



LEGAL SERVICES CORPORATION

Office of Program Performance

***FINAL
PROGRAM QUALITY REPORT***

FOR

MidPenn Legal Services, Inc.

Recipient Number: 339040

August 22-26, 2011

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INTRODUCTION

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a program quality visit to MidPenn Legal Services Inc. (MPLS) from August 22 through 26, 2011. The team members were team leader John Idleman (Program Counsel), Michael Genz (Program Counsel), Reginald Haley (Program Analyst), Mytrang Nguyen (Program Counsel), César Britos (OPP Temporary Employee), Nancy Glickman (OPP Temporary Employee) and Carolyn Worrell (OPP Temporary Employee).

Program quality visits are designed to ensure that LSC grantees provide the highest quality legal services to eligible clients. In conducting its assessment, the team carefully reviewed the documents LSC received from the program, including its grant application for 2012 funding, 2010 case service reports (CSRs), 2010 other service reports (OSRs), the numerous documents the program submitted in advance of the visit including advocates' writing samples, and a survey of MPLS staff conducted by LSC.

On site, the team visited 12 of the MPLS 14 offices. In addition to speaking to numerous MPLS staff members throughout the program, the team met or had telephone conversations with a number of MPLS board members, judges, representatives of local government agencies, and representatives of community organizations.

In performing its evaluation of the grantee'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. This evaluation is organized according to the four LSC Performance Areas that cover: (1) needs assessment, priority setting, and strategic planning; (2) engagement of the low income community; (3) legal work management and the legal work produced; and (4) program management including board governance, leadership, resource development, and coordination within the delivery system.

Program Overview

MPLS is a program with offices in 14 of the 18 counties that the program serves.¹ The main office is in Harrisburg with branch offices in the cities of Clearfield, State College, Altoona, Bedford, Chambersburg, Lewistown, Carlisle, Gettysburg, York, Lancaster, Lebanon, Reading and Pottsville.

The program has a large service area that includes 12,865 square miles. The 2010 American Community Survey indicates that there are 388,949 persons living below 125% of poverty in service area.

¹ MPLS serves Adams, Bedford, Berks, Blair, Centre, Clearfield, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry, Schuylkill, and York Counties. There are no offices in Hunterdon, Fulton and Juniata Counties.

MPLS has a delivery system consisting of limited service, *pro se* assistance, and full representation. MPLS has a total staff of 89 employees, including 40 attorneys and 29 paralegals. Rhodia Thomas, Esq. has been executive director of MPLS since 2003.

The program's total 2011 projected budget is \$6,974,684, of which LSC funding is \$2,199,095. Non-LSC funding totals approximately \$4,775,589 or 68% of the program's total revenue. MPLS has experienced significant funding decreases in the last several years presenting challenges to the program. LSC's 2011 funding was reduced by \$101,031 from the 2010 grant. The program's total funding decreased by \$871,201 between 2008 and 2011. IOLTA funding decreased from \$867,323 in 2008 to \$424,286 in 2011. State grants decreased from \$2,126,755 in 2008 to \$886,169 in 2011.

In 2010, most of the program's 9,112 total closed LSC eligible cases were in family law – 41.8%. Housing constituted 23.4% of the cases closed. Income maintenance was 16.3% and consumer/finance 13.3%.

Summary of Findings

MPLS last carried out a formal needs assessment in 2007 that included surveying clients, staff, board members, the judiciary and major stakeholders and plans to conduct an update of the assessment process in 2012 using similar methodologies.

MPLS has an effective leadership team that is anchored by the executive director. The director inherited a fractured program resulting from a merger of four longtime legal services programs that covered the eighteen county service area in central Pennsylvania. The executive director has succeeded in bringing her vision of one program to fruition. MPLS staff sees themselves as one law firm. The director of advocacy is well respected by staff and serves as a vital support to the executive director on most significant programmatic issues.

The program leadership managed the 2011 revenue and staff reduction in a highly strategic and sensitive way to improve the program and to move forward initiatives that had been pending for some time.

The program has a dedicated, compassionate, and highly competent staff that provides high quality legal services to their clients utilizing a holistic model. The program and its work are well respected by the judiciary and social service community throughout its service area.

The program generates a high number of cases and closes many more cases per 10,000 poor persons than the national median and more than double the extended service cases than the national median.

At the time of the OPP visit in August 2011, MPLS had a Regional Telephone Advice Project (RTAP) covering nine counties. The offices serving the other counties conduct their own intake using systems that are similar in most aspects with some minor differences. The

program is transitioning to a program wide coordinated telephone intake system that should be in place in 2012. Currently, there is no overall supervision of the intake system. There is no intake manual describing how intake works throughout the program.

MPLS engaged in an extensive strategic planning process in 2009, engaged the board and staff, set goals and priorities and developed plans to achieve them. The written plan represents a good formative document that the program can build on. The planning enabled the program to make progress on projects it had been considering for some time such as a written service performance manual, a plan for program wide coordinated intake and annual evaluations of all staff.

MPLS has an ambitious agenda for the near future to meet the goals set in the strategic planning. The executive director and the director of advocacy have multiple obligations that could challenge their ability to engage fully in the planning and fulfill the goals in the strategic plan.

Legal representation includes a mix of limited representation and extended representation with extended representation above the national median. Extended cases involve both individual representation and those that impact more than the individual client. Advocates practice in administrative forums, federal and state courts. The writing samples submitted mostly ranged from acceptable to high quality work with some that were clearly unacceptable and needed a thorough substantive assessment and editing.

While MPLS now has a written service performance manual that guides the advocates' legal work and supervision, that supervision is inconsistent from office to office. The supervision protocol is followed in some offices and not in others.

The Private Attorney Involvement (PAI) effort at MPLS is very strong in many counties. In some, the local bar not only has ownership of the program but all new members are expected to engage in pro bono work upon admission to the bar. PAI works differently from county to county and a reason why PAI is successful is the adaptation to the local needs of the participants and clients. There is no one person assigned to the overall coordination of PAI to ensure recruitment and recognition, coordination and the sharing of ideas.

The program's PAI numbers per 10,000 poor persons are high. In 2010, the program closed more than double the national median of closed PAI cases. MPLS closed more than four times the extended PAI cases per poor person than the national median in 2010.

Most attorney staff are active and involved in their local bar associations and the advocates are involved in numerous outreach and training activities with the client and provider community.

MPLS has capable and effective staff dedicated to resource development. MPLS receives more than 70 grants and donations from more than 200 sources. Some of the grants are very small and take considerable time to administer and manage. The program needs to be vigilant in evaluating the true cost of these grants to the program.

The board of directors is, on the whole, very engaged, knowledgeable and supportive of the program's mission. In addition they value and support the executive director and her leadership of the program. The client board members appear to be engaged in important discussions on the board and treated with respect and fairness. The board Executive and Finance Committees are very active.

Several key members of the management team have several significant responsibilities that put substantial pressure on them. MPLS has a commitment and focus on developing new leadership as a means to build the program's capacity and long-term sustainability. The program adapts very well to changing financial circumstances both in reductions to funding as well as taking advantage of grant opportunities to fund program activities.

The program's technology meets the standards of the LSC grant assurance. The program appears to be making effective use of its technology. Management functions such as case management, financial administration, resource development and human resources are effectively supported by the computer infrastructure. The program's technology director is very efficient. Following the recent departure of a second technology staff person the technology director performs both the functions of system administrator and hardware-software help desk.

The program has written fiscal policies and procedures and a recently updated accounting manual will be updated as necessary based on the revised LSC accounting guide.

The executive director and the fiscal office share the human resources responsibilities. The staff benefits are comprehensive. The executive director is evaluated annually by the board. Beginning September 2011 staff will be evaluated annually.

MPLS participates in an integrated legal services delivery system and is an integral part of legal services in Pennsylvania. The executive director is chair of the Pennsylvania Project Directors Association. Program staff members participate in statewide activities including trainings and conferences on legal services issues.

FINDINGS, RECOMMENDATIONS AND ITEMS FOR ACTION

PERFORMANCE AREA ONE. *Effectiveness in identifying the most pressing 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. MPLS completed its last comprehensive legal needs assessment in 2007.

In 2007, MPLS carried out a formal needs assessment by distributing written surveys in English and Spanish and reviewing census information. No other methodologies were used. The program had attempted holding stakeholder focus group meetings in the past but met with only limited success.

The surveys were distributed to clients and other stakeholders that are knowledgeable of the critical legal problems facing the low-income community including program staff, the MPLS board members, judges, members of the bar and informed community agencies. All client-eligible individuals calling or visiting a MPLS office during a three-week period were asked to complete a survey in person or by mail. In addition, during the assessment period, in an attempt to contact hard-to-reach clients, health and human service agencies were asked to distribute surveys to the clients they serve. A total of 428 surveys were completed by clients or client eligible persons. MPLS plans to conduct an update of the assessment process in 2012 using similar methodologies. The director wants to use more technology in the next survey and perhaps have participants fill out on-line surveys.

Recommendation I.1.1.1*²: MPLS should diligently proceed with its 2012 needs assessment. It may want to consider expanding its methods of gathering information using GIS mapping and consider revisiting in-person interviews and focus group meetings with clients and stakeholders. The program may also want to send an electronic survey to key leaders to supplement the other survey methods used. Other legal services programs have used electronic surveys successfully. For example: Central Jersey Legal Services, Colorado Legal Services, Rhode Island Legal Services and The Legal Aid Society of San Diego have used electronic surveys. A tool for creating an electronic survey can be found at <http://survey.lsnatp.org/>.

Criteria 2 and 3. Setting goals and objectives, developing strategies, allocating resources and their implementation.

Finding 2. The MPLS board engages in an annual review of the program's priorities that are grounded in the needs assessment and ongoing input from staff.

As part of the annual review of priorities the board considers the recommendation of the program staff based on an analysis of client satisfaction results, patterns of requests for service and the program's knowledge of emerging issues. Following the 2007 needs assessment, MPLS did not adjust its priorities because the community legal needs identified in the assessment remained consistent with its current priorities. While legal needs in the

² 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, and third recommendation under Finding 14. There are two levels of recommendations in this report: Tier One and Tier Two. Recommendations that are indicated with an asterisk are Tier One recommendations and are intended to have a direct and major impact on program quality and/or program performance. 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.

unemployment and foreclosure areas increased, those issues/case types were already part of MPLS' priorities. No further adjustments were made in years 2008-2011.

MPLS has an intricate and well thought out case acceptance policy that incorporates its priorities. The priorities are categorized into four priority groups³ that are logically arranged and incorporated into the program's case acceptance criteria. The Category 1 cases are those that are accepted by all offices for a full range of services. Categories 2 and 3 cases are those that an office can choose to take or for which the office receives a special grant. Category 4 cases are those where MPLS does not provide any service. While all offices follow the case acceptance guidelines, each office/county has explicit Category 3 case acceptance guidelines that are keyed to specific funding or grants. Currently because of staff changes and increased demand for service, the program is taking only Category 1 cases except for cases under a special grant or funding. For example, several offices have funding to serve the elderly or provide representation in custody cases.

Criterion 4. Evaluation and adjustment.

Finding 3. MPLS engages in strategic planning to move the program forward.

The program focuses on the big picture on how to achieve the most effective and efficient delivery system for addressing client needs. MPLS engaged in an extensive strategic planning process in 2007 with the board and staff which set goals and priorities and developed plans for achieving them. The strategic plan covered 2008-2011. While the strategic plan could be improved, it represents a good foundation that the program can build on. As a result of its planning the program has written a service performance manual for its legal work supervision and management, is moving forward on a plan for program-wide coordinated intake and has developed a plan for conducting evaluations of all staff. The next iteration of the plan -- 2011 to 2014 -- has been completed and is ambitious. The strategic plan includes two major parts: to enhance MPLS' organizational effectiveness and to create a strategy for delivering client centered services.⁴ There are five goals under part one and six goals under part two. There are multiple objectives under each goal and strategies to those objectives.

Recommendation I.4.3.1:* Management and leadership should consider prioritizing key objectives, goals and strategies of the plan, developing staff committees and work plans to assist management with implementation, and setting time frames for key areas.

³ MPLS has four priority groups. Maintaining and enhancing income and economic stability for families and individuals; preservation of housing and related housing needs for families, individuals and groups; protecting the safety, stability and well-being of families and individuals and assisting populations with special vulnerabilities.

⁴ Part one includes goals such as improving governance, creating a comprehensive development plan, ensuring effective and efficient management at all levels of the program, assuring financial integrity and developing and retaining superlative employees. Part two goals include determining legal needs of the community, instituting the most effective delivery systems, achieving lasting results, providing high quality legal services, achieving and maintaining institutional stature /credibility and the effective use of technology.

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

Criterion 1. Dignity and sensitivity.

Finding 4. On the whole MPLS treats clients with dignity and sensitivity.

MPLS seeks to maximize access to its services for the low-income community by locating offices in the most populated areas in a mostly rural service area, which are also close to the courts and state agencies. MPLS has an office in 14 of the 18 counties in its service area. It maintains reasonable office hours, 8:30 am - 4:30 pm or 9 am - 5 pm, which reflect the schedules of the courts and agencies with which the clients engage. Applicants can access a local office by telephone. Eleven of the offices have toll free telephone numbers. The offices remain open during lunch but no office has evening intake. Many offices are new and well maintained and have a very professional atmosphere and a pleasant surrounding for both the staff and clients. The waiting areas have informational materials and brochures for clients. Some have toys for children of clients. The Lancaster office is close to the court facilities in a courtyard off the major streets. It is challenging to find for someone from out of the area. However, it appears that the office is well known by people in Lancaster. When a team member asked a stranger in the street the location of the MPLS office they were given clear directions to the office without hesitation.

A few of the offices look threadbare and they are in need of repair. At least three offices lacked privacy in the reception area where initial screening for intake takes place. In one office, the handicap access in the back of the building is not near any parking, making it difficult for access by wheelchair.

The team uniformly heard from stakeholders that the staff treats clients with dignity and respect. Many offices are staffed with individuals who understand or have deep roots in the local community.

The Program changed its policy so that applicants from outside the service area no longer have to go to another program in the geographic area they live and get a referral. They may now call MPLS for intake if they have a matter in the MPLS service area. Staff members regularly make home visits or schedule appointments at senior and community centers close to the client because they realize that transportation is a major challenge for their clients. The entire staff is engaged in making sure that clients obtain access.

Recommendation II.1.4.1:* The program should create private space for client meetings and conversations to ensure that individuals seeking assistance can confer privately and confidentially with MPLS staff.

Recommendation II. 1.4.2:* MPLS should review handicap accessibility to ensure that offices are as accessible as possible.

Finding 5. MPLS is implementing a new coordinated intake system.

MPLS offices offer applicants access by telephone or allow them to walk in to the office for intake. There is currently little coordinated intake among the majority of the offices. With the exception of the Regional Telephone Advice Project (RTAP) intake system in the western part of the service area, each office operates its own intake system. The procedure is similar in each office; there are very explicit intake guidelines that appear to be strictly adhered to in each office. While there are specific program priorities, an office may have a special grant or contract that requires the office to take cases in addition to the general program wide priorities.

The receptionists in most offices screen cases throughout the workday. Applicants that are eligible, that do not present conflicts and that fit into the program's case handling guidelines are referred to a case handler. Generally, the decision to send a case to an advocate is made based on case type by the receptionist without review by a supervisor. In some offices the receptionist consults a frequently updated list designating what advocate gets each type of case and makes case assignments accordingly. In other offices, the receptionist knows, based on years of experience, what advocate takes specific types of cases and assigns the case based on this understanding. In at least one office if the incoming call is not picked up, the call goes to voice mail. If the call is not an emergency the receptionist will call back within a week.

With the exception of the case handling guidelines and the screens contained in the Case Management System (CMS), there is no manual to provide a benchmark for the receptionists on conflict checking and eligibility determinations. No one is assigned to oversee the intake process to make sure that it is done uniformly with respect to the eligibility determination or whether the case is a priority one case. While intake is sometimes closed in some offices for non-emergencies it is not clear whether there are guidelines for this.

After the case handler interviews the applicant she then determines if this is an extended or limited representation case and if a case file should be opened without a supervisor's review. Managing attorneys report that they review cases that have recently been assigned to ensure that caseloads are not inappropriate. They report that they trust their case handlers to make decisions regarding the provision of full representation.

The RTAP intake for the western part of the service area originally covered the five offices serving Bedford, Blair, Centre, Clearfield and Mifflin Counties and was started with an Interest On Lawyers Trust Account (IOLTA) grant.

RTAP was expanded to cover nine counties adding Franklin, Fulton, Huntingdon, and Juniata Counties (six offices). There is an 800 number that applicants call for all nine counties where the applicant is screened for eligibility by the support staff. If the issue presented meets the criteria for provision of advice, the call is forwarded to one of the attorneys in the office who gives advice. If extended service is needed the attorney may send the case to another advocate. If no attorney is available to provide advice then the applicant is called back within a day.

The new Central Intake Unit (CIU) will also provide telephone advice and will be staffed by four attorneys and four support staff. There will be additional attorney and support staff trained as back up. It will cover the nine counties of the western region along with two additional counties and have all counties covered in 2012.⁵ Four attorneys will provide all the legal advice for the CIU system. The director of advocacy will supervise the CIU. Training was planned for August 29, with roll out of the system on September 12, 2011. The CIU will have Spanish speakers to take calls from applicants who speak Spanish. The process will be paperless with files stored in the CMS and the computer. The approach to the CIU has been thoughtful with emphasis on client convenience. MPLS is rolling out the pilot intake system in a thorough way recognizing there will be kinks and bugs that will have to be worked out as they move from theory to practice.

There is no overall supervision of the intake system. There is no intake manual describing how intake works throughout the program. MPLS has a plan to move eventually to a coordinated telephone program that would cover the entire service area.

Recommendation II.1.5.1:* MPLS should move forward assiduously on its plan for a program-wide coordinated intake system.

Recommendation II.1.5.2:* MPLS should develop an intake manual to strive for uniformity and accuracy as part of its coordinated intake system.

Recommendation II.1.5.3: MPLS should develop a system whereby a supervising attorney ensures that case assignments are appropriate.

Criterion 2. Engagement with the low-income population.

Finding 6. MPLS is involved with the low-income community and the organizations in its service area providing services to that community.

A positive attribute of MPLS' delivery system is its engagement with the client community. Many staff members are engaged with the community outside of their regular working hours. In most offices staff members regularly attend meetings of community organizations; including homeless consortiums, coalitions of service providers, and bar associations. One staff member was appointed by the governor to be on the Income Maintenance Advisory Committee (IMAC). Staff members routinely conduct outreach to vulnerable populations including the homeless, seniors, disabled person, veterans, ex-offenders and domestic violence victims, among others. In addition, the staff works collaboratively with an array of human services organizations, client-centered groups and governmental agencies that serve the low-income population. This involvement includes attending meetings, conducting outreach, intake, and educational programs and clinics, and accepting referrals of eligible clients. Most advocates in the program are involved in outreach. Staff members conduct a significant amount of community education. One office

⁵ The program's letter of January 6, 2012 responding to the draft report is attached to the final report and sets out the progress made in implementing the program-wide intake system.

reported approximately four community education trainings a month. Staff members also serve on the boards of local community agencies or coalitions.

Interviews with representatives of community organizations and with staff and board members confirm that the program is actively engaged with the low-income population and with organizations and agencies that serve the poor. Many of the stakeholders had high praise for the MPLS staff they engaged with in their work with clients. MPLS has a client satisfaction survey mechanism that indicates a high percentage of satisfaction with the services provided.

Criterion 3. Access and utilization by the low-income population.

Finding 7. MPLS is committed to serving a diverse group of clients in the service area including those with limited-English proficiency (LEP).

The program has procedures for communicating with non-English speaking people and makes reasonable accommodation for their special needs. MPLS has an LEP plan that calls for providing trained interpreters at no cost to clients and making efforts to hire bilingual staff. MPLS provides the services of Language Line for those who speak languages other than English and Spanish.

The program's LEP plan sets forth MPLS' values with respect to serving people facing language access barriers, but it does not provide detail on when or how program staff members make determinations on providing interpretation services or having vital documents translated into other languages for clients. During the PQV, community stakeholders and MPLS staff recognized the growing Spanish-speaking client population in the service area, particularly in Berks, Dauphin, Lancaster, Lebanon and York counties. In the offices serving these counties, MPLS has one Spanish-speaking attorney, several bilingual intake staff and paralegals.⁶ Although staff expressed interest in doing outreach to the Hispanic community, apparently there has been no concerted effort to do so.⁷ MPLS has not taken affirmative steps to reach out to the Hispanic population but nonetheless 14.5% of closed cases in 2010 were for Hispanic clients.⁸

Based on conversations with the executive director, the program is committed to maintaining, expanding, and improving its capacity to serve people with limited English proficiency.

Recommendation II.3.7.1: The program should continue to improve its approach to providing language access by identifying effective practices and more comprehensive

⁶ The Lancaster office has two paralegals, one attorney and two support staff members that are bilingual and York has one bilingual support staff. Harrisburg has a bilingual attorney and a support staff. Reading has two bilingual paralegals, one bilingual attorney and two bilingual support staff. Lebanon has one bilingual support staff.

⁷ The Reading office is in the same building as the Hispanic Center but there is not outreach by that office to the Hispanic community.

⁸ Hispanics comprise 13% of the poverty population.

language access policies to update its LEP plan and train its staff on its practical, every day implementation. LSC, other legal aid programs, and the National Language Access Advocates Network, (N-LAAN), can assist MPLS with this process.

Recommendation II.3.7.2: The program is also encouraged to consider engaging its bilingual staff in ongoing outreach and education efforts in Spanish-speaking communities and with service providers serving the Spanish speaking population.

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. MPLS' legal staff is significant program strength.

The program has a dedicated, compassionate, and highly competent staff that provides high quality legal services to their clients utilizing a holistic model. The program and its work are well respected by the judiciary and social service community throughout its service area.

MPLS has both very experienced attorneys and recently admitted attorneys. Three attorneys have more than 30 years' experience while another five have more than 20 years' experience and four were admitted in 2010. Together the staff attorneys in the program average 12 years of experience. Overall the attorneys are very enthusiastic about their work and are willing to learn new areas of the law and different ways to help clients. The executive director has 22 years of legal experience. She has been an attorney for fourteen years and prior to her admission to the bar served for eight years as a paralegal/manager. The director of advocacy has 32 years' experience. The attorney managers of service offices average 14 years' experience.

In most offices, the attorneys are generalists while concentrating in certain areas. In the majority of the offices the attorneys must be prepared to take any priority case. In the larger offices there is recognizable concentration in specific substantive areas. In a few offices, attorneys are under contract to concentrate in specific areas such as custody. The knowledge level of attorneys within designated areas is impressive. Based on the team's interviews with advocates, judges and stakeholders it appears that advocates achieve good outcomes for their clients. The program has been successful in a number of challenging custody cases, including dealing with the recent changes to the Pennsylvania custody law. The advocates also achieved success in helping clients in difficult foreclosure matters and unemployment cases. However, the program's legal work, while achieving good results for the client represented, generally does not have an impact on other clients facing similar issues.

Writing samples and interviews revealed that the program has a solid core of advocates with experience and litigation expertise. With mentoring and oversight by the litigation director, the younger attorneys are doing good work. Most of the writing samples

are cogent and provide a good presentation of complex legal matters. They mostly ranged from acceptable to high quality work with some that were clearly unacceptable and needed a thorough substantive assessment and editing. Others could improve with more supervisory review. Some writing samples sent to us as examples of advocates best work contained typographical errors, others had weak arguments and still others merely stated fact without legal analysis and legal argument.

Recommendation III.1.8.1:* MPLS should establish a plan for regular review of significant pleadings, memoranda and briefs to ensure consistent high quality work from all advocates.

Finding 9. The program closes a comparatively high number of cases and a significant number of those are closed as extended service cases.

MPLS' generates a high number of cases. MPLS reported 9,112 closed cases in 2010, primarily in the subject areas of family (41.8%), housing (23.4%), income maintenance (16.3%), and consumer/finance (13.3%). The program closes many more cases per 10,000 poor persons than the national median. In 2010, the program closed 383 cases per 10,000 poor persons, far above the national median of 284 for that period. MPLS closed 3,994 extended cases and 167 extended cases per 10,000 poor persons in 2010. This is more than two and a half times the national median of 61 extended cases closed per 10,000 poor persons.

Finding 10. The program has well thought out performance standards for case handling and is in the process of implementing them.

The program has recently published a performance standards manual that comprises written general guidelines for legal supervision with built-in discretion and options available to the supervisors. The guidelines contain a checklist for supervisors to follow as to orientation of new employees. The guidelines for legal supervision are not mandatory but do provide a good foundation for supervision that should inform a staff attorney of best practices and a supervisor of the supervision standards expected in the program. The guidelines make it clear that the level of supervision will vary and that more extensive supervision than described in the manual may be necessary in some situations. The guidelines make the supervisor responsible for orientation and training of new advocates as well as oversight of the legal work by ongoing monitoring. The guidelines instruct the supervisor to observe the advocate in court and review open caseload reports on a regular basis and review cases when closed. The guidelines also set standards for file maintenance. There is also a checklist for supervisors to follow when reviewing case files.

The level of effective supervision of both new and more experienced advocates varies among supervisors. We found that managers adhered to the performance standards manual in varying degrees and that some followed a rigorous and routine schedule of case and file review. Some meet monthly and others bimonthly with the supervisee. Some do not have regular meetings.

Recommendation III.1.10.2:* The program should make sure that all staff members are being appropriately and consistently supervised to ensure that the program's new case handling standards are being adhered to.

Finding 11: The director of advocacy is an outstanding asset to the program.

Staff interviews evidenced widespread respect and appreciation for the director of advocacy but there is a concern that he is spread too thin. He is responsible for implementing the new CIU and ultimately program wide intake for MPLS, providing backup coverage for case handlers who are on leave, setting and standardizing legal practice and supervision protocols, reviewing and approving all appellate work, providing direct supervision for managing attorneys, and serving as the program's ethics officer and general counsel for the program. He is readily available to advise advocates on virtually any legal issue. Currently, he carries a significant caseload of approximately 40 cases because an attorney in the Lebanon office is on parental leave. In addition to his designated duties he sees himself primarily as a problem solver who will step in to help the executive director and the program on any issue that arises. He also provides the program's funders with information they request. He spends a lot of time connecting with advocates to address various issues. He monitors program, state, and national listservs to identify new issues and needs and to pass along relevant information to the staff. He also spends a lot of time supervising staff. He wrote the legal work management policies and procedures manual.

Recommendation III.1.11. 1:* MPLS should consider the responsibilities that fall under the director of advocacy role and determine if there is a way to provide more support for him or shift some of his responsibilities to staff committees or other members of the management team.

Finding 12. MPLS has good training and support mechanisms.

The program makes training available to all staff through the state bar, the Pennsylvania Legal Aid Network (PLAN)⁹ events, and in-house including the annual MPLS staff meeting. The program provides timely training in emerging areas, changes in the law, and program projects. For example, training was provided on the new custody law, foreclosures, and the planned coordinated intake and telephone advice system. National training attendance is determined by the director of advocacy and has been limited due to funding concerns. Training for non-advocacy staff is generally more limited. The program used to engage in more in-house training, which all staff found extremely beneficial. The newer managing attorneys received little formal management training and perceive a need for it.¹⁰

⁹ The Pennsylvania Legal Aid Network, Inc. (PLAN) funds the network of programs providing direct client services in Pennsylvania. It also provides the administrative oversight and accountability for funds and services, monitors and ensures other contract compliance activities with the programs, provides regular, generally annual statewide training conferences and provides legal resource materials for legal services staff.

¹⁰ MPLS' letter of January 6, 2012 sets out an extensive list of trainings staff attended in 2010 and 2011.

Recommendation III.1.12.1: As funds allow the program should ensure that all staff has the opportunity for training.

Recommendation III.1.12.2: As funds allow the program should consider sending managers to middle manager or supervisors training conducted by Management Information Exchange, Center for Legal Aid Education, or at legal aid conferences or other venues.

Finding 13: Staff generally has sufficient resources and technology to support their work.

The program's advocates have available to them research tools, including Lexis, case management systems, and program applications and a brief bank. Remote access is not available to staff. Many staff commented favorably on the accessibility of substantive area expertise throughout the program. Program listservs and form pleadings are maintained for various substantive areas; however the team heard that the pleading/brief bank is in need of attention and updating. Some staff felt it would be beneficial if there was more meaningful interaction among those with similar caseloads such as meetings and/or conference calls.

Recommendation III.1.13.1: The program should determine how to make its pleadings/brief bank accessible remotely and current.

Criterion 2. Private attorney involvement.

Finding 14. MPLS effectively integrates private attorneys in its work to supplement its representation and other services.

MPLS has a very strong and creative PAI program that gives participants a variety of opportunities to fulfill their pro bono obligation. The success of the PAI program in this rural service area is commendable and should be celebrated by the program. MPLS works with local bar associations in each of its counties to recruit and involve the private bar in its work. MPLS makes good use of its volunteer attorneys within its offices and in the client community to address critical legal needs. MPLS has been creative in using private attorneys in different ways. The PAI programs are very strong in many counties and in some the local bars not only take ownership of the program but also expect all new members to engage in pro bono work upon admission to the bar.

The PAI program is also very productive -- the number of cases closed under PAI is more than double the national median per 10,000 poor persons. In 2010, MPLS closed 55 PAI cases per 10,000 poor persons compared to the national median of 23 cases per 10,000 poor persons. For extended cases the national median is 9 cases per 10,000 poor persons; MPLS closed 37 PAI cases per 10,000 poor persons.

The majority of the private attorney involvement is through pro bono activities where volunteer attorneys accept direct referrals, conduct pro se clinics, provide clients with brief service and advice, contribute money in lieu of taking cases, provide technical case assistance for advocates, and conduct community outreach and education events.

The program also uses Judicare attorneys. In several counties reduced fee programs are provided by bar associations. Each county provides a program that is a bit different. Case assignments to participating attorneys vary slightly by office based on the agreement developed with the local bar association. The program's CMS is used to keep track of cases in virtually every office and each office has a pro bono coordinator that tracks cases and retrieves closing data.

In Adams County (Gettysburg office) there is a small bar of 72 attorneys and most cases are family law cases that present a conflict for MPLS. MPLS screens the cases for referral and attempts to place them with local attorneys. Staff reported that it is often difficult to effectuate a successful referral and thus attempts are limited.

In Berks County (Reading office), there is a long tradition of support for PAI, with bar members fulfilling their PAI obligation by either accepting pro bono referrals or making a financial contribution to MPLS. The recommended amount is \$550. The Berks County Bar Association sends three attorneys per week to the MPLS office to meet with clients and take their cases. There is also a separate panel of attorneys that take bankruptcy cases. These attorneys do not come to the office and are sent individual referrals.

In Cumberland County (Carlisle office), the county bar association created a pro bono coordinator position. Cases are assigned from a list of participants. Attorneys are to take at least two cases a year. Attorneys may contribute \$250 a year in lieu of taking cases. In 2011 the Cumberland County Bar Association partnered with Penn State Dickinson School of Law Family and Elder Protection Clinics and MPLS to sponsor two public service evening events.

In Dauphin County (Harrisburg office), the county bar association employs a public services coordinator who recruits pro bono attorneys and assigns attorneys to meet with clients at MPLS. Participants may contribute \$300 in lieu of taking cases. PAI attorneys also participate in a monthly custody clinic.

In Franklin and Fulton Counties (Chambersburg office), MPLS operates a PAI program made up of participants recruited at the annual Franklin County Bar Association meeting who provide representation in no-fault divorces, wills, power of attorney, landlord tenant and consumer cases.

In Lancaster County (Lancaster office), the county bar association has a Volunteer Attorney Program for clients screened by MPLS and referred to the Volunteer Attorney Program. The attorney may opt out by paying a donation to MPLS. The Lancaster County Bar Foundation is also conducting a Custody Attorney Campaign to fund a custody attorney at MPLS.

In Lebanon County (Lebanon office), MPLS operates a PAI program where 56% of the bar membership actively participate by taking pro bono referrals and by having a pro bono attorney at the MPLS office at a designated time to accept cases. In addition, there is one volunteer who routinely conducts informational clinics regarding custody issues.

In Schuylkill County (Pottsville office), the bar association members provide pro bono services primarily in family law cases that are a conflict for MPLS. In addition, pro bono attorneys conduct a monthly pro se custody clinic.

In York County (York office), MPLS operates a pro bono program that matches attorneys with clients that have cases in the attorney's area of expertise. The Domestic Relations Section of the York County Bar Association sponsors pro se custody and divorce clinics with MPLS. Thirty-six percent of the York County Bar Association members participate in pro bono panels. Members may also make a financial contribution of \$250 annually to fulfill their pro bono obligation.

In the western counties, a longtime paralegal in the State College office will be taking over PAI responsibilities for the region. She plans to improve and strengthen the program with a fresh recruitment effort that revives the interest of current PAI attorneys, creates connections with newly admitted attorneys and works with retired or retiring attorneys in the counties. She plans to strengthen the relationship with the Penn State Dickinson School of Law family law clinic and with law student volunteers and to make the best use of the central Pennsylvania bankruptcy bar, which has an active panel of pro bono attorneys and strong support from the region's bankruptcy judge.

MPLS has an excellent and detailed PAI plan that it revises annually with input from the legal community and submits to LSC as part of its annual reporting requirements.

Criteria 3 and 4. Other Program Services and Activities on Behalf of Clients.

Finding 15. MPLS conducts a large variety of successful outreach, community education, and other activities on behalf of its clients.

MPLS provides pamphlets and brochures on topics most relevant to the poverty population. The advocates are involved in numerous outreach and training activities with the client and provider community.

Facing a tight budget, the program has chosen to scale back pro se efforts, which are not supported by special grants, in some offices. The program hopes that the materials developed for these efforts will work well for MPLS' telephone advice and centralized intake system. On the whole the program engages in varied and meaningful community legal education efforts.

Most attorney staff are active and involved in their local bar associations which has resulted in a variety of benefits to the program and its clients including more attorneys willing to take pro bono cases and contribute financially to the program.

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

Finding 16. The MPLS board is engaged in the work of the program.

After the challenges of MPLS's merger in 2001 – 2003, the board of directors led the program through a significant leadership transition with a clear sense of purpose in finding the right executive to unify and heal the program. The MPLS board continues as a supportive body that effectively promotes and expands the reach and influence of the program in the communities it serves. The 21-member board has Executive, Finance, Development and Personnel and By-Laws Committees. There are 11 men and 10 women that represent all parts of the service area. The membership of the board does not fully reflect the Hispanic composition of the service area. The poverty population of the service area is 79% Caucasian, 9% African American and 13% Hispanic. Only one board member is Hispanic. Three of the members are African Americans and the remainder is Caucasian. Most board members are appointed by local bar associations.

The attorney and client board members interviewed were all extremely knowledgeable about the program. The minutes of full board and committee meetings reflect that many members of the board are very generous with their time, dedicated to the program and exceedingly active. Others are not as active and do not regularly attend the quarterly meetings. The program conducts some meetings by conference call to draw attendance from the entire service area. The immediate past board chair personally attended each MPLS event and traveled to each of the 14 offices with the executive director to take staff out to lunch and to meet with bar leaders and associations. The current board chair plans to emulate her predecessor and visit all offices to meet with staff. The president elect of the board is the chair of the Finance Committee. He leads a committee that is very active and diligent in meeting its fiscal responsibility by conducting frequent meetings and receiving and analyzing monthly budget reports. The Executive and Finance Committees are the most active. The client board member interviewed reported that client members are engaged in important discussions on the board and treated with respect and fairness.

Many board members played an active part the program's strategic planning process, and supported the program as it addressed its fiscal issues and retrenchment plans. The board has a development committee. The members participate in efforts to recruit pro bono attorneys, make financial contributions, and participate in fundraising presentations. Not all board members support the program with financial contributions.

The board is kept very well informed about the program's client services and receives a detailed report from the advocacy director at each board meeting.

The board conducts an annual evaluation of the executive director, which it last concluded in April 2011.

When the program was founded with the merger of four legal services programs, many board members believed that they had to protect the interest of the geographic area

they represented. This is no longer the case as all members are pulling together for the good of all clients in the service area.

Recommendation IV.1.16.1:* As board vacancies occur, MPLS should seek to develop a more diverse board, including appropriate representation of the Hispanic population.

Recommendation IV.1.16.2:* Board members should be encouraged to contribute financially to the program and to take an active role in fundraising and resource development.

Recommendation IV.1.16.3:* Board members who are frequently absent should be encouraged to attend meetings or consider leaving the board.

Criterion 2. Leadership.

Finding 17. The executive director provides leadership and stability to the program; she is supported by a veteran team of managers that coordinate well together.

The executive director has 22 years of legal experience, including eight years as the executive director of MPLS. Prior to 2003, she was the chief administrative officer for Pennsylvania Legal Services for 15 months and prior to that, she was a managing attorney for MPLS for four years.

As discussed above, the executive director inherited a fractured program resulting from a merger of four longtime legal services programs that covered the eighteen counties in central Pennsylvania. The executive director has succeeded in bringing her vision of one program to fruition. MPLS staff members see themselves as one law firm. She exhibits a genuine concern about her staff that manifests itself in numerous professional and personal gestures. She is very strategic and practical in accomplishing the program's goals and priorities. This leadership has guided the program through many significant changes including supervision, intake, the evaluation process and dealing with significant funding challenges.

She shows sound leadership and integrity in addressing crucial programmatic issues, such as funding issues and difficult decisions on staff composition. She is well liked and respected by program staff and the community. She is recognized as an effective leader by stakeholders and funders. Attributes often mentioned in interviews were her judgment and commitment to the program and fair treatment of staff.

She is active in the Dauphine County Bar Association and its Legal Services to the Public Committee. She has served on a state committee to create LRAP. She is also chair of the Pennsylvania Project Directors Association and has been involved in state and justice community diversity efforts.

Criterion 3. Overall management and administration.

Finding 18: MPLS' management team is small and each member has extensive responsibilities.

The management team consists of the executive director, the director of advocacy, director of finance, the director of development and the director of technology. A great deal of the decision making is concentrated in the executive director and the director of advocacy, who often functions as a deputy director. The MPLS directors work together cohesively as a team for the program to advance client services. They honor the executive director's stated motto for management, which is that, "we exist to make advocates' and staff's job easier to better serve clients."

Several key management positions have taken on numerous significant responsibilities. The executive director, director of advocacy, director of information systems, and director of technology are examples of positions that carry significant multiple responsibilities and appear overextended. Each incumbent appears to work very long hours, often under highly stressful circumstances. As discussed above, the director of advocacy is not only responsible for coordinating and supervising significant litigation for the program but is active in the strategic planning process, the proposed needs assessment, and the development of the CIU. He also currently carries a caseload.

MPLS is committed and focused on developing new leadership as a means to build the program's capacity and long-term sustainability. The program has promoted several newer managing attorneys and MPLS veteran managing attorneys are interested in mentoring and supporting these new leaders.

The program adapts very well to changing financial circumstances by both strategically dealing with reductions to funding and by taking advantage of grant opportunities to fund program activities. For example the CIU is being created in order to help facilitate access in light of reduced staffing. The program successfully partnered with a local bar association and business leaders to obtain sufficient financial support to fund three attorneys to provide representation in custody cases.

The program has an ambitious agenda for the near future to meet the goals set in the strategic plan. Since the executive director and the director of advocacy have multiple obligations they will be challenged to find the time and energy to bring the strategic plan's goals to fruition.

Recommendation IV.3.18.1: When possible the program should develop a plan to allow delegation of responsibilities from the executive director and the advocacy director to other staff.

Criterion 4. Financial administration.

Finding 19. The program appears to have adequate financial policies, procedures and practices in place.¹¹

MPLS appears to have experienced financial staff responsible for managing the program's fiscal operations. The director of finance and administration (CFO) is a CPA with more than 10 years of experience in public accounting. The fiscal office includes two additional staff members, both of whom are accountants with experience in non-profit accounting.

The program has written fiscal policies and procedures. The accounting manual was updated last year, but prior to the publication of the 2010 edition of the LSC accounting guide. MPLS plans to make additional updates as necessary based on the current LSC accounting guide. The accounting manual includes board approved policies on: salary advances, procurement, bank reconciliations, client trust funds, cash disbursements, and storage and safeguarding of accounting records in hard copy and electronic form. These policies were last reviewed and approved April 2010.

MPLS priorities and the strategic plan guide the budget process. The executive director and director of finance and administration work together to initiate the budgeting process and review funding sources and budget requirements and to formulate the annual operating budget. They receive input from the directors of development, advocacy, and technology.

The board receives the preliminary budget in advance of the fiscal year, at which time the board discusses program priorities, requirements, revenue streams, staffing, and the strategic plan. The board makes recommendations as necessary on the budget and authorizes the final budget.

The executive management makes the budgetary decisions on personnel and non-personnel costs based on program priorities, operational goals, and the strategic plan. The fiscal office produces financial reports by branch office, funding source, and by expense category.

Branch offices do not receive a budget and are not involved in the budget planning process, but their expenses are closely monitored.

The fiscal staff conducts monthly reviews of planned and actual expenses and monthly financial status reviews are held with the executive director and the board finance committee. Additionally, quarterly financial status reviews are held with the executive director and the full board.

¹¹ 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 functions. Assessment of fiscal operations is conducted by other offices at LSC.

The MPLS board meets annually with the auditor. MPLS and PLAN determine the audit firm that will be hired. The director of finance and the finance committee of the board provide training to the full board on interpreting financial reports and fiscal oversight responsibilities.

The accounting system (data and application) is backed up every night; backup tapes are stored offsite. Access to the accounting system is password protected and limited to the fiscal staff.

While the chair of the board finance committee is not an accountant, the director of finance for a regional housing project, a non-voting member of the finance committee, is an accountant.

MPLS is evaluated, for programmatic quality, regulatory compliance, and internal controls, by a variety of funders in addition to LSC. There were eight evaluations conducted by three agencies, including PLAN, during the period December 2009 through March 2011. None of the evaluations disclosed material weaknesses in programmatic quality or fiscal internal controls.

Criterion 5. Human resources administration.

Finding 20. The program does not have a Human Resources Director, but adequately administers human resources functions.

The executive director, the director of finance and administration and a small amount of the time of an accountant comprise the entire human resources effort. Altogether, less than one FTE is focused on human resource administration.

MPLS has a comprehensive benefits package including a retirement plan, health and dental benefits, life and disability insurance, and bar dues, licensing fee and mandatory CLE training payments. Several of its attorneys have participated in the state IOLTA funded LRAP and in the LSC LRAP program. MPLS has been challenged in maintaining its benefit package over the past few years. For example to address the diminishing grantor funding the program offered the option of working a four-day week for some staff, has frozen salaries, has discontinued its match to the pension fund, and has instituted a higher health care deductible for staff members. Some staff took early retirement or voluntary layoffs in the last year.

MPLS has not routinely conducted staff evaluations other than following a six-month probationary period after employment. Many staff members do not recall the last time they were evaluated. The program recently revised all job descriptions and developed a new evaluation process that will include a self-evaluation by the staff member, an evaluation by the supervisor and a joint meeting between the two concluding in a formal written evaluation. The plan is that, beginning in September 2011, staff will be evaluated annually.

MPLS does not have a formal mentoring program to develop staff. However, support staff and paralegals interviewed stated that they are mentored and motivated by more tenured staff. Paralegals interviewed stated they began as support staff with the program and promoted to paralegals; support staff interviewed stated that they are mentored by paralegals.

MPLS does not have written staff development plans. The program looks for development opportunities for all staff. The program provides opportunities for advancement for attorneys by promoting the ones that exhibit leadership and skill. A number have been promoted to manage offices where the prior managers have continued doing casework and continue to help the new manager.

MPLS' management deals directly, promptly and efficiently with personnel problems, which is appreciated by middle management.

Recommendation IV.4.20.1:* MPLS should institute and follow a plan to annually evaluate all staff.

Criterion 6. Internal communication.

Finding 21. MPLS uses a range of methodologies to promote its internal communication.

MPLS maintains effective intra-staff and staff-management communications and relations. MPLS' systems and procedures for ensuring regular communication among all staff members are primarily through email. MPLS decisions are quickly and effectively communicated to all those affected by them. While the program has SharePoint as its intranet it is not usually used as a communication tool. Management holds monthly or bi-monthly managers conference calls and each office manager is to disseminate the information discussed on those calls to the office staff. To enhance communication the executive director attempts with varying success to get out to all of the offices at least once a year. The program did have an all staff meeting twice a year and now to save costs has them annually. Many staff expressed their belief that these meetings were very helpful for communication, building camaraderie and learning substantive information. While many staff believed they receive sufficient information through internal communications many others expressed a belief that they didn't receive sufficient information. Still others expressed an interest in knowing more of what other offices did.

Recommendation IV.5.21.1:* MPLS is encouraged to make better use of its intranet in sharing information with staff. It should review the capabilities of SharePoint to make communication more robust.

Technology

Finding 22. MPLS' infrastructure and help desk functions, while thinly staffed are adequately carried out.

The director of technology has been with the program for ten years and in his current position for eight years. A second technology staff person left the program earlier in 2011 so now the director must fulfill all of the technology department obligations for 130 workstations and 30 servers and cover the help desk and consumer issues that the other person handled. He is also responsible for the website and for the technical side of the applications the program relies on. Many of the repairs can be done remotely.

The program's computers meet the standards of the LSC grant assurance. The program is moving from the XP operating system to Windows 7. All advocates who work in the program's offices have computers with the required capacities, and all have access to the case management system and on-line legal research programs. Management functions such as case management, financial administration, resource development and human resources are effectively supported by the computer infrastructure.

The central servers are "virtualized" and all remote servers are backed up nightly to tapes on-site. The director of technology takes the system's tapes off site nightly. No system is in place to back-up the program's data to a remote location.¹² Many staff members expressed the view that the technology -- voice and data -- has played to bring the program together.¹³ Staff members are also connected by the case management system, the intranet and the listservs.

The program uses SharePoint as its intranet. Policies and other internal program documents are placed there. It also contains a pleading bank. There are sections on administrative law, bankruptcy, consumer, employment, family, general, housing, public benefits, school law, social security, and utilities. Each section has a contact person who is in subject matter control of the section. The advocacy director approves anything that is put up there. There are documents in each section; they do not appear to be subcategorized or otherwise identified. Advocates have access to Lexis.

Kemp's Prime is the program's CMS. This is the main software tool used by most of the advocates in the office; it has the ability to store the entire needed client and case information. Advocates' timekeeping is kept on the system. Case notes can be entered into the system. The accounting software is SAGE PMI; Paradmire and sales force are used for non-profits.

Recommendation IV.6.22.1: MPLS may want to consider transitioning to a more versatile accounting system or consider upgrading the Sage MIP accounting system to include

¹² A remote or online backup usually consists of a backup system provided by a service that runs on a schedule typically once a day, to collect, compress, encrypt, and transfers the data to the remote backup service provider's servers or off-site hardware.

¹³ The telephone system allows anyone in the program to enter four digits and talk to anyone else. Calls can be remotely rerouted from one place to another, which is useful if an office is closed. The telephone system's capacities will be relied on heavily with the coordinated intake system that is coming shortly. The network, the case management system and the information management system act to facilitate information sharing throughout the program.

modules to integrate resource allocation, budget and grants management with the accounting system to promote efficiency and effective in overall financial management and fiscal oversight.

Recommendation IV.7.22.2: MPLS should consider ways of backing up remotely.

Criterion 7. General resource development and maintenance.

Finding 23. MPLS is very successful in obtaining additional funding for the program.

MPLS has been very successful in developing non-LSC resources. MPLS has capable and effective staff dedicated to resource development.

MPLS reported actual 2010 revenue of \$5,427,688 from non-LSC sources. Of that amount, approximately \$3.5 million was awarded through PLAN and comprised federal and state grants, filing fees and IOLTA funding. The remaining \$1.9 million comprises local grants, United Way grants, bar association grants, and foundation grants. MPLS receives more than 70 grants and donations from more than 200 sources. Despite these resource development accomplishments, the program's total funding decreased by \$871,201 between 2008 and 2011. Some of the grants are very small and take considerable time to administer and manage.

The program has a director of development, who has been in that position for six years and a grants manager with nine years' experience in her position.¹⁴ In addition, the executive director devotes a portion of her time on resource development. The director of development serves as part of MPLS' management team.

The director of development is responsible for developing and implementing a comprehensive private and government fundraising plan; cultivating new sources of support; managing grantor relationships, enhancing strategies for online giving; coordinating the "Annual Giving Campaign"; developing an endowment; serving as liaison to the board development committee; and preparing the Annual Report. The grants manager prepares the grant applications. The resource development team reaches out to the many different local funding sources throughout the MidPenn service area including private individuals, businesses, United Ways, Area Agencies on Aging, bar associations and foundations.

The development director has been effective in increasing resources from local bar associations and foundations. Foundation grants have tripled since 2009 due to a more sophisticated and robust "Giving Campaign." Bar associations in York, Dauphin, and Lancaster Counties each commit to funding a custody attorney in the respective MPLS county offices. This is a strategic public relations effort for the program and the bar associations.

¹⁴ The director of development is an attorney with almost 40 years' experience in legal services and has also served as president of the Lancaster Bar Association while the grants manager is a not an attorney and has over 24 years' experience in legal services in various positions.

Much of the resource development must be in each individual county due to strong local allegiances of bars and the judicial system. Annual bar campaigns are designed for and accomplished in each county. Each local MPLS office sends the request letters and receives the responses. This serves to connect the offices to the bar association and individual attorneys and to make the offices strong partners in the resource development effort.

MPLS is inventive in its fundraising. The program has worked diligently in Dauphin, York and Lancaster counties to raise funds from the bar foundations to hire a custody attorney for each of those county offices. Each foundation has committed over \$100,000 for a year and over \$300,000 for multiple years.

MPLS has a Medical Legal Partnership (MLP), in Lancaster County and is engaged in a campaign to raise funds to support the endeavor with the aid of a local businessman who meets with prospective community supporters to introduce them to both MPLS and the MLP. In addition, MPLS submits applications to foundations in order to fund the MLP attorney.

The development director met with a federal judge in Philadelphia to discuss the possibility that *cy pres* awards could go to MPLS in order to make the federal court aware of the vibrant legal services community outside of the Philadelphia area. He has also met with litigators in the service area that engage in litigation where *cy pres* awards are awarded. The MPLS development director also frequently consults with national experts in the resource development field and attends trainings to help expand his knowledge and creativity.

In an effort to expand resources MPLS prepares an annual report. The development director places articles in legal and other publications emphasizing the accomplishments of MPLS in helping individual clients. The program often tries to do publicity that shows that the bar association and MPLS are partners in particular endeavors with the goal of ensuring that the bar association gets the publicity it deserves and of strengthening its relationship with the program.

The local grants such as Agency on Aging, United Way, and legal services grants for victims of domestic violence that are sought by branch offices, have community education or legal services requirements, and frequently do not cover overhead costs. MPLS agrees that in some instances the smaller local grants are an administrative and programmatic burden on the program. MPLS believes, however, that these grants provide good public relations. And, they are also within the program's priorities and within staff's current capacities to provide the services required by the grant.

On balance, MPLS' investment in local resource development efforts appears effective and strategic. MidPenn seems to understand the rural funding landscape and is operating creatively within it.

Recommendation IV.7.23.1: When pursuing new grants, MPLS should consider how the grant supports its core mission and strategic direction; whether the grant supports administrative overhead and programmatic costs; and the cost-benefit of the grant given the administrative burden on the program and its capacity to meet the requirements of the grant.

Criteria 8 and 9. Coherent and comprehensive delivery structure/Participation in an integrated legal services delivery system.

Finding 24. MPLS is engaged in comprehensive and integrated service delivery system.

MPLS is an active participant in the regional and statewide justice community and legal services delivery system.

The executive director continues to chair the Pennsylvania Project Directors Association, a role she has filled for a number of years. She provides strong leadership in that role and is seen as an excellent leader for the group. She is known also for her strong organizational skills. She also serves on a committee that established a state on LRAP.

Under the Pennsylvania Legal Aid Network's coordination Pennsylvania has 10 law groups on 10 substantive areas in which advocates participate. MPLS' staff participates on these groups. Many of the program's advocates serve on statewide taskforces. Some of the MPLS advocates serve in a leadership role in the law group activities and leaders in trainings for advocates. One of the advocates is a leader in the mortgage foreclosure area.

MPLS has been outstanding in providing its subject matter experts to be trainers for the statewide annual trainings.