



Legal Services Corporation
Office of Program Performance

Final
Program Quality Report

For

ATLANTA LEGAL AID SOCIETY, INC.

Recipient Number: 611010

November 14 - 18, 2011

Team Members:

Mytrang Nguyen, Program Counsel (*Team Leader*)

Christy Fisher, Program Counsel

Althea Hayward, Program Analyst

Jacquelynne Bowman, LSC Temporary Employee

Andrew Scherer, LSC Temporary Employee

Carol Fox Phillips, College of Law Practice Management Fellow

**Program Quality Report for
Atlanta Legal Aid Society, Inc. #611010**

Table of Contents

INTRODUCTION	1
Background on the Program Quality Visit	1
Program and Service Area Overview	1
FINDINGS AND RECOMMENDATIONS	3
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	3
PERFORMANCE AREA TWO. EFFECTIVENESS IN ENGAGING AND SERVING THE LOW-INCOME POPULATION THROUGHOUT THE SERVICE AREA.	4
<i>Dignity and sensitivity</i>	4
<i>Engagement with the low-income population.</i>	6
<i>Access and utilization by the low-income population</i>	7
PERFORMANCE AREA THREE. EFFECTIVENESS OF LEGAL REPRESENTATION AND OTHER PROGRAM ACTIVITIES INTENDED TO BENEFIT THE LOW-INCOME POPULATION IN THE SERVICE AREA	8
<i>Legal representation</i>	8
<i>Private Attorney Involvement</i>	16
<i>Other program services to the eligible client population</i>	19
PERFORMANCE AREA FOUR. EFFECTIVENESS OF GOVERNANCE, LEADERSHIP AND ADMINISTRATION.	19
<i>Board governance</i>	19
<i>Leadership</i>	21
<i>Overall management and administration</i>	22
<i>Financial administration</i>	23
<i>Human resources administration</i>	24
<i>Resource development</i>	24
<i>Coherent and comprehensive delivery structure</i>	25
<i>Participation in an integrated legal services delivery system</i>	26
CONCLUSION	26

Attachment - Response from Atlanta Legal Aid Society, Inc. (20 pages).

INTRODUCTION

Background on the Program Quality Visit

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a Program Quality Visit to Atlanta Legal Aid Society (ALAS) on November 14 - 18, 2011. The team members were OPP Program Counsel, Mytrang Nguyen (team leader) and Christy Fisher; OPP Program Analyst, Althea Hayward; LSC Temporary Employees, Jacquelynne Bowman and Andrew Scherer; and College of Law Practice Management Fellow, Carol Fox Phillips.

Program Quality Visits are designed to evaluate whether LSC grantees are providing the highest quality legal services to eligible clients. In conducting its assessment, the team fully reviewed the documents LSC received from the program including: recent grant applications to LSC, technology and PAI plans, workforce analysis charts, case reports, and other service reports. The team also reviewed the documents requested from the program which were submitted in advance of the visit, including documents relating to the program's intake, legal work, and case management policies and systems, advocates' writing samples and the results of an online staff survey. On site, the team visited all five ALAS offices and spoke with staff located in downtown Atlanta, East Point, Decatur, Lawrenceville, and Marietta. The team also met with staff and stakeholders at the offices of the ALAS Senior Hotline and hospital-based HeLP project, and spoke with Atlanta Legal Aid staff, board members, judges, members of the bar, and community service providers.

In performing this evaluation of Atlanta Legal Aid's delivery system, OPP relies on the LSC Act and Regulations, LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid. The evaluation and this report are organized according to the four LSC performance areas that cover: 1) legal needs assessment and priority setting; 2) engagement with the low income community; 3) legal work management and the work produced; and 4) organizational leadership and management including board governance, administration, resource development and coordination within the delivery system.

Program and Service Area Overview

The Atlanta Legal Aid Society was founded in 1924 by a small group of private Atlanta attorneys. The program has since grown and established a deep and rich history of delivering civil legal services in the Atlanta metropolitan area. Today, many stakeholders particularly in Georgia's legal community refer to the organization as an "Atlanta institution."

The program serves the five counties surrounding the city of Atlanta covering approximately 1,713 square miles. Fulton County is historically the most populated county and it is where the program currently has a main downtown office and an office in East Point which serves the southern portion of the county and Clayton County. In Clayton County, ALAS staff also have regular access to an outreach office at the Clayton County Community Services Authority. ALAS also serves DeKalb County out of the Decatur office, Gwinnett County out of the Lawrenceville office, and Cobb County out of the Marietta office.

ALAS has several special grants and projects that also serve populations outside of its five counties. The Health Law Partnership (HeLP project) places staff at Children's Healthcare of Atlanta hospitals at Egleston, Hughes Spalding and Scottish Rite and serves children and families accessing the hospital throughout the state. The Longterm Care Ombudsman Program is a contract with the state which serves 10 counties surrounding Atlanta. The Senior Hotline is funded to provide services statewide.

The service area has experienced significant demographic shifts since the last decennial Census in 2000 with a 90.5% growth in its poverty population, from approximately 290,000 in the 2000 Census to an estimated 553,000 people using 2010 Census Bureau data. Other shifts include the movement of poor people from the city of Atlanta to the surrounding suburbs, and the influx of new immigrants directly to Atlanta's suburbs and according to 2009 Census data, Gwinnett County is now one of the most racially diverse communities in the entire United States shifting from a 33% non-white population in 2000 to a 51% non-white population in 2009.

In 2011, ALAS had a total budget of \$9.4 million, with \$2.8 million awarded in LSC basic field funding. The program closed a high volume of cases in 2010, nearly 26,000 cases almost 16,000 of which were reported to LSC. Of the cases reported to LSC in 2010, 34% were in family law, 24% were in housing, 17% were in consumer, and 12% were in income maintenance. In the same year, 91.8% of the cases closed were limited service cases and 8.2% extended service.

ALAS' is a unique and innovative legal services program that is led by a strong executive director who emphasizes innovation and flexibility. It has maintained a responsive approach to addressing legal needs in core poverty law areas by working on a high-volume of individual, limited service cases while engaging in extensive community outreach and maintaining broad connections in the Atlanta and statewide community. The program engages in high-quality legal representation and has built a strong reputation in the local and national legal community. Key to ALAS' quality services is how it fully maximizes the use of staff and pro bono resources to attain the best possible results for individual clients and other low-income people who face similar legal problems. ALAS places a very high priority on the selection, leadership development, and retention of quality staff. Over time, it has built a skilled, highly motivated, and cohesive staff.

The program's organizational culture is one that values flexibility and individual leadership. As such, ALAS' intake and management systems vary among its multiple offices, projects, and units. The intake system overall has been hampered by dated phone technology and the program is seeking to improve its intake functioning, making the best use of its staff resources and unifying its phone system to allow for a more seamless client experience. This effort has been funded by an LSC Technology Initiative Grant and is slated for implementation in 2012. With regard to legal work supervision, managers are expected to provide significant supervision for newer advocates and have individual discretion with regard to the supervision of more experienced staff. ALAS is undergoing and planning for leadership transition in key areas and is leveraging its strong, deep base of advocates to move the program forward. As it continues to engage in succession planning for its most veteran staff, it will benefit from adopting current and effective practices in legal work and performance management systems and human resources.

The level of support that the program has built in the greater Atlanta legal community is significant and has deep historical roots. ALAS has a large, strong and engaged board of directors and advisory committee which is actively interested in the organization's success. Board members are engaged and appear to understand the importance of their role and are appropriately involved in major policy decisions and discussions about long-term sustainability.

FINDINGS AND RECOMMENDATIONS

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. ALAS takes a flexible and responsive approach to addressing legal needs in core poverty law areas and uses its high volume of individual cases and community outreach to inform this approach. ALAS also recently considered the Georgia Supreme Court Equal Justice Commission's statewide comprehensive legal needs assessment and report which was issued in 2009.

ALAS is committed to providing representation that is grounded in helping individual clients with their "everyday legal problems." This approach is captured in its strategic plan and was repeated often by ALAS' executive director, board members, and many staff during the visit. ALAS appears to embrace this approach, opening nearly 26,000 individual cases each year. ALAS staff are also very involved in community education and outreach events, including efforts to reach out to special populations that face additional barriers to service. On a practical level, ALAS uses its extensive outreach and high individual case volume to continuously assess whether it is addressing relevant and emerging legal needs.

The Georgia Supreme Court's Committee on Civil Justice's conducted a comprehensive legal needs assessment study entitled, "Civil Needs of Low and Moderate Income Households in Georgia 2009." The study included numerous stakeholder meetings, interviews, including surveys of hard-to-reach populations, and a random phone survey of hundreds of low income people. The program has a standing committee on Priorities and Eligibility which consists of staff and the board of directors. This committee holds an open priority-setting meeting once a year and considered the Georgia Supreme Court Committee on Civil Justice's 2009 report and findings in the development of the program's priorities when it was issued.

Most recently and after assessing trends at intake and in office case acceptance meetings, the program's management has reviewed its work to allow for case acceptance in three emerging areas in their service area: expungement of criminal records, overpayment waivers in Social Security cases, and overpayment waivers in veteran's benefit cases.

Finding 2. ALAS has a track record of quickly and strategically allocating and developing resources to address evolving community needs.

ALAS' work and advocacy over the years demonstrates that the program adapts to changing community needs in core poverty law areas. Examples, which will be more fully discussed in the section referencing *Performance Area Three* in this report, include ALAS' education law, home defense, and mental health advocacy. Through the years, the program has been consistent in encouraging their staff to identify, build, and develop specialty areas of practice as client needs evolve, locating appropriate funding or pro bono resources to support these innovations. The executive director spends significant time vetting new ideas and approaches with staff. When presented with a new idea or issue by staff, he encourages discussions and taking time to test and develop it first. When the idea shows promise, he supports it fully, advancing it with stakeholders, and actively seeking the resources to fund it.

While ALAS is skilled at seeking resources to fund new work, it also recognizes the importance of addressing client needs as they appear, rather than as funding becomes available. Because the program has built an endowment, valued recently at approximately \$3.8 million, it has the flexibility to fund important work in the absence of finding immediate funding sources. The ALAS endowment policy affords the executive director the discretion to spend up to 4% of the endowment corpus on areas of emerging community need which have the potential for future funding but no current funding. An additional percentage of endowment funds may also be used with board of director approval.

PERFORMANCE AREA TWO. EFFECTIVENESS IN ENGAGING AND SERVING THE LOW-INCOME POPULATION THROUGHOUT THE SERVICE AREA.

Dignity and sensitivity.

Finding 3. ALAS' intake systems are different among its multiple offices, projects, and units. The intake system overall has been hampered by dated phone technology which can pose access barriers to clients.

At the time of the visit, client intake at ALAS was performed locally at each office. There are different hours and procedures within offices, projects, and units. Each office and many of the special projects have separate intake lines. Walk-in clients appeared to be less frequent, with the most significant means of access to services occurring via telephone. The existing telephone technology does not allow for an intake staff person to seamlessly transfer applicant calls among offices and special projects. The telephone system also does not allow managers to coordinate intake for the program and provide effective back-up and intake support to other offices.

All offices and projects make provisions for emergency intake matters to be accepted at any time and each office/project sets a limit of how many intake applications will be reviewed and processed on an intake day. In those instances where the numerical limit on intake has been reached, applicants who call later are asked to call back the next day. Generally, once an applicant is screened for financial and case eligibility by support staff, the request for services is passed on to the staff of the office or special project handling the matter. In some offices, an

attorney is scheduled to review and process intake applications that day. Decisions on eligible applications are made by attorneys who will either provide advice and brief services, or determine that the request should be discussed more or assigned to an attorney at the office/project's weekly case acceptance meeting.

In addition to their regular intake system, the program operates a Fulton County housing hotline as part of its general law unit intake, and a senior hotline for the State of Georgia. The senior hotline operates a call-back system that is staffed by staff and a group of law firm pro bono receptionists who access the phone system remotely, pull messages, and enter them into a queue that is visible to the senior hotline staff in their offices and where they return calls. The hotline volunteers noted that the system calls averages 50 - 60 retrieved call messages a day.

Finding 4. ALAS dedicates a portion of most attorneys' time to intake responsibilities.

By design, nearly all ALAS attorneys share rotating responsibility for intake. During staff interviews, it appeared to the team that this stemmed from a longstanding practice and belief that intake is an important ongoing job responsibility for all attorneys, regardless of experience, which allows them to maintain their skills and ability to problem solve and issue spot. It also appeared that the program's emphasis on assisting with clients' "everyday legal problems" drives some of the emphasis on dedicating attorney-time to intake responsibilities. Several staff suggested that advocate staff time could be saved by employing well-trained interns and administrative professionals to handle some follow-up interviews with applicants. They would like to see an advice helpline for the program, which would allow for more attorney time to handle cases.

Finding 5. ALAS is seeking to improve its intake functioning with the unification of its phone system which will allow for a more seamless client experience. This effort has been funded by an LSC Technology Initiative Grant and is slated for implementation in 2012.

This year, LSC has awarded ALAS with TIG funding to unify and streamline telephone services to clients, particularly at the initial point-of-entry. The unification of ALAS' phone system will allow for the possibility of coordinated intake, even though intake staff may remain decentralized in local offices. Basic improvements that will benefit intake staff, such as the ability to by-pass the main intake line to contact staff in other offices, the capacity to make inter-office call transfers, call forwarding, and conference calling also has the potential to decrease client frustration, drop-offs, and confusion which staff reported can occur at the time of the initial call. This issue was also noted in ALAS' TIG application. The telephone improvements will allow all five main offices to function as one unified office, improving efficiency and customer service at a reduced expense to the program.

In ALAS' TIG grant application, the program noted that it will likely implement coordinated intake with its projects that have staff in multiple locations and will particularly benefit from the efficiencies created by the new phone system. The program plans to pilot this approach in the Hispanic Outreach Project, which currently has a dedicated intake line staffed by a bi-lingual paralegal. The paralegal does not have the ability to immediately transfer calls to the project staff located in multiple offices. ALAS plans to develop a model for doing so and in the process

it will streamline intake, case handling, and workflow for Hispanic Outreach Project applicants, clients and staff.

The telephone improvements will enable project staff to transfer calls between offices, bypassing central lines to connect applicants directly to bi-lingual staff who can perform the client screening and advice at the time of the initial call. The program has yet to develop the protocols which would define the depth of screening and interviewing by the paralegal at time of the initial, pre-transferred call. Other specialty projects, such as the Education Project, are also interested in implementing a similar streamlined approach to intake. Again, with the budget constraints facing the program, intake is an area where ALAS hopes to achieve process improvements and efficiencies that will make the best use of limited staff resources.

Recommendation II.1.5.1^{*1} In connection with the implementation of its TIG grant, ALAS should conduct a program-wide effort to analyze intake across the organization and consider how it could be better coordinated and streamlined to improve the client experience and make the best and highest use of staff resources. This can allow for efforts which could improve intake such as:

- *Having intake policies, procedures and screening tools in writing and uniform to the extent possible.*
- *Exploring the possibility of well-trained and supervised interns, pro bono volunteers, or intake staff advising applicants early and expeditiously in the process.*
- *As resources and efficiencies allow, expanding the hours and capacity for phone intake across the program.*

In connection with this recommendation, LSC staff is available to assist ALAS in identifying other models of phone-based coordinated intake that are streamlined and cost-effective without limiting client access.

Engagement with the low-income population.

Finding 6. ALAS staff are engaged in their communities and the program strives to reach client communities and populations that face special access barriers.

ALAS staff are encouraged to be engaged community members in order to serve the program and community well. ALAS staff in the branch offices are well-connected with service providers, influential partners, and collaborators. The ALAS staff in specialty units are connected to advocacy groups and other service providers who validate critical community needs and emerging issues. Clients, community organizations, and other service providers to the low-income community appeared to readily understand the practical value of legal aid and lawyers for low-income people because of the program's widespread community engagement efforts.

¹ Throughout this report, Recommendations will cross-reference with the LSC Performance Criteria. The sequence of the reference is as follows: Performance Area (Roman numeral), Criterion (Arabic numeral), Finding (Arabic numeral), Recommendation Number (Arabic numeral), Tier (asterisk). Recommendations that are indicated with an asterisk are Tier One recommendations and are considered important to program quality and/or program performance and will be incorporated into the organization's LSC competitive and renewal grant application process.

For years, the program has also dedicated staff resources to reaching community members who face special access barriers. With years working closely with seniors and people in state mental health facilities, ALAS staff have a special sensitivity to the unique needs of these populations. Through the establishment of its senior citizens law project and the statewide senior citizens hotline, the program is attuned to and coordinated in addressing the needs of the elder population in the state. Under the Ombudsman program, ALAS staff are certified to investigate and make monthly unannounced visits to nursing homes and personal care homes in the 10-county metropolitan Atlanta area. The staff of the Ombudsman program provides a bridge for clients in these residential facilities to access basic ALAS services as well as the expertise of its disability rights advocacy and senior citizens law project.

The program appears to make effective use of Language Line and Ethnic Bridge for telephone interpretation, as needed. ALAS obtained funding to promote a project for staff members to receive paid leave and to cover costs for Spanish language classes or language immersion programs abroad. Participating staff are fully expected to use their Spanish skills in the course of their work at ALAS. Since 1996, ALAS staff have engaged in planned, targeted outreach to the large Hispanic population in its service area. Staff of the Hispanic Outreach Project provides regular, scheduled outreach at the Latin American Association on issues related to VAWA advocacy. As a result of this longstanding and formal relationship, ALAS is also able to assist Spanish-speaking clients with other issues such as family law, housing, and consumer matters. The director of the Latin American Association noted that ALAS is a "strong and zealous" advocate for their client population and he receives no complaints or concerns about the program's services, an important credibility issue for immigrant populations who face both language and cultural barriers to services and accessing the legal system. Currently, an ALAS staff member is developing connections with the growing Muslim population in ALAS' service area. The program has hired a staff attorney who speaks Hindi and ALAS staff is engaged in outreach to Somali, Ethiopian and other African immigrants, as well as the growing Arab immigrant population.

Access and utilization by the low-income population.

Finding 7. ALAS staff, offices, and projects are accessible to their client population. ALAS has been working to address the need for updated downtown office space and client population growth in the suburbs within given current budget constraints.

In addition to the outreach activities of staff, ALAS office locations appeared to be accessible to the low-income population in the service area and, with the exception of the Gwinnett County office, are accessible to public transportation. The Marietta office is located on the town square, easily accessible by public transportation and near the local courts. ALAS' HeLP offices are co-located in hospitals or are housed in nearby offices, making it easy for patients to meet with ALAS staff. The Decatur office is well-located in a triangle of support services for people with mental health conditions and is fairly close to the MARTA station as is the Southside office.

At the time of our visit, space considerations for the ALAS' downtown office were significant. The executive director and board members were conducting a review of the real estate holdings

of ALAS. The building which houses ALAS's downtown office at 151 Spring Street NW is in need of extensive renovation. Currently, the structure does not meet building codes in several areas. The technology infrastructure is outdated and inhibits the installation of updated technology. The program had been planning to renovate its downtown office by raising funds to completely refurbish the office and to further centralize its statewide and administrative staff (currently housed in various locations). Over the past year, however, a committee of ALAS' board and management has dedicated considerable time to assessing the financial and practical feasibility of purchasing a recently renovated historic building which housed the Salvation Army, Atlanta's downtown mission, and other charitable organizations. At the time the visit concluded, the program was in negotiations with the seller of the building. Throughout their discussions about the pressing need for new downtown office space, the program's management team and board conveyed an awareness of the opportunities and challenges in the ongoing economic environment, the growth and location of client populations in their service area, and cost considerations.

PERFORMANCE AREA THREE. EFFECTIVENESS OF LEGAL REPRESENTATION AND OTHER PROGRAM ACTIVITIES INTENDED TO BENEFIT THE LOW-INCOME POPULATION IN THE SERVICE AREA.

Legal representation.

Finding 8. ALAS engages in high-quality representation and has built a strong reputation in the legal community. The program fully maximizes the use of its resources to attain the best possible results for individual clients and other low-income people who may face similar legal problems.

ALAS' legal work and representation was highly regarded by many external stakeholders interviewed as part of the program quality visit. Several judges noted that ALAS attorneys are consistently well-prepared, professional, and attuned to their clients' best interests. Some judges also pointed out that ALAS attorneys are particularly good at negotiating settlements because of their understanding of the law and what is realistically achievable and enforceable. Private attorneys interviewed also observed and personally expressed the view held by courts and opposing counsel that "if Legal Aid is taking the case, it must have merit," again an indication of the program's strong and positive reputation for quality.

On a per capita basis for low-income people, LSC's data shows ALAS closes over double the national average of cases annually. According to reports provided to LSC, 91.8% of the cases closed by ALAS in 2010 were limited service cases and 8.2% extended service, compared with the 2010 national average for LSC grantees of 78.3% limited service and 21.7% extended service cases. Despite ALAS' lower than average percentage of extended representation cases and because of its very high volume of cases, ALAS closes approximately 77% of the national median for extended service cases per 10,000 low-income persons. During the visit, ALAS's senior management expressed an interest in looking at the balance of extended representation compared to limited service work and this discussion should be encouraged at the program.

ALAS' prominence appears to be built on its long history providing services in the Atlanta legal community, its high volume of individual service work, and the depth of expertise and dedication of its advocates. With experienced managing attorneys, an advocacy director, and a general counsel, ALAS also devotes significant resources to developing and encouraging staff to innovate and identify projects, cases, or advocacy efforts that increase access to legal services or address larger issues impacting their individual clients. Notable historic and current examples include the following:

Education and special education

- ALAS challenged “zero tolerance” expulsion policies in Atlanta public schools in the 1990s, building a foundation and internal capacity for education work. Its current Team Child project leverages significant pro bono resources and focuses on intensive special education litigation in state and federal court. This includes legal work which is currently challenging public school “push out” policies that prevent low-performing or disruptive students from attending school in an effort to increase school tests scores and statistics.

Legal assistance for people with serious illness

- The program claims to be one of the first to provide legal services for people with AIDS in the earliest days of the epidemic. This work has evolved with the creation of the Breast Cancer Project, initially funded through an Equal Justice Works Fellowship, which addresses similar legal issues of disability, access to health care, and end-of-life planning. ALAS' investment in this area has now expanded to a broader health law practice and legal services to people with AIDS, cancer, and ALS/Lou Gehrig's Disease.

Health Law Partnership

- Founded in 2004, the Health Law Partnership (HeLP) is ALAS' medical-legal partnership, a collaboration between ALAS, Children's Healthcare of Atlanta, and the Georgia State University College of Law. It is now a fully multidisciplinary effort involving area medical schools and it recently obtained Institutional Review Board approval from both the university and health system on its evaluation protocol for the collaboration. The legal team has most recently been litigating a series of cases involving the rights of children with severe disabilities to receive home nursing services under the state Medicaid program which is attempting to cut these services.

In addition to these projects, ALAS also continues to build upon its long history of impact advocacy in many of its areas of practice with a number of recent and notable successes in home defense, disability advocacy and family law:

Home Defense Program

- Over twenty years ago ALAS created a Home Defense Program which focused on predatory mortgage lending practices. ALAS was one of the first legal services organizations in the country to recognize the importance of foreclosure prevention work. In 2000, the managing attorney of the Home Defense Program traveled to Washington, D.C. to provide congressional testimony warning Congress, Fannie Mae, and Freddie Mac of the risks of subprime lending and an impending housing market collapse, now an unfortunate reality in the United States ten years later. Over the past two years in

response to the foreclosure crisis, the program expanded their Home Defense team with the addition of two attorneys and a housing counselor. The expanded team prevented nearly 150 homes from undergoing foreclosure, preserving almost \$5 million in homeowner equity.

- In the past year, ALAS also established state and national precedent in three separate and important mortgage foreclosure cases. The first case created assignee liability under the Georgia Fair Lending Act. The second case was the first-ever to apply agency principles to the Truth in Lending Act's holder identification requirement. In the third case, the program obtained a court ruling that recognizes a private right of action for borrowers under the Georgia Residential Mortgage Act. This ruling was obtained in 2011 after the Home Defense team filed claims and briefs in dozens of cases since 2008, including an amicus brief to the Georgia Supreme Court seeking clarification on the Act.

Mental health disability advocacy

- The ALAS Mental Health and Disability Rights Project has an equally rich history of advocacy, filing a lawsuit in 1995 on behalf of two clients in Georgia's state psychiatric hospital who were seeking disability services in the community. The case resulted in the landmark U.S. Supreme Court case, *Olmstead v. L.C. and E.W.*, 527 U.S. 581 (1999), which found that unjustified institutional isolation of people with disabilities is unlawful discrimination under the American with Disabilities Act and establishing a community integration mandate for people with disabilities. ALAS is now involved in significant Americans with Disabilities Act litigation in federal court for enforcement of the *Olmstead* decision for six mentally disabled individuals whose community placements are being terminated and who were *at risk* of being institutionalized. The Department of Justice has intervened, supporting ALAS' clients position and an extension of the holding in *Olmstead*.
- The Mental Health and Disability Rights Project also advised the Justice Department in a 2008 case, *United States of America vs. The State of Georgia*, where the U.S. filed suit against the state for its treatment of residents in mental health institutions after a series of newspaper articles in the Atlanta Journal Constitution. An initial settlement agreement was focused solely on institutional practices without recognizing the interrelated issue of improving institutional conditions by making community placements for the large number of people who should be in them. ALAS joined as amici in the case with mental health advocates who objected to the settlement. The District Court agreed with ALAS and the mental health advocates and required the Justice Department to negotiate with them in the case. The final 2010 settlement between the Justice Department and the State of Georgia included a provision to provide housing for 2,000 individuals with severe mental illness, incorporating a key element of an ALAS-designed plan for the state. ALAS was extensively involved in this settlement and plans to remain involved in monitoring the implementation of the settlement and *Olmstead* as it impacts ALAS clients.

Setting precedent in family law

- In ALAS' largest area of practice which is family law, the program has tracked that it protected over 1,400 adults and children against domestic violence and obtained nearly \$3 million in annual support, largely for clients' children in 2009 and 2010.

- In the same two year period, ALAS was successful in two family law cases in the Georgia Supreme Court and the Georgia Court of Appeals. The first case established protections for parents' rights in temporary guardianship terminations, an important issue for many ALAS clients who place their children in temporary guardianship during times of family crisis or extreme hardship. The second case established child support as a separately enforceable judgment from an expired domestic violence protective order. This case also has important practical and public policy value, as studies have shown that domestic violence survivors frequently return to their abusers for financial reasons.

Finding 9. ALAS places a very high priority on the selection, development, and retention of quality staff. Over time, it has built a strong capacity to carry out its work effectively with a skilled, highly motivated, and cohesive staff.

The program and its leadership place a high value on its personnel: fully leveraging staff experience, skill, and potential to further organizational and client interests. ALAS staff often come to the program with experience which has practical use and “fit” in their current role. A number of staff worked at other legal aid organizations or were previously employed at ALAS. The Team Child Director was previously a fellow at ALAS and in private practice at a boutique firm that specialized in education advocacy before returning to the program. ALAS’ paralegal in the General Law Unit was an intern at the program and used to be employed in the Medicaid unit of the state Department of Children and Families. A number of ALAS attorneys also have other degrees, such as MSWs or RNs. Overall ALAS’ staffing strategy appears to value people who have prior experience with the program or who bring additional complementary experience, relationships, and perspectives to their jobs.

A defining element of ALAS’ approach to staff development is to employ formal and informal methods that allow for highly customized attention to the individual staff member and his or her interests and strengths. According to the executive director, the program expects every staff person to “lead” in his or her own way, and as a result ALAS takes a broad view of “leadership.” Management prides itself in matching attorneys with client need and individual areas of interest to create a well-rounded legal and advocacy capacity as a whole. Over many years, ALAS’ attention to staff development and leadership appears to have been effective in engaging and retaining a skilled, highly motivated, and very cohesive staff. Staff are also supported if they seek to fulfill their professional goals outside of the program if that is where the best opportunities exist for the individual.

The longtime attorneys who “founded” ALAS’ Home Defense Program, HeLP project, and Mental Health and Disability Rights Project were all given the freedom to develop expertise in their areas of interest and passion over time. In one ALAS county office, a family law attorney has developed a zeal for doggedly “finding the money,” for low-income clients who are seeking support for themselves and their children. Her remarkable ability to locate and analyze assets was the basis for her promotion within the program through the Attorney II program (discussed more fully below) and she is now the program’s expert on asset identification and analysis and is available for consultations with any ALAS staff member and a resource to the whole program and its clients. ALAS also employs myriad more formal staff development and retention strategies. Three examples are worthy of mention in this report because they are innovative and

also focus on building and strengthening the program's capacity for effective legal representation:

Attorney II Program

- ALAS has long employed an Attorney II program which is designed as a leadership development and retention program. Attorneys who have been employed at ALAS for five years are eligible to apply for the Attorney II designation which carries a base salary increase and additional responsibilities such as supervising paralegals, directing a project, conducting outreach to new communities or, as in the example noted above, developing specialized expertise to serve as a resource for advocates and clients. According to the executive director, he has taken great pains over the years to avoid creating an Attorney II program that rewards or values litigation and systemic impact work over other kinds of services and legal assistance for clients.
- The Attorney II process was described by staff and management as one that is thoughtful and comprehensive. Eligible attorneys work closely with their supervisor over the course of a year to develop an Attorney II application which aligns the attorney's areas of interest, professional and leadership development goals, and client need. When the final Attorney II application is made, ALAS' key management staff including the deputy director, advocacy director, and executive director have all provided input, support, and perspective on the overall direction of the attorney's plan. The experience was one that appeared affirming and encouraging for the Attorney II staff and is now considered a "rite of passage" for all newer attorneys at ALAS.
- It is important to note that outside of the Attorney II process, staff in ALAS encourage each other to continuously leverage internal resources to better serve or improve access for clients. One staff attorney, an expert on unemployment insurance, recently conducted a program-wide unemployment training for paralegals to share her expertise in a substantive area where the program has experienced an upsurge in intake, given the economic downturn. Another staff attorney, who convenes and chairs ALAS' Hispanic Outreach Project, has been asked by the executive director to participate in a state court committee seeking to address access issues for immigrants. The executive director and other staff recognize that the program needs to develop appropriate means to provide sustained support and follow-up with staff who have been awarded the Attorney II designation, and noted their interest in systems to assure that Attorneys II are successfully fulfilling their additional responsibilities and to assist with professional development in later years

Legal Writing Program

- ALAS recently implemented a unique and formal legal writing program for their attorneys by leveraging the legal writing expertise of its general counsel, an experienced appellate attorney. Beginning last year, ALAS staff attorneys with 1 to 3 years of experience each have a legal writing sample reviewed by the general counsel for discussion and detailed feedback. Next year, attorneys with approximately 4 to 8 years of experience will participate in the program and additional attorneys the following year until all ALAS legal writing has been formally reviewed through the writing program. The general counsel is also available to staff at any time to review written legal work, and many attorneys frequently take advantage of this opportunity. According to one attorney

who had a document reviewed recently, “It was wonderful. He wrote very extensive and thoughtful comments and feedback on my writing, almost as long as the brief itself.”

Spanish Immersion Program

- The program has sought to improve its capacity to serve the now-sizeable Spanish speaking population in the service area since 1996, when it created its Hispanic Outreach Project. Two years ago, ALAS applied for and received a \$789,000, three year grant from the Goizueta Foundation to hire full-time Spanish speaking paralegals and intake staff in each office and to pay for other staff members to acquire or improve their Spanish fluency through language classes and immersion programs. Staff members may now apply for the Spanish Immersion Program, justifying their application based on the nature of their work, client demographics, and the existing staff language capacity in their office or project. Once approved for the program, staff members cover their own travel expenses and receive paid leave and covered costs for language classes or language immersion programs abroad, and are fully expected to use their Spanish in the course of their work at ALAS. According to ALAS management interviewed during the visit, the effort has increased their staff’s ability to effectively work with the Spanish speaking client population and is viewed as a valuable employee benefit.

When ALAS advocates have cases which involve significant litigation, they describe strong collaboration within the program, receiving support from their immediate supervisors and, attorneys with relevant substantive expertise, as well as from the director of advocacy and general counsel. The director of advocacy and general counsel are both experienced attorneys and, together, they serve as an important resource for ALAS’ legal work and strategy. The director of advocacy also organizes the Legal Services University training for all advocates each year and, in prior years collaborated closely with the Georgia Legal Services Program to host joint trainings. Along with the general counsel, he ensures staff have access to appropriate legal resources. During interviews, many staff, including very experienced attorneys, noted how they readily call upon the advocacy director to discuss their challenging or complex cases and to gain insight on all aspects of procedure and strategy. ALAS’ general counsel also serves as a backup to the advocacy director and a resource to ALAS attorneys on complex cases or substantive issues, reviews written work, and assists with oral argument and challenging research questions.

The program also recently created the position of “practice innovation manager” and the attorney in the position is responsible for developing the program’s technology to improve legal advocacy to clients. A number of staff interviewed during the visit felt that technology could strengthen the program’s efficiency and service delivery, and were enthusiastic about the new position, particularly as it relates to LSC’s recent TIG grants to the program which will help ALAS’ upgrade the phone system across all offices and improve their internal document management and information sharing.

Finding 10. The program takes a flexible approach to supervision and management structures. With regard to legal work supervision, managers are expected to provide significant supervision for newer advocates and have discretion with regard to the supervision of more experienced staff.

The program has historically approached key aspects of its delivery system and operations by affording a significant amount of flexibility to managers and supervisors. Consistent with this approach, the program's written policy on legal work supervision emphasizes close supervision of newer attorneys and paralegals, and affords supervisors with significant discretion with regard to the supervision of mid-level and senior attorneys and paralegals. An excerpt from ALAS' current supervision policy, dated November 1995, provides a good example of the program's somewhat permissive approach to supervision:

“Mid-Level Attorneys and Paralegals: Mid-level attorneys and paralegals are defined as attorneys or paralegals who have two to eight years of experience at ALAS. These staff should continue to have a formal supervisor. As with new staff, the unit manager is responsible for assigning a supervisor to the mid-level attorney or paralegal. The nature and amount of supervision will obviously vary depending on the needs and experience of the supervisee. Accordingly, the supervisor has considerable discretion in determining precisely what supervision will be provided.

Although the supervisor has a great deal of discretion, the supervisor should make a deliberative judgment. The supervisee should not be required or allowed to drift. In exercising the necessary discretion, the supervisor should consider the following factors (which are not meant to be exclusive):

- 1. the supervisee's years of experience;*
- 2. the supervisee's work experience;*
- 3. the supervisee's accomplishments;*
- 4. the supervisee's shortcomings*
- 5. the supervisee's individual needs;*
- 6. the supervisor's needs (e.g. be in a position to do an annual performance evaluation).*

Application of the above factors may result in a different level of supervision for different supervisees. Application of the above factors may also result in different levels of supervision for the same supervisee for different tasks. Thus, the nature and amount of supervision must be tailored to the individual supervisee and the individual task at hand.”

Similarly, the program approaches management structures and roles loosely, with staff given the latitude to design what makes sense for the project or office. Consistent with this flexible approach to supervision and management structure, the team found that each ALAS office and project, as with intake, functioned differently. While staff in every office participates in weekly case acceptance meetings, each office handles the formal and administrative aspects of staff supervision differently. One branch office is run by two attorneys who are co-managers. In a project, a managing attorney conducts quarterly meetings with each case handler to review open cases. In another office, a manager described the supervision and feedback approach as informal, “dropping in the office,” with occasional reviews. Another supervisor in a different office says, “the door is always open,” and does not use formal evaluations. A different manager provides staff members with more hands-on supervision, a “constant review of cases,” including caseload management and regular, formal evaluations using a written evaluation tool. Several of ALAS' more experienced attorneys have set up peer-to-peer support, as described in the written supervision policy for veteran staff members. On the whole, the staff in these and

other offices appeared satisfied with the level of support they received from their supervisors and were unaware of the diversity of approaches.

Supervision standards: While this flexible approach to supervision appeared to be working at ALAS, it is one that works best with supervising attorneys who already possess good judgment or enough hands-on experience to exercise supervisory discretion comfortably and appropriately. It also works best when a good portion of each supervisor's job is spent paying attention to their new and mid-level staff member's development. In some instances this was true, with at least two managing attorneys reducing their caseload to ensure adequate time for supervisees. For a staff person who is newer to supervisory or management responsibilities, however, having clearer expectations and roles could be helpful. In addition, the wide range of discretion afforded in the supervision and support of ALAS' experienced staff and attorneys leaves open a possibility that these staff may not receive the same opportunity to reflect upon and purposefully advance their continuous professional development, a clear priority for the program.

Managerial roles: Related to the issue of supervision, the team observed that well-defined managerial roles could help staff fully and more readily get the support they need for their work. After hearing staff describe their contacts with both the advocacy director and general counsel, the team noticed that that staff have individually and on an ad-hoc basis determined the advocacy director and general counsel's role and strengths; when to consult with each and when to consult with other substantive experts on staff. Again, more clarity and a greater degree of coordination between the advocacy director and the general counsel could avoid overlap and could allow the advocacy director more opportunities to issue spot with staff for significant legal trends, impact cases, and areas for overall staff development and training.

Roles of senior management team: It is also unclear what role the advocacy director, deputy director and executive director play vis-a-vis managing attorneys. They all appear to have some role supervising managers, but there was overlap in their roles and there was no clear point person among senior management if issues arise with a supervisor or manager. The obvious and positive synergy among the current staff obscures the fact that the lack of clarity in the structure leaves open a possibility that issues with supervisors and the interests of supervisors may not be raised and resolved expeditiously or well. This may be particularly true if any of the individuals who currently serve in the senior management team were to change.

Performance evaluations: When learning about ALAS performance evaluations, two areas emerged as constructive and positive for staff and supervisors engaged in the review. First, staff attorneys in their first year of practice or employment at the program are supervised closely and are provided with a formal, comprehensive review at the end of their first year. And second, the Attorney II program, as discussed, also provides occasion for thorough and thoughtful review of performance and professional development after five years of practice or employment with the program. Staff attorneys comment that these systems work very well, but the review and evaluation does not continue with every staff person after the first year of practice or Attorney II review.

Other than the two evaluation tools described above, staff performance evaluations at ALAS are generally infrequent and the individualized approach does not provide a regular vehicle for

performance feedback and a clear framework for development in core competencies, however broadly ALAS wishes to define it. While the staff interviewed during the visit appeared to be very self-directed in their ability to continuously improve and develop, the team sensed that mid-level and experienced staff would value an ongoing review process and the resulting feedback which would identify areas for support and training. The most suitable approach for more experienced staff would be akin to executive or mid-career coaching. Regardless of how the program chooses to implement performance reviews, regular and formal reviews for all staff would provide an opportunity for goal setting or plans that support the development of skills and interests of every staff person as they evolve over a career.

Recruitment: The program's recruitment approach, as mentioned earlier in this report, values candidates with experience at the program or with other complementary work experience. The program has also employed myriad strategies for diversity recruitment including working with students of color organizations and having a presence at minority job fairs and bar associations to better reflect the diverse community it serves. According to staffing forms provided annually to LSC, 20% of ALAS' attorneys are minority attorneys, and the program has sought to recruit bilingual and bicultural attorneys to serve its large Spanish-speaking and immigrant population with limited success. The program's management and board members recognize that ALAS staff salaries are low for an urban program and they recognize that this has impacted their ability to recruit and retain a diverse staff in the near and long term.

Recommendation III.1.10.1* *The program should continue its efforts to train and develop its staff and update its policies and training to reflect effective practices for legal work management, supervision, recruitment, hiring, and retention. This can include consideration of the following:*

- *Program-wide best practices for legal work management including regular review of caseloads and case closings;*
- *An ALAS supervision plan that reflects clearer management roles and expectations;*
- *Shared job descriptions and clearer lines of authority for senior management (deputy director, advocacy director) and supervisors, particularly as it relates to the supervision of veteran managers and staff;*
- *Formal evaluation tools for all staff with clearly defined core competencies;*
- *Ongoing processes for the professional development of Attorney II staff, veteran attorneys, and non-attorney staff;*
- *Short and long term strategies for achieving ALAS' staff salary comparability given budget constraints;*
- *Recruitment procedures that reflect best practices and consistency with ALAS' strategic goals including its desire to have a more diverse attorney staff.*

In connection with the follow-up to this report, LSC is available to provide assistance on identifying appropriate and useful examples of policies in other sectors or legal aid programs.

Private Attorney Involvement.

Finding 11. ALAS has made a longtime investment in cultivating the private bar resources and it fully leverages pro bono resources to serve clients in effective and pioneering ways.

ALAS has a long, rich history of private attorney involvement and an extraordinarily close working relationship with the Atlanta bar. The program has created an extensive number of pro bono opportunities that fit the skills and schedules of private attorneys throughout its service area, including retired attorneys and judges. This allows their volunteers to be easily involved in representing ALAS clients. Over time, this has created a culture in the program where pro bono volunteers and resources are valued and have been fully integrated into how advocates deliver services and how ALAS establishes and expands its projects.

The program places a significant investment in constantly cultivating and working with pro bono resources. Currently, over twenty of ALAS' staff attorneys have responsibility for supervising or working with pro bono attorneys in five counties and with most of Atlanta's largest law firms. The staff members who oversee pro bono in their work, office, or projects, meet quarterly to discuss local issues, share effective practices, and review common, program-wide topics which would improve their work, such as investments in technology. The close working relationship which ALAS attorneys have with each of their pro bono volunteers and law firm pro bono coordinators appears to allow for strong protocols and support in the administration and oversight of pro bono cases. As mentioned in other parts of this report, it will be greatly enhanced in the future by ALAS' technology investments.

The program's pro bono volunteers and fellows reported feeling valued, "like part of the program and team," and ALAS staff described how they "love" having pro bono volunteers, taking pride in the fact that "our volunteers keep coming back" because of their positive experience. Other ALAS staff commented to the team that they simply could not do their work or projects without pro bono volunteers and support. Of ALAS' myriad pro bono efforts, the following are a few of the program's most notable and significant:

Saturday Attorney Program

- The program has a complementary relationship with the Atlanta Volunteer Lawyers Foundation (AVLF), which it helped to found over 30 years ago, and continues to support with ALAS staff supervisors and referrals for the Saturday Attorney Program. The Saturday Attorney Program itself was also founded by ALAS in 1968 and continues to operate as a regular Saturday clinic where private attorneys meet with and provide brief and extended service to pre-screened clients from ALAS and from AVLF. According to AVLF, 82% of the cases at Saturday Attorney Program result in full representation by the participating volunteer. ALAS provides the space on the weekend and the greatest number of prescreened cases are from ALAS whose staff are also on-site to provide backup and supervision.
- The Saturday Attorney Program was described by ALAS board members and private attorneys as an extremely valuable and many members of ALAS advisory board or board of directors were introduced to ALAS through the Saturday Attorney program.

Law firm partnerships and signature projects:

- ALAS has developed a number of law firm-affiliated signature projects and partnerships which have enhanced their work for clients. The Grandparents Project, supported by a former board president with experience in the area of adoptions, includes attorneys from

the entire intellectual property section of his firm. Another large firm in Atlanta has a project with ALAS which is focused on evictions; assigning one of their attorneys each week to take all eviction cases referred by the program. One major Atlanta firm, with longtime ties to the program, assisted with the *Olmstead* Supreme Court litigation and another firm, along with the Georgia Association of Black Women Attorneys, supports ALAS' AIDS and Cancer Legal Initiatives by handling wills and estates. The same firm does Qualifying Income Trusts for persons in nursing homes which protect individuals' Medicaid eligibility.

Fellowship program

- The program's fellowship program allows attorneys from private firms to work full time in an ALAS office for four to six months, and has been a particularly effective means of engaging the private bar and reaching more clients. Former fellows interviewed for the visit noted the courtroom and trial experience they acquired during the fellowship under the close and helpful supervision of ALAS attorneys. The program has hosted approximately 50 law firm fellows from 19 law firms, to date, and was the first legal aid program in the country to host a full-time fellow from a corporate legal department.
- In addition and also notably, when the former Governor of Georgia, Roy Barnes, left office in 2003, he joined full-time as a fellow in ALAS' downtown office, focusing on seniors and consumer law given his background as a plaintiff-side consumer attorney. Mr. Barnes continues to take pro bono cases from ALAS' Marietta office in Cobb County where his current law office is located and, as a private attorney who handles class action cases, he also supports the program by staying alert to possible cy prés awards.

Non-attorney volunteers

- ALAS is one of several legal aid organizations nationally that effectively engages law firm administrative staff in their pro bono efforts. As mentioned earlier in this report, one major Atlanta firm has partnered with ALAS to make very effective use of staff volunteers for ALAS' Senior Hotline. Every day, three times a day from early morning until 3:30 p.m., three pro bono receptionists from the law firm ("the Hotline Gang") access the Senior Hotline message system from their desks and enter caller and callback information into the ALAS' hotline database for program staff attorneys to review and return calls. As mentioned earlier, these volunteers enter information for 50 - 60 calls a day and some days handle up to 80 calls, saving ALAS hotline attorneys from a significant administrative burden.
- A paralegal team from the same firm works at the Cancer Support Community of Atlanta to help ALAS' clients with cancer prepare their wills. Paralegals from other firms also regularly provide pro bono assistance along with undergraduate students and law students from local and out-of-state universities and colleges, and volunteers from the Association of Legal Assistants and a local paralegal certificate program.

Pro bono in county offices

- In addition to the Atlanta Bar Association, ALAS has a close working relationship with the county bars in the suburban counties. As mentioned in this section, pro bono work is very well staffed at ALAS. The Gwinnett office has a staff attorney, focusing on overseeing pro bono cases out of the Gwinnett County Bar Association with the

assistance of a non-attorney pro bono staff coordinator. The Southside office has a non-licensed attorney serving as ALAS' pro bono coordinator and she works three days a week out of the Clayton County Community Services Authority.

In Cobb County, there is an active domestic violence project which covers Temporary Protective Order (TPO) hearings every Tuesday. As a result of ALAS helping to improve referrals from the local YWCA, the office has been able to double the number of volunteers willing to take these cases. Currently, 5 - 6 volunteer attorneys will be on-hand to cover TPOs on Tuesday, with at least two volunteers guaranteed each week. Three law firms have agreed to dedicate a week each month to staffing TPO hearings in Cobb County, training their associates to handle the hearings and opening approximately four cases each week for additional or more extended services.

Other program services to the eligible client population.

Finding 12. ALAS staff are engaged in a range of program services to the community and client population.

As mentioned, ALAS staff are active members of the communities in which they work, as well as on a statewide basis. The program engages in a fair amount of community outreach and legal education. As an example which holds true for many other offices and units at ALAS, the Southside (East Point) office has a long-standing relationship with a large nonprofit agency that helps low-income people with rent and utilities, taxes and government benefits. ALAS attorneys come to the agency once a month to provide workshops on landlord-tenant law for tenants who are being assisted by the center.

In ALAS' Gwinnett Office, the staff have developed a set of family law forms and makes them available free online. The Cobb office managing attorney attends the monthly meetings of the Cobb County Collaborative and is responsible for its peer review process. The Governor of Georgia recently appointed ALAS' Cobb County pro bono coordinator to serve on the Georgia Commission on Family Violence. Another staff attorney in Cobb County conducts a series of workshops on housing, used cars, and other consumer matters at the Center for Family Resources. *Please see related findings and discussion in Performance Area Two and Four.*

PERFORMANCE AREA FOUR. EFFECTIVENESS OF GOVERNANCE, LEADERSHIP AND ADMINISTRATION.

Board governance.

Finding 14. ALAS has a large, strong and engaged board of directors which is actively interested in the organization's success. Board members appear to understand the importance of their role and are appropriately involved in major policy decisions and discussions about long-term sustainability.

Under the ALAS' current bylaws, the board of directors has 32 members and an executive committee of 8 members. The executive committee consists of the board president, immediate-

past president, first vice-president, second vice-president, secretary-treasurer, and three additional board members. The board's well-established line of succession for leadership positions seems to work particularly well. As is true with many nonprofit boards, ALAS board leaders move through the officer positions - secretary, treasurer, first and second vice presidents, and president for one year terms. Because the officers are all on the executive committee of the board, incoming presidents have at least three years to prepare to take the presidency and the system appears to foster a deep involvement and investment in the organization on the part of an ever-expanding group of people.

The board is further expanded by the program's advisory committee of approximately 30 members who are invited to take part in all board meetings, committees and activities except for voting. The advisory committee has, according to several board members, been an excellent vehicle for members of the bar to get to know the organization and see whether they are interested in a deeper commitment. Most board members start out as advisory committee members. With such a large board of directors which meets quarterly, most active board business is conducted at their monthly executive committee meeting which makes recommendations to the larger ALAS board. The organization also has an active budget committee, audit committee and endowment committee.

In the greater Atlanta community, ALAS board membership is viewed as an achievement for members of the private bar. ALAS board members appeared to be experienced nonprofit board members and very well-informed about the work of the program. Board members described their knowledge as attributable to regular communications from the executive director, reports from program staff at board meetings, regular visits of board members to program offices and a board orientation that is held every 2-3 years. In addition, ALAS has developed an innovative "match program" that pairs board members with attorney staff and encourages them to share professional and/or personal time together. While the program does not always develop into a long term match, the overall match effort has been very successful in developing and strengthening the ties between board members and staff.

The program also benefits from having many current and former board members who maintain connections with their firms and ALAS. They actively recruit for the advisory board. Many members of the legal community and members of the ALAS board have deep ties to or longtime familiarity with ALAS. The board chair at the time of the visit is the son of a former ALAS chair and board member and he recalled being a child and accompanying his father to the downtown ALAS office.

Like many other LSC programs around the country, ALAS staff and board members recognized the difficulty they have had in recruiting client members and in maintaining client member involvement in the board, although the client board member on the executive committee appears to be actively engaged in the program's work and board functions. The board, advisory committee, and staff members also shared their interest in continuing to expand the diversity of board membership to better reflect the community served and the growing diversity of the bar.

The ALAS board has recently been planning and focusing their efforts on sustaining their success by memorializing their values, history and expectations for future board membership.

This has included creating a formal and thoughtfully-compiled board book and board orientation, reviewing their bylaws to ensure they have the appropriate size and expertise on their executive committee, and adopting a formal written executive director evaluation as part of succession planning.

Currently, the board includes an individual who is a Certified Public Accountant who serves on ALAS' audit, finance, and executive committees. The endowment committee also has an attorney member who has served as ALAS' financial investment specialist and the program more recently created an ad hoc building committee with additional volunteer members who possess transactional and real estate expertise. This committee has actively been engaged in analyzing and negotiating for the possible purchase of the historic downtown building.

Leadership.

Finding15. ALAS is led by a strong executive director who emphasizes innovation and flexibility, maintaining clarity of purpose for the organization over many years and challenges.

ALAS' executive director, Steve Gottlieb, was uniformly described during the visit by staff and myriad external stakeholders as an outstanding leader who is well-respected for his intellect, resourcefulness, and strong instincts to connect people to the organization, projects, and resources. Many staff spoke of his innate ability to find the right person for the right job, and his personal philosophy is reflected in most aspects of the program's service delivery and internal operations. The team observed in the course of the visit that "many roads lead to Steve" and nearly all of the external stakeholders interviewed clearly identified the program and its brand with the executive director and his leadership.

He was described with clear pride by many individuals interviewed; savvy and constantly building support for ALAS. He was observed to be an outspoken and unrelenting advocate for the legal aid community and ALAS, who also deflected attention and credit for successful ideas to others around him. One board member described how he fully takes responsibility for fundraising and the challenges facing the organization. "His job is creating the conditions for a lot of good lawyers to do good work." Another board member noted how the executive director is a strong communicator with his staff and board, "excellent at relationships and laying the groundwork. There are no surprises with him."

During the visit, the executive director's skill and experience were on display in unintended ways. On Wednesday, November 16, 2011, in the middle of the program quality visit, LSC released the congressional Conference Report budget announcing the 14.8% funding reduction for LSC grantees, which amounted to a \$425,000 funding decrease for ALAS in FY12. Maintaining his focus, composure, and concern through the rest of the week, the executive director contacted and was immediately interviewed by Atlanta's daily legal newspaper, the Daily Report, which ran his photo and news of the LSC funding reduction as the front-page story two days later. He informed his board and executive committee of the reduction and discussed it at their regularly-scheduled monthly meeting. He ended the week with a note of appreciation to his staff for their work before and during the LSC visit and shared news of the funding reduction,

the scope of which would necessitate further cuts to the program. In his email communication, he assured staff that the organization would develop new resources in response to the cuts, “protect our core,” and not make precipitous decisions, promising to keep everyone informed.

Finding 16. ALAS is undergoing and planning for leadership transition in key areas and is leveraging its strong, deep base of advocates to move the program forward.

The ALAS board and staff are currently engaged in succession planning most recently in the key areas of Home Defense and the Mental Health and Disability Rights Project. With the recent retirement of their Home Defense founding attorney, the organization appears to have approached succession of key veteran staff again using an individualized, “contextual” approach. The current Home Defense managing attorney worked for several years with the former managing attorney before he retired and she has adapted the manager’s role to allow other attorneys take leadership of responsibilities formerly held by the founder of the project. It appeared to be a successful transition in a core area of practice for the program. Planned, yet organic, and fitting with ALAS’ culture of focusing on core services and strengths of the individuals in the team.

The program is taking a similar approach towards grooming its new and mid-level staff for internal leadership in other key areas and offices. The executive director is providing significant time, leadership, skill, and judgment to the overall process. Similarly, the program could benefit from developing potential executive leadership skills and implementing management structures which could help sustain ALAS’ continued success in the future.

Recommendation IV.2.16.1 The program should continue to consider creative ways to define and expand the executive director and senior leadership’s skills which have been important to the program’s success. This could include mentoring by the ALAS’ executive director for staff and/or board members. The program should also consider how the recommendations in Performance Area Three support their succession planning efforts.

Overall management and administration.

Finding 17. The program recently restructured its technology staff and hopes to achieve greater efficiency and effectiveness through its use of the VoIP phone system and Microsoft SharePoint. It has received two TIG grants for FY12 to support this effort.

As mentioned earlier in this report, ALAS approaches management structures, processes and systems loosely, affording managers and supervisors with discretion in shaping the policies that make sense for their staff, office, and clients. Based on interviews during the visit, ALAS staff value this flexibility but some staff noted how they would appreciate more consistent systems, more concrete managerial roles, specific job descriptions, and ongoing formal evaluations or feedback. *Please see discussion and recommendations under Performance Area Three.*

One of the areas noted for improvement by program management, staff, and several board members was the use of technology at ALAS. Recently, the program restructured its IT staff and ALAS management hopes this change, along with the TIG funding, will provide an opportunity

to proactively address the program's technology needs. The program currently uses Legal Server as its case management system and its TIG projects will increase the capacity of the program to streamline its administrative and legal operations using telephone, server, and website improvements that combine with existing remote office capabilities such as email, calendaring and case management systems. The program hopes that it will be able to provide a virtual office for the program and create online workspaces using SharePoint, Legal Server's online case management system, Google Apps and LawHelp's statewide website templates.

Financial administration.

Finding 18. Within its staffing and resource limitations, ALAS appears to maintain basic, functional finance systems and is seeking to strengthen these systems.²

ALAS has one full-time fiscal manager who is a veteran to the program. At the time of the visit, she and the program's management were in the process of updating the accounting manual to reflect LSC's most recent *Accounting Guide for LSC Recipients*. As mentioned earlier in this report, the ALAS executive committee and the executive director have most recently been working closely to review short and long term budget considerations which they share with the full board each quarter. One board member who serves on the ALAS executive, finance, and audit committees is a certified public accountant. He was described as working closely with the executive director and the staff financial manager. The procedures regarding a separation of internal financial duties was recently reviewed and revised to provide appropriate separation.

An independent certified public accounting firm conducts an annual review of the financial status of ALAS, and provides the audit report to the Board. The review is conducted by partners in the firm on a rotating basis to ensure independent review. The accounting firm recently merged with another firm, providing an increased number of partners to review and audit the financial reports of ALAS.

The board finance committee recommends approval of the annual budget to the full board and a one year budget is passed around the time of the commencement of the fiscal year. Though challenging given the changes and timing of government and LSC funding, the program and its board should consider reviewing multi-year budgets, in addition to its annual budget, and to completing its budget approval process in advance of the commencement of the budget year. This could be particularly useful in the current complicated and unpredictable economic times, affording the board and program leadership sufficient planning time for different contingencies.

Recommendation IV.4.18.1 The program should continue its efforts to update its accounting manual and consider developing multi-year budgets and completing its budget process prior to the commencement of the fiscal year to assist with contingency planning given the uncertainties in the current funding environment.

² This visit was conducted by the Office of Program Performance (OPP) for the purposes set forth in the Introduction. OPP findings and recommendations under this criterion are limited to staffing, organization, and general administrative functions. Assessment of fiscal operations is conducted by other offices at LSC.

Human resources administration.

Finding 19. ALAS' deputy director has primary responsibility for ALAS' human resources with the support of the executive director and advocacy director.

There is significant discussion in *Performance Area Three* about the quality of services at the program and its nexus with ALAS' experienced and engaged advocates who are supported by strong leadership and with innovative and thoughtful investments in staff recruitment, development, and retention. At ALAS, the deputy director is primarily responsible for human resources administration which includes addressing personnel issues, hiring, performance evaluation, and staff development. Because the program places such a strong focus on its staff, she works closely with the executive director, advocacy director, managers, and supervisors in fulfilling her responsibilities. For all of the innovative staff development strategies noted in the discussion of *Performance Area Three* the executive director, deputy director and advocacy director have been enthusiastic in ensuring staff development initiatives are implemented well and thoughtfully throughout the program. From the visit, the degree to which the program engages in formal human resources trainings for the senior management team and supervisors was unclear. This training is important for any large office and should complement ALAS' flexible approach to management and interest in maintaining high standards for professionalism and innovation.

Resource development.

Finding 20. ALAS has a pioneering and highly-effective resource development effort.

ALAS does a remarkable job of fundraising with a talented and experienced development staff. Their long-standing and highly successful private bar campaign is a model for legal services programs around the country and the executive director was one of the founders of the Fundraising Project for the national legal aid community in 1983. In addition to the executive director, the program has two and a half additional staff people who are responsible for an extremely broad and ambitious range of fundraising, media, and marketing activities including: foundation and government funding, planned giving and endowment campaigns, special events, and a well-established private bar campaign. The development staff wear many hats and are well-integrated in the program, working closely with ALAS staff in all of the offices and projects to continuously and persistently identify and maintain resources and relationships for the organization. The 2009 Chronicle of Philanthropy listed ALAS as one of five nonprofit organizations that could best weather the financial storm, noting that ALAS was an effective steward of the monies it gathered with 10% of its funding going to management and fundraising and the remaining 90% to direct services.

Annual campaign: ALAS began its first annual campaign in 1983 when the program received over 75% of its revenue from a single funder, LSC. The initial goal of the campaign in 1983 was \$150,000. The campaign goal has now grown to \$1.6 million in private funding annually with ALAS having approximately 30% of its total funding from LSC. In spite of the current difficult fiscal times, ALAS' private bar campaign increased its law firm sponsorship by increasing the "Pacesetter" contribution from \$400 to \$500 per attorney in 2012. For a number of law firms,

this represented five-figure increases from prior sponsorship levels and ALAS was able to maintain the same level of participation with additional revenue to the organization.

Endowment: In 1996, ALAS created its endowment from a cy prés award which both ALAS and Georgia Legal Services Program received. Through the efforts of its endowment campaign, ALAS' endowment has grown to approximately \$3.8 million which has helped the program weather significant funding cuts and allows the program the flexibility to develop special projects.

Foundation and government funding: ALAS has also been effective and entrepreneurial in seeking funding for specific population groups, such as Ryan White, the Komen Foundation, and the 1998 Society Fund, a foundation supported by Children's healthcare of Atlanta doctors. The program does an excellent job of bringing in grants and donations for innovative projects and using its broad community of supporters to raise funds. For example, a transactional attorney and active member of the Gwinnett County bar and business community secured a meeting for the program with local government officials which resulted in ALAS obtaining a \$50,000 special court grant for the office, which has been ongoing and increased.

Publicizing achievements and maintaining goodwill: The program has learned how to highlight its accomplishments from the United Way's early push for grantees to demonstrate outcomes of services provided. More recently, the program has engaged the pro bono support of a financial expert at a law firm to further assist the program in quantifying and demonstrating the results of its work to donors, funders, and appropriators. In connection with the LSC visit, for example, the program was able to show how community advocacy work to correct a faulty utility allowance formula will result in \$9 million in additional food stamp benefits annually to Georgia residents.

Over the past two years, the program has also been working on an archiving process and with a filmmaker to create, "One Law For All," a documentary film which captures and shares the history and story of ALAS. The film was completed and premiered in 2011 with an exclusive preview event, a sold-out opening at the Rialto Center for the Arts at Georgia State University, and airing on Atlanta's Public Broadcasting Corporation affiliate. The filmmaking process and documentary itself was highlighted by LSC as an important "innovation" in legal services at the annual 2011 National Legal Aid and Defender's Association conference.

Coherent and comprehensive delivery structure.

Finding 21. ALAS has an effective and well-integrated delivery structure supported by strong internal communication and coordination of its work.

Overall, and across offices, ALAS is a well-integrated and well-rounded program. A number of people expressed the sentiment that the cases were "our cases" and not the cases of individuals or volunteers. Staff attorneys were informally aware of internal expertise and rely on each other across offices for advice and assistance with cases. The program-wide task forces in substantive areas are well attended by staff throughout the program and provide a good vehicle for communication about legal developments. The staff are well-coordinated and active on email

and listservs, routinely communicating across offices for advice and assistance. The program frequently hosts meetings with staff from different projects and offices in the Decatur or downtown offices which allows for collaboration and shared ideas across the program regardless of position or location.

Participation in an integrated legal services delivery system.

Finding 22. ALAS is engaged in a number of statewide efforts and, where practicable, collaborates with the Georgia Legal Services Program (GLSP).

As mentioned, ALAS staff and board members are engaged in a number of activities which coordinate with bar associations, higher learning institutions, task forces, service providers and other agencies throughout its service area. ALAS and GLSP, LSC's other grantee in the state, also collaborate through referrals, co-counseling on cases, and training.

CONCLUSION

The Atlanta Legal Aid Society is an organization with a history of accomplishments and relentless resourcefulness that has improved the lives of countless low-income people. Consistent with its history of providing strong and meaningful services, and through the challenging revenue environment, it is currently positioning itself for continued long-term success and sustainability, grounded in its mission to provide quality and core legal services to people most in need.