Legal Services Corporation
Strategic Plan 2012-2016

Revised Draft -- August 2012

Legal Services Corporation

Strategic Plan 2012 – 2016

Part One: Overview

Fundamental Principles

The Legal Services Corporation (LSC) was founded on a shared American ideal: access to justice regardless of one's economic status. Every day, people across America recite the Pledge of Allegiance and make a commitment to a nation *"with Liberty and Justice for All."*

In the Preamble to the United States Constitution, the Framers recognized that to "establish justice" was a primary goal of the new Republic. But justice is no mere abstraction; it requires clear laws and an impartial system of courts and judges to adjudicate disagreements and vindicate rights. George Washington called the true administration of justice, "the firmest pillar of good government." This promise of justice for all can only be realized when all have access to the system that administers justice.

Congress recognized this in its finding and declaration of purpose in the Legal Services Corporation Act: "…for many of our citizens," the statute emphasizes, "the availability of legal services has reaffirmed faith in our government of laws." As Judge Learned Hand said, "If we are to keep our democracy, there must be one commandment: Thou shalt not ration justice."

A Crucial Time

At the same time, LSC acknowledges that financial resources—whether from the federal government or other sources—are limited, especially given the current state of the national and global economies. Established to provide financial and strategic support for civil legal assistance throughout the United States and its territories, LSC is the largest single funder of civil legal aid programs in the nation. Currently, LSC provides grants to 134 independent organizations with more than 900 offices serving every county in every state, the District of Columbia, and various territories of the United States.

Virtually all of LSC's current revenue comes from annual congressional appropriations. Local legal services providers depend upon a combination of these federal funds, state and local government funding, revenue from Interest on Lawyers' Trust Accounts (IOLTA), and private donations. Historically, LSC has encountered cycles of shrinking appropriations and some restoration of funding. The current funding situation, while part of the historical cycle, especially challenges LSC in the face of the extreme economic conditions since 2007.

Following four straight years of appropriation increases, LSC has faced significant reductions in the last two budgetary cycles. Since April of 2011, LSC's federal appropriation for basic field grants has been reduced by more than 18 percent. In addition, LSC's grantees have experienced funding reductions from other sources. Revenue from IOLTA — a source of significant support for local legal aid programs — continues to fall as interest rates remain very low. Budget pressures have caused many state and local governments to reduce their appropriations for civil legal services. LSC grantees reported a two percent reduction in funding from non-LSC sources in 2011. These reductions will affect eligible clients' access to legal services across a broad demographic: rural and urban, minority and majority, young and old, men and women.

LSC recently surveyed the organizations it supports to learn the impact of funding reductions on their operations. The results were sobering. Including reductions that grantees anticipate implementing in 2012, grantees project a loss of 576 attorneys, 303 paralegals, and 506 support staff since the end of 2010 — a loss of 1,385 full-time legal services employees, a 14.1 percent reduction in staffing. A number of grantees report that they have frozen or reduced employee salaries and benefits, reduced intake hours, and eliminated categories of services. Legal aid lawyers were already the lowest paid group in the legal profession before these freezes and reductions.

Twenty-four programs reported that they expect to close offices in 2012. A significant number of these closures will occur in rural areas. Rural programs strive to provide equality of service throughout their counties through hotlines, satellite interview sites, courthouse help desks, and private attorneys. But there is little doubt that the increased distance between potential clients and legal aid offices will present yet another barrier to serving these isolated populations effectively.

The same financial challenges that have led to reduced funding also contribute to the rising need for civil legal assistance. While capacity is falling, the population eligible for civil legal services at LSC-funded organizations continues to rise steeply. Today, LSC estimates that nearly 66 million Americans are eligible for services at the entities it funds — an all-time high, and an increase of 29 percent since 2007, before the recession began.

Strategic Goals

Despite the challenges of the current state of affairs, LSC has a duty to the American people to pursue its fundamental mission of access to justice. With this in mind, the LSC Board of Directors has prepared this plan to set forth the strategic goals that will guide LSC for the next five years.

LSC's primary goal is to maximize the availability, quality, and effectiveness of the civil legal services that its grantees provide to eligible low-income individuals.[1]

To achieve this goal, LSC must work to afford its grantees the resources, tools, and management expertise to most effectively reach and assist their clients. LSC will pursue its work in this crucial period along three avenues:

> (1) identifying and replicating best practices associated with delivering high quality civil legal assistance to the poor by its grantees;
>
> (2) promoting the development and implementation of technologies that maximize the availability of legal information and assistance; and
>
> (3) expanding the availability of civil legal assistance through the most effective use of pro bono services and other private resources by LSC's grantees.

In order to achieve this first goal, which reflects its fundamental mission, LSC will employ robust assessment tools to ensure that it identifies, recognizes, and replicates the best practices among its grantees and those qualities that define its highest-performing grantees. The LSC Board recognizes that the development of such tools will be a complicated endeavor involving many variables, but is nonetheless convinced of the necessity of developing such assessment tools and will develop them with care. LSC also will provide attention and assistance to lower-performing grantees and to grantees who may request such assistance. Meeting this goal will be a significant challenge in the current funding environment. LSC's approach to improving quality must be focused on promoting innovation that accomplishes more with fewer resources.

LSC's second goal is to become a leading voice for civil legal services for poor Americans.

LSC will provide national leadership and opportunities for collaboration with others committed to promoting civil legal services, including other funders of legal aid, governmental agencies, and judicial systems throughout the country. The primary goals of this collaboration will be: (a) to increase awareness of the significance and value of civil legal aid with the intention of increasing public and private resources devoted to this purpose; and (b) to more closely match resources and needs, identify innovative approaches, and coordinate LSC's efforts to achieve maximum effectiveness.

In order to become a leading voice, LSC will:

[1] Throughout this document, "low-income" and "poor" refer to the definitions in LSC's governing act and include compliance with the eligibility rules. See **Legal Services Corporation Act As Amended, 42 U.S.C. §2996 et seq.,** Public Law 93-35593 Congress, H.R. 7824, July 25, 1974; LSC Act, Public Law 95-222, 95 Congress, H.R. 6666, December 28, 1977; LSC Reauthorization Act, and other amendments. See also 24 C.F.R. §§ 1611 & 1611X.

- identify federal government agencies that might have additional resources available for LSC grantees and to expand awareness of the availability of such resources to grantees;
- identify and reach out to national foundations and other sources to broaden LSC's funding base, in order to:
    - provide funds for research, the development of promising practices, and other projects with the potential to improve civil legal assistance more generally, and
    - create a renewed awareness in the philanthropic community about legal services for the poor;
- work together with providers of legal services to low-income individuals to raise public awareness about civil legal aid and both the positive contribution it makes in the lives of the poor as well as the economic benefits to the government and to society as a whole;
- provide to Congress and the Executive Branch information about the outcomes and impact of the work of LSC grantees, and the financial resources necessary to provide quality legal services to the poor; and
- improve communication about the work that LSC and its grantees do in the cause of providing legal services to the poor.

LSC's third goal is to achieve the highest standards of fiscal responsibility both for itself and its grantees.

The United States Congress entrusts LSC with funds collected from the American taxpayer. Both to live up to that trust and to justify further confidence, LSC will be a prudent steward of the resources allocated to it. LSC will comply with the parameters expressed by Congress and conform to the highest professional standards of fiscal transparency and accountability, both within the Corporation and in its fiscal oversight of those who receive funds from LSC.

In January 2012, the LSC Board of Directors approved the recommendations of its Fiscal Oversight Task Force. In achieving this goal, LSC will implement the recommendations of the Task Force.

Part Two: The Three Strategic Goals

1. Maximize the Availability, Quality, and Effectiveness of Legal Services

Maintenance of the rule of law is, and always has been, a central purpose of the American Republic. The rule of law requires an opportunity to vindicate one's legal rights, which often requires the assistance of counsel. For those unable to afford a lawyer, this lack of qualified legal counsel results in a rule of law eroded in meaning and effect. It is therefore critical that LSC continue to improve the availability, quality, and effectiveness of civil legal services for those qualified under federal law to receive them. This will require clear performance criteria and best practices, an ability to assess performance and quality with objectivity and care, and the capacity to recognize high-performing grantees and assist lower-performing grantees.

Initiative One:

Identify, promote, and spread best practices in meeting the civil legal needs of the poor

All civil legal services providers across the country face the challenge of limited resources while seeking to address growing unmet needs and management challenges. Many of LSC's grantees have developed effective approaches to one or more areas of civil practice affecting the poor. Many grantees have also devised successful strategies for partnering with pro bono lawyers, law schools, and other providers to extend their work or otherwise increase responsiveness to clients and potential clients.

Because of its unique position as the federally-created, national organization in this field, LSC can and must lead an initiative to identify, share, and promote best practices among its grantees and other organizations in providing high-quality and effective legal information, advice, and representation. Best practices include approaches to particular issues, such as assistance in the face of mass foreclosures and in the area of family law, as well as strategies for expanding access to legal services. Best practices also involve acknowledging differences among grantees' client populations that may significantly affect the manner in which legal services are provided, but which may be difficult to quantify. Such variables include, among other things, geographical isolation, regional court practices, non-English language use, and distinct cultural communities.

- **Best practice identification:** LSC's assessments of grantee operations will identify promising practices and vet them among other grantees to highlight approaches that warrant being named a "best practice." In addition to the suggestions made by its own Fiscal Oversight and Pro Bono Task Forces, LSC will also solicit suggestions from grantees and other providers and funders to enlarge the pool of potential best practices. This will also include the identification of those federal agencies that are most involved in the types of legal issues that LSC grantees handle for their clients so as to facilitate

coordination with these agencies to better streamline responsiveness to the needs of clients.

- **Best practice resource:** LSC will become a "go-to" place for collecting and sharing information about best practices in the provision of civil legal assistance. This should include enhancing web-based resources, including a user-friendly library tool that improves the accessibility, scope, currency, and use of the library currently maintained by LSC.
- **Best practice sharing:** LSC will devise successful ways to share the best practices it identifies through the potential use of web tools, social media, conferences, and other techniques that grantees may find helpful in promoting dialogue and peer assessment.
- **Best practice expansion:** LSC will develop benchmarks and share the best practices it identifies.

Initiative Two:

Develop meaningful performance standards and metrics

As part of ensuring high quality legal services, LSC must be able to measure the performance of grantees fairly, objectively, and effectively. The performance of a grantee includes, among other things, the quality and effectiveness of the legal services it provides to clients, the efficiency by which it provides such services, and its ability to adhere to the requirements established for legal services set by Congress and by LSC. It is important for LSC to identify both higher- and lower-performing grantees so that it can recognize best practices and assist those grantees in need of improvement.

Standards and Metrics

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Therefore, LSC will formulate performance standards and metrics for its grantees. In developing these, LSC should be informed by its own previously drafted Performance Criteria, the American Bar Association's Standards for the Provision of Civil Legal Aid, experts in non-profit management, other funders of legal services, and the experience of grantees.

The development of performance measurements is not intended to require a single, uniform, national set of standards to be applied to every grantee. Nor should they be applied in such a way as to alter the fundamental mission of LSC, which is to increase access to quality legal services for the poor. The development and application of such standards and metrics should take account of the diversity in service delivery models chosen by grantees, and the local priorities that grantees have set pursuant to the LSC Act and LSC regulations, and the different environments in which grantees operate. Similarly, standards and metrics should account for the relatively greater difficulty associated with certain types of cases or certain legal environments. Developing cultural competency in the delivery of services should be inherent in how a grantee's outcomes, efficiency, and needs assessments are evaluated.

The process for developing such standards and metrics should be both inclusive and rigorous. Hence, the process for developing standards and metrics should seek and use regular feedback from those in the legal services community, from other funders, as well as from those with expertise in formulating similar standards and metrics in the legal services and non-profit sectors. We anticipate that the standards and metrics will evolve over time and that the initial introduction may benefit from pilot programs.

Data collection from grantees should avoid impeding their organizational efficiency. Online data collection should be structured to reduce reporting costs and to increase analytical effectiveness. To the extent practicable, the data collection required by other major funders of LSC grantees should be reviewed in order to minimize redundancy. Grantees currently provide LSC with data that can be better utilized and analyzed with methods established to have validity and reliability. Improving data collection, analyses, and reports is critical to demonstrate the quality and effectiveness of LSC's advocacy for the poor.

With this in mind, LSC will make use of both quantitative metrics listed below and qualitative measures, as appropriate. These metrics are meant as a guideline, and should be adapted according to experience and further research as to the best way to evaluate grantee performance and outcomes. These should be understood as a related set of metrics that together seek to provide a broad and complete picture of the performance of LSC's grantees, in conjunction with other information, including qualitative and compliance-related standards and assessments.

- Outcome metric(s): Evaluating how a grantee organization's delivered legal services translate into identified benefits for individual clients, as well as other societal benefits and governmental savings. Innovations by grantees in devising and using outcome measurement will be of central importance in the establishment of best practices in this area.
- Efficiency metric(s): Evaluating the cost-effectiveness of a grantee organization's activities by measuring how invested federal grant dollars translate into an amount of legal services delivered. All such measures of output should be assessed in the context of the nature of a grantee's cases and how the legal services rendered achieve beneficial outcomes and address client needs.
- Needs assessment metric(s): Ensuring that grantees effectively assess the needs of eligible clients in their service areas, establish priorities reflecting such assessment in a manner consistent with the Legal Services Corporation Act and LSC regulations, and evaluate their effectiveness in meeting those priorities.

Performance Incentives and Corrective Measures

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Performance measures cannot alter the legislatively-determined funding formula that sets the level of Basic Field grants. When clear, evidence-based standards of performance are established, LSC will seek to provide performance incentives to grantees outside these funding

formulas. Following the establishment of a fair and objective data-collection and analysis process, LSC should be prepared to implement a system under which rewards or corrective actions would be triggered.

- ▷ Any rewards or corrective measures will be implemented only when LSC is confident of the quality and fairness of the performance standards. No single metric would be the basis of such action. While such rewards or corrective measures would only be introduced after the implementation of such standards, planning for them could be developed concurrently.
- ▷ Rewards for grantees exceeding a standard (e.g., a high percentile ranking on established quantitative and qualitative metrics) might include:
  - LSC certification as a top-performing organization;
  - Invitation to special LSC recognition programs;
  - Increased access to funds or projects generated through LSC's own advancement efforts; or
  - Ability to compete for special grant programs that LSC may administer.
- ▷ Corrective actions for grantees consistently falling below a minimum standard (to be specified only after opportunity for public review and comment) might include:
  - A special review by LSC or peers;
  - Required professional development activities (such as training);
  - Implementation of specific quality or efficiency processes;
  - Enhanced oversight requirements;
  - Establishing additional conditions in the renewal or re-granting process;
  - Suggested changes in staffing or program focus; or
  - Other actions permitted by applicable law and corresponding regulations.

Initiative Three:

Provide legal practice and operational support to improve measurably the quality of civil legal services to the poor

LSC's congressionally mandated oversight responsibilities enable and obligate it to help grantees maximize their performance through support for their practices and operations. Oversight should be coupled with assistance to achieve such performance.

Assistance to grantees should include the areas set forth below. LSC will take care to ensure that such training does not duplicate other programs offered by other governmental and private organizations and will, to the extent feasible, collaborate with others offering such training.

- **Grantee training**. LSC will supplement and extend training efforts to reflect the growing expertise in best practices and to improve and increase collaboration across grantees and

other providers. LSC will aim to offer training programs using its own Management and Grants Oversight budget, at little or no cost to its grantees. LSC will review the possibilities of training efforts in at least the following areas:

- ▷ Best Practice Training: Training programs to share information and discussion about best practices both to deepen peer review and to promote the adoption of best practices.
- ▷ State-of-the-Art Training from Other Organizations: Timely, high-quality training programs offered by other organizations will be identified and, where possible, made available to grantees as cost-effectively as possible. In addition, LSC will work to stimulate the creation of training programs by other organizations where indicated by the expertise, capacity, and leverage that could be achieved.
- ▷ Compliance Training: Training to enable grantees to meet LSC's financial, regulatory, and reporting requirements as efficiently as possible, and to minimize the need for enforcement actions.

- **Peer support and collaboration programs**. Interaction among LSC grantees is often the result of grantees' initiatives. The experience and advice of colleagues is a potent resource for grantee staff and management. LSC will develop peer support and collaboration programs, including, for example:
  - ▷ Online collaboration tools for LSC grantee staff to discuss relevant issues among themselves, such as technical advice, pro bono practices, partnerships with law schools and other organizations, identification of other resources, management expertise, and fundraising.
  - ▷ National in-person conferences for leadership of grantee organizations. These would identify prospects for collaboration and allow the sharing of expertise. They would also permit LSC to learn from the practical experience of grantee leaders and to improve its support of them as a result.
- **Management support**. Grantee organizations face many common issues, including succession planning, fundraising, hiring and retention, financial management, practice management, case management, and operations. LSC will develop management support programs, including, for example:
  - ▷ An Executive Director mentoring program – A "matchmaking" service available to Executive Directors who want to tap the experience of a longer-tenured peer at another organization, or who want to be put in touch with a peer to share information and management experience.

- ▷ Transition training programs. LSC recognizes at this point in its history that it faces the likely prospect of the retirement of a significant percentage of the executive directors of its grantees. LSC should assist grantees as they transition to new leadership roles after the retirement of long-serving senior staff.
- ▷ A management tool library, including sample materials for human resources, requests for proposals, contracting documents, and fundraising letters and materials.
- ▷ Training programs for grantee boards of directors that focus on LSC-specific issues and avoid duplication of training programs already available from other organizations.
- ▷ Training programs to promote the participation and effectiveness of non-attorney and client representatives who serve on grantee boards of directors.

- **Innovative technology for delivering professional development programs**. Online technology tools are increasingly effective for professional development activities, and LSC should develop a repertoire of online, on-demand tools and make online availability the default method of delivery. Many of these tools are available as low- to mid-cost open-source or software-as-a-service models. LSC will explore these alternatives. LSC should also examine the possibility of making more widely available proven technology developed through the Technology Initiative Grant (TIG) program.
- **Enhance Private Attorney Involvement (Pro Bono)**. In 2011, the LSC Board of Directors invited some of America's best legal practitioners, judges, and public advocates to assist it in identifying ways in which to maximize the use of pro bono involvement in providing legal services to the poor. The five working groups of this Pro Bono Task force provided initial reports at the April 2012 meeting of the LSC Board of Directors. The Task Force was divided into the following working groups: Technology; Obstacles to Pro Bono; Rural Issues; Urban Issues; and "Big Ideas." The LSC Board and management will continue to review the recommendations made by this Task Force in an effort to implement those practices that can best assist its grantees in providing civil legal services to the poor.

Accountability

LSC must hold itself accountable for results, just as it holds its grantees so accountable. LSC's efforts on these initiatives will be organization-wide, but led by a new Office of Grants Management. For Initiative Three, LSC's efforts will be assisted by the technical expertise of the Office of Information Technology. The success of LSC's efforts will be measured by progress in the development of standards and strategic plans, and by increasingly objective measures of the

year-over-year improvement of LSC grantees as a whole. LSC management must also develop procedures to provide for periodic reassessment of key metrics, both of its own performance and that of its grantees, to ensure that they reflect up-to-date LSC mission priorities and objectives. LSC will staff these initiatives and provide the necessary training as part of its forthcoming Strategic Human Capital plan. This will include the formation of the Office of Grants Management, containing the required analytical expertise and a robust training and technical assistance capacity.

2. Become a Leading Voice for Access to Justice and Quality Legal Assistance in the United States

The nation needs greater and more focused leadership in addressing the civil legal needs of the poor. As the only federally-created, national legal services organization, as the largest single funder of civil legal services in the United States, and with its detailed knowledge of the activities of 134 legal services organizations serving every state and the territories, LSC has both the opportunity and the obligation to play a critical leadership and organizational role in advocating and securing access to justice for the poor in civil matters. Promoting understanding of the role and value of civil legal services and acting in partnership with other funders and stakeholders in the justice system are essential to expanding the public and private support necessary to sustain the work of LSC's grantees.

Initiative One:

Provide a comprehensive communications program around a compelling message

Developing a commonly understood, consistently delivered, well-articulated, and compelling message about access to justice is critical for maintaining and expanding both public and private funding for civil legal services. Without expansion of resources – whether from public or private sources – access to justice will remain limited. While LSC is a critical national funder of civil legal services, it is but one among many sources of assistance. As such, LSC's message must be developed in conjunction with other stakeholders and actors in the justice system, including clients, courts, federal agencies, state-level Access to Justice Commissions, pro bono networks, IOLTA and other grantmakers, and the actual providers of legal services, whether or not funded by LSC.

The creation of a messaging framework will give grantees a narrative that they will be able to use to recruit board members, explain their work to their communities, and cultivate other potential funders. The development of a compelling message must be directed not only to funders, but also to the general public, with the crucial goal of heightening broad-based understanding of the role that legal services play in our nation's system of justice.

LSC's Congressionally-given mandate is to provide financial support for civil legal services to the nation's poor. Therefore, LSC has a responsibility to express to the nation's lawmakers the true extent of the need for civil legal services and the resources necessary to decrease the gap

between the need and the availability of civil legal services to the poor. As part of its communications strategy, LSC will ensure that it makes known such needs to Congress and the Executive Branch.

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Components of the communications programs will include:

- **The establishment of a compelling narrative** that is adopted by all LSC staff and board members for communicating LSC's mission, activities, and value.
- **The creation of a short message** and other potential communications that could appear in brochures, booklets, other materials, and online.
- **The development of supporting materials** to support the common narrative.

Initiative Two:

Build a business case for funding civil legal services

In addition to a better narrative message, LSC must better explain the financial and economic benefits that result from funding civil legal services for the poor. Because civil legal services programs can save government and society money, funding these services is an efficient use of government resources. Averted foreclosures and evictions, for example, avoid homelessness with all its attendant costs and collateral consequences. Likewise, civil restraining orders in domestic violence cases can avoid future hospitalizations and unemployment.

Some studies at the state level have already quantified the economic benefits of civil legal services, but further evidence is needed. Development of this data is intrinsically linked to the development of valid outcome measurements as a component of the Performance Management Initiative (1.2), as discussed above. It will also be a prerequisite for evidence-based communication and advocacy, by demonstrating not only direct benefits to clients served, but also indirect benefits to society, the courts, and the public treasury.

There are three primary courses of action to build this case:

- **Gather and analyze broad, nationwide data** on the results achieved in civil legal services cases as the starting point for a strong economic analysis;
- **Conduct research** on the best methods for quantifying the cost savings realized by the outcomes achieved; and
- **Create a research-backed case** for the investment in civil legal services that shows the value of current expenditures and reasonable estimates of the public value that would be created by increased funding – a projected marginal value for legal aid dollars. As data are gathered, this research will be incorporated into LSC's budgeting process and Congressional communications.

Initiative Three:

Recruit and enlist new messengers and sources of funds to increase private support for civil legal services

The legal services community needs to enlist new messengers to make the case for legal aid to new audiences. LSC must find those who have already embraced the case for civil legal services and made it their own, and use these exemplars to recruit others who would approach the issue from a different angle in order to reach different audiences. Members of the LSC Board of Directors can model the role of community leaders as spokespersons for civil legal assistance. LSC must also remain active in seeking potential non-Congressional sources of funds for the organization, to broaden its financial base and provide funds for special initiatives, while at the same time integrating support for legal services within the field of national philanthropy.

LSC can and should ensure that individuals who are not part of the civil legal services community as well as the traditional advocates are equipped with relevant information and opportunities to speak about civil legal services for low-income individuals. LSC must expand the base of private financial support for civil legal services. There are at least four steps LSC will pursue:

- **Use the legal services network** to help identify those outside the community who are making the case on a local, regional, and national basis;
- **Engage potential messengers** to see how best to take advantage of their natural inclinations on a broader or more targeted basis;
- **Expand the network** through these messengers to see whom they know; and
- **Seek funding opportunities** from other grant-making organizations for special projects and initiatives consistent with this Strategic Plan and LSC's statutory mandate.

Initiative Four:

Institutional advancement and grantee development support

As a creation of the federal government, LSC will remain dependent on the federal treasury for all of its basic field grants. Nevertheless, LSC should pursue private sources of financial support that will complement its Congressionally-given mandate, within the limitations imposed by applicable law. To do this, LSC will create an internal advancement office in order to support its own ability to fund the following:

- ▷ Research projects;
- ▷ Fellowships created for new lawyers and senior lawyers to serve in legal services programs;
- ▷ Create appropriate public service announcements and public education materials;
- ▷ Launch of an honorary auxiliary board;
- ▷ Launch of a national alumni association; and

- ▷ Other pilot projects and initiatives.

LSC will continue to pursue the possibility of creating this internal capacity through a grant (or grants) that could provide the necessary financial support to establish such an operation. This internal office would not in any way compete with fundraising efforts of LSC grantees. LSC management, together with oversight from the Institutional Advancement Committee of the Board, sensitive to this issue, will work to assure that such competition for funds does not occur.

In addition, LSC has recognized that many of its grantees need support in their own work of institutional advancement. With this internal advancement office, LSC will be able to provide advice and assistance to grantees in this important area, as listed below, and LSC will collaborate as appropriate with other organizations that provide development support to grantees:

- LSC will combine knowledge and insights from all of its communication efforts with those from the work of LSC's Institutional Advancement Committee to create materials and support training for grantees in their development efforts.
- LSC (including members of the LSC Board, to the extent of their availability) will work with grantees to develop and share common communications strategies and materials.
- LSC will share with its grantees strategies on how and when to deliver compelling messaging, on how to identify alternative sources, and on how to cultivate long-term relationships with donors.

Supporting grantees in their development efforts would provide them with:

- An understanding that LSC is focused on their most critical issue; and
- New strategies for developing private-sector resources.

Providing grantees with development support should include:

- **Delivering** the LSC narrative, the business case, and information on how best to use non-traditional messengers so that LSC's grantees have the tools needed to make their own cases.
- **Training** on the various tools, so that grantees fully understand their messages, their potential uses, and how they should be used.
- **Sharing development strategies** through online and in-person seminars, so that grantees can be introduced to new concepts, ask questions, and begin to use the concepts with local potential donors.
- **Assessment** of efforts through the creation of appropriate performance metrics to evaluate the effectiveness of LSC development and development support endeavors.

Initiative Four:

Enhanced Strategic Collaboration

In its role as the principal federal funder of civil legal services, LSC can facilitate coordination between the legal services community and those governmental entities that significantly affect the clients served by LSC grantees.

Such coordination should include, to the extent permissible under existing law and feasible with LSC's resources:

- Collaborating with state Access-to-Justice Commissions and the Access to Justice Initiative of the U.S. Department of Justice to coordinate the provision of civil legal services to the poor; and
- Working with the Access to Justice Initiative and other federal agencies to address particular policies or practices of a federal agency that significantly impact clients.

Accountability

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LSC's efforts on these initiatives will be organization-wide, but led by the President of LSC, supported by Government Relations and Public Affairs, the research and informational components of the new Office of Grants Management, and a designated Institutional Advancement Officer (for Initiatives Three and Four). The Office of Financial and Administrative Services will provide technical support as needed for grant applications and evidence-based budgeting (as part of Initiatives Two and Three). The LSC Board will be accountable for continued engagement in building the public profile of LSC and the development of new policies to implement this initiative. The success of LSC's efforts will be measured by progress in formation of strategic partnerships, the wide adoption of its developed messaging, and by objective measures of the year-over-year improvement of LSC grantees in acquiring external sources of funding. LSC management must also develop procedures to provide for periodic reassessment of these key metrics to ensure that they reflect up-to-date LSC mission priorities and objectives. LSC will staff these initiatives and provide the necessary training as part of its forthcoming Strategic Human Capital Plan, including the acquisition of development, communications, and economic expertise as required.

3. Ensure Superior Fiscal Management

The American taxpayer is the ultimate source of the funds that LSC distributes to its grantees. At a time when Americans are tightening their belts, it is incumbent upon LSC to ensure that its grantees are managing and spending these taxpayer funds prudently. In addition, the money entrusted to LSC and its grantees is meant to be used in service to the poor. Money that is better spent will be able to aid more of those in need. Proper fiscal oversight is not in competition with the goal to assist the poor, but enhances the ability to accomplish it.

In accordance with the recommendations of LSC's Fiscal Oversight Task Force, LSC will strengthen its fiscal oversight processes by conducting a thorough review of current processes,

by implementing improved and streamlined processes, and by adopting new organizational structures to reduce redundancies and improve effectiveness. LSC will aim to give Congress and the American people confidence that money appropriated to LSC is managed and expended prudently and lawfully.

The recommendations of the Fiscal Oversight Task Force, adopted by LSC's Board of Directors in January of 2012, encompass the initiatives necessary to achieve this goal. The following is a summary of those initiatives:

Organizational Identity and Mission

- Clarify and affirm LSC's responsibilities related to grantee fiscal oversight.
- Establish a consistent "tone at the top," define and promulgate a strong organizational culture, and continue to keep the LSC Board active and engaged in its oversight of grant-making operations.

Communication and Coordination among the Board, Management, and the Office of Inspector General

- Consolidate management's oversight responsibilities, currently dispersed among the Office of Program Performance (OPP), the Office of Compliance and Enforcement (OCE), and the Office of Information Management (OIM), into one office (called the Office of Grants Management (OGM)), instituting a "cradle-to-grave" approach to grants management and fiscal oversight.
- Appoint a Vice President-level individual to lead OGM whose background includes grants management and internal controls.
- Document and memorialize the roles, expectations, and operating practices of LSC's Board, management, and the Office of Inspector General (OIG) in order to ensure that all necessary fiscal oversight activities are undertaken and to enable progress to be maintained during periods of leadership transition.
- Formalize and maintain or increase the flow of fiscal oversight-related information and communication to the LSC Board from management and the OIG.

Grantee Fiscal Oversight Process

- Conduct a unified, comprehensive LSC risk assessment process (incorporating input from the OIG and the grantees' Independent Public Accountants (IPAs)) that includes identifying financial risks and incorporating current methods and best practices for addressing such risks through fiscal oversight.
- Structure management's grantee reviews to comprehensively address financial risks, both prior to grant award and post-award.
- Create systems to support timely and efficient sharing within LSC of appropriate information about grantees and monitoring of the status of grantee corrective actions.
- Identify, monitor, and disclose conflicts of interest related to staff and grantees.

Knowledge, Skills, and Experience

- Encourage the sequencing of Board appointments so as to stagger the terms of Board members as permitted by the LSC Act.
- Continue the practice of utilizing non-Board members with experience in accounting, finance, and internal controls to serve on key financial-related committees and urge the Boards of grantee organizations to adopt a similar practice.
- Ensure that employees filling fiscal oversight roles within the new OGM structure have the necessary knowledge and skills.
- Provide directed training to staff, grantees, grantee Board members, and IPAs.

Accountability

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LSC's efforts on these initiatives will be organization-wide, but led by a new Vice-President for Grants Management, acting in coordination, where appropriate, with the Office of Inspector General. The LSC Board, the Office of Legal Affairs, and the President of LSC will be accountable for policies supporting improvements in fiscal oversight, and for rapid and appropriate responses to wrongdoing. The success of LSC's efforts in this area will be measured by the adoption and implementation of a risk-based program of assessment, and by objective measures of a year-over-year reduction of risk indicators among LSC grantees as a whole, as well as by a decline in losses to malfeasance, due to more rapid detection of waste, fraud, and abuse. LSC management, in coordination with the OIG, must also develop procedures to provide for periodic reassessment of these key metrics to ensure that they reflect up-to-date LSC mission priorities and objectives. LSC will staff these initiatives and provide the necessary training as part of its forthcoming Strategic Human Capital plan, including the acquisition of financial, accounting, and auditing expertise as required.

Part Three: Achieving these Goals

The LSC Board will periodically (but at least annually) review the three main strategic goals listed above. To assist in this review, LSC management will perform a formal annual review of the performance of LSC according to this Strategic Plan. This review should include the concrete steps that have been taken to achieve each initiative proposed for the various goals, additional action that is required, as well as designated metrics for determining the degree to which the initiatives taken support each goal.

Conclusion

Access to justice is a founding principle of this nation and the commitment of Congress in creating LSC. At this challenging time, LSC commits to improving access to justice for the poor by improving the quantity and quality of civil legal assistance, promoting innovation that accomplishes more with fewer resources, and demonstrating the highest standards of fiscal responsibility through its work and the work of the legal service providers it supports. The trust of the American people demands no less.

Appendix

Appendix: The Strategic Planning Process

The strategic plan has been informed by research, interviews, and surveys conducted over a six-month period. It has been facilitated by a consultant, VShift.

A variety of documents were reviewed during the course of the process. They included past Strategic Directions documents for LSC, statutes and regulations, and literature measurement methodologies and metrics.

Additional primary research involved such sources as financial reports from LSC-funded organizations, staffing plans, program overviews, news reports, materials from civil legal services advocacy organizations, and best practices in similar organizations.

Most of these documents were reviewed prior to the start of the in-depth interviews, but some of them were identified by interview subjects and were reviewed as they were suggested.

Perspectives from stakeholders were collected via a combination of in-depth interviews and online surveys.

In-Depth Interviews

During the first three months of the project, over 75 in-depth interviews were conducted by a combination of VShift, LSC board members, and LSC senior staff.

Discussion guides were prepared for different interview groups, and the interviews lasted an average of 45 minutes each, with the shortest being about 30 minutes and the longest going well over 90 minutes.

The interview subjects consisted of five primary groups:

- LSC Board of Directors
- LSC Staff
- LSC Grantee Executive Directors
- External stakeholders
- Members of Congress and congressional staff

The goal of the interviews was two-fold: (1) to gain insight into the views of the different audiences; and (2) to seek innovative ideas from members of different constituencies.

Surveys

Four different audiences were surveyed during this process:

- LSC Grantee Executive Directors

- LSC Grantee Board Chairs
- LSC Grantee Client-Eligible Board Members
- LSC Staff

These were administered both via an online service (Survey Monkey) and through offline methodologies for the client-eligible board members.

All grantee Executive Directors and board chairs and all LSC staff members were invited to complete the online survey. Client-Eligible Board Members were invited to participate by grantee Executive Directors and Board Chairs.

The survey was designed: (1) to gather qualitative information as a baseline that can be used for comparison in the future, (2) to ensure that current views are understood and taken into account in the planning process, and (3) to have the widest possible participation in the planning process.

The survey questions covered three main areas: (1) basic demographic information, (2) the respondents' perceptions of LSC effectiveness, and (3) respondents' reactions to potential LSC activities going forward.

LSC's consultant, VShift, prepared reports from these data collection activities and briefed the Board on the findings.

Board Briefings

VShift conducted two briefings for the LSC Board of Directors. These included:

- Key insights from VShift analysis done to date;
- A range of initial hypotheses on structuring the strategic plan;
- Potential marketing and communications approaches to address funding challenges;
- Key opportunities for achieving quick results; and
- Legislative priorities, challenges, and options.

These were primarily one-way briefings focused on providing the Board with essential information, but they also included clarifying questions, initial reactions, and some feedback from individual Board members.