



LEGAL SERVICES CORPORATION

FOIA Report and Plan

Under

Executive Order 13,392

September 29, 2006

Table of Contents

I.	Nature of the Legal Services Corporation's (LSC) FOIA Operation	3
II.	Areas Selected for Review	4
III.	Narrative Statement Summarizing the Results of the Review	4
	A. Allocation of Resources	4
	B. Requester Relations/Communications.....	5
	C. Backlog Reduction/Elimination.....	5
	D. Automated Tracking of Requests.....	5
	E. Use of Information Technology.....	5
	F. Reading Room Materials.....	6
	G. Information Dissemination via the Internet	6
	H. FOIA Handbook and Internal Guidelines	6
	I. FOIA Staff Training.....	7
IV.	Areas Selected for Improvement in LSC's Plan	7
V.	Improvement Area Plans.....	7
	A. Allocation of Resources	8
	B. Requester Relations/Communications.....	8
	C. Backlog Reduction/Elimination.....	9
	D. Automated Tracking of Requests.....	9
	E. Use of Information Technology.....	10
	F. Reading Room Materials.....	10
	G. Information Dissemination via the Internet	11
	H. FOIA Staff Training.....	12

LEGAL SERVICES CORPORATION

FOIA REPORT AND PLAN UNDER EXECUTIVE ORDER 13,392

I. NATURE OF THE LEGAL SERVICES CORPORATION'S FOIA OPERATION

The Legal Services Corporation (“LSC” or “Corporation”) was established as a private, non-membership, non-profit corporation by the Legal Services Corporation Act, Pub. L. 93-355 (1974), as amended, 42 U.S.C. §2996 *et seq.* Section 2996(g) provides that the Corporation is subject to the requirements of the Freedom of Information Act (“FOIA”), 5 U.S.C. §552. This Report/Plan (“Plan”) is submitted pursuant to Executive Order (“EO”) 13,392.^{1/}

The Legal Services Corporation (LSC or Corporation) is a private, non-profit, corporation established by Congress in 1974 to seek to ensure equal access to justice for all Americans by providing civil legal assistance to those who otherwise would be unable to afford it and is funded through congressional appropriations.

The Corporation is located in Washington, D.C. The office/component of the Corporation primarily responsible for processing FOIA requests is the Office of Legal Affairs (“OLA”), which employs one individual (“FOIA Officer”) who is responsible for processing over 95% of the FOIA requests received by the Corporation. The Corporation’s Office of Inspector General (“OIG”) also has one employee designated to process FOIA requests for records in the exclusive possession of the OIG.

The Corporation’s FOIA Officer also has additional responsibilities within OLA. An attorney on the OLA staff is responsible for processing FOIA appeals.

¹ The Legal Services Corporation is not a department, agency or instrumentality of the Federal government and strictly speaking is, therefore, not subject to the Executive Order. The Corporation is complying with EO 13,392 on a voluntary basis.

The following chart reflects the number of requests received and processed during fiscal years 2003, 2004 and 2005.

Data Description	FY03	FY04	FY05
No. of FOIA Requests Received	64	55	55
No. of FOIA Requests Processed	37	25	38
No. of FOIA Requests Pending at Year End	32	62	79

II. AREAS SELECTED FOR REVIEW

The Corporation selected the following areas of its FOIA operation for review.

- a. Allocation of resources;
- b. Requester relations/communications;
- c. Backlog reduction/elimination;
- d. Use of information technology;
- e. Reading Room materials;
- f. Information dissemination via the Internet;
- g. FOIA Handbook and internal guidelines; and
- h. FOIA Staff Training.

III. NARRATIVE STATEMENT SUMMARIZING THE RESULTS OF THE REVIEW

A. Allocation of Resources: The Corporation's competing priorities for human and financial resources have hampered the allocation of additional resources to the FOIA function. A reprioritization has occurred enabling the Corporation to begin the process of hiring an Executive Assistant ("EA") to the General Counsel ("GC"). The retention of an EA will relieve LSC's Chief FOIA Officer of certain unrelated administrative responsibilities and enable him to become more fully and directly engaged in the FOIA operation. The EA will also assume many of the administrative responsibilities discharged by the FOIA Officer, allowing the FOIA Officer to devote more time to FOIA processing. In addition, OLA expects to hire a Legal Assistant (LA) who is expected to devote at least 50% of his time on FOIA administration.

B. Requester Relations/Communications: FOIA requesters and individuals with questions regarding the FOIA process may contact the FOIA Officer by telephone,²/ regular mail, tele-facsimile, e-mail or via the Internet.

In addition, the Corporation will soon put in service the telephonic FOIA Requesters Service Center (“Center”) called for by the EO. Requesters and members of the public with general questions regarding the FOIA process will be able to access the Center by calling the following toll-free number: 1-877-438-3642 or 1-877-GET-FOIA. The Center will be manned by the LA on a part-time basis. Callers will be required to leave messages when the Center is not manned. Responses to the messages will be provided within two business days.

For tracking purposes and to facilitate communications regarding a FOIA request, each request is assigned a unique identifying number.

C. Backlog Reduction/Elimination: LSC’s FOIA backlog increased by approximately 50% at the end of fiscal year 2004 from the prior fiscal year end, and by approximately 22% at the end of fiscal year 2005. The Corporation expects the allocation of additional resources to its FOIA operation to reverse this trend and to reduce and ultimately eliminate the backlog of requests.

D. Automated Tracking of Requests: The FOIA tracking system currently used by LSC is not sufficiently comprehensive in terms of the data collected, is labor-intensive in terms of maintenance, and is not particularly user friendly.

E. Use of Information Technology: LSC currently tracks incoming FOIA requests and all aspects of request processing in an Access database. The FOIA Officer has expanded the database so that it captures more of the reporting information required in annual FOIA reports. While the database is more comprehensive and functional than it had been, it is still lacking certain features that would, if available, enhance and expedite FOIA processing. The Corporation recognizes the inefficiencies in this approach and has decided to explore the purchase of software designed specifically for the processing of FOIA requests.

² The FOIA Officer’s telephone number is posted to LSC’s website.

FOIA processing software has been identified and the FOIA Officer has been authorized to work with the Corporation's information technology personnel to determine whether the software is compatible with the Corporation's Information management system and if not, to attempt to identify and obtain other software that is. Training on use of any software selected will likely be required for OLA staff with FOIA administration responsibilities.

F. Reading Room Materials: The Corporation maintains both physical and electronic reading rooms. The physical Reading Room is located in the Corporation's library. The library contains copies of publicly available records. In addition, the library contains a computer through which members of the public may access the Corporation's FOIA Electronic Public Reading Room ("Reading Room") at http://www.lsc.gov/foia2/foia_eprp.php. The last assessment of the contents of the Reading Room located in the library and the documents posted to LSC's website occurred in January 2006. The Corporation will routinize this review, conducting it biannually.

G. Information Dissemination via the Internet: LSC has taken steps to enhance its ability to communicate with and provide information to FOIA requesters and members of the public through the Internet. The Corporation currently has two active e-mail addresses [www.FOIA@lsc.gov and www.INFO@lsc.gov] through which members of the public may make FOIA-related requests and inquiries. Pending activation are two additional e-mail addresses (www.CHECK_FOIA_STATUS@lsc.gov and www.FOIA_RESPONSE@lsc.gov), established specifically to enhance and expedite communications between FOIA requesters and LSC's FOIA personnel. The latter two addresses are features associated with LSC's FOIA Requesters Service Center.

H. FOIA Handbook and Internal Guidelines: LSC's FOIA Handbook is also being revised to incorporate information regarding the requirements of EO 13,392, as well as to provide additional guidance regarding the FOIA process to requesters and the general public. The internal FOIA processing guidelines available to staff are also being updated.

I. FOIA Staff Training: The training of FOIA staff will be a priority. The FOIA staff will receive training provided by the Department of Justice (“DOJ”), the American Association of Access Professionals (“ASAP”), and USDA Graduate School. The Corporation will ensure that funds are available for this very important training.

IV. AREAS SELECTED FOR IMPROVEMENT IN LSC’s PLAN

The evaluation of the FOIA operation conducted by the Legal Services Corporation resulted in a determination that the following areas warrant improvement.

- a. Allocation of resources;
- b. Requester relations/communications;
- c. Backlog reduction/elimination;
- d. Automated tracking of requests;
- e. Use of information technology;
- f. Reading Room materials;
- g. Information dissemination via the Internet; and
- h. FOIA Staff Training.

V. IMPROVEMENT AREA PLANS

Following is a plan for each area of LSC’s FOIA operation identified as requiring improvement.

A. Allocation of Resources

PLAN: Allocation of Resources	
Goal: To assign to LSC's FOIA operation the personnel necessary to process requests expeditiously.	
Target Completion Date: January 31, 2007	
<i>Planned Actions</i>	<i>Milestone Completion Dates</i>
◆ Hire EA to GC	11/30/06
◆ Hire a LA	10/31/06

B. Requester Relations/Communications

PLAN: Requester Relations/Communications	
Goal: To provide a customer-friendly mechanism through which FOIA requesters may seek and obtain current, accurate information regarding the status of a request or assistance with the reformulation of a request. Also, to provide a means of assisting prospective requesters.	
Target Completion Date: November 10, 2006	
<i>Planned Actions</i>	<i>Milestone Completion Dates</i>
◆ Put in service the telephonic FOIA Requesters Service Center	11/16/06
◆ Update and issue the revised FOIA Handbook and post it to www.lsc.gov	10/31/06
◆ Issue to staff the revised internal FOIA processing guidelines and post to the LSC Intranet	11/16/06

C. Backlog Reduction/Elimination

PLAN: Backlog Reduction/Elimination	
Goal: To reduce and ultimately eliminate the FOIA backlog and, to the extent practicable, conclude each fiscal year with the fewest requests in pending status.	
Target Completion Date: September 30, 2007	
<i>Planned Actions</i>	<i>Milestone Completion Dates</i>
<ul style="list-style-type: none"> ◆ Hire EA to GC ◆ Hire a LA ◆ Purchase, install and implement use of the software ◆ Hold meetings with FOIA staff to review progress in reducing the backlog of requests 	<ul style="list-style-type: none"> 12/01/06 10/16/06 01/01/07 10/23/06; 10/31/06; 11/06/06; 11/13/06; 11/20/06; 11/27/06 and monthly thereafter

D. Automated Tracking of Requests

PLAN: Automated Tracking of Requests	
Goal: To make simpler and more efficient the tracking of and reporting on the status of FOIA requests both internally and externally to DOJ.	
Target Completion Date: February 15, 2007	
<i>Planned Actions</i>	<i>Milestone Completion Dates</i>
<ul style="list-style-type: none"> ◆ Purchase and install FOIA processing software ◆ Convert/export data from current FOIA database to software purchased ³/ ◆ Begin generating management reports on the status of pending FOIA requests 	<ul style="list-style-type: none"> 12/15/06 01/05/07 01/15/07]

³ The milestone completion dates for this category may be extended if a determination is made that automated converting/exporting data from LSC's current FOIA database to the new software is not possible and that manual entering of the data to the software is required.

E. Use of Information Technology

PLAN: Use of Information Technology	
Goal: To ensure that the Corporation has in place the most efficient FOIA process possible by taking advantage of available information technology that, among other things, expedites the preparation and production of correspondence to requesters that provide initial determinations and transmit responsive documents, and that gives FOIA staff a faster, safer method of redacting exempt information.	
Target Completion Date: November 23, 2007	
<i>Planned Actions</i>	<i>Milestone Completion Dates</i>
◆ Use new FOIA software to generate FOIA-related correspondence, including internal records search requests if possible	01/15/07
◆ Use new FOIA software to generate internal reports on the status of FOIA requests	01/15/07
◆ Use new FOIA software to generate LSC's annual FOIA report for submission to DOJ	11/15/07

F. Reading Room Materials

PLAN: Reading Room Materials	
Goal: To make more information available to the public in the Reading Room located at LSC as well as electronically in the Reading Room located on LSC's website.	
Target Completion Date: May 5, 2007	
<i>Planned Actions</i>	<i>Milestone Completion Dates</i>
◆ Review Reading Room Index and update as required after surveying LSC's operating components/offices regarding the accuracy of the current listing	02/28/07
◆ Review with LSC management the policy and procedures related to the disclosure of records pursuant to the FOIA and revise as necessary	01/31/07

PLAN: Reading Room Materials	
Goal: To make more information available to the public in the Reading Room located at LSC as well as electronically in the Reading Room located on LSC's website.	
Target Completion Date: May 5, 2007	
<i>Planned Actions</i>	<i>Milestone Completion Dates</i>
◆ Issue to staff revised policy and procedures related to the disclosure of records pursuant to the FOIA, particularly highlighting the legal requirement to disclose documents falling into the category of records described in subsection (a)(2) of the FOIA	04/30/07
◆ Institute procedure requiring the quarterly review and updating of the Reading Room Index	04/30/07 and quarterly thereafter

G. Information Dissemination via the Internet

PLAN: Information Dissemination via the Internet	
Goal: To proactively make more information available to the public in electronic format.	
Target Completion Date: May 5, 2007	
<i>Planned Actions</i>	<i>Milestone Completion Dates</i>
◆ Review Electronic Reading Room Index and update as LSC's operating components/offices regarding the accuracy of the current listing	02/28/07
◆ Work with staff of LSC's Offices of Information Management and Information Technology to ensure that procedures developed are appropriate for the new document management system currently being put in use	04/15/07
◆ Review with corporate management policy and procedures related to the electronic disclosure of records pursuant to the FOIA and revise as necessary	03/15/07

PLAN: Information Dissemination via the Internet	
Goal: To proactively make more information available to the public in electronic format.	
Target Completion Date: May 5, 2007	
<i>Planned Actions</i>	<i>Milestone Completion Dates</i>
◆ Issue to staff revised policy and procedures relating to the electronic disclosure of records pursuant to the FOIA, particularly highlighting the legal requirement to disclose documents falling into the category of records described in subsection (a)(2) of the FOIA	04/30/07

H. FOIA Staff Training

PLAN: FOIA Staff Training	
Goal: To retain highly qualified FOIA staff that possess the skills and knowledge necessary to process FOIA requests accurately and expediently.	
Target Completion Date: Ongoing	
<i>Planned Actions</i>	<i>Milestone Completion Dates</i>
◆ Provide developmental opportunities for FOIA staff on an ongoing basis	
◆ Allocate sufficient funds for the training of FOIA staff	10/06/06
◆ Provide introductory FOIA training for the EA to the GC, who will assume responsibility for the tracking of FOIA requests	Online course available thru USDA Graduate School
◆ Provide FOIA training for FO and LA through DOJ, ASAP and USDA Graduate School	Ongoing

Questions regarding this Plan or any aspect thereof should be directed to Victor M. Fortuno, at (202) 295-1625 or at vfortuno@lsc.gov.