

New Mexico Legal Aid

Administration

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December 22, 2010

Tim Watson, Program Counsel
Office of Program Performance
Legal Services Corporation
3333 K Street NW, 3rd Floor
Washington, DC 20007-3522

Re: New Mexico Legal Aid Inc., Recipient #732010
Comments to Draft Report, Visit of August 23-27, 2010

Dear Mr. Watson:

Thank you for the opportunity to comment on the Draft Report of your Teams visit to New Mexico Legal Aid in August of 2010.

After reviewing the Draft Report, submitting it to the Board of Directors, to Management and Administration, NMLA offers the following comments to the Draft Report:

Performance Area One, Finding 1: No comment;

Performance Area One, Finding 2, Recommendation I-2-1: The current case acceptance protocol and flow chart allows individual offices to focus on the needs of their client base. The protocol is broad enough to allow the offices to react to changing needs of clients caused by outside forces. To establish "case acceptance rules" as suggested would unduly restrict the individual offices from making decisions that are specific to their communities. NMLA will address this recommendation through the managing attorneys with a conceptual agreement on the meaning of the criteria and focusing on greater effort is on critical matters only;

Performance Area Two, Finding 3: No comment;

Performance Area Two, Finding 4, Recommendation II-4-1: The issue of outreach to rural communities is one of importance to the entire staff and administration of NMLA. NMLA has provided the tools necessary to each office to conduct outreach and representation in remote communities. Each office is encouraged to incorporate a rural focus in their yearly planning and in their service delivery model. Management will work to develop an Annual Work Plan reflecting each office's efforts, to be reviewed quarterly. It is heartening to hear that staff is aware that greater efforts need to be made;

Performance Area Two, Finding 5, Recommendation II-5-1: The Santa Ana office has moved to accessible accommodations in a more professional structure;

Performance Area Two, Finding 5, Recommendation II-5-2: As part of the planning process for 2011, NMLA will be creating a staff committee to evaluate the intake process and make recommendations on changes to be implemented;

Performance Area Two, Finding 5, Recommendation II-5-3: Please see the comments to Recommendation I-2-1. Staff will be trained once again on the process and they will be encouraged to communicate with outside agencies. Managers will be asked to develop a clearer uniform understanding of the basis for accepting cases in light of the guidelines in place and any local specific issues;

Performance Area Two, Finding 5, Recommendation II-5-4: Based upon the comments of the LSC OPP team at the exit conference adjustments were implemented in the Albuquerque case acceptance meetings and the meetings are now shorter and more streamlined;

Performance Area Three, Finding 6, Recommendation III-6-1: This recommendation is well-taken and management will implement this suggestion. NMLA will also work to develop a formal orientation program before the end of 2011, however, it should be noted State funding concerns make it improbable new employees will be hired in 2011 since there are current plans for laying off some existing staff;

Performance Area Three, Finding 6, Recommendation III-6-2: This recommendation is well-taken and management will implement this suggestion;

Performance Area Three, Finding 6, Recommendation III-6-3: All staff *are*, and have been, provided a hard copy of the CSR handbook. Additionally, the handbook is on our office shared drive. Further, all staff have been provided training on more than one occasion regarding the LSC closing codes, specifically the "L" category. Managers are encouraged to refer to the CSR with staff for discussion;

Performance Area Three, Finding 6, Recommendation III-6-4: This recommendation is well-taken and more webinars will be used as our technological systems support them. As explained to the members of the LSC OPP team, we routinely held Friday webinars on substantive law as well as policies and procedures. However, our telephone provider was changed and the new system does not support the use of webinars. As soon as that is corrected NMLA will once again provide staff with Friday webinar trainings;

Performance Area Three, Finding 6, Recommendation III-6-5: This recommendation is well taken and management has also been concerned with overextending the Deputy Litigation Director. Many of the PAI responsibilities will be handled by the Managing Attorneys. The Executive Director, the Interim Litigation Director, and the Deputy Litigation Director are working as a team to try to minimize stress on any one

team member, though these are very challenging times and we are all currently taking on several different responsibilities in order to meet the needs of the organization;

Performance Area Three, Finding 7, Recommendation III-7-1: This recommendation is well-taken and management has implemented this suggestion. Staff attended the conference in 2010;

Performance Area Three, Finding 7, Recommendation III-7-2: This recommendation is well-taken and management has implemented this suggestion. The migrant unit was re-staffed with a lawyer with experience in migrant populations and will be conducting annual planning. Administration is working to allocate resources for a part-time manager once again, so the staff can focus on work for clients while the Manager insures compliance with the LSC Grant Conditions while helping to increase the workloads and the outreach;

Performance Area Three, Finding 8: No comment;

Performance Area Three, Finding 9, Recommendation III-9-1: This recommendation is well-taken and management will implement this suggestion. NMLA is in the process of developing a PAI Manual for all staff;

Performance Area Three, Finding 9, Recommendation III-9-2: The Santa Fe courts hold a very robust clinic for domestic relations. The Santa Fe NMLA office is researching a clinic model that incorporates the court's work and does not unduly stress the private bar. The Office is also considering bringing this clinic to Spanish-only speaking clients in conjunction with the Santa Fe Community College;

Performance Area Three, Finding 9, Recommendation III-9-3: This recommendation is well-taken and management will implement this suggestion;

Performance Area Three, Finding 9, Recommendation III-9-4: This recommendation is well-taken and management will implement this suggestion. The work is slow, as we have partners/contractors who are also suffering a loss of funds with the "recession";

Performance Area Three, Finding 9, Recommendation III-9-5: NMLA has and will continue to support the local Pro Bono Committees of each of the Judicial Districts. NMLA has taken a major role in working to involve the private bar and local committees for services to NMLA clients;

Performance Area Three, Finding 10: No comment;

Performance Area Four, Finding 11, Recommendation IV-11-1: This recommendation is well-taken and management will implement this suggestion;

Performance Area Four, Finding 11, Recommendation IV-11-2: This recommendation is well-taken and management will implement this suggestion;

Performance Area Four, Finding 11, Recommendation IV-11-3: This recommendation is well-taken and management will implement this suggestion. The Board is establishing a committee to develop a strategic plan. The Board is planning a retreat, with the Executive Director to be hired, to start this process;

Performance Area Four, Finding 12, Recommendation IV-12-1: This recommendation is well-taken and management will implement this suggestion;

Performance Area Four, Finding 12, Recommendation IV-12-2: This recommendation is well-taken and management will implement this suggestion;

Performance Area Four, Finding 13: No comment;

Performance Area Four, Finding 14, Recommendation IV-14-1: This recommendation is well-taken and management will implement this suggestion;

Performance Area Four, Finding 14, Recommendation IV-14-2: After waiting for a response and input from the Union, NMLA developed and instituted an evaluation procedure that was effective November 1, 2010. Management will be conducting annual reviews of all staff which we hope will lead to better outcomes for clients;

Performance Area Four, Finding 15, Recommendation IV-15-1: This recommendation is well-taken and management will implement this suggestion; and,

Performance Area Four, Finding 16: No comment.

Other more general comments to the report are:

Other suggestions from staff regarding Board Governance that were not incorporated in the report include: the size of the Board at thirty members is unwieldy and expensive, the Board for the most part is not involved in community presentations and community relations, the Board for the most part has not been involved in local pro bono and committee efforts, many of the standing committees are not active, and the Board has never evaluated itself or its efforts;

Board members of NMLA requested more detailed information on issues staff furnished to the team in the surveys indicating a morale problem. A verbal request

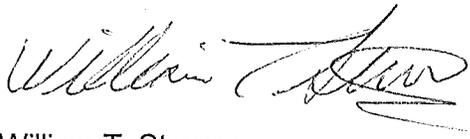
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was made to the team leader for this information but no response has been received to date; and,

NMLA is working to improve communications and morale, but it is also going through a period with funding cuts from two state funders, with a turnover of the Litigation Director and the Executive Director, with a layoff notice for five and one-half employees, and with a probable office closure. These do not help with morale.

Again, thank you for the opportunity to comment on the draft report.

Sincerely,

A handwritten signature in cursive script, appearing to read "William T. Strouse".

William T. Strouse
Executive Director

Xc: Honorable John W. Pope, Chair, Board of Directors
Board of Directors
NMLA All