



LEGAL SERVICES CORPORATION

Office of Program Performance

Final Report

Program Quality Visit

COMMUNITY LEGAL AID SERVICES, INC.

Recipient No. 436030

Program Quality Visit

May 7 – 11, 2012

OPP Visit Team:

Althea J. Hayward, Program Analyst (Team Leader)

David Bonebrake, Program Counsel

Christy Fisher, Program Counsel

Angela Thornton, Program Counsel

César Britos, Temporary Employee, LSC

John Kirk, Fellow, College of Law Practice Management

**Legal Aid of Western Ohio
Program Quality Visit Report
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INTRODUCTION

The Legal Services Corporation (LSC) Office of Program Performance (OPP) conducted a Program Quality Visit to Community Legal Aid Services, Inc. (CLAS) in Akron, Ohio from May 7 – 11, 2012. OPP's team consisted of program analyst Althea Hayward, who was team leader; program counsel David Bonebrake, Christy Fisher, and Angela Thornton; and LSC temporary employee César Britos. The team also included a volunteer fellow from the College of Law Practice Management who participated in the visit for two days.

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 CLAS 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 Akron, and branch offices in Warren, Youngstown and Canton, Ohio. The team interviewed program staff from each of these offices, including the executive director, two associate directors, the advocacy director, 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

Community Legal Aid Services, Inc. was created from a series of re-structuring regional legal services offices that began in 1999, and continued through 2005. The early restructuring and program consolidations included the Mansfield Office of the Legal Aid Society of Cleveland, Wooster Wayne Legal Aid Society, Stark County Legal Aid Society, Western Reserve Legal Services and Northeast Ohio Legal Services (NOLS).¹ By 2000, clients in central northeast Ohio received legal services from three providers, namely, NOLS, Stark County Legal Aid Society, and Western Reserve Legal Services. From 2001, the year CLAS was established, through 2005, further consolidation and reorganization in the

¹ The central northeast Ohio counties impacted during the series of reorganizations included Crawford, Richland and Ashland counties served by the Legal Aid Society of Cleveland; Wayne County served by Wooster Wayne Legal Aid Society; Stark County served by Stark County Legal Aid Society; Medina, Summit and Portage counties served by Western Reserve Legal Services; and Ashtabula, Trumbull, Mahoning and Columbiana counties served by NOLS.

service area produced the remaining successor civil legal services programs, CLAS and NOLS.² Both programs provide services in the service area identified by LSC as OH-20.

Service area OH-20 includes Medina, Wayne, Summit, Stark, Portage, Trumbull, Mahoning and Columbiana counties, and encompasses over 4,021 square miles of land in central northeast Ohio. The service area is approximately 70 percent urban, with the larger cities being Akron, Canton and Youngstown. The client community has grown, including a growing diverse community of persons with limited English proficiency. The service area population numbers approximately 1,881,048 with an estimated client eligible population of 239,459 (12.7%), based on updated U.S. Census estimates.³ Eligible clients in the service area live primarily in the urban centers of the region's counties. The largest concentration is in Summit County (Akron) where 69,673, or 29%, of the potentially eligible clients live. Other significant centers include Stark County at 45,569 or 19% (Canton), Mahoning County at 39,176 or 16% (Youngstown), and Trumbull County at 29,322 or 12% (Warren). Portage and Columbiana counties have 8% and 7% of the target population respectively. The poverty population in Wayne and Medina counties is smaller with levels at 5% and 4% respectively.

Akron is the fifth largest city in Ohio and is the county seat of Summit County. It is located in the Great Lakes region approximately 39 miles south of Lake Erie along the Little Cuyahoga River. With the founding of Goodrich, Firestone, General Tire and other companies in the tire and rubber industry during the twentieth century and the establishment of their headquarters in the area, Akron gained the status of "Rubber Capital of the World." The area is also well known for its technology research and development. Current Fortune 500 companies headquartered in the city include the Goodyear Tire and Rubber Company and FirstEnergy. Goodyear is the fifth-largest employer in Summit County.

Canton is the county seat of Stark County in northeastern Ohio, approximately 24 miles south of Akron and 60 miles south of Cleveland. Canton was a large manufacturing center because of its numerous railroad lines; however, after the decline of heavy manufacturing, the city's industry diversified into a service economy, including retailing, education, finance, and healthcare. Canton is home to the Pro Football Hall of Fame, the McKinley National Memorial, the William McKinley Presidential Library and Museum, and the First Ladies National Historical Site. Companies like Marathon Oil, Aultman Hospital, Republic Steel, The Timken Company, Stark State College, Malone University, and Diebold are also major employers in the area.

Youngstown is located in a region of the United States that is often referred to as the Rust Belt. Traditionally known as the center of steel production, Youngstown was forced to redefine itself when the U.S. steel industry fell into decline in the 1970s, leaving communities throughout the region without a major industry. Youngstown continues to be the site of several small steel and metalworking operations. While steel production has declined, one of the mainstays of Youngstown's industrial economy has long been the General Motors Lordstown plant. The Lordstown Assembly plant is the largest industrial employer in the area, and has been home to production of the Chevrolet Impala, Vega, and Cavalier. Another leading employer in the city is Youngstown State University (YSU), an urban public campus that serves about 15,000 students, located just north of downtown.

The business, trade, and manufacturing communities of northeast Ohio have combined efforts to promote the *Cleveland Plus Alliance*. Committed to promoting the expansion and development of business and

² Northeast Ohio Legal Services (NOLS) is funded primarily by the Ohio Legal Assistance Foundation (OLAF) to provide civil legal services in cases that are restricted by LSC regulations.

³ American Community Survey 2005 - 2009

commerce, the organization primarily focuses on the northeastern Ohio cities of Cleveland, Akron and Youngstown. This focus area also includes all the counties identified in the LSC service area. The *Cleveland Plus* region has been consistently ranked in the business community at the top of many national logistics and transportation rankings. It can be reached easily from anywhere in the country because of the convenience of its accessible network of highways. Additionally, its two airports, the Cleveland-Hopkins and Akron-Canton regional airports, together with its accessibility to Lake Erie and the Ohio River have positioned the area as conducive to foreign and international businesses. The region is also a hub for research and cultural development. Fueling the innovation and progress in the area are the numerous institutions of higher education.⁴

CLAS provides services to eligible clients from a network of four regional staffed service offices and four outreach offices. Staffed offices are maintained in Akron, Canton, Youngstown, and in Warren. The outreach or satellite offices are located in Medina, Portage, Wayne, and Columbiana counties. Each of these outreach offices is equipped with private meeting space so that clients can consult with attorneys who provide outreach in those counties. CLAS' main office is located in Akron, the geographic center of the service area, and the largest city in OH-20. The program noted that Akron was chosen for the firm's headquarters because of the active and continuing support of the bar which founded one of the CLAS predecessor programs in 1952.

At the time of LSC's visit, besides the executive, associate and advocacy directors, the program employed five managing attorneys, nineteen staff attorneys, eleven paralegals, twelve legal assistants, and thirteen management and administrative/support staff. As a sub-grantor to NOLS, CLAS provides its partner program with administrative, financial and intake services. The program's total funding for 2011 was approximately \$9,090,810. CLAS' LSC grant for 2011 was \$1,583,111 (17% of total funding) and its non-LSC funding was \$7,507,699 (83% of total funding).⁵ CLAS will receive \$1,569,681 in funding from LSC in 2012.

CLAS provides a full range of legal services in the service area, and refers ineligible clients to its non-LSC partner, NOLS, its Volunteer Lawyer Service Program (VLSP) or the University of Akron School of Law. The program operates a centralized intake unit known as the *Legal HelpLine* which provides legal advice, brief services, pro se assistance, and pro bono referral to clients.

REPORT SUMMARY

CLAS is a regional law firm with historically strong ties to the community it serves. The program describes itself as a non-profit law firm whose focus is to serve the legal needs of low income clients in central northeast Ohio. The CLAS slogan, *seeking justice...saving lives*, reflects a longstanding 60-year commitment of CLAS and its predecessor organizations. In the wake of a progression of program consolidations and mergers, CLAS has emerged with a group of experienced and highly competent advocates committed to this mission, with a capacity to provide high quality civil legal services.

CLAS enjoys a tradition of support from judicial, legal and community agency stakeholders in its service area. The program is governed by an effective board of directors who meet regularly and appear to be

⁴ Excerpted from The *Cleveland Plus* Region Information Portal at <http://clevelandplusbusiness.com/Plus-Advantage.aspx>.

⁵ LSC 2012 Program Profile, Community Legal Aid Services, Inc.

proficient in the execution of their oversight responsibilities. Board members demonstrate a commitment to leadership in the community; are dedicated ambassadors of the program; and are actively engaged in program fundraising.

Led by an executive director and a team of highly experienced managers, CLAS has been fortunate to assemble a group of mid-level leaders who demonstrate a genuine concern for clients, the staff and the program's mission. CLAS has two tiers of management, the senior team, including the executive director, two associate directors, the recently hired advocacy director, the chief financial officer, and the development director. A second tier is comprised of the program's four managing attorneys, two IT professionals, two office managers, an associate development director, two additional financial staff and two administrative assistants.

Eligible clients in the service area receive services from CLAS and from NOLS, its regional partner. Based on an executed agreement, CLAS provides administrative, financial and intake services to NOLS.

The program's intake system is well supervised; affords clients open access to program services; and, makes good use of technology to support its processes.

CLAS has a strong and effective PAI component, and has developed substantive practice groups that are staffed and managed across office and geographic lines. The program's advocates are client-centered in their approach to delivery of services.

CLAS has developed successful partnerships with community organizations. These include its medical legal partnership, and court partnership.

There are many other areas where CLAS has done well that are not enumerated here. LSC believes that this program would benefit greatly from:

- The completion of its comprehensive civil legal needs assessment and strategic planning processes;
- The continued monitoring and assessment of its current intake system so as to assure that it continues to provide appropriate extended representation to eligible clients;
- The completion of the revision of its code of regulations;
- The continued engagement of board members in board training;
- A complete review of its relationship and agreement with NOLS;
- A management assessment of the program's leadership conducted by the board;
- The development of appropriate program policies, including a leadership succession plan, a policy supporting staff communications with LSC and whistleblowing, and a review of its LEP policies.

Changes and improvements in these areas will be critical in propelling CLAS forward in its quest to become a premier law firm.

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 has not completed a recent comprehensive assessment of the critical legal needs of the low income population in the service area.

CLAS last completed a formal comprehensive legal needs assessment in 2005. During the 2005 initiative, the program used several methods to solicit input including telephone interviews, surveys, and special meetings. The program also convened special focus groups for Latino clients to ensure their input in the process. The program, along with its consultants, Applied Information Resources, Inc. analyzed the data gathered. The consultants facilitated each focus group, using their analysis as a basis for discussion.

In its 2011 LSC RFP grant submission, CLAS noted that a new comprehensive legal needs assessment process had already been undertaken by the program. The board and staff were engaged in planning for this initiative; however, the effort was subsequently halted due to other pressing program priorities. Since the 2005 needs assessment, the service area has been thrust into an economic recession that has had a significant impact on the legal needs of the changing eligible population. It appears that some community partners have not had recent opportunities to provide input in the priority setting process and some areas of need may not be addressed by CLAS. For example, one judge identified veterans' issues as an area in which the program could do more work.

The CLAS executive director noted during the on-site entrance conference with the visit team that the program has reconsidered its approach to identifying the critical needs of clients in the service area. The executive director described a process that the program has restructured beginning with the evaluation of the program's performance for 2011. The program produces a report annually, which is provided to the CLAS board of directors that provides a review of case and client statistics for the year, including responses to client surveys conducted regarding services received primarily from the program's VLSP. The 2011 report, entitled *2011 Year in Review*, was presented at the board's February 22, 2012 meeting. The report was provided to LSC prior to the visit as a part of the document production provided by CLAS.⁶ The report also reviewed CLAS' work, accomplishments and client outcomes in the program's four areas of priority; it provides a report of the program's communications and development work plan for 2011; overall program operations, including technology, the work of the VLSP, and the program's 2011 staffing patterns. It appears from our review of CLAS' board minutes, that this report is annually presented as a precursor to the board's LSC-required annual review of priorities.

Recommendation

1.1.1.1*⁷: CLAS should move forward with all deliberate speed to complete its civil legal needs

⁶ An updated copy of this report dated May 5, 2012 was provided to the visit team upon its arrival in Akron.

⁷ 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

appraisal. The appraisal should consider the direct input of clients, staff, the board, the judiciary, private attorneys, and community agencies. Special care must be given to include the participation of clients with access challenges, including but not limited to those with language, physical, geographic or related vulnerabilities.

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

Finding 2: CLAS appears to rely on its past experience and the availability of funding opportunities as determining factors in its planning.

While the annual review of a program's work is a critical component of its internal assessment of program effectiveness, CLAS appears to rely heavily on its past experience as a predominant factor in planning its future work. This is seen in their reliance upon the annual Year in Review report. To its credit, at its April 2010 board meeting, the CLAS board of trustees reviewed a presentation from the program's executive director detailing the program's progress on its 2006 – 2010 Strategic Plan. On January 12 and 28, 2012, the board held two major planning sessions to engage in discussions about the program's existing challenges. Their deliberations included a review of CLAS' current mission statement and the exigency of creating a revised mission statement. They considered projected revenues for 2013 and dialogued about a plan for ensuring the program's sustainability, including a review of its more than fifty funding sources and their ongoing contract requirements.

The LSC team agreed that these are all definitive steps toward developing a sound strategic plan for the program, but that the development of priorities based on direct input from clients, the community, judicial and other stakeholders is also a critical component CLAS must consider, develop and implement. A comprehensive process that contemplates all of these factors is central to ensuring that CLAS appropriately allocates its resources to accomplish its mission. Of particular interest to the team was a hint of concern expressed during some staff interviews that in its quest to attract additional funding, the program sometimes appears to be allocating resources based on the availability of grant funds rather than client need and program priorities.

Criteria 3 and 4. Implementation and Evaluation and adjustment.

Finding 3: The program places high value on the internal evaluation of its program services.

As noted above, CLAS engages in internal program assessment to ensure its awareness of and response to the changing conditions and needs of clients as seen in its production of the annual *Year in Review* report. Additionally, in 2010, the program fully instituted a new outcome measurement system. The outcomes tie directly to CLAS' current program priorities, measuring economic benefit obtained for clients, and the improvement in clients' lives through the maintenance of economic security; preservation of housing; enhancement of safety, stability, health and individual rights; and increasing access to the justice system

In contemplating and evaluating its performance, CLAS 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 its four 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 executive and associate directors regularly review this data.

CLAS uses client satisfaction surveys at the end of cases to collect data regarding client opinions on services provided. Results from the completed surveys are tabulated and reviewed by the program's managers.

In 2010, OLAF, the Ohio state and IOLTA funder, conducted a peer evaluation of the program. In response to the report's findings and recommendations, CLAS staff created four working committees to focus on specific areas of program performance. These included committees on organization and staff support, quality of legal work, program communications and a committee on technology. Information about the work of these committees was shared informally with board members following the board's April, 2011 board meeting.

Recommendation:

I.4.3.1: As it moves forward with its strategic planning, CLAS should consider the data and input gathered during its needs appraisal process to inform this initiative. The program should develop and utilize a strategic planning process that brings together client need, program mission and vision, and the appropriate allocation of resources in order to avoid mission drift.

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

Criterion 1. Dignity and sensitivity.

Finding 4: The program's offices are well maintained and centrally located.

The LSC team visited CLAS offices in Akron, Youngstown, Warren and Canton. 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. CLAS offices are strategically located throughout the service area. They appear to be located in areas near or accessible from low-income neighborhoods. The team noted that the CLAS' 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.

The Akron office is an attractive workplace, situated in a professional building that also houses shops and restaurants. It has parking attached to the building and is located along the bus line. The lobby in the office is inviting. The office is along central transportation routes and is located near the United States District Courthouse and the U.S. Bankruptcy Court as well as the Akron Municipal Courthouse and the Court of Common Pleas. It should be noted that there is no visible signage for the program on the main floor or outside level. Additionally, a client who has never been to the program before could easily have difficulty finding their way. Clients and visitors must check in at the security desk to receive a security card to gain access to the floor where CLAS is located.

The Youngstown office is located in the center of town. The building housing the office is poorly marked from the street, and there is a lack of signage outside the building. While the program may not experience much walk-in traffic, clients who have never been to the office, and who may be relying on the program's

prepared directions to locate CLAS, will likely confront difficulties in finding it. Once inside the building, clients may be assisted by a building attendant. However, if the attendant is not available, the signage that existed at the time of the visit was insufficient. The team noted that the building directory in the lobby listed NOLS but not CLAS. The Youngstown office is located in close proximity to the bankruptcy court as well as the federal and state courts.

The Warren office is also located in the center of town with ample parking available to clients and visitors. This office also has poor exterior signage. The Warren office was professional and well maintained. The previous concerns about the conditions of this office as noted in the OLAF report have been completely remedied. Staff there have done an exceptional job of transforming their workplace, and, in some cases, they used their own resources to do so.

The Canton office is also located downtown in a downtown office building which also houses other human service agencies, and is in close proximity to the courts. This office was professional in its appearance and well maintained. In two offices, Canton and Youngstown, clients were interviewed at a front desk without regard to the preservation of client confidentiality. Some staff raised concerns about office security risks and vulnerabilities. The team agreed that security should be enhanced in the program's branch offices.

Although the program still maintains four other locations that are not staffed on a full-time basis, CLAS uses these sites to facilitate the ease of client access and to ensure that advocates remain engaged in these counties and communities. A paralegal staffs the Medina office every Friday afternoon so that clients can bring in documents or ask questions. Several staff attorneys use the Ravenna office regularly to confer with their clients.

Recommendation:

II.1.4.1: CLAS should conduct a security risk assessment of its branch offices, and take appropriate action.

Finding 5: The program provides broad access to its services through its centralized legal *HelpLine* and through its website.

CLAS operates a centralized unit called the *HelpLine* which provides intake, advice and brief services, pro bono referral, and pro se assistance in the entire central northeast Ohio region through its toll free number Monday through Thursday from 9:00 am to 4:00 pm and from 9:00 to noon on Friday. Applicants are screened for eligibility and for the initial case acceptance process. Eligible applicants are referred to CLAS practice groups, the VLSP (pro bono), NOLS, or the clinical programs at the University of Akron Law School. CLAS initiated an A2J-based online intake system that also provides clients with access to intake services 24 hours a day through the program's website. This is publicized and information is provided to the caller when they access the program by telephone. Intake is also provided through outreach clinics held several evenings throughout the week. Initially, applicants speak with the *HelpLine's* legal assistants who follow specially crafted intake scripts that guide the identification of priorities and the program's current case acceptance criteria. The program also has written intake policies and procedures which were last updated in 2009.

The centralized *HelpLine* was initially staffed by four staff attorneys who provided advice and brief services, four eligibility screeners, and an office manager. CLAS has made repeated efforts to re-design its intake system to accommodate the expanding needs of the client community. Most recently, because

of reductions in funding and staff, the program instituted several changes to its intake system, including the reduction to one intake staff attorney. Intake screeners now refer all emergency applications to that staff attorney who telecommutes. Other eligible applicants, depending on the nature of the case, may be referred to the intake staff attorney for advice or brief services; the application may warrant a referral to the VLSP, to one of the *pro se* clinics, to the appropriate CLAS or NOLS extended representation unit, or to a law school clinic. Additionally, CLAS has reduced the number of hours the *HelpLine* is open by closing the service at noon each Friday. Additional changes included the assignment of the PAI coordinator as the supervisor of intake, thereby relieving the associate director of direct responsibility for this program function.

The CLAS *HelpLine* is supported by innovative telephone technology used program-wide that provides the capacity for calls to be answered from various locations. The Akron and Help Line offices together are equipped with the capacity to receive up to 46 calls at a time. The telephone system is integrated with the program's computer system and features the capacity to route calls by language, substantive law, and geographic area. The intake system is supported by additional ACD software with the capacity to review wait times, dropped calls, and provide other call statistics. The program acknowledged that it continues to work on wait times and dropped calls. The system does provide supplementary information to assist clients while they are waiting. CLAS also disclosed that it is working to remedy some malfunctioning with the ACD report functions. As a supplement to the *HelpLine*, CLAS has seen an increased reliance by applicants on the program's online intake.

The current processes used by the intake staff provide for a thorough review of intake applications to ensure that eligible applicants are referred to the appropriate staff for services. Currently, emergency cases are referred to the intake attorney for immediate assistance. Other eligible applicants are either referred to the extended service unit related to their issue, or they may also receive advice and brief services, pro bono representation, or pro se assistance through VLSP or the law school clinic.

In light of the changes CLAS has made to its intake system, the LSC team encouraged CLAS to ensure that clients who are without the capacity to represent themselves are given an opportunity for full representation, should their problems meet the program's priorities. While the program has developed systems for supervisory review of intake services, CLAS is aware that significant cases often begin as minor issues and that continuing review of case trends and issue spotting is essential. The team recognized that while the system of increased use of advice and pro se clinics is a critical part of the changes to the intake system, the program must strike a careful balance between these services while fully developing its capacity to do extended service representation and impact work to achieve lasting results for clients.

Recommendations:

II.1.5.1: *CLAS should review its intake and case acceptance procedures to ensure that it strikes an appropriate balance between limited services and pro se assistance with extended service representation and work geared to achieve lasting results for clients.*

II.1.5.2*: *CLAS should design a mechanism to capture and measure data from its extended services unit to verify that the methodologies and services provided by the "front end" intake unit support the program's ability to provide extended representation.*

Finding 6: Overall, CLAS has a diverse staff; however the diversity of the program’s attorney staff does not entirely reflect the diversity of the community it serves.

CLAS has assembled a capable staff that appears committed to the client-centered delivery of legal services. The advocacy staff consists of a healthy mix of experienced and younger attorneys. The administrative and support staff also reflect a mix of experienced and younger employees, and is primarily female. While overall, the staff is reasonably diverse, the program’s staff attorneys are primarily female and Caucasian. The OH-20 service area demographics reflect that the majority of the poor population is Caucasian; however there is a significant African American indigent population and the Latino population is expanding. CLAS employs no African American or Latino staff attorneys, and none of its attorney staff is bilingual.

Recommendation:

II.1.6.1: Going forward, as positions and funding become available, CLAS should take specific steps to hire staff attorneys of color and ensure that the hiring of bilingual staff becomes a recruitment priority.

Criterion 2. Engagement with the low-income population

Finding 7: The program provides outreach to the communities it serves.

CLAS described numerous ways in which the program provides outreach to the community and its clients. Interviews with community organizations and staff indicated the program’s commitment to provide community legal education through training events presented to community organizations; specific outreach programs at churches and community centers; and specially designed programs and education materials focused on housing rights and responsibilities, tax issues, and expungements of criminal records. A significant amount of community interaction and engagement occurs when the program conducts its clinics throughout the service area in partnership with the VLSP.

CLAS continues to play a leading role in the national stand down event in the service area. This event provides one stop services in Youngstown for the transient and veteran population. Out of a crowd of 500-600, CLAS provided legal services to 50-60 persons. Intake was conducted on the spot due to the transient nature of the population.

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

Finding 8: CLAS has attempted to ensure that language is not a barrier to the receipt of its services.

The predominant language, other than English spoken in the service area, is Spanish. There are small client populations that speak several different Asian languages, including Burmese. While none of its current staff speaks either of these languages, CLAS employs two bilingual staff members, one in Italian and the other in Russian. To ensure appropriate access to services by communities with limited English proficiency, the program uses *LanguageLine* services. Additionally, a number of staff work with the International Institute. This organization provides in-person language translation support. The program has implemented an LEP Policy. A review of the policy indicates that it does not include a clause that

articulates the program's strategies for outreach to populations with limited English proficiency, nor does it articulate a process for regular review and revision of the policy.

Recommendation:

II.3.8.1: CLAS should revise its LEP policy to include strategies for outreach to LEP populations and a regular process for the review and revision of the policy.

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 9: CLAS has the capacity to provide quality legal services to eligible clients insofar as program resources permit.

CLAS employs a group of compassionate and committed legal advocates who are well trained, highly skilled and have substantial legal experience. Nearly one-third of the attorneys have been in practice for more than 20 years. Many of them had prior legal experience - civil and criminal - before joining the program. Advocates are organized into four practice groups that are synonymous with the program's priorities. These practice groups include: Maintaining Economic Stability,⁸ Preservation of the Home,⁹ Individual/Family Health and Safety,¹⁰ and Access to Justice.¹¹ Each practice group is supervised by a managing attorney and is staffed by advocates without regard to geographic and office boundaries. This fosters a sense that CLAS is a unified regional law firm with the capacity to provide appropriate legal expertise at the local level in each of its counties.

The program's legal work appears solid. Advocates appear to be aggressive in appealing unfavorable decisions, often more than once. Attorneys secured a number of favorable decisions preventing the foreclosure of home properties. Advocates appeared creative and innovative; they are committed to exploring unusual procedures to secure redress of client problems. For example, one housing attorney, after representing a number of tenants dealing with utility shut-offs, was invited to participate in discussions with the water company, providing input as it considered revisions to its regulations. This was an opportunity for CLAS to ensure that the revised regulations related to shut-offs were more consumer and client-friendly.

The LSC team interviewed several judges and private attorneys throughout the service area. Without exception, they noted their respect for the level of case preparation done by CLAS attorneys. Several noted that the program's written work product is excellent, and that the legal positions taken by staff are always reasonable. One judge described a case where a CLAS attorney advocated for an original interpretation of a Social Security regulation pertaining to how long an individual could receive benefits if there has been no cessation in their schooling. The administrative law judge, after consulting with an agency attorney, found that this interpretation was correct. The writing samples submitted by the

⁸ This practice group handles the program's consumer, employment, income maintenance, and other cases related to occupational licensure and expungements.

⁹ This practice group handles the program's housing practice, including landlord-tenant, private and public housing issues, mortgage foreclosure and mortgage predatory lending practices.

¹⁰ This practice group is responsible for handling the program's domestic relations, education, health, individual rights, wills, advance directives, and other related cases impacting the safety and health of individuals or families.

¹¹ The program's activities focusing on community outreach, community legal education and community support are managed by this practice group.

program's advocates and reviewed by the team were generally of high quality.

Given its budgetary constraints, and the program's layoff of several advocates, CLAS has been a reasonably productive program. In 2011 the program closed 9,094 cases, a slight decrease over 2010's 10,240 closed cases. Over the last three years, the program's extended and limited services ratios have remained consistent at approximately 16% and 85% respectively. Comparatively, CLAS' 2011 total closed cases per 10,000 poverty population (505) is almost double the national median of closed cases per 10,000 poverty population (263). In terms of contested cases, in 2011 the program closed 44 cases per 10,000 poor persons which exceeds the 2011 national median of 31 closed cases in this category. While caseloads varied depending on practice groups, most advocates had appropriate open case loads, and were generally understanding about taking on more work because of a decline in the number of advocates available to provide direct services to clients.

Finding 10: The program recently added an advocacy director to its management team.

The program recently hired an advocacy director to replace its litigation director. The director noted that he has been "unleashed" on the program and will assist advocates by focusing on their individual professional development. The advocacy director has already begun to work with advocates individually in an effort to increase the program's capacity to tackle more complex issues by enhancing staff litigation skills. The LSC team received positive feedback from all quarters regarding his hiring, and his approach in introducing himself to staff, as well as his intentional interaction with staff in becoming familiar with them, their skills, and their interests.

CLAS staff appeared excited that the advocacy director appears to be building successfully on the work of the previous litigation director. In addition to surveying the staff to secure a personal assessment of their litigation skills, he recently conducted a Discovery 101 session that was quite well received by staff. It is anticipated that after the discovery training series is completed, the advocacy director will design and produce other such trainings to enhance the basic skills of the entire staff. He intends to help develop teams of both new and experienced attorneys to strategically address the legal problems of clients in the service area.

Finding 11: CLAS has devised various systems to ensure appropriate oversight of the quality of its legal work.

The responsibility for oversight of CLAS' legal work is delegated to one of the program's associate directors. The second tier of legal work management is conducted by four managing attorneys who are each assigned oversight of the program's practice groups. In addition to the day to day management of its legal work, CLAS has created a number of mechanisms to maintain consistent communications and to improve the quality of the staffs' legal work. On a bimonthly basis, CLAS conducts joint advocacy meetings (JAMs), which are attended by the entire staff. These meetings allow for morning discussions of agency issues and afternoon meetings of substantive units. CLAS also has a weekly strategic litigation advocacy meetings (SLAMs) conducted by one of the associate directors. These occur every Wednesday afternoon and generally last for an hour. At the SLAMs, advocates – either in person or by remote participation using the program's video-conferencing or Go-to-Meeting – have an opportunity to review cases and discuss community advocacy issues. An agenda is prepared by the associate director, and advocates are invited to submit topics or issues for discussion in advance.

The program has been working to refocus the attention of managers on actual management. At the time of the visit, CLAS had just implemented a change in its management team. This change, prompted by the resignation of a long-time managing attorney, gave the program an opportunity to realign its legal practice areas. Managing attorneys are to have smaller caseloads, so that they will be less focused on responding to clients and will have more time to assist the advocates they are supervising. Managing attorneys will not necessarily be experts in a field; and the program is aiming to vary its legal work to a greater degree. CLAS has supported requests by staff to attend Management Information Exchange (MIE) training, so that these advocates can better develop their management skills. CLAS recently implemented Individual Advocate Plans as a means to identify areas of development and legal practice focus. One managing attorney emphasized that in designing their individualized plans, advocates overwhelmingly appeared to aspire to conduct more complex litigation.

The managing attorneys have impressive credentials. The attorney leading the practice group on health and family law has held a variety of positions. She previously practiced health law in California, worked on abuse and neglect cases in Maryland, and worked as a health policy consultant. In 2011 she earned a masters degree in public health. Another managing attorney was previously employed in a prosecutor's office, and managed a four-attorney office that handled child support cases before entering private practice. Another manager received considerable praise from one of the area's local judges.

The program makes appropriate use of its case management system to organize and manage the work of its advocates. Daily case notes and regular case status reports can be reviewed remotely by management to review the latest actions in a case and ensure that cases are being worked on. In addition, such required entries prompt advocates to stay on top of their cases.

In 2010, CLAS initiated an internal system for measuring outcomes of the work of the program. The system collects, maintains and reports on data based on CLAS' four priority and practice areas. The reports include information on the economic benefit obtained for clients, as well as the degree to which clients achieve the expected goals as a result of the program's representation; and whether clients experience improvement in their economic, housing or related circumstances. For example, the 2011 "*Year In Review*" Report notes that overall the program resolved 1,098 cases and matters related to maintenance of economic stability. In that same category, the program helped 2,442 persons, and the financial impact of their representation produced \$20,093,405 in monetary outcomes for clients. This composite report including relevant client, case and staffing information forms the basis for discussions regarding any program adjustments or changes.

CLAS advocates participate in statewide listservs and task forces; take courses sponsored by the Ohio Poverty Law Center; and take part in national trainings sponsored by entities such as MIE and Center for Legal Advocacy and Education (CLAE). In addition, advocates have also developed courses on their own. One advocate created a "Divorce 101" training course for the Private Attorney Involvement reduced fee divorce panel. The training course, which was six hours in duration, not only covered substantive issues but also included a review of form pleadings and information peculiar to family court judges in the area.

Criterion 2. Private attorney involvement.

Finding 12: CLAS has developed an impressive Private Attorney Involvement (PAI) initiative.

The program's private attorney involvement effort is maintained by the CLAS Volunteer Legal Services Program (VLSP). The VLSP is a subsidiary of CLAS, and is governed by the CLAS board. CLAS' executive director is also the executive director of VLSP. The VLSP is effectively staffed and managed by an energetic team, which consists of a managing attorney, two paralegals and two legal assistants. CLAS' PAI plan was developed with input from a variety of stakeholders including the private bar, program staff, as well as client and community organizations. The plan appropriately describes the program's volunteer recruitment efforts for attorney and lay advocates;¹² the nine options for volunteer attorneys to participate in the effort;¹³ the process for surveying client satisfaction with services; and case placement and oversight processes.

VLSP operations are strategically integrated with the program's *HelpLine* intake system. In fact, the VLSP managing attorney provides supervision to both these areas of program operations. VLSP staff reviews calls that are received by the *HelpLine* and determines whether they are matters that can be referred to private attorneys or to one of the many substantive legal clinics that CLAS offers. The number of clinics conducted each month in multiple areas of poverty law is impressive.

Along with tracking data in the program's case management system, the VLSP staff uses a weekly electronic newsletter called *VBlas*t to place PAI cases. This has proven to be an effective way to place cases. Attorneys have an opportunity to review a brief description of the cases available for referral and can then email in response regarding their willingness to take on the case. In 2011 one of the goals of the VLSP was to place 2,000 cases with volunteer attorneys. A total of 2,700 cases were placed for that time period, and the program projects that it will place 2,500 cases in 2012. The VLSP weekly *VBlas*t also contains information regarding upcoming CLEs and other events, such as Law Week meetings, etc.

The program reported that there are about 600 attorneys taking part in the VLSP with some participation more consistent than others. The VLSP managing attorney and staff engage routinely in recruitment of volunteers for the program. LSC noted that the managing attorney for the VLSP is highly engaged with, and respected by persons in the legal community. She currently serves as President of the Portage County Bar Association, and was previously active as a member of pro bono committees in two other county bar associations.

The program runs a number of counsel and advice clinics throughout the service area. This permits attorneys to come on-site, to courthouses, and other locations to provide advice and brief services to eligible clients who attend. Some attorneys may take a case to final resolution while others can simply give the basic advice that is needed. VLSP also conducts a class called "Introduction to Poverty Law 101" during which attorney participants are given a budget sheet reflecting income and expenses that would be familiar to a typical client. They then take part in a day-long seminar that reminds them of the many issues – transportation, children's sickness, lack of child care, etc. – that interfere with the daily lives of the poor.

¹² Law student participation increases the program's ability to conduct bankruptcy representation. Students conduct the intake of eligible clients and cases before they are referred to private attorneys for the actual representation in the filing.

¹³ Participation options include: "the Reduced Fee Program, the Private Attorney Contract Program, the Pro Bono Program, the Outreach and Pro Se Clinic Program, the University of Akron Clinic, the Save the Dream Program, the Pro Bono Bankruptcy Program, the Low Income Tax Payers Clinic, and program development through private bar, state bar, and national organizational activities." *Excerpted from the CLAS PAI Plan.*

VLSP sponsors a number of functions throughout the calendar year. Volunteers are honored at an annual luncheon, with many receiving awards and other forms of recognition. LSC learned that VLSP has just initiated a partnership with Nationwide Insurance. Volunteer attorneys for the company will be staffing a Wills Clinic where they can provide assistance with wills and durable powers of attorney.

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

Finding 13: The program makes efforts to secure results for larger client groups.

The LSC team noted that each of the four practice groups have developed specific projects and partnerships to expand CLAS' impact in the community. The program operates a prisoner re-entry and expungement project; a low income taxpayer clinic and a used car project under the umbrella of its economic stability practice group. The practice group focusing on preservation of the home oversees such special projects as the Foreclosure Legal Assistance Project and the University of Akron Law School Housing Clinic Collaboration. The Individual and Family Health, Safety and Stability practice group oversees special projects including the Health, Education and Law (HEAL) project,¹⁴ the Children in School project, and the program's domestic violence project. These projects combine specific outreach and education to clients and are entry ways for the program to provide representation to the client community.

Along with its community engagement, CLAS continues to be alert to ways in which its services and involvement can provide solutions to systemic problems that impact large segments of the client population. For example, CLAS has worked with the Akron Housing Authority to achieve lasting improvements. After litigating the "guest policy" on a regular basis, CLAS advocates achieved a change in the Akron Housing Authority's Administrative Plan as well as a reduction in the number of individual cases.

In another instance a CLAS attorney, working with other advocates throughout the region, pursued an action so that the IRS would recognize child custody orders when making determinations regarding eligibility for earned income tax credits. As a result, the IRS is now revising its manual to reflect that such orders may be submitted. Additionally, CLAS' advocacy resulted in an expanded interpretation of Ohio's expungement statutes. *State v. Dzama (2011-Ohio-2634)*.¹⁵ This decision will have a positive impact on persons with more than one conviction, if only one of them is for an offense greater than a minor misdemeanor.

The program works in collaboration with other agencies and community groups in the service area. CLAS was awarded a HUD Fair Housing Initiative grant of more than \$75,000 to provide outreach and training to numerous portions of the population regarding rights and responsibilities mandated by the Fair Housing Act. CLAS staff will provide training to clients, social service providers, other attorneys, as well as housing industry representatives and generate educational materials in both English and Spanish as well as online materials. A team of staff members is working on implementing this grant. In Stark

¹⁴ The HEAL project also includes the program's medical legal partnership which operates in partnership with hospitals in the service area.

¹⁵ The Ohio statute in question requires that expungement requests may only be made by "first offenders." CLAS pursued an appeal on behalf of a client with two offenses, one of which was a minor misdemeanor. Due to her two offenses, the trial court denied her request. The appeals court examined the statute and held that a person is "a first offender unless he or she has been convicted of two or more offenses greater than minor misdemeanors." Having determined that CLAS' client was eligible for an expungement, the court further held that the statute, in not defining the phrase "the conviction record," did not limit which conviction record an individual may seek to seal. Having determined that the appellant was eligible to apply to seal her entire record, the case was then remanded to the trial court for its consideration of a variety of factors to determine whether the application should be granted.

County, the Family Court approached CLAS regarding the need for representation in child custody matters. Working together, along with the Child Support agency, they have created a child custody clinic that takes place once a month at the courthouse. A CLAS staffer is there to assist the clients and the volunteers.

Finding 14: CLAS makes good use of volunteers to further its work.

In numerous ways, and to its credit, CLAS has integrated volunteers into the fabric of the program's work. The medical-legal partnership has a group of volunteers who help the program staff the two sites at local medical institutions. These volunteers are law students, undergraduates, volunteer lawyers, as well as new attorneys. In its divorce and custody clinics, volunteer attorneys help the participants complete the divorce complaint and related documents and advise them how to file them. The CLAS paralegal then tracks the cases and provides additional assistance as the cases proceed to judgment.

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

Criterion 1. Board governance.

Finding 15: The CLAS board of trustees is engaged in the oversight of the program's operations.

Based on review of the board records submitted by the program prior to the LSC visit and interviews with board members and staff, the LSC team determined that the CLAS board is providing satisfactory oversight of the program's operations. The board executes its fiduciary responsibilities by holding regular quarterly meetings of its full membership. Meetings are usually held in the Akron area. Board members may participate in board meetings in person; by video-conferencing; or they may participate by teleconference. A review of minutes of the full board indicates consistent attendance and involvement by trustees in the board meetings. The substance of the record indicates a board committed to the program.

The board uses a committee system to carry out some of its responsibilities. These standing committees include an executive committee, a finance committee, an audit committee, a personnel committee, a nominating committee, and a client grievance committee. Between board meetings, the executive committee is empowered by the program's code of regulations to act on behalf of the full board. While there were indications that the executive committee held regular meetings, no minutes of executive committee meetings were submitted by the program for review by the team. The executive director explained that the committee opted not to record minutes of their meetings. The committee reports to the full board at its regular meetings.

The CLAS board takes an active role in evaluating the program's financial status through the work of its financial committee, and the board's regular review of the program's financial statements. Of particular note was the board's review of the program's use of its reserves to cover its budget deficit. Beginning in late 2011, the board comprehensively explored the financial health of the organization. The board held special meetings on two separate occasions, at which time a complete review of all funding sources was completed. As a result of these conversations, the program has reinstated its strategic planning process with board and staff involvement.

Client board members are actively engaged in the governance of the program. A number of them are enormously enthusiastic in their support of the program. Client board members meet regularly with the

executive director prior to regular board meetings to review the issues that are on the agenda and discuss concerns. The agenda for each board meeting includes a time for client board members to present a report or update of their activities, including training events and conferences they have attended and client or community concerns.

New board members receive board orientation from the executive director, and the board participates in occasional training events and other special meetings to further opportunities for board development. Other indicators of board engagement include the board's involvement in resource development through the work of its active fundraising committee and the board's regular oversight and evaluation of the program's executive director. The board conducted a review of the executive director's performance in 2011; however it appears that input was not sought from staff and community stakeholders.

The CLAS board also governs NOLS. NOLS is a non-profit legal services organization providing client representation in the OH-20 service area in cases and activities that CLAS is constrained from providing because of LSC regulations. The agenda and minutes of board meetings indicate a joint opening of the board meeting and general discussion of items affecting both CLAS and NOLS. At the close of the joint session, a separate meeting of each organization is called to order to vote on the matters of each organization.

CLAS provided LSC with a copy of the agreement governing its relationship with NOLS. The team reviewed the agreement and noted that CLAS has a sub-grantor relationship with NOLS. Since the current agreement does not clearly delineate the amount, terms or length of the agreement, nor a process by which CLAS evaluates and renews the agreement, the team believes that the relationship should be examined and the processes for operating the two organizations should be re-visited. Additionally, the team expressed some concern about the potential conflict of interest for the single board governing both entities. It was unclear whether the board had instituted a conflict of interest policy directly related to how it provides impartial oversight of the two programs.

Recommendations:

- IV.1.15.1**** ***The CLAS board should re-evaluate its decision to cease recording minutes of executive committee meetings. This committee's work and decisions are a critical component of board governance, and the maintenance of meeting minutes and records is considered a best practice in board governance.***

- IV.1.15.2**** ***The CLAS board should evaluate the structure and operation of its current relationship agreement with NOLS and how the organizations should operate in order to provide a comprehensive service delivery strategy that produces good outcomes for clients.***

- IV.1.15.3**** ***The CLAS board should continue to perform regular performance evaluations of the executive director, and, in future evaluations should include the input of staff and community stakeholders.***

- IV.1.15.4**** ***The CLAS board should develop and adopt a conflict of interest policy governing its oversight of CLAS and NOLS.***

Finding 16: The CLAS board has initiated a review of its current bylaws.

Based on the current code of regulations or bylaws under which the organization operates, the program's board is structured with a membership of 21 trustees. These regulations were last amended in September, 2006. Minutes of board meetings indicate that beginning in 2010 an ad hoc committee was formed and discussions began with regard to changes; however minutes did not indicate the completion of this process.

The program has been successful in recruiting a diverse board membership. At the time of the LSC visit there were five vacancies on the board – three attorneys and two client representatives. Efforts to fill these vacancies are ongoing.

Recommendations:

IV.1.16.1*: *The board should develop a strategy and complete its recruitment of board members in order to fill all its vacancies.*

IV.1.16.2*: *The board should complete its review of the organization's code of regulations to ensure that they comply with the program's current practices.*

Criterion 2. Leadership.

Finding 17: The program is led by a director with extensive legal services experience.

CLAS' director has served in her current capacity since 1998. Prior to her tenure as the program's director, she served in various capacities for one of CLAS' predecessor programs, Stark County Legal Aid Society. She served on the national design team charged with the development of LSC's State Justice Community Evaluation Instrument; is active with the Ohio State Bar Association Pro Bono Committee; and appears to be well known within the community.

In all the offices, the CLAS staff appeared to work together to achieve the program's mission. This was demonstrated in the program's operation of intake, substantive clinics, administrative services, and its legal work. The CLAS staff survey completed in advance of the visit, however, revealed some concerns from staff with regard to the management style of the executive director, including that some staff often felt left out of certain decision-making processes. Some survey responses indicated that staff often received the news about program changes without regard to their involvement in planning for them, and without regard for the impact of the changes on their day to day responsibilities.

In answering questions posed in LSC's survey of the staff, a significant number of staff who responded highlighted several leadership concerns. Among them was the fact that while the director is very busy and does a great job out in the community, she appears to have some difficulty relating to some segments of staff. While some staff complimented her commitment to the program and its mission, others noted that at times the director did not delegate responsibility well or hold certain staff accountable. Some staff also noted that supervisory lines of responsibility were not always clear throughout the program. While the staff generally viewed the director as an effective leader, approximately 21% of the staff who responded to the survey disagreed.

The role and work of the executive director, as well as the oversight of the program's board is critical. While the team acknowledged the work and contributions of the executive director, some concern was

expressed with regard to the tension and overall apprehension exhibited by the director with regard to the LSC visit.

Recommendations:

IV.2.17.1* *The CLAS board of trustees should conduct a management assessment of the program's leadership.*

IV.2.17.2* *The executive director should develop ways to determine and address any gaps that may exist between management and the staff in order to build a more cohesive program.*

Finding 18: **CLAS received standard instructions from LSC regarding visit protocols; however some program staff appeared apprehensive about speaking with the LSC visit team.**

The purpose of the LSC visit, as noted in the introduction to this report and in the standard opening letter pertaining to the Program Quality Visit, was to evaluate the program's delivery system; assess the quality of its legal work; review its board and administrative management and assess the program's creativity and innovation. It appeared to the team that there was a palpable apprehension concerning the visit, driven by CLAS leadership, as well as by many staff. On site, some members of the team noticed hesitation in the staff members' responses to some questions, specifically in regard to the executive director's leadership of the program. Of particular concern, LSC learned that prior to its visit, several staff members had been laid off, leading some staff to believe that LSC's visit was a precursor to the rescission of LSC funding to the program, or in the alternative, the reorganization of the OH-20 service area. Those concerns were addressed by the team as unfounded; however it appeared that some staff members were nevertheless fearful of retaliation by the program's administration, if they said the "wrong" thing. The team leader, in discussing these matters with the executive director, informed her of the team's concerns regarding potential reprisals for speaking candidly and requested complete openness from the staff during team interviews. The executive director was reminded of the guidelines governing staff interactions with LSC that were shared in the entrance conference and in the interviews with staff, in an effort to allay any fear of retaliation by the program or the board.

Recommendation:

IV.2.18.1*: *The CLAS board should consider and adopt a program policy governing the program's implementation of LSC Grant Assurance 13 related to staff interactions with LSC. The policy should also include general protections for employees with regard to whistleblowing.*

Finding 19: **CLAS has no formal leadership succession plan.**

While the program's executive director is supported by a capable executive management team, the program has no formal leadership succession plan. To its credit, board minutes reflect that a request was made that a succession plan be developed for the board's consideration. The request is being addressed; however, it was incomplete at the time of the visit.

Recommendation:

IV.2.19.1*: *The program should complete its development of a formal leadership succession plan and submit the same to its board of trustees for approval.*

Finding 20: Some CLAS staff have access to leadership development opportunities.

One year ago, CLAS invited a group of advocates to participate in its “Leading Change” initiative. This group meets periodically and, using the *Leading Change* book authored by John P. Kotter as its guide, is focused on addressing programmatic issues in an effort to ensure that the program delivers quality legal work. The advocates who are participating appear energized by the process. It appears that the group has spawned subcommittees which are focused on instilling a culture of excellence as well as improving the morale in the program. It also aims to achieve staff’s “buy-in” of changes. The team noted that the group membership does not include staff who are not advocates.

Recommendation:

IV.2.20.1: CLAS should ensure that opportunities for leadership development are expanded to include all staff positions.

Criterion 3. Overall management and administration,

Finding 21: CLAS continues to make changes to its management structure, which is comprised of a large number of program-wide management and administrative staff.

In response to the 2010 Peer Evaluation Report commissioned by OLAF, the program has continued to adjust its management structure to allow those with oversight responsibilities to focus on management and supervision of the staff. As noted previously in this report,¹⁶ managing attorneys have smaller caseloads, so that they will have more time to focus on the supervision and development of staff.

CLAS is managed by a senior management team that includes the executive director, two associate directors, an advocacy director, a chief financial officer, and a development director. A larger management group exists comprising all middle supervisors and managers, managing attorneys and the administrative assistants who support the executive team, with a total of 21 senior and management staff¹⁷. The senior management team meets weekly and the entire management team meets monthly.

In contrast to the large number of management and administrative staff, the program employs only 25 staff attorneys and 4 paralegals (II) to provide legal representation throughout the entire service area. The LSC team is concerned that there is a critical imbalance between the number of administrative staff and legal services advocates.

Recommendations:

IV.3.21.1:* CLAS should consider the allocation of its resources based on the needs identified through its legal needs assessment to guard against the disproportionate hiring of staff not involved in direct service delivery.

¹⁶ See Page 16, Finding 11.

¹⁷ Management group members include a PAI director who is also the intake coordinator; and two financial professionals; an associate development director; four managing attorneys; two IT professionals; a compliance manager; two office managers; and two administrative assistants.

IV.3.21.2:* *In considering any further downsizing of CLAS staff, CLAS should first consider the current levels of essential administrative or management staff prior to any further reductions in advocacy staff.*

Finding 22: CLAS is the sub-grantor and provides administrative services to NOLS.

CLAS and NOLS are separate Ohio non-profit legal services programs governed by a common board of directors, and operating in all eight counties in LSC service area OH-20. Each program is managed by an executive director who reports to the board of directors. NOLS has four staff members: the executive director, two staff attorneys and a legal assistant. The NOLS director is considered by the CLAS executive director a part of the regional management team, and as such he attends CLAS meetings as he deems appropriate. NOLS staff members are expected to participate in CLAS weekly case review meetings, and are also invited to CLAS program-wide staff meetings and holiday functions.

Under a sub-grant agreement signed in September 2008 by both programs, renewable annually, CLAS is responsible for providing administrative services to NOLS. These services consist of the following: intake, human resources administration, including payroll; accounting and financial reporting; contract and grant administration; preparation of grant proposals and technology support. The agreement may be terminated at any time by either program, although changes to the agreement must be by mutual agreement.

NOLS' operation is funded primarily with monies provided to CLAS by OLAF, and CLAS is responsible for the monthly allocation intended to cover NOLS' expenses. The agreement also provides that CLAS make payments to NOLS to cover operating expenses when its reserves are lower than required. Because the sub-grant agreement does not specify the amount of OLAF funding that is allocated to NOLS, the team reviewed a March 2012 unaudited financial statement and ascertained that NOLS receives approximately \$393,000 in OLAF funding. This was confirmed by the CLAS executive director. Additionally, the sub-grant agreement does not specify the annual cost for administrative services paid by NOLS to CLAS. Inquiries were made of CLAS and the team was assured that the chief financial officer works with the program's auditors to ensure that CLAS receives fair compensation for the services rendered.

In light of CLAS and NOLS' administrative and financial relationship, along with the potential impact of these matters on LSC's program integrity requirements, the team agreed that a referral should be made to the LSC Office of Compliance and Enforcement for a review of the organizational structure and relationship.

Recommendation:

IV.3.22.1*: *CLAS should engage with LSC's Office of Compliance and Enforcement to seek an evaluation, guidance and direction with regard to the structure and operation of its agreement and partnership with NOLS.*

Finding 23: CLAS maintains a robust, well-supported IT environment that responds well to the business needs of the organization.

The CLAS technology team consists of the associate director, IT manager and case management system (CMS) coordinator. The associate director and IT manager are well respected by staff and have a strong reputation across Ohio for developing innovative technology solutions that help staff work more effectively. The CMS coordinator, though new to the program, received high marks from staff for her Google Apps trainings, and for responsiveness to helpdesk requests. Overall, the technology team appears customer-focused and accessible.

The program's most recent successful technology initiatives include:

- The program implemented enhancements to the *PIKA* case management system that improve workflows and allow supervisors to more effectively manage staff. CLAS takes advantage of many of built-in *PIKA* features and has added powerful customizations that help it operate more efficiently. Examples include the generation and tracking of support tasks within the case management system.
- Successful migration to *Google Apps* platform - CLAS decided to limit user access to *GMail* through *Google's* web-platform. IT experts, including those at Google, encourage use of the web interface because it is more powerful, feature rich, and arguably more secure. However, most law firms that adopt *Google Apps* allow staff to continue to use Outlook because they are familiar with the application. CLAS ended support for *Outlook* and managed the change through extensive training and help resources.
- Standardization of the *Citrix* environment - after being hired in 2010, the IT manager focused on cleaning up the program's *Citrix* servers and fixing problems associated with *Citrix's* application delivery. Staff indicated that since the employment of the IT manager started, the system has become more reliable and generally runs smoothly.

The technology team has developed a culture supportive of technology use among staff. Several staff members have embraced tools such as *Google Docs*, *Crystal Reports*, and *HotDocs* to enhance their projects. These tools have increased knowledge management capacities and enhanced the program's ability to effectively conduct legal work.

CLAS staff indicated that where there are more IT issues, such as occasional outages, they occur in offices other than the Akron office. This can be attributed in part to the quality of internet and phone service providers available in these cities, which is outside of CLAS's control. While technology is generally strong outside of Akron, the team is concerned that any inequity in the quality or caliber of equipment or systems in the branch offices gets addressed in future IT planning and initiatives.

Recommendations:

- IV.3.23.1: The program should continue to develop better knowledge management resources, more standardized letters to clients, and improved substantive materials to enhance the program's ability to conduct its legal work.***
- IV.3.23.2: CLAS should evaluate whether the program can benefit from IT staff conducting routine day-long visits to offices outside of Akron for the purposes of assessing technology needs and providing in-person support and training.***

Criterion 4. Financial administration.¹⁸

Finding 24: CLAS employs experienced staff to manage the program's financial operations.

The program employs a chief financial officer (CFO) who is responsible for the management and oversight of fiscal operations, and works closely with the CLAS director to ensure proper management of the program's finances. The CFO is an accountant with more than 20 years of experience, and she is assisted by an accountant and bookkeeper.

The program has written fiscal policies and procedures that are regularly updated and appear to comport with the most recent LSC Accounting Guide. Monthly financial statements are provided to the executive director and the CLAS board's finance committee for review.

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

Criterion 5: Human resources administration.

Finding 25: The program has implemented and follows appropriate human resource policies.

Currently, the responsibility for the program's human resources administration rests with the CFO. The program's structure provides for a finance/HR manager, however at the time of the LSC visit, that position was vacant. The program is unionized, and its bargaining agreement guides the management of personnel issues. Additionally, CLAS maintains a set of comprehensive policies which guide its personnel management. It was unclear when these were last reviewed and updated.

CLAS is currently implementing a revised performance evaluation system. Although the program had conducted sporadic evaluations of staff in the past, in 2011 it conducted a thorough evaluation process for all members of the program. The evaluations were reviewed by all members of the management team. The evaluation forms utilized by CLAS to evaluate attorneys, managers, and paralegals are comprehensive and detailed. The process includes the development of a work plan which establishes goals for the year and identifies any training needs for the employee.

Criterion 6: Internal communication.

Finding 26: The program continues to use a number of vehicles to enhance its internal communications.

CLAS covers a large geographic territory and has many staff members who work at a distance from each other and the Akron office. The team heard concerns that there is not enough timely communication

¹⁸ This program quality 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.

between the senior management and the staff. It was noted that sometimes even middle management is not aware of decisions until they are announced.

The program has taken a number of steps to ensure that distance does not contribute to personal or professional isolation. In addition to emails, the program usually issues a weekly “*Monday Memo*” which contains personnel news; information and links regarding programmatic and procedural changes; a summary of current case work; and updates on the status of grants and other funding. Albeit well intentioned, however, the dissemination of information is not always issued timely. The content of disseminated information was sometimes outdated by the time it was received by staff. Recently, the program instituted a helpful blog which can be found on the program’s website.

CLAS conducts all-day, all-staff meetings on the first Friday of every other month. These meetings are conducted off-site, at places such as Kent State University or at other similar locations in Youngstown. The mornings are devoted to discussions of programmatic changes, technology training, as well as in-house CLEs. The program extends an invitation to pro bono attorneys to attend the CLE training sessions. The afternoons are devoted to practice group and team meetings.

Staff appreciated that some of the CLAS senior staff members visit branch offices and make a concerted effort to spend time in the branches on a regular basis. They highlighted the visits of the associate and advocacy directors to these offices. Although these efforts were appreciated by staff, the team noted that more visits and interaction by all members of the program’s senior staff with branch offices would be helpful in establishing a healthy rapport with the entire program’s staff.

Criterion 7. General resource development and maintenance.

Finding 27: CLAS is taking steps to improve its resource development efforts.

CLAS recently hired a development director who is energetic and appears interested in learning more about all of the various opportunities that the program can pursue in an effort to expand and increase its resources. Within the program, she has begun a dialogue with VLSP to increase publicity relating to legal clinics and integrating the VLSP database with the CLAS donor base. She also plans to circulate throughout the program and consult with the program’s attorneys to discuss ideas for expanding CLAS grant opportunities. The new director has also looked beyond the program for ideas. She has met with her counterpart at LAS in Cleveland. The development director is assisted by a part-time assistant development director, who works remotely from Tennessee.

The development director appears to be starting with a blank slate and is interested in pursuing newer income streams as well as employing up to date strategies for resource development. For example, the development director noted that because of a partnership secured with Bridgestone Tires, the Bridgetown International tournament is selling tickets to benefit CLAS. In addition, CLAS has just started a Young Professionals group. To date, it has met twice and is in the process of planning a social outing for June, coinciding with the 2012 arrival and placement of CLAS’ summer interns.

The CLAS board and the program will soon launch their first ever large scale fundraising event. CLAS is hoping to celebrate its 60th anniversary later in 2012, by sponsoring a major fundraising event at a local venue.

Criterion 8. Coherent and comprehensive delivery structure.

(This criterion is covered throughout this report.)

Criterion 9. Participation in integrated legal services delivery system.

Finding 28: The program participates in statewide and regional efforts to provide a full range of civil legal services.

CLAS is an active participant in the local, regional and statewide delivery systems. As mentioned previously, the program partners with various organizations in its service area to provide an integrated delivery system. Additionally, CLAS and NOLS share identical service areas, and both are responsible for meeting the legal needs of low-income clients in central northeastern Ohio. NOLS provides representation to eligible clients in the areas restricted by LSC regulations. Currently they are handling cases related to education, consumer debt collection, used car and mortgage scams and immigration.

CLAS takes part in monthly statewide meetings of legal service providers that are convened by OLAF. During these telephonic meetings, program representatives share thoughts on issues such as technology, pro bono, and strategic planning. CLAS has taken a leadership role in the area of technology. There are coordinated task forces administered by the Ohio Poverty Law Center, and CLAS also participates in these. The program interacts with local law schools and law firms to expand their ability to provide access to legal services for eligible clients in the service area.