



LEGAL SERVICES CORPORATION

Office of Program Performance

Final Report

for

Program Quality Visit

to

Legal Aid of the Bluegrass

Recipient No. 618004

April 13 - 17, 2015

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**Legal Aid of the Bluegrass
Program Quality Report**

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INTRODUCTION

The Legal Services Corporation (LSC) Office of Program Performance (OPP) conducted a Program Quality Visit to Legal Aid of the Bluegrass in Kentucky, from April 13 to 17, 2015. OPP's team consisted of LSC program counsel Lewis Creekmore and Grayce Wiggins, and LSC temporary employee Patrick McIntyre.

Program Quality Visits are designed to evaluate whether LSC grantees are providing the highest quality legal services to eligible clients. In conducting the evaluation, OPP relies on the LSC Act and regulations, the LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid. The on-site evaluation was organized to follow the four Performance Areas of the LSC Performance Criteria, which cover needs assessment and priority setting; access to services and engagement with the low-income community; legal work management and the legal work produced; and program management including board governance, leadership, resource development, and coordination within the delivery system.

In conducting its assessment, the team reviewed the documents provided by the program to LSC, including recent applications for funding, technology and PAI plans, workforce analysis charts, and case service and other services reports. The team also reviewed materials requested in advance of the visit, including documents relating to board governance, intake, legal work and case management policies and systems, advocates' writing samples, and the results of an online staff survey.

On site, the team visited the program's four offices located in Ashland, Covington, Lexington and Morehead. The team interviewed program leadership, management and administrative staff, advocacy staff, and support staff. The team also interviewed members of the board of directors, judges, other funders, community partner organizations, other state justice stakeholders, and bar representatives. Due to scheduling and time constraints, some of these interviews were conducted by telephone.

SERVICE AREA and PROGRAM OVERVIEW

Legal Aid of the Bluegrass (LABG) is one of four LSC funded programs in Kentucky. It provides general legal services in LSC Service Area KY-10 comprising 33 counties in the northeast region of Kentucky.¹ The service area includes three highly populated counties around Covington in the north, one highly populated county around Lexington in central Kentucky, several moderately populated counties in the central and east, and many sparsely populated counties.

¹ They also provide specialized services to victims of domestic violence in seven additional counties under a Violence Against Women Act grant. These four counties lie on their southern border and are part of the LSC service area of Appalachian Research and Defense Fund. They also have a contract with the Commonwealth of Kentucky that covers several counties outside the LSC service area to find and enroll eligible residents in State health insurance programs.

LABG's offices are located in the most populated counties in its service area. Their administrative and largest office is in Covington, a city of 40,713² and the hub of a densely populated suburban area, which includes Kenton, Boone and Campbell Counties. Covington is on the south bank of the Ohio River immediately across from Cincinnati. LABG has an office in Lexington, the largest city in the service area, population of 305,489. They also have offices in Morehead, along the central south border of the service area, and Ashland to the very east.

The poverty population in the service area is 215,210. Approximately 81% of the poverty population is white, 11% African American, >1% Asian, 1% Native Hawaiian/ Pacific Islander, 3% another race, 4% identifies as two or more races, and 8% Hispanic/ Latino.³ The Hispanic population has more than doubled since the 2000 Census, when it was 3.12% of the poverty population.

LABG is the product of two mergers that joined three programs. First, Northern Kentucky Legal Aid Society merged with Northeast Kentucky Legal Services in 1998. The resulting organization merged with Central Kentucky Legal Services in 2002, retaining the corporate name Northern Kentucky Legal Aid Society but doing business as LABG.

LABG experienced funding cuts in 2012 and 2013 to federal and state funding. (IOLTA funding decreased significantly after 2008 and has remained at the lower levels though other state funding has helped with the shortfall.) Total program funding in 2011 was \$4,136,205, including \$1,418,949 from LSC. Funding declined in 2012 to \$3,920,189 of which \$1,206,777 came from LSC. Funding further declined in 2013 to \$3,768,700 including 1,238,229 from LSC. In 2014, revenue improved to \$4,165,723, which included a slight increase to \$1,448,301 from LSC, and additional state funding. LABG received \$1,479,070 from LSC for 2015. Annually LABG receives about 35% of its funding from LSC.

Full time staff equivalents have generally followed the funding trends: 53 in 2011 to 46 in 2012, then 45 in 2013 and 2014.

SUMMARY of FINDINGS

In 2014 LABG underwent a transition in leadership when Richard Cullison, executive director of the Northern Kentucky Legal Aid Society/ Legal Aid of the Bluegrass for more than 30 years, retired. The board of LABG conducted a search that culminated in the hire of Joshua Crabtree, former managing attorney at the Children's Law Center whose main office is in Covington, Kentucky, in July, 2014. Mr. Cullison stayed to overlap with Mr. Crabtree for a month, providing orientation and continuity.

The transition appears to have gone smoothly. The new executive director, by all accounts, has not moved quickly to make changes in the program, preferring to give the staff and himself time to acclimate. This strategy has been well received. Staff expressed appreciation for being eased into the new era, and say they have grown to understand that he will be raising some new ideas. Several mentioned that he has already raised productivity as a goal to pursue.

² Source: US 2010 Census data.

³ Source: American Community Survey Table B17001, 1-year estimates, 2012.

The two most senior management employees, the advocacy director and the business director, assisted greatly in the transition and helped maintain equilibrium. These women have held their positions for 30 or more years: Glenda Harrison, advocacy director; and Brenda Combs, business director. Both of these mainstay employees have voiced their desire to retire in the next few years. Additionally, in 2014 the City of Covington hired the LABG comptroller, a respected employee who had served well for many years.

LABG has benefitted from a long period of stability and sound leadership. Other than fluctuations in funding and the resultant adjustments in resources LABG has kept a steady course. The last significant loss of funding occurred in 2011-13 and the staff cutbacks in 2012 were particularly traumatic. Five attorneys left the program. Nine positions overall, seven full time equivalents, were lost, and the memories of those cutbacks are still fresh and sore throughout the staff.

The board of directors appears to be stable, strong and independent. Client board members participate readily, and are encouraged to contribute in whatever manner they can. The program calls upon them to join in community presentations, and the board as a whole depends on their input. Communications between the board and staff are not frequent or regular. Staff are not invited, nor do they attend board meetings, nor make presentations about program work.

Within the legal community LABG has a strong reputation for quality work, and for taking leadership positions across the state.

The Central Intake Unit, housed in Covington, handles most of the intake for the organization. Its staff is mostly part-time, other than the intake managing attorney who is full time. The organization believes that part-time work in intake is preferable in that it reduces stress. The unit accomplishes most intake by callback. Potential clients leave messages in a series of voicemail boxes that intake staff retrieve and log into the case management system (CMS). Walk-ins are discouraged though anyone who walks in who has no phone or has an emergency can complete an intake on the spot.

Some substantive law units have specialized intake. For example, VAWA cases come directly into the advocates for intake. One office, Morehead, conducted its own callbacks at the time of the visit. Their intake has since been moved into the Central Intake Unit.

LABG assigns its private attorney involvement (PAI) responsibilities to several different employees, and somewhat to the Central Intake Unit. Responsibility for overseeing PAI efforts rests with the Director of Advocacy. However, there is no single coordinator of PAI or unified integrated vision for PAI within the program. This is largely attributed to the post-merger history of PAI efforts. When the three programs merged into LABG, the distinct features of each of their PAI efforts continued separately. Currently the great bulk of PAI work by LABG occurs in the counties around Covington and Lexington.

LABG has struggled in recent years to maintain overall productivity, though until very recently their PAI case closings were high in comparison to national averages. (See charts and discussion in Performance Area Three under Legal Representation.) During the years 2006 through 2013

LABG consistently fell below the national median for overall numbers of cases closed per 10,000 eligible clients, and in the years 2008, 2009, 2012 and 2013 they were below 70%. In 2014 the CSRs rose to the national median.

For all years 2006 to 2014 LABG closed higher than the national median for extended service cases, and in 2010 through 2012 significantly higher. This trend also follows for contested cases as far back as LSC has records. LABG advocates also close a higher percentage of their overall cases as extended service.

LABG was last visited by LSC Office of Compliance and Enforcement in 2012, and the Office of Program Performance in 2007. The 2012 OCE Report will be mentioned hereinafter as relevant, and the 2007 PQV Report contained a number of recommendations to which this report will refer as appropriate.

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

PERFORMANCE AREA ONE. Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs.

Needs Assessment and Priority Setting

Finding 1. LABG last conducted a needs assessment in 2011 and plans another in 2016. It sets its priorities annually.

LABG last conducted a needs assessment in 2011. A Scripps Howard fellow at LABG (who later became a full time staff attorney), conducted the assessment.⁴ The results were adopted in 2012. The organization plans its next needs assessment in 2016.

The 2012 needs assessment relied on responses to an online survey of the Kentucky legal community in the LABG service area, board and staff of LABG, local social services agencies, and professors of counseling and human services. It employed a mail survey to former clients of LABG and clients of the Northern Kentucky Community Action Commission. It also relied upon responses to telephone interviews of a mix of the previously enumerated audiences. The fellow convened one focus group of former LABG clients and former clients of the Northern Kentucky Community Action Commission. In Appendix A the report notes that LABG received 189 total responses to these surveys.

The needs assessment concluded that the actual services provided by LABG, when analyzed, met the legal needs that had been identified in the service area. The needs assessment however omits any reference to limited English proficiency (LEP) populations, except in the analysis of closed cases. It recites no attempt to gauge the responses of the LEP community. The copy of the written survey attached in the appendices appears in English only. None of the questions in the survey probe language ability.

⁴ LABG has a long standing relationship with the Scripps Howard Foundation and they host a fellow every year.

In the analysis of the closed cases the assessment finds that 1.7% of the cases assisted clients who spoke Spanish. Overall 2% of the closed cases assisted clients who were non-English speakers. Based on ethnicity as opposed to language, 2.4% of the cases assisted clients who identified as Hispanic, and a total of 3.3% assisted clients of all ethnicities other than Caucasian or African American. This analysis does not indicate the number of clients who had multiple cases so the actual percentages of non-English speaking or Hispanic origin clients are not discernible. However, at a rate of 2.4% of the closed cases one can infer with reasonable certainty that LABG has not reached a significant portion of the 8% of its poverty population that identifies as Hispanic.

The needs assessment also includes a county by county breakdown of the distribution of cases throughout the service area for the year 2011. This section concluded that services were disproportionately delivered in the counties around LABG offices, plus a few others. More than half of the rural counties in the service area received less service than their poverty populations would have merited.

During the preparation for the PQV, LABG provided a spreadsheet of closed cases for 2013 and 2014. LSC personnel mapped the distribution of these closed cases for 2014 by county and shared these maps with LABG. The mapping demonstrated very nearly the same pattern of case distribution as in 2011. (The 2013 distribution was not discernibly different.) LSC personnel then mapped separately the distribution of PAI cases. These followed a similar pattern, occurring most often in the three suburban counties around Covington, Fayette County, and the counties around Ashland and Morehead. The greater disparity in distribution of PAI cases is that among rural counties the actual count of PAI cases was zero in 12 counties. Of the 33 counties in LABG service area only eight had more than ten PAI cases, and only four of these more than 20.

The 2012 Legal Needs Assessment points out that Boone, Kenton, and Campbell Counties account for 34% of all cases and only 20% of the poverty population. The 2014 distribution shows 21% of the poverty population in these same counties, but 40% of the closed cases. We also note that LABG receives significant funding beyond LSC that is directed to services in these counties, perhaps in excess of \$330,000. During the visit we discussed these points with LABG management and learned that they are aware of the case distribution and have planned steps to begin to address it. In the next year they plan to hold at least one outreach event in every county in hopes of reaching more clients in the underserved counties.

LABG sets priorities annually. Following the 2011 Needs Assessment LABG affirmed that its priorities matched the needs that had been identified. It has adjusted priorities every year since. LABG involves its staff and board in discussions of the adjustments to its priorities. They also include analyses of prior year demand for services.

They express their priorities broadly:

1. Supporting Families
2. Preserving the Home
3. Maintaining Economic Stability
4. Maintaining Safety, Stability and Health
5. Meeting Needs of Individuals with Special Vulnerabilities
6. Maximizing Access to Legal Services

LABG has narrowed its case acceptance criteria since 2011 in accord with levels of funding, paring them somewhat due to reduced resources. For example, they have taken fewer public benefit and social security cases since 2012. Some staff interviewed stated that they did not take TANF (temporary assistance to needy families) cases. Indeed they closed one TANF case per year for 2013 and 2014.

LABG appears to be somewhat funding driven in its approach to making adjustments to meet emerging needs. Still, LABG primarily pursues funding opportunities that support their priorities. For example they have funding to work with families facing foreclosure and through one of their community partners they have funding to assist seniors so that they can respond to the needs that seniors present, such as Medicare and consumer issues. They have, however, begun reaching out to veterans in recent years with a varied approach that is not so much funding driven as it is need driven.

Community organizations do not participate in the priority setting activities beyond their participation in the needs assessment, nor does LABG seek their direct input. However, LABG receives input indirectly from some of these organizations. Their attorney staff hold positions on boards of a number of these agencies: one chairs the board of a community homeless prevention organization; one chairs the local domestic violence shelter board; one is a member of a local community action commission; another is a member of the Kentucky Bar Association's Committee on Child Protection and Domestic Violence, and one is on the area senior services board.

The Lexington Fair Housing Council holds an annual meeting of local organizations where agencies meet and share information regarding their respective missions and activities. LABG regularly attends and participates, but this is separate from their priority settings.

Strategic Planning

Finding 2. LABG last conducted a review of strategic planning in 2006 and plans to conduct new strategic planning in 2015-2016.

LABG last conducted full strategic planning in 2003, and revisited strategic planning in a more limited way in 2006. The 2006 planning concentrated on five major topics: the physical plant (office space), technology, evaluation of the management structure, legal work coordination and program evaluation. The notes that remain from this plan appear to be more of a concentrated effort to identify issues that needed to be addressed in the near term rather than a plan to take LABG into the future. The lead topics in the list appear to have intentionally focused on practical programmatic issues rather than larger long term objectives, which were also included but were addressed only in general terms.

Since that time there have been major changes in the physical plant. The Covington and Lexington offices have moved. The organization installed and incorporated a modern phone system that employs Voice over Internet Protocol, and they have hired an outside IT company to

handle computer, data transmission, and internet needs. The lease on the Ashland office expires soon and the organization seeks a better location.

Strategic planning, like Needs Assessment has been planned for the near future, to be accomplished in 2015-2016.

Recommendation I.1.1.1⁵ **LABG should follow through with the new Needs Assessment in 2015-2016 and expand the Needs Assessment process to include input from non-English and/or Limited English populations and the organizations that serve them.**

Recommendation I.1.1.2* **LABG should incorporate input from community organizations into its annual priorities setting.**

Recommendation I.1.2.3* **LABG should follow through on its plans to conduct new strategic planning in 2015-2016 as resources permit.**

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

Dignity and Sensitivity, including intake

Intake

Finding 3: LABG structures its Central Intake Unit primarily around a callback system, primarily using part-time staff or full-time staff who have partial responsibility for intake. This structure adds stress for potential clients and staff when callbacks are not immediately successful. It also has the potential to raise expectations unrealistically for callers.

LABG operates a centralized intake unit from its Covington office that conducts most intake for the organization. Potential clients call the organization and leave messages in an array of voicemail boxes, then await callbacks. Certain offices conduct their own intake for various substantive law areas, such as Lexington which handles intake for VAWA clients, and at the time of the visit Morehead conducted its own intake callbacks.⁶

All offices see walk-ins but normally walk-in clients must leave information for a callback or

⁵ 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.

⁶ VAWA clients bypass the callback system, calling directly in to advocates. At the time of the visit the Morehead office staff made callbacks to its potential clients. Subsequently, we learned that all general intake had been moved to Central Intake in Covington.

take the phone number and call the intake line, unless they have an emergency or lack access to a phone. Walk-ins with these exceptions receive intake services right away. Walk-ins who need a callback are prioritized along with phone requests in the CMS. The Intake Policy states that people in outlying areas who cannot walk-in should have the same access as those who can. The organization has a toll free number which operates in conjunction with general office numbers through a VOIP phone system. The phones direct all calls to a single set of voicemail boxes. Potential clients anywhere in the service region can call the toll free number or their local office number and be connected to the intake voicemail. The outgoing message prompts callers to leave callback information with best time to call and descriptions of legal problems in specified voicemail boxes. Various staff members retrieve the information from the voicemail and record it in a callback file in the CMS (Kemps). The CMS checks for duplicate messages. Staff prioritize callbacks by: caller demographics for certain funding streams, substantive legal need, and pending deadlines. They also prioritize somewhat by office: All Covington calls are denoted as emergency in an effort to increase services in that area. Most callbacks occur within three days of the original message. Depending on the number of staff available for callbacks and the volume of new intake calls a callback can take seven days, or more on occasion, leaving potential clients lingering many days without final word on their request.

The CMS is connected to the phone system so that the callback initiates automatically when intake staff open entries from the callback list. When the call connects to a potential client the CMS allows the intake worker to convert the entry into an intake for completion. When the call connects to a voicemail system the intake person leaves a message asking the potential client to call again and makes an entry in the CMS callback file. The callback entry then reverts back into the CMS callback list until the potential client calls again. When the intake staff encounter a non-answer, non-functioning number, or other result that does not permit contact or a message they mark the callback as unsuccessful which removes it from the callback list in the CMS. The potential client can call and leave a new message, which would then be entered into the callback list as an update to the prior entry.

If the original message identifies the matter as time sensitive the callback message includes the extension and name of the intake attorney. For less pressing matters the callback messages do not contain the name or extension of the person who left the message. When these potential clients call again they often speak to the receptionist and request to speak to the staff member who left the message. The receptionist cannot direct their call and can only note in the CMS that the person called again. The new note restores the caller's place in the intake list which in turn triggers intake staff to call again. Essentially these potential clients have no way to complete an intake other than to answer when the intake person calls. This process can result in game of "phone tag" which can frustrate the potential client and cause stress for the LABG staff.

The CMS contains all of the data from unsuccessful callbacks. However this data is not used regularly to evaluate the intake process. Management reports that intake is the topic of ongoing discussions regarding efficiency and effectiveness. LABG management provided a sample of the callback data for the first four months of 2015 which indicated that the intake unit makes contact with approximately 55% of callers. Of the completed callbacks approximately 59% become full intakes, which is 35% of overall calls. Actual numbers vary monthly but ranged between 300 and 375 per month completed intakes among the sample, LSC eligible and non-eligible. This

leaves 45% that never speak to anyone.

The Central Intake Unit has one full time managing attorney and a number of part-time staff: two part-time attorneys, a part-time contract attorney, two part-time volunteer attorneys and two part-time law clerks. Two paralegals in Morehead also conducted intake until recently, making callbacks to potential clients from the counties that Morehead serves. The Central Intake Unit makes callbacks every day during business hours, some evenings, and will soon include Saturday hours. The part time nature of the intake staff yields varying ability to make callbacks at any given time. It can also exacerbate the phone tag aspect of the callback system especially if staffing schedules do not comport with times that callers are most available for callback. This creates a point of tension with the organizational preference for part-time intake staff.⁷ It is a difficult balance to strike.

When an intake attorney completes a successful intake, he/she uses charts contained in the intake handbook to assign the case directly to the appropriate advocate. (Covington and Lexington operate in substantive law units. Ashland and Morehead operate by counties and attorneys are generalists.) All cases assigned from intake are deemed accepted and receive at least short service. Central intake keeps some cases which they determine appropriate for advice or brief service. The intake unit also designates some new cases as appropriate for assignment to volunteer attorneys, depending on substantive legal area and geographic location. They then attempt to place these cases with volunteers. These attempts appear to be minimally successful.

Finding 4: LABG continues to evaluate its intake structure and to make adjustments. They plan to add Saturday hours to the callback regimen.

It appeared to the PQV team that LABG has made strides toward creation of a solid Central Intake Unit. As noted above, they have now moved all general intake to the central unit, and are planning to add Saturday hours to the call back schedule. However, to an outsider the intake procedure appears to be secondary to direct representation despite the stated principle that intake is not a “second rate job.”⁸ LABG needs to emphasize the primary role that intake plays in client (and staff) experience and elevate the importance of intake in the office work flow in order to fully integrate it into service delivery.

The Central Intake Unit already has a strong foundation on which to build. The intake managing attorney is a part of the management team, and intake attorneys are included in all legal work planning. Intake staff members participate in statewide task force activity and the management team depends on information from the intake unit to adjust service delivery to meet the needs of its client community.

Limited English Proficiency

Finding 5: LABG has a working LEP policy which staff know and follow.

⁷ In 2009 LABG engaged a consultant to evaluate the intake system and the PAI system, and make suggestions. The appendix contains LABG Guiding Principles on Intake. One of the principles is that two part-timers are often better than one full-timer and that part-timers deal with pressure and stress better.

⁸ The 2009 Intake report: LABG Guiding Principles.

LABG maintains a policy to enable persons of limited English proficiency to request and use its services. The largest potential LEP population in the 33 counties is Hispanic, at 8% of the poverty population. Anecdotally the other greatest language demand is Somali. (A number of staff reported needing Somali translation.)

The organization employs a number of Spanish speaking staff who translate when possible for clients in everyday office situations. Spanish speaking staff retrieve voicemail messages from the intake line and return those calls. Every staff member has a working familiarity with the LEP policy and could find it if needed. There are hard copies in all offices and an electronic copy available on the intranet. Reception desks all have a poster with announcements in multiple languages for people who walk in. All staff members report familiarity with Language Line and use it freely when they need translation services.

The LEP policy prohibits family member and non-professional translation due to potential breaks in confidentiality and other weaknesses inherent in that situation. The LEP policy does not however contain any description of a threshold for use of a translator when a client presents as English capable but in fact is limited.

Recommendation II.1.3.4* LABG should continue to evaluate the effectiveness of the intake structure with the goals of eliminating the potential for “phone tag”, minimizing wait time between the initial call and an actual intake, reducing the number of failed call backs, and incorporating such other efficiencies as are feasible and practical.

Recommendation II.1.3.5* LABG should evaluate the staffing structure of the intake unit to determine the most effective balance between full time and part time staff, and volunteers.

Recommendation II.1.3.6* As resources permit, LABG should consider adding online intake as an additional access portal. It should also incorporate other intake strategies and portals such as off-site intake and referrals from partners.

Recommendation II.1.3.7* LABG should form a working committee of managers and staff to review the intake call-back system, including hours of greatest success and other variables, then compare models from other programs and make recommendations. This evaluation should include input from applicants for services.

Recommendation II.1.4.8 LABG should amend its LEP policy to include instructions for staff to follow in serving LEP clients.

Engagement with and access by the low-income population

Accessibility

Finding 6: LABG offices are generally accessible and located near public transportation.

The offices all have appropriately accessible entrances and reception areas. Those with multiple

floors have elevators.

Locations of the offices follow the traditional sites of the organizational forerunners, located within the geographic areas of greatest poverty population concentration: Covington, Lexington, Morehead and Ashland. The office in Ashland has an unusual location. It is away from the downtown area in an otherwise residential neighborhood, yet is still near public transportation. The organization recognizes that this location is less than optimal. Several years ago LABG sought to relocate the Ashland office into a multi-service building in downtown Ashland, co-locating with other agencies that serve people at the poverty level. The attempt unfortunately did not succeed. LABG recognizes the need and continues to search for a better location.

Outreach

Finding 7: LABG conducts regular ongoing outreach predominantly through its SHIP and CHIPRA programs but does not integrate outreach well with service delivery.

The list of outreach and other service events that LABG provided as part of the preparation for the visit shows a very active outreach program, including hundreds of events, public service announcements, print media ads, and booths. LABG performs almost all of its outreach through its SHIP (State Health Insurance Program) and CHIPRA (Child Health Insurance Program Reauthorization Act) grants. These funding lines require that LABG find and enroll eligible Kentuckians. LABG makes good use of these funding lines to facilitate outreach for its other services. LABG employs several benefits counselors. As part of the SHIP and CHIPRA funding streams the benefits counselors conduct most of the organization's outreach. Their responsibilities include evaluation of client eligibility for the insurance programs and other benefits. Whenever staff conduct presentations about either insurance program, they begin with an overview of LABG and the array of services. Client board members are sometimes invited to attend these outreach events to speak to audiences of potential clients.

SHIP outreach is most intensive during October through December periods, the months for open enrollment in the insurance programs.

It does not appear that advocates conduct much outreach or that there are many general outreach events that occur outside SHIP and CHIPRA. It also appeared that there were fewer outreach activities in the Ashland and Morehead areas. Additionally the outreach schedule did not appear to include any organizations that provided services specifically to the LEP populations. As previously noted LABG plans to hold at least one outreach event in every county in the service area in the next year.

Recommendation II.2.6.8 LABG should continue its effort to relocate the Ashland office.

Recommendation II.2.7.9 LABG should develop a plan to integrate outreach into other aspects of the service delivery.

Recommendation II.2.7.10* LABG should continue with its plan to take outreach events into

all counties, including predominantly non-English speaking communities.

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

Legal Representation

Finding 8: LABG advocates provide high quality legal services, and devote much of their effort to family law, particularly safety from abuse.

LABG attorneys have a strong reputation for quality work and they take responsibility for cases that may require a greater level of advocacy. The writing samples that we reviewed were generally high quality and included four submissions to the Kentucky Court of Appeals, and two to the Kentucky Supreme Court. LABG identifies “supporting families” as its greatest need and highest priority. Their legal work reflects this focus. Of the six appellate submissions five dealt with legal issues that arise from family law. For example, in one case before the Kentucky Supreme Court, LABG was successful in clarifying the role of a guardian ad litem in child custody cases.

While the great majority of the writing samples, as well as cases closed, involved “supporting families”, the breadth of the work is much greater. LABG advocates regularly litigate foreclosure, bankruptcy, and eviction cases. One of the writing samples was a motion to the Kentucky Supreme Court for review of a denial of permission to appeal from the Court of Appeals in a landlord/tenant case. The samples also demonstrate a strong practice before administrative agencies including Medicare/Medicaid issues, education, kinship care and immigration.

The advocates express a sincere desire to work at LABG. Their level of commitment to the task is unquestioned, and they exhibit a high degree of morale and satisfaction in their work environment. Most have substantial experience: of 20 attorneys six have 11 or more years’ experience, 12 have from three to ten years, and only two have less than a year. None appeared to have caseloads that were burdensome. Those with experience exercise a high degree of autonomy in their positions, deciding which cases need short or extended service and seeking managerial input on cases as they believe they need. They close extended service cases at a higher rate than the national median.

Finding 9: LABG closes a high percentage of cases as extended service, but overall case closings have been consistently low for several years.

Since before 2009 LABG has reported overall case closures at 75% of the national median or lower, though extended service and contested cases stayed at or above national medians. In 2013 they fell below 70% for overall case closures, and extended service case closures fell back to the national median range. Actual overall case closures (including PAI) are in the following table:

Year	Total	Limited Service	Extended Service	Contested
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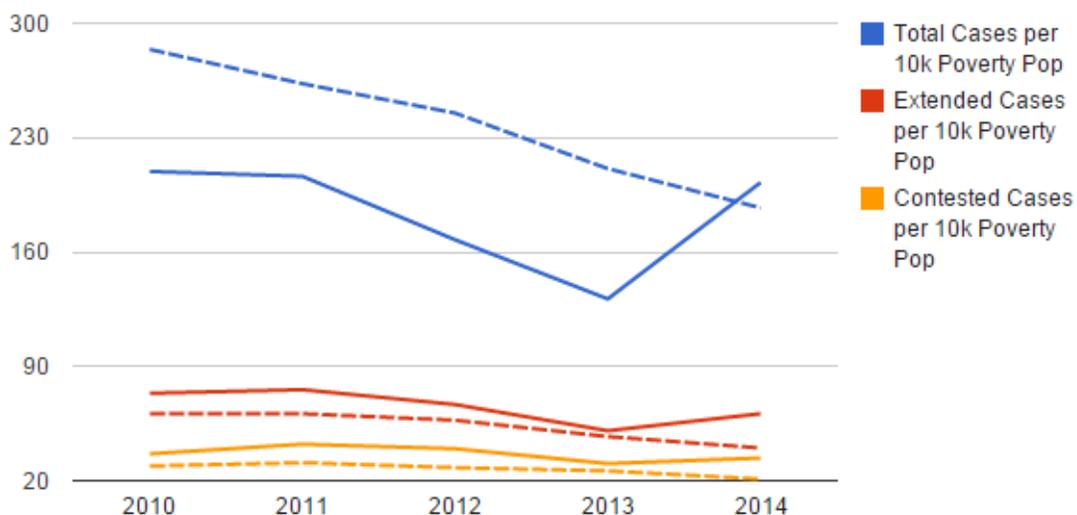
2009	2231	1482	749	385
2010	2872	1863	1009	500
2011	2831	1792	1039	581
2012	2298	1384	914	543
2013	2046	1258	788	475
2014	2779	1942	837	270

When LSC inquired in September 2014 about the decline in closed cases LABG explained that it was due mainly to the loss of a number of experienced staff in recent years due to funding cuts. Indeed they lost seven advocates in 2012, some with many years of experience, including one who had been responsible for many PAI placements. The 2014 case closings show a marked improvement, reaching national medians for overall CSR and PAI totals, and again mostly exceeding medians for extended service and contested cases.

Cases Trend

Cases per 10,000 poverty population*

Basic Field service areas only



Dotted lines represent National Medians.

Another possible contributing explanation for the lower than expected case closings is underreporting of cases funded by other sources and not reported to LSC. In its report of its visit to LABG in 2012, the LSC Office of Compliance and Enforcement found that LABG did not report cases under its contract with State Health Insurance Program that were LSC eligible.

(Finding 39). LABG also suggested that some staff had been overly cautious in determining LSC eligibility. LABG management has recognized the need to address accurate reporting and program productivity, and has changed the intake and case assignment procedures to designate all new intakes from the Central Intake Unit as accepted for service, both introducing a level of authority in the intake advocates and ensuring at least advice to all accepted cases.

Training

Finding 10: LABG advocates receive substantial ongoing training.

Staff responses to the pre-visit survey indicate that 78% of advocates have attended two, three or more training events in the past 18 months. Most advocates say that during their self-evaluations (discussed below) they designate which trainings they would find most helpful, and by and large they get to attend them. The Kentucky Access to Justice Foundation organizes a statewide conference every other year at which staff from all four LSC programs in Kentucky gather and present practice topics as training sessions. LABG staff regularly attend these conferences, as well as local bar association continuing legal education sessions and the occasional larger, national conference.

Supervision of legal work

Finding 11: Supervisors mentor younger advocates and informally oversee the work of more seasoned advocates, but are inconsistent in their approach to supervision and evaluation.

The advocacy director acts as managing attorney for the Covington office. She also oversees the managing attorneys, who carry full caseloads in addition to their supervisory duties. Lexington has a managing attorney, and the managing attorney from Morehead also covers Ashland. Supervision of legal work occurs on an ongoing and frequent but informal basis. Advocates seek advice and instruction as they feel they need it or as managing attorneys believe the situation requires. When advocates spoke of their need for input from supervisors they said they could consult the managing attorney, the advocacy director, or the executive director. Discretion seemed to rest with the advocates as to whom they would direct their queries. They knew to take most routine questions to the managing attorney but felt free to bypass the managing attorney with more complex questions.

Managing attorneys conduct case reviews once or twice a year, often in conjunction with evaluations. While there are protocols for case review and performance evaluations there are no guidelines or procedures for interaction between managing attorneys and advocates regarding supervisory roles and responsibilities. The Standards of Practice set out comprehensive guidelines for advocate/client interaction and file keeping, but do not contain guidelines for supervision.

Managing attorneys check in more frequently on newer advocates, and monitor caseloads as they believe they need. Under the New Advocate Protocol new attorneys receive monthly reviews during the first year, then quarterly reviews during the second. Training and orientation of a new attorney moves through specifically identified stages and regimens throughout the first two years.

Each phase has a checklist that the managing attorney needs to review with the attorney in order to ascertain the level of competency that the new advocate has achieved.

Advocates appear to have authorization to determine which clients will receive brief or extended services. LABG has made a conscious decision to discontinue case acceptance meetings. New intakes assigned to advocates from the Central Intake Unit have been deemed accepted for service from that moment. Seasoned advocates should be able to determine when a client needs advice or more extended service. Yet there did not appear to be any protocol for managing attorneys to review these decisions or specific aspects of casework. This appears to occur on an as requested basis. In every office the advocates meet weekly as a group to discuss legal work. These meetings are not casework supervision but are a forum for sharing ideas and discussing legal issues, and can include general office issues.

Advocates prepare a Closing Memo for each file when work is complete. Administrative assistants enter closing information into the CMS. Managing attorneys do not regularly review closed cases.

The advocacy director acts as the managing attorney for the Covington office, supervises the managing attorneys for the other offices, directs advocacy efforts for the entire organization, oversees the PAI program and fulfills a general leadership role. She also carries a caseload, albeit not a large one in numbers but her cases are not limited service cases. She is involved in the work to update the organization website. She is also involved in critical decisions about the overall direction of the organization. It may not be unusual in an organization the size of LABG to find one person with responsibilities this broad and varied, but it is important to understand the impact this can have on internal function, and to factor that into planning.

Evaluations

Finding 12: LABG engages in a multi-faceted evaluation process that appears to be flexible in its application but that may lack consistent substantive feedback from managing attorneys to advocates.

Evaluations occur in two forms: annually as self-evaluations and annually or semi-annually as case reviews which can include a performance evaluation. Self-evaluation may occur in conjunction with a case review but is a separate process. Input from an advocate can be included in a performance evaluation, but need not be. The performance evaluation includes an advocate evaluation form to be completed by supervisors in conjunction with case review. The protocol requires a random review of case files for quality of legal work and conformity with LSC requirements. Some advocates said they received performance evaluations and some mentioned receiving feedback as part of a case review. Some advocates had not received a performance evaluation in two years or more. Managing attorneys said they had not received performance evaluations in years.

The stated purpose of the self-evaluation is to hear from the advocate about their work experience and environment, to provide them an opportunity to assess their work and to

encourage them to look ahead to their professional development. While most advocates find it a helpful exercise to reflect on the past year's work and some advocates said that they received support and opportunity based on their comments and suggestions for professional growth, others felt their suggestions went unnoticed. Feedback on the self- evaluations is not required though some managing attorneys provide comments on the self-evaluation form or verbally at a follow-up meeting.

The case reviews are likewise conducted in an inconsistent manner. The team heard that some staff members received case reviews every six months, and others annually. Some advocates receive a list of cases and must respond in writing with explanations for why cases should remain open. Others said that they met in person with managing attorneys and gave verbal accounts of case status. The major thrust of these reviews seemed to be an effort to monitor work flow in order to close out dormant cases, rather than evaluate quality of the representation.

Recommendation III.1.9.11* LABG should continue to review the intake system as well as advocate efficiency as it pursues increased productivity

Recommendation III.1.11.12* LABG should analyze work flow and create consistent approaches to supervision, including closer involvement between advocates and managing attorneys for ongoing cases and selection of cases for limited or extended service.

Recommendation III.1.11.13 LABG should consider adding a managing attorney to the Covington office, or alternatively dispersing some of the responsibilities of the advocacy director. (See also *Recommendation III.2.13.15*)

Recommendation III.1.12.14* LABG should conduct performance evaluations of managers and staff, and self-evaluations, in a regular and consistent manner.

Private Attorney Involvement

Finding 13. LABG has three separate PAI efforts which do not appear to be coordinated and which retain vestiges of relationships that have historic importance but lack vitality today. The PAI program in many of its counties seems to still be recovering from the loss of staff in 2012 .

LABG manages its PAI effort in three distinct facets:.. Covington, Lexington, and Morehead/Ashland. Each has its own historic origin. Each office has someone to vet potential clients and seek placements. The majority of the PAI effort entails placement of individual cases with individual attorneys. Once a volunteer attorney accepts a placement, LABG coordinators seek periodic status reports by mail.⁹ The advocacy director is responsible for oversight of PAI and for oversight of volunteer attorney work. She reaches out to volunteer attorneys once a case has been open more than six months. The program had considered making do-it-yourself forms for divorces available to volunteers; however, this effort never took hold.

⁹ The PQV report from 2006 recommended that contact with PAI attorneys be more frequent and regular. The OCE Compliance report from 2012 found that oversight of PAI attorneys was deficient.

The Covington and Lexington PAI programs were historically supported by strong outside volunteer lawyer projects: the Northern Kentucky Volunteer Lawyers (NKVL) in the counties around Covington, and the Fayette County Bar Assoc. Pro Bono Program (FCBAPBP) in Fayette County around Lexington. Both are separate 501(c) (3) entities. Both had been formed by the bar associations in their respective areas to help address unmet legal need among lower income Kentuckians. Both had strong ties to the former legal service organizations that became part of LABG.

The PAI program in the central and eastern counties did not have outside roots but nonetheless had a strong separate identity. It became part of the complex LABG structure after the merger with Northeast Kentucky Legal Services, but continued to operate independently of the other two PAI projects.

NKLV board members have strong ties to LABG. LABG appoints six of the NKVL board members. Additionally the executive director of LABG has a permanent seat on the NKVL board. Similarly, there are lawyers from the Northern Kentucky area who have served on both boards, some of whom have been staff attorneys at LABG.

FCBAPBP formed in Fayette County at a time when Central Kentucky Legal Services (CKLS) did not provide services in that county. FCBAPBP remained a functioning organization and continued its work in tandem with CKLS, and then with LABG.

The Northern Kentucky Volunteer Lawyers had a very different origin. NKVL and NKLAS long ago entered into a memorandum of understanding whereby the bar association sought to support the efforts of NKLAS to provide and expand pro bono services in the counties of northern Kentucky.

Both entities were funded by IOLTA, and their efforts diminished significantly when they lost their respective IOLTA grants after the 2008 economic downturn. At this point neither NKVL nor FCBAPBP have funding for staff or perform any function other than recruitment or awards ceremonies. Their activities, if not their names, have been mostly absorbed into LABG. The Fayette County program maintains a phone number which rings at the offices of LABG. The NKVL continues to conduct some recruitment and sponsors an annual awards ceremony for volunteers but it has no staff, instead listing LABG employees as its staff. Neither effort retains any real ground level activity. LABG provides staff and resources for all of the PAI activity.

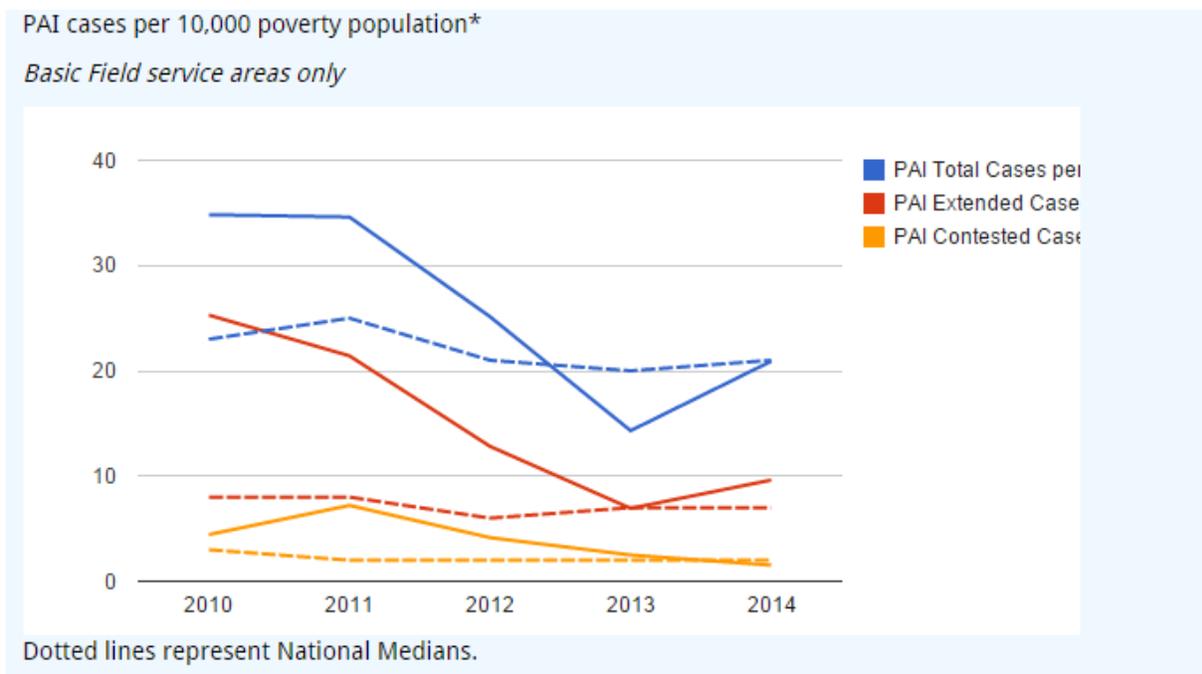
The PAI efforts of LABG in its central and eastern counties evolved from the PAI efforts of Northeast Kentucky Legal Services. There is no outside equivalent to NKVL or FCPBC there. In Ashland there is a list of 31 active volunteer attorneys, and no apparent significant recruitment activity. Morehead is similar, with a smaller list of volunteers. Coordinators check in with volunteers for case status.

Additionally the intake unit in Covington handles some pro bono placement. LABG also places a few cases annually with contract attorneys that may qualify as PAI. The great bulk of the *pro bono* placements occur in four counties: three around Covington - Kenton, Boone and Campbell - and Fayette County, home to Lexington. Boyd County, in the east, ranks a distant fifth. These

counties contain the highest percentages of poverty population in the service area, however they consume a disproportionate amount of the PAI effort. Twelve of the rural counties had zero PAI cases closed in 2014, and three counties had one each. The 2013 PAI distribution was similar, with thirteen counties having zero and six having one each. Admittedly these counties have few residents and a small percentage of the poverty population, but the appearance is that the local efforts by NKVL and FCBAPBP, though imminently laudable, have had lasting effects of concentration, quite possibly due to the geographic boundaries of the bar associations. Arguably the PAI effort from Northeast Kentucky Legal Services has had the least concentration effect. Though fewer cases are placed in the eastern counties, they are spread over a greater number of counties.

A large majority of the PAI effort follows the one case one attorney model. And nearly all of the cases placed with volunteers are divorces: 125 of 150 in 2013; and 164 of 173 in 2014. LABG incorporates volunteers into its clinics when they are available. However, there does not appear to be a clear strategy of integrating volunteers into the clinics. When no volunteers are available the LABG staff conduct the clinics.¹⁰ The intake unit has two volunteers, one of whom is a former employee, but this does not appear to be part of the PAI effort. There had been an effort to organize a domestic violence panel and an eviction panel in Kenton County several years ago, however the energy for the panel dissipated and the effort ceased. These efforts should be planned and arranged so that volunteer attorneys have ample time and opportunity to participate.

The CSR totals for PAI held well above national medians until 2011. In 2012 and 2013 they dipped sharply and fell below 70%. Despite the overall decline in PAI cases, LABG remained at or near national medians for extended service and contested PAI cases. See the following chart.



¹⁰ The 2009 Intake report in its comments about *Pro Bono* recommended a stronger connection between pro bono activities and self-help clinics.

Finding #18 of the LSC Office of Compliance and Enforcement's 2012 report cited LABG for having non-compliant PAI cases (mostly dormant) that had to be deselected. This may have contributed to the decline in PAI cases reported in 2013, and the overall decline in closed cases that year.

LABG launched a pilot initiative in 2013 to assist low-income veterans experiencing civil legal issues. A separate intake line was established to provide applicants with limited service and also to refer specialized cases to pro bono attorneys. The program recruits pro bono attorneys, especially those who are veterans, to assist. The cases assigned to the veterans' project panel generally include child support, discharge upgrades, disability claims, and the preparation of wills. LABG has partnered with Disabled Veterans of America, Kentucky Veterans' Center, and Wills for Warriors on this project. They have also recently employed a law clerk who is a member of a veteran's household who assists in the project. (LABG has a preference in hiring for this position for veterans or members of veteran's households.) This is a strong example of the kind of thinking and effort that needs to go into planning for future *pro bono* efforts.

Recommendation III.2.13.15* LABG should consider consolidating its PAI efforts under one coordinator, potentially an attorney. This should include one organizational strategy for recruitment and a standard regimen for follow-up with volunteer attorneys.

Recommendation III.2.13.16* LABG should expand the array of PAI opportunities, especially in underserved rural counties, to include more clinics, co-counseling, participation in community education and advice, and other varied opportunities.

Other program services and activities on behalf of the low-income population

Finding 14: LABG conducts year round events and activities that provide indirect client services to a large number of its client population.

LABG conducts clinics and substantive law presentations year round. Many of the clinics involve wills, divorces and veterans services. During 2014 they logged 68 events. In addition to clinics they conduct community legal education events and place print media ads and public service announcements in local media outlets that reach tens of thousands of people.

As with direct services and PAI efforts these events cluster in the counties around Covington and Lexington, though there are a number around Ashland and Morehead, and some that extend occasionally to less populated areas.

In addition to the in person and public service announcements, LABG shares a statewide website with the other LSC programs in Kentucky. There are many legal resources on the website that residents of the service area use. The 2014 GAR report for other services indicates that people downloaded 185,606 legal information materials and 7591 legal self-help materials from the statewide website.

Recommendation III.2.14.17* LABG should plan to extend community education

presentations, clinics, and other program services into as many of its counties as is practicable, as it plans to do with outreach.

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

Board governance

Finding 15: The board of directors takes its role seriously treating all members with respect and calling on them to share responsibility.

Under the By-Laws there are 24 directors who all serve four year terms but are not limited in the number of terms they may serve. Meetings occur quarterly and rotate among the Covington, Lexington and Morehead offices. The full board receives materials for meetings several days in advance. Copies are posted on a portal in the website that can be downloaded, and copies are sent by mail. The current board chair has served nine years, and was the executive director of a legal services program in the past though is now in private practice. Directors serve until successors are selected, until resignation, death or removal. The only committee required under the By-Laws is the executive committee. There are standing committees for finance, audit, personnel and program. The board continues to discuss the efficacy of a standing resource development committee.

The finance committee includes attorney and client eligible members. The client eligible members demonstrated thorough understanding of the budget process and documentation. The committee reviews the budgets and financial statements that the business director prepares for board meetings. The full board engages in budget review and discussion during meetings. The audit committee reviews the audit reports and makes recommendations to the finance committee which in turn makes recommendations to the full board. Several years ago LABG retained a new audit firm in response to an OCE recommendation.

The board acts independently as shown in the recent hiring process for executive director. Client members are encouraged to participate in board activities. Indeed, by all accounts the client members participate actively in board meetings and events. The client board members expressed appreciation for the extra attention they receive from management personnel who transport them to and from board meetings in a van where they can ask focused questions about LABG business. This may be an unintentional by-product of the ride to meetings, but it contributes greatly to the ability of the client members to understand and participate. All board members, including client members, were solicited for donations during a recent capital campaign in any amount they could afford. This effort shows great respect for client members, and equanimity in positioning and treatment of board members.

There is no regular formal board training. New board members receive one-on-one orientation from the executive director including an introduction to the Board Handbook and a description of the responsibilities. This procedure for orientation began under the former executive director and continues under the current. A recently appointed client member described how at the first meeting the other board members had given her assistance with the materials and responsibilities.

Several years ago the LABG board attended a formal training session on financial administration. Comments about this training were very positive. The current client board members expressed a desire to have this type of training more often.

LABG staff do not participate in board meetings by giving updates on their programmatic work or reporting on committee/work group activity, nor are they invited. There do not appear to be any efforts to promote interaction between board members and staff. However during the 2014 search for a new executive director the board by all accounts kept the staff informed, sought their input, and visited all offices to provide updates and get feedback.

The LABG board conducts annual performance evaluations of the executive director. They use a three year rotating cycle, collecting evaluation data in successive years from the staff, community partners, and the board members. The current executive director has only been in the position for ten months and will not be evaluated until the fall of 2015.

Recommendation IV.1.15.18: LABG should offer annual training to its board members, with specific financial responsibility training for client-eligible members.

Leadership

Finding 16: LABG recently transitioned to a new executive director and the organization has that experience to inform comprehensive succession planning.

The executive director, business director and the advocacy director form the core leadership team. They have a strong working relationship, not missing a beat from the transition to the new executive director. Planning has been the focus of the new executive director. Strategic planning and needs assessment are immediate items to address. He has also identified resource development, expansion of services into underserved counties, and overall productivity as near term goals.

LABG successfully completed a leadership transition in 2014, hiring a new executive director in what appears to have been a reasonably smooth and well-orchestrated process. With this experience so recently behind it, the board should step back and record its experiences for use in development of a formal succession plan. The business director and advocacy director have made known their intentions to retire within the next few years, making the completion of the plan that much more relevant.

The organizational succession plan is a work in progress. It identifies important aspects of the organization that must be understood and mapped before any realistic plan can be adopted. Retirement transitions are but one important aspect of succession planning. Another fairly recent experience that should inform the process occurred in 2012. The organization suffered a belt-tightening period of lower funding and the resulting attrition. This experience was very traumatic for the organization and its effects still read clearly on the faces of staff who recall and discuss it. One person in particular who left the organization was nearly synonymous with the PAI program for a large portion of the service area. After her departure LABG's PAI program as a whole suffered. An often overlooked aspect of succession planning is the transfer of functions,

relationships, and preservation of institutional memory. These should be part of a comprehensive leadership succession plan.

Recommendation IV.2.16.19* *LABG should take advantage of this unique moment in its history to compile its thoughts and complete a comprehensive succession plan that includes all senior staff and management, and that encompasses functions or knowledge that may reside in other staff.*

Overall management and administration including financial management¹¹ and human resources administration.

Finding 17: The organization is well run and is financially healthy. Retention in Ashland and Morehead may be a long term issue.

During the visit the team learned that the comptroller had been hired approximately seven months prior. Her hire had followed the departure of the prior comptroller who left to become the City of Covington’s finance director. The City had apparently courted this comptroller because of her reputation, and the reputation of LABG as an organization that is well administered and financially sound.

LABG has 35 funding streams to manage. LSC is its largest, comprising 35% of the overall annual budget. There are many small funding sources under \$50,000 each annually. The finance and administrative staff by all accounts have sufficient resources to handle and track these funding streams though they all admit to periods of “challenge” when work demands intensify. The organization changed audit firms very recently, in a move related to LSC/OIG concerns.

The LSC providers in Kentucky participate in state health and retirement programs. Because of this LABG has the luxury of turning over much of its HR benefits responsibility to outside entities. The business director handles other remaining HR responsibilities.

Overall the business operations of LABG appear to be very well run. The business director has a reputation for being in control and for having everything in order. She has the respect of the entire organization and inspires confidence in the administrative staff.

Staff in Ashland and Morehead regularly apply for openings in Lexington and Covington when they become available. A number of the attorneys in Lexington and Covington related that they began employment in Ashland or Morehead then moved to Lexington or Covington. The PQV team also heard from staff that new attorneys tend to cycle in and out of the Ashland and Morehead offices. This may be due to the geographically remote nature of these offices. And perhaps it is exacerbated by the internal disconnect that employees in these locations sense.

Recommendation IV.4.17.20: *LABG should evaluate the work environment of the Ashland and Morehead offices for potential improvement of retention.*

¹¹ This visit was conducted by the Office of Program Performance (OPP) for the purposes set forth in the Introduction. OPP findings and recommendations under this criterion are limited to staffing, organization, and general functions. Assessment of fiscal operations is conducted by other offices at LSC.

Technology

Finding 18: Information Technology (IT) has been recently outsourced to a private company that has worked with LABG to develop a technology plan for the future.

LABG has a technology infrastructure in place that met the 2008 LSC Baselines for technology but does not fully meet the 2015 Baselines. They recently entered into a contract with a provider to outsource their IT maintenance and development of their intranet. It has taken six months or so for the provider to complete an assessment of the LABG system and get all of the servers and desktop computers programmed for the new remote maintenance system. They have constructed a long term plan for consolidation of servers and replacement of aging hardware.

LABG has a VOIP phone system that allows office-to-office call by extension. They communicate internally by email, and have their own domain name. They use their intranet to store policies and procedures for easy access by all. They have a website and share a statewide website with the other three LSC programs in Kentucky that hosts forms and legal information .

LABG uses Kemps as their CMS, and though it has office management features built into it, LABG uses only a select few. Advocates use the tickler system, however they either use paper calendars or Outlook for their schedules because the calendaring system in Kemps is not editable. The CMS can generate forms, but is not used for that purpose. Staff members have access to generate case lists and other types of reports from the CMS as they need. LABG plans to include online intake in the future. Foreclosure advocates collect data which administrative personnel have to input under a sub-grant into a separate web based CMS run by the grantor known as Pika. Several staff members commented that LABG needs more office laptops. Within the intake unit

the CMS is integrated into the phone system so that upon retrieval of a potential client's message the staff person can place the callback by automatic dialing in the CMS.

The broadband connections to the Ashland and Morehead offices appear to be somewhat troublesome, causing periodic breakdowns in data transmission. Improvement of the inter-office connection is part of the long term plan.

Recommendation IV.4.18.21: The move to an outside vendor for IT service appears to be the right path and should be explored for its potential to support the growth of LABG for the near future.

Human resources administration; Internal communication

Finding 19: Internal communications appear to function better in the Covington and Lexington offices than in the Ashland and Morehead offices.

Staff tend to be generally well informed about the status of the organization and events that affect administration and daily operations. Most communication occurs by internal email. Senior management travel to all offices regularly, but acknowledge that they get to the Ashland office

less than they wish.

During the recent hiring process for the new executive director, board members and senior management visited all offices, kept everyone informed throughout the process and listened to staff feedback. Comments were near unanimous in praise of the open nature of the process and of the board for sharing of information. No one felt left out or unheard.

Communication concerning the legal work of the organization is less successful among offices than it is about office business. The advocates in Covington and Lexington seem to work well together, call on each other readily, and have a greater sense of camaraderie than the staff in the rest of the organization. Staff in the Ashland and Morehead offices feel out of the loop, not knowing what kinds of work go on in Covington and Lexington. The organization uses Outlook for its email program which if set up correctly will automatically distribute messages to every employee.

There does not appear to be any regular communication between the board and the staff. As mentioned above under the board governance discussion, staff do not appear at board meetings. Nonetheless when the situation requires that the board communicate with staff, such as in the search and hire process for the executive director, communication flows freely and adequately.

Recommendation IV.4.19.22* LABG should convene a committee of staff and management to develop communications policy and procedure that integrates all offices and staff into a unified communication structure.

Resource Development

Finding 20: LABG disperses its resource development responsibilities to various employees.

There is no one person within LABG who has a job title or description devoted to resource development. This function has been spread out among various management and staff.

LABG has been successful in obtaining various funding streams. They currently have 37 separate funding streams, some of them having one source but multiple iterations within the 33 counties. In addition to LSC funding, the main sources are state: Kentucky Access to Justice filing fee, Kentucky Access to Justice General Fund, CHIPRA, SHIP and IOLTA. They have also been successful in raising funds through a capital campaign for the purchase of office space in Lexington. That campaign has not fully met the goal, but the office space has been procured and is occupied.

As part of the long range planning the organization will evaluate its budget in the fall of 2015 to see if a resource development position can be added.

Comments from community partners and others outside the organization indicate that there may well be untapped sources of support, particularly in the Lexington area, that may well be worth the effort for the organization to develop. Some of these same partners felt that LABG would

benefit from development and extension of its “brand” at the state level and within its own boundaries.

Recommendation IV.7.20.23: LABG should follow through on its plan to explore the efficacy of adding a resource development position when funding permits.

Participation in an Integrated legal services delivery system

Finding 21: LABG takes a prominent place in the statewide delivery system. They collaborate with the other LSC programs on issues of state interest.

Community organizations and the state legal community look to LABG for leadership. The management of LABG has long been known and respected for taking on the mantle of responsibility. LABG staff have been leaders of state task forces, training events, and other activities sponsored by the Kentucky Equal Justice Center (KEJC). LABG advocates construct and present substantive training sessions at the statewide conferences. They have taken issues of importance, such as domestic violence, and reached into areas of the community to teach and train.

According to the Kentucky Access to Justice Foundation, when the need arises for support on funding issues at the state legislature LABG has traditionally taken the lead.

The LSC programs in Kentucky collaborate on numerous projects. They have all taken a role in a recent pro bono innovation proposal to LSC. They engage in collaborative planning and they all provide support for state level initiatives.

LABG contributes to the cost of maintenance and content of the SWWS – Kentucky Legal Aid Network. The Legal Aid Society, located in Louisville, takes on responsibility for the actual

maintenance of the SWWS. Websites for all four programs are linked to the main SWWS. Do it yourself forms and informational brochures can be found there.

CONCLUSION

Legal Aid of the Bluegrass has a strong solid foundation on which to build. It faces ongoing challenges in that it covers a large service area that encompasses densely populated urban and suburban areas, as well as many remote rural areas that are difficult to reach. This challenge exists in direct service delivery, indirect service delivery and PAI. The organization recognizes the challenges and appears determined to address them and others. Having emerged from a recent transition in leadership LABG has strong experience in meeting challenges, and a wealth of information to use in developing a path for the future.