



LEGAL SERVICES CORPORATION
Office of Program Performance

Final Program Quality Visit

LEGAL AID OF WESTERN OHIO
Recipient No. 423141

Program Quality Visit Report
June 27 – July 1, 2011

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INTRODUCTION

Background of the Visit

The Legal Services Corporation (LSC) Office of Program Performance (OPP) conducted a Program Quality Visit to Legal Aid of Western Ohio (LAWO) from June 26 – July 1, 2011. OPP's team consisted of program analyst Althea Hayward, who was team leader; program counsel Willie Abrams and David Bonebrake; and LSC temporary employees John E. Johnson, Jr., Rhonda Lipkin, Sheldon Roodman and Carolyn Worrell.

OPP seeks to ensure that all recipients of LSC funds are providing high quality, efficient, and effective legal services to eligible clients. The overall purpose of program quality visits is to assess the quality of legal services provided to eligible clients, including a program's engagement with and service to the low-income community; the effectiveness of its legal representation and other program activities; and its leadership, management, and administration. In conducting this evaluation, OPP relies on the LSC Act and regulations, the LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid. The evaluation is organized to follow the four Performance Areas of the LSC Performance Criteria, which cover needs assessment and priority setting; engagement with the low-income community; legal work management systems and the quality of legal work; and program management including board governance, leadership, strategic planning, resource development, and coordination within the delivery system. In conducting its assessment, the team carefully reviewed the documents LSC received from the program including its grant proposal narrative for 2011, its case service reports (CSRs) and other service reports (OSRs), a survey of LAWO staff conducted on the Internet, and numerous other documents the program submitted in advance of the visit including advocates' writing samples.

On site, the team visited the program's administrative and service offices in Toledo, and branch offices in Sandusky, Fremont, Defiance, and Dayton. The team interviewed program staff from each of these offices, including the executive director, deputy director for advocacy, fiscal staff, managing attorneys, staff attorneys, pro bono coordinator, paralegals, administrative staff, and support staff. Additionally, team members interviewed board members, community representatives, judges, leaders in the state justice community, and bar representatives. Due to scheduling and time constraints, some of these interviews were conducted by telephone.

OVERVIEW OF PROGRAM AND SERVICE AREA

Legal Aid of Western Ohio was created from a restructuring that occurred in 1999 and a series of consolidations that took place between 1999 and 2005. It was originally established in 1985 under the name Legal Services of Northwest Ohio (LSNO) as an entity to receive United Way funding for Ottawa and Wood counties in northwest Ohio. In 1999 LSNO became the recipient of LSC funding for 14 rural counties in northwest Ohio, and split LSC funding for Lucas County with the Toledo Legal Aid Society (TLAS). LSNO opened offices in Toledo, Fremont, Findlay, and Defiance. LSNO and Advocates for Basic Legal Equality (ABLE), a former LSC grantee, became affiliated through identical boards of trustees. LSNO also contracted with ABLE for administrative and intake services. ABLE became the non-LSC-funded program and continued

to provide services for the region through its Special Litigation and Support Unit, the Regional Long-Term Care Ombudsman Program, and the Legal Aid Line of Northwest Ohio (LAL), its central intake and advice unit.

In 2001, LSNO assumed responsibility for the areas previously served by the Toledo Legal Aid Society and the Erie County Legal Aid and Defender Association. Later in 2003, LSNO assumed responsibility for the provision of LSC-funded civil legal aid services in 15 counties of west central Ohio from Western Ohio Legal Services Association (WOLSA) thus becoming the LSC grantee for a newly consolidated 30 county service area. In 2004, LSNO changed its name to Legal Aid of Western Ohio, and in 2005, assumed responsibility for the provision of legal services in Richland and Ashland counties.

The program provides services to eligible clients from a network of eight regional service offices.¹ At the time of LSC's visit, the program employed forty-one attorneys, nine paralegals, and thirteen administrative and support staff. LAWO contracts with its partner program, ABLE for administrative, financial and intake services. The program's total funding for 2010 was approximately \$6,196,329. LAWO's LSC grant for 2010 was \$3,014,990 (49% of total funding) and its non-LSC funding was \$3,181,339 (51% of total funding).

LAWO provides legal assistance to low-income individuals and groups in 32 counties. Two urban counties, Lucas (City of Toledo) and Montgomery (City of Dayton), anchor the northern and southern ends of the service area, respectively. Rural counties with numerous small towns and cities fill the areas between and around these two counties. Approximately 45 percent of the client community is urban. The client communities are increasingly diverse, with significant minority populations in the urban areas and concentrations of Latino communities in many of the rural communities. This service area borders Lake Erie, southern Michigan, and eastern Indiana. The program also receives a grant from LSC to provide services to migrant clients throughout the state of Ohio.

Census figures² reflect that the poverty population of this service area is 71.37% White, 21.92% Black, 5.25% Hispanic/Latino, 0.83% Asian or Pacific Islander, and .02% Native American. Of the clients served by the program during 2010, 60.3% were White; 32.7% were African American; 4.7% were Hispanic; 0.8% was Native American; 0.5% was Asian or Pacific Islander, and 1.0% were described as other.

REPORT SUMMARY

LAWO appears to be a highly motivated legal services program committed to its mission to be a regional law firm with the capacity to provide high quality civil legal services to eligible clients so that they are positioned to achieve self-reliance, equal justice and economic opportunity. The program is well-established with strong ties to the national legal services community, the court system, the private bar, community organizations, other legal services providers, and statewide advocacy groups.

¹ LAWO maintains offices in Toledo, Dayton, Defiance, Fremont, Lima, Mansfield, Sandusky, and Springfield, Ohio.

² American Community Survey Table S1701, Five Year Estimates, 2005 - 2009

LAWO is led by a capable, experienced executive team consisting of its executive director and its deputy director for advocacy. The program's other executive management functions are filled by contract services provide by its partner law firm, ABLE. These include the functions of chief financial officer, marketing and communications director, director of development, director of grants and contracts, IT and network administrator, and the intake manager. The LSC team found a cohesive and motivated management staff that expressed a high level of regard and respect for the program's executive director and deputy director. The LSC team also acknowledged the strong, respectful relationship that exists between the LAWO and ABLE executive directors, including an absence of competition or tension between the programs and the staff.

The program is governed by a strong and effective board of directors who meet regularly and appear to be proficient in the execution of their oversight responsibilities. Board members demonstrate vibrant leadership in the community; are committed as ambassadors of the program; and are actively engaged in program fundraising. Their efforts together with those of the staff and the greater community resulted in the purchase of the office building in Toledo which houses the staffs of LAWO and ABLE.

LAWO has been successful in assembling a group of compassionate and dedicated legal advocates who are well trained, highly skilled and experienced. These advocates provide quality legal representation to clients and demonstrate a genuine commitment to the program's mission and work. The LSC visit team noted the authentic collegiality among staffs of ABLE and LAWO. Other legal services providers and community organizations commented on the program's motivation and commitment to providing high quality services to clients in the community despite its funding challenges.

The program has demonstrated a great deal of leadership in developing and implementing technology solutions to augment the work of the staff and to expand client access to legal services. LAWO has been successful in its bid for various LSC Technology Innovation (TIG) grants, including on-line intake and document assembly. The program has also installed a state-of-the-art video conferencing system throughout its network of offices.

Through a contract with LAWO's partner organization, ABLE, intake services are provided to applicants in the service area by the Legal Aid Line (LAL). Along with phone and walk-in intake, the LAL also provides on-line intake to applicants. Through its on-line intake services, LAWO has further expanded its client access. Program records reflect an increase in program services provided to rural clients who are accessing intake through use of this web tool.

LAWO enjoys a remarkably strong reputation in its community and in Ohio, and has developed collaborative partnerships throughout its service area with other organizations. The program's approach to community partnerships can be seen in its development of strong medical-legal partnership and domestic violence projects. Additionally, LAWO's development of the innovative family justice center in Defiance, Ohio has been successful in positioning the program as a leader among service providers and community organizations.

There are several areas where LAWO has excelled that are not enumerated here. There are also areas that need further development and attention by the program. LSC believes that LAWO would benefit greatly from:

- Increasing the number of advocates available to handle cases while preserving the quality of representation provided to eligible clients;
- Increasing the program's efforts to hire a more diverse advocacy staff;
- Developing a leadership succession plan that provides for the continuity of the program's values;
- Working with its board to develop and implement a formal fundraising plan;
- Updating its technology infrastructure and its office equipment to furnish the program with necessary tools to enhance its service delivery.

The suggestions for improvement and change provided in this report are not indicative of program failure, but are provided to assist LAWO in successfully expanding the program's impact in providing quality legal services to the communities it serves.

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.*

Criterion 1. Periodic comprehensive assessment and ongoing consideration of legal needs.

Finding 1: The program conducted a thoughtful assessment of the critical legal needs of the low income population in the service area.

LAWO completed a formal comprehensive legal needs assessment in May, 2010. The program contracted with Great Lakes Marketing to assist them with this initiative. The process included input from former and current legal aid clients, community partners and the general public using paper and electronic surveys. Surveys were provided in English and Spanish.

LAWO staff conducted in-person key informant interviews with community partners that included both an objective survey and a guided discussion of client needs and LAWO services. Some community partners were also invited to complete an on-line survey that featured a combination of objective and open-ended questions. Great Lakes Marketing and LAWO's staff conducted in-person surveys of former and current legal aid clients and the general public.

Along with this data, the program also held meetings with community organizations and examined demographic and employment data and information gathered from a review of intake information and ongoing partnerships with pro bono attorneys. Staff members also contributed data based on their knowledge and interaction with client communities in the service area.

Criterion 2. Setting goals and objectives, developing strategies and allocating resources.

Finding 2: LAWO has identified and is seeking to address the civil legal needs of clients in the service area.

In response to the information gathered from surveys and stakeholder interviews, LAWO developed strategies for addressing the specific needs of the service area based on its resources. The program developed substantive work groups to review data, recommend strategies and to develop priorities and advocacy work plans for adoption. These regional substantive or service delivery work groups function under the direction of the deputy director for litigation and the program's regional management attorneys for strategic advocacy. Along with developing the various practice areas, the groups are also responsible for recommending systemic approaches to address the needs of clients. The program identified issues related to the support of family; access to health care and public benefits; issues related to shelter; freedom from civil rights violations; and meaningful economic opportunities as its practice priorities.

Criterion 3. Implementation.

Finding 3: LAWO continues to engage in strategic planning.

Following the completion of its assessment of the critical legal needs of its service area, LAWO committed to developing an updated strategic plan for the service area. The program is in the process of completing the implementation of its 2005 Strategic Plan and the LSC team was informed that as the program completes this initiative, it will evaluate its performance under the last strategic plan and give thoughtful consideration to the information gathered during its 2010 civil legal needs assessment process. LAWO's board members and staff stated that they are poised to move forward with a new strategic planning process incorporating the results of its recent legal needs assessment and the evaluation of its accomplishments and unmet goals of the current plan.

Criterion 4. Evaluation and adjustment.

Finding 4: The program places high value on evaluation of its services and adjustment to meet the needs of its clients.

LAWO engages in program assessment to ensure its awareness and response to the changing conditions and needs of clients. Its internal region wide service delivery work groups are charged with the responsibility of monitoring and developing strategies for improvement of program services. Additionally the program examines and measures its effectiveness by review of outcome data collected in its case management system. In terms of external evaluations, the program has recently been evaluated by several of its grantors, including the City of Toledo, Area Office on Aging of Northwestern Ohio, Inc., the District 5 Area Agency on Aging, and the Greene and Lucas County Departments of Job and Family Services. These evaluations were all positive and reflect that LAWO has sustained a reputation for quality service delivery.

In contemplating and evaluating its performance, LAWO also considers case outcome data collected in its case management system. This data measures the extent to which performance is achieved against its goals identified with respect to priorities. *PIKA*, the program's case management system, provides a system for coding outcomes; documents the number of cases opened and closed; and tracks the number of persons directly affected. The system can aggregate and sort outcomes by client demographics, case type and other criteria. The program's deputy director for advocacy and regional managing attorneys review this data regularly to identify any challenges or opportunities that may exist.

LAWO uses client satisfaction surveys at the end of cases to collect data regarding client opinions on services provided. The completed surveys are reviewed by the program's program performance managing attorneys, the deputy director for advocacy, and the executive director.

PERFORMANCE AREA TWO. *Effectiveness in engaging and serving the low-income population throughout the service area.*

Criterion 1. Dignity and sensitivity.

Finding 5: LAWO demonstrates and affirms respect for the dignity of its clients.

With a staff of approximately 38 lawyers, 8 paralegals, along with the support of 22 administrative and management staff, LAWO provides services to its client community from a network of nine offices strategically located throughout the service area. These offices appear to be strategically located near low-income neighborhoods, are accessible to clients and are in close proximity to local courts. Satellite office space is also made available to staff to meet with clients by appointment in their home communities.

The LSC team visited LAWO offices in Toledo, Fremont, Defiance, Sandusky and Dayton. Each of these offices was clean and professional in appearance, with orderly and appropriately decorated public reception areas. Each reception area provided pamphlets and general information for clients and visitors in English and in Spanish. In several LAWO offices, a private kiosk complete with a phone and computer station is made available for walk-in clients to contact the LAL for intake services. Staff indicated that the confidentiality of client use of these resources is taken seriously by the administrative assistant responsible for this area of office operations.

Four LAWO staff members are bilingual in Spanish and English and receive additional compensation for language capabilities. The program has an appropriate LEP policy which includes specific policy guidance for staff's use of language and interpretation services; how to work with interpreters; strategies for publicizing the availability of free interpretation and translation services for LEP clients seeking legal assistance; and a process for ongoing review and updating of LAWO's performance in this area. Additionally, all LAWO offices have access to *LanguageLine* for translation assistance and many pamphlets are available in Spanish.

LAWO appears committed to providing services to persons with other access challenges. The team noted that the program's offices were handicapped accessible. All offices have toll-free numbers and are equipped with software that connects with telecommunication devices for the deaf (TDDs), or have access to the Ohio TDD Relay Service, which provides full telephone accessibility to people who are hearing or speech impaired.

Finding 6: The program conducts intake in a manner that enhances client access.

The program has developed a multi-faceted approach to intake. Intake services are provided by contract with ABLE's centralized intake system, Legal Aid Line (LAL). Clients access the LAL via a statewide toll free number; by walking into any LAWO office; or by submitting an application for assistance over the internet at the www.legalaidline.org website. The on-line intake service was designed using A2J technology and was added to the LAL in 2009. Intake is also conducted by staff at outreach events and in satellite locations. In 2010, the LAL intake methods included telephone intakes (55%); web-based intakes (39%); walk-ins (4%); outreach sites (2%).

The LAL is equipped with automated call distribution capability that manages the call queue and provides applicants with information about wait times. Intake staff indicated that wait times range mostly from about five to fifteen minutes, depending on the time of day. Applicants may also use the system's call back feature, which holds their place in the call queue and dials their phone back when a staff member is available. Intake services are available from 9:00 a.m. to 4:00 p.m. on Monday through Thursday, and from 1:00 p.m. to 4:00 p.m. on Fridays. Applications received via the LAL website are monitored in real time during business hours. The LAL web intake portal is available in both English and Spanish. In the fall of 2010, the LAL conducted an evaluation survey of intake services provided. As a result, 94.7% of the respondents noted that they found the on-line intake easy to use and 94.6% would refer it to a friend or family member.

LAL staff members provide immediate assistance when emergency applications are received by phone or at the intake website. Once eligibility is determined, applicants are connected immediately to a LAL attorney for handling of their request.

The LAL appears to be well-staffed. It is supervised by a managing attorney, and is staffed by 5.25 FTE staff attorneys; four contract attorneys who fill two full time equivalent positions and eleven intake screeners. Six of the LAL's intake workers and one staff attorney are bilingual in English and Spanish. *LanguageLine* is also available for use by staff in the event that bilingual staff members are not available. The LSC team noted that LAL employs several intake staff members who provide services through a telework system from other states and locations.

Once assessed for eligibility by the LAL, LAWO accepts referral of extended service cases that fall within its priorities from the LAL. Final case acceptance decisions on these referrals are made within one to five days in routine matters; however emergency cases receive a final decision on case acceptance immediately. Case decisions and case assignments are made by the regional managing attorneys, and in some cases, supervising attorneys.

Criterion 2. And 3. Engagement with the low-income population and Access and utilization by the low-income population.

Finding 7: LAWO is notably engaged with the community it serves.

The program, including its predecessor organizations, has historically had very strong community connections. In keeping with this history and its mission, and despite diminishing resources, the program has committed appropriate staff and resources to outreach programs and partnerships. For example, regular outreach is conducted at senior and community centers, domestic violence and homeless shelters, as well as at events that impact client eligible populations. The program's Medical-Legal Partnership Project in Toledo works with local hospitals to provide services to needy eligible families. A special outreach program is provided for "frail and elderly" seniors in Dayton, and in rural counties LAWO conducts regular outreach programs through its partnerships with domestic violence organizations, senior citizen and community organizations. Additionally, staff reported that in many instances where clients are elderly or have hardships that prevent their travel to a LAWO office, staff make arrangements to conduct home visits. Despite diminishing funding and staff resources, the engagement of the program in community partnerships and client centered legal services continues to be a program priority and value.

In response to bar and community requests for a physical presence, LAWO maintains a satellite office in Findlay, Ohio. The Findlay/Hancock County Bar Association in partnership with the Findlay-Hancock Community Foundation sponsors and provides major financial support for this satellite office. This satellite office exists in direct response to these partnerships, the appeal of the client community and various human service agencies. LAWO, with funds provided by the Hancock Bar Association, staffs this office with a part-time administrative assistant. Attorneys from the Fremont office provide legal services to this part of the service area. The office is situated in the county's family resource center along with a myriad of other human service organizations.

LAWO demonstrates its commitment to engagement with the community through the activities of its staff in the community. By and large, the program's staff members are individually involved in meaningful community interaction. Along with those who discussed their bar affiliated work, some staff members described their involvement as members of boards of directors for non-profit organizations, their commitment to volunteer work and to similar community activities.

Recommendation:

II.2.7.1³:

³ Recommendations in this report will have a Roman Numeral to identify the Performance Area, followed by three numbers identifying, respectively, the Criterion addressed by the recommendation, the number of the finding, and a number designating whether it is the first, second, third, etc., recommendation under that finding. For example, III.2.14.3 designates Performance Area III, Criterion 2, Finding 14, third recommendation under finding 14. There are two levels of recommendations in this report. In your next grant renewal application or competitive grant application, your program will be required to report what it has done in response to Tier One Recommendations instead of submitting a full narrative. Recommendations that are indicated with an asterisk are Tier One recommendation and are intended to have a direct and major impact on program quality and/or program performance.

In light of diminishing resources and staff, LAWO will need to make strategic decisions regarding how to maintain its outreach capacity and community partnerships.

PERFORMANCE AREA THREE. Effectiveness of legal representation and other program activities intended to benefit the low income population in the service area.

Criterion 1. Legal representation

Finding 8: LAWO is staffed by a group of highly experienced and highly skilled advocates.

The program has been successful in assembling a group of compassionate and dedicated legal advocates who are well trained, highly skilled and have substantial legal experience. The advocacy staff is a healthy mix of experienced and younger lawyers who are primarily generalists but who also have expertise in particular areas of law. At the time of the LSC visit, 10 of the program's 41 lawyers had more than 25 years of experience; 12 had between 15 and 24 years of experience; 10 had 7 to 14 years of experience; and 9 had between 2 and 6 years of legal experience. The advocacy staff conducts its case work with a high degree of professionalism and appears to be knowledgeable in the areas of law that are priorities for the program, and overall seem capable of spotting issues in other areas as a result of cross training. The LSC team noted that high levels of commitment to the program's mission and employee job satisfaction appear to play a role in the long tenure of staff members. The program has been fortunate in employing a large number of *AmeriCorps* attorneys. Unfortunately, because of budgetary constraints, the program has had to eliminate its *AmeriCorps* program.

The LSC team interviewed several judges and attorneys in the service area, most of whom noted their respect for the level of case preparation done by LAWO attorneys. LAWO attorneys demonstrated a passion for the work they perform on behalf of clients. This is consistent with the team's review of the writing samples submitted by the program attorneys. As a whole, the program's attorneys provide a full range of representation and do not hesitate to address issues and seek remedies that can have a broad impact on the lives of the client population.

Finding 9: LAWO is a reasonably productive program with a significant volume of extended service closed cases.

Based on its staffing patterns and the constraints of its funding, the program's case closing statistics are appropriate and demonstrate some consistency in performance over a period of years. LAWO closed 4,278 LSC-eligible cases in 2010, down slightly from the number of cases closed in 2008 and 2009. The majority of 2010 cases closed (48%) were family cases while housing cases were 18.2% of the total cases closed; consumer cases were 10.5%; and income maintenance cases were 5.5%. The team noted that a total of 54.9% of the program's 2010 cases were closed as extended service cases. This represents an increase in the volume of extended service cases over 2009 (51%) and substantially exceeds the national average of 21.7%.⁴ The

⁴ The relatively high proportion of extended work is not unexpected as ABLE through LAL conducts the intake and much brief

emphasis on extended work is reflected in LAWO's extended closed cases per 10,000 poor persons (86) that is higher than the national median (61) or this category.

Finding 10: The program's advocates receive appropriate supervision.

The responsibility for oversight of LAWO's legal work is delegated by the executive director to the deputy director for advocacy. In 2009, after thoughtful planning, the program initiated a revised supervisory system in order to enhance client advocacy efforts. The legal management system features two tiers of supervision that include three regional managing attorneys for program performance and four strategic advocacy managing attorneys. The strategic advocacy managing attorneys are supervised directly by the deputy director for advocacy. The regional program performance managing attorneys, who are supervised by the executive director, have responsibility for the day to day administration and supervision of staff and the offices based on their regional assignments.⁵ This supervision includes responsibility for intake, case assignment and case review; training and mentoring of new advocates; advocate evaluation and review of cases; and overall management of local offices. They are assisted by several senior attorneys. Regular case reviews are convened by program performance managing attorneys where cases and intake applications are reviewed and assigned, and case strategies are developed.

The second tier of legal work supervision is provided by the four strategic advocacy managing attorneys. They include a regional strategic advocacy managing attorney for housing, one for domestic relations; a regional strategic managing attorney for government benefits; and one for meaningful economic opportunity. LAWO advocates are each assigned to work with at least one particular advocacy group related to his or her primary area of practice. If time permits, advocates may opt to participate in more than one advocacy group. The regional managing attorneys for strategic advocacy meet monthly with the deputy director for advocacy to discuss progress on cases and issues identified in the work group plans and to make adjustments to the work plans to address significant emerging issues. They also provide case planning and strategic direction to the members of their advocacy work groups, and provide co-counseling in cases as deemed necessary. The strategic managing attorneys regularly review intake data and outcomes information for LAWO's service cases to identify patterns and trends. The LSC team also learned that LAWO's strategic managing attorneys are currently developing a set of protocols that will guide the program's practice in each substantive area.

LAWO's advocate staff benefit from high levels of interaction with both the program performance and strategic advocacy managing attorneys. Each plays a role in the development and supervision of advocates. Overall training, personnel and administrative supervision is provided by the program performance managing attorney while the strategic advocacy managing attorney focuses primarily on development of client advocacy in substantive areas of practice.

Advocates were enthusiastic about the type of supervision and engagement they experienced with program performance and strategic advocacy managing attorneys. New attorneys are

advice work in the region. For the same reason, it is also not unexpected that LAWO's overall case closings are somewhat lower than the national norms (158 cases closed per 10,000 poverty population compared to the national median of 284).

⁵ The Toledo and Defiance offices are managed by one regional managing attorney for program performance. The Dayton, Springfield and Lima offices are assigned another; and the Fremont, Sandusky and Mansfield offices share the third regional managing attorney for program performance.

trained by the program performance managing attorneys, but also have the opportunity to be mentored by the strategic advocacy managing attorney of the group to which they are assigned. Legal work management and supervisory systems are largely informal throughout the program and vary according to the experience level of the attorney being supervised. Newer attorneys receive closer supervision during the earlier part of their tenure with the program. Advocates appreciated the regular 90-day check-ins and annual performance evaluations conducted by the program performance managing attorneys. LAWO employs a case review system that provides for every open case to be touched at least once every 90 days. During these reviews, the program performance managing attorneys review all program open cases with advocates, and determine the progress and needs of each staff member. Program performance managing attorneys also assess the individual employee's need for training, or the need for additional assistance with cases. Supervisors also use the *PIKA* case management system to track any cases that are inactive, or that may have an excessive number of hours of work recorded. Strategic advocacy managing attorneys provide advocates with guidance and support related to client advocacy, including accompanying attorneys to court during initial court appearances, review of written legal work, and co-counseling on critical cases.

In most cases, attorneys and other advocacy staff appeared to be clear about supervision; were comfortable with the feedback they received from supervisors; and were complimentary about the quality of direction given by supervisors. Some acknowledged a potential for conflict given the design of the supervisory system; but all agreed that the system working together provided LAWO with a strong client advocacy agenda. This system of advocacy support and supervision has produced a high caliber of legal work that is recognized by judges, the private bar, clients and community organizations. The LSC team has some concern that the loss of attorney staff following the 2009 reorganization has affected the ratio of legal work supervisors to advocates and has resulted in a challenge for LAWO to increase the number of advocates available to actually handle more cases.

Recommendation:

III.I.10.1:

In this economic climate, as the program considers its challenges in increasing and maintaining strong advocacy capacity, LAWO should continue to assess the appropriate balance of managers to advocates without compromising the high quality of legal advocacy that it has established.

Finding 11: LAWO employs innovative client advocacy approaches.

To its credit, the program has developed innovative strategies for ensuring that clients in the service area are aware of and receive quality legal services. As noted previously, the program operates legal assistance centers in the courthouse in Toledo. This service is supported and highly acclaimed by judges and private attorneys who are pleased with the immediate availability of legal aid staff for clients who show up at court and need assistance.

The program also operates an ex-offender re-entry project in the Toledo and Dayton offices. In partnership with several other community organizations, this project provides ex-offenders with support, training and advocacy as they re-join their communities. Along with identifying the needs of this population, LAWO works with several partners including law students and private attorneys to meet those needs. Staff noted that in 2010 the Dayton project sponsored and produced a series of clinics for recently released offenders.

The Toledo office houses the program's Medical Legal Partnership for Children which was originally initiated in 2008. Currently focusing on the needs of children and families, the project has developed an expertise advocating for children in special education issues. It is evolving and now embraces legal advocacy in substantive areas impacting a family's health and medical issues, e.g., environmental and health advocacy. The project developed screening materials for physicians and other medical personnel, and strategies to develop broader systemic advocacy including community education, outreach efforts, and targeted litigation efforts.

Some years ago, the Toledo office initiated a municipal court project. This unit of LAWO staff is physically located in the Toledo Municipal Court, and provides assistance to eligible clients in the areas of housing and consumer law. These clients are usually referred to the project by court personnel. This service began at the invitation of the presiding judge who wanted to be sure that litigants had access to the level and type of assistance necessary to get them through the court system. Since its inception the project has provided a tremendous service to clients and to the court system as well. This municipal court project is being considered for replication in other parts of the service area.

Finding 12: LAWO is committed to the training and professional development of its advocacy staff.

The program has made a substantial investment in the training and professional development of its staff. As the program recruits newer attorneys, all are provided thorough orientation and appropriate mentoring and supervision from program performance and strategic advocacy managing attorneys. Each staff member has a written training plan which is co-produced by the staff member and his/her supervisor. All requests for training move through an approval process from the supervisor to the deputy director for advocacy or the executive director.

Additionally, advocacy staff are encouraged to participate in statewide task forces; substantive list serves; and other trainings sponsored by the Ohio Poverty Law Center (OPLC). General decisions regarding training are made based on the availability of resources; the particular needs and experience level of the staff member; and any grant or contract requirements.

In-house trainings have been presented on various areas including consumer debt collection, domestic violence representation, and mortgage foreclosure. Advocates have also participated in in-house training sessions on discovery and legal ethics. LAWO has developed a program wiki to share legal expertise between offices. Staff also has direct access to a statewide password protected website that provides model legal documents as well as access to the Shriver Center's on-line law library.

Advocacy staff noted that they have attended basic and substantive lawyer skills training sponsored by the Committee on Regional Training (CORT).⁶ The Ohio Poverty Law Center (OPLC)⁷ also offers new lawyer and other types of training opportunities.

The LSC team noted that some paralegals, administrative and support staff had limited participation in training events.

Recommendation:

III.1.12.1

As funding permits, the program should ensure that its legal support and administrative staff receive appropriate training to further enhance their skills and expertise.

Criterion 2. Private attorney involvement.

Finding 13: LAWO attempts to engage private attorneys in the delivery of legal services.

LAWO utilizes private attorneys in a variety of private attorney involvement (PAI) activities, including direct representation (limited and extended services) and assistance in staffing *pro se* clinics. There are several components to the firm's PAI efforts. The program provides sub-grants to the Toledo Bar Association for its Pro Bono Legal Services Program and the Greater Dayton Bar Volunteer Lawyers Project. The Greater Dayton Volunteer Lawyers Project recruits attorney volunteers in Montgomery County and five surrounding counties to handle cases. The Toledo Bar Association Pro Bono Legal Services Program recruits private attorneys in Lucas County to handle cases. LAWO's PAI effort in the remainder of its service area is staffed by a director of private attorney and law school involvement along with one other staff member who appropriately recruit, place, and track cases, and provide support to the pro bono attorneys. The PAI director plans to survey the private attorneys in the 25 counties for which she is responsible to assess capacity and their interest in participating in a variety of PAI activities.

LAWO has also developed a successful corporate counsel project with Marathon Oil, based in Findlay, Ohio. This project features volunteer attorneys from Marathon Oil Company providing legal services through an advice and brief services clinic. The project also utilizes the services of paralegal, administrative, and student volunteers. Volunteer law students and/or paralegals screen clients for intake while the attorneys provide advice and brief services to eligible clients. If further representation is required, the case may be referred to the local office staff attorney or another pro bono attorney volunteer for representation. Substantive legal training is provided to volunteer attorneys prior to the clinics.

Volunteer attorneys are also trained by program staff in the areas of domestic relations and mortgage foreclosure in order to supplement the services provided by staff in these areas in rural counties throughout the service area.

⁶ CORT is a multi-state legal services training consortium comprised of programs in the states of Ohio, Michigan and West Virginia.

⁷ OPLC is the Ohio statewide support center sponsored by Ohio State Legal Services Association.

The LSC team learned that LAWO's PAI program staff has helped in developing a successful reentry project for incarcerated men being released from prison in Lucas County. Pro bono attorneys provide assistance in removing barriers preventing them from obtaining housing and work including expungement of court records; reinstatement of driver's licenses; a benefits entitlement review, and assisting with waivers of any outstanding warrants and/or fines.

LAWO also maintains a small contract project that pays \$50.00 an hour to a panel of attorneys to take conflicts cases and other cases. The program is currently developing additional ways of recognizing and rewarding the attorneys for their service in addition to personal letters of appreciation.

Recommendations:

III.2.13.1

The program should expand the opportunities for private attorneys to participate in its activities on behalf of clients such as co-counseling in major and complex litigation, transactional work, and community legal education.

III.2.13.2*

The program should continue its efforts to build relationships with attorneys and bar associations in the rural parts of its service area and to expand opportunities for their participation in program activities.

III.2.13.3

The program should encourage all of its attorneys to participate in their local bar associations to further strengthen relationships with the private attorneys.

Criteria 3 and 4. Other program services to the eligible client population and Other program activities on behalf of the eligible client population.

Finding 14: LAWO engages in a comprehensive community legal education agenda and its staff is engaged in community interaction.

Despite diminishing resources, program outreach and community legal education efforts are integral parts of the program's service delivery. These outreach and community education activities have been conducted in part by the program's *AmeriCorps* attorneys. It appears that all offices provide basic community legal education speakers at senior centers, at in-service training events for other agencies, community organizations and faith-based groups. Events have included educational events at senior centers; work with preparation of ex-offenders for re-entry into the community; work with homeless and domestic violence centers, along with similar types of community interaction. The program's outreach and community education projects are reviewed and assessed for their effectiveness by program performance managing attorneys.

In 2006 LAWO developed and implemented the concept of a family justice center in Defiance, Ohio. The Center, created in response to the community's outcry against domestic violence, is located across the street from the county courthouse. LAWO, together with other family support

agencies are housed in the facility and clients have considerably easier access to a myriad of services. The center provides family support services including family advocacy; life enrichment classes; physical and emotional fitness and special activities. Since its inception, the family justice center has been significantly expanded. It provides comprehensive advocacy and support services for domestic violence victims throughout 21 rural counties. Aided by its successful bid for VAWA funding, LAWO's family justice center networks with several agencies, including court officials, prosecutors, law enforcement agencies, and key social services providers. Additional partners include the National Network of Family Justice Center projects; and the Ohio Domestic Violence Network. This Center has also been instrumental in changing the culture and attitude of the law enforcement community in regards to how domestic violence victims are received and treated.

PERFORMANCE AREA FOUR. Effectiveness of governance, leadership and administration.

Criterion 1. Board governance.

Finding 15: LAWM's board of directors is highly engaged, and provides effective oversight with regard to the affairs of the program.

LAWO is currently governed by a 27-member board of trustees. The organization's code of regulations provides for a maximum of 36 members; however the board currently authorizes 30 members. There are currently three vacancies on the board – two attorneys and one client representative. The LAWO board of trustees also governs its partner organization, ABLE. Efforts to fill these vacancies are ongoing. The program has been successful in recruiting a diverse geographic mix of Board members.

The board membership reflects a sincere and passionate commitment to the program, as evidenced by its leadership, its knowledge about program operations and the needs of the community, and its general engagement throughout the service area. The board executes its fiduciary responsibilities by holding regular quarterly meetings of its full membership. At least one meeting each year is held in Toledo, and one in Dayton. Meetings are held at alternating locations throughout the service area. Board members may participate in board meetings in person; by going to the closest LAWO office to participate by video-conferencing; or they may participate by teleconference.

The board uses a committee system to carry out some of its responsibilities. These committees include an executive committee, finance and audit committee, a legal services and priorities committee, a client grievance committee, a client committee, nominating and bylaws committee and a human resources committee. Between board meetings, the executive committee is empowered by the program's code of regulations to act on behalf of the full board. Their actions may be ratified, revoked or modified by the full board. In recent years, they have met rarely, usually by teleconference, to handle emergency and unforeseen developments.

From time to time, as a part of its regular meetings, the board has received training in various subjects, including the role of board members, grants and compliance management, managing

fundraising efforts, financial policies and internal controls; and grants and contracts management. New board members are interviewed by the executive director, and receive appropriate orientation and information to guide their board experience.

The Board undertakes an extensive evaluation of the executive director by soliciting input from staff, community and other board members.

Criterion 2. Leadership.

Finding 16: The program has strong leaders who are highly regarded by the board, the staff and the community.

LAWO is fortunate to have a strong leadership core that includes its board and program staff. There is a shared sense of vision and the program's mission clearly guides the development and implementation of its goals. Board members, staff, clients and community representatives expressed high regard for the program and its leadership. The executive director was described as thoughtful and perceptive. In commenting on the strength of the program's leadership, several community, board, and staff members noted that despite its resource challenges, the program's current stability is due, in large part, to the quality of the program's leadership and the expertise of its staff.

The staff and board also gave outstanding accolades to its management team and the managing attorneys. Client board members were particularly complimentary of the high levels of commitment of staff members, and the teamwork and support that staff model. In commenting on their respect and admiration for supervisors, staff noted that they were mentored informally; that they receive quality feedback; and, that their work environment is one that encourages creativity and professional development.

Finding 17: LAWO has a leadership development group but the program has no formal leadership succession plan.

The program employs a group of talented and well-prepared advocates and support staff who are committed to its vision. LAWO has a leadership action group (LAG) that has been at the forefront of developing leadership opportunities for staff. This group developed a mentoring program that partners new attorneys for one year with more experienced attorneys. In the past, LAWO staff has participated in Leadership Ohio, a statewide leadership training initiative sponsored by its IOLTA funder, the Ohio Legal Assistance Foundation, so opportunities for leadership are recognized and encouraged. LAWO has done well in creating opportunities for cross training and in using management and professional development as incentives to provide an infusion of energy and excitement where there may be diminishing interest and vigor.

Without question, the length of tenure and skill of LAWO's staff are commendable components of the program's strength and stability. There remains, however, the possibility of staff burn-out and fatigue which should be a concern for management.

The program has made decisions that will result in the intentional development of leadership to replenish management and leadership positions; however, it has not produced a leadership succession plan. The program would do well to perpetuate its rich history and continue its legacy of quality legal service delivery by considering the actual development of a leadership succession plan.

Recommendation:

IV.2.17.1

The program should consider the development of a formal leadership succession plan.

Criterion 3. Overall management and administration.

Finding 18: The program is administered by a well-staffed management team.

LAWO benefits from sound leadership, overall management, and administration. The executive director is supported by a ten-member management team that includes the deputy director for advocacy; three program performance and four strategic advocacy managing attorneys; the program's director of private attorney and law school involvement; and the program's manager of administration and support. This LAWO management team meets monthly.

The program is further supported by administrative and financial support provided as a result of a contract with its partner organization, ABLE. This contract includes financial, intake, program development, human resources administration and other executive/administrative services. The LSC team interviewed the principal ABLE employees with responsibilities under these contracts. They were well informed with regard to LAWO's program operations, and appeared to be in concert with the program's mission. Additionally, they appeared to be cognizant of LAWO's grant requirements.⁸

Finding 19: LAWO makes appropriate use of technology to support its delivery system but has some critical technology needs that appear on the horizon.

Historically, LAWO has been a national leader and proponent of the appropriate use of technology in the delivery of quality legal services. In its technology plan, LAWO commits to meeting or exceeding all of the technology baselines established in LSC's "Technologies That Should be in Place in a Legal Aid Office Today." The program appears to have met all of the recommended baseline standards for at least the past year.

The program is a national leader in the development and implementation of online intake. It has established a well-thought out system for processing online applications that saves resources by reducing the amount of data entry that each intake specialist must conduct. The intake system has made it easier for several groups, including prospective rural clients and the working poor, to access LAWO's services. Currently, LAWO is the recent recipient of an LSC TIG grant to build a Spanish version of the current Legal Aid Line A2J Online Intake application. This new TIG

⁸ See Legal Services Corporation, Office of Compliance and Enforcement, Final Report, Legal Aid of Western Ohio, Inc., Program Integrity Review, March 31 – April 4, 2008.

project proposes to use Google Translate to translate A2J intake applications from Spanish to English as they are submitted over the Web, opening access further for the Spanish-speaking population.

LAWO has also installed state of the art video conferencing capability in each of its offices. Staff members have been trained in the effective use of this technology and the program makes outstanding use of web and video conferencing across the whole program. LAWO's staff members are supported through the program's administrative contract with ABLE for technology maintenance and oversight. ABLE staffs this function with a network administrator and a database administrator. Generally, the IT staff noted that it attempts to respond to support tickets quickly and communicate with users when support requests require additional time. However, staff, especially those in rural offices, repeatedly indicated to the LSC team their level of frustration with computers and office equipment that break down frequently and were inadequate for heavy office usage.

In the current economic downturn, the program has found it financially challenging to maintain its technology infrastructure. Some staff expressed concern over the length of time it sometimes takes to log in to the system; to save and open documents. The program's resource limitations have impacted several important technology initiatives, including the implementation of a new phone system, upgrading of computers and other equipment on a standard replacement cycle, and expansion of network capacity in rural offices. Stretching out the life of user workstations, networking equipment, and other technologies may be a short-term solution, but the program ultimately needs to invest in critical upgrades. LAWO has done an excellent job cultivating a staff that recognizes the important role technology plays in the delivery of legal services; however, faltering systems will hurt staff perceptions of technology and could impact retention.

Recommendations:

IV.3.19.1

As resources permit, LAWO should upgrade its technology infrastructure in order to preserve its technology investment, and to preserve its stability for future expansion.

IV.3.19.2

As it re-evaluates its technology plan, LAWO should consider the needs of its rural offices and to the degree possible, ensure that the upgrade of hardware and systems in these offices are given priority.

IV.3.19.3

LAWO should continue evaluating emerging technology trends and solutions, including open source, cloud computing, and virtualization. All of these areas hold potential for enhancing enterprise IT environments while also reducing costs. When the program begins the process of upgrading its phone system, it should consider at least one open source telephony vendor along with more traditional phone options.

Criterion 4. Financial administration.⁹

⁹ This program quality visit was conducted by the Office of Program Performance (OPP) for the purposes set forth in the

Finding 20: The program employs experienced staff to manage the program’s financial operations.

The program contracts with ABLE for management of its fiscal operations. All aspects of oversight of LAWO’s fiscal operations are covered under this contract. ABLE’s chief financial officer (CFO) is responsible for the management and oversight of fiscal operations, and works closely with the LAWO director to ensure compliance with all grantor requirements. The CFO is a lawyer with an MBA and significant financial management experience. He served on LSC’s advisory task force that worked to update the LSC Accounting Guide in 2009-2010. The ABLE fiscal staff also includes a controller; assistant controller; and accounts payable and payroll assistants.

The program has written fiscal policies and procedures that are regularly updated. Those policies comport with the most recent LSC Accounting Guide. Monthly financial statements of position are provided to the executive director and the LAWO board’s Finance and Audit committee for review.

Annual and multi-year budgeting begins with projections provided by the CFO and meetings between the LAWO executive director and program management team. Once discussed and agreed upon, the proposed budget is presented to the finance and audit committee for consideration and recommendation to the full board. The board’s fiscal and audit committee is engaged, and takes an active oversight role in the program’s annual audit process. All program audits have resulted in no material findings.

Criterion 5: Human resources administration.

Finding 21: The program has implemented and follows appropriate human resource policies.

The program contracts with ABLE for management for its human resource functions. ABLE’s human resource management team includes a director of human resources and an assistant. The human resources director has approximately 22 years of personnel management experience, and has been the director of human resources since 2004. This team is assisted by LAWO’s director of administration and support.

The program has a set of comprehensive personnel policies which guide its personnel management from employee hiring and recruitment, Equal Employment and Affirmative Action policies to its policies on salary administration and employee benefits. The LSC team was informed that these policies are currently under review, and proposed revisions will be presented by staff to the board of trustees for approval.

LAWO’s personnel policies provide for the evaluation of all staff. This process has two components, a comprehensive annual evaluation, and a brief review with each staff member

introduction. OPP findings and recommendations under this criterion are limited to staffing, organization and general functions. Assessment of fiscal operations is conducted by other offices at LSC.

every 90 days. During the visit, staff told the LSC team that supervisors were consistent in their implementation of the 90-day reviews. Most employees noted that they also looked forward to their annual comprehensive evaluation. This annual evaluation includes a self-evaluation completed by the employee, one completed by the supervisor, along with a work plan which establishes goals for the year and identifies any training needs.

Finding 22: Despite declining program resources, overall LAWO staff morale is high.

In the face of dwindling resources, the program is struggling to retain its experienced, committed work force. One of its successful strategies is that the program provides competitive salary and benefits. Also, the program's attorneys have access to a loan repayment assistance program provided through the Ohio Legal Assistance Foundation. However, in 2008, employee salaries were frozen and have remained frozen until the time of the LSC visit. LAWO has attempted to cut costs responsibly, and after thoughtful deliberations has avoided employee salary reductions. One of their cost-cutting measures included the elimination of the program's *Americorp* program. Despite these circumstances, and the fact that the program has had to reduce some of its employee benefits so as to avoid more drastic cost cutting measures, the LSC team found that overall LAWO staff morale was high.

Recommendation:

IV.5.22.1

LAWO should evaluate its staff retention strategies to address how to best retain a quality work force.

Finding 23: LAWO has undertaken efforts to sensitize its staff to the value of embracing and managing diversity.

To its credit, LAWO has recruited and retained a highly skilled and experienced workforce that demonstrates a clear commitment to the clients in the service area. LAWO joined with ABLE in 2005 to develop a diversity work group. The programs hired a consultant who conducted a diversity assessment of both programs, developed a diversity plan, and assisted the work group in conducting regular diversity in-house training events, one of which is scheduled for all staff for the fall of this year. Additionally, the program diversity committee regularly holds diversity "brown bag" lunches to further its agenda. These lunches are open to all staff with the use of video conferencing.

The LSC team learned from staff participating in the initiative that LAWO has accomplished much with regard to this initiative, and remains committed to valuing and embracing diversity as a business or organizational imperative. Building on its current partnerships, the program could expand its diversity agenda to include contacts with key immigrant community groups and stakeholders. Exploring this type of agenda would not only provide these communities with exposure to critical information about the program services, but would enhance the program's visibility in these communities. The establishment of rapport between the program and the diverse communities in the service area can provide access to resources that would be critical in continuing the recruitment and retention of a diverse work force, and in maintaining the

program's relevance in the community.

Criterion 6: Internal communication.

Finding 24: LAWO has systems and procedures for regular communications among all staff.

The management team described several ways in which regular communications with staff are conducted. Meetings of staff in work groups, regional offices and individual offices are held regularly. LAWO convenes program-wide staff meetings twice annually. Each office receives regular visits from either the executive director or the deputy director for advocacy, with regional managing attorneys visiting offices on a more regular basis.

Each office and each employee is equipped with e-mail capability, and each office also is equipped with the capability to do video conferencing. In fact, several staff attribute the program's sense of "team and cohesiveness" to the comprehensive use of its video conferencing. The distance between offices is virtually erased because staff can easily participate in meetings and case discussions via video conferencing. Additionally, the program has developed an intranet where information, staff news, policy and program developments are posted. Generally, the team noted that communications among employees and offices was effective.

While staff generally acknowledged that a communications system between management and staff existed, and that their input is sought in decision-making, some staff expressed a need to have more regular information flowing to them about the outcome of board and management meetings.

Recommendation:

IV.6.24.1

The program should enhance its internal communications by posting a synopsis on the intranet or issuing a newsflash to the staff following board and management meetings.

Criterion 7. General resource development and maintenance.

Finding 25: Despite its challenges, LAWO has done an outstanding job in expanding its resources.

LAWO contracts with ABLE for resource development services. These services are provided by ABLE's development director, marketing and communications director, and the director of grants and contracts. The development director, who is certified in fundraising management by the Indiana University School of Philanthropy and Fundraising Management, came to work for ABLE approximately one year ago. The program's primary resource development activities include an annual capital campaign; the sponsoring of various fundraising events; and the development and submission of grant applications to various funding sources.

The executive directors of LAWO and ABLE are also heavily involved in resource development activities. The program has convened a small resource development advisory council comprised of persons from the community who have an avid interest in the program's mission and who, by virtue of the community involvement, are able to provide guidance and feedback to the board and staff. Board members actively participate in the program's resource development efforts by acting as program ambassadors and through individual contributions of pro bono time and money to the program. Board members have made a commitment to 100% participation in providing monetary donations, and the program reports that board members are loyal to this commitment.

Under the leadership of its board of trustees, LAWO has been successful in purchasing and refurbishing its current office space and building in Toledo. Determined that no funds would be used from the program's service grants to support this effort, they were assisted in the purchase primarily through a grant from the Kresge Foundation and from pledges from the community. The LSC team learned that thus far the program's efforts have resulted in approximately \$6 million in grants and pledges. The building, known as the Community Justice Center, has been renovated, and houses the LAWO and ABLE staffs. Judges, attorneys, and community organization representatives spoke highly of the board's untiring efforts and commended the program for its successful efforts in obtaining funding and donations to support its work. The program prepares and distributes a comprehensive annual report to the community.

Criterion 8. Coherent and comprehensive delivery structure.

(This criterion is covered throughout this report.)

Criterion 9. Participation in integrated legal services delivery system.

Finding 26: The program participates in statewide and regional efforts to provide a full range of civil legal services.

LAWO is a well-known leader and participant in the local, regional and statewide legal services delivery systems. As mentioned previously, the program partners with various organizations in its service area to provide an integrated delivery system. LAWO and ABLE share identical service areas, and both are responsible for meeting the legal needs of low-income migrant farmworkers throughout the state. The programs work to ensure that eligible clients have access to a full range of civil legal assistance. ABLE, funded primarily by the OLAF, provides services to eligible clients in cases and matters restricted by LSC regulations, and those outside LAWO's priorities. It provides intake services to clients in this service area, and refers to LAWO all cases that meet LSC eligibility and LAWO's priority case guidelines.

The executive director is a member of the board of managers of the Ohio Poverty Law Center. LAWO's staff members are a part of Ohio's statewide network of substantive law task forces. The program is also a leader in the statewide technology initiative, providing support for Ohio's statewide website.

LAWO participates in statewide planning and oversight activities to achieve an integrated statewide delivery system. The program coordinates and collaborates with other legal aid

providers, private and corporate attorneys, the organized bar, courts and court personnel, and law school personnel and law students to ensure quality legal services delivery.

LEGAL AID OF WESTERN OHIO MIGRANT FARMWORKER PROJECT (MOH)

OVERVIEW OF PROGRAM AND SERVICE AREA

Since 1999, LAWO has been the recipient of LSC funds to support its statewide migrant farmworker project. LAWO's partner organization ABLE also operates a migrant farmworker project. LAWO's migrant staff conducts outreach during the growing season to approximately 114 migrant camps located throughout the state of Ohio. While the migrant population is scattered across the state, the majority of farmworkers are concentrated in 52 of Ohio's 88 counties. The larger migrant populations are located in the counties of Sandusky (1,915), Lake (1,650), Huron (1,250), Ottawa (725), Lorrain (600) and Stark (550).¹⁰ All but two of these counties (Lake and Stark) are in or are contiguous to the LAWO basic field service area. Based in the Toledo office, the program's employs one staff attorney and two paralegals to provide services to migrant farmworker clients. The program's 2011 LSC migrant grant totals \$144,818.00.

(Please note that in all other respects, the Program Overview provided on Page 3 of this report is also applicable to the program's Migrant Farmworker Project.)

REPORT SUMMARY

(Note: The Report Summary provided on Page 4 of this report is also applicable to the program's Migrant Farmworker Project.)

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 M-1: LAWO conducted a thoughtful assessment of the critical legal needs of the migrant population in the service area.

Along with the legal needs assessment completed by the program in 2009-2010, LAWO staff also conducted key informant interviews with individuals from seven organizations that work closely with migrant farmworker clients. Additionally, the process included the survey of 109 migrant farmworkers. Surveys were made available in both English and Spanish.

¹⁰ Resource: Ohio Department of Job and Family Services 2010 Ohio Migrant Census. Note: The count is an estimate based on information from the Ohio Department of Health, Teaching and Monitoring Communities, Ohio Migrant Educations and the Ohio Department of Job and Family Services. Monitor Advocate/Ombudsman, January 2011.

Finding M-2: LAWO has identified the civil legal needs of clients in the service area.

In response to the information gathered from surveys and stakeholder interviews, LAWO identified immigration issues; racial profiling; poor working conditions; substandard housing; non-payment of wages; lack of access to health care and lack of health insurance; lack of adequate interpretation services; lack of education services for farmworker children; domestic violence and consumer problems as critical needs in the migrant farmworker community.

LAWO developed several strategies to address critical issues identified through the needs assessment process. Along with its usual outreach efforts in migrant farmworker communities, the farmworker staff initiated increased outreach in order to address H2A contract violations. They are also addressing human trafficking issues and ways to improve educational services to farmworker children through partnerships with other migrant farmworker community groups.

(Please note that in all other respects, the Findings and Recommendations articulated in Performance Area One beginning on page 6 of this report are also applicable to the program's Migrant Farmworker Project.)

PERFORMANCE AREA TWO. Effectiveness in engaging and serving the low-income population throughout the service area.

(Note that the Findings and Recommendations articulated in Performance Area Two, beginning on page 8 of this report, are also applicable to the program's Migrant Farmworker Project.)

PERFORMANCE AREA THREE. Effectiveness of legal representation and other program activities intended to benefit the low income population in the service area.

Criterion 1. Legal representation

Finding M-3: LAWO's migrant farmworker service delivery focuses primarily on client outreach and education.

Because of the transient nature of the migrant population and in consideration of the elements impacting Ohio's agricultural growing and harvesting seasons, migrant farmworker staff travels extensively to various parts of the state to provide outreach to migrant clients in Ohio. Migrant clients are contacted through these outreach efforts at farm labor camps and in the surrounding rural communities. An ongoing challenge for migrant farmworker projects is sustaining communications with clients for ongoing cases once the growing or harvesting seasons are over. LAWO staff expressed some concern around this issue.

The staff is flexible and divides its time between the Toledo and Fremont offices. The staff is fluent in Spanish; however, in some instances additional assistance in translating is provided by the managing attorney for program performance and a paralegal located in the Fremont office.

The program closed 11 migrant farmworker cases in 2010, a difference of one case from its 2009 total closed cases. The majority of these closed cases were employment related. While consideration of the volume of closed cases alone is not an adequate reflection of the work performed by the migrant staff, it appears to the LSC team and it was acknowledged by the staff that the migrant project is not very engaged in litigation. During the 2011 season, for example, LAWO transferred its migrant staff attorney to ABLE, and increased its visibility in the migrant community through outreach conducted by its paralegal staff. However, the team noted that there were no cases currently filed on their docket and, at the time of the LSC visit, none were being considered by the migrant staff.

Recommendations:

III.1.M-3.1*

As a part of its strategic planning process, LAWO should conduct a thorough review and examination of the future of its migrant project to ensure development of service delivery strategies that provide impact on the state's eligible migrant population.

III.1.M-3.2*

LAWO should partner with migrant projects in neighboring states and in the national migrant legal services community to develop or expand service delivery strategies.

(Please note that in all other respects, the findings and recommendations articulated in Performance Area Three beginning on page 11 of this report are also applicable to the Migrant Farmworker Project.)

PERFORMANCE AREA FOUR. Effectiveness of governance, leadership and administration.

(Note that the Findings and Recommendations articulated in Performance Area Four beginning on page 17 of this report are also applicable to the program's Migrant Farmworker Project.)