

STATEWIDE LEGAL SERVICES OF CONNECTICUT, INC.

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By electronic transmission and FEDEX ground.

June 3, 2011

Cynthia G. Schnieder
Deputy Director
Office of Program Performance
Legal Services Corporation
3333 K. Street, NW 3rd Floor
Washington, DC 20007-3522

RE: Statewide Legal Services of Connecticut, Inc.
Recipient # 107000

Dear Ms. Schnieder:

Please find SLS's response to the LSC Draft Report from the Program Quality Visit the week of February 7 through 11, 2011.

Sincerely,



Jan Chiaretto, Esq.
Executive Director

cc: Cheryl Nolan, Program Counsel, Office of Program Performance, LSC
Board of Directors, Statewide Legal Services of Connecticut, Inc.



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STATEWIDE LEGAL SERVICES OF CONNECTICUT, INC.

Recipient No. 170000

Program Response to LSC Draft Report
From the Program Quality Visit
February 7-11, 2011

LSC REVIEW TEAM

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Submitted by:

David Bozzuto, President, Board of Directors, SLS
Janice J. Chiaretto, Executive Director, SLS

June 3, 2011

INTRODUCTION

The Board of Directors and the Executive Director of Statewide Legal Services wish to thank the Program Evaluation Team for their professionalism and thoughtful evaluation of our program. Our staff enjoyed meeting with the Team Members as did the several outside stakeholders and partners who had the opportunity to better acquaint the Team with the Connecticut Legal Services Network of which we are proud to be a part. We were happy to accommodate the Team while they surveyed a large quantity of information about our program in a relatively short time frame. Any inconveniences we may have caused during their stay are much regretted.

We hope that we will remain in partnership with the Corporation for many years to come in pursuit of providing access to justice to the underserved poverty population with civil legal needs in the state of Connecticut.

Many of the Team's recommendations are well received. On the whole, we have found this comprehensive series of findings and recommendations to be challenging, thought-proving and most instructive for our on-going improvement. We are extremely pleased the Team found many positive aspects of our program, its staff members, Board of Directors and management team.

However there are large areas of concern that SLS shares with its partnered programs we would like to take this opportunity to address. We assure the Corporation that our concerns are not centered on the spirit of these recommendations or the integrity of the Team. We are not at all questioning, for instance, whether needs assessments and strategic planning are a necessary part of long-term program management. We could not agree more that quality control should never be sacrificed to quantity of intake. We hope to offer more context and information that may have been inadvertently overlooked by the Team or, by fault of our own, inadequately communicated to them during the visit.

Within our response you will find examples of immediate implementation of certain recommendations. Our response in parts will also ask for a clarification or restating of those findings and recommendations we find either unclear, seemingly inaccurate, or, as posited below, are better analyzed in context of SLS's function within the Connecticut Legal Services Network (Network) services delivery model.

As the report correctly stated, SLS was incorporated in 1996 to provide telephone intake, advice, brief service and referral as part of a much larger network of legal providers who provide a full range of legal services to their regions. The report identifies SLS as one of only two organizations "that provide distinct functional services statewide", the other being a program, The Legal Resource Center of Connecticut (LARCC) that serves an entirely different purpose within the Network. SLS, and the network as a whole, is the product of an intense statewide planning project brought about by restrictions placed on LSC recipient funding. Connecticut along with a handful of other states, implemented this form of delegated service delivery to fully exploit the potentials of its diverse funding resources. We have found this system to work very well.

We fully understand that LSC requires that all recipients are to make available the full array of legal services to its client community. As explained in more detail below, our open intake system intentionally avoids more specific and targeted case acceptance priorities, as is the emphasis on high volume intake. We are a pure hotline providing many advice and limited services but stopping short of carrying caseloads. For that function, we rely on our partnered programs as well as a pro bono panel to provide extended and full services to clients identified for referral. High volume intake allows us to enjoy a tremendous overview of client legal needs, emergent trends and community concerns that are in turn communicated back to the regional programs, community groups and bar associations.

Also as discussed below we continue to perform outreach for matters that fit logically within the scope of our

mission. To a large extent we rely on our partnered programs that are in a better position to identify and serve specific needs within their local communities to perform outreach. However all programs are in constant dialogue regarding emergent needs and trends affecting certain populations. We work together to provide an array of quality legal services.

As the report indicates, SLS is fortunate to have a hard working staff and a Board of Directors fully committed to the work and mission of the program. Its management team has over 70 years experience in legal aid advocacy and hotlines. As the report also mentions, SLS has a collective bargain agreement. Much of our operational decisions are influenced by the constraints it often imposes on our ability to be more flexible in internal matters. Management is eager to explore many of the recommendations set forth in the report - many that are of a more tangible nature such as a written LEP policy and staff wiki - are already complete. Implementation of some recommendations may be contingent on SLS acquiring a better telephone system, collective bargaining, or other tempered by management prerogative and Board approval.

By the same token, we would like to take this opportunity to address some serious concerns the Team may have expressed, especially in matters of quality control, management capabilities and attention to systemic detail. We do not wish to refute the Team findings so much as to assure the Corporation that SLS remains aligned with the overarching goals of high quality services and efficient use of scarce resources.

SLS, along with its partners, is pleased to participate in a functional delivery system that has stood the test of time since its inception in 1996. The network continues to work in a highly cooperative, non-competitive relationship thus avoiding needless diversion of our time and resources to matters other than service delivery to our clients. SLS plays both a unique and a pivotal role in this network of services. We believe strongly that we must continue to play this role to fulfill our mission within the network and there for fulfill our mandate to LSC.

FINDINGS AND RECOMMENDATIONS

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

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

Findings 1: In 2008, the CBF commissioned a statewide legal needs study to benefit the legal services community. The Network conducted a separate study in 2008 focusing on technology use by low income people.

SLS recognizes that periodic needs assessments are a necessary part of program operations. Along with Strategic Planning (addressed in Finding 3, below) SLS would conduct a Needs Assessment at some time in the future. At present SLS relies on the report Civil Legal Needs among Low Income Households in Connecticut conducted in 2008 by the University of Connecticut. The Connecticut Bar Foundation had generously underwritten the study in collaboration with and on behalf of the Network. Two program Directors, Norman Janes of SLS and Pat Kaplan of the New Haven Legal Aid Association, provided the survey questions.

Finding 2: SLS has never completed its own assessment of client legal needs, its priority statement is overly broad; the program has no case acceptance policies.

The Team may be mistaking SLS's broad priority system for a lack of needs assessment or planning. This is not the case. SLS has since its inception deliberately engaged in the broadest possible prioritizing of callers because of its unique position as the triage and referral center for three other large non-LSC legal aid programs. The Team met with the project Directors of these programs who had expressed satisfaction with this approach. We believe that to

enable SLS to identify callers whose legal needs fall within the case acceptance priorities of our partner programs, our intake system must consistently accommodate the broadest sampling possible.

As the Team correctly finds, our system has always embraced traditional core areas of legal need in matters concerning housing, family, benefits, education, employment and consumer. We wish to assure the Corporation that the protocols for handling such calls do not require our advocates to advise in any matters they lack the expertise to handle. Intake personnel are trained to identify and direct those callers to other resources as needed.

We also wish to assure the Corporation that the spectrum of intake we are able to process does not result in a narrowing of priorities. We can achieve the opposite results. High volume intake functions as a survey mechanism allowing SLS to feel the “pulse” of the state. From this vantage point SLS can identify emergent issues and trends that could otherwise never be spotted with more “targeted” case acceptance priorities. Moreover, once these trends are spotted, SLS can respond to the need in a number of ways. Here are some examples within the previous three years:

- 1 SLS has been on the forefront of foreclosure advocacy. In 2008 SLS recognized the need to respond to the impending crises. The SLS Board voted to extend income limits to 200% of poverty for foreclosure intake to better capture the “new poor” affected by the crises. We began collaboration with the Connecticut Fair Housing Center (CtFHC) to develop intake and referral protocols, including checklists, for SLS advocates. SLS was one of the first programs to help convene and sit on a standing foreclosure sub-committee of the Connecticut Bar Association’s Pro Bono Committee. SLS in collaboration with the CtFHC began an innovative Foreclosure Clinic, scheduled on a monthly basis in Hartford Connecticut and later in New Haven, which marshaled resources from the private bar, University of Hartford School for paralegals, SLS attorneys, HUD counselors and the judiciary. SLS continues to train its advocates regarding the substantive and procedural aspects of foreclosure and continues to work with the Ct Fair Housing Center to refer appropriate applications to the clinic or pro bono attorneys for full presentation.
- 2 SLS has worked closely with partner programs to gather data, provide clients, and lend advocacy support to halt statewide violations of the Protecting Tenants in Foreclosure Act. (See LSC UPDATES, Legal Aid, Conn AG work to Halt Foreclosure-Related Evictions, February 4, 2010)
- 3 SLS recognized the pressing need for minor offenders to seek state pardons in order to fully participate in public housing and employment opportunities otherwise denied to them because of their criminal record. We have instituted an on-going Pardon Assistance Project to better train the numerous pro se pardon applicants who are faced with a complex set of forms and tasks culminating in a hearing before the Ct. Board of Pardons. This outreach was done in collaboration with legal aid attorneys expert in this field, members of the Paralegal section of the Connecticut Bar Association, SLS intake and paralegal advocates, and other interested parties.
- 4 Monitoring impact advocacy results: SLS is in the unique position to speak to callers who have been affected by impact advocacy brought by its partner programs. We continue to monitor and report any fall- out from steps taken by the NHLAA and the State Attorney General’s Office to protect tenants in foreclosures. Our benefits unit collaborates with partner programs to advise and refer callers who are not receiving appropriate access to DSS branch offices in contravention of a case brought by CLS in the wake of severe ADA violations.

Clearly our partner programs rely on SLS to provide intake and data we could never obtain without accepting a high volume of calls. We respectfully question whether it would be prudent to require us to narrow the stream of potential referrals by delimiting the core subject matters to any greater extent. To do so will alter the existing network paradigm and profoundly compromise SLS’s designated role inside the Network.

Finding 3: SLS does not have a strategic plan. SLS does not have a formal approach for evaluation program effectiveness and does not focus sufficiently on the results actually achieved compared to outcomes originally intended.

Respectfully, the Team may have come to the erroneous conclusion that SLS’s referral policies and protocols are inefficient given the referral rate to partner programs reflected in the 2010 statistics provided. We agree that our partnered programs cannot always accept the volume of referrals that we could send to them. This is due primarily

to a lack of resource in those programs, especially after the significant decrease in IOLTA funding forced lay-offs and furloughs throughout the system. From time to time our partners, especially the smaller field office of the CLS program are forced to close or extremely narrow case acceptance. The programs may also at times have grant driven case acceptance priorities that obligate them to accept some of their intake from local sources such as battered women's shelters.

We assure the Corporation that management has a formal method for reviewing case referrals. In 2007 the Director in her former role as the new Deputy Director designed and implemented a "program priority file" system for the Network's intranet system (a proto-wiki). The folders are updated routinely by the partners to contain real-time information on case acceptance priorities, referral protocols and unit case acceptance capacity for each referral partner's office. Altogether we serve nine offices. SLS staff have referral priority information, *provided by the partners*, readily available on their desktops. Management personnel, but especially the Deputy Director and the program administrator, as well as the daily peer reviewers, check as a matter of course decisions to refer a case against the information contained in folders. Moreover, all the programs have a dynamic email line of communication. Intake point people assigned at the other end of the referrals within the partner programs communicate in real time via the networked email system with SLS management whenever a pressing question regarding a referred case may arise.

SLS understands the Team's concern about duplication of effort in the context of case referral. Our understanding is that advice given to the same client by our partner program is of a different nature than what we offer insofar as the program has the opportunity to spend more time with the client, usually in person, review documents, further assess merit and offer a higher level of advice that takes into consideration the many things (such as the unique policies or procedures of the local courts) a statewide program cannot provide.

We agree with the Team that efficiencies must always be sought. Strategic planning on a statewide level may reveal another approach heretofore not contemplated. We are of the hope that our partnered projects will be willing to engage in strategic evaluation, including a better sharing of outcome data which is available through a coding system. We respectfully remind the Team that presently the partnered programs are completely autonomous without interlocking boards and governance. This is not to say however that they will be resistant to an enhanced sharing of information. SLS enjoys a strong collaborative environment with our partners and this should prove to be no exception.

Recommendations:

I.2.2.1*. SLS should engage in a comprehensive needs assessment process to determine the critical legal needs identified in the community for legal advice, pro bono referral and for limited services beyond advice. This should be done in collaboration with the Network. This process should be a precursor to strategic planning.

SLS respectfully asks for clarification as to why this most recent assessment is insufficient; the Legal Services Program Criteria manual, page 5, states in part; "Performance Are One does not require one particular form of method of assessment, such as written surveys, nor does it require extensive documentation of the planning process". SLS hopes that the Corporation would understand that in keeping with our unified approach to provide relevant services, the entire network relies on the data. Moreover it would be unlikely that the CBF or its partnered programs would be willing to contribute resources for another assessment this soon after the University of Connecticut report.

We will continue to work with the partners to maintain accurate case acceptance and referral protocols utilizing our current system.

I.2.2.2*. SLS should consult with outside resources to conduct a strategic planning process in 2011. SLS' partners should be included in this process.

SLS will begin a strategic planning process this year including the partners in the process.

I.2.3.2. Program effectiveness for provided services and quality referrals should be formally assessed on a periodic basis. SLS should evaluate the ratio of referrals to its partners and the percentage of referred cases resulting in service by a partner program. It should evaluate its own performance including review of call data, advice given and client feedback. After the strategic plan is developed, assessments should be revised in relation to the goals and objectives in the strategic plan.

We understand the need for a strategic planning process and look forward to beginning this year. This process will examine all aspects of the SLS intake, advice and referral protocols internally and in relation to the legal aid partners and private bar.

I.2.3.3*. SLS should develop a process for gauging client assessment of its services on a regular basis. The program should consider a survey to include with client letter appropriate. The survey could also be posted to the <http://ctlawhelp.org> site and added to SLS's online intake system.

We thank the Team for these helpful suggestions. Better client assessment mechanisms are currently underway. At least one client satisfaction survey will be available via internet by July. This summer we have a bi-lingual intern who will canvas pro bono clients for outcome and satisfaction data. Surveys by mail and phone canvassing will also begin this year. A second use of technology survey conducted by SLS on behalf of the network was completed earlier this year.

PERFORMANCE AREA TWO:

Criteria 1. Dignity and sensitivity

Findings 4: In general, SLS is sensitive and responsive to individual clients' circumstances and is culturally and linguistically competent.

We are very pleased with the overall positive finding for this extremely important criterion.

Finding 5. SLS does not have an LEP plan.

Recommendations:

II.1.5.1*. SLS should develop an LEP plan.

SLS has developed a written LEP plan.

II.1.5.2. Management should insure that monolingual staff is mindful of client letters that require translation.

We will do our best to see this happens.

Criterion 2. Engagement with the low income population

Finding 6: SLS is actively and visible in the client community.

SLS welcomes the acknowledgement of its several collaboratives including the newly launched statewide website. The Program has historically endeavored to include intake specialists in outreach activities when feasible. Telephone coverage is never the sole factor when deciding to include them in outgoing projects.

Recommendations:

II.2.6.1 SLS should create a plan for program outreach.

SLS will create program plan for outreach.

II.2.6.2. Intake specialists should be included in outreach efforts in a more formal and thoughtful way.

Intake specialists will be included whenever the opportunity arises.

Finding 7: The migrant paralegal provides outreach to the farmworker community through visits to farms. SLS endeavors to provide services across the state with limited resources.

Migrant outreach is historically a valued component of the SLS mission.

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

Finding 8: Office locations and intake hours are generally calculated to achieve access to clients, but there has been no measurement by SLS of its effectiveness in this regard.

There is little disagreement that SLS should continue to explore alternatives to telephone intake. We want to assure the Corporation that SLS does not make alterations to intake formats without giving it great thought. For instance, the most recent telephone hours are a result of several experiments over the course of four years. During that time evening hours were tried but abandoned due to scant call volume. (SLS has attempted evening hours several times since it opened). Laptop intake at certain venues was discontinued in consideration of privacy and wait-time issues that negatively affected the applicants. Keeping regular rather than shifting hours has garnered positive feedback from our partners and other groups who appreciate the consistency. Understandably some staff members miss participating in out-of-office events they found enjoyable, however, management bases these decisions on what is

deemed to be the highest and best use of resources, at times abandoning innovations that do not work as well as proven methods.

SLS continues to be committed to exploring alternative modes and venues of intake however; we heartily agree that this is a very important aspect of accessibility. SLS will strive to find other forms of intake, such as A2J, that will compliment if not a substitute for telephonic access and find better ways of analyzing data to identify underserved populations.

Recommendations:

II.3.8.1 *.SLS should regularly assess anomalies between caseload and service area demographics that suggest access barriers and address them accordingly.

We are eager to utilize our data in the most advantageous possible way. We would be committed to seeking outside statistical expertise when required.¹

II.3.8.2. SLS should seek to make itself available to client with access barriers or who may have difficulties using the telephone through in-person intake or others avenues. SLS should reassess expanded intake during limited evenings and weekends; volunteer attorneys may be a resources to staff these hours.

SLS is eager to seek alternative ways to provided alternatives resulting in overall greater access .

Finding 9: SLS has innovative technologies that increase access.

We look forward to the inauguration of the A2J online intake system.

Finding 10: SLS's telephone system is scheduled for an upgrade to VOIP in two years. Call system queues

¹ Year 2010 statistics comport fairly well with state demographics; 38.99% White, 28.77% Latino, 29.41% African American, .71% Asian, 2.11% Other.

are not handling calls as efficiently or client-friendly as possible.

This section contains much critique of our current ACD system that can only be remedied by the installation of a new phone system. It is true that the system pre-dating this one was far more user friendly for callers and staff alike. This system purchased by the previous administration in an emergency situation has proven to be far too limiting. And although it is VOIP capable, it will not be compatible with the Network's new Microsoft OCE platform – another serious drawback to its utility. The bottom line is that SLS plans to commit the requisite resources to a more appropriate system by next year.

Recommendations:

II.3.10.1* SLS should increase queue depth and handle extreme volumes by bringing advocates in for short periods to empty the queue.

We anticipate greater flexibility to manipulate the queues with a newer system. However, we have several concerns about this first tier recommendation. Crossing advocates with intake specialists may offend collective bargaining unit job descriptions; this suggestion has met with union resistance before. Furthermore the program is not certain given our volume whether we would want more callers to back up in queue. We prefer to find alternative means of access such as A2J. Most important, the Board and management take the view that our most highly skilled and paid professionals are best not utilized for intake and clerical functions especially when alternatives are available.

II.3.10.2 SLS should record an outgoing message for the screening queue to communicate matters not handled and guide ineligible callers away.

SLS has added the suggested outgoing recordings. We will continue to refine our outgoing communications to better instruct callers about our services.

II. 3.10.3 SLS should consider having comprehensive, real time call center information, such as wait times and number of calls holding, made available to all intake specialists advocates. SLS could achieve this by installing the call management software on the desktops of all users. It may also be feasible for telephone display of queue data when SLS adopts the VOIP system.

SLS will aggressively find ways to make our call center more user friendly for callers and advocates. Modifying our current telephone system is probably not as cost effective as obtaining a new system as mentioned above.

Finding 11: Intake specialists are well-trained; intake is primarily supervised by the office manager.

Intake is supervised by our program administrator who has served as an intake specialist and substantive advocate before taking this position several years ago. The present administration has always encouraged SLS intake specialists to sit in on unit meetings and substantive trainings provided in house. We appreciate and support their desire for additional training. Such training ensures their ability to correctly identify the legal problem the callers present.

Recommendation:

II.3.11.1 SLS should seek training opportunities for intake specialists on substantive issues.

We will continue to do so.

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

Criterion 1. Legal representation

Finding 12: SLS's advocates are aware of key issues in their substantive areas of practice. SLS does not have uniform substantive scripts or checklists.

We are pleased that the Team finds our staff dedicated and diverse. We believe they are well trained and knowledgeable in their areas. Although not uniformly imposed, the more senior attorneys and paralegals have

appeared in court or other forums, and our newest attorney had his own private practice for several years. Written scripts for some substantive areas do exist but are not in regular use. When SLS opened, its staff was populated by seasoned advocates from the other legal aid programs. Going forward scripts and checklist will help ensure best practices, especially when training new staff and volunteers. The same can be said for centralized repositories of information, especially in electronic format.

Recommendations:

III. 1. 12. 1. SLS should develop written scripts of screening questions which could be used by new staff, interns, and volunteers to support intake and for quality control.

SLS will develop scripts and checklists as part of its quality control and training protocols.

III.1.12.2*. SLS should continue with its plan to develop a resource wiki staff. The wiki should include the development and/or updating of all appropriate manuals, scripts, forms and advice letters to make them easily accessible to staff.

The SLS staff page wiki containing program information and direct links to substantive resources was launched on May 10, 2011 to receive reviews from the staff. We will treat updating and expansion of the wiki's functionality a top priority.

Finding 13: Advocates receive feedback on casework from the peer review of their closed cases and in discussions with the Deputy Director.

The narrative under this finding is not entirely accurate and therefore may raise unnecessary concerns. We would like to take the opportunity to offer clarification:

As reported, SLS does indeed have a peer review system that was initiated by the new Deputy Director (now the Executive Director) in 2007 after all three substantive managers were let go in an effort to streamline management practices and alleviate morale problems. However, management of supervision is not entirely self-directed. Basically, the Deputy Director conducts routine spot checks of applications closed on any given day of the week. She also places herself on the reviewing schedule along with the peer reviewers at least two times a week or more when available and runs open and closing reports for each advocate on a monthly basis or with greater frequency if needed. Advocates needing greater supervision are given a work plan overseen by the Deputy and the Executive Directors.

We are not aware that the Team reviewed advocacy case notes. SLS places a great emphasis on the quality of the advocates' case notes in the electronic file. The notes must contain the following elements: The Issue, the Factual development, the Advice given in detail to the callers, and the Results of the call (such as referral, no further action, send letter, no letter or something else). We refer to this as our IFAR system instituted by the Deputy Director in 2007. This is the primary, albeit not the exclusive, method by which we assess the advocates' performance.²

In addition, until the current configuration of management in 2007 advocates were not encouraged to attend statewide task force meeting, outreach events and other trainings. After restructuring, advocates are expected to attend trainings, participate in outreach and attend task force meetings. For the latter, the duty usually vests in a senior advocate who emerges as a leader within their unit, however other advocates are encouraged to attend when feasible. No advocate or intake specialist has been denied an opportunity for professional development solely on the basis of telephone coverage.

Finding 14: SLS's case closing data surpasses case closings of other hotline programs. SLS's emphasis on high volume call handling appears to impact the quality of its work.

We deeply appreciate the Team's overarching emphasis on quality. Given our high volume of applications, the

² The ABA acknowledges this practice; "In some hotline services intake notes are a necessary part of quality control and skills training for hotline personnel. Supervisors can review notes taken by the personnel staffing the telephone and spot issues where the information provided to callers can be improved." Standard Operation of a Telephone Hotline Providing Legal Advice and Information. Adopted by the American Bar Association, August 2001.

Team's concerns are completely understandable. The Team's finding that "[o]verall there is a focus on quantity at the expense of quality" is disappointing however. This finding unjustifiably impugns our ability to meet our ethical obligations, but little evidence is offered in support.

The Director explained to the Team that great emphasis is not given to the generation of detailed advice letters. We frankly do not believe many callers will benefit from letters. Literacy statistics seem to justify that belief.³ In our view, time consumptive letter writing for the majority of applications a poor use of resources. Rather, we rely on giving thorough advice, sometime on more than one occasion, to the same caller, as documented in case notes. This is key to our ability to handle more volume while maintaining very high standards.

Rather than re-inventing substantive writings, SLS relies a great deal on self-help materials produced by the Legal Assistance Resource Center as noted in the PQV Summary. These materials are the bulwark of the entire Network's self-help strategy. Pamphlets addressing core areas of need are developed and revised annually with great care by Network attorneys, some inside of SLS. These materials are also available on our website in printable form. SLS sits on a committee that has begun converting the most frequently used pamphlets to plain language with better graphics. Statistical information pointing to frequency of demand is provided through SLS CMS reports and more recently, website analytics. These are not the only materials provided depending on the nature of the call however. Each unit may send other flyers, notice of rights, time sensitive announcements and other forms of information as part of Network outreach. Dissemination of materials is then coordinated between a unit point person and the intake unit.

Form letters generated from the CMS can be tailored to the caller's circumstance when the advocate determines that written instruction, or perhaps the inclusion of other materials such as copies of laws and regulations, would benefit the caller. The Team has pointed out that our form letters are not as user friendly, lack uniformity of appearance.. SLS will make every effort to revise our letters accordingly.

We understand that the Team probably did not have time to listen in on calls. We want to assure the Corporation that anecdotal reports of discomfort are not necessarily symptomatic of a greater problem. We view ourselves like any busy law office with intervals of stressful moments punctuated by some quieter moments. Staff members are encouraged to take time off the phones during their shift should they need a break. Never during the current administration has an advocate been reprimanded or even criticized for refusing to take a call in queue.⁴

Each advocate has 13 scheduled hours (37% of all work time) away from the ACD per week, primarily in the afternoon, for "brief service". The program takes a liberal approach to how advocates use brief service, but it is understood the time must be used primarily to research, write letters, call clients, perform limited actions and generally support their advocacy work. Brief service is also a convenient time to conduct unit meetings and in-services.

We also have policies in place regarding abusive callers and the giving of names. Staff have not always felt comfortable giving their names to callers; moreover management allows advocates to forgo personalization of form letters should they feel threatened. Our goal is to balance client friendly attitudes with personal comfort and safety.

We are grateful to the Team to point out a very important coding error: SLS staff do perform more limited actions than the case reports evidence. Management has begun to work more closely with staff to insure they code limited services accurately from hereon in.

Recommendations:

III.1.14.1*. The Deputy Director should engage in more comprehensive supervision including spot checking cases prior to closure, periodically reviewing closed cases, counseling on brief service cases, using the unit meeting as a forum for case discussions/reviews, and keeping abreast and coordination appropriate training

³ Government studies show that more than half of the adults in many of Connecticut's cities function at the two lowest levels of literacy. In the city of Hartford, 73% of adults are functionally illiterate; in New Haven, 57%; in New London, 50%; and in Bridgeport, 68%; in Waterbury, 56%. From *Ct. Read to Grow 2008-2011*, www.readtogrow.org relying on data from *Literacy Research Initiative, LICCS*, www.liccs.ed.gov.

⁴ The Executive Director, in concert with other LSC hotline Directors, is working with CLAE to develop a web-based hotline customer service –oriented training. A web-based training for hotline supervisors was launched in February of this year.

for all staff.

The Deputy Director will continue to work closely with the advocates in all aspect of work production. We refer to our commentary in Finding 13.

III.1.14.2*. SLS should prioritize cases where it would be appropriate for staff to engage in direct representation and, after development of case assignment, training (including shadowing with partner program staff), and supervisory procedures, all advocacy staff should periodically be involved in representation beyond mere counsel and advice. This benefits quality of advocacy by providing training opportunities and enhancing their understanding of substantive law.

SLS will make a greater effort to mandate that staff engage in direct representation, “shadowing” etc. Training opportunities will continue to be offered, if not mandated if necessary.

III.1.14.3*. The program’s emphasis on producing high numbers and call volume should be balanced with increasing the quality of legal advice given the client.

We refer back to our commentary in Finding 13.

III.1.14.4*. Advocacy staff should be encouraged to take whatever time is necessary to draft a comprehensive advice letter or complete other duties at the completion of the call before taking the next call.

We refer to our commentary in Finding 13.. Brief service time will be utilized. Wrap up time has been expanded from 5 to 8 minutes (it was never 3 minutes).

III.1.14.5*. Hard copies of printed files should be digitized and filed electronically.

We will be working with tech staff to better streamline our system. Presently hard copies are only printed for reviewing purposes and to alleviate eyes strain. Information contained in the applicant files is stored digitally in the CMS.

Criterion 2. Private attorney involvement (PAI).

Finding 15: SLS effectively integrates private attorneys into its legal representation and client services, but would benefit from formal case acceptance procedures.

SLS has always worked in close collaboration with its state bar association. We are very pleased that the Team recognizes our approach as basically thoughtful and innovative, and we are ever more committed to enhancing our referral capabilities in the near future.

Recommendations:

III.2.15.1*. Case acceptance guidelines should be developed for SLS’s pro bono component and disseminated to staff to allow for both an automatic and more expansive flow of cases to the pro bono unit.

SLS has updated its pro bono priorities for referrals to the unit. They are posted on our wiki and will be reviewed on a quarterly basis.

III.2.15.2. SLS should establish case oversight protocols for individual cases referred to pro bono attorneys. This should become part of the program’s PAI plan.

We are not sure what is meant by this – we ask for clarification.

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

Finding 16: Consistent with its goals, objectives, strategies, SLS participate in a wide range of services and activities that benefit the client population.

SLS will make every effort to continue to offer innovative responses to shifting needs.

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

Criterion 1. Board governance

Finding 17: SLS's Board demonstrates effective oversight and is actively engaged in decision making.

We are pleased that LSC recognizes our very supportive and committed Board of Directors.

Recommendations:

IV.1.17.1. Now that new management is in place, the time has come for SLS to move beyond its past and plan for meeting challenge in the future.

The Board looks forward to meeting future challenges.

IV.1.17.2* In recruiting future Board members, effort should be made to insure that the Board is an influence body, appropriate diverse, and representative of the various geographical areas and low-income populations served by the program.

The Board will continue to recruit diverse members from all sectors of the legal and client community . We would prefer this not to be a first tier recommendation however. It is our view that Board development is an evolutionary process that may not easily lend itself to precisely prescribed time limitations.

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

Finding 18: SLS's leadership and administration could be strengthened.

We would like to assure LSC that the current Executive Director has a clear positive vision for our mission. The Director will continue to balance her many outside duties that come with her leadership position in the legal community with her duties inside the program. We would respectfully observe that SLS is a free-standing legal aid organization. It is paramount to the success of the program that we continue nurture strong ties with our network partners and other stakeholders. These duties will not lessen, but we are confident that they do not cut against her ability to lead inside the program.

The Team probably did not have sufficient time to reflect that the Executive Director has been establishing herself in a leadership role within the program since 2007 when she was given the position of Deputy Director. Under her leadership innovations such as the peer review and other positive changes to the workplace culture came about. Respectfully, the current Director was not engaged to effect sweeping change that results in paradigmatic change to the program's mission of high volume intake, advice and referral. We will, as the corporation suggests, enter into strategic planning to examine these issues.⁵

Finding 19: Program management is compartmentalized. The supervision of intake and telephone advice is bifurcated between management staff.

SLS is not at all taking umbrage with the Teams' desire to make SLS the most efficient hotline possible. We share that desire. We would be interested in at some point, as suggested by the team, to undergo a thorough analysis, perhaps with a consultant, of our present systems. Changes in technology such as the introduction of VOIP capabilities and online intake will probably necessitate changes in work flow procedures in the not too distant future. Nonetheless we are very concerned that the Team has found so many faults with our present systems that we believe

⁵ We would request that this finding be reconsidered. As this is a public document available to all stakeholders, funders, and employees we question what vital interests of the program or the Corporation are met by undermining public and employee confidence in the present leadership at SLS .

is working quite well.⁶

From the outset the Team seems to identify an equation between the existence of job descriptions, delegated duties and work roles with undesirable inefficiencies. The Team does not favor our two-tier intake and advocacy system. Being the only LSC recipient in Connecticut, SLS has always had sufficient resources to populate all of its units without the need to overlap functionality. We have found that this bifurcation helps move callers smoothly along the queues, reduces confusion with callers as to whom they are speaking (intake or advocate).⁷

We agree that some cross-training is always a good idea. SLS advocates have enough understanding of the ACD and CMS systems, as well as the knowledge of where to find referral and resource materials should they need to help in an emergency. With the advent of other modes of intake it is foreseeable that advocates may be performing some quasi-intake functions to round out the information already in the data base before they offer substantive advice. Most of the advocates know how to run some basic reports but more important to our minds is that they know how to run and print the information off the CMS that is relevant to their daily job performance. However, we must caution the Team that we will never expect all employees to possess the same skill sets, especially in the areas of technology. Some of our more veteran advocates will probably never be that comfortable with technology beyond the rudiments of work product and email. The IT people diligently work with anyone needing more training relevant to their job descriptions. Most report writing is left to either the management team or the IT staff where it is a more relevant function

As for intake specialists taking on more substantive roles, the Team may not have realized that historically the SLS Board has not been comfortable with unqualified workers offering legal advice. Intake specialists at times undergo some substantive trainings to better enable them to spot legal issues relevant to their level of responsibility, i.e. triage, referral, substantive queue selection and so-on. SLS recognizes the intake specialists are desirous of many things to enhance their situation. We are sympathetic however we believe that as with most of these issues, the matter comes down to a test of relevancy to job function which is best left to the province of management. We would be delighted to enhance the intake specialists' role in way that prove cost efficient, logical to their mission and non-offensive to their collective bargaining job descriptions when the opportunity presents itself but not before.

The Team has also found that the advocates have answered some of their questions in a way that demonstrates more of this "culture of compartmentalization". Some of this may be reflective of how seriously staff take their bargaining unit job descriptions. We also believe staff see themselves as a team where people can rely on each other's diversified skill sets: The Team was only present in our office for three partial days. Understandably the Team could not participate in the realities of office life and therefore their report caught none of the collegiality, the robust email and IM lifestyle, staff meetings and all modes of communication we presently enjoy.

We have enthusiastically embraced the notion of a staff wiki to impart all kinds of up-to-the minute information to the staff. We very much look forward to using this centralized source of information that can also be morale boosting, perhaps even fun. We are confident that at SLS people can and do function very well as a team.

As discussed before, at present time SLS is not prepared to regularly bring in substantive advocates to help the Intake specialists. We view this possibility as a last resort in an emergency. We would rather explore alternatives that keep the attorneys functioning at their highest and best use in substantive related tasks.

⁶ Observations such as "culture of compartmentalization" and "strong fiefdom cultures" seem, however unintentional, extreme if not pejorative. We strongly urge that they be removed from the document.

⁷ The ABA acknowledges that either a bifurcated or direct form of screening are both legitimate schemas; 'Hotline services may conduct intake and screening through administrative staff who then route callers to lawyers or other personnel to discuss the legal issues pertinent to the call' Standard Operation of a Telephone Hotline Providing Legal Advice and Information. *Adopted by the American Bar Association, August 2001.*

Recommendations:

IV.2.18.1. The Executive Director and the Deputy Director should both maintain a working knowledge of all aspects of program operations.

We agree, but assure the Corporation that the core of the management team , the program administrator, Deputy Director and Executive Director are able to perform any critical function within the program including each others major duties. It would be virtually impossible for the team to function otherwise.⁸

IV.2.18.2*. SLS should consider reorganizing the program’s administration to provide more support for the work of the Executive Director and the Deputy Director. SLS should consider assigning administrative assistant responsibilities to the current office manager. SLS should reorganize the intake specialists and advocates into one overall unit managed by the Deputy Director. The program should also consider eliminating shifts for coverage and staffing the calls in a more streamlined approach. LSC’s Intake Focus Group is available to SLS for technical assistance.

This Recommendation is very sweeping. It compresses several recommendations together all having strong impact on our present systems. To better respond we will parse the component parts:

1. Support for the Executive Director: We agree with the assessment that the core management team is “stretched thin”. More support is a good idea for the Executive and Deputy Director. We appreciate this recommendation concerning the re-alignment of administrative duties. Resource permitting, we wish to explore a reconfiguration of management , including a possible hire to fill in what we perceive as gaps that cannot be filled by re-arranging these three people alone.

2. Reorganizing the intake and advocacy functions into one unit under the Deputy: This is an interesting idea but not a format we feel committed to. Presently we are not convinced only one person should be tasked with supervising 8 intake specialists, 17 advocates, the scheduling the telephone protocols and the myriad of detail imbedded into these functions not the least being the intensive quality control. The idea seems more feasible with the addition of more management – something the Board has agreed to explore.

3. Eliminating shifts for coverage: Unfortunately the report does not portray our system as streamlined or efficient. All systems can benefit from tweaking, but our present system has not been developed without thought. Shifts ensure that both substantive and linguistic units are afforded the best possible coverage as staffing levels can vary greatly. Collective Bargaining Unit job description cannot be ignored in the process. As with all these recommendations our goal is not to refuse, but to let reformations take place over time as a product of planning rather than imperative.

Therefore, we would ask that these recommendations not be listed as first tier. They imply sweeping structural change while removing managerial control from what we hope will be a more organic approach to gradual change. To that end, we will be happy to consult with LSC’s Intake Focus Group.

IV.2.18.3*. As the Executive Director and Deputy Director are relatively new to their roles, SLS should consider the benefits of outside expertise through the development of mentoring relationships from the legal services community outside of Connecticut to serve as a confidential sounding Board and technical assistance resource to the Executive and Deputy Director.

The Executive and Deputy Director are very appreciative of this suggestion. We look forward to seeking mentoring from other programs outside Connecticut.

⁸ The Team’s assertion, alluded to here and found in the summary. [“Managers are unable to perform or describe tasks not within their specific job descriptions.”, page 3] requires further evidence. We don’t understand the basis for this . Left alone the assertion could erode public confidence and undermine the management team’s authority within the program.

IV.3.19.1 *. Intake specialists' clerical duties should be streamlined to be more efficient.

We will reevaluate their duties accordingly.

IV.3.19.2 *. SLS should insure staff are afforded time for personal breaks.

We make sure this happens.

IV.3.19.3*. SLS should evaluate its practice of managing coverage on the phones with shifts. Best practices adopted by other hotline programs may be helpful in assessing other ways to address coverage.

See IV.2.18.2*

Finding 20: SLS has devoted adequate resources to its current technological structure.

We look forward to even more technological advances in the realm of service and outreach. The network is indeed fortunate to have a talented hardworking tech team.

Recommendations:

IV.3.20.1* SLS should regularly generate and assess the reports from its call management software program and its case management system. These reports can help the program change delivery and staffing, among other aspects of operations, to meet the changing demands for its services.

We have recently installed software to better enable this function.

IV.3.20.2*. SLS should assess each of its manual systems and logs consider how technology could gain efficiencies for staff. Technology staff should be involved in this planning.

We will enlist the help our technology staff for this purpose.

IV.3.20.3*. SLS should scan and email digital copies of applications to local offices.

Done.

IV. 3.20.4 SLS is strongly encouraged to work with its partners to develop common case closing codes.

There may have been some confusion, but the programs have always had common closing codes. Perhaps this section refers to something else such as outcome codes. The partners will be making those statistics available to us from hereon in.

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

Finding 21: The program has sufficient, capable, and trained staff dedicated to financial administration.

We are pleased with the Team's over all finding. We will consider a CFO resources permitting.

Finding 22: SLS does not have a full-time human resource Director. Staff evaluation forms are an inefficient tool for performance management.

The management team understands the importance of morale for all staff members. Hopefully we succeed in this arena more than we fail in this area.

The present staff evaluation was instituted by the Executive Director when she was the Deputy. A self-evaluation component is required by the union contract. The present instrument focuses more on professional development goals. With the advent of newer attorneys and volunteers, the program would look into an evaluation form suitable for less experienced staff.

Recommendations

IV.5.22.1*. SLS should implement a comprehensive staff evaluation system looking to resources like the Center for Legal Aid Education, the LSC Resource Information website or Management Information Exchange , among others for guidance.

The management team will explore options.

IV.5.22.2. The office manager is encouraged to attend a formal training on human resources and personnel management focused on sensitivity to power dynamics in the employer-employee relationship and the value to the organization of team cohesion and high morale among employees.

The program is happy to send the program administrator to management trainings and will also find one that emphasizes employer-employee relationships

Criterion 7. General resource development and maintenance.

Finding 23: SLS does not have a resource development Director. Grant writing and other resource development is primarily handled by the Executive Director.

The program will probably explore resource development within the confines of the Network structure.

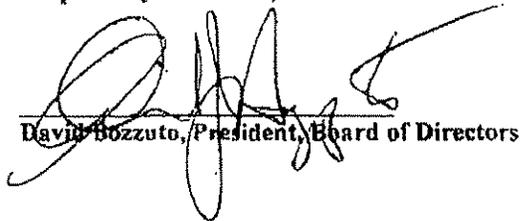
Criteria 8 and 9. Coherent and comprehensive delivery structure. Participation in integrated legal services delivery system.

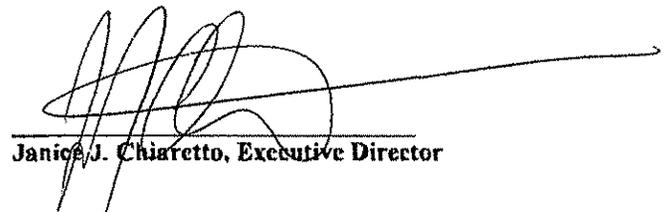
We are pleased that the Team finds the program working to keep abreast of shifting needs while working in concert with the Network. No doubt that strategic planning will move us in the right direction as we move further into this decade , meet new challenges and foster new innovative approaches to legal services to the poor.

Finding 24: SLS is an active participant in an overall delivery system statewide.

No disagreement that a statewide evaluation is always good after at least a decade.

Respectfully submitted,


David Bozzuto, President, Board of Directors


Janice J. Chiarretto, Executive Director