

July 24, 2012

OFFICE OF THE INSPECTOR GENERAL
volunteer lawyers project

JUL 27 11 09 AM '12

of the Boston Bar Association

LEGAL SERVICES DIVISION
RECEIVED

Mr. John Eidleman
Senior Program Counsel
Office of Program Performance
3333 K Street, NW 3rd Floor
Washington, DC 20007-3522

Dear Mr. Eidleman:



Thank you for the additional time to submit our response to the Draft Program Quality Report pursuant to your Program Quality Visit of the Volunteer Lawyers Project, April 9-13, 2012. As you know, the LSC Office of the Inspector General conducted a Regulatory Vulnerability Assessment last week, so the additional time assisted greatly in my being able to manage the requirements of both visits.

I also appreciate the invitation to give our comments and to correct any inaccuracies in the report's findings. I requested feedback from the board, staff, and subgrantees regarding the draft and have incorporated much of what I received into my response, which is incorporated herein by reference in Attachment A.



The LSC Team had a great deal of information to review and evaluate both before, during, and after the visit. I appreciate the time and effort that the team invested in getting to know our program. I received many comments regarding the positive interactions the board, staff, and others interviewed had with the team.

While I believe VLP board and staff run a high quality organization and deliver excellent service, we are always looking at ways to improve. Your guidance and suggestions are valuable and will be given careful consideration.

Again, thank you and I look forward to receiving the final report.

Sincerely,



Sheila A. Hubbard, Executive Director
Volunteer Lawyers Project

cc: Richard J. McCarthy, Board Chair
Volunteer Lawyers Project

Janet LaBella, Director
Office of Program Performance

99 Chauncy Street, Suite 400
Boston, Massachusetts 02111

T 617/423-0648
F 617/423-0061
W vlpnet.org



OFFICE OF
PROGRAM PERFORMANCE
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ATTACHMENT A

**Response of the
Volunteer Lawyers Project of the Boston Bar Association
to the
Legal Services Corporation Office of Program Performance**

Draft
PROGRAM QUALITY REPORT
Recipient Number: 122002
April 9-13, 2012

Team Members

John Idleman, Senior Program Counsel (Team Leader)
Reginald Haley, Program Analyst
Mytrang Nguyen, Program Counsel
Carolyn Worrell, OPP Temporary Employee

Page 2 – 1st paragraph

By agreement under a Memorandum of Understanding (MOU), originally developed in 1996 and renewed every two years, five civil legal aid providers...

Page 3 – 1st paragraph

VLP has a total staff of 17 employees, including 10 attorneys.....

Page 3 – 2nd paragraph

The \$444,116 figure for 2011 “non-LSC funding” I’m assuming includes reserves, which would include LSC carryover amounts. For 2011 our non-LSC funding was \$97,551, which represents our non-LSC grants and private donations. In addition, we received \$28,600 in a LSC TIG in 2011.

Page 5 – 1st paragraph

...including fair debt collection, family, guardianship and housing, the trusts and estates hotline....

Page 5 – 3rd paragraph

There is assessment of the advice given at the Lawyer for the Day projects. Staff attorneys are present at each court project to provide close oversight and guidance to the service provided by the volunteers. In addition, none of the cases at court are closed until a review is completed of the case to ensure it has been handled properly.

Page 5 – last paragraph

The funding and work arrangement for the AmeriCorps member is multi-faceted. The description of the arrangement should be: With a full-time AmeriCorps member who is shared with the websites project, funded through Massachusetts Law Reform Institute (MLRI) and.....

Page 6 – second half of 1st sentence

As the language access work includes state administrative agencies and the courts, as well as legal services organizations, these groups should be included: ...their organization and that of the legal aid community, state administrative agencies, and the courts in the state through.....

Page 6 – 6th paragraph

There are some panels, such as the LARC Employment Pro Bono panel, which are maintained solely by LARC volunteer attorneys. Clients receive half-hour phone consultation and advice. To reflect this, “complex employment” should be removed from the list of opportunities VLP provides its volunteers: ...participation in LARC’s referral of probate cases.....

(Also needs to be clarified on Page 22 – 1st paragraph.)

Page 6 – last paragraph

To clarify that more than the Housing attorneys are required to participate in training, insert: Attorneys who participate in the Family Law Courtroom Lawyer for the Day Program and Guardianship Clinics are asked to attend a training session conducted by VLP staff members. All attorneys who provide Limited Assistance Representation (LAR) must complete an on-line audio and written training or attend a live seminar to be LAR certified.

Page 7 – 1st paragraph, last sentence

To clarify that VLP does perform some evaluation of work performed by pro bono attorneys, a fuller description is: In order to evaluate the quality of the work performed by the pro bono attorneys or the results received for clients, VLP sends a closing form to each attorney at a non-court Lawyer of the Day program. In the event the attorney does not return the form, VLP follows up to determine the outcome of the work, including, but not limited to, going to the court. In addition, staff attorneys review case updates and screen for issues or problems requiring further attention. If an attorney is not able to complete a case or has difficulty, care is taken to refer less complex cases to the attorney in the future and determine whether additional mentoring and/or training is needed. VLP staff members maintain information about volunteers to identify areas of practice, areas of expertise, cases referred and completed, as well as particular successes or difficulties. Senior attorneys are involved in ongoing monitoring of panel cases. Finally, each case is reviewed by the Chief Legal Counsel prior to closing. Much of this data is tracked in VLP's case management system.

(Also needs to be clarified on Page 24 – 1st full paragraph, next to the last sentence.)

Page 7 – 5th paragraph

Because several staff are involved in human resources administration, it would be more accurate to say: The Executive Director, Chief Financial Officer, and Chief Legal Counsel are the primary staff involved in human resources administration.

Pages 7 – 6th paragraph

The specific use of Lotus Notes is not a requirement of the MOU, so the second half of the last sentence can be deleted.

(The same reference in the last sentence on Page 33 – 2nd full paragraph also needs to be deleted.)

Page 11 – Finding 7.

At the time of the visit, LARC had three Spanish speaking attorneys (including the

Page 13 – 2nd full paragraph

The Monthly Intake Update is differentiated from Quickchecks in that the Update is distributed broadly whereas the Quickchecks is the very detailed case acceptance criteria that is done by the regional partners only and is maintained internally by LARC. To reflect this distinction: If the legal matter is outside a partner's priorities or if it is not

taking those cases at that time (this is determined by reviewing the case acceptance criteria, “Quickchecks”, for the four regional partners)...

Page 14 – 1st paragraph

I believe the questionnaires referenced in the last sentence are referring to the Quickchecks, as we are not creating a new screening tool. VLP and GBLS are exploring ways to reduce the amount of information provided in Quickchecks.

Page 14 – 2nd paragraph

LARC also had a dedicated line for SSI/SSDI cases.

(Also needs to be clarified on Page 22 – 2nd paragraph.)

Page 17 – 2nd paragraph

Volunteers do participate in community outreach and training: Volunteer attorneys participate in trainings to parents of disabled children, together with the Norfolk Register of Probate, substantive trainings on guardianship law to other volunteer attorneys, and child support modification. In housing, volunteers have provided information sessions at community organizations that assist low income clients in becoming first time home buyers or on being a landlord if acquiring a multi-unit property. Volunteers have also responded favorably when asked to be guest speakers.

Page 18 – 1st paragraph

VLP does do training on LEP matters: VLP trains staff at least once per year. VLP provides materials to volunteers on working with interpreters. The LEP policy is explained to volunteers when they attend the orientation presentation, as well as at substantive trainings, and materials are sent out with the referral letter explaining who the interpreter is, how to work with the interpreter and how to proceed. Specific trainings (to the best of our recollection) for the past few years:

August 2006 Training for VLP staff conducted by Julie Dahlstrom, VLP student intern and Veronica Serrato, Staff Attorney on the VLP Interpreter Protocol and Guidelines for VLP staff when using an interpreter

September 2006 Training for VLP staff conducted by Leonor Figueroa Feher, Training Manager, Office of Court Interpreter Services, on Working with Court Interpreters Effectively

January 2010 Training for VLP staff on Title VI and Language Access conducted by Ed Rice, VLP Staff Attorney

October 2010 Training for VLP staff conducted by Leonor Figueroa Feher, Training Manager, Office of Court Interpreter Services, on Working with Court Interpreters Effectively

June 2011 Training conducted by the Language Access Coalition, Serving Limited English Proficiency Clients, An Educational Forum for Legal Services Advocates. All VLP staff were invited to attend; 2 attended. Co-sponsored by AmeriCorps Massachusetts Legal Assistance for Self-Sufficiency Program

January 2012 Training for VLP staff conducted by the VLP LEP working group on working with interpreters and introducing the time study

June 2012 Training conducted by the Language Access Coalition, Breaking Down Barriers, Communicating with Clients who are LEP or Deaf/Hard of Hearing. All VLP staff were invited to attend; 5 attended. Co-sponsored by AmeriCorps Massachusetts Legal Assistance for Self-Sufficiency Program

Page 22 – last full paragraph

VLP no longer attends these presentations. VLP trained the Pro Se Clerk of the U.S. Bankruptcy Court to screen for eligibility and residency requirements. If the person is eligible, a bankruptcy questionnaire is given and then the case is referred to VLP.

Page 24 – footnote 16

While we do use VolunteerHub for our calendar and scheduling of volunteers, it is not used for tickler.

Page 25 – 2nd paragraph

The newsletter that is published is done by the BBA. Also, there are a few other vehicles through which VLP recognizes its volunteers: In addition, VLP recognizes the accomplishments of panel attorneys on their website and each month a volunteer is honored at the Senior Partners for Justice (SPJ) luncheon. The BBA publishes in its quarterly newsletter, a list of all attorneys participating in VLP's program.

Page 27 – 1st paragraph

There are six client board members.

Page 32 – 1st paragraph

There is a six month probationary period for permanent employees, but they are immediately eligible for benefits.

Page 33 – last paragraph, 1st sentence

We have not acquired any new workstations for staff, though it is correct that we have the laptop, wireless internet capacity, and a portable printer at the court projects.

Page 34 – 2nd full sentence

There is wireless access at court. (See also reference on Page 33 – last paragraph, 1st sentence.) In courts where wireless access is not available, VLP uses a mobile hot spot to create wireless access.

Finding 6. – 3rd paragraph, last sentence

I would reword this sentence to just say, “The office is accessible to handicapped and clients with mobility issues.” The building does meet the government requirements for accessibility.

Recommendation II.2.8.1

This recommendation is affected by the comments above (Page 17 – 2nd paragraph).

Finding 9. – 1st full paragraph

Through miscommunication on our end, our LEP plan was inadvertently not provided to the team. At the time of the visit, there were just a few outstanding issues for me to address to complete the revision of the LEP plan. The updated plan is included with this response. Consequently, VLP does (and did at the time of the visit) have an LEP plan that captured its current philosophy and depth of service to clients facing language access barriers and the plan has been updated.

Recommendation II.3.9.1*

VLP has conducted training on the LEP policy. See comments above Page 18 – 1st paragraph.

Recommendation II.3.9.2

This recommendation is affected by the comments above in **Finding 9**.

Recommendation II.3.9.3

VLP has done training on working with interpreters and non-English speaking clients for staff. We have not done the same for volunteers and have identified that as an area we would like to address as well.

Finding 19. – 2nd paragraph, 1st sentence

At the time of the visit, the CFO was not an accountant. Subsequent to the visit she received her CPA license.

John Idleman

From: Sheila Hubbard <shubbard@vlpnet.org>
Sent: Wednesday, August 01, 2012 11:01 AM
To: John Idleman
Cc: McCarthy, Richard
Subject: RE: Response to Draft Program Quality Report
Attachments: Response to Draft PQV Report - Revised August 1, 2012.doc

John,

Upon further review, I am attaching a slight revision to my response of July 24th to correct my error. The carryover funds for 2011 do not include LSC carryover amounts. Please attach this to what I previously submitted.

Thank you.

Sheila

From: Sheila Hubbard
Sent: Tuesday, July 24, 2012 5:13 PM
To: John Idleman
Cc: 'McCarthy, Richard'
Subject: Response to Draft Program Quality Report

John,

Attached please find the following documents in response to the Draft Program Quality Report:

- Letter on VLP letterhead
- Attachment A (referenced in letter and containing response)
- LEP Plan

I am putting a hard copy of the documents in the mail, but wanted to make sure you got my response as soon as possible. Please let me know that you have received it and all the documents are in order.

Sheila

Sheila A. Hubbard, Esq.
Executive Director
Volunteer Lawyers Project
of the Boston Bar Association
99 Chauncy Street, Suite 400
Boston, MA 02111
617-423-0648, ext. 127
shubbard@vlpnet.org
www.vlpnet.org

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Page 3 – 2nd paragraph

The \$444,116 figure for 2011 “non-LSC funding” includes carryover amounts and interest. In 2011 VLP received \$97,551 in non-LSC grants and private donations. In addition, we received \$28,600 in a LSC TIG in 2011.