



**Legal Services Corporation  
Office of Program Performance**

**Final**

Report and Recommendations

from the

Capability Assessment Visit

to

**Community Legal Aid, Inc.**

**Recipient No. 122150**

**Service Area: MA-10**

**Dates of Visit: August 12-16, 2013**

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## **I. INTRODUCTION**

The Legal Services Corporation (LSC) conducted a Capability Assessment Visit (CAV), pursuant to 45 C.F.R. §1634.8, to Community Legal Aid, Inc. (CLA), a non-LSC funded legal services program headquartered in Worcester, Massachusetts. The CAV was conducted from August 12-16, 2013. It was designed to assess CLA's capabilities for meeting LSC's requirements for the effective and efficient delivery of a full range of high quality legal services to eligible low-income clients in the MA-10 service area. Specifically, it was intended to obtain direct information about CLA's capacity to (a) meet the selection criteria in the LSC regulation on competitive bidding (45 C.F.R. § 1634.9); (b) meet the standards set forth in the LSC Performance Criteria; and (c) carry out the plans outlined in its grant application. At the conclusion of the competition process, LSC decided to fund Community Legal Aid, Inc. to provide civil legal services to the MA-10 service area beginning January 1, 2014.

In advance of the visit, the CAV team reviewed the grant application narrative and supporting materials, along with documents submitted by the applicant pursuant to a document request, including those related to: needs assessment and strategic planning; intake systems; legal work management and supervision; quality and quantity of legal work; pro bono efforts; non-case services; board governance; leadership; management and administration (including technology, financial administration, human resources administration, internal communication, and resource development); delivery structure; and participation in an integrated legal services delivery system. The team also reviewed responses to an online staff survey. The team visited CLA offices in Northampton, Springfield, and Worcester. They interviewed all CLA current leadership and administration, along with most attorneys, paralegals, and administrative and support staff. They interviewed prospective CLA leadership and staff, including the current executive director, attorneys, paralegals, and support staff of the Massachusetts Justice Project, described below. The team also interviewed the CLA board chair and several board members, judges and other members of the state justice community including representatives of the Massachusetts Bar Foundation and local bar associations, and representatives of other community organizations. Most interviews were conducted in person; some were conducted by telephone or videoconference.

## **II. DESCRIPTION OF THE SERVICE AREA AND APPLICANT**

The Massachusetts legal services delivery system has evolved as the result of post-1996 reconfigurations and state planning efforts. The current system includes four regional LSC-funded programs along with programs funded by the Massachusetts Legal Assistance Corporation (MLAC). The MA-10 service area is comprised of five counties in central and western Massachusetts: Berkshire, Franklin, Hampden, Hampshire, and Worcester. The region includes urban centers -- Worcester (New England's second largest city) and the Springfield-Holyoke metro area, -- as well as small towns and rural communities in the western part of the state. The total population of the service area is approximately 1.5 million. The 2007-2011 American Community Survey (ACS) estimates the poverty population of the service area to be 11.7%. The ACS also estimates 8.78% of

the low-income population to be African American, 3.61% to be Asian, and 37.03% to be Hispanic/Latino. Approximately 7.1% of the population of the service area speaks a language other than English at home, and speaks English less than “very well.”

As of January 1, 2013, Springfield had the state’s second highest number of distressed housing units; several other communities in the service area have also been hit hard by the foreclosure crisis.

Applicant Community Legal Aid, Inc. (CLA) is the MLAC-funded civil legal services program for the five counties comprising central and western Massachusetts. CLA provides a full range of legal services in housing, homelessness prevention, income maximization, employment law, family law, elder law, and humanitarian-based immigration law. The program offers some private attorney involvement opportunities and operates a medical legal partnership project. It has offices in Northampton, Pittsfield, Springfield, and Worcester, and satellite outreach offices in other locations throughout the service area. It employs a staff of 53.

The current LSC grantee is Massachusetts Justice Project (MJP). MJP provides client intake and referral to CLA and other programs in the region through a centralized intake and legal helpline system. MJP was designed to be the initial point of contact for most applicants, although CLA also conducts a significant amount of its own intake. MJP is also the primary private attorney involvement provider for the service area. MJP received an LSC Technology Innovations Grant (TIG) in 2012 to develop the Massachusetts Legal Resource Finder, an on-line tool intended to triage requests for legal assistance by helping prospective clients determine whether they are eligible for legal aid and if they are not, to direct them to appropriate self-help resources. MJP currently operates out of offices in Holyoke and Worcester.

CLA operated as the Legal Assistance Corporation of Central Massachusetts (LACCM) until 2011, when as part of a plan to consolidate three smaller programs serving these counties, Western Massachusetts Legal Services (WMLS) closed and LACCM took over its service area and changed its name to Community Legal Aid, Inc. The next step in this plan was for CLA to consolidate with MJP. MJP has not submitted an application for FY2014 LSC funding and is collaborating with CLA in filing this application. If funded, CLA anticipates employing a staff of approximately 70, including most of MJP’s current bargaining unit staff along with MJP’s Executive Director. CLA also proposes to incorporate the MJP intake and PAI functions into CLA. The MJP Holyoke office would be closed.<sup>1</sup>

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<sup>1</sup> The funding application describes creation of a small wholly-owned CLA subsidiary that would not receive LSC funds and would engage in restricted work. The subsidiary would be staffed out of Worcester, Springfield, and Pittsfield by a small group of current CLA and MJP staff. The CLA executive director is communicating with the LSC Office of Legal Affairs to ensure that this subsidiary meets LSC requirements for program integrity under 45 U.S.C. § 1610.

### III. FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

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

**Finding 1. CLA's most recent comprehensive legal needs assessment was concluded in 2012. The next assessment will be conducted within three to five years.**

CLA conducted a comprehensive legal needs assessment in 2011-2012 using phone and in-person interviews and community listening sessions at locations throughout the service area. Participants included staff, client board members, members of the client community (including LEP individuals, domestic violence victims, homeless adults and families, people with disabilities and seniors), and stakeholder groups (including agencies and other organizations, health clinics, educators, and religious leaders). The process considered census data, other legal needs studies, GIS data, reports, and CMS data showing location of applicants/clients and case types. The process was also informed by a 2011 statewide assessment of the legal needs of Massachusetts elders conducted by the Massachusetts Executive Office of Elder affairs.

The needs assessment identified several issues that are within CLA's current priorities: access to affordable housing; homelessness, including shelter and access to shelter; employment and housing discrimination; access to affordable healthcare; immigrant eligibility for housing and benefits programs and immigration matters affecting immigrant victims of crime and abuse; language access; public benefits; and family law issues affecting victims of domestic violence. Legal needs identified for seniors involved estates, disability, health care, housing, debt collection, and employment.

The needs assessment also identified education, including unequal access for immigrants and students of color, and disciplinary problems transforming schools into pipelines to prison; mental health issues as they affect youth and homeless persons; and lack of access to affordable, nutritious food in low-income communities. One issue of importance to the client community was lack of public transportation. CLA has contacted legal services programs in other areas of the country to learn what steps they have taken to address transportation issues affecting their client communities.

A staff working group is compiling the results of the assessment into a draft report for consideration by program management. The results will be used to identify legal needs and gaps in services, and will inform program priorities. The results will also be used as a foundation for future grant proposals, and in development of the CLA strategic plan described below.

**Finding 2: CLA annually sets goals and objectives and develops strategies to achieve them based on available resources. Case acceptance guidelines are used to further refine the services to be provided.**

CLA's priorities are to ensure housing stability and security; to ensure financial stability and security; to remove impediments in employment; to preserve dignity and safety; and to improve the health of low-income and elderly families and individuals. Each priority area includes a series of goals for specific groups (including, children, domestic violence victims), and strategies for achieving those goals (including, casework, pro se assistance, community education, collaboration with community partners).

Program resources appear to be reasonably allocated to meet priorities. Staff are aware of the priorities and adhere to them.

Each substantive law unit has developed case acceptance guidelines. The guidelines generally give priority to meritorious cases in which the issue is complex or new, or would have a significant impact on the client community, or those in which the client is unlikely to succeed pro se, *e.g.*, due to disability, language, or other barrier. For example, in the housing area, CLA generally provides extended representation to all clients at risk of becoming homeless, or loss of a housing subsidy, or faced with foreclosure. Other people with housing questions may receive some advice or a referral to pro se resources or the "lawyer for the day" program. Decisions on the level of service to be provided within the established guidelines are made at weekly case acceptance meetings.

## **Recommendation<sup>2</sup>**

I.2.2.1.\* CLA should follow through with its plan to use the legal needs and gaps in services that are identified in the upcoming needs assessment report to inform program priorities.

### **Finding 3: CLA is in the latter stages of a strategic planning process that began in 2011.**

In 2011, with the assistance of outside consultants, CLA formed a strategic planning oversight committee comprised of representatives from the board and staff. The committee focused initially on two specific areas: community needs and resource development. Working groups (with staff and board representation) were formed for each focus area. The community needs working group led the above-described listening sessions as part of the needs assessment, and is drafting a report on the results of that assessment for consideration in strategic planning and priority setting. The development work group is preparing a detailed resource development and communications plan that

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<sup>2</sup> Recommendations in this report will be identified by a Roman Numeral cross-referenced to the Performance Area, followed by three numbers identifying, respectively, the Criterion addressed by the recommendation, the number of the finding, and a number designating whether it is the first, second, third, etc., recommendation under that finding. For example, III.2.14.3 designates Performance Area III, Criterion 2, Finding 14, third recommendation under finding 14. There are two tiers (levels) of recommendations in this report. Recommendations marked with an asterisk\* are Tier One Recommendations and are intended to have a direct and major impact on program quality and/or program performance. **In your next grant renewal application or competitive grant application, instead of submitting a full narrative, your program will be required to report what it has done in response to Tier One Recommendations.**

will also be incorporated into the strategic plan. The final stages of the strategic planning process will address service delivery and regional planning issues. The strategic plan will also address the configuration of the delivery model if CLA's application for LSC funding is successful. And, it will address the creation of a subsidiary corporation to handle restricted work.

## **Recommendation**

I.2.3.1.\* CLA should continue its strategic planning, conclude the process, and begin to implement the plan.

### **Finding 4: CLA routinely collects information on the effectiveness of its work and uses the results to make changes and leverage additional resources.**

CLA has been an active participant in an evaluation of all aspects of the regional legal services delivery system in central and western Massachusetts, including, among other issues intake, staff representation, and PAI. This evaluation identified a number of inefficiencies and resulted in the consolidation of CLA's predecessor program, Legal Assistance Corporation of Central Massachusetts (LACCM) with Western Massachusetts Legal Services (WMLS) and the current plan under which CLA would consolidate with MJP. CLA's largest funder, Massachusetts Legal Assistance Corporation (MLAC) conducts an on-site assessment of the program's services every three years.

CLA monitors emerging legal needs of the client community through regular contact with human services agencies, medical providers, and community groups; outreach events; analysis of intake applications (including those processed by MJP); and input from the board, particularly client representative members. In response to emerging needs, CLA may conduct community or agency education, or reallocate staff resources to handle certain cases. Issues that have emerged or been identified recently include barriers to ex-offenders seeking housing and employment, growth in the number of unlawful foreclosures, restrictions on homeless families seeking access to the state shelter system, and barriers to government programs for persons with limited English proficiency. CLA's responses to these developments have included conducting community workshops on expungement of criminal records, educating a housing authority about its responsibilities to LEP persons, integrating LEP advocacy into its benefits practice, and reallocating staff to handle more shelter and foreclosure cases. CLA generally provides attendees at community education events with a post-event evaluation that seeks input about the effectiveness of the training provided. This feedback is then used to inform future training efforts.

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

### **Criterion 1. Dignity and Sensitivity (Intake).**

**Finding 5: CLA offices are strategically located throughout the service area, and office hours and procedures are designed to promote access.**

CLA offices are located in the major cities in the service area and are near public transportation where it is available, as well as courts and social services organizations. The principal offices in Northampton, Pittsfield, Springfield, and Worcester, are supplemented with regularly scheduled office hours at satellite locations in Fitchburg, Greenfield, Milford, North Adams, and Southbridge. If CLA receives LSC funding, the MJP Holyoke office will be closed and its staff relocated to Northampton or Springfield. CLA will maintain a presence in Holyoke through outreach or other method to be determined. CLA and MJP offices in Worcester, currently located on different floors in the same building, will be reconfigured. The three offices visited by the team were clearly identified, clean, and accessible; and had a professional, client friendly atmosphere. Reception areas were equipped with reading materials for adults and safe play areas for children. The team did observe first-hand, the confusion that clients may currently experience as they attempt to distinguish between MJP and CLA in the Worcester building. The team also recognizes that the separate offices that are the source of this confusion will be eliminated if this application is funded.

**Finding 6: The proposed intake system would provide the client community with sufficient access to legal services.**

Under a plan developed in cooperation with LSC and the Massachusetts Justice Project, CLA's intake process is currently intertwined with that of MJP, the LSC grantee for the service area. MJP operates a telephone hotline staffed by intake paralegals, attorneys and support staff, who screen applicants for LSC eligibility, and forward certain agreed upon cases to CLA for consideration.<sup>3</sup> MJP advocates also provide legal advice and brief services. MJP intake hours are Monday-Thursday, 9:30 a.m.-12:45 p.m. MJP offers on-line applications in English and Spanish, and shorter, modified applications in Haitian Creole, Portuguese, and Vietnamese.

In addition to accepting eligible applicants as referrals from MJP, CLA accepts applications in each of its offices directly from low-income persons in the community, and also accepts referrals from collaborating agencies and organizations serving low-income individuals. It accepts toll-free calls at all of its offices. CLA's intake is currently open for in-person and telephone intake from Monday – Friday, 9:00 a.m.-5:00 p.m. Receptionists are the first point of contact. They screen callers and in-person applicants for financial eligibility, check for conflicts, establish that the legal matter is within priorities, and open new files in the case management system. They also record as matters, applicants who were provided information or referred to another appropriate agency. Cases falling within CLA priorities are forwarded to substantive units for consideration at the next weekly case review meeting. CLA staff also conduct in-person intake at regularly scheduled satellite offices and outreach sites throughout the five-county community. There are procedures in place for handling emergencies.

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<sup>3</sup> Under this system, MJP also makes referrals to other organizations in the service area.

The visit team did observe that while the Worcester office is equipped with well-appointed private interview rooms, applicants were asked to provide personal information in the reception area within earshot of other people.

CLA states that if its application for LSC funding is approved, MJP's intake functions will be absorbed into CLA and a modified intake system will be created. While some details are still to be determined, the basic structure of the proposed system has been formulated. The first point of contact will be one of nine secretary-screeners, who will screen applicants for eligibility, case type, and conflict, and transfer qualifying applicants to one of four intake paralegals assigned to substantive law units. These paralegals will conduct an in-depth interview, gather additional information as needed, and bring cases to the unit's case review for discussion and assignment. These paralegals will also support the unit's advocacy work by gathering information, assisting with case preparation, and following up on other tasks as needed. Intake paralegals will be located in larger offices, and will attend unit meetings in person or by videoconference. Whether CLA's intake hours will be modified after the consolidation will depend upon the volume of intakes received. CLA plans to accept online applications at any time; these will be reviewed and eligibility verified during an interview with an intake paralegal. CLA plans also to continue its use of written intake questionnaires in the family and employment law areas, and will continue to provide assistance in completing these questionnaires, as needed.

CLA anticipates that telephone and in-person applicants will speak to a screener within approximately 15 minutes of their first contact; will be forwarded to an intake paralegal for a substantive interview within approximately one day of that contact if the applicant passes certain eligibility and priority requirements; and will receive counsel and advice, brief service, or notice that their case was assigned to a casehandler within three days. On-line applicants will be served on approximately the same schedule, except that they will be screened within one day and subsequently referred to an intake paralegal if they fall within CLA's eligibility and priority requirements.

MJP developed an intake manual in 2008 in consultation with OPP. This manual covers all aspects of intake including operations, eligibility guidelines and screening, training and supervision of intake staff, use of technology, and the grievance procedure for applicants. If LSC funding is approved, CLA will revise this manual to reflect the new intake system and CLA's priorities and case acceptance guidelines, including which issues are appropriate for advice and brief services and which will be referred to the substantive law units. CLA plans to develop intake flow charts that can be readily updated and that include unit priorities and case acceptance guidelines. CLA will use the VoIP telephone system with its sophisticated call-center software to route callers to English or Spanish language queues. The system will allow callers to any branch office or to a toll free number to be routed to these queues.

## **Recommendation**

II.1.6.1.\* CLA should proceed with all deliberate speed to unify the current intake systems.

II.1.6.2.\* CLA should revise the MJP intake manual as needed and adopt it to guide the operation of the planned intake system.

II.1.6.3. CLA should ensure that systems are in place to protect the privacy and confidentiality of individuals seeking assistance in the Worcester office.

**Finding 7: The proposed intake system will be staffed and supervised by experienced personnel from CLA and MJP.**

The proposed intake system will benefit from the experience and commitment of its staff. The current MJP executive director will serve as intake manager, supervising intake screeners and coordinating intake-related activities program-wide. Intake paralegals will be supervised by Senior Supervising Attorneys (SSAs) in the substantive units (housing, family, and benefits and elder law) to which they are assigned, as they provide advice and brief services. Paralegals will also work on individual cases under the supervision of attorneys in those units.

At the time of the visit, there was some confusion among current MJP intake paralegals and hotline attorneys about their precise roles in the future structure.

**Recommendation**

II.1.7.1.\* All staff should be informed as soon as possible what their roles will be with regard to the new intake structure.

II.1.7.2.\* Intake and non-intake staff should be kept apprised of changes that result from the new intake structure, including changes to case acceptance and referral protocols.

**Finding 8: Proposed training for intake staff will cover a full range of necessary issues and topic areas.**

CLA proposes to provide intake screeners and intake paralegals with comprehensive training on screening and referral procedures, technology, cultural competence, and other issues related to working with clients, before the new service delivery system launches in 2014. Intake paralegals will receive additional training on the specific areas of practice in the unit to which they are assigned. In the future, intake staff will also attend appropriate trainings on substantive law and intake procedures that may be offered by outside resources, including Massachusetts Continuing Legal Education (MCLE) and Massachusetts Law Reform Institute (MLRI).

**Recommendation**

II.1.8.1.\* CLA should proceed with its plans to provide all intake staff with training on screening and referral procedures, technology, cultural competence, and other issues related to working with clients, before the new service delivery system launches in 2014.

**Finding 9: CLA's intake system technology includes most of the elements listed in the grant application.**

CLA's telephone intake technology includes all of the elements listed in the grant application chart except for call-back options and interactive voice response. The online system does not include A2J interviews or the transfer of data directly into the case management system. MJP received an LSC Technology Innovations Grant (TIG) in 2012 to develop Massachusetts Legal Resource Finder, an on-line tool intended to triage requests for legal assistance by helping prospective clients determine whether they are eligible for legal aid and if they are not, to direct them to appropriate self-help resources. CLA's technology plan and its overall use of technology, including the 2012 TIG, will be discussed under Performance Area Four, below.

**Criteria 2 and 3. Engagement with and access and utilization by the low-income population.**

**Finding 10: CLA staff members engage in extensive outreach and other activities to and on behalf of the client community.**

CLA participates in a wide range of outreach events, usually in collaboration with other organizations that serve the low-income community. These involve providing community education, participating in meetings of organizations serving the client community, and conducting intake and other client services at outreach sites. Many of these events are conducted at sites serving seniors under the auspices of Older Americans Act Title IIIB grants. Others are conducted at domestic violence and homeless shelters.

Since 2009, CLA has held weekly office hours at a community health center in Worcester's largest public housing complex. Family law attorneys in Worcester are assigned as liaisons to individual shelters. CLA also participates in a medical legal project and in courthouse-based lawyer for the day programs, described below.

**Finding 11: CLA staff is diverse and culturally competent, and sensitive to client circumstances.**

CLA staff members are diverse in age, gender, and ethnicity. The staff is 73.6% white, 17% Latino, 3.8% Black or African American, and 3.8% Asian, percentages which by and large reflect the client community. They include speakers of Spanish, Arabic, French, Haitian Creole, Urdu, Hindi, and German. As noted above, intake staff are bilingual in Spanish and English.

Interviews with program staff, personnel in community organizations and agencies, board members, judges, and others reflect an organization whose staff treat their clients with dignity and respect and are sensitive to their circumstances. Staff demonstrated a desire to provide meaningful legal assistance to individuals and the broader client community.

**Finding 12: CLA has a draft Limited English Proficiency (LEP) plan that includes most of the attributes set forth in LSC Program Letter 04-02.**

The primary language other than English spoken by the client community is Spanish (25.8%). Other languages include Portuguese, several African languages, Arabic, and Vietnamese. CLA's draft LEP plan, *Language Access Plan and Protocol*, provides guidance for receptionists, intake staff, and advocates for interacting with LEP or deaf and hard of hearing persons. It includes directions for determining an individual's preferred language and actions to take to accommodate that individual. Bilingual staff and professional interpreter services (Optimal Phone Interpreters - OPI) are available. The plan instructs staff when and how to engage a professional interpreter service, and describes the very limited circumstances under which a relative or friend can be used as an interpreter. After January 1, 2014, the CLA Case Management System (ProLaw) will have the capacity to record the client's language and whether an interpreter is needed. Advocates are instructed how to conduct an interview using an interpreter. The plan establishes an ongoing training requirement and creates a LEP staff working group that meets quarterly and assesses the plan annually to determine if additional changes or training is needed. According to the checklist *LEP Plan and Components* submitted as part of the application for LSC funding, the one element that was not included in the LEP plan was a discussion of outreach strategies, but the program does in fact disseminate information about its services to the LEP client community.

At the time of the visit, the LEP plan was not yet final. Staff input was still being sought prior to its presentation to the board.

**Recommendation**

II.3.12.1.\* CLA should finalize its LEP plan, taking into consideration the elements discussed in LSC Program Letter 04-02.

***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 13: CLA has the capacity to provide high quality effective legal services to the client community.**

If its application for LSC funding is successful, the restructured CLA will have a total staff of 37 attorneys and 14 paralegals, who will provide legal assistance out of main offices in Worcester, Springfield, Northampton, and Pittsfield, and several satellite offices. PAI activities, described below, will be operated primarily out of Worcester and Springfield. The Worcester office also houses executive offices and administrative functions, including fiscal and resource development operations.

CLA has many highly experienced advocates. Almost half of its attorneys have 10 or more years of experience, and eleven have more than 20 years of experience. One attorney is a retired judge with several decades of experience. CLA has also recruited new advocates who hold great promise for the future. Approximately 17 members of the advocacy staff have five or fewer years of experience. Many of these advocates are involved in work funded by the Attorney's General's Office HomeCorps Project, or by the HUD foreclosure grant. While some of the more experienced attorneys have assumed managerial and/or supervisory positions, many continue to provide ongoing services at the staff attorney level. Those in managerial positions are also available to discuss substantive issues. The staff also includes attorneys who teach or have taught legal and clinical law courses, and those who have served as trainers and peer reviewers for other legal services programs. Less experienced attorneys noted that those with more experience are open and willing to share their knowledge.

**Findings 14: CLA has mechanisms in place to provide high quality legal assistance in routine as well as complex cases.**

CLA's advocacy support system currently consists of five program-wide substantive law units: family law, elder law, benefits (including employment), immigration and housing and homeless prevention (including foreclosure). While case service reports reflect a number of consumer cases closed, there does not appear to be a unit responsible for this area of law, other than the elder law unit.<sup>4</sup>

Each substantive unit is led by an experienced senior supervising attorney (SSA). The family law unit has one full-time SSA and one part-time SSA who is a retired judge and very experienced family law practitioner. SSAs are responsible for training and supervising all unit members. They visit unit members in other offices as often as weekly. SSAs report that they have open door policies and are available to unit members in other offices by phone and email. These policies were confirmed in interviews by staff who described SSAs as readily available to answer questions and provide guidance.

Supervision of legal work includes periodic case reviews, observation of unit members in court and administrative hearings, and co-counseling. SSAs routinely review selected written work of unit members, including pleadings, motions, and other documents. Interviews suggest an atmosphere in which supervisor review or sometimes peer review of written products is common and expected. Writing samples submitted in preparation for the CAV reflect this added attention. They were well-drafted and error free. SSAs also monitor unit member caseloads for size and complexity. SSAs do not all have their own caseloads, but they may handle, or co-counsel, more complex cases. Open case lists for SSAs submitted to LSC in preparation for the CAV ranged from 22 to 54 cases.

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<sup>4</sup> CLA receives a small grant from the Massachusetts Legal Assistance Corporation funding, supplemented with a grant of \$4200 in non-LSC funding from Pine Tree Legal Assistance in Maine, to conduct outreach and education to migrant farmworkers in Western Massachusetts.

CLA does not currently employ a litigation director, but plans to do so when funding permits. Advocates in the Worcester office meet informally once a week for a brown bag "litigation roundtable" led by experienced attorneys in the office. The meeting is open, and participants discuss individual case strategies, emerging issues, and other areas of interest.

Units have weekly case acceptance/case discussion meetings, and use videoconferencing for meetings involving more than one office. At the time of the visit, videoconferencing was not yet available in Pittsfield and Northampton, but it is expected to be available by the end of 2013. One SSA described using the videoconferencing equipment to help a staff attorney in a different office prepare a client for a hearing. Units also hold periodic (monthly or quarterly) meetings that include training and other staff development. These meetings are geared to the needs of staff. For example, the foreclosure group, which is part of the housing unit and is comprised of relatively inexperienced attorneys, was meeting weekly for training and discussion of cases; as staff became more experienced, those meetings were reduced to every two weeks. SSAs vary on the frequency with which they perform full case reviews, but all conduct such a review at least annually for all attorneys, and more frequently for those who are less experienced. In the interim, they review the report on selected cases as needed.

If this application is funded, staff attorneys currently employed by MJP will be assigned to substantive units. CLA will also assign paralegals from MJP to specific units, where they will conduct intake for that unit, among other functions yet to be determined.

Managing attorneys are generally responsible for oversight of administrative functions in their offices. They conduct orientation of new staff, oversee intake and case closings, supervise administrative staff, and implement program policies and procedures. They are also responsible for encouraging staff involvement in bar activities and with community organizations. Managing attorneys are in regular contact with SSAs concerning training and legal work of staff in their offices, and they are available to provide guidance on casework to advocates when needed. While managing attorneys may maintain a caseload, this is not required, and the case lists submitted in preparation for this visit showed no managing attorneys with open cases.

CLA has written standards of practice that include general standards for all staff, standards for caseworkers that include case file maintenance, and standards for legal work supervision. These standards include those that are mandatory and to which all staff must adhere; those that are considered usual practice and that require justification for deviation; and those that are optimal, or best practice. Legal staff and supervisors are familiar with these standards and of the expectation that they be followed, although interviews suggest that they are not followed consistently, particularly by experienced advocates or those with fast-paced emergency practices.

CLA provides in-house training on various substantive areas of law and attorneys routinely attend trainings provided by Massachusetts Law Reform Institute, Massachusetts Continuing Legal Education, National Consumer Law Center, and others. Family law attorneys attend monthly brown bag events coordinated by Senior Partners for Justice,

discussed below. A number of advocates have also attended national training events and webinars. Attorneys practicing under the Attorney General's HomeCorps project received rigorous training on foreclosure, landlord tenant and other substantive issues impacting their practice. All attorneys interviewed reported that training, both internal and external, was freely available and that they were able to attend all the events they requested or needed. Managers have attended MIE and Center for Legal Aid Education (Shriver Center) management training events.

## **Recommendation**

III.1.14.1. CLA should ensure that all staff adhere to its practice standards as appropriate.

III.1.14.2. As resources permit, CLA is encouraged to hire a litigation director who would provide program wide coordination and support for litigation.

### **Finding 15: CLA's commitment to advocacy has produced significant outcomes for clients in several forums.**

CLA attorneys appear regularly before state housing, probate, and family trial courts; state and federal administrative agencies; appellate courts including the Massachusetts Supreme Judicial Court, and federal district court. They routinely engage in discovery, as appropriate. Writing samples submitted in preparation for this visit, reflected the range of forums and the advocacy involved in CLA (and MJP) practice. Attorney caseloads appear reasonable and suited to the experience level and area of law practiced by the individual.

Recent accomplishments include: a Massachusetts Appellate Court ruling permanently enjoining a mobile home park owner from imposing unlawful late fees on tenants, most of whom are elderly and/or disabled; a Massachusetts Supreme Judicial Court decision clarifying the standard to be applied in child support modification cases; and a negotiated agreement with the state Medicaid program that will ensure that the program complies with federal law and pays deductibles and copayments for Qualified Medicare Beneficiaries. The CLA website includes copies of published decisions that are of importance to the client community and in which its advocates provided representation.

Because CLA is not currently an LSC recipient, it is not possible to count with precision the number of cases that fit LSC's requirements. Also, because MJP handled intake and brief services, those cases are not included in CLA's case service reports. CLA reports that it closed 3,419 cases in 2012, of which approximately 33% (1123) were extended services and 67% (2296) were limited. It does appear that an appropriate number of cases have been closed in relation to the size of the advocacy staff. Additionally, it appears that an appropriate percentage of closed cases were extended in nature. Closed cases were distributed as follows: consumer (80); education (4); employment (26); family (958); juvenile (1); health (242). Housing (928); income maintenance (857); individual rights (262); and miscellaneous (61). Of the total number of cases closed, 113 were contested court decisions.

## **Criterion 2. Private attorney involvement.**

### **Finding 16: CLA effectively integrates volunteer attorneys into its work and provides them with support and recognition for their service.**

MJP is the primary coordinator of pro bono services to eligible clients in the service area. CLA explained in the written grant application and in on-site interviews that one of its goals is to design and implement a comprehensive, integrated PAI program that allows the private bar to access multiple opportunities for pro bono service through a single point of entry. If CLA receives LSC funding, it will assume responsibility for functions currently being performed by MJP and will implement MJP's 2013 PAI plan. Meanwhile, in the coming year, it will assess the degree to which this plan addresses the legal needs of the client community and make appropriate adjustments.

The PAI program will continue to operate under the name Volunteer Lawyers Service (VLS). It will be staffed by two highly experienced full-time paralegals who currently administer it for MJP. CLA also plans to hire another VLS staff member (since MJP reduced VLS staff due to past funding cuts). Overall supervision will be provided by the current MJP executive director, who as noted elsewhere in this report, will become a member of the CLA management team.

VLS currently recruits volunteer attorneys in person using staff at bar meetings, letters from colleagues, and requests from judges. The PAI plan includes mechanisms for establishing that prospective volunteers are qualified and for determining their experience, training needs, languages spoken, and accessibility of their workplace. VLS provides mentoring and training, and collaborates with bar associations on recognition events during Pro Bono Month (October). The plan also includes systems for referral and follow-up of cases. Cases are referred following initial intake screening and in accordance with case acceptance criteria set forth in the PAI plan. PAI paralegals handle the referrals, and they also coordinate the limited assistance representation projects that involve pro bono attorneys. Recruitment efforts are enhanced by the efforts of Senior Partners for Justice, a pro bono initiative of the Boston Bar Association whose founder, a CLA SSA in the family law unit, coordinates monthly trainings and other events for volunteer lawyers.<sup>5</sup>

Once a volunteer attorney has accepted a referral, letters of confirmation are mailed to the client and the attorney. Along with the letter of confirmation, the attorney receives an initial case summary status report to be returned within 30 days from date of referral. The CMS tickler system notifies staff when to send requests for case updates to the volunteer attorney. When the attorney reports that work is completed, s/he receives a thank-you letter, and an evaluation survey is sent to the client.

Currently in MJP, the executive director reviews PAI cases before they are closed; in CLA, this is the responsibility of a unit SSA. PAI paralegals are also responsible for organizing trainings and conducting outreach to the private bar, in conjunction with the

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<sup>5</sup> See, <http://www.spfj.org/>.

PAI manager and attorneys in the office, as appropriate. They also coordinate recognition of volunteers.

PAI staff members participate in a statewide pro bono coordinator group, which meets approximately quarterly. CLA's Executive Director is also a member of the Pro Bono Committee of the Massachusetts Supreme Judicial Court. Current MJP Pro bono programs that will continue under the new structure include at least three courtroom lawyer of the day collaborations with local bar associations across the service area, in which volunteers provide limited assistance representation to qualified litigants in family, housing, and general district court. Depending on the project, volunteers may include private attorneys, retired attorneys, corporate counsel, and law students. MJP also helps coordinate a bankruptcy initiative through which a volunteer bankruptcy attorney supervises paralegal students in the preparation of bankruptcy petitions for eligible clients; attorneys who provide consultation or representation to low-income homeowners facing foreclosure; and corporate counsel who prepare simple wills, powers of attorney, and advance directives for low income seniors. CLA will integrate into the restructured program two projects that it has been operating independent of MJP – another volunteer lawyer-for-the-day and the Zarrow Homeless Advocacy Project which connects homeless individuals facing legal problems with volunteer attorneys.

CLA's closed case data for pro bono services are not available. MJP's CSR data for 2012 PAI cases are available. MJP closed 24 cases per 10,000 poor persons, compared to the national median of 22. Of those, 8 were extended services, vs. 9 national median, and 14 were contested, vs. 3 national median.

The CLA Technology Plan describes how ProLaw will be customized by the beginning of 2014 to support the pro bono program. In addition, the Volunteer Lawyers Project of the Boston Bar Association is developing a statewide pro bono website that will go live in early 2014.

## **Recommendation**

II.2.16.1.\* CLA should consolidate all current CLA and MJP activities under one "roof" and continue to expand opportunities for private attorney involvement in work of the consolidated program.

II.2.16.2. CLA is encouraged to use the technology that will soon be available to recruit volunteers, send out referrals, and otherwise administer the VLS program. In this regard, CLA is encouraged to assess the efficacy of mailing information to applicants and clients versus using electronic modes of delivery.

## **Criteria 3 and 4. Other program services and activities to and on behalf of the eligible client population.**

**Finding 17: CLA conducts community legal education, provides legal information and pro se materials, and engages in unbundled legal assistance to self-represented litigants as appropriate.**

Staff members participate in a variety of outreach activities designed to provide the client community with legal information and resources, and to inform them of CLA's services. CLA reports that during the 24 months prior to the submission of its applications for funding, it conducted community legal education sessions to service providers and community groups working with families and children, former offenders, low-wage workers, immigrants, homeless families, and elders. Examples include training for staff at a battered women's shelter on the intersection of housing and domestic violence protections; presentations at a vocational training program for individuals recently released from correctional facilities to educate them about their legal rights in accessing housing and benefits programs; a year-long educational series geared to refugees and resettlement agency staff around navigating TANF, SNAP and Medicaid programs; and trainings to housing counselors on fair lending and foreclosure prevention.

Pro se and other limited assistance projects are described under Criterion 2, above.

If this application is funded, CLA will build upon the activities of MJP in developing automated forms for pro se litigants.<sup>6</sup> MJP has developed a large library of legal education and self-help materials for the client community. CLA will continue to use these resources and will integrate them more fully into its service delivery system. CLA will also continue to provide advice and assistance to pro se litigants, as appropriate. MJP's current executive director will become a member of CLA's management team and will continue to represent the region on the statewide Pro Se Resources Task Force that is currently working with the state court system to create standards for the development of state court pro se materials. CLA also provides limited scope representation at certain junctures in family law cases, pursuant to Massachusetts court rules.

The CLA website links to the statewide website, [MassLegalHelp.org](http://MassLegalHelp.org), a collaborative project of legal aid programs in the state that serves as a central resource on legal issues affecting the low income community for clients, lawyers and social services organizations. It includes links to consumer information and in some area, downloadable forms. The website is funded and operated by the Massachusetts Legal Assistance Corporation (MLAC).

CLA is also a partner in Family Advocates of Central Massachusetts (FACM), a medical-legal partnership with the University of Massachusetts Medical School, UMass Memorial Children's Medical Center, and the Edward M. Kennedy Community Health Center.

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<sup>6</sup> In addition to the 2012 TIG described above, MJP received TIGs in 2004 and 2010 to develop automated forms.

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

**Criterion 1. Board governance.**

**Finding 18: The CLA board of directors is actively engaged in the mission of CLA and works effectively to support that mission.<sup>7</sup>**

The CLA board of directors is composed of 30 members who reside throughout the service area, including 18 lawyers, 10 client representative board members and two public members. Its committees include governance, strategic planning, resource development, oversight, and executive. Board meetings are held every other month and rotate between Worcester and Springfield. Members attend with regularity and there are no issues with obtaining a quorum for its meetings. The organization has invested in high quality videoconferencing equipment, which is used for various purposes, including by board members who are unable to attend meetings in person. It appears to be a very effective tool to ensuring broad participation. CLA provides board resources to its members on a password protected intranet. These resources include such documents as the board roster, bylaws, policies, and the collective bargaining agreement. The board has a conflict of interest policy and term limits. At least one member has expertise in accounting or auditing.

The governance committee works actively to recruit new board members, among other tasks. CLA sees this function as critical and invests resources to ensure that it selects board members who will focus on the mission of the program and help serve CLA's various needs. The committee chair makes many contacts in the community to determine who would be a good fit for the organization. He meets personally with each incoming board member.

The board's strategic planning committee has worked on the strategic plan discussed under Performance Area One. CLA has invested staff and board resources to make the process as effective as it can be. In addition, it has hired outside consultants who are highly regarded in their fields, to help guide the process. The board was also involved and engaged in the needs assessment forums.

The development committee is in the process of creating a resource development plan, with the assistance and guidance of consultants and the newly hired development director. They are far along in the creation of the plan and it will soon move from draft to approval and execution. This plan will also be incorporated into the strategic plan. The development committee has been instrumental in CLA private bar campaigns and other resource development efforts.

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<sup>7</sup> An assessment of the CLA's board's exercise of its fiduciary responsibilities was conducted by the LSC Office of Compliance and Enforcement (OCE) during its on-site visit, August 19-22, 2013. OCE's findings are included in its report.

The executive committee, which includes the president, vice-president, treasurer and secretary, is highly active, particularly related to matters involving consolidations with other programs and now, the determination to pursue LSC funding.

The audit and finance committee is comprised of the treasurer and other designated directors. This committee reviews and considers budgetary and investment-related matters. Financial statements, which include a statement of activities and expenses, are submitted by the director of finance to the treasurer approximately one week prior to the board meeting.

The board appoints an executive director performance and compensation committee to evaluate the executive director. The process for evaluating the executive director includes a written self-evaluation; interviews with staff, bar association and community leaders, and funders; and a meeting with the executive director. The most recent evaluation was in 2011.

### **Criteria 2 and 3. Leadership; Management and Administration.**

#### **Finding 19: CLA's leadership is experienced and well-respected, and its management and administration systems are effective.**

The proposed CLA management structure will include the executive director, deputy director, director of intake and pro bono, fiscal manager and assistant fiscal manager, development director, grants manager and communications director, six attorney managers (managing and senior supervising attorneys) in four offices. The main administrative office will remain in Worcester and will house senior management.

The executive director and deputy director are highly experienced lawyers and managers. They are well-respected in the program, by the board, and by the legal community. The executive director works largely on external communications, although due to the recent consolidations and ongoing discussions regarding MJP, there has rightly been an emphasis on internal processes. The deputy director has primary responsibility for grants administration and also to ensure that day-to-day operations occur seamlessly. She has weekly "check in" meetings with management staff under her supervision. The current executive director of MJP, who will join the management team as director of intake and pro bono if this application is approved, is also experienced and respected by staff, board, and in the community. He will also be responsible for ensuring compliance with LSC requirements.

CLA managing attorneys are responsible for offices in Worcester, Springfield, Northampton and Pittsfield. The managing attorney of the Northampton office also manages the office in Pittsfield and travels there on a weekly basis. Managing attorneys are responsible for the daily operations of their offices. They work closely with the Senior Supervising Attorneys (SSAs) described above, to coordinate substantive legal work with those daily operations.

In the event of unexpected departure or incapacity of the executive director, the deputy director would assume interim leadership of the program. Similarly, the board vice president would stand in for the board president. CLA is developing a written succession/transition plan for consideration by the board of directors.

### **Recommendation**

IV.2.19.1.\* CLA should proceed with the development of a leadership succession plan.

**Finding 20: CLA has a straightforward disaster plan that is reviewed regularly and that sets forth the duties of management and staff in the event of a disaster or other emergency.**

CLA's disaster plan includes provisions for dissemination of information and for regular review and training. It also sets forth a series of actions to be taken in the event of a disaster. However, there are some areas where it could be updated. For example, under the plan, program leaders are to look for alternate space to locate staff only at the point where there has been a disaster and an office is unusable. While the Springfield office data is backed up to the cloud, data from the Worcester office is backed up to tapes in that office, with a plan to remove the tapes at the time of the disaster.

### **Recommendation**

IV.3.20.1. CLA is urged to arrange with another law firm or a bar association to permit CLA to use that entity's facilities in the event of a disaster or other emergency. This arrangement could include making CLA space available should that organization's space suffer damage.

IV.3.20.2.\* CLA should make arrangements to have data from all offices backed up to the cloud as it does for the Springfield office.

### **Technology**

**Finding 21: CLA has the technology and technology staffing needed to support its work.**

CLA receives technology funding and support from MLAC, through the statewide Central Technology Project that supports all MLAC-funded programs. This support includes operation and security of systems, training and oversight of staff, and development of policies and procedures affecting the functionality and usage of technology-related systems. MLAC is also responsible for identifying future technology-related requirements and needs. CLA has a broad-ranging Technology Use Policy that specifically describes the limits on staff use of CLA's technology.

CLA's on-site technology resource is the office manager in Worcester, who functions as the contact between staff and MLAC. The office manager has been the technology officer

for six years and had little formal training in technology other than “on the job.” She relies heavily on the helpdesk at MLAC and an outside contractor. She has taken courses taught by the ProLaw technology team, and she serves as the staff resource and trainer for ProLaw, the case management system.<sup>8</sup>

ProLaw is integrated into the intake process and supports screening, conflict checks, and recording of information. Advocates use it to record notes, generate case documents, and keep case-related time records. It is also used to store all grant-related data. CLA management describes ProLaw as robust and flexible. While some staff found it to be less user-friendly than they might like, they did find the upgraded version to be an improvement. CLA uses a password-protected intranet for staff and board materials, and email for internal communications. It has a VoIP telephone system. The videoconferencing system has been described elsewhere. This equipment enhances the efficient use of staff time and eliminates unnecessary travel.

CLA also receives an annual technology grant from the MLAC, for which it must prepare a technology spending plan and budget. Development of the spending plan and budget takes into account how that technology will support substantive legal work.

The technology plan submitted with this application is a description of how CLA currently uses technology and of the technology that it has in place for telephones, case management systems etc. In addition to intake and case management, CLA uses technology to support its pro bono projects as described above, and its resource development activities as described below.

CLA plans to upgrade its VoIP telephone system to better handle the needs of its restructured intake system. Once the phone system upgrades are completed, the technologies discussed in the technology plan (case management, phone system and videoconferencing, statewide website, and support for pro bono) will generally meet LSC’s baseline standards for technologies that should be in place in a legal services program office. As it moves forward, adoption of certain technologies, such as document assembly or an online intake system that is fully integrated with ProLaw, would allow CLA to operate more efficiently and effectively.

As discussed under Finding 9, above, MJP received an LSC Technology Innovations Grant (TIG) in 2012 to develop a legal resource finder web application. The application will direct users to Massachusetts legal services providers and web-based resources based on factors such as legal issue, location, and approximate income. MJP has made good progress under this grant. It is up-to-date on reporting and shared its progress with the national community on a recent webinar. MJP’s executive director has been managing this project; he will continue to work on the initiative at CLA.

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<sup>8</sup> At the time of the visit, some staff in western Massachusetts were still using the Legal Files case management system, but this system will be phased out by the end of 2013.

## **Recommendation**

IV.3.21.1. CLA should work with its technology team to determine ways in which technology can be used more effectively in the future.

IV.3.21.2.\* CLA should ensure that all staff members receive appropriate training in ProLaw and other technology.

### **Criterion 4. Financial administration.**<sup>9</sup>

#### **Finding 22: Financial administration is managed by an experienced fiscal manager with support from an assistant fiscal manager and a part-time certified public accountant.**

CLA's financial administration is handled primarily by an experienced fiscal manager and assistant fiscal manager. This team is responsible for budgeting and for preparing financial reports for management, the board of directors, and funders. In 2013, CLA has a budget of approximately \$5.3 million, with more than 60 funding streams.

The assistant fiscal manager is responsible for payroll, grant reporting, accounts payable. She also handles the payroll for MJP. In addition, a part-time CPA is responsible for reviewing transactions, entering accruals, reviewing expenses, reconciling payroll to tax forms, and reconciling the investment account.

The fiscal manager prepares monthly financial reports for the management team. She meets monthly with program management and provides updates, as needed. She also prepares financial reports for the board. Reports include a statement of activities, statement of financial position, and reserve analysis. CLA has no reserve policy, but the issue of adequate reserves is frequently discussed by staff and board with an emphasis on preserving the reserve position of the organization. At the time of the visit, CLA had a reserve fund equal to 4.8 months of operating expenses.

In developing the budget, fiscal staff meet with the management team to discuss needs, including staffing and funding. Substantial effort is put into ensuring appropriate allocation, expenditures and reporting after the budget is approved. The fiscal manager monitors grants expenditures activities and works with the managers to ensure fiscal compliance.

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<sup>9</sup> This visit was conducted by the LSC Office of Program Performance (OPP) for the purposes set forth in the Introduction. OPP findings and recommendations under this criterion are limited to staffing, organization, and general functions. As noted in Footnote 7, *supra*, the LSC Office of Compliance and Enforcement (OCE) conducted an on-site assessment of the program's fiscal operations from August 9-13, 2013.. OCE's findings are included in its report.

The CLA fiscal staff have also been responsible for financial administration at MJP, including creation of its accounting guide. And recently, fiscal staff have been primarily responsible for human resources, including benefits administration and regulatory compliance.

The fiscal manager and assistant fiscal manager meet weekly to discuss issues. They report that they are afforded adequate and appropriate training.

**Criterion 5. Human resources administration.**

**Finding 23: CLA's human resources needs had been handled by a part-time staff person, although by the time of the visit the fiscal manager had assumed the essential responsibilities of that role.**

As noted above, the CLA fiscal manager has also been managing many of the human resources functions of the program. The long-time part-time human resources staff person retired at the end of August 2013. CLA recognizes the need for a full-time director of human resources, and at the time of the visit was in the process of interviewing candidates for that position.

CLA and MJP are both unionized programs, and the management of both programs consulted with the unions in planning for this consolidation. All members of the MJP bargaining unit will be retained in the new organization, and will receive salary increases.

Staff benefits are designed to recruit and retain a high quality workforce. Benefits are offered through a cafeteria plan that includes health, vision, and dental insurance; life insurance and long-term disability insurance; and self-funded short-term disability insurance. The program provides a 401(k) retirement plan to which it contributes 5% of salary without a required employee match. Law graduates and attorneys moving from other states receive ten days of paid bar leave plus paid time off to take the bar exam; this benefit is offered for up to two exams, or three at the executive director's discretion.

Staff accomplishments are recognized in program-wide emails, press releases about notable cases, and in reports to the board.

CLA participates in the Massachusetts Legal Services Diversity Coalition established by MLAC to raise awareness of diversity issues. It has led an initiative to focus on diversity among program leadership, and participates in a fellowship program for new lawyers funded by MLAC to improve access to legal services for client communities with linguistic or cultural barriers.

Staff members are evaluated annually in a process that includes the opportunity for self-evaluation and that also considers accomplishments, training and other needs, and discussion regarding specific areas of improvement. The Managing Attorney and Senior Supervising Attorney are both involved in the evaluation.

## **Recommendation**

IV.5.23.1.\* CLA should follow through with its plan to hire a full-time professional human resources director as befits an organization of its size and complexity.

### **Criterion 6. Internal Communication.**

#### **Finding 24: Internal communication at CLA is effective.**

CLA has systems in place for encouraging communications between management and staff, and among and within offices. It appears from interviews during the on-site visit and responses to the pre-visit survey, that these systems are effective.

Staff report using phone or email regularly to communicate with colleagues in other offices. Formal and informal advocate meetings further these relationships. The Springfield and Worcester offices hold monthly staff meetings. Communications within the smaller Northampton and Pittsfield offices appear to be effective. Substantive units meet at least weekly for case review purposes and to discuss current substantive issues. Supervising attorneys travel to other offices regularly, some on a weekly basis. The executive director and deputy director visit branch offices several times a year.

The use of videoconferencing between Springfield and Worcester has significantly enhanced communication among offices and units in those cities. At the time of the visit, staff in the Pittsfield and Northampton offices participated in these meetings by telephone. However, videoconferencing capabilities were to have been expanded to those offices in September 2013, which should further increase the quality of communication.

CLA also convenes program-wide meetings including an annual picnic and a holiday party so that staff can engage in a less formal setting.

## **Recommendation**

IV.6.24.1. CLA should follow through on its plan to expand videoconferencing capabilities to the Northampton and Pittsfield offices.

### **Criterion 7. General resource development and maintenance.**

#### **Finding 25: CLA's focus on resource development has been effective.**

CLA has made a deliberate decision to diversify funding and to make a substantial investment in resource development. As a result, it has more than 60 funding streams. The visit team did not find evidence of the mission drift that sometimes accompanies numerous sources of funding and diverse requirements.

At the time of the on-site visit, CLA had recently hired a full-time development director. He brings a wealth of experience, along with energy, to the efforts. CLA also

employs a grants manager/communications director who is responsible for coordinating and applying for grants. The executive director also spends a considerable amount of time on development. The development team currently includes the executive director, development director, grants manager/communications director, and executive assistant. Four members of the team, including the executive director, attended the 2013 MIE fundraising conference.

CLA has contracted with fundraising consultants to help guide and create a resource development plan. CLA has a draft resource development plan, components of which they are already planning to execute. Goals include improving private bar campaigns and broadening awareness and support in the community. A centerpiece of the initial effort will involve communications, to ensure that CLA speaks with one voice on identified messages and rebranding. CLA has also published an annual report, and recently produced a brochure for use in outreach and resource development efforts. CLA is planning to conduct targeted direct mail solicitations. CLA uses technology to reach out to potential donors, accept online donations, track donors and donor information, and generate thank-you letters.

The CLA board is highly engaged in these efforts and will play a role in increasing much-needed resources. Board recruitment has had an intentional eye toward supporting CLA's resource development efforts.

**Criteria 8 and 9. Coherent and comprehensive delivery structure and participation in an integrated legal services delivery system.**

**Finding 26: CLA is an active and involved participant in the integrated statewide legal services delivery system in Massachusetts.**

CLA and MJP have cooperated to maximize limited resources in the MA-10 service area, and have collaborated with LSC and state funders to minimize gaps in and duplication of services. Their activities are described elsewhere in this report. This application results from the recognition of LSC, state funders, and the two programs that the current system has not been as effective and efficient as originally expected.

Both CLA and MJP staff participate in efforts to improve the delivery system in Massachusetts. Staff serve as trainers in many community forums and participate collaboratively with various nonprofits and community groups. Representatives from both programs serve on committees of the Massachusetts Access to Justice Commission and on statewide task forces. Staff are highly regarded within the local community. The programs pay attorney bar dues and managers highly encourage advocates to participate in local and statewide bar activities. Advocates participate in leadership positions in local bar associations. It is expected that these activities will continue under the restructure, and that CLA will remain an active and involved member of the statewide delivery system.