

PROGRAM LETTER 98-6

TO: All LSC Program Directors

FROM: Karen J. Sarjeant
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DATE: July 6, 1998

RE: State Planning Considerations

Introduction

On February 12, 1998, the Corporation issued Program Letter 98-1 calling upon all LSC recipients to participate in a state planning process to examine, from a statewide perspective, what steps should be taken in their states to further develop a comprehensive, integrated statewide delivery system. The Letter poses seven questions recipients are to address in their planning processes and requests recipients to submit a report to LSC on or before October 1, 1998. Many recipients have asked LSC to provide further guidance and additional information about how the state planning process will affect LSC grant decisions. Recipients have also inquired about the format for the October 1 report. This Program Letter responds to these requests.

State Planning Considerations

The attached *State Planning Considerations* have been developed to provide recipients and other stakeholders with more information about statewide goals, capacities and approaches recipients should consider in their planning processes. A number of other sources of information that may assist state planners and upon which these *Considerations* draw are referenced in the *Planning Considerations*. We hope these *Planning Considerations* will help states develop effective plans to strengthen their delivery systems and services to clients. We encourage recipients with any questions about the *State Planning Considerations* or planning process to contact the LSC staff member responsible for their state.

How the State Planning Process Will Affect LSC Grant Decisions

The Corporation is directed under the LSC Act to “insure that grants and contracts are made so as to provide the most economical and effective delivery of legal assistance to persons in both urban and rural areas.”¹ The state planning process will provide information that helps LSC exercise this statutory responsibility.

¹ Legal Services Corporation Act, Section 1007(a)(3).

1. Competition

a. Duration of grants

The state planning process will provide information that helps LSC determine the duration of grants for service areas in the 1999 competition, i.e., service areas that are eligible for grants of up to three years commencing January 1, 1999.

In the 1998 LSC grant competition, we determined that grants in several states that were eligible for three year funding would be made for a shorter period. The decision to award grants for a shorter period was made for two reasons: (1) to encourage recipients in these states to develop further their plans for a comprehensive, integrated statewide delivery system; and (2) concern that the configuration of LSC-funded programs in these states did not constitute the most economical and effective structure for delivering legal services to the low-income community.

As with the 1998 competition, LSC will take into account state delivery plans and configuration of programs in determining the duration of grants for service areas now being competed. Where LSC believes states need to further develop their plans for a comprehensive, integrated statewide delivery system or where LSC remains concerned about the configuration of LSC-funded service areas, grants will be made for less than three years.

b. Service areas

1. 1999 Competition

The state planning process will *not* affect decisions about the number, size or configuration of service areas in competition this year.

2. 2000 and Future Competition Years

Information received through the planning process will affect future decisions regarding the most appropriate number, size and configuration of LSC-funded service areas to be competed for the year 2000 and beyond. This includes service areas that become scheduled for those years because of one or two year grant awards made in the present 1999 competition.

2. Grant Renewals

The state planning process will *not* affect decisions about the number, size or configuration of service areas up for renewal *or* the duration of grant renewals, i.e., previously made multi-year awards which are now up for renewal. Decisions on renewal

of these grants will continue to be based upon a showing of the renewal applicant's continued ability "to perform the duties required under the terms of its grant."²

Format for the October 1 Report

The attached *Instructions for State Planning Reports* provide information about the structure and format of the reports due at LSC on or before October 1, 1998. Please contact the LSC staff member responsible for your state if you have any questions.

² 45 CFR 1634.11.

INSTRUCTIONS FOR STATE PLANNING REPORTS

Please submit reports to the Office of Program Operations on or before October 1, 1998. Reports should be no longer than 35 pages and should contain the name and telephone number of a contact person(s). The report should:

- A. Briefly describe the state planning process and participants.
- B. Address the following areas in the order presented. In addressing each area, please consider LSC's *State Planning Considerations* and:
- **assess the strengths and weaknesses of the current approach;**
 - **establish goals to strengthen and expand services to eligible clients; and**
 - **determine the major steps and a timetable necessary to achieve those goals.**

1. Intake, Advice and Referral

How are intake and delivery of advice and referral services structured within the state? What steps can be taken to ensure a delivery network that maximizes client access, efficient delivery, and high quality legal assistance?

2. Technology

Is there a state legal services technology plan? How can technological capacities be developed statewide to assure compatibility, promote efficiency, improve quality, and expand services to clients?

3. Access to the Courts, Self-help and Preventive Education

What are the major barriers low-income persons face in gaining access to justice in the state? What efforts can be taken on a statewide basis to expand client access to the courts, provide preventive legal education and advice, and enhance self-help opportunities for low-income persons?

4. Coordination of Legal work, Training, Information and Expert Assistance

Do program staff and pro bono attorneys throughout the state receive the training and have access to information and expert assistance necessary for the delivery of high quality legal services? How can statewide capacities be developed and strengthened to meet these needs?

5. Private Attorney Involvement

What is the current status of private attorney involvement in the state? What statewide efforts can be undertaken to increase the involvement of private attorneys in the delivery of legal services?

6. Resource Development

What statewide financial resources are available for legal services to low-income persons within the state? How can these resources be preserved and expanded?

7. System Configuration

How should the legal services programs be configured within the state to maximize the effective and economical delivery of high quality legal services to eligible clients within a comprehensive, integrated delivery system?³

³ States with only one LSC-funded program need not answer this question.