



LAUREL LEGAL SERVICES, INC.

SERVING WESTMORELAND, INDIANA, ARMSTRONG, CLARION, CAMBRIA, AND JEFFERSON COUNTIES

306 SOUTH PENNSYLVANIA AVENUE

GREENSBURG, PENNSYLVANIA 15601-3009

TELEPHONE 724-836-2211

FAX 724-836-3680

Joyce McGee, Program Counsel
Office of Program Performance
Legal Services Corporation
3333 K Street, NW 3rd. Floor
Washington DC 2007-3522

RE: Corrections and Comments to Draft Report From Program Quality Visit Dated 02/12/2015

Dear Ms. McGee:

The following are the reflections of Laurel Legal Services management on the draft report, which include some minor corrections of items that we believe to be factually incorrect, and our responses to some of the conclusions that were drawn.

1. On page 2, paragraph 4 of the report, it is stated that over the past 5 years Laurel Legal Services has lost 57% of its staff. This is inaccurate. Our staff did indeed decrease from 35 total in 2009 to 20 in 2014, however, this is a reduction of 15 out of 35, which is 42.8%, not 57%. It should be noted that four of the Attorneys involved in this reduction were hired specifically for a four year Legal Assistance for Victims grant from the Department of Justice Office on Violence Against Women, which was begun in 2005 and terminated with last expenditures in 2010. The ending of this grant, which paid for four Attorneys, and provided total funding in the amount of \$900,000.00 during that time period, contributed to the overall funding decline from a high of \$2,889,880.00 in our highest funded fiscal year of 2008-2009, to \$1,830,378.00 in fiscal year ending June 30, 2014. This was a loss of over \$1,000,000.00 or 36.66% of total annual funding. This decline in funding over the 5 year period resulted not only from the ending of the Legal Assistance to Victims grant from the Department of Justice, but a significant decline in Pennsylvania IOLTA funding, which went from over \$500,000.00 to under \$100,000.00 in the time period, and the cutbacks of LSC total funding and state total funding due to the economy and the declining share of Laurel Legal Services after census adjustments. Although Laurel Legal Services gained poverty population during this time period it did not gain to the extent that others in the state and the country did so our proportionate share dropped.

Management of Laurel Legal Services reduced costs proportionate to the decline in funding over the 5 year period in various ways including not replacing staff who retired or moved to other jobs, allowing us to maintain our goal of continuing to provide service to each of the 6 counties in our service area, in a manner proportionate to the poverty population. Although we were able to obtain some small grants locally for special projects to replace some of the lost money, replacing over \$1,000,000.00 for operating costs for the cases that were within our priorities was not feasible.

2. Page 3 Summary of Findings

Paragraph 1 states that the program does not insure that its core priorities are being adhered to in each office nor has Laurel Legal Services adjusted priorities to meet the emerging needs of the client community.

The distribution of cases by type relating to the case priorities is a result of a deliberate allocation of resources among the counties, depending on a number of factors. In two counties Pro Bono Attorneys are willing to handle custody, (Cambria and Westmoreland), and in another county, Indiana, Pro Bono Attorneys are willing to handle Domestic Violence cases, whereas Westmoreland county Pro Bono Attorneys are not willing to do this but are willing to take a broad variety of other cases. In order to maximize the use of Pro Bono resources to increase the total amount of service available to clients in those counties that provide Pro Bono services, the staff focuses on cases that can only be handled in house. If staff equalized the handling of case types among the counties without regard to the Pro Bono services, we would not be making the greatest use of those services as a supplement to our ability to serve clients. As is noted in the report, this practice is based on history and agreement, but the agreements are not easily changed as they are based on the preferences of the private bar involved in these decisions and in providing the Pro Bono work. Another factor that affects the distribution of case types is that in our largest county there are many private attorneys who handle SSI cases without advance payment, whereas the pool of attorneys is much more limited in the smaller rural counties. Therefore, our staff handle SSI cases in the counties where there are limited options for our clients.

With regard to the statement that Laurel Legal Services does not adjust priorities to the emerging needs of the client community, we submit that Laurel Legal Services has done this by instituting its Mortgage Foreclosure Prevention Project, and by seeking funds from the Staunton Farms Foundation to represent persons with behavioral health disabilities. The Mortgage Foreclosure Project is program wide and rose out of the increase in mortgage foreclosures with the recession. The Staunton Farms Foundation Grant was pursued at the request of agencies serving that community, and the scope of the Foundation is limited to 3 of our counties, Armstrong, Indiana, and Westmoreland. These individuals are primarily being provided with services for SSI cases at the request of Staunton Farm, but we also provide education and information to the community support groups that work with this population. These are 2 examples of response to emerging client needs. Likewise, the establishment of the Pro Bono PFA project in Indiana county was in response to demand from the community to provide court representation, at a time when our staff had to be reduced due to declining resources.

3. On page 4 paragraph 1 it is stated that a number of advocates attend Senior Fairs and community agency meetings, however, participation is limited in scope and reserved for Managing Attorneys. In fact, several presentations a year are made by our Public Benefits Paralegal to various client groups, and a staff attorney in Indiana makes presentations in connection with the Staunton Farm Foundation Grant to local community support groups for persons with behavioral disabilities.

Since staff reduction, the other staff attorneys have had to cut back on community presentations to spend their limited time on individual client services. Two of the Managing Attorneys were specifically designated to be part of the collaborative effort with Southwestern Pennsylvania Legal Services for housing discrimination education and enforcement and had extensive training to do this work. For this reason, these 2 Managing Attorneys have presented a number of programs throughout a 6 county area to meet the requirements of those grants. This was a deliberate choice to choose 2 people to engage in this activity for a specific purpose that required specialized training, as other staff were assigned to more direct client representation.

4. On page 7 in finding 4, the report states that Laurel Legal Services does not have mechanisms in place to evaluate the effectiveness of its legal representation and advocacy through comparisons of results achieved and outcomes intended.

Laurel Legal Services maintains outcome data on all cases, entered in the data base at the conclusion of each case. Reports on this information are delivered to the Executive Director who uses this in annual reporting for our state and other funders and in our annual donation campaign. We record the numbers of orders entered in cases such as custody, domestic violence and bankruptcy, and the dollars obtained in income maintenance cases. There is no practical way to follow up on the outcome of advice given or referrals made in those cases that do not go to court or administrative proceeding, so the outcomes are recorded as "advice given". The goal of the project is to provide as many people as possible with access to some legal advice. As part of the Helpline Project, two years ago the Executive Director personally surveyed 50 people who had received advice to determine the effectiveness of the Helpline Project itself. As a result of this, we continued the project, including evening helpline hours.

5. On page 8 in finding 5, the report states that Laurel Legal Services intake structure is not centralized.

Laurel Legal Services has a centralized data base, and any of the Intake Workers in any of the 5 offices can access all of the data for intake for the entire program area and complete intakes for any of the six counties. Because of the locations of our rural offices, we do get direct calls to each office and walk-in requests for service, and it is believed to be most efficient to have a local individual face to face with the client handling these intakes. Because of reduced staff, if we were to attempt to centralize the intake in one office location, we would have to employ more individuals to do this rather than make use of the people who are already on site daily in the outlying offices. Although this may not be consistent with the practice in other programs, we have found it to be the most efficient way to keep access open to all of our service area.

The practice of manually recording information on a piece of paper was one that was suggested in past LSC compliance monitoring visits, and it is still followed by staff in all offices. Every call that is answered requesting service generates a document that has initial information on it regarding the client, potential conflicts, and income. These are retained for a period of time and reviewed by each Managing Attorney.

If the Intake Worker spots anything out of the ordinary, such as a questionable income eligibility, or a case is not routinely handled, the Intake Worker has access to any of the 3 Managing Attorneys, the Executive Director, or the Intake Manager by telephone. The Intake Manager is no longer full-time but is accessible by phone regarding the use of the actual database system when Intake Workers encounter problems. In addition, the Technology Director also serves as a reviewer of all intakes. Although they do not always do this on a daily basis, he and the Intake Manager do review all intakes before they are reported to any funding source to insure the accuracy of these intakes.

As part of our Helpline Project all Intake Workers were able to participate in several consortium wide training events over the last 3 years. Some of these involved expansion of their knowledge of substantive law issues so that they could identify problems, and some involved issues such as dealing with difficult clients on the phone.

Although the Attorneys often make the decisions on which cases to take for extended representation, generally this is because the cases are of a routine emergency nature and almost always automatically guaranteed representation, such as a domestic violence case with a temporary order that is scheduled for a hearing, or an SSI case in which the client has been denied benefits and the matter is scheduled for hearing. The Attorney still evaluates the case for merit and if there is any question, does discuss it with a Managing Attorney. Other less frequently handled cases are discussed with a Managing Attorney after an opening memo is presented, so that bankruptcies, or extended representation in Landlord Tenant or Mortgage Foreclosure cases are always discussed between an Attorney and a Manager. The Public Benefits Paralegal discusses each of her cases with her Managing Attorney before proceeding to represent a client on any basis other than giving information. Each Attorney is required under our Case Supervision Policy to deliver an opening memo to the Managing Attorney, and a closing memo so that the Manager has an opportunity to review what is being done in the case and why, and that the case has been completed and is ready for closing and that appropriate action has been taken. The Manager also reviews every case 2 times per year so that any cases that are open longer than 6 months are reviewed prior to closing. This review consists of a conversation between the Manager and the Attorney over the progress of the case. As noted in the report, all of the Attorneys presently working with Laurel Legal Services have extensive experience, with the least amount being 10 years. Any one of the Attorneys has the experience level to serve as a Supervisor, and therefore it would seem unnecessary to insist that they not be permitted to make independent decisions about the acceptance of routine cases. We have found it to be much more efficient when handling high volume, to have guidelines for when cases are accepted and review or discuss only those that do not clearly fall within the guidelines. These decisions are handled between the Staff Attorneys and the Managers.

The Intake Workers make decisions to schedule cases for appointment and intake only if they are clearly within the scope of cases that we handle, such as Protection From Abuse hearings scheduled by the Court. It is however, the decision of the Attorney upon interviewing the client to take the case or not take the case, and no decision is made until that time. The intake that is done by the Worker is done on the day of the interview just prior to the Attorney seeing the client, who then decides whether the case has merit.

In the case of advice by telephone, the Intake Worker determines eligibility and whether the case falls within the types of problems we are permitted to handle. If this does not appear to be correct, when the Attorney does speak to the client, the case is then rejected at that point. However, almost all callers for service that fall within our priorities are given the opportunity to speak with an Attorney after eligibility is determined.

6. Finding 6 page 9, second paragraph.

The Greensburg office handicapped accessible door has a doorbell and a sign with instructions to ring it for assistance. It is kept locked for security and safety reasons as it is located in the rear of the building where no staff are located. The doorbell rings in several locations on the first floor, and someone comes down to answer it. The Kittanning office has 3 rooms, all of which have doors that can be closed. One of these is where the Intake Worker does intakes, one is for the Attorney to meet with clients and the third can be used as a waiting room. Since the issue of confidentiality has been raised, efforts will be made in the future to use a white noise machine or a radio to reduce the risks of hearing conversations within the office. The Clarion office has a ramp in front attached to the porch that provides access to the front door. A sign will be placed where it can be seen from the sidewalk so that individuals can locate it more easily.

7. Finding 10 page 11 states that supervision is limited in scope and supervision of Attorneys and legal work is not uniformly implemented. As discussed above, the Attorneys at Laurel Legal Services are highly experienced, and the greatest volume of cases involve either giving advice on the telephone, or handling cases of an emergency nature that are taken when they meet clearly defined guidelines, such as having a scheduled hearing in a Domestic Violence case. These cases tend to be turned over very rapidly, and are reviewed by the Managers at closing to make sure they were handled appropriately. Any case that goes on for an extended period of time is reviewed by the opening memo as well as 6 months if the case is still open. The Attorney must justify in the opening memo the reason for providing extended representation, and the statement is reviewed by the Manager.

In summary, it is the belief of the Management of Laurel Legal Services that we have dedicated staff who have made extraordinary efforts to continue to provide as much client service as possible given the limited resources available in the past 5 years.

We believe that we have made the best strategic decisions in the spending of our limited funds wisely, by combining two offices, and constantly searching for ways to cut costs.

If we were to "centralize" our intake more than we do, this would result in having only one intake worker available at a time for six counties instead of the five we have now who are needed in each office anyway. Adding the additional step of review by a managing attorney before acceptance of all cases would also slow the process and reduce client access. We have found that the system we have been using for nearly 40 years has enabled us to provide the maximum amount of service to six counties in times of limited resources.

Page 6

Although other programs may have developed other models that work more efficiently for them, we have found that maintaining a small office in or near each of our county seats, and having five people available daily, one in each of those offices, to open the office, answer the phones, receive and distribute mail and assist with client paperwork was best for us.

These individuals are in the best location and available to do intakes for walk-ins and people familiar with our local office phone numbers. This model maximizes client access and the volume of intakes and keeps a presence in each county of our program service area.

Sincerely,

LAUREL LEGAL SERVICES, INC.



Cynthia A. Sheehan
Executive Director

CAS/cab