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September 23, 2013

Ms. Althea Hayward  
Program Analyst/Team Leader  
Office of Program Performance  
Legal Services Corporation  
3333 K Street, NW 3<sup>rd</sup> Floor  
Washington, DC 20007-3522

Dear Althea:

Enclosed is Legal Aid of West Virginia's response to the draft report from the Legal Services Corporation about its 2013 Program Quality Visit to our program. The first section includes a response to each of the findings, and the second includes a short list of clarifications and corrections.

We are pleased with the draft report and have shared it with our Board, managers and staff. The report captured our program's strengths while offering constructive recommendations about ways we can improve services to clients. Many of the recommendations have already been incorporated into program operations; other recommendations are helpful because they present us with new ideas and options for further discussion and action.

Thank you to you and your team for making the visit both professional and productive. We appreciated the many compliments about our people and our work.

If you need any additional information or clarification of our response, please do not hesitate to contact me. Thank you again.

Sincerely,

Adrienne Worthy  
Executive Director

Enclosures

**Legal Aid of West Virginia Response to  
May 20-24, 2013 Legal Services Corporation  
Program Quality Visit  
Draft Report**

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**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:**

LAWV plans to collaborate with West Virginia's Access to Justice Commission to conduct a comprehensive assessment of the needs of the State's low income population.

- **Response:** LAWV agrees with this finding and will continue to work with the WV AJC on a comprehensive needs assessment.

**Finding 2:**

The program benefits from a commitment to strategic planning.

- **Response:** LAWV agrees with this finding and will embark upon a fourth strategic planning process later this fall.

**Finding 3:**

The case acceptance protocols used by ATLAS appear to focus on funding and staff preferences.

- **Response:** LAWV will review how it allocates positions to specific funding sources and to the extent possible will develop a clear, standardized case acceptance and assignment policy that takes into consideration and balances the needs of the client population and LAWV funding sources.

**Finding 4:**

LAWV regularly collects information and examines the effectiveness of its advocacy; however the analysis of outcomes data available is minimal.

- **Response:** LAWV is initiating a process to collect and analyze more specific outcomes data including main benefit outcomes. The results of this analysis will support its public relations, marketing and resource development efforts.

**Performance Area Two.**

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

**Finding 5:**

LAWV has operated a centralized intake system since 2009.

- **Response:** LAWV agrees with this finding and associated recommendation. LAWV is currently planning to upgrade Kemps Prime system in November. Part of the upgrade includes an on-line intake module, which should be implemented by mid 2014.

**Finding 6:**

ATLAS is not sufficiently elevated to a level of importance within the program's organizational structure.

- **Response:** LAWV will explore ways to increase communication and training between ATLAS and local office staff to build greater understanding of their respective roles in the organization. This includes staff participation on the Client Access Advisory Team (CAAT) as well as other ways to educate staff and managers individually and collectively about ATLAS' work. The Management Team, which includes the Access to Services Manager, will also explore ways to increase positive interaction between local office and ATLAS staff.

**Finding 7:**

ATLAS is currently understaffed and unable to handle the telephone intake traffic generated through the centralized unit.

- **Response:** LAWV agrees with this finding and associated recommendations. LAWV intends to explore a variety of ways to support and expand services in ATLAS. This includes: using volunteer attorneys and paralegals; hiring additional

staff as funding permits; simplifying and streamlining intake protocols for local offices, particularly around the provision of advice and brief service at the local level; and using a case acceptance tool for ATLAS.

**Finding 8**

LAWV is proactively evaluating ATLAS, and addressing the challenges currently impacting the centralized intake systems.

- **Response:** LAWV agrees with this finding and associated recommendations and will continue to use the Client Access Advisory Team (CAAT) to evaluate the efficiencies and effectiveness of ATLAS and will consider expanding that group to include board members, clients, and other external stakeholders. In addition, we will encourage ATLAS leadership to increase their knowledge about best practices in centralized intake services by visiting other programs.

**Finding 9:**

LAWV is engaged in regular outreach to the communities served.

- **Response:** LAWV agrees with this finding.

**Finding 10:**

LAWV ensures that its staff and its program services are accessible to West Virginia clients.

- **Response:** LAWV agrees with this finding. As it considers staff recruitment in the future, LAWV will explore ways to recruit a bilingual staff to increase its internal language capacities.

**Performance Area Three.**

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

**Finding 11:**

LAWV's advocates are committed to its mission, and have the capacity to provide quality legal services.

- **Response:** LAWV emphatically agrees with this finding.

**Finding 12:**

LAWV maintains a set of written standards to guide its legal practice.

- **Response:** LAWV agrees with this finding and associated recommendation.

**Finding 13:**

LAWV's legal work supervisory system is informal, promotes autonomy and lacks consistency.

- **Response:** LAWV agrees with this finding. LAWV will explore the associated recommendations, working to implement those that increase quality and efficiency while promoting a balance for supervisors between supervision and case work responsibilities.

**Finding 14:**

The program has established the position of Advocacy Support Counsel to develop systemic approaches to emerging legal needs in West Virginia.

- **Response:** LAWV agrees with this finding and will continue to evaluate and maximize its approach to identifying and expanding opportunities for systemic advocacy and impact litigation. This will effort will be sharpened by a new strategic litigation plan, to be completed in 2014.

**Finding 15:**

The program has built the capacity to provide representation of clients in its priority areas.

- **Response:** LAWV agrees with this finding.

**Finding 16:**

The program has developed a comprehensive three-year plan for its private attorney involvement program, and uses a procedures manual to guide its operations.

- **Response:** LAWV agrees with this finding and associated recommendations. LAWV will continue to work to improve the program-wide consistency and efficiency of the PAI program while increasing the number of private attorneys participating in providing direct client services.

**Finding 17:**

LAWV staff is engaged in community legal education and minimal pro se assistance.

- **Response:** LAWV agrees with this finding and, to the extent possible, will work to increase the number of structured pro se clinics and proactive community legal education events conducted for clients.

## **Performance Area Four.** **Effectiveness of governance, leadership and administration.**

### **Finding 18.**

LAWV's board of directors is highly engaged, and provides effective oversight over the affairs of the program.

- **Response:** LAWV agrees with this finding and the associated recommendations.

### **Finding 19:**

LAWV's bylaw provisions are ample, but contain no conflict of interest clause for its board members.

- Response: LAWV will explore this finding with the Board of Directors.

### **Finding 20:**

LAWV benefits from effective leadership that is recognized and appreciated throughout the state of West Virginia.

- **Response:** LAWV agrees with (and appreciates) this finding.

### **Finding 21:**

LAWV is a well-managed program administered by an experienced, capable management team.

- **Response:** LAWV agrees with (and appreciates) this finding.

### **Finding 22:**

LAWV has a robust technology infrastructure to support its work and well trained technology staff to provide management and oversight of this function.

- **Response:** LAWV agrees with this finding and associated recommendations.

**Finding 23:**

LAWV employs experienced fiscal staff to manage its fiscal operations.

- **Response:** LAWV agrees with this finding and associated recommendation.

**Finding 24.**

LAWV maintains an effective human resources administration.

- **Response:** LAWV agrees with this finding. LAWV particularly agrees that increasing starting salaries for staff attorneys should remain a top priority.

**Finding 25**

LAWV maintains a strong system for internal communications.

- **Response:** LAWV agrees with this finding.

**Finding 26:**

LAWV employs experienced resource development staff to help in expanding resources.

- **Response:** LAWV agrees with this finding and associated recommendation.

**Finding 27:**

LAWV is a critical leader in the West Virginia legal services delivery system.

- **Response:** LAWV agrees with this finding.

# Legal Aid of West Virginia **Clarifications/Corrections** to May 20-24, 2013 Legal Services Corporation Program Quality Visit Draft Report

Below, in consecutive page order, are suggested clarifications and corrections to the LSC PQV Draft Report about Legal Aid of West Virginia.

Page Number	Clarification/Correction
3	The third paragraph references pro bono coordinator. There is staff in every office with pro bono responsibilities and two statewide pro bono specialists. LAWV's PAI efforts are managed by the Access to Services Manager.
4	The third paragraph references LAWV's total program funding in 2012. It should be \$8,493,965 and its total non-LSC funding should be \$5,742,344.
5	In the fifth paragraph, the West Virginia Senior Hotline should be West Virginia Senior Legal Aid.
7	<p>The first paragraph notes that a report by the ATJ Commission is being prepared about its community forums. The report was prepared and issued in January, 2013.</p> <p>In reference to LAWV's strategic planning process in the second paragraph, while regional offices are represented on the planning committee, there is not a person from every office participating.</p>
8	The last line of the first paragraph states that any changes in local office protocols must be approved by the supervising attorney and the legal director. The legal director is not required to approve these changes.
9, 10, 11	<p>Page 9, last paragraph – <i>“The ATLAS system is equipped with a modest call management software application called <b>Customer Call Reporter</b> which has the capacity for basic call monitoring and reporting.”</i></p> <p>Page 10, last sentence and first sentence on page 11 – <i>“...once the phone queue is full, applicants are offered the option of leaving a message so that their calls can be returned by a paralegal. This protocol appears not to be working very well, and produces another bottleneck or backlog with which ATLAS staff must cope</i></p> <p>Clarification and updated information: After months of development, LAWV launched a new Intake Call System (ICS) on July 17, 2013. The ICS was designed specifically for the needs of the ATLAS program, by LAWV IT</p>

	<p>staff, and includes detailed call monitoring, historical reporting, and a number of workflow improvements. The most exciting feature of this new phone system is that a caller who is waiting to talk to an ATLAS paralegal is given the option to receive a phone call back, without losing his or her place in line, in a short time frame. This new option replaces the ineffective callback system used previously, which had the caller leave a message and a paralegal returning the call outside of the call queue. This system allows more ATLAS paralegals to handle live calls coming in and also increases the likelihood that a caller will answer when we call them back within an estimated 10-15 minutes. Initial estimates are that this system has empowered ATLAS to complete 15-20% more intakes with the same staffing level.</p>
10	<p>The second paragraph describes LAWV's reduction in force and the process used. It notes that the reduction was done "without preference to program designation or staff position." This is <u>not</u> accurate. The staffing reduction plan was very carefully crafted to take into consideration both of these aspects.</p> <p>In the third paragraph in the description of ATLAS staffing, it should be seven paralegals, plus 2 additional AmeriCorps members for a total of 9 staff.</p>
21	<p>The first line on this page notes that LAWV's Board's next meeting was in June. The Board meets quarterly and the next Board meeting after the PQV visit was held on September 20, 2013.</p>
23	<p>The second paragraph notes that the supervising attorneys are part of the eleven member management team. They are not. The third paragraph on that page notes that the supervising attorneys meet monthly as a group. Meetings are generally held 4-6 times per year via telephone and video conference and at least once per year in person.</p>
25	<p>The first paragraph describes a "payroll assistant." This job title, as noted correctly later in that paragraph, is "accounting assistant."</p>
28	<p>In the last paragraph, the West Virginia Senior Hotline should be called West Virginia Senior Legal Aid.</p>