telephone credit card scam comes immediately to my mind- she was going to lose her home if it weren't for Amber's work on her case. We could educate the public through stories like these and it wouldn't cost anything but the time to write and approve the story. It would assist with branding, awareness and the recruitment of donors and fundraising all at the same time.

Lastly, if we're putting money towards something it needs to be updating and making our website easier to use (it takes clicking through 5 different screens for someone to be able to access a divorce packet.) and a marketing campaign involving short advertisements to educate people through social media, over the radio or with a TV

commercial. It could be something as simple as a client sharing their story or a PSA like “what do you do if you are served with a civil summons in the mail or by the local sheriff or constable?” answer: 1) don’t ignore it! And 2) Call AppalReD to see if it is something we can assist with!

I’ve attached a PowerPoint PDF to the study on *Branding and Strategies for Legal Aid* that has some great basic advertising principles to follow: <http://legalaidresearch.org/pub/1621/expanding-civil-legal-aid-strategies-branding-communications/>

I’m excited to hear what our marketing expert has to say and to see everyone at the next meeting!

Thanks,

Kristin



Kristin Alexander

Intake Paralegal

Office: (866) 277-5733 Ext: 1521

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Email: kristina@ardfky.org

Address: 108 College Street, Somerset, KY 42501

Delivering Equal Justice



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Expanding Civil Legal Aid: Strategies for Branding and Communications

Highlights of 2013 Public Opinion Research
by Lake Research Partners and The Tarrance Group

Commissioned by



for

Voices for Civil Justice

Introduction

Goals

- Assess current state of public opinion toward Civil Legal Aid.
- Make recommendations to inform strategic messaging strategy.

Process

- Focus groups and nationwide telephone survey.
- Update of opinion research in 2000 by Belden Russonello & Stewart.

Summary of Findings

- **Civil Legal Aid continues to be an invisible issue. This is similar to the finding of the Belden Russonello & Stewart research in 2000.**
- **Words that work:**
 - ✓ **Civil Legal Aid**
 - ✓ **Fairness**
- **Important to connect with voters' values rather than describing the program.**
- **Helpful to give examples of services**
- **There are two potential attacks to worry about: 1) the middle-class being left out and footing the bill and 2) the perception that the program is open to abuse by those who would needlessly take advantage of and over-burden it**

Context

- There are “twin tsunamis” that frame the debate, giving rise to **attitudes that are complex and often contradictory**:
 - The public’s **diminished faith in government** to manage public affairs wisely and efficiently; and
 - The profound sense of **economic insecurity**.

Context Continued

- There are three things we know:
 - People are **not as aware of the civil justice system** as they are of the criminal justice system.
 - People believe it is **important to have access to legal representation**.
 - The “thirty-second sound bite” is now only nine seconds long. **We need to convey in one sentence our values-oriented message.** We also need a two-minute message – when we have more time – to convey our values-oriented message and provide some information about what the program does.

9 Second Sound Bite

What to Highlight



The 2-Minute Sound-Bite:

builds on the 9-second sound-bite with additional information on services provided

What to Highlight

**Our Program Is
Civil Legal Aid**

**We Assure Fairness
for All in the Justice
System, Not the Few
Who Can Afford It**

**Our Services
Increase Ease of
Access to Information
and Assistance to
Know Your Rights**

Civil Legal Aid assures fairness for all in the justice system, regardless of how much money you have. It provides access to legal help for people to protect their livelihoods, their health, and their families. Civil Legal Aid makes it easier to access information—whether through easy-to-understand forms, including online forms; legal assistance or representation; and legal self-help centers—so people can know their rights. Civil Legal Aid also helps streamline the court system and cuts down on court costs. When we say the Pledge of Allegiance we close with “justice for all.” We need programs like Civil Legal Aid to ensure that the very principle our founding fathers envisioned remains alive: justice for all, not the few who can afford it.

A LOOK INTO THE RESEARCH



Civil Legal Aid remains a largely invisible issue. However, voters who are familiar with the program like it.

36%

of voters have never heard of or cannot give an opinion of Civil Legal Aid

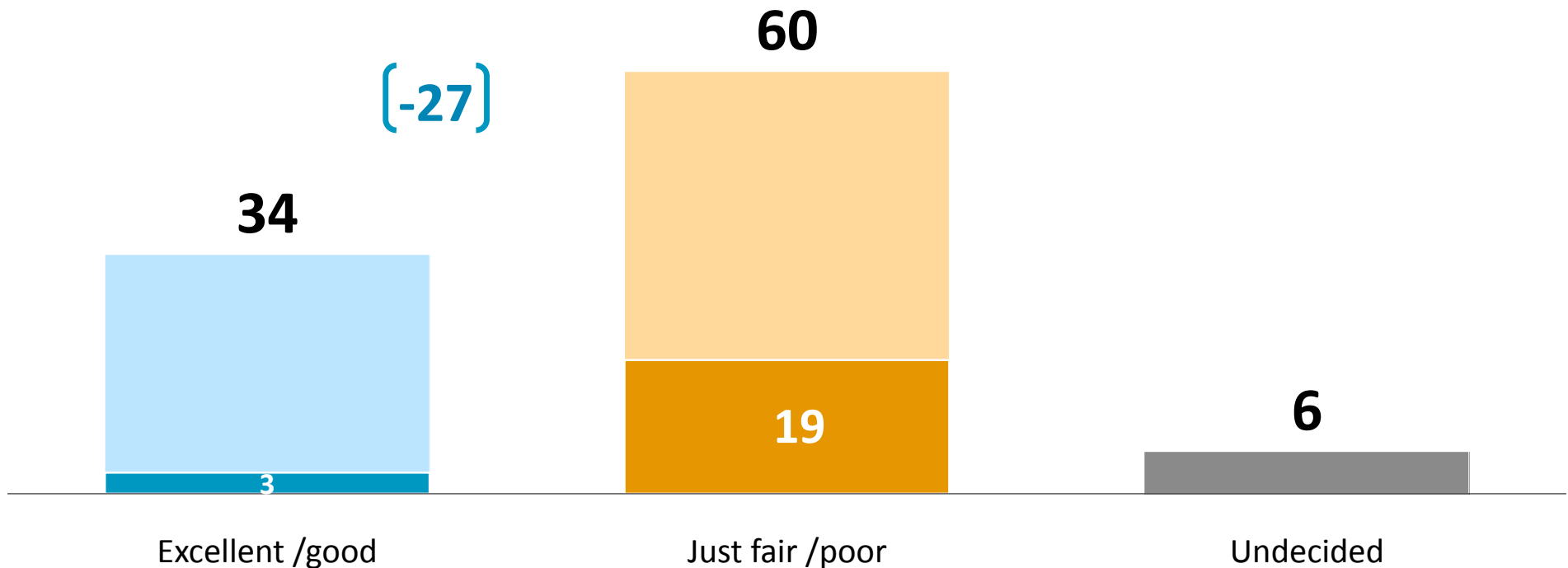
"I didn't even know it was available"
– white man, Riverside



"How would you find out about the Civil Legal Aid if you didn't even know about it? How do they know where it is and what it is?"
– white woman, Richmond

There is discontent with the job the civil justice system is doing.
Fully 6 in 10 voters believe it is doing a job that is just fair or poor.

How would you rate the job the civil justice system is doing?



Darker colors indicate intensity.

How would you rate the job the civil justice system is doing? Is it doing an excellent, good, just fair, or poor job?

People believe civil legal representation is important but often difficult to access.

82%

Believe it is important to ensure everyone has access to legal help or legal representation for civil matters

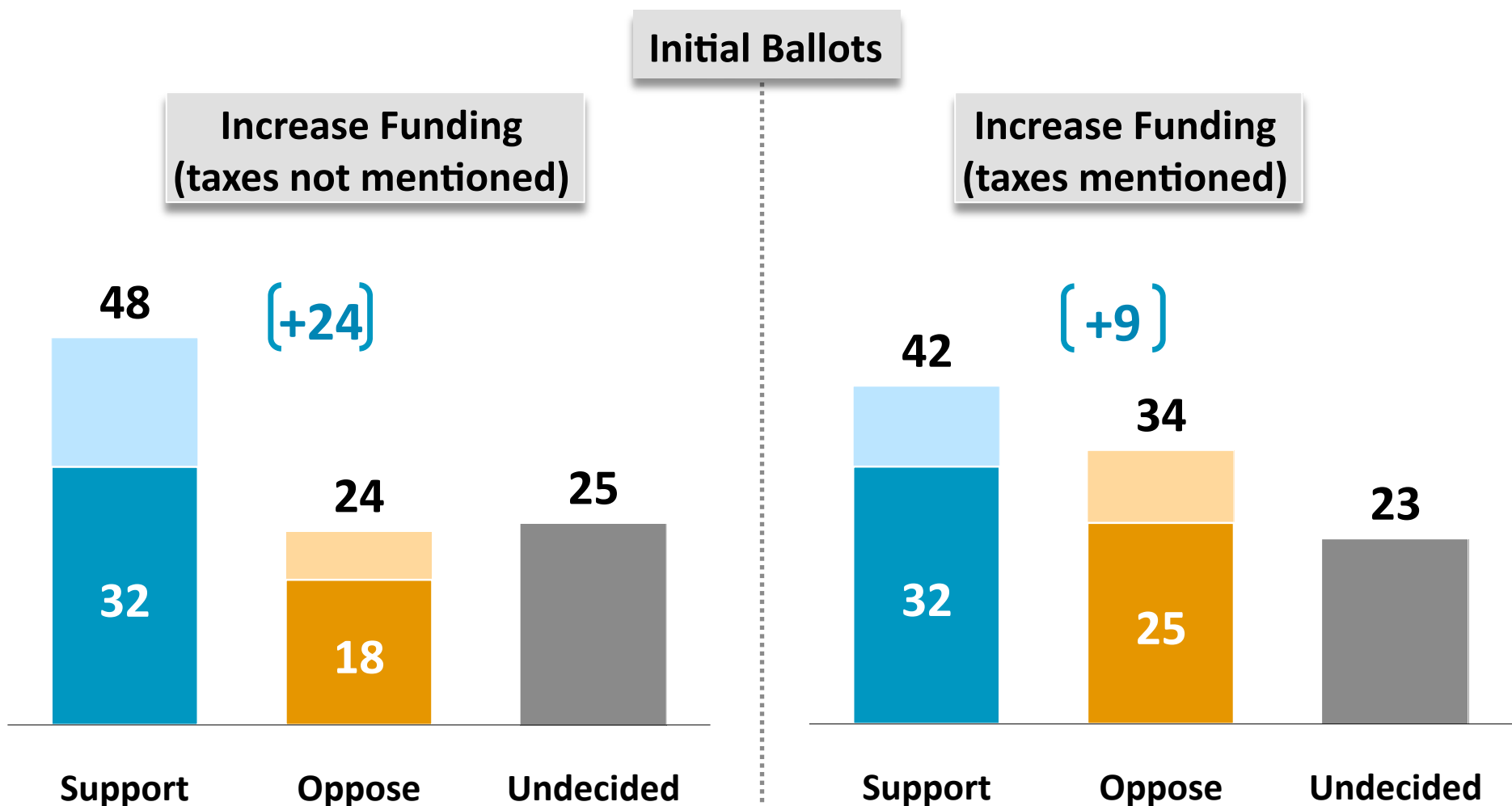
60%

**Believe the
POOR
have a difficult
time**

43%

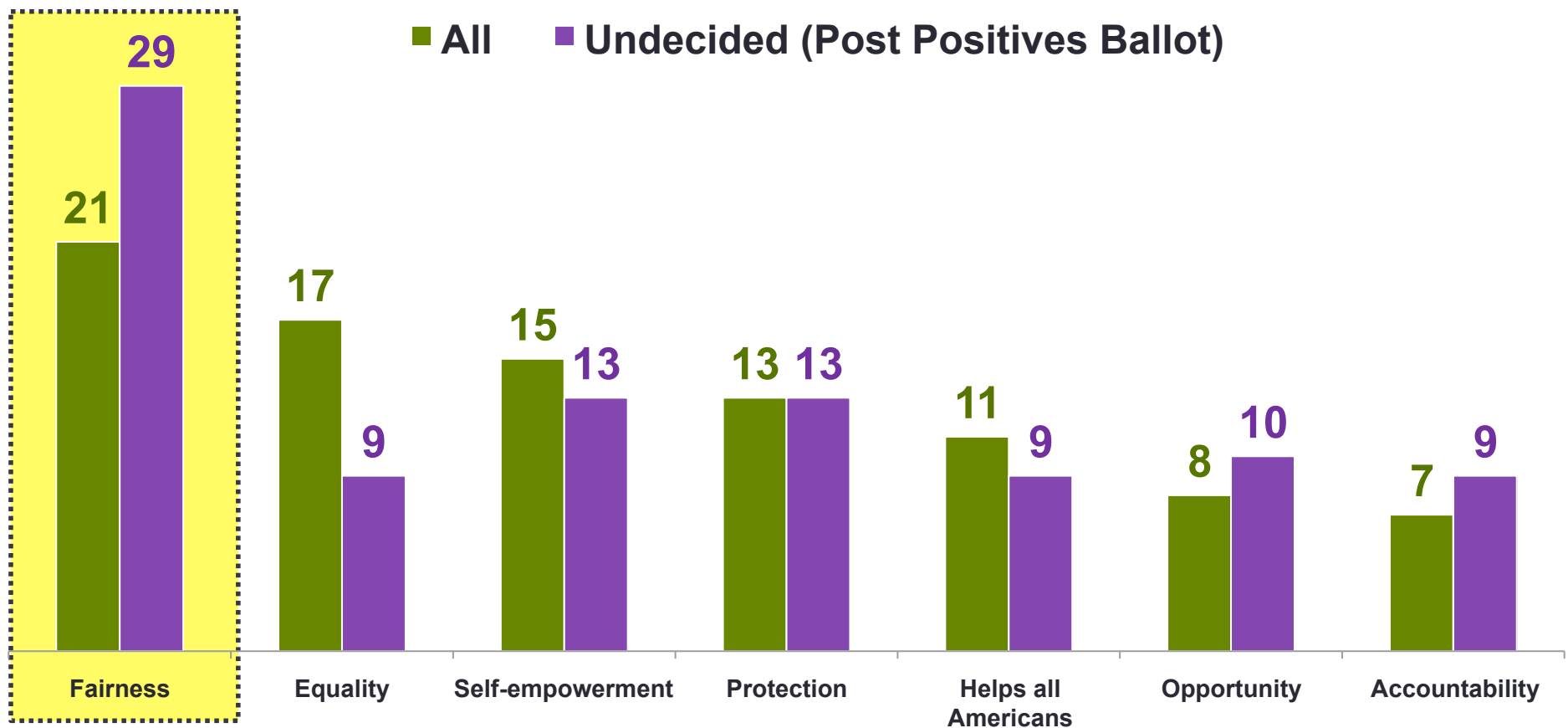
**Believe the
MIDDLE CLASS
have a difficult
time**

In the survey's first ballot, voters support increasing funding for Civil Legal Aid even if it requires an increase in taxes. However, this support could be stronger. To grow support and help people make up their minds, we will have to 1) talk about Civil Legal Aid in a way people can best connect with, and 2) calm concerns about the program with regard to taxes and accessibility.



Values-based messaging works best to sell ideas. Fairness is the value associated with Civil Legal Aid. This is especially true among undecided voters. Equality is important to our core supporters.

Value Most Associated with Civil Legal Aid



After hearing all of this information about civil legal aid, what do you most associate with the program?

Fairness and equality resonated with focus group participants...



"I think if you are um, a resident of the United States, local resident and can't afford legal help then you should be able to get assistance."

– white woman, Richmond



"I think that everybody do[es] deserve equal rights"

- African-American participant, Richmond

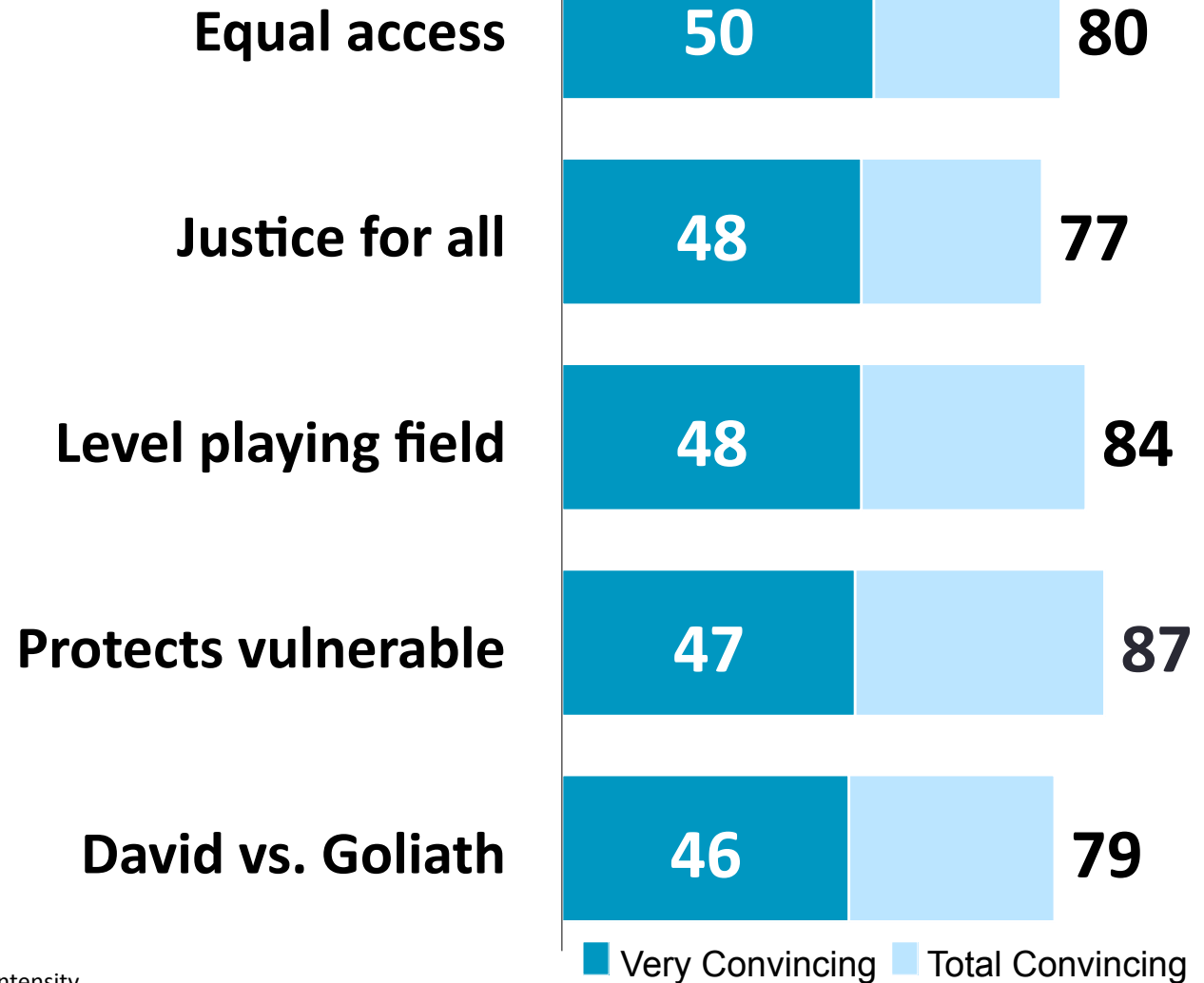


"I liked that all Americans have equal access to justice. There shouldn't be you know just because they're rich have more access than others"

– white woman, Riverside

Top Supporter Messages

The most effective positive messages center around a theme (and value) of fairness



Each asked of ½ the sample. Darker colors indicate intensity.

Now I am going to read you messages in support of increasing funding for civil legal aid. Please tell me whether the statement I read is a very convincing, somewhat convincing, not too convincing, or not at all convincing reason to support this. If you are not sure how you feel about a particular item, please say so. Is that a VERY convincing, SOMEWHAT convincing, NOT TOO convincing, or not AT ALL convincing reason to support increasing funding for civil legal aid?

Text of Tier 1 Supporter Messages

Equal Access: Civil legal aid ensures equal access to justice under the law. It provides access to legal help for people who cannot afford it otherwise, especially when it's necessary to protect their livelihood, their health or their family. The quality of justice should not depend on how much money you have. Civil legal aid provides the fairness and equal access to justice that all Americans deserve.

Justice for All: When we say the Pledge of Allegiance we end it with quote “justice for all” unquote. However, today, too many people are left without access to justice. Civil legal aid exists to make sure every American has access to civil legal justice. We need programs like civil legal aid to ensure the very principle our founding fathers envisioned remains alive: justice for all not the few who can afford it.

Level Playing Field: Civil legal aid levels the playing field for everyone. It provides access to legal help for people who cannot afford it otherwise, especially when it's necessary to protect their livelihood, their health or their family. The quality of justice should not depend on how much money you have. Civil legal aid provides the fairness and access to justice that all Americans deserve.

Protects Vulnerable: Civil legal aid protects people with nowhere else to turn. Civil legal aid groups provide legal representation for victims of domestic violence, families dealing with threats or neglect from absentee landlords, as well as children, seniors, and veterans who are denied access to health care or benefits. Ensuring that civil legal aid is adequately funded means that we are not turning our back on the most vulnerable.

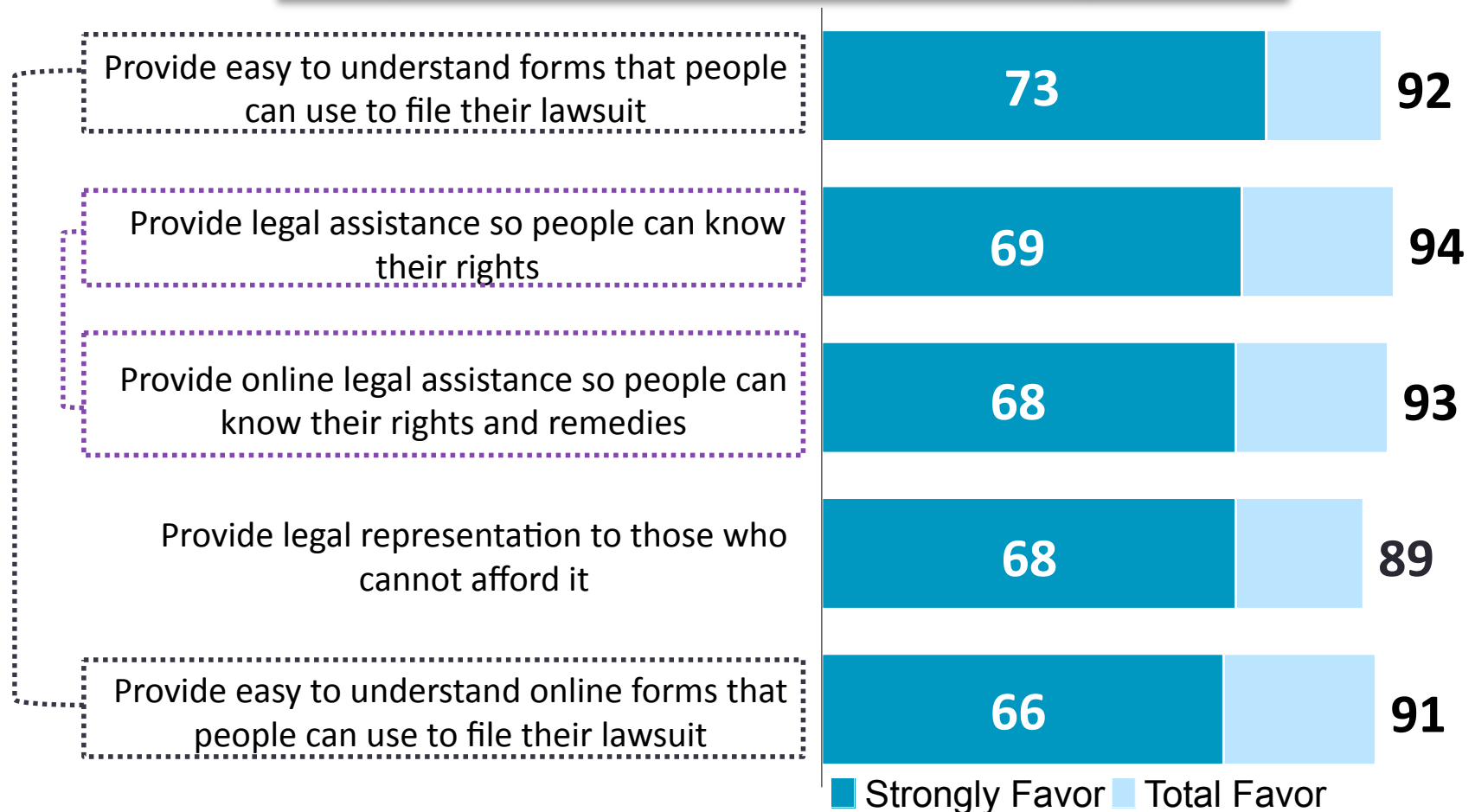
David vs. Goliath: Civil legal aid helps people without legal knowledge or resources stand a fair chance against big corporations, institutions, or the government. Too many times people are forced to live with their rights trampled and their economic livelihoods put at risk simply because they cannot afford legal advice and help. Civil legal aid gives the little guy—and gal—the people without money and power, the opportunity to defend themselves against unlawful behavior.

The key in describing Civil Legal Aid is to provide illustrations of the types of services while spending less time defining the program.



Our services increase ease of access to information and assistance to know your rights.

Top Services Provided by Civil Legal Aid

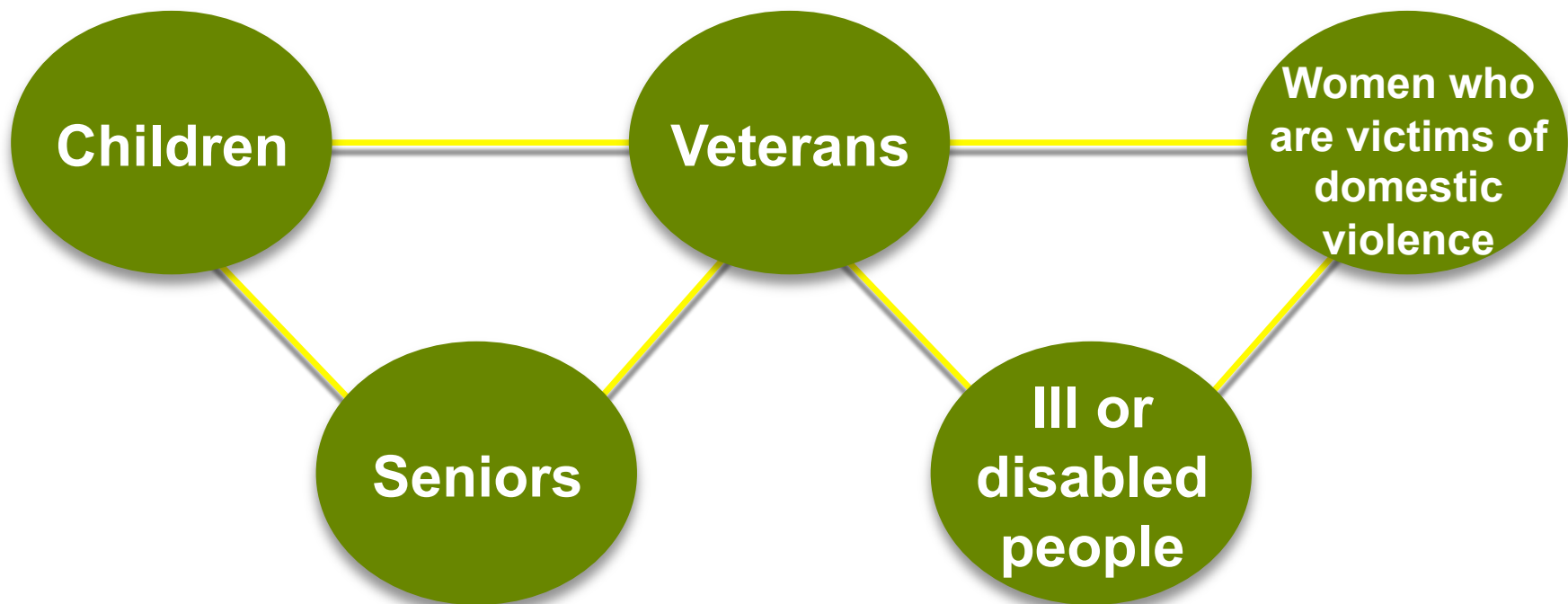


Each asked of ½ the sample. Darker colors indicate intensity.

Now I will read a list of services provided by civil legal aid organizations. Please tell me for each item, whether you strongly favor, somewhat favor, somewhat oppose, or strongly oppose each service. Do you strongly favor, somewhat favor, somewhat oppose, or strongly oppose providing this service.

We do not recommend using population groups in the short sound bites. However, populations served can be used in longer explanations and to respond to attacks.

Groups That Should Receive Civil Legal Aid:



Reference to population groups is effective in response to the toughest questions because it puts a face on the services provided.

Groups That Should Receive Civil Legal Aid – Tier 1

■ Very Important (10)



On a scale from 0-10, where 10 means extremely important, 0 means not important at all, and you can be anywhere in between, how important do you think it is to have civil legal help or representation in the following circumstances? If you are not sure how you feel about a particular item, please say so. Here's the first one. How important do you think it is to have civil legal help or representation in that circumstance?

Responding to Attacks: *Middle-class Left Out*

(This attack raises doubts for 59% of respondents; 30% serious doubts)

RESPONSE:

Civil Legal Aid assures fairness for all in the justice system, regardless of how much money you have. The program serves Americans of all backgrounds and ages, including families, children, veterans, seniors, ill or disabled people, and women who are victims of domestic violence. Civil Legal Aid provides access to legal help for people to protect their livelihoods, their health, and their families. It provides access to legal aid self-help centers, makes it easier to access information through easy-to-understand forms and online information, and provides legal assistance so people can know their rights. Civil Legal Aid assures fairness in the justice system that all Americans deserve.

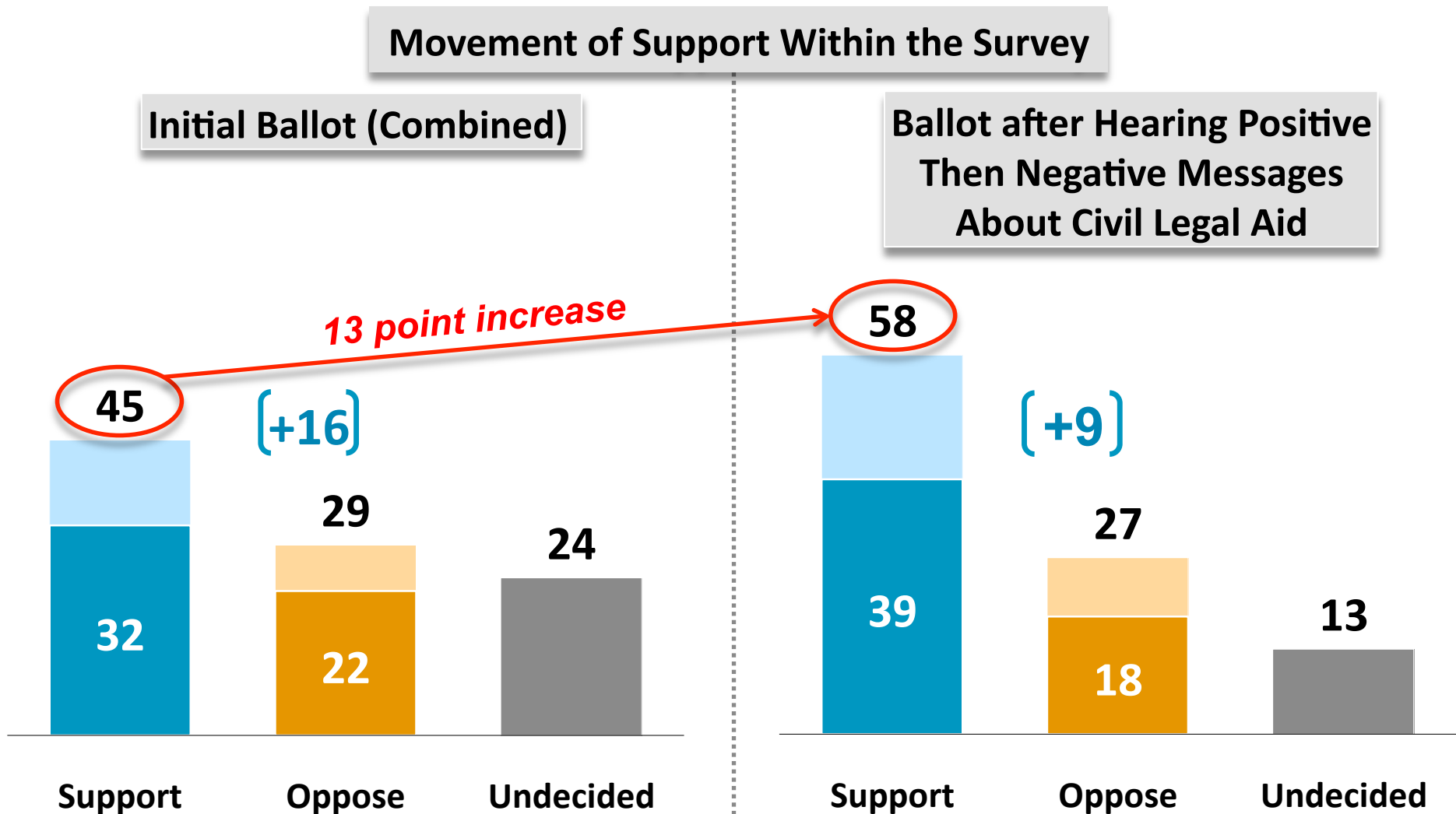
Responding to Attacks: *Abuse and Taxpayer Burden*

*We tested two separate messages in this research but they can easily be combined by our opponents
(Abuse raises doubts for 58% of respondents, 33% serious doubts;
Tax sensitivity raises doubts for 57% of respondents, 31 % serious doubts)

RESPONSE:

Civil Legal Aid is part of the solution, not the problem. Civil Legal Aid assures fairness for all in the justice system, regardless of how much money you have. The program serves Americans of all backgrounds and ages, including families, children, veterans, seniors, ill or disabled people, and women who are victims of domestic violence. Civil Legal Aid provides access to legal help for people to protect their livelihoods, their health, and their families. It provides access to legal aid self-help centers, makes it easier to access information through easy-to-understand forms and online information, and provides legal assistance so people can know their rights. Civil Legal Aid provides expert legal advice, mediation, negotiation, and problem-solving techniques that streamline the court system, reduce the number of frivolous lawsuits, cut down on court costs and staff overtime, and save us all money.

Once the program is positively positioned, attacks on it do little to weaken support for Civil Legal Aid. Opposition gains little traction throughout the survey, and those who were initially undecided move in our favor.



ANY QUESTIONS?



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Expanding Civil Legal Aid: Strategies for Branding and Communications

Lake Research Partners, Tarrance Group

Voices for Civil Justice

November 7, 2013

Lake Research Partners and the Tarrance Group, under contract with the Public Welfare and Kresge Foundations as part of their funding for Voices for Civil Justice, conducted public opinion research on expanding civil legal Aid.

ABSTRACT

Lake Research Partners and the Tarrance Group, under contract with the Public Welfare and Kresge Foundations as part of its funding for Voices for Civil Justice, conducted public opinion research on expanding civil legal Aid.

The research, which included four focus groups and a subsequent nationwide survey, reveals insights about framing, messages, and specific language to use and to avoid, including some preliminary insights into how best to articulate both the populations served, and the services provided, by civil legal aid. This research is an expansion on research conducted by [Belden, Russonello, and Stewart](#) in 2000.

Results of the research include the following:

- Civil Legal Aid remains a largely invisible issue for the American public. More than one-third (36%) have never heard or have no opinion toward Civil Legal Aid – an improvement from 2000, when 49% were unaware of Civil Legal Aid services. However, while current survey data reveals positive general impressions of the term "Civil Legal Aid", the qualitative (focus groups) research highlights just how shallow those impressions are. Most participants were unaware of any type of government funded services for civil legal purposes.
- Despite the public's lack of familiarity with Civil Legal Aid, over eight-in-ten (82%) voters support the basic principle behind Civil Legal Aid: that all Americans should have access to legal representation or help in civil matters, regardless of how much money you have.
- In addition to updating the research on public perceptions of Civil Legal Aid, this study explored two new fronts: support for increasing funding for Civil Legal Aid and reactions to arguments for and against increasing funding for the program.
- While the previous research assessed support for existing levels of public funding for Civil Legal Aid programs, this effort explored the public's appetite for increasing funding for the program—a more difficult threshold, to be sure, in the current economic environment, and given voters' tax-sensitivity and skepticism of government-funded and -operated programs. Even so, the results of this question are quite promising, with nearly half of voters in support of increased funding, and a majority supports increased funding after being exposed to arguments in favor of—and against—this proposition.
- The study also examined various arguments related to increasing funding for Civil Legal Aid, as well as the most effective thematic frame for positioning this debate. The findings from this work should help inform advocates' proactive communications strategy as well as inoculate against potential attacks, barriers, or resistance.
- In contrast to previous recommendations, this study suggests that, with limited time to convey an argument, and after stating the core value that fairness in the justice system should not depend on how much money a person has, it is more important to outline some of the specific services provided by Civil Legal Aid rather than detailing the populations that receive those services. Times have also changed, and in much of our work we are finding less resonance with the idea of helping the "vulnerable" since voters believe they have to go no further than their kitchen table to find people who need help.

The report also contains detailed suggestions on how the results of the public opinion research can be used most effectively in increasing awareness of, and support for, civil legal aid.

PUBLICATION DETAILS

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LINKS TO RESOURCES

[PDF of powerpoint presentation](#)
[Lake-Tarrance-Expanding-civil-legal-aid-2013.pptx1](#)
Collections: [Legacy \(was on old site\)](#)

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GOAL: Develop & Implement a Marketing & Fundraising Plan to Advance its Mission

Preface

"Nonprofit marketing communications does not equal fundraising. But many organizations lump the two together and this can be a problem! Strong fundraising must include strong communications. AND marketing communications and fundraising need to work closely together. However, if you're responsible for marketing communications for a nonprofit organization, your work extends beyond helping to reach fundraising goals. In our organizations, we are all working towards a common goal of making life better for our beneficiaries. Yet sadly, too often, there is a systemic lack of respect and understanding of the strengths and skills that distinctive professions have to offer to the whole of our organizations.

Just as fundraising takes on many different shapes and forms – from direct mail, major gifts and planned giving, and special events, to corporate social responsibility and point-of-purchase programs – so too does marketing and communications.

Yes, your audiences include donors but that's just one segment. You also need to communicate with the communities you serve, volunteers, foundations or government funders, board members, employees, influencers or experts in your space, policy makers, members and other stakeholders.

From brand management, internal/external communications, crisis/issues management, media relations, through to compelling donor-centric storytelling – distinctive and effective marketing and communications is a critical part of an organization's success in reaching and educating the constituents it serves, and ultimately in fulfilling its mission," – Colleen Mulholland, Past President Burlington Community Foundation (abridged statement)

Development Audit

AppalRed Legal Aid

Presented by:
Lee Ellen Martin, CFRE

AppalRed Legal Aid Development Audit

Fundraising Definitions:

- Annual Giving – fundraising methods that are used multiple times yearly to raise general operating revenue. Common methods include direct mail, phonathon, social media campaigns.
- Special Events – events designed with the sole purpose of raising funds for the organization. These events do not have to have anything to do with the mission of the organization, however, they shouldn't run counter to the organization's mission.
- Grants – foundation, corporate, governmental resources are all available through grants. Good research is key to writing a good grant. Organizations need to write grants that they have a chance of getting.
- Sponsorships – funds raised that support a particular event, exhibit, program, etc. These funds frequently require co-branding recognition. Sponsorships are raised through personal asks.
- Major Gifts – larger gifts that can have a specific focus or designation, or may be to the general fund. These gifts can be corporate or personal gifts and are raised through personal solicitation.
- Planned Gifts – these are gifts that require the donor to have or create mechanisms through which funds are given to the organization. These are primarily gifts through wills, and gifts of stock, but also include gifts of real estate, life insurance, qualified retirement plans, real property, and gifts from trusts.
- In-Kind Gifts – these are gifts of items or things that the organization can either use or liquidate.

General Observations

Development volunteers – you need to expand your numbers with people who can help with development. Including non-board members on the development committee is essential to the success of your development plan. One resource would be retired AppalRed attorneys or employees that live in other parts of your service area. They are going to know that community better than anyone else and can be most effective there.

Fundraising must happen beyond Prestonsburg and the surrounding counties. In order to grow your revenue streams, there must be intentional fundraising strategies for the six offices. Whether accomplished by volunteers or professional staff, there is a need for a more community-centered approach to fundraising.

Build relationship with referral networks. The more they know you do, the better advocates they become not only for referrals, but also with branding and fundraising. They can be good committee members or just strong supporters.

When board members are recruited, the expectation of being involved in fundraising as a donor and solicitor needs to be communicated.

In order to maximize the effectiveness of the development efforts for AppalRed, I recommend you work toward hiring a full-time development director. There are many opportunities for AppalRed that will require the coordination and focus of someone who is dedicated to just those efforts.

Messaging

AppalRed is heavy on messages of what your staff has done and information about your founding director. There is also a heavy emphasis on what's been lost and not the good works you do. Several documents either talk about the loss of funding or use the phrase "In these uncertain times". Neither of those give the sense of hope, a bright future, or helping our neighbors.

Donors want to know what you do, but what really motivates them are:

- How have the services you've performed changed the lives of people in my community.
- What's your future.
- What have you accomplished and who have you helped.
- What are the unmet needs.

Don't use legalese. Make sure that what you are communicating is obvious to those without a law degree.

Gather stories and statistics. You already have great stories in your newsletters/updates. Use good statistics like 2,600 cases closed in year – or on average, 50 per week. Since you want to be known for more than divorce and family law, be sure to use lots of examples that show different successes in multiple arenas.

In order to get your message out and to increase knowledge of AppalRed, prepare a good "dog and pony" show and start speaking at Chambers of Commerce, Rotary, Kiwanis, etc. Be sure to hit highlights of successes, but also how you help the community. Your clients are working to resolve their issues get back into the workforce. And, AppalRed does more than legal work to help them back into the work force.

Work with local media to get free advertising for what you do, but also for your special event promotion.

Create an elevator speech that board members and staff should know to be able to appropriately relate the breadth of what you do.

Create a tag line that you can use to indicate the breadth of services you offer.

Be able to discuss to the value of prevention in cases like foreclosure. Proper consumer education saves money for everyone involved.

Some great lines that came from interviews:

- We care about solutions not situations.
- All clients are treated with respect and dignity.
- Help clients get an outcome, resolution so they can move forward
- Holistically helping clients
- AppalRed believes in helping each other
- Giving voice to the voiceless

Annual Giving

Direct Mail:

AppalRed has had some success with direct mail, but could definitely grow this area.

- Make letter about your clients and not about the work you do.
- It's great that you quantify what different donation levels will do, but take out the phrase "makes it possible for an AppalRed Legal Aid attorney" and just say *A donation of \$50 provides critical advice to a mother or father about parenting rights.*
- Focus on successes and not losses.
- Personalize the letters.
- Hand sign as many as possible and include personal notes.
- Write in a friendly/casual style, these aren't legal briefs!
- Don't mix messages. Do you want the donor to send in money with the letter or do you want them to attend an event? If you want to be efficient and promote an event in an annual giving piece, do it in the P.S.
- Use a P.S. to either create an urgency (i.e. every dollar donated before December 31 will be matched by a generous gift from...); give a funding tip (i.e. a gift of stock is a tax-wise gift); or highlight an event (i.e. you won't want to miss our concert at the MAC, mark your calendar for...).
- Utilize your extensive network of lawyers to solicit their friends, colleagues, and classmates. Lawyers will understand that what you do is important work. Ask for volunteers from your staff attorneys to be willing to send letters to their networks. Also, ask your pro bono lawyers. You will want to make sure to make it easy for them. Create the letter for them (but get them to sign off on it). Prepare the mailing list, merge and print the letters, then take them to them to sign. Then, you (or volunteers), stuff them and mail them. Encourage each person signing letters to write personal notes to the recipient. This is one of the best ways to get more traction on your letters.

Direct Mail Tips:

- Have ask in second paragraph. While letter feels better with the ask at the bottom, put the ask up front so that the donor knows what you want. The final paragraph can be a call to action.
- If the donor has given before, thank the donor of their previous gift (by specific amount) in the first paragraph. This will remind them what they gave last time and hopefully eliminate any unintentional decreased gifts.

- Include a heartwarming story about the need and statistics AppalRed. This motivates two different donor profiles.
- Remember, it's not about AppalRed's needs, it's about the people you serve and changing their lives.
- Have the letters hand-signed when possible. Also, have the person signing the letter write a personal note on the letter.
- Include a return envelope and pledge card with the letter.
- Have check off boxes on the card or envelope start no lower than \$50. Always have an "other" box.

Timing for direct mail is tricky. Year-end always works. You could also mail around other times that make sense for the organization either by subject highlight times (i.e. domestic violence month) or around grant schedule.

Website

- Make an ask on the website. The lead is that you accept donations and they are tax deductible. Put a story and picture on that page. Again, make it about your clients, unmet needs, your future.
- Consider using an online giving platform that is designed for online donations and registrations. This has a better donor experience and also gathers information for you to use in the future.
- Even if the electronic platform sends a thank you message after the donation, be sure to send one from the organization, as well.

Newsletters – use newsletters (electronic/paper) as a return on investment piece

- Highlight success – but use pictures. Currently, communications are too text heavy. People don't read that much text when you are trying to impart information.
- Use white space – you don't have to fill every nook and cranny
- The information in the updates are good, just hard to read.
- If you have any, put a calendar of upcoming volunteer activities
- Do keep an in-kind list in the newsletter, if there are certain products or things you need donated. Especially, if these are things you would otherwise have to purchase.
- Include a donor envelope in the newsletter (or a donate now button if it is electronic). You want to always give people the opportunity to donate.

Social media

- Highlight successes
- Send out interesting tidbits or facts
- Make an ask
- Connect helpful hints to the work you do at AppalRed
- Tell your needs
- Spread the news about upcoming events
- Let folks know helpful hints

Special Events

Typically, I recommend every organization needs one or two good special events focused on fundraising. There's always an exception to every rule. With regional offices, it would be a good idea to have an event in each region. This is a way to engage community volunteers, local sponsors, and spread the word about AppalRed.

Critical to the success and growth of events is to have a committee to work on the events. They can help secure sponsorships, auction items, and sell tickets. Make sure the volunteers are from different communities and have different spheres of influence. This is critical to helping to increase the funds raised from sponsorships, solicitation of auction items, and bringing diverse people to the event. Recruit people from the board and non-board member volunteers.

John Rosenberg Dinner

This dinner has two factors that, I fear, will make it difficult to gain a consistent following: 1) it's not held annually; 2) it's outside of your service area. You don't get any bump in publicity in your service area, it's harder to engage a prospective donor to come to the event when it's 2 ½ hours from home, and it's difficult to plan.

Of your net 2015 net profits, \$10,500 were sponsors; \$6,550 were donations from people who couldn't come; \$2,800 was from the auction (without the \$3,000 painting purchase). That totals \$19,850 almost the entire net profit from the event. Can you use those resources to have events in the communities you serve? Can you preserve the \$6,550 in donations from donors with a mailing? You can transfer the auction items to the other events.

If you decide to move forward with the event, make sure that whomever you are honoring is someone who will spark interest and "sell" tickets because people want to be there to support them.

Revenue Streams ***Sponsors***

Sponsorships should be solicited in person and by the person who knows them best. There is not much difference in the recognition package of the \$10,000 - \$1,000 sponsors. No motivation to move up except some preferred seating and the \$1,000 sponsor doesn't get a logo in the program. You could certainly give more than 10 tickets to a \$5,000+ sponsor. The goal is to have more people there to spend money. Each ticket does have an expense associated with it, so do this within reason.

If you had a committee of 5 people each recruiting at least 1 new \$1,000 sponsor, your sponsorship dollars would increase to \$15,000 (assuming you renew all other sponsors).

New sponsors could be:

- Vendors
- Volunteers businesses
- Board members businesses
- Look at \$500 contributors from years past and get them to increase gift
- Businesses with shared interests (law firms, legal insurance provider, legal directory, etc.)

Auction

The auction items were mid to low range in price. Concentrate on some higher end auction items that will create a stir.

Silent is a must, live is great if your event lends itself to it.

Items that are popular

- Vacation homes/condos
- Access to things you can't normally get (i.e., boxes at Keeneland or Legends)
- UK lower arena men's basketball tickets (women's are becoming more popular)
- Artwork, if not too crazy and donated
- Tickets to sporting or arts events
- Dinners/lunches with local celebrity
- A year of dinners out (donated gift certificates to 12 restaurants)
- Packages – if you get a lot of little items, package them together to make a bigger item

Use auction committee to do the majority of auction item collection.

Mission Auction – show a video or have a former client speak at the event. (If it's live, you'll want to coach them a little to make sure they cover what needs to be discussed and can be concise.) Then have the auctioneer or emcee start auctioning off dollar amounts to correlate to needs of AppalRed. You can even do \$1,000 provides x hours of legal services to help people like [insert name of client highlighted]. Then move down to \$500, \$250, \$100. If you do this, make sure you have someone in the room who will raise their hand at the \$1,000 level. There's nothing worse than doing a mission auction and no one raising their hand. Give donors something to mark that they've donated...a silly necklace, a balloon to tie on their chair...something to indicate who is donating. This gives a visual to the auction and makes it more exciting. And, if you have 200 people in the room and 25% of them give an average of \$200 that would equal \$10,000.

You need plenty of people to be spotters and runners for this auction. The spotters call out the paddle numbers to the emcee/runners. Runners take a donation card to them to confirm their gift and give them something to take to the cashier on the way out.

Ticket Sales

The ticket price seems reasonable for the event. You need to make sure that:

- Ticket sales need to at least cover the per person cost of the event
- Tickets should be priced at what the market will bear and what your audience will do
- Tickets are mainly sold by committee or board members
- Tickets can be given away to prospects or potential board members

Concert at the MAC

This is a good potential fundraising event for the Prestonsburg area office. It's not going to draw huge crowds from other service areas. Of course, key to the draw will be the featured artist.

Sponsors:

Since most of the sponsors for the John Rosenberg dinner are from the Prestonsburg area, it makes it hard to solicit more sponsors. Smaller communities have limited sponsor resources. Maybe consider an area hospital as a sponsor. There will be lots of marketing for the event in your area and if it's billed "AppalRed's Concert at the MAC featuring xyz performer sponsored by abc hospital" on every advertisement, flyer, interview, etc. the hospital would get good marketing out of it.

Sponsorships could include:

- Concert sponsor – could to a quick welcome at the concert
- Artist Sponsor – could introduce the sponsor
- Reception Sponsor – signage at reception
- Ticket Sponsor (if you are having physical tickets – they can have an ad or coupon on back of ticket)
- Valet Sponsor (maybe a car dealership, tire store, oil change place, auto insurance group. They could have ads/coupons on ticket stubs)

All sponsors would get tickets to the event and reception, logos on marketing, logos in program, signage at event.

Since the event doesn't sell out, be generous with tickets to sponsors. You can do a mission auction or other live auction at the event and these people will spend money! You can also educate your audience about your work in between the sets.

Sponsor/VIP reception/Auction

Hold a reception prior to the concert for the sponsors/and VIP ticket purchasers. Depending on sponsorship level will determine how many tickets they get to the reception. Have a meet and greet with the artist. Also, have a silent auction at the reception. Set ticket price high enough to have an open bar or at least a few drink tickets and then cash bar.

Make sure senior staff and board members are at the reception. They will act as hosts for the sponsors and VIP ticket holders. Client board members should receive a reduced rate or free tickets, but regular board members should not receive a discount. Staff who are required to work the event should not have to pay for the event. There can be a staff rate for up to 2 tickets. Even staff tickets can be tiered to regular or VIP. Except for staff responsible for the event, staff should not be required to come. If staff purchase tickets, they should not be required to work.

Tiered ticketing benefits could be:

\$100 ticket

- VIP reception

- Meet and greet
- Preferred seating
- Valet parking
- Momento

\$75 ticket

- VIP reception
- Preferred seating
- Valet parking

\$50 regular ticket

- Preferred seating
- Valet parking

\$25 ticket

- General admission

Ticket Sales

The committee and board members should work to sell tickets. Utilize all free advertising options available. Sell tickets on website, phone, and mail.

General comments about events:

- It doesn't matter what your event is if your volunteers and committee will come to it and sell tickets.
- Events should be fun and shouldn't be a downer.
- It's a time to celebrate AppalRed's good work.
- Events are a good place for prospect development and stewardship. Make sure Executive Director and Board Members know who is at the event so that they can appropriately thank them, or let them know what is exciting that's happening AppalRed.
- Events are not a panacea to fundraising. They are only one component. They can take a lot of human resources which are limited and need to be used wisely.

Grants

AppalRed has been very successful with grants. It's important to resubmit the grants that have been granted, if you are able to ask year over year. Many grantors want a different project each year. With limited staff, be care that all grant submissions make sense with the work AppalRed is already doing. Don't chase money. If an outside source is used for grantwriting, it is important to pay them an hourly rate or by the grant. Incentive or percentage pay is deemed unethical by the Association of Fundraising Professionals – the national association that governs fundraising professionals. Be sure that:

- AppalRed is requesting something that is already planned to be done
- If AppalRed requests grant funding for a new project, that it is in the strategic plan to start that project

- Don't chase money
- Be sure to follow the guidelines of each individual grant request
- Be sure to contact staff of foundation/corporation to discuss proposal – make sure on right track.

Sponsorships

This is a major co-branding opportunity for for profit partners. Do not sell AppalRed short in what it costs to be co-branded with you. This is definitely an avenue that requires tangible benefits for the money.

- Typically, sponsorships are made from marketing dollars opening up a second pool of resources for donations.
- The sponsor needs to receive recognition for their sponsorship. Generally, the donor will want quantifiable returns, i.e. number of facebook posts and how many people saw it, how long was it on your website and how many people visited it during that time period, how long was their logo displayed in the building and how many people would have been in the building.
- Sponsorships are solicited in person as the relationship is key to success
- Sponsors definitely want a good Return On Investment on their donation. A generic annual report will not likely satisfy a sponsor as their dollars are from marketing and need to be reported with what return these dollars are likely to have.
- Sponsorships can be for programs, events, specific needs
- Calculate what the average cost is per case by type:
 - Safety and Stability
 - Domestic Violence
 - Family Law
 - Housing
 - Public Benefits
 - Consumer
 - Utilities
 - Expungement

You can pitch sponsoring (or that's also a good major gift message) to a potential donor.

- Non-legal services like Appalachian Hope, Survivor's Smiles, Elder Law Clinics, Tax Clinics, CARES program are all good sponsorship opportunities. They also broaden the pool of interested prosepcts.
- Sponsors are very likely businesses who want to be in front of your audience (lawyers, allied professionals to lawyers (insurance, directories, etc.), organizational recipients, board members)
 - Law firms
 - Banks for events or for financial literacy
 - Hospital
 - Other businesses in the area
 - Insurance carrier
 - Martindale Hubble directory
 - Dentists for Survivor's Smile Project

- Accountant for Tax Payer Clinic
- Nursing Homes, Retirement Villages for anything dealing with elderly
- Vendors

Potential recognition sponsorships

- Thanks on newsletters
- Thanks on social media with link to website
- Thanks on AppalRed website with link to sponsor's website
- Thanks at specific events
- Signage at events/programs/conferences
- Logo on program marketing material

Major Gifts

Major gifts can be from individuals, corporations, or foundations. The difference between a major gift sponsorship is what is expected in return. Although a major donor generally wants recognition, it's usually naming of a room/building (if that's what the gift is for) or a listing in an annual report. Social media thank you is nice. A public thank you does two things: thanks the donor, and lets other's know that a donation of that size can be done!

- It is all about the relationship. It's the donor cycle:
 - identify → educate → ask → thank → stewardship
- Not every contact with a major donor should be asking for money
- Most major donors rise from the ranks of annual donors, so are already known to the world of AppalRed
- Gifts of stock can be a good alternative to cash for a major gift
- Major gifts can be annual gifts or for a specific project
- Recognition opportunities are important
- Educating the donor on who they are helping is key

Look at donors who give \$500 or more annually. These are great prospects for major gifts. You could establish a monthly giving society where donors make an annual pledge and then pay it monthly. A gift of \$85 per month translates into an annual gift of over \$1,000.

Sponsorships and major gifts are all about the personal ask and the relationship. When asking a business for a gift, it's fine to ask them on the first meeting. The first meeting with an individual, however, should be an introduction to your organization or a thank you for their previous gifts.

Planned Giving

AppalRed's development practices have relied heavily on grants and events which makes the prospect list for planned giving small. Planned giving donors are generally donors with a long history of donating to the organization – regardless of amount.

Planned Giving vehicles:

- Wills
- Trusts
- Life insurance
- Real property

Real estate
Stocks
Qualified retirement plans

- Once annual giving and a major gift programs are better established, Executive Director and Development Director would need to be familiar with these gifts and how they work.
- Planned giving council or resources – the ED and DD should recruit professionals who deal with these gifts to be resources for written articles for newsletter, or for opinions and guidance if an inquiry is made about one of these vehicles.
- Marketing of these options can happen in newsletter, pledge cards, PS on an annual giving letter, program at event
- Funds from planned gifts (except some stock or qualified retirement plan transfers) should be placed in endowment fund or building campaign

In-kind Giving

- AppalRed should list the common items used frequently. These items can be placed on website or in newsletter. Donations of these items will help the bottom line as they would have been purchased if not donated.
- AppalRed should not accept items that they do not want. Having a policy from the development committee can give staff the backing not to take items not needed.
- In-kind donations are great, but sometimes people can spend a long time getting a low dollar item donated. Do not fall into that trap. Use the time to cultivate donors, write direct mail, or make appointments.
- Make sure to gather contact information from in-kind donors and add them to the mailing list. The goal would be to turn them into an annual donor.
- In-Kind giving drives are a great way for churches, scouts, etc. to become familiar with AppalRed. It's a good entry point for donors.

Recognition and Thanking process

Make sure that every donor is receiving a thank you letter for each donation. It's preferable that donors receive the thank you within a week of the gift. If this isn't happening, just make sure your donors are being thanked in a timely manner.

There is a school of thought that says to include a giving envelope in the thank you letter. I'm not a fan of this. I think a thank you should be a thank you. The giving envelope quietly says give me more.

Prospects

It is everyone's job to identify prospects. Lawyers, office staff, and volunteers need to tell Development Director if they know of someone who is interested in doing more for AppalRed. Development Director needs to interact with community to cultivate donors. Board needs to encourage their friends, acquaintances, and businesses to become donors.

Remember when a donor is identified that the following information needs to be given:

Linkage – who is the link to the donor and if the person suggesting he/she isn't the link they need to identify a link and how to get to them

Interest – does the prospect know about AppalRed or have any history with AppalRed

Ability – how much can the donor give

Linkage and interest can be cultivated, ability cannot be affected by AppalRed.

House Parties for Prospect Recruitment or small events in communities

This is a great idea and can be used very effectively. Development committee will need to recruit the hosts and ask them to invite their friends to learn more about AppalRed. Host provides food and drinks. AppalRed needs to have board/staff there to talk with individuals and make a presentation about the organization. Client board members could be there to tell how AppalRed helped their situation.

AppalRed will need to make sure that there is a mechanism for gathering names, addresses, emails, etc. After each event, prompt follow up with a letter and pledge card is important. Pledge cards/envelopes can be provided at event. If host will encourage friends to make a donation, that's the best way to get the attendees for donate that day.

The best corporate prospects other than those with like business interests are those that have either: 1) already given to AppalRed; or 2) the board member/volunteer solicitor knows personally.

	AG	SE	G	SP	MG	PG
Current Annual Giving Donor	x	x		x		
Current Annual Giving Donor who has increased their gift	x	x		x	x	
Current Annual Giving Donor of 10 years or more	x	x				x
Friends of Board/Staff	x	x		x(lower level typically)	x (but must be careful to do proper stewardship or will not become a returning MG donor	
Local corporations			x	x	x	
Local foundations			x			
Vendors	x	x		x		
Board Members and Past Board Members	x	x		x	x	x
Executive Staff	x				x (depending on levels)	

Top Ten Ways for Board Members to Meaningfully Participate in Fundraising

- ❖ Make a meaningful donation yourself
- ❖ Participate in planning – and don't fall into the all event all the time pitfall
 - Remember full development planning includes annual giving, event (one great one), major gifts, sponsorships, planned giving and in-kind giving
- ❖ Review donor list
 - Who do you know
 - Who could increase their gift
 - Any information you can provide on current donors
- ❖ Identify prospects and be willing to solicit them
 - Linkage – who knows the prospect
 - Interest – do they have any interest or connection to your organization
 - Ability – what do you think is the proper ask amount (method)
 - Rank – with what prospects do you start
- ❖ Solicit your prospects
 - Phone
 - Personal with or without staff
 - ◆ Make the ask or offer credibility
- ❖ Direct mail support
 - Hand sign solicitation letters and add a personal note
 - Phone call follow up
- ❖ Write thank you notes (or personally thank your friends)
 - Staff can provide notecards and a list of donors and their addresses for the month at each board meeting. Board members can write thank you notes before, during or after the meeting.
- ❖ Identify others that would be good on the development or event committees
 - The more people working on this effort from different networks, the more successful you will be.
 - Also, a breeding ground for new board members.
- ❖ Work as a team with the staff
 - Ideas are always welcome, but remember that all ideas are not appropriate at the time or may not be the right approach.
 - Remember that when things get tough, everyone needs to be involved in fundraising and not pointing fingers – board at staff or staff at board.
- ❖ Be a cheerleader
 - This is a tough area of the nonprofit business. It takes a lot of stamina, courage, fortitude and energy. You must always be on. Not all asks are successful. Staff and board members need to support each other, keep up the moral and look for new strategies to success.

How can each board member raise \$1,000

Personal Gift \$20/month	\$240
2 tickets an event	200
Recruit 2 donors at \$100 each	200
Church gift	150
Employer	<u>250</u>
Total	\$1,040

Peronsal Gift \$20/month	\$240
4 tickets to an event	400
Church gift	150
Employer	<u>250</u>
Total	\$1,040

Personal Gift \$40/month	\$480
2 tickets an event	200
Recruit 4 donors at \$100 each	<u>400</u>
Total	\$1,080

Recruit one sponsor	\$1000
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Ways for client board members to be involved in fundraising

Solicit donations

Work events

Recruit people to come to the event

Do volunteer work that impacts the bottom line

Go on asks – tell your story

Staff Roles

- Guide the process
- Evaluate past results
- Prospect identification
- Case preparation
- Prospect research
- Relationship building
- Respond to board
- Board prodding
- Coordination of development activities
- Follow up

Board Roles

- Act as staff with limited staff resources
- Evaluate past results
- Provide expertise and leadership
- Prospect identification
- Prospect research
- Relationship building
- Respond to staff

Conclusion

AppalRed is a successful organization providing quality legal services to the poor, but now is the time to put a concerted effort into raising more money. The first things to turn your attention to are:

- Putting more emotion into your message
- Creating a development committee that serves each office
- Recruiting non-board members to help with development efforts
- Continue grant submissions
- Package programs into sponsorship opportunities, i.e. Elder Abuse Conference, Survivors Smile Project; Changing the Life of a Domestic Violence Survivor, etc.

Fundraising is very intentional work. Staff needs to do something every week toward fundraising. Volunteers need to meet monthly (or more when events or other deadlines loom and need more immediate attention). Meeting on an as needed basis will slow down progress. People tend to work toward a deadline and without standing deadlines it's easy to put off fundraising activities.

Date	Activity	Person Responsible	Strategy
Jul-18	Ask Board Members to turn in names for mailing list	Rob/Carolyn	AG
31-Jul-18	Secure speaker for Rosenberg Dinner	Rob	SE
Aug-18	Recruit sponsors for Rosenberg Dinner	Admin staff/Board	SE
1-Aug-18	Names for year end letter due	Rob/Carolyn	AG
Aug-18	Produce year end letter	Lorie	AG
1-Aug-18	Develop media list	Interns	Mktg
Aug-18	Begin gathering information for roadshow presentation	Admin Staff	Mktg
Sep-18	Board members sign letters at board meeting	Lorie	AG
Sep-18	Contact Moms Everyday to get story	Carolyn	Mktg
Nov-18	Drop year end letter week before Thanksgiving	Lorie	AG
Dec-18	Follow up with social media and eblast for year end letter	Lorie	AG
Dec-18	Have static donate now button on top of web page	Lorie	Web
Dec-18	Have a donation page on website	Lorie	Web
Dec-18	Add a place to sign up for more information/newsletter on website	Lorie	Web
Dec-18	Have roadshow presentation ready	Admin Staff	Mktg
Jan-19	Recruit volunteers	Lorie/LaDonna/Rob	SE
Jan-19	Secure auction items for Rosenberg Dinner	Admin staff/Board	SE
Jan-19	Prepare invitation for Rosenberg Dinner	Admin staff	SE
1-Jan-19	Make sure media list is finished	Interns	Mktg
Jan-19	Determine when and schedule interviews with EKB-TV, WYMT, WEKU	Lorie	Mktg
Jan-19	Kick off roadshow tour	Admin Staff	Mktg
31-Jan-19	Get planned giving information on website	Lorie	PG
31-Jan-19	Gather experts to provide advice on planned giving	Lorie/Rob	PG
Feb-19	Determine appropriate revenue streams for Concert at MAC	Committee	SE
Feb-19	Drop invitation for Rosenberg Dinner	Admin Staff	SE
Feb-19	Develop lawyer list with help of staff attorneys and board members	Lorie	AG
Mar-19	Start recruiting sponsorships	MAC Committee	SE
15-Mar-19	Begin writing lawyer letter	Lorie	AG
Apr-19	Rosenberg Dinner	Admin staff	SE
Apr-19	Get lawyer letter signed by attorneys	Lorie	AG
Apr-19	Drop lawyer letter end of month	Lorie	AG
May-19	Create save the date postcard for Concert at the MAC	Lorie	SE
May-19	Determine future of Rosenberg Dinner	Admin Staff/Committee	SE
May-19	Follow up with social media and eblast for lawyer letter	Lorie	AG
1-Jun-19	Write planned giving direct mail piece	Lorie	PG
Jun-19	Get Somerset and Richmond county committees started	Rob	SE
1-Jun-19	Mail Save the Date postcard for Concert at MAC	Lorie	SE
Jun-19	prepare invitation for Concert at MAC	Lorie	SE
15-Jun-19	Segment mailing list for planned giving	Lorie	PG
1-Jul-19	Drop planned giving direct mail	Lorie	PG
Jul-19	Begin writing year end letter	Lorie	AG
15-Jul-19	Mail invitation	Lorie	SE
Aug-19	Develop information for monthly giving club	Lorie	Stewardship

Aug-19	Develop list of giving opportunities for spon/mg	Lorie	Spon/MG
Aug-19	Social media, posters, radio, television for Concert at MAC	Lorie/LaDonna/Committee	SE
Sep-19	Develop case statement for all sponsorship/major gift opportunities	Lorie	Spon/MG
Sep-19	Concert at the MAC	Lorie/LaDonna	SE
15-Nov-19	Talk to John Rosenberg about Heritage Society name	Rob	PG
ongoing	Learn different planned giving vehicles	Lorie/Rob	PG
ongoing	Call or visit individuals who make \$500 gift or more to thank them and get to know their story	Lorie/Rob	Stewardship
ongoing	Collect stories	Lorie	Stewardship
ongoing	Tell donors their ROI - successes of AppalRed's client	Lorie/Rob	Stewardship
ongoing	make personal asks (monthly donation or all at once)	Lorie/Rob/Board	Spon/MG
ongoing	Research prospects to match giving opportunities	Lorie/Rob/Board/County committees	Spon/MG
ongoing	County committees meet	committee chairs	SE
ongoing	Monthly meetings for Concert at MAC	Committee	SE
ongoing	Share success, statistics, upcoming events, fun facts, important facts, and stories on social media and eblasts	Lorie	All
ongoing	Book 12 places for roadshow presentations	Admin Staff/Board	Mktg

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Dec-18	Have roadshow presentation ready	Admin Staff	Mktg
Jan-19	Prepare invitation for Rosenberg Dinner	Admin staff	SE
Jan-19	Kick off roadshow tour	Admin Staff	Mktg
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Top 20 by Employment Pulaski County (*Manufacturing & Service & Technology Firms Only*)

Firm	Product(s)/Service(s)	Emp.	Year Established
<i>Burnside</i>			
Kingsford Manufacturing Co	Charcoal briquettes and lighter fluid bottling	120	1963
Somerset Wood Products Inc	Kiln dried lumber & hardwood oak flooring	130	1985
<i>Somerset</i>			
Armstrong Wood Products	Hardwood flooring	394	1989
Blackboard	Software technical support center; customer service representatives; financial aid, enrollment services.	302	2007
CCI Industrial Services	Metal fabrication	90	2004
Coretrans	Trucking, long distance carriers	178	2002
Eagle Hardwoods Inc	Hardwood flooring, wood pellet fuel	350	1994
EOS CCA	First party call center	135	2015
Gatormade Inc	Utility trailers, gooseneck trailers, enclosed trailers, dump trailers, car trailers. Corporate HQ.	120	1990
Hendrickson USA LLC	Trailer suspension systems for heavy-duty transportation industry	330	2007
Menzner Lumber & Supply Co	Rough mill, moulding, priming paint line and sawdust processing	175	2015
Modern Distributors	Headquarters & distribution serves the wholesale grocery, coffee/beverage needs and foodservice sales to convenience stores.	200	1961
New Life Industries Inc	Silk screen printing, embroidery, and transfers on sportswear. Applique and laser etching as well as pad printing	95	1979
Performance Food Service-Somerset	Food distributor; frozen, dry, refrigerated.	150	1988
Prairie Farms Dairy	Liquid milk, juice drinks, and 100% orange juice from concentrate	186	1951
Somerset Recycling Service Inc	Cardboard and plastic recycling; waste reduction programs, recycling equipment, colorant	81	1984
Super Service LLC	Truckload interstate carrier	700	1987
Toyotetsu America Inc	Structural automotive components & stampings	938	1995

Tru-Check Meter Service Inc	Automated meter reading, installation & service. Headquarters location	190	1986
UGN Inc	Manufacture automotive sound proofing	332	2005

Top 20 by Employment Madison County *(Manufacturing & Service & Technology Firms Only)*

Firm	Product(s)/Service(s)	Emp.	Year Established
<i>Richmond</i>			
AGC Glass Co NA	Automotive glass	168	1997
Asahi Bluegrass Forge Corporation	Automotive press forging, gears, bearings, joints	51	2012
Asahi Forge of America Corporation	Hot forge manufacturing for the automotive industry	72	2003
B & H Tool Works Inc	A full service tooling, machining, stamping, and fabrication job shop. Capabilities include CNC, EDM, and laser machining. Progressive and hand transfer stamping capabilities	100	1978
Blue Grass Chemical Agent-Destruction Pilot Plant	Bechtel Parsons Blue Grass, a joint venture, is a systems contracted selected by DOD's PEO Assembled Chemical Weapons Alternative program to design, build, systemize, test, operate, and close a facility to destroy chemical weapons stockpiles.	1225	2003
Concrete Materials Co LLC	Manufacture and sell ready-mixed concrete and precast products: brick, mortar, steel and a wide array of building materials.	47	1931
Conduent	Provide business processing solutions.	112	2001
EnerSys	Lead acid industrial batteries	520	1976
Framebridge Inc	Manufactures picture frames, provides framing of art by iPhone application, and shipping.	58	2016
Gill Industries	Automotive stamping	218	2004

Kokoku Rubber Inc	Compression and injection molding of rubber components incl. syringe stoppers, auto. seals, gaskets, o-rings and belts for bus. m/c's.	119	1988
Lectrodryer LLC	Designs and manufactures desiccant dryers and purification systems for the removal of humidity and other impurities from air, gases and liquids	56	1932
P-K Tool & Manufacturing Co	Metal stampings, production machining, fabricating & assembly; complete stamping die construction; nylon dip coating; robotic & resistance welding.	49	1994
Precision Tube Inc	Tube fabricating, wire forming, forklift components and CNC machining	63	1979
Qualex Machining	Metal turning, threading, grooving, milling, drilling, tapping and welding	175	1994
Quanex Building Products	Vinyl extrusions	233	1995
Richmond Auto Parts Technology Inc	Automotive transmission gears; chassis components and automatic transmission components	143	1998
Sherwin-Williams Company	Automotive coatings & finishes, Thompson's Waterseal woodcare products, military & industrial coatings	360	1976
Sherwin-Williams Company	Distribution of coatings related products and material for the Sherwin Williams Company.	75	1995
The Okonite Company	Insulated electrical cable	282	1969

Source: Kentucky Cabinet for Economic Development (6/2/2019).

AppalRed Major Gift Campaign By County (Region)

Start with Richmond or Somerset

1. Recruit Chair
2. Work with chair to recruit committee (at least 5 members).

Committee members will:

- Solicit at least 5 corporations and/or
- Host a house party with a goal to raise \$2,500 each

3. Prepare message

Short motivational client stories

- Clientcentric – show problem and through AppalRed's help the resolution

Show needs

- Waiting list
- Increase/Expand services
- \$/case per work area

Figure out ways to monetize your regular work so that you can ask for projects that really help the bottom line. For instance, x dollars provide legal assistance to x number of clients. Or, x dollars provide training for x number of people on x topic.

Be sure to

- Show not only activities performed by AppalRed, but how someone's life is changed.

For corporate/business ask

Prepare a case statement that includes the following sections:

- A short paragraph history of AppalRed
- The project and who it helps
- The ask and what it will do
- Budget or show numerically how funds will be used
- The recognition (companies expect marketing/branding in return for gifts so the more robust you can make that the better)
- Successes or thank you messages

Should be no more than 2 pages.

For House Parties

Prepare a powerpoint that can be played on a smart TV, laptop, or iPad. It should include:

- Pictures of clients
- Video testimonials of happy clients
- Charts/graphs of good statistics
- Show how funds will be used/help clients

Powerpoint can run in a loop, but make it a fair amount of slides so that it doesn't become repetitive.

Also, prepare a one sheet of:

- History
- Need
- What their gift will do
- Encourage a monthly gift, i.e. \$50/month = \$600 per year which will cover the legal services for one client (put in actual statistics, but this is just an example)

Be sure you have pledge cards for the parties and instructions how they can make a gift online. Also, bring a laptop if they prefer to donate online on that instead of their phone or don't have a smart phone.

4. Set committee monthly committee meetings (volunteers work toward a deadline, so meetings are essential and work better if in person)

5. Train the members on AppalRed and the materials you have prepared for the ask. The committee members need to be able to make the ask themselves, although different staff members should also be trained to meet with prospects. Some volunteers do not feel comfortable making the ask, but have the best connection to the decision maker of the company. In that scenario, a tandem ask with either two volunteers or one staff and volunteer works well.

6. Have each committee member select prospects.

- What companies do they have connections with at the management level that they can ask? If more than one committee member has good contacts at a company, let them work jointly on the ask. Bring a listing of Chamber of Commerce and the largest employers in the county which is attached. Determine if they need a staff member to go with them.
- As a committee, determine who will ask what company for how much money and for what project.

- Who could they invite to a house party...you want to make sure folks don't get invited to lots of these parties, they will feel overasked. Determine who will attend the house party on behalf of AppalRed and the flow of the evening. (Example of the flow would be, everyone arrive and mingle. Make sure they sign in a guest book so you capture their contact information. Then when you feel like you have the majority of people there, have a short presentation about AppalRed and make the ask. Pass out pledge cards/envelopes (also have a stack on a table). Have a basket for folks to put their pledge cards, donation, etc. When speaking, tell how easy an online pledge/gift is and offer to help them through their smart phone or at a central laptop that is available.

7. Have committee members get meetings with the companies and set date for house parties. Be sure to spread out the house parties so that one staff can be at each and not be overwhelmed.

8. As gifts and pledges come in, staff should send thank you notes. Also, notify the person who solicited the gift so they can send a thank you as well.

9. Be sure to send the donors a newsletter or other informational piece throughout the year that will show them how they helped make your clients lives better.

10. Meet with committee at end of asking season to determine what went well, what could be improved, if you need more members, etc. Set the schedule for the next year and continue to raise money. You'll want to be sure to always be adding a new member to keep the excitement up and with the realization that folks won't want to serve on this committee indefinitely.

11. Determine which community to replicate this effort. Add a community by community until you have all participating.

Committee Participants: Dick Cullison, Robert Johns, Kelly Ward Wallen, Mary Going, Carolyn Layne, Joe Lane, Evan Smith, Leigh Ann Moore, and Kristin Alexander

Others: LaDonna Lemaster, Paul Woosley

Material reviewed by the committee prior to meeting:

- Strategic Technology Survey
- CFO LaDonna Lemaster's 3-Year Budget Projection Scenarios
- AppalReD's Salary Scales (Effective 1/1/2019)
- 2017 LSC By the Numbers – Appendix Tables – Section 7 Legal Services Staff

Topics: AppalReD's technology and AppalReD's Salary Administration relative to its budget.

Technology

The SPC examined the results of the Survey Monkey of AppalReD staff regarding AppalReD's technology. (Copy Attached). The one common theme was how satisfied and grateful the staff were concerning AppalReD's IT Director Paul Woosley's competence and responsiveness in addressing any technology problems that arise at any time. This general satisfaction with AppalReD's technology is in stark contrast to the sentiments expressed in 2015 during the strategic planning process then.

Most of the issues that emerged from the survey focused upon staff perceptions that they needed more training, especially on the use of SKYPE and KEMPS Case Management System. Some respondents to the Survey Monkey wanted more access to laptops or tablets to take to community education events, legal clinics, or court appearances. There were suggestions that every office should have a color printer, voice activated typing, and easy remote access to AppalReD's server.

During the discussion of those issues, it became apparent that AppalReD, outside of the strategic planning process, was already addressing most of the "needs" identified in the Survey Monkey. AppalReD is in the process of replacing its desktop computers. Anyone who prefers a laptop will be able to have one. It is in the process of implementing "Share Point" which will make remote access possible for everyone. Office 365 already has a good voice typing component.

Because so much of the staffs' perceived technological needs were already being addressed, Dick asked Robert and Paul to prepare a technology action plan to present at the next SPC meeting. The plan should highlight what technology innovations have

been implemented recently and what are on the drawing board to be implemented soon. The action plan should also address how AppalReD intends to address the technological training needs of the staff.

Salary Administration Relative to the Budget

AppalReD's last strategic plan set a goal of raising AppalReD's salaries to approximately 85% of the national average for various jobs in the nation's LSC programs. By raising its salary scales aggressively January 1, 2019 AppalReD substantially achieved this goal. The SPC compared AppalReD's revised salary schedule to those presented in the 2018 LSC by the Numbers publication which listed average salaries in the LSC programs at various experience levels.

It appeared that AppalReD' lawyers were close to the 85th percentile and that its secretaries and paralegals were closer to the 80th percentile. There was discussion to the effect that market considerations justified this slight discrepancy. Since maintaining well qualified staff attorneys is central to AppalReD's mission, some on the committee believed that this slight variance was justified. Staff attorneys tend to turn over because they can get more money elsewhere. This is not as true with many of AppalReD's non-attorney positions; though some members of the SPC noted that, at least in AppalReD's more prosperous communities, it is difficult to hire support staff due to AppalReD's low starting salaries. Ultimately, the SPC determined that now was not the time to amend AppalReD's salary schedules. They had been amended some eight months ago, and AppalReD's employees were generally happy with the new schedules. Reexamining the schedules will wait until 2023.

The SPC did, however think that if AppalReD could afford it, the scales themselves should be adjusted by up to 1.5% each year so that they can at least partially keep up with inflation. Otherwise, by 2023, that gains we made in 2019 will be erased by inflation. This will be challenging. While the 1.5% only increase salary expenditures by some \$30,000 per year, the new scales themselves add about \$100,000 per year to AppalReD's salaries. There was consideration given to cutting back the scale increases and then including the annual inflation adjustment so the result would be the same. Of course, that would mean the salaries would be lower than if the scale were kept intact but increased by 1.5 % annually.

AppalReD's Chief Fiscal Officer LaDonna Lemaster presented 3 hypothetical budgets for years 2020-2022. (Copies attached). The first assumed no LSC increase and that 1.5% each year was added to the salary schedules. Were we to do that and there were no other funding increases (other than VOCA which would fund new personnel), we would deficit spend by some \$700,000 and spend down our reserves from nearly \$2,000,000 to \$1,300,000. All agreed that this was an unacceptable option

If we did not increase the scales and had no LSC increase, we would still deficit spend by more than \$500,000, but with the remaining Bank of America Funds, we could get by until 2023. The last option assumed a 15% increase in LSC funding in 2020 (a possibility since the House of Representatives has already passed a 30% increase). In that event, if we included a 1.5% inflation increase to the scales until 2023, we would not deficit spend until 2022 and then only by \$139,550. The SPC found this acceptable. It was of the opinion that if we received a 15% LSC increase in 2020; we could add 1.5% to the salary scales for the next three years.

A 15% LSC increase represents a 7.5% increase to AppalReD's total funding, since LSC provides some 50% of AppalReD's funding. Of course, there may be other ways to increase funding by 7.5 % or reduce expenses so there is net 7.5% increase in the budget that could be used to increase salaries. The basic principle is that new funds or the savings from decreased expenses should be used to protect AppalReD's' salary structure from inflation.

Next SPC Meeting

The next SPC meeting will be Wednesday, October 16, 2019 at 2:00 PM EDT. We will examine the LSC Performance Criteria to determine the extent of AppalReD's adherence to them. Rob and others he may appoint will review the Performance Criteria and report to the SPC. We will examine the role of AppalReD' Board of Directors in exercising oversight responsibility, including methods of recruiting new board members. Dick Cullison and Joe Lane will work on this. We will review the technology action plan developed by Rob and Paul.

Respectfully submitted,

Richard A. Cullison
SPC Facilitator
9/3/2019

Q1 Concerning technology, what would best help you to work more efficiently?

Answered: 20 Skipped: 1

#	RESPONSES	DATE
1	More remote access.	8/19/2019 5:05 AM
2	Unknown	8/16/2019 8:03 AM
3	having an i-pad or laptop to take to court to scan documents, communicate with office and clients without using personal phones or ipads to do so.	8/16/2019 4:48 AM
4	a different case management system	8/16/2019 4:37 AM
5	I have no idea. I am pleased with current status of technology. Paul is the very best!	8/15/2019 10:02 AM
6	Everything works great for me	8/15/2019 4:52 AM
7	voice to text software	8/14/2019 6:02 AM
8	Have a way to manage all my passwords and login information more efficiently. There has to be some type of technology that keeps a log of passwords and usernames. I think our intranet page could be more useful if it was searchable.	8/12/2019 1:00 PM
9	Mini ipad (or other tablet)	8/12/2019 12:13 PM
10	I have no concerns at this moment.	8/12/2019 11:35 AM
11	Everything in place is sufficient	8/12/2019 11:01 AM
12	I think for every 2 attorneys there should be at least 1 laptop available in the office (to take to Court, etc). Maybe a small portable printer (if signing docs out of office, so can make changes when meeting with client).	8/12/2019 10:03 AM
13	kemp's access via smartphone	8/12/2019 9:22 AM
14	If budget would allow: A laptop, or similar mobile device that could access our files, that I could take to out-of-office appointments and court dates to keep notes, input time and notes into KEMPS, draft court documents,etc. would be a great help.	8/12/2019 9:12 AM
15	Laptop or tablet	8/12/2019 9:07 AM
16	It would help me for us to have a color printer in our office for when we have to print color pictures for court. This often comes up for me in the domestic violence context and I have to go to CVS to print these photos since the judge will not accept black and white versions in EPO/DVO cases. It is very difficult to print these in CVS and keep anyone from seeing them at the same time. It would save me a great amount of time and help me protect confidentiality better if we could just print these in the office. I have also been paying for this out of pocket since these prints usually cost under a dollar at CVS and I never think it is worth the effort to get reimbursed each time for such a low amount.	8/12/2019 8:35 AM
17	Adobe Reader with OCR Case Management software that would merge information into Word documents.	8/12/2019 8:14 AM
18	Adjustable Computer Desk	8/12/2019 8:10 AM
19	I am good.	8/12/2019 8:06 AM
20	I don't know. What are the choices?	8/12/2019 8:03 AM

Q2 What does AppalReD need to do to effectively communicate technology related information to staff?

Answered: 21 Skipped: 0

#	RESPONSES	DATE
1	email updates	8/19/2019 5:05 AM
2	Mass email, training	8/16/2019 8:03 AM
3	I think it already does this well	8/16/2019 4:48 AM
4	Continue to train staff and get Paul's help	8/16/2019 4:37 AM
5	Email	8/16/2019 12:49 AM
6	There is nothing that AppalReD could do to better communicate technology to staff.	8/15/2019 10:02 AM
7	Communication is great	8/15/2019 4:52 AM
8	Do short refresher trainings on anything new on which we have a major training. One time at program wide is not necessarily enough.	8/14/2019 6:02 AM
9	I believe we already do this through email, but maybe someone may miss an email. Could possibly have information displayed on the intranet.	8/12/2019 1:00 PM
10	AppalReD does a good job of communicating and listening to staff needs.	8/12/2019 12:13 PM
11	Email the staff with updates	8/12/2019 11:35 AM
12	Email	8/12/2019 11:01 AM
13	I think we do this already.	8/12/2019 10:03 AM
14	more in-person outreach and training opportunities and discussions among staff about how to use tech well	8/12/2019 9:22 AM
15	I think this is already done well.	8/12/2019 9:12 AM
16	Emails and perhaps tutorials.	8/12/2019 9:07 AM
17	Technology related information is usually shared easiest by sending out an email to all employees. This seems to be the most effective way to get information to everyone.	8/12/2019 8:35 AM
18	Getting information from Paul works for me.	8/12/2019 8:14 AM
19	Emails are sufficient.	8/12/2019 8:10 AM
20	The DA meeting minutes seem to work.	8/12/2019 8:06 AM
21	Make it easy to understand	8/12/2019 8:03 AM

Q3 What do you believe should be AppalReD's focus for improving information technology?

Answered: 20 Skipped: 1

#	RESPONSES	DATE
1	replace Kemps or improve understanding of what Kemps has available (i.e. in terms of reports)	8/19/2019 5:05 AM
2	Unknown	8/16/2019 8:03 AM
3	how to use technology to educate our clients and keep in touch with clients	8/16/2019 4:48 AM
4	Create a way for different offices to share ideas and technology with each other	8/16/2019 4:37 AM
5	Communication with clients	8/16/2019 12:49 AM
6	Some type of instant messaging between staff so that emails are not missed.	8/15/2019 10:02 AM
7	Nothing	8/15/2019 4:52 AM
8	Focus should be on the needs of staff to effectively and efficiently perform his/her duties. Also focus on how to use technology to serve clients.	8/12/2019 1:00 PM
9	Unclear about this question.	8/12/2019 12:13 PM
10	I think its just fine as of right now	8/12/2019 11:35 AM
11	I do not have any complaints as is.	8/12/2019 11:01 AM
12	I am pleased with the progress ARDF has made.	8/12/2019 10:03 AM
13	giving our attorneys and staff the tools they need and making things more convenient for our clients	8/12/2019 9:22 AM
14	Allow for notes/time to be put into KEMPS from outside of office.	8/12/2019 9:12 AM
15	More cloud based services.	8/12/2019 9:07 AM
16	Providing user friendly software that works consistently in all offices. This has improved greatly in the last year already.	8/12/2019 8:35 AM
17	I think it would be helpful to the public to be able to fill out the pro se materials online instead of having to print them out and fill them in by hand.	8/12/2019 8:14 AM
18	I think Paul is doing an excellent job.	8/12/2019 8:10 AM
19	get us in the cloud.	8/12/2019 8:06 AM
20	I don't know	8/12/2019 8:03 AM

Q4 In general, do you believe that you have the necessary technology tools/training to work efficiently?

Answered: 21 Skipped: 0

#	RESPONSES	DATE
1	yes	8/19/2019 5:05 AM
2	Yes	8/16/2019 8:03 AM
3	most of the time	8/16/2019 4:48 AM
4	yes	8/16/2019 4:37 AM
5	Mostly	8/16/2019 12:49 AM
6	Yes	8/15/2019 10:02 AM
7	YES	8/15/2019 4:52 AM
8	No, I could definitely use training on some programs.	8/14/2019 6:02 AM
9	Yes	8/12/2019 1:00 PM
10	AppalReD could use a better conference call system for phone meetings. I'm always open to more training.	8/12/2019 12:13 PM
11	Yes	8/12/2019 11:35 AM
12	Yes	8/12/2019 11:01 AM
13	Yes.	8/12/2019 10:03 AM
14	yes	8/12/2019 9:22 AM
15	Yes	8/12/2019 9:12 AM
16	No, need way to check records when not in office.	8/12/2019 9:07 AM
17	I believe that I could work more efficiently if I could access my work computer from my home computer easier.	8/12/2019 8:35 AM
18	I think we are way under-utilizing the features available in KEMPS.	8/12/2019 8:14 AM
19	Yes - But an adjustable desk would be great. It would allow me to stand and work or sit.	8/12/2019 8:10 AM
20	Yes.	8/12/2019 8:06 AM
21	Yes	8/12/2019 8:03 AM

Q5 Concerning the use of integration of technology, what is the one area in which you would most like to receive training or professional development?

Answered: 19 Skipped: 2

#	RESPONSES	DATE
1	plumbing the depths of Kemps	8/19/2019 5:05 AM
2	Any	8/16/2019 8:03 AM
3	use of excel	8/16/2019 4:48 AM
4	I had to google what Integration technology meant, so I'd need help in all areas	8/16/2019 4:37 AM
5	Use of video or other method to reach clients who are further away	8/16/2019 12:49 AM
6	I would like to know more about using Microsoft products.	8/15/2019 10:02 AM
7	Nothing	8/15/2019 4:52 AM
8	Training on Microsoft Teams	8/12/2019 1:00 PM
9	Microsoft Excel and PowerPoint	8/12/2019 12:13 PM
10	None	8/12/2019 11:01 AM
11	N/A	8/12/2019 10:03 AM
12	nothing in particular	8/12/2019 9:22 AM
13	Not sure	8/12/2019 9:12 AM
14	Not sure	8/12/2019 9:07 AM
15	I would like a better understanding of all of the functions of the Kemps software.	8/12/2019 8:35 AM
16	Considering that I don't understand the question, I think we'd better start at the remedial level.	8/12/2019 8:14 AM
17	N/A	8/12/2019 8:10 AM
18	I would like to be able to use my computer more effectively.	8/12/2019 8:06 AM
19	I don't know what integration of technology means	8/12/2019 8:03 AM

Q6 My greatest source of satisfaction concerning AppalReD's technology is:

Answered: 19 Skipped: 2

#	RESPONSES	DATE
1	access to Paul when needed	8/19/2019 5:05 AM
2	Our IT tech is very informative and makes sure we understand the new systems	8/16/2019 8:03 AM
3	linking all the offices	8/16/2019 4:48 AM
4	our new double wide side-by-side computer screens	8/16/2019 4:37 AM
5	Paul is great at what he does and so quick to respond to IT needs	8/16/2019 12:49 AM
6	Paul	8/15/2019 10:02 AM
7	Quick connection	8/15/2019 4:52 AM
8	When we have issues they are taken care of almost immediately.	8/12/2019 1:00 PM
9	Double monitors. Great addition!	8/12/2019 12:13 PM
10	How easy everything is to navigate	8/12/2019 11:01 AM
11	Knowing when I come to the office, the computer will work right away.	8/12/2019 10:03 AM
12	move towards SharePoint	8/12/2019 9:22 AM
13	Computer works well and internet speed is fast compared to other places I have worked.	8/12/2019 9:12 AM
14	That Excel no longer crashes.	8/12/2019 9:07 AM
15	It has been a great improvement having an IT Director that is constantly working to improve AppalReD's technology and is always there to help us if we need it.	8/12/2019 8:35 AM
16	Having such quick help from Paul when I need it.	8/12/2019 8:14 AM
17	Dual Monitors	8/12/2019 8:10 AM
18	Having Paul around when something goes wrong.	8/12/2019 8:06 AM
19	It seems like online intakes are working well.	8/12/2019 8:03 AM

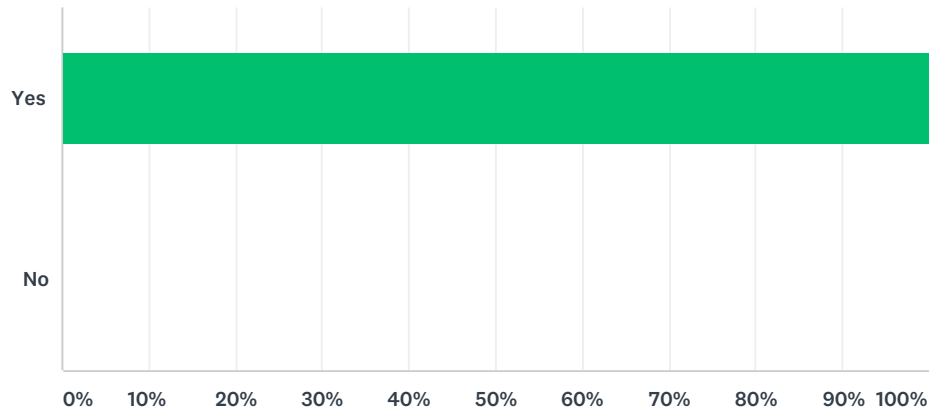
Q7 My greatest source of frustration concerning AppalReD's technology is:

Answered: 19 Skipped: 2

#	RESPONSES	DATE
1	sometimes the same problems keep coming up even though I think they've been solved (i.e. problems in Word)	8/19/2019 5:05 AM
2	Kemps	8/16/2019 8:03 AM
3	being bothered with work notifications when I am not at work with no credit for the time I use if I do respond to emails, text , etc that is not during work hours	8/16/2019 4:48 AM
4	How AppalReD seems to not use the lap top mobile computer systems, they have outside of the office.	8/16/2019 4:37 AM
5	Reboots, slower computers	8/16/2019 12:49 AM
6	server going down	8/15/2019 10:02 AM
7	When the electric goes out	8/15/2019 4:52 AM
8	Sometimes when working with reports online it becomes sluggish and time consuming, but when IT is notified he takes care of any activity that causes the internet to slow down.	8/12/2019 1:00 PM
9	I use my personal cell phone for texting, scanning (Scanable app) and emailing (from personal email) which uses my data and storage.	8/12/2019 12:13 PM
10	It runs too slow at times	8/12/2019 11:35 AM
11	I do not have any complaints	8/12/2019 11:01 AM
12	When I log into a different computer using my login, the programs and files are different.	8/12/2019 10:03 AM
13	Kemp's	8/12/2019 9:22 AM
14	KEMPS constantly locks up and is awkward to use.	8/12/2019 9:07 AM
15	Again, just being able to access programs, emails, and documents from home would be very helpful. I have trouble getting our office laptop to connect at my house and I don't have my personal computer connected to the server.	8/12/2019 8:35 AM
16	BestCase takes forever to start up.	8/12/2019 8:14 AM
17	N/A	8/12/2019 8:10 AM
18	My own ineptitude.	8/12/2019 8:06 AM
19	I don't know	8/12/2019 8:03 AM

Q8 When I have a tech problem, it is usually fixed quickly.

Answered: 21 Skipped: 0

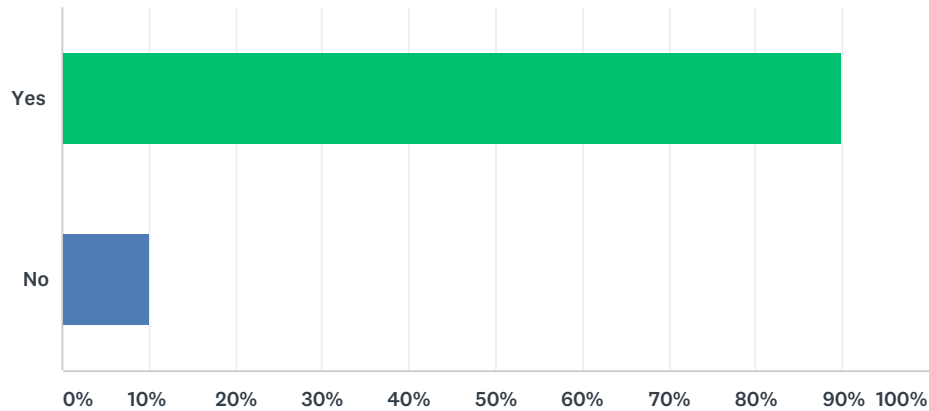


ANSWER CHOICES	RESPONSES	
Yes	100.00%	21
No	0.00%	0
TOTAL		21

#	COMMENTS	DATE
1	Paul is ON IT! He always responds to any questions or concerns quickly, I fee like I could call him at 3 am- and he's probably answer his phone and try to fix my computer problems. He keeps AppalReD running!	8/16/2019 4:37 AM
2	Can't say enough about how quickly issues are taken care of! Paul does an excellent job.	8/12/2019 1:00 PM
3	Our IT department (person) is top notch.	8/12/2019 12:13 PM
4	Thanks to Paul Woosley	8/12/2019 11:35 AM
5	Paul is "on it"!	8/12/2019 10:03 AM
6	very quickly, Paul is great!	8/12/2019 9:22 AM
7	Paul is always extremely helpful	8/12/2019 9:12 AM
8	Paul is great.	8/12/2019 9:07 AM
9	The IT Director is usually very quick about answering questions are fixing any issues	8/12/2019 8:35 AM
10	Paul is very efficient.	8/12/2019 8:10 AM

Q9 I am capable of using KEMPS effectively to meet my needs.

Answered: 20 Skipped: 1

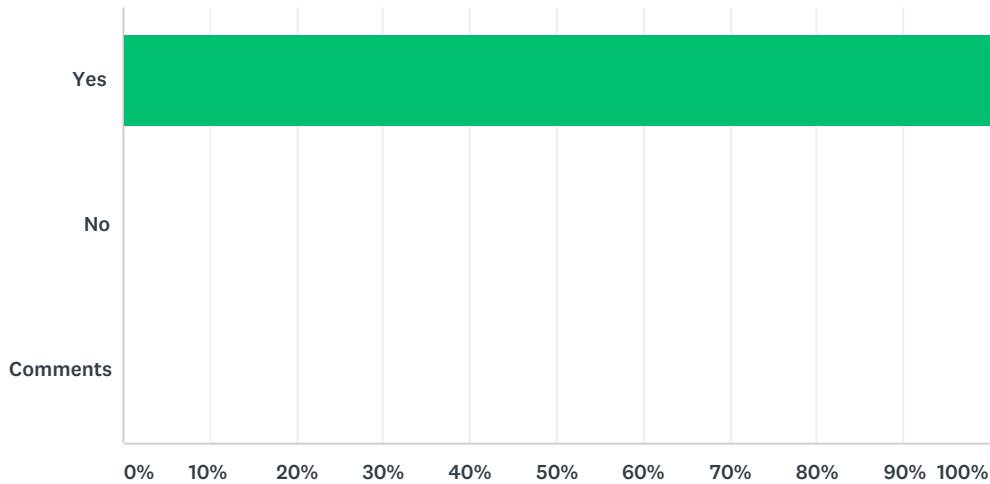


ANSWER CHOICES	RESPONSES	
Yes	90.00%	18
No	10.00%	2
TOTAL		20

#	COMMENTS	DATE
1	Mostly but not to the extent that I think is possible	8/19/2019 5:05 AM
2	There are features in KEMPS that after years of using it, i'm just learning about. I'm not sure if this is really a "no" from me because I think I'm bare minimum effective meeting needs- but I believe there is room for improvement.	8/16/2019 4:37 AM
3	None.	8/12/2019 12:13 PM
4	I'm not sure if I'm not using Kemp's well or if it just can't be. I feel like the problem is on Kemp's end	8/12/2019 9:22 AM
5	Note again: it's awkward to use and doesn't allow document integration.	8/12/2019 9:07 AM
6	I understand the basic functions of kemps and am able to use them to complete all of my necessary tasks. It would be nice to understand all of the features of Kemps just to be aware of any features that might help me work more productively. Kemps occasionally has issues with consistently working in our office and it slows productivity when it does not properly work.	8/12/2019 8:35 AM
7	Although, I think there are many features that would be helpful that we aren't using. I think we need to explore how to really use KEMPS more fully.	8/12/2019 8:14 AM

Q10 I am capable of using Microsoft Outlook to meet my needs.

Answered: 21 Skipped: 0

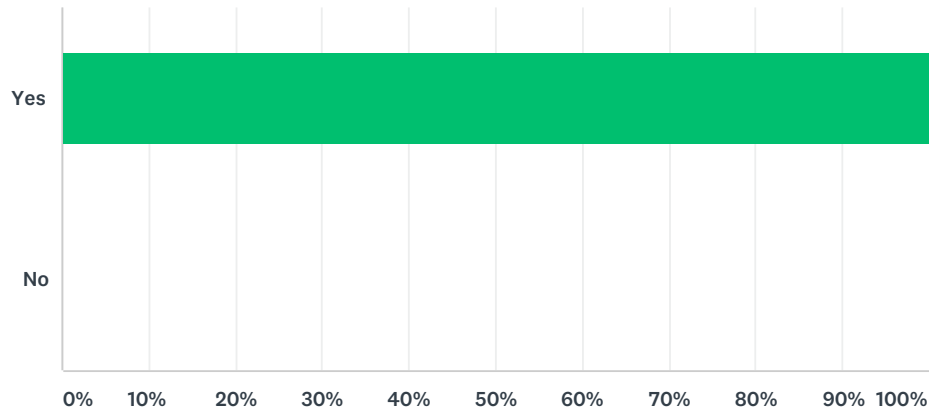


ANSWER CHOICES		RESPONSES	
Yes		100.00%	21
No		0.00%	0
Comments		0.00%	0
TOTAL			21

#	COMMENTS	DATE
	There are no responses.	

Q11 I am capable of using Microsoft Word to meet my needs.

Answered: 21 Skipped: 0

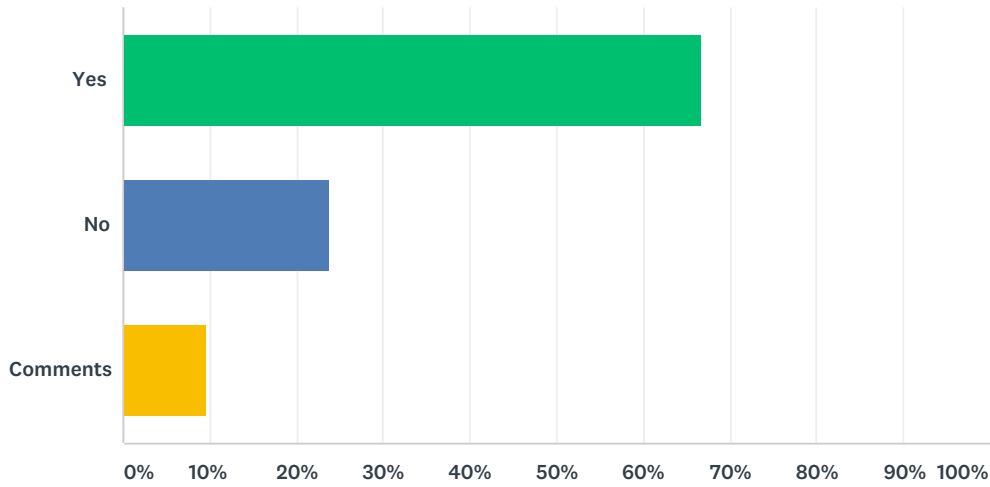


ANSWER CHOICES		RESPONSES	
Yes		100.00%	21
No		0.00%	0
TOTAL			21

#	COMMENTS	DATE
1	Mostly	8/19/2019 5:05 AM
2	Yes, but I think it could be used more fully if we knew more about what it can do.	8/15/2019 10:02 AM
3	Usually	8/14/2019 6:02 AM
4	Although I would like to be able to merge information from KEMPS into Word documents.	8/12/2019 8:14 AM

Q12 I am capable of using Microsoft Excel to meet my needs.

Answered: 21 Skipped: 0

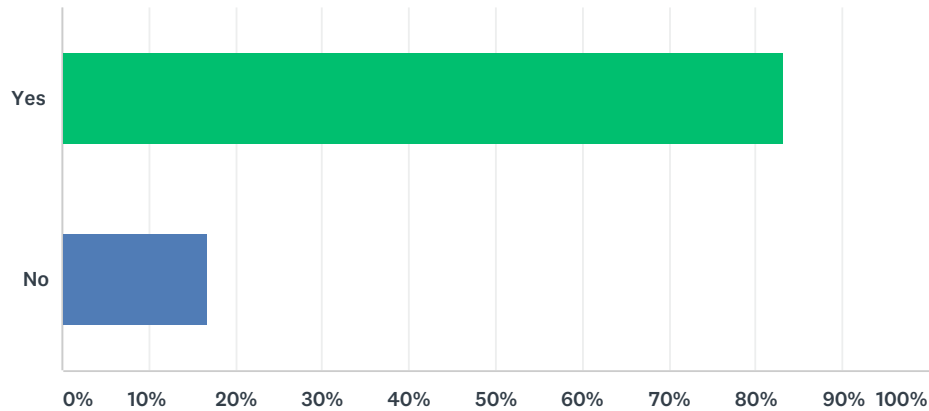


ANSWER CHOICES	RESPONSES	
Yes	66.67%	14
No	23.81%	5
Comments	9.52%	2
TOTAL		21

#	COMMENTS	DATE
1	I could use more training in this area.	8/12/2019 12:13 PM
2	I'm not sure. I could use more training.	8/12/2019 8:03 AM

Q13 I am capable of using Microsoft PowerPoint to meet my needs.

Answered: 18 Skipped: 3

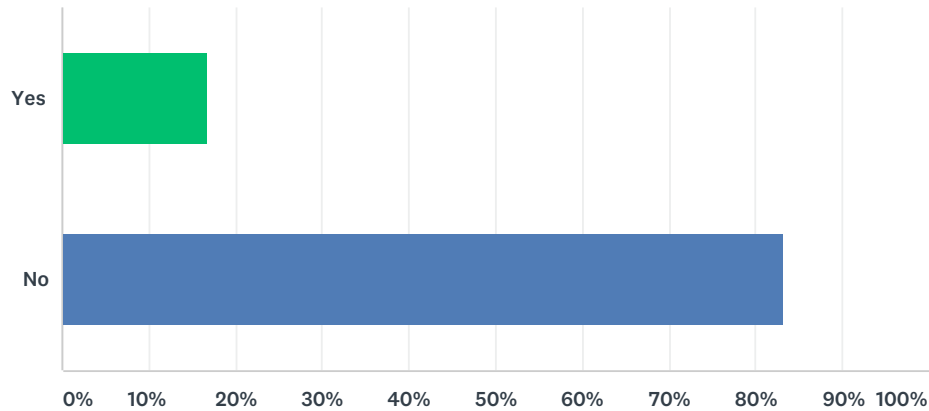


ANSWER CHOICES		RESPONSES	
Yes		83.33%	15
No		16.67%	3
TOTAL			18

#	COMMENTS	DATE
1	need training	8/16/2019 4:48 AM
2	I think more training on powerpoint would be great!	8/15/2019 10:02 AM
3	I could use more training in this area.	8/12/2019 12:13 PM
4	I have only used PowerPoint twice, but it worked as needed!	8/12/2019 10:03 AM

Q14 I am capable of using Microsoft Skype/Teams to meet my needs.

Answered: 18 Skipped: 3

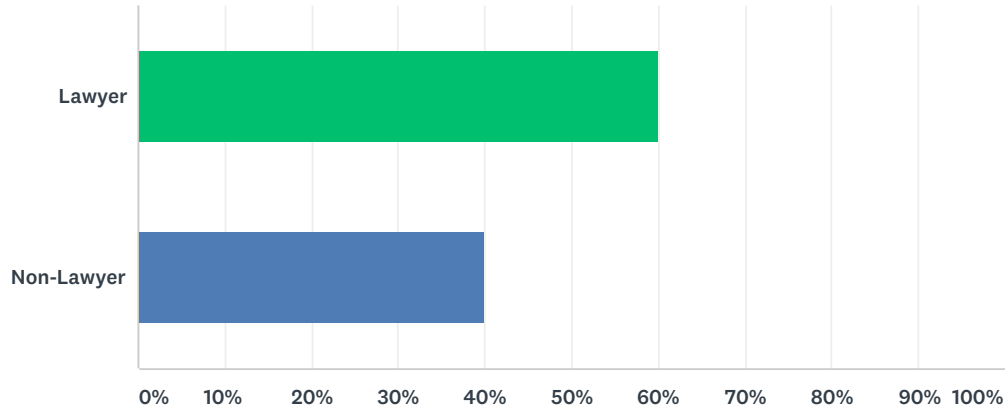


ANSWER CHOICES	RESPONSES	
Yes	16.67%	3
No	83.33%	15
TOTAL		18

#	COMMENTS	DATE
1	I have used Skype but am not sure on what computers it is available, and have never heard of Teams	8/19/2019 5:05 AM
2	never tried to use at work	8/16/2019 4:48 AM
3	Have never used. Training would be beneficial	8/14/2019 6:02 AM
4	Would like training on this.	8/12/2019 1:00 PM
5	I could use more training in this area.	8/12/2019 12:13 PM
6	I do use Microsoft Skype/Teams	8/12/2019 11:35 AM
7	Do not ues.	8/12/2019 10:03 AM
8	I've never used it.	8/12/2019 9:22 AM
9	I don't ever use this	8/12/2019 9:12 AM
10	Have not used.	8/12/2019 9:07 AM
11	I have never used this for any work purposes to my knowledge	8/12/2019 8:35 AM
12	I've never had a need for it, but I couldn't use it if I needed to.	8/12/2019 8:14 AM

Q15 I am a:

Answered: 20 Skipped: 1



ANSWER CHOICES	RESPONSES	
Lawyer	60.00%	12
Non-Lawyer	40.00%	8
TOTAL		20

Q16 Any Other Comments on AppalReD Technology

Answered: 6 Skipped: 15

#	RESPONSES	DATE
1	No	8/19/2019 5:05 AM
2	So glad to see that AppalReD has finally upgraded technology and that it keeps on improving.	8/12/2019 1:00 PM
3	None.	8/12/2019 12:13 PM
4	No, thank you	8/12/2019 11:35 AM
5	We are so fortunate to have Paul Woosley!	8/12/2019 10:03 AM
6	Internet is much faster and more reliable than it used to be, but phones still have a lot of static when calling between offices.	8/12/2019 8:14 AM

**APPALRED
THREE YEAR BUDGET PROJECTION
2020, 2021 AND 2022**

SCENARIO: INCREASE SCALES AND NO LSC INCREASE

	CURRENT	2020	2021	2022
FUNDING	3,745,435.50	3,745,435.50	3,745,435.50	3,745,435.50
VOCA	-	160,000.00	160,000.00	160,000.00
LAV	8,333.25	33,333.00	33,333.00	33,333.00
	3,753,768.75	3,938,768.50	3,938,768.50	3,938,768.50
WAGES	1,909,742.50	2,108,802.16	2,194,840.48	2,278,822.87
STUDENT ASSISTANCE	63,250.00	70,000.00	70,000.00	70,000.00
KRS	449,250.38	555,594.55	622,151.68	657,670.40
SS AND MEDICARE	148,000.00	166,678.37	173,260.30	179,684.95
OTHER BENEFITS	352,000.00	392,560.00	404,336.80	416,466.90
	2,922,242.88	3,293,635.08	3,464,589.26	3,602,645.12
OTHER EXPENSES	726,147.00	700,551.41	721,567.53	743,214.01
	3,648,389.88	3,994,186.49	4,186,156.79	4,345,859.13
NET	105,378.87	(55,417.99)	(247,388.29)	(407,090.63)

CONCLUSION:

AppalReD would need to generate additional funds to increase the scale by 1.5% each year for the next three years. Additional funding could be from fundraising, LSC increase or new grants. This assumes the organization is approved for VOCA grants each year and LAV for three years. It also assumes a Communications Director is hired. Two additional Attorneys would be hired and a Secretary. All other staff remains constant. It also assumes the KRS payment caps at 28%. Health insurance and other expenses are increased by 3% each year.

**APPALRED
THREE YEAR BUDGET PROJECTION
2020, 2021 AND 2022**

SCENARIO: NO SCALE INCREASE AND NO LSC INCREASE

	CURRENT	2020	2021	2022
FUNDING	3,745,435.50	3,745,435.50	3,745,435.50	3,745,435.50
VOCA	-	160,000.00	160,000.00	160,000.00
LAV	8,333.25	33,333.00	33,333.00	33,333.00
	3,753,768.75	3,938,768.50	3,938,768.50	3,938,768.50
WAGES	1,909,742.50	2,086,791.41	2,150,777.79	2,215,414.27
STUDENT ASSISTANCE	63,250.00	70,000.00	70,000.00	70,000.00
KRS	449,250.38	549,981.81	610,047.66	639,916.00
SS AND MEDICARE	148,000.00	164,994.54	169,889.50	174,834.19
OTHER BENEFITS	352,000.00	392,560.00	404,336.80	416,466.90
	2,922,242.88	3,264,327.76	3,405,051.75	3,516,631.36
OTHER EXPENSES	726,147.00	700,551.41	721,567.53	743,214.01
	3,648,389.88	3,964,879.17	4,126,619.28	4,259,845.37
NET	105,378.87	(26,110.67)	(187,850.78)	(321,076.87)

CONCLUSION:

AppalReD would need to generate additional funds to give raises each year for the next three years. Additional funding could be from fundraising, LSC increase or new grants. This assumes the organization is approved for VOCA grants each year and LAV for three years. It also assumes a Communications Director is hired. Two additional Attorneys would be hired and a Secretary. All other staff remains constant. It also assumes the KRS payment caps at 28%. Health insurance and other expenses are increased by 3% each year.

**APPALRED
THREE YEAR BUDGET PROJECTION
2020, 2021 AND 2022**

SCENARIO: INCREASE SCALES AND LSC INCREASE FOR 2020

	CURRENT	2020	2021	2022
FUNDING	3,745,435.50	4,012,975.50	4,012,975.50	4,012,975.50
VOCA	-	160,000.00	160,000.00	160,000.00
LAV	8,333.25	33,333.00	33,333.00	33,333.00
	3,753,768.75	4,206,308.50	4,206,308.50	4,206,308.50
WAGES	1,909,742.50	2,108,802.16	2,194,840.48	2,278,822.87
STUDENT ASSISTANCE	63,250.00	70,000.00	70,000.00	70,000.00
KRS	449,250.38	555,594.55	622,151.68	657,670.40
SS AND MEDICARE	148,000.00	166,678.37	173,260.30	179,684.95
OTHER BENEFITS	352,000.00	392,560.00	404,336.80	416,466.90
	2,922,242.88	3,293,635.08	3,464,589.26	3,602,645.12
OTHER EXPENSES	726,147.00	700,551.41	721,567.53	743,214.01
	3,648,389.88	3,994,186.49	4,186,156.79	4,345,859.13
NET	105,378.87	212,122.01	20,151.71	(139,550.63)

CONCLUSION:

AppalReD could increase the scales without using reserves until year 2022.



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Pikeville, KY
Prestonsburg, KY
Richmond, KY
Somerset, KY

Robert C. Johns
Executive Director
robertj@ardfky.org

John M. Rosenberg
Director Emeritus

MEMORANDUM

TO: Strategic Planning Committee
FROM: Rob Johns
DATE: October 11, 2019
RE: AppalReD Legal Aid's Adherence to the LSC Performance Criteria

In preparation for the October 16, 2019 Strategic Planning Committee meeting, I reviewed AppalReD Legal Aid's adherence to the LSC Performance Criteria, and my assessment is detailed below:

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.

Criterion 1. Periodic comprehensive assessment and ongoing consideration of legal needs.

Criterion 2. Setting goals and objectives, developing strategies, and allocating resources.

Criterion 3. Implementation.

Criterion 4. Evaluation and adjustment.

- Substantial adherence.

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

Criterion 1. Dignity and sensitivity.

- We need to improve our client survey process to increase the number of responses we receive. We hope to develop a process in which clients will receive an email or text with a link to a survey when their cases are closed.

Criterion 2. Engagement with the low-income population.

- Substantial adherence.

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

- Substantial adherence.

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.

- Substantial adherence.

Criterion 2. Private attorney involvement.

- As identified earlier in the strategic planning process, we need to develop recruiting and mentoring strategies.

Criterion 3. Other program services to the eligible client population.

- Substantial adherence.

Criterion 4. Other program activities on behalf of the eligible client population.

- Substantial adherence.

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

Criterion 1: Board Governance

- We do not have formal processes and procedures for recruiting and orienting new board members.

Criterion 2: Leadership

- Substantial adherence.

Criterion 3: Technology Infrastructure and Administration

- As indicated in the staff technology survey during this strategic planning process, additional technology training is needed for staff.

Criterion 4: Financial Administration

- We are in the process of updating our accounting manual.
- The financial oversight committee does not have access to a financial expert. We added a banker from our service area as an advisory member to the committee, but he has not participated.

Criterion 5: Human Resources Administration

- We plan to begin updating our personnel handbook by the end of the year.
- We need a formal orientation process for new staff.

Criterion 6: Overall Management and Administration

- We need to update our disaster plan.

Criterion 7: General Resource Development and Maintenance

- As identified earlier in the strategic planning process, we need to add capacity in the areas of fundraising and communications.
- We do not have a written resource development plan.

Criterion 8. Coherent and comprehensive delivery structure.

- Substantial adherence.

Criterion 9. Participation in an integrated legal services delivery system.

- Substantial adherence.

Strategic Planning Technology Report

10/11/2019

Technology Report

Staff Concerns and the projects that address them:

- Staff training: Audio/Video conferencing with Teams, Training Website
- Mobility: Computer Replacement Cycle
- Voice Activated Dictation Software: Office 365, Audio/Video conferencing with Teams, Computer Replacement Cycle
- Remote Access: Office 365, Upgrading to SharePoint, Upgrading Bandwidth, Cloud based Case Management System
- Color Printing: Color Printers at each office

Recent Completed Projects:

Office 365. We upgraded from Office 2007 to Office 365 in 2018. This has brought us up to date with our office software. This has also given us the ability to use OneDrive. OneDrive synchronizes our local documents to the cloud for remote access from any computer. Office 365 also has a built-in dictation system.

Current Projects:

Upgrading to SharePoint. We are in the process of upgrading our file shares to SharePoint. This will allow us to access site and program wide files remotely by logging on to the Office 365 site from any computer or mobile device.

Upgrading Bandwidth. We are in the process of upgrading the bandwidth at each location. This will greatly enhance the speed for both internal users and staff accessing systems remotely.

Upgraded Servers. We installed new servers back in August. I have been migrating services over to the new servers. This has given us better speed and stability with software like KEMPS and BestCase. This has also allowed us to separate software from data services for better security, backup, and recovery.

Computer Replacement Cycle. We have started the process of replacing our computers. This cycle we are offering laptops and convertible laptops to our attorneys and a few key staff members. This will allow our staff to be more mobile, allowing us to work from clinics, courtrooms, conferences, etc. This will also move everyone to Windows 10 which has built in voice activated commands using Cortana.

Standing Desks. We are currently installing convertible standing desk systems for staff who have asked for them.

Audio/Video conferencing with Teams. We are currently installing web cameras with microphones for staff. This, combined with Microsoft Teams, will allow us to have training webinars regardless of location, and a program wide instant messaging service.

Color Printers at each office: We are waiting on bids for installing a color printer at each location, excluding Prestonsburg. Prestonsburg currently has a color printer in the Admin/Receptionist area.

Future Projects:

Training Website. After the conversion to SharePoint, we will be rolling out a new Intranet site with a more developed training section.

Cloud based Case Management System. We are planning to move to a cloud-based Case Management System. This will greatly enhance our attorney's ability to work remotely from anywhere.