



# **LEGAL SERVICES CORPORATION**

**Office of Program Performance**

**FINAL**

***PROGRAM QUALITY REPORT***

***FOR***

***South Jersey Legal Services, Inc.***

Recipient Number: 331020

July 12 – 16, 2010

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**South Jersey Legal Services**  
Recipient # 331020

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## INTRODUCTION

### **Background on the Visit.**

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a program quality visit to South Jersey Legal Services (SJLS) from July 12 – 16, 2010. The team members were Monica Holman Evans, OPP Program Counsel/team leader; John Eidleman, OPP Program Counsel; Joseph Dailing, Consultant; Douglas German, Consultant; and Hadassa Santini, Consultant.

Program quality visits are designed to ensure that LSC grantees are providing the highest quality legal services to eligible clients. In conducting its assessment, the team carefully reviewed the documents LSC received from the program including its renewal narrative for 2010, its case service reports (CSRs) and other service reports (OSRs), the numerous documents the program submitted in advance of the visit, including advocates' writing samples, and a survey of SJLS staff conducted on the Internet. On site, the team visited the program's six branch offices. In addition to speaking to most of the SJLS staff members, the team interviewed a sample of board members, judges and community organization members.

In performing its evaluation of the grantee's delivery system, OPP relies on the LSC Act and regulations, LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid. Its evaluation is organized according to the four LSC Performance Areas that cover needs assessment and priority setting; engagement of the low income community; legal work management and the legal work produced; and program management including board governance, leadership, strategic planning, resource development and coordination within the delivery system.

### **Program Overview.**

SJLS was created in 2003 as the result of the merger of Camden Regional Legal Services and Cape-Atlantic Legal Services. SJLS is a nonprofit law firm that provides a full range of legal services to Burlington, Camden, Gloucester, Salem, Cumberland, Atlantic and Cape May Counties. SJLS also has a statewide migrant grant from LSC. SJLS uses the staff delivery model that employs specialty teams based on areas of practice. The service area is mixed with urban centers such as Camden and Atlantic City along with rural areas such as Cumberland and Salem. Tourism and resort areas exist along the coast in Atlantic City and Cape May. There is a diverse economy throughout the service area along with aging, abandoned industrial centers. Emerging medical centers exist in Camden, Vineland and mainland Atlantic County. Of the 1.8 million residents residing in the service area, 12% live below the federal poverty level. Half of all Camden City residents are LSC eligible.

SJLS provides civil legal services from six branch offices and one satellite office strategically located throughout the service area. The program's main location in Camden, NJ is home to a branch office along with the program's administrative staff.

The program's other branch offices are located in Atlantic City, Cape May, Vineland, Mt. Holly and Woodbury. The satellite office is in Pennsville. At the time of the LSC visit, the program employed 95 staff. Prior to attrition and decreasing IOLTA funding, the program had nearly 120 employees. SJLS is a unionized program consisting of three separate unions. In 2010, the SJLS budget consisted of \$1,539,721 in basic field funding and \$138,925 in migrant funding from LSC. Non-LSC funding, including IOLTA, consists of \$5,606,879 for basic field and \$116,400 for the migrant program.

### **Summary of Findings.**

SJLS is a well-managed, high-quality legal services program that provides free legal advice, brief service, negotiations and full representation in court and before administrative tribunals within its service area. The program has strong leadership and is well-respected throughout the service area. The advocates produce quality written legal work and are skillful in court. The Workers Rights Project (WRP, formerly known as The Farmworker Division) meets the critical needs of the agricultural worker community. The Workers Rights Project provides priority advocacy and service to farmworkers using individual representation, impact litigation and community legal education.

SJLS receives support from Legal Services of New Jersey (LSNJ), which coordinates the statewide legal services system. LSNJ provides training, legal and administrative coordination, technical assistance, technology hardware and software, and other support. LSNJ also provides direct representation to clients in matters of statewide significance such as consumer protection, health care access and workers rights. LSNJ administers the statewide legal hotline and maintains a public self-help legal website. Through the hotline, LSNJ provides brief service, advice and referrals to other legal services programs. The LSNJ hotline can be reached through a statewide toll-free number.

Like other programs in New Jersey, a major challenge facing SJLS is a dramatic decrease in funding at a time when communities are seeing an increased demand for legal services. In 2007, SJLS received \$3.7 million in IOLTA funding. In 2009, IOLTA funding had been reduced to \$344,000. As a result of conservative budgeting and an unexpected *Cy Pres* award, the program has not had to make any lay-offs. However, the program anticipates significant lay-offs for 2011 if increased funding is not realized.

SJLS has a relatively active board of directors. The board is governed by its by-laws and a board manual. A separate manual has been created to help orient new members to the board. After significant efforts by the board's governance committee and program staff, all board vacancies were filled earlier this year. Even though board attendance has improved with the new board members, there are challenges with getting some of the client-eligible members to attend.

SJLS has a vibrant Private Attorney Involvement (PAI) program. The PAI program covers all seven of the counties in the service area. The most compelling needs are in the area of bankruptcy and family law cases that involve complicated issues. The

PAI program has collaborative relationships with the local bar associations, Rutgers University School of Law and community organizations. The PAI program has been very innovative and creative in using private attorneys in different ways and ensuring they are focusing on critical legal needs of the client community. SJLS also makes good use of volunteer attorneys working in their local offices.

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

**Finding 1. SJLS completed its last comprehensive legal needs survey in 2002.**

SJLS received direct input from the client community through its 2002 legal needs study. The study covered the new service area and was based on over 1,000 interviews with the client-eligible community. SJLS used a telephone survey instrument that was administered in English and Spanish. SJLS also had meetings with social services providers, partner agencies and members of the bar and bench. SJLS continues to expand these discussions with community-based involvement. Input from SJLS staff members is received on an ongoing basis to assist in the identification of legal needs.

**Finding 2. Legal Services of New Jersey (LSNJ) completed the field research for its third statewide study of legal needs in 2007. The results were published in 2009.**

LSNJ published its most recent legal needs study in 2009. The 2009 New Jersey Legal Needs Study builds on previous studies and examines the legal problems of low-income people living in the state. SJLS plans to use the data and conclusions from the statewide survey to get additional insight into geographic and regional trends.

**Finding 3. The SJLS board engages in an annual review of its priorities.**

The board, using input from program staff, reviews existing priorities and available data to determine necessary adjustments to the program's priorities. The board also reviews information obtained from client surveys and discussions with those in the justice community. The review consists of examining data provided by the program. The board considers significant increases in client problems and changes in the population related to characteristics in the service area. The Statement of Priorities 2010 was approved by the board's executive committee in December 2009 and ratified by the entire board at the January 2010 board meeting.

**Finding 4. SJLS has not recently engaged in strategic planning.**

SJLS last engaged in organized strategic planning in conjunction with the 2003 merger. Individual offices participated in annual strategic planning to complement the efforts of the program. Due to the program's funding crisis, strategic planning has not been a recent priority. The program is the process of stabilizing the program and its units in light of pending staff lay-offs and service reductions.

**Recommendation:**

**I.4.1<sup>1</sup>**. SJLS should engage in strategic planning to explore service delivery alternatives once its financial picture stabilizes. Financial cuts will necessitate serving clients in a diminished capacity. Consideration should be given to the direction of the program and the services that will be provided to clients. SJLS needs to be clear about its goals and objectives and reinforce them throughout the program at all levels. Once the program has clear direction, SJLS should strategically align its resources with what is to be accomplished.

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

**Criterion One. Dignity and sensitivity.**

**Finding 5. The program's interactions with its clients ensure dignity and sensitivity.**

SJLS staff members have significant and meaningful interaction with the client community. Advocates routinely attend events and give presentations at the request of community organizations. Interaction with clients demonstrates respectful and courteous treatment by staff. SJLS provides services to clients in his or her preferred language and has receptionists who are bi-lingual in English and Spanish.

SJLS seeks to maximize access to its services for the low-income community by locating offices near public transportation and in densely populated client areas. SJLS has an office in each of the seven counties in its service area. The offices are handicapped-accessible and provide areas for private client conversations. There are some concerns about safety in the Camden office. Staff members have reported problems with disturbances by some mentally ill clients on the premises.

**Recommendation:**

**II.5.1.** SJLS should continue to make safety planning a priority in the Camden office. The program should explore the possibility of developing an internal plan to deal with emergency situations and difficult clients.

SJLS' response to the draft report indicates that the program has made safety planning a priority.

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<sup>1</sup> Recommendations are numbered as follows: the Roman numeral references the Performance Area followed by the finding number and lastly by the recommendation number that pertains to the finding.

**Finding 6. Intake at SJLS is supplemented by LSNJ.**

LSNJ operates a toll-free, multi-lingual statewide legal hotline that supplements intake at the local level. The hotline maintains the case acceptance policies of the local offices, but the current case management system does not allow LSNJ to electronically transfer files and case notes to SJLS. SJLS participates in regular meetings of the statewide Intake Task force to ensue coordination within the statewide hotline structure. The statewide hotline provides advice and brief service, and includes statewide computerized referral banks listing all other legal and non-legal social service providers. LSC-eligible cases accepted from LSNJ are reported to LSC.

**Finding 7. SJLS is transitioning from its centralized intake unit.**

SJLS instituted a centralized intake unit as a component of its full service program. The telephone intake was designed to provide advice, brief service and referrals at the time of the first call. SJLS has had recurring telephone problems. Additionally, the branch offices had a desire to assist applicants who walk into local offices directly instead of referring them to the telephone intake line. To address these concerns, the program recently placed intake workers within each office in an attempt to decentralize its intake. The program will maintain its centralized intake telephone number for all of SJLS. The program plans to have the new intake system in place by September.

Once the transition is complete, calls that originate with the centralized intake unit will be sent to the office that covers the geographic location of the caller. Also, applicants who walk into an office will receive in-person intake and will not have to call the centralized intake unit. Through the proposed changes, the program hopes to expand the number of entry points for applicants, integrate intake into the local offices and enhance pro se assistance. The managing attorney of each branch office will supervise intake staff.

**Recommendations:**

**II.7.1.** SJLS should contact the Intake Focus Group at LSC to assist with the transition of its intake function. The Intake Focus Group can provide suggestions to help SJLS establish a system that works best for clients and the program.

**II.7.2.** SJLS should evaluate the new approach to intake to ensure that applicants receive assistance promptly and efficiently and that the number of walk-in applicants does not overwhelm the capacity of the intake system as a whole.

**II.7.3.** LSC recommends that SJLS designate one person to supervise the intake system to ensure consistency and equity in take practices and access throughout the service area.

**Finding 8. SJLS's telephone system does not support efficient telephone intake.**

The program's phone system has been unreliable making centralized telephone intake very inefficient. There have been instances when the phone system is inoperable and when callers are unable to access the program by phone. Callers have had difficulty navigating the phone system and have been disconnected when using the system. Phone messages on the intake line are incorrect and stated wait times are not accurate. At the time of our visit, we were unable to access the Spanish portal using the phone system. Additionally, the program lost the ability to analyze call data when LSNJ upgraded the phone system.

**Recommendation:**

**II.8.1.** SJLS should work with LSNJ to identify the origin of the phone issues and correct them immediately. The phone system should be responsive to the needs of the program.

**Finding 9. SJLS's intake manual and case acceptance documents need revision.**

SJLS has a comprehensive intake manual and case acceptance document. The case acceptance schedule was updated in October 2009. The manual and schedule are very detailed and serve as helpful guides to intake workers. SJLS will have to review the documents and make appropriate modifications as the program goes through retrenchment and makes changes to its intake system.

**Criterion Two. Engagement with and utilization by the low-income population.**

**Finding 10. SJLS is engaged with the low-income population and provides adequate outreach to the client community.**

SJLS has an outreach coordinator who makes a concerted effort to be visible in the community. The coordinator meets with the director and manager of each office annually to determine outreach goals for the year. The program conducts outreach and distributes brochures and flyers to the low-income population. The program works with local governments and community organizations to provide training, education and presentations. SJLS is often invited to participate in client forums sponsored by community organizations. SJLS receives referrals from and makes referrals to appropriate agencies. Most SJLS advocates articulated some involvement with the client community or community organizations.

Even though the program's outreach efforts are extensive, it does not appear that the value of this work is captured. Outreach goals are not put into writing and reviewed throughout the year. There is also no analysis of the outreach efforts to determine the impact throughout the community.

**Recommendation:**

**II.10.1.** SJLS should evaluate the results of its outreach efforts to determine the impact in the client community by analyzing data that determines how an applicant learned about the program.

**Criterion Three. Access and utilization by the low income population.**

**Finding 11. SJLS is committed to serving a diverse group of clients in the service area including those with limited-English proficiency (LEP).**

SJLS has a language access policy that articulates the provision of services to the limited-English proficient community. The SJLS service area has a large immigrant population and many non-native speakers of English. Community members noted that SJLS is accessible to clients within the region and provides appropriate language access services. The policy mirrors the program's commitment to deliver high-quality legal services to its clients regardless of language. Many program staff members speak Spanish, the language spoken by the majority of non-English speakers in the service area. The language access policy and supporting protocols are reviewed annually and amended as needed.

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

**Criterion One. Legal Representation.**

**Finding 12. SJLS produces high quality legal work and has sufficient capacity to effectively represent clients accepted for representation.**

SJLS reported 6,148 closed cases in 2009, primarily in the subject areas of housing (32.9%), income maintenance (22.4%), consumer/finance (17.0%) and family (16.7%). In 2009 the program closed 424 cases per 10,000 poor persons, far above the national median of 265 for that period. SJLS closed 1,380 extended cases and 95 extended cases per 10,000 poor persons in 2009. This too exceeded the national median of extended cases closed per 10,000 poor persons of 57.

Currently, the program has a good balance of experienced and newer attorneys. The number of younger attorneys will likely decline as the program is forced to make lay-offs due to budget cuts. The union's retention by seniority policy will result in the loss of newer staff if reductions in force occur.

Writing samples and interviews revealed that the program has a solid core of advocates with experience and litigation expertise. With mentoring and oversight by the litigation director, the younger attorneys are doing good work. Most of the writing samples are cogent and provided a good presentation of complex legal matters. Regular

reviews of significant pleadings, memoranda and briefs would ensure consistent high quality work from all advocates.

SJLS has a good history of providing impact litigation and obtaining effective decisions for clients in extended cases. SJLS was able to successfully defeat a redevelopment plan that would have destroyed a vibrant, diverse community by forcibly relocating nearly 1,200 residents to make way for an upscale waterfront community and golf course. The program has also had success in foreclosure defense work, especially in cases involving predatory mortgages. The expertise of SJLS advocates was noted by judges and other persons outside of the program. Equal justice stakeholders were uniformly complimentary of the program's effectiveness and commitment.

**Finding 13. Quarterly case review is the standard for the program, but it is only aspirational in some offices.**

Legal work on an ongoing, routine basis is supervised and managed by the program. SJLS enjoys a rich, informal structure of supervision. Formal assessments of legal work do not routinely occur in each office, though. Even though management has set a standard of quarterly case reviews, each office does not meet this standard.

**Recommendation:**

III.13.1. SJLS should ensure that formal case reviews are conducted in each office.

**Finding 14. The litigation director is developing newer attorneys.**

New attorneys receive close supervision which includes observations of interviews, review of written work, and observations of court or administrative hearings. The litigation director provides direction and is available to train new advocates. The litigation director gives ongoing assistance and support to prepare advocates for court. Advocates in the program consistently applauded the availability of the litigation director and the assistance provided by him.

**Finding 15. SJLS has strong training and support mechanisms.**

LSNJ provides comprehensive support systems for SJLS. Advocates have access to regular training events that can be attended in person or viewed remotely. Attendance at training events is encouraged by management and training requests are routinely approved. Advocates uniformly cited program support systems as one of the program's strengths. To ask questions and conduct research, advocates routinely use statewide listservs organized by substantive legal areas. The director of litigation also organizes occasional training programs for SJLS in addition to the LSNJ programs.

## **Criterion Two. Private Attorney Involvement (PAI).**

### **Finding 16. SJLS has a strong PAI program that uses creative and innovative approaches.**

The program's PAI program works with local bar associations in each of its counties to recruit and involve the private bar in its work. SJLS makes good use of its volunteer attorneys within its offices and in the client community to address critical legal needs. SJLS has been creative in using private attorneys in different ways.

The Children's Supplemental Security Income (SSI) Project pairs pro bono attorneys with law students to assist pro bono attorneys who represent children in appealing denials of SSI benefits. Law students and members of the bankruptcy bar work together through the Pro Bono Bankruptcy Project to assist individual debtors with Chapter 7 bankruptcy filings. SJLS also operates a Pro Se Divorce Clinic and the Burlington County Wills Project using pro bono attorneys.

The program closed 261 cases through its private bar component in 2009. The majority of the closed PAI cases are in consumer/finance (49.0%), family (17.6%) and housing (14.9%). Extended service cases accounted for 65% of the total closed.

## **Criteria Three and Four. Other Program Services and Activities on Behalf of Clients.**

### **Finding 17. SJLS conducts a large variety of successful outreach, community education, and other activities on behalf of its clients.**

SJLS provides pamphlets and brochures on topics most relevant to the poverty population. The program has also developed several specialized projects that target problems experienced by the client community. The Community Economic Development unit works with client groups that are either comprised of and/or serve the needs of low-income persons involved in issues including affordable housing, jobs and education. SJLS also represented several community groups fighting against redevelopment initiatives that called for major dislocation of residents.

The Consumer Law Unit assists clients in a variety of consumer matters ranging from foreclosure defense and bankruptcy to debtor harassment and consumer fraud. As a result of the economic recession, the Unit has seen a huge increase in the number of clients seeking assistance. SJLS is challenged with coming up with new and creative defenses in an area of law that is still developing.

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

**Criterion One. Board Governance.**

**Finding 18. The program's governing body fulfills its oversight responsibilities.**

The SJLS board has 14 attorney positions and seven client positions. There were no board member vacancies at the time of our visit. The board meets ten times each year. Each board meeting includes an executive director report and a finance and administration report. The director of litigation gives a litigation and advocacy report that profiles cases of particular interest. The board's structure includes officers and standing committees. The board has an executive committee, a grievance committee, a personnel committee, a finance/audit committee, a priorities/delivery of service committee and an ad hoc governance committee. The governance committee was responsible for developing a plan to fill the board vacancies that existed until the beginning of this year. Committees meet as needed and may meet by conference call. The board has a policy for dealing with conflicts of interest that arise. The board has not adopted term limits.

Budget oversight is a shared responsibility between the program and the board. The program is very responsive to the needs of the board and has begun providing financial reports in an alternative format to make them easier to understand. The board reviews and approves the annual budget and the finance/audit committee manages the yearly audit process. Financial variance reports are reviewed before each board meeting.

New board members receive program orientation and training. Two board manuals have been developed to address the needs of board meetings. Training has been provided periodically, but no training plan exists that assesses and responds to ongoing training needs of board members. The board last evaluated the executive director in October 2008, but it is not done at regular intervals.

**Recommendations:**

**IV.18.1.** The board should examine whether it is necessary to have ten board meetings each year or if the board's work can be accomplished with four to six meetings.

**IV.18.2.** The board should consider setting term limits.

**IV.18.3.** The board should make an effort to assess its strength and explore training opportunities for board members.

## **Criterion Two. Leadership.**

### **Finding 19. SJLS leadership is respected in the program and community.**

SJLS leadership includes an executive director, a deputy director, a finance director, a director of litigation and advocacy and a human resources director. Management responsibilities are shared between the executive director, deputy director, director of litigation and advocacy and the managing attorneys. Interviews with program staff, community members and the judiciary indicated that the program has strong leadership. The executive director and administrative staff are accessible, but not visible in the branch offices.

### **Finding 20. Opportunities are available for leadership development and mentoring.**

SJLS has provided opportunities for mentoring and professional development. SJLS advocates are recognized experts in the state and provide training for other programs. The director of litigation and advocacy develops newer attorneys and mentors advocates throughout the program.

## **Criterion Three. Overall management and administration.**

### **Finding 21. SJLS has good management and administration.**

SJLS practices are governed by administrative procedures and the collective bargaining agreements of the different unions. The executive director, deputy director and managing attorneys are responsible for day-to-day management of the advocates with support from the director of litigation & advocacy. All members of the management team report to the executive director. Significant responsibility is delegated to the local offices regarding management and office operations. Each branch office is managed by an experienced and respected managing attorney. The managing attorneys appear to be effective and provide adequate oversight of the branch offices.

### **Finding 22. The technology needs of the program are administered by LSNJ.**

LSNJ provides all programs in the statewide legal services network with computer hardware and software, network capabilities, website and telephone systems. LSNJ is responsible for technology planning, systems maintenance and technical support. The programs in the statewide system are connected through a single phone system and share a statewide intranet. LSNJ has implemented plans to move from Kemps Clients for Windows to Legal Files. This change will assist in the electronic storage of documents and the sharing of client information between programs. Each SJLS office has a designated person to address technology matters.

SJLS has experienced network and phone problems that interfere with the program's ability to work efficiently. Staff members have expressed frustration with systems that do not operate properly and do not serve the needs of advocates.

**Recommendation:**

**IV.22.1.** SJLS should work closely with LSNJ to identify the problems with the program's technology. LSNJ and SJLS should communicate to discuss technology needs and expectations prior to changes being made.

**Criterion Four. Financial administration.**

**Finding 23. SJLS appears to have experienced financial staff responsible for managing the program's fiscal operations.**

The team's review of the program's financial administration was limited. The program employs a finance director who has over 20 years experience with legal services and is regarded as an expert in the field. She has provided assistance to other programs and has participated in statewide financial trainings. The program engages in financial planning and prepares financial statements for the board. SJLS has a current accounting manual that was developed using LSC guidelines. The program's most recent financial audit does not identify any issues.

**Criterion Five. Human resources administration.**

**Finding 24. SJLS maintains effective human resources administration.**

The program's human resources function is managed by a human resources director who works diligently to provide the best benefits and resources to the program. The program has excellent benefits and gives employees flexibility in selecting the best health/dental plans. The program assesses benefits annually and makes changes to administrative plans as necessary.

Even though the program has not had to lay off any staff members, morale has been affected by significant attrition and the likelihood of lay-offs by year's end. In spite of the situation, advocates remain committed to their work. SJLS requires managers to conduct annual performance evaluations, but several branch offices do not follow the policy. Performance evaluations are not done consistently and not done timely in all offices.

**Recommendation:**

**IV.24.1.** Consistent with its policy, SJLS should ensure that staff evaluations are regularly conducted for all employees.

**Criterion Six. Internal communication.**

**Finding 25. The management team effectively communicates with staff.**

Regular program communication among staff takes place through email. Program advocates regularly use email to ask questions and share information. Branch offices have weekly casehandler meetings and managers meet monthly. The executive director makes an effort to keep staff members informed of developments with the program.

**Criterion Seven. General resource development and maintenance.**

**Finding 26. LSNJ oversees the statewide Campaign for Justice.**

SJLS has not adopted a formal resource development plan. Since LSNJ administers the statewide Campaign for Justice, SJLS has not been actively engaged in other fundraising efforts. SJLS has had success with diversification of its funding base. The program has over 25 different grants/funding sources. SJLS receives grants from the United Way and the state. The program also receives funding from the Homeless Prevention and Rapid Rehousing Project. While the board seems to be supportive of resource development, it is not actively engaged in resource development efforts. In October 2009, SJLS produced a program overview/annual report detailing its service area and accomplishments.

**Recommendation:**

**IV.26.1** SJLS should further engage its board of directors in resource development efforts. Board members could be more involved in identifying funding sources. Board training on fundraising may be helpful with this endeavor.

**Criteria Eight and Nine. Coherent and comprehensive delivery structure/Participation in an integrated legal services delivery system.**

**Finding 27. SJLS is engaged in comprehensive and integrated service delivery.**

Statewide coordination efforts of LSNJ ensure that all of the legal services programs are actively involved in an integrated service delivery system. SJLS serves on LSNJ committees to help refine statewide systems. Program advocates serve on LSNJ task forces and working groups. SJLS collaborates with court personnel, government agencies, service providers, nonprofit organizations and bar associations to expand access and provide better services to clients.

## FINDINGS AND RECOMMENDATIONS

### Migrant Unit

**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.***

**Finding M-1. SJLS does not assess the needs of the migrant community and evaluate the results.**

Even though SJLS has significant contact with migrant farms, the program does not have a formal process to assess the needs of farmworkers and the migrant community. Due to the lack of a formal work plan, it is not clear how the Workers Rights Project is addressing the needs of the migrant community. SJLS has a plan to conduct outreach that involves regular visits to migrant camps and farms, but there is no systematic approach to identifying trends and specific needs of the migrant population.

#### **Recommendation:**

**M-I.1.1** SJLS should develop an approach to assess the needs of the migrant community to ensure the most pressing legal needs are being addressed. The program should coordinate with organizations that work with the farmworker community to assess needs and further link to the migrant community.

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

**Finding M-2. The Workers Rights Project does not participate in the centralized intake system.**

Intake is conducted during office hours in the Vineland office. Intake is done by hand and entered into Kemps case management system by the unit secretary. Intake is done when an applicant accesses the program by phone or in person. The program maintains a toll-free line for the Workers Rights Project that is publicized in outreach materials. Once intake is complete, cases are generally divided by area of specialty within the office.

**Finding M-3. Farmworkers seeking representation from SJLS primarily access the program by calling or walking into the Vineland office.**

The centralized intake unit is not used by farmworkers seeking assistance. Farmworkers seeking representation from SJLS primarily access the program by calling or walking into the Vineland office. Even though SJLS represents the statewide migrant community, farmworkers are concentrated in farms located within the southern region of New Jersey. The intake process for the WRP is not documented in writing.

**Recommendation:**

**M.II.3.1.** SJLS should prepare an operational manual that describes its processes related to outreach and intake of migrant farmworkers.

**Finding M-3. The WRP conducts regular outreach in the farmworker community.**

Advocates in the WRP regularly identify populations of migrant farmworkers and visit camps to conduct outreach. Due to apprehension and fear of employer retaliation by farmworkers, little intake is conducted during outreach efforts. In addition to asking questions in the community, the program learns about the location of farmworkers through its collaborations with community organizations. There are several farms in the state that employ H2A workers each summer. SJLS visits those camps and works with the farmworkers to ensure that their contracts are being honored. All of the program's brochures are available in Spanish.

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

**Finding M-4. The Workers Rights Project is an expanded unit encompassing the migrant farmworker unit.**

The Workers Rights Project includes the migrant farmworker unit, the Low Income Tax Clinic and cases involving employment issues, unemployment and immigration. The Workers Rights Project serves the entire state of New Jersey while focused on the farmlands in the southern part of the state. The project provides service on all issues that affect the working poor including migrant workers issues.

**Finding M-5. There is a concern with the closed migrant case numbers reported to LSC.**

SJLS reported 13 migrant cases closed in 2009, of which four involved extended representation. Most of the closed migrant cases involved IRS and tax issues. Even though the program works with farms to ensure contracts are being honored, this has not resulted in significant case numbers. Low case numbers may reflect the lack of migrant clients with migrant-specific issues.

**Recommendation:**

**M.III.5.1.** The program should examine the reasons for not having more migrant status cases such as those that fall under the Agricultural Workers Protection Act.

# APPENDIX

## JOHN EIDLEMAN

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**From:** Douglas Gershuny [DGershuny@lsnj.org]  
**Sent:** Friday, October 15, 2010 1:05 PM  
**To:** JOHN EIDLEMAN  
**Subject:** Comments on LSC Draft Quality Visit Report

John

Thank you again for your quality visit in July. Your team gave us some good insights and food for thought, and we have already begun to implement some of the team's recommendations. For example, Ann Gorman has joined the intake focus group, our board has begun to engage in a strategic planning process regarding client services and case acceptance, and we are implementing more consistent reviews of employee performance.

We do, however, have a few comments on the report we wish to share with you. They are as follows:

- Page 4 - Footnote states that "LSNJ" expects additional layoffs to follow SJLS' layoffs. We are not sure if you meant LSNJ or SJLS, but we do not plan on further layoffs at this time absent changes in funding or some other financial hurdle.
- Page 6 - Recommendation II.5.1 ("Safety Planning"): SJLS has made safety planning a priority. In addition to installing a new safety window in Camden well before LSC's visit, we conducted a safety training for all staff in December 2009.
- Page 7 - Recommendation II.7.3 ("Supervision of Intake"): Ann Gorman has the Cisco Manager to ensure consistency and access with intake.
- Pages 8 and 14 - Recommendations II.8.1 ("Telephones") and IV.22.1 ("Technology"): These are matters which we are constantly working on with LSNJ but are limited in our scope and control.
- Page 9 - Finding 12: The next to last sentence of the first paragraph describing case closures seems incomplete.
- Page 11 - Finding 16: Inaccurately states that extended services count for 9.6 % of total PAI closed cases. The correct number is 65%.

Please let me know if you have any questions.

Be well and thanks again.

Doug

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