

August 4, 2014

Janet LaBella, Director
Office of Program Performance
Legal Services Corporation
3333 K Street, NW, 3rd Floor
Washington, DC 20007-3522

RE: Draft Program Quality Visit Report for West Tennessee Legal Services, Inc.
Recipient Number 643061

Dear Janet:

Initially, we would like to say on behalf of the staff and board of West Tennessee Legal Services, that we appreciated the positive attitude of the visit and felt that it was constructive and well worth the time that we invested.

Overall, we are pleased with the results of the draft report, although obviously there are certain issues that are susceptible to different interpretations and a few items that we believe need clarification and explanation.

Our comments will be divided into two categories. The first section will address inaccuracies; the second section is our response to the findings.

Corrections:

1. Footnote 7 is inaccurate. Although we did have two experienced paralegals retire in 2013, they were not replaced at that time with new attorneys. Subsequently, we have hired two new attorneys.
2. In footnote number 8, it is stated that at the time of the visit, two of the intake paralegals were part-time, one of whom has since retired. None of the four intake paralegals are part-time; and one part time paralegal that was not an intake paralegal has retired.
3. Footnote 16 is incomplete, the SSVF Grant is sub-granted to an organization called Tennessee Homeless Solutions that provides the case management function and the intake screening. WTLS handles the legal advocacy under the grant. To date in calendar year 2014, WTLS staff has handled 38 legal

advocacy cases for clients under the SSVF Grant. The types of cases include consumer cases directly related to preserving income or protecting assets, employment, support, access to medical coverage, public utilities, and obtaining disability benefits.

4. In finding 13, it states the program has a full-time pro bono coordinator, when in fact the coordinator is part-time, roughly 50%.
5. In finding 15, it is noted that the comprehensive manual that is provided to new board members includes past minutes but we do not include past minutes in the manual.

Findings and recommendations:

Finding 1: We agree with this finding. In addition to the state wide legal needs assessment that is being conducted by the University of Tennessee, College of Social Work Office of Research and Public Service, WTLS has also contracted for an additional assessment confined to its seventeen county service area. It is expected that the studies will be completed and the report released in the fall of 2014. In addition WTLS with the legal justice community has just contracted for an Economic Impact Study with “Great Programs”.

Finding 2: We agree with this finding. We anticipate that our priorities will be further informed by the legal needs and economic impact assessment mentioned above.

Finding 3: We agree with this finding. We anticipate engaging in further discussions on the most efficient and effective ways to implement the 2014 Strategic Plan.

Finding 4: We do not fully agree with this finding. Within each specialized project, the project managers regularly analyze and evaluate the effectiveness of the delivery system and work. To the extent that these funding sources have

continued to award WTLS funds to continue the work, we would submit that the outcomes and impact of the services provided have been effective. We would note that the benefit of the work that we do in the area of food stamp eligibility and counsel and advice includes increased benefits to the poor client community in addition to opportunities for preventative law services to ensure that if the client's monthly allotment is in excess of what he or she should be getting, the client receives advice on how to report the changes so that future overpayments do not arise, creating larger legal issues. In the area of domestic violence, although separate cases are not opened for public benefits, all victims of domestic violence are provided with comprehensive legal assessments and legal advice on additional issues, such as public benefits, income tax issues, consumer, housing, etc. on a case by case basis. We have also added two new attorneys to our staff. One attorney is working in the housing department, and the other attorney is handling a general case load including income maintenance issues and expanding our special education services. The training/ mentoring for these two new attorneys has required significant investment of time and resources, but WTLS is committed to insuring their competencies for the legal work assigned. WTLS agrees with the assessment that the steep decline in overall funding between 2009 and 2013 has had a major impact on the number of cases closed.

WTLS will further examine the **recommendations I.3.4.1, 2 and 3** within the context of implementation of the 2014 Strategic Plan.

With respect to **recommendation I.4.4.4**, WTLS will evaluate its case work for the last three years in connection with its mission and the legal needs of the low income community to insure that we are appropriately focusing our work to address the most critical legal problems of the service areas low income population, particularly in light of funding under the LSC grant and report what actions or activities WTLS has undertaken in our next grant renewal.

Finding 5: We agree with this finding. WTLS has a strong commitment to a local presence in our service area and to serving our client community with dignity, respect and sensitivity to their needs.

Finding 6: We do not fully agree with this finding. West Tennessee Legal Service believes that there has been a vast improvement in our intake system since the last visit in 2005. We believe that we have established an integrated and unified intake system that provides for better identification of legal issues and more uniform and consistent screening. In addition, our supervision of the intake system is also vastly improved since 2005. Although referrals are sent directly to some specialized projects, a majority of WTLS intake occurs through one main hotline. At the time of the last LSC OPP visit in 2005, each WTLS office had a separate telephone number. WTLS now has one main intake telephone number for all four offices, which has greatly unified the intake system.

With respect to the **recommendation II.1.6.1**, WTLS will consult with a provider of services to determine whether the telephone reporting program can be repaired or whether there is updated software that could be implemented at a reasonable cost.

Finding 7: We agree with this finding and would add that not only is WTLS linguistically competent but also culturally.

Finding 8: We agree with this finding. Our advocates do indeed provide exemplary service to our client community. They are knowledgeable, skilled and professional in their representation of clients.

Finding 9: We agree with this finding.

With respect to **recommendation III.1.9.1**, WTLS will incorporate the program's current unwritten practices into a more detailed legal work management and supervision policies and procedures that also include supervisory standards for newer advocates.

With respect to **recommendation III.1.9.2**, WTLS is presently conducting formal performance evaluations for all staff.

Finding 10: We agree with this finding.

Finding 11: We do not fully agree with this finding. WTLS appreciates the recognition the visit team gave to several of our projects that are not strictly legal work in the traditional sense. We also value the support that the projects provide to the legal work we do. We also appreciate the recognition that the visit team gave to the special grant that we received in 2004 wherein one of our attorneys and our nursing home ombudsman were able to work with other advocates across the state in developing a strategy that resulted in thousands of nursing home residents throughout the state preserving their Medicaid coverage and nursing home placements. This is a good example of how WTLS has procured special funding to broaden the scope of the work being done with LSC funding.

Finding 12: We do not fully agree with this finding. In addition to advocacy in specialized areas of law for which WTLS receives specific funding, we continue to offer legal assistance to low income persons in the problem areas of public benefits, SSI, housing, freedom from abuse, child support and spousal support within the domestic violence cases, etc. It is true that most of our client advocacy is within the areas of law for which we receive specialized funding, and these areas include the poverty law areas of homelessness, domestic violence, veterans, housing, senior citizens, disability, etc.

Finding 13: We agree with this finding. We would refer to our comments on page 2 above regarding the negative impact of the economy and current legal practice as they related to pro bono activities.

With respect to **recommendations III.2.13.1, 2 and 3**, we would note that our pro bono coordinator will continue to explore ways to increase pro bono attorney participation and will continue to evaluate annually the goals, objectives and outcomes. She will also modify the final report that is sent to pro bono attorneys to include an attorney satisfaction survey as recommended.

Finding 14: We agree with this finding. As stated previously, our committed and talented staff is a valuable asset to our program.

Finding 15: We agree with this finding. Our board includes members who have served for many years. They offer continuity and stability to our newer board members. Our board members are knowledgeable about our work and involved in major policy decisions. Although a formal evaluation of the executive director has not previously been conducted, the board members have regularly informally discussed and assessed his performance.

With respect to **recommendation IV.1.15.1**, a committee has been appointed to develop the formal evaluation document so that scheduled; regular formal evaluations of the executive director can be conducted.

With respect to **recommendation IV.1.15.2**, we are exploring how to incorporate this recommendation in the most effective manner for new board members and those interested in a refresher orientation.

Finding 16: We agree with this finding. The organization has benefited greatly from the leadership capacity of the management team, consisting of the Controller, General Counsel and Executive Director.

With respect to **recommendation IV.2.16.1**, WTLS will examine how to refine the recommendations concerning succession planning as outlined in the 2014 Strategic Plan.

Finding 17: We agree with this finding.

Finding 18: We agree with this finding.

With respect to **recommendation IV.3.18.2**, WTLS will explore these recommendations as to effectiveness, efficiency and cost.

With respect to **recommendation IV.3.18.3** WTLS will explore this recommendation with our network administrator.

Finding 19: We agree with this finding.

Finding 20: We agree with this finding. Our controller is well-trained, highly competent, respected within and without the program, and she is a highly valued member of our team.

With respect to **recommendation IV.4.20.1**, we are in the process of researching the cost of more sophisticated software and developing a plan to secure same.

Finding 21: We agree with this finding. See our response to **recommendation III.1.9.2** above.

Finding 22: We agree with this finding.

With respect to **recommendation IV.6.22.1**, WTLS will explore additional ways to update staff in addition to continuing how updates are already disseminated.

Finding 23: We agree with this finding.

With respect to the **recommendation in IV.7.23.1**, WTLS would note that although some of its projects might be better placed with a non-profit agency, the reality is there is not such an agency in rural West Tennessee. If WTLS had not responded to the need, there would be no services delivered in our area. Furthermore, the special populations served by the Ryan White and HOPWA would certainly have greater legal problems if they were without a resource to provide medical care, dental care, food and housing.

Finding 24: We agree with this finding.

In conclusion, our staff and board of directors are dedicated to our long standing tradition of providing high quality legal assistance. We look forward to the final report. Thanks to LSC and the monitoring team for helping WTLS improve and for the suggestions that will help WTLS better serve its clients.

Sincerely,



J. Steven Xanthopoulos
Executive Director

cc: Larry Barbee, WTLS Board Chair