

**PDA Committee on Advocacy  
Survey of Field Programs**

**Introduction**

In February 1999, the Florida Project Directors Association (PDA) held a retreat. They discussed numerous issues regarding Florida's legal services to the poor delivery system. As the PDA talked about an individual program and statewide accomplishments and the things that made us proud, the phrase *Energetic Affirmative Advocacy* emerged as a statewide goal.

One of the two statewide initiatives agreed upon by the PDA was to address the needs of the system to support and develop client-centered energetic affirmative advocacy. The Committee on Advocacy was formed to address this initiative. The agreed upon goal is to inspire, develop and implement successful energetic affirmative client-centered advocacy for each individual advocate and program and on a statewide collaborative basis. (The other initiative was funding for which a separate committees was formed.)

At its initial meeting, post-retreat, the Committee on Advocacy decided to obtain input from field program staff. To this end, some field staff were added to the committee. The Committee also decided to survey field staff as to what they believe is needed for them to personally become (or maintain themselves as) energetic affirmative advocates on behalf of their clients; the support they believe their programs may need; and how state collaborative efforts would help meet these goals. The Committee also sought to survey the field programs for the purposes of evaluation of the efficacy of current supports for advocacy.

A subcommittee was formed to develop the survey, collect the data, and prepare a report.<sup>1</sup> A survey instrument was developed and sent to all IOTA grantees, including those who are not members of the PDA. (The entire survey packet is attached as App. A.) The approach was that of "focus" groups in the sense that grantees were asked to pull together representatives of staff to meet in a group to respond to the survey. The data collected must be read in that context. In other words, the survey's results are not to be considered in any manner as representing in any statistically sound way the views of **all** field staff. Rather, it provides much information about what those who participated thought

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<sup>1</sup> The subcommittee consists of Alice K. Nelson of Southern Legal Counsel and Glenn Shuman of Withlacoochee Legal Services. The subcommittee was assisted in the development of the survey by Paul Doyle, the Florida Bar Foundation, and Carnot E. Nelson, Ph.D., Professor of Psychology, University of South Florida. The compilation of the report was assisted by consultant Ellen Hemley, one of the facilitators of the February retreat, and Cindy Zimmerman, paralegal, Southern Legal Counsel.

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about various issues and, importantly, it provides much data to be digested by the PDA and utilized in statewide planning efforts to obtain the goal of energetic affirmative advocacy. This report summarizes the data in a way which it is hoped provides the basis of discussion and next steps. In some instances, the responses to items were incorporated by reference in other responses, or responses included ideas/suggestions that were called for by other items. For example, in the discussions of what is working or not working for statewide collaboration, responses also included comments on what was not working. There are other examples as well. These responses have simply been moved to the correct item.

Some statistical analyses were done between large programs (defined 18 or more staff) and smaller programs (less than 18). Some analyses were also done for LSC and non-LSC programs. These are generally not reported here for two reasons: first, there is little comfort that these statistical analyses have either validity or reliability for a variety of reasons including how participants were chosen and/or self-selected to participate in the process. Second, even "eyeballing" the comparisons, there does not appear to be much statistical difference between the various groups. However, there is an intuitive sense that some differences exist in the experiences/needs of these groups. To the extent that something "popped out" that might assist in planning, the results are reported. However, it is worth reiterating that these are not statistically valid comparisons, but can only provide some indication of some differences.

The field is to be commended for the seriousness with which the task was approached. It is clear that people spent considerable time on this effort and much information was generated. Some common themes have emerged: a yearning for greater use of technology both within the programs and for sharing information on a statewide basis, as well as Internet access. When items requested information regarding substantive areas of interests, all poverty areas were listed. Ideas which were first mentioned in response to one item were frequently repeated in others. Readers may also identify other common themes.

The summary of the responses is on the one hand rather boring. On the other, there is a tremendous amount of information providing a very rich source from which planning can occur.

**The Respondents**

**Program Cover Sheet**

Twenty-five programs responded to the survey, with 273 staff participating in the process. (The programs responding are listed at App. B.)

Program Staff		Program Size	
Attorneys	298	Large (18 or more)	16
Paralegals	124	Small (less than 18)	9
Support Staff	246		
Administrators	76		

Type of Program	
LSC Funded <sup>2</sup>	12
Non-LSC Legal Aid:	
Larger Programs <sup>3</sup>	3
Smaller Programs <sup>4</sup>	5
Public Interest Law Firms <sup>5</sup>	2
Law School Programs <sup>6</sup>	2

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<sup>2</sup> Bay Area Legal Services, Central Florida Legal Services, Florida Rural Legal Services, Gulfcoast Legal Services, Greater Orlando Legal Services, Jacksonville Area Legal Aid, Legal Aid Services of Broward County, Legal Services of Greater Miami, Legal Services of North Florida, Northwest Florida Legal Services, Three Rivers Legal Services and Withlachooshee Area Legal Services.

<sup>3</sup> Dade County Bar Association, Legal Aid Society of Orange County Bar Association, and Legal Aid Society of Palm Beach County.

<sup>4</sup> American Friends Service Committee, Brevard County Legal Aid, Community Law Program, Heart of Florida Legal Aid Society, and Seminole County Bar Association.

<sup>5</sup> Florida Justice Institute and Southern Legal Counsel.

<sup>6</sup> Children First Project at Nova University and Nova University Children and Family Law Center.

Twelve programs operated out of more than one office. The largest number of offices were seven (Florida Rural) and six (Bay Area). Florida Legal Services has five offices; Central Florida Legal Services, Gulf Coast, and Legal Services of North Florida each have four offices; Greater Orlando has three, as does Legal Services of Greater Miami and Withlacoochee Area Legal Services. The remaining programs all have one office.

Twenty two of the 25 programs have some forum for the collective discussion of individual cases. These forums range from weekly staff/team meetings to more informal discussions. Further, giving the range of answers, the question might have been answered more broadly than the intent of the question, i.e. the use of the word "forum" was meant to elicit more formal responses. Thus, given the wide range of answers, it appears that all programs do have some discussion of individual cases. Eighteen of the programs did appear to have some formal mechanism to meet on cases periodically with most of these programs meeting weekly.

Twenty-three programs have some forum for the collective discussion of the legal needs of the poor. Here the range of responses was greater with some programs, mostly those funded by LSC, having formal priority setting meetings. Others rely on staff meetings. One program indicated that they are very much involved with grassroots community groups.

All programs have made available computers at staff desks. However, one program does not have a computer at the switchboard and one program had "two holdouts" who did not have computers at their desks. Internet access is less pervasive. Fifteen programs have Internet access available to all staff. One program answering no to this item indicated that Internet access was limited to attorneys and paralegal.

## **The Results**

### **Part I. - Definition of Energetic Affirmative Advocacy (EAA)**

Respondents were asked to add their thoughts on what is or is not EAA. The results follow:

Add to Energetic Affirmative Advocacy IS:

Collaborating and cooperating with others to get the best results for your clients (the case is not about your ego its about your client), including other agencies, and working as a team and co-counseling.

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Collaborating with other providers, rather than just referral.

Someone who helps clients not only with their legal problems but also makes clients aware of nonlegal agencies that may be able to help them with other problems.

Knowing the community, having relationships in the community, knowing where to go for help.

Getting involved in community activities.

Pool community resources and utilization of all resources.

Being aware of issues in the community.

Seeing the client as a human being, not as "issues" or "cases" to be solved, but as a whole person.

Being willing to learn and to care (person to person), on a human level (vs. humanitarian level which may be condescending).

Treating each client's case as if it were the only case - clients often do.

Being open to others ideas.

Empathizing with client concerns.

Creating more public awareness of our program and services.

Maximizing resources to avoid duplication of services and competition for same dollars.

More interaction with judges and hearing officers.

Expansion of areas in which services are provided.

Grassroots advocacy and client interview in the community.

Is successful and is a model for others. Success breeds success

Client empathy and believing in client.

Proactive not reactive approach.

Creative approach to problem solving.

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Love of job and satisfactory working environment.

Not lose sight of issues.

Passion for work and issues.

Goal oriented and client assisted.

Positive life impacting.

Representation, referral and follow-up.

Public service.

Look beyond immediate issue and identify unobvious legal issue.

Change negative impact.

Educate the client.

Assist in prevention of future legal problems.

Doing whatever it takes to make a difference.

Good relations with private bar.

Thorough, competent representation.

Add to Energetic Affirmative Advocacy IS NOT:

-Being unable to consider or investigate someone else's strategies for handling a case (being narrow-minded).

"Defense or response without counter-claim or petition." It is not always prudent to automatically file a counter-claim or petition. It depends on each individual case.

-Taking on so much that quality succumbs to quantity.

-Losing sight of individual client needs in cases with potentially broader impact.

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**Part II.**

**A. Training - Statewide**

1. Assessment of Training Needs

<b>Method of Assessment*</b>	
Very Satisfactory	19%
Somewhat Satisfactory	51%
Not Satisfactory	30%

2. Changes Wanted in Assessing Training Needs

Some participants responded to the item regarding changes in the assessment of needs by also including suggestions about additional training desired. The responses that included additional training are reported in the next paragraph. As to the assessment of needs:

- assessed directly with field staff, either through e-mail, surveys, or individual interviews
- ideas should come through the workgroups
- ideas should come through group meetings, informal discussions, and a suggestion box
- results should be published and the annual training report circulated
- more regular review of training needs, perhaps twice yearly
- more "systematic" review
- minimum training goals set for all staff and part of employee evaluations.

As to additional training ideas:

- more support of staff training with focus on skills necessary in a legal services program, including how to deal with difficult clients, poverty training and sensitivity to causes and effects
- more training should be affordable and linked this with video/audio tapes being made available for free
- more computer training
- training on local resources that might be available such as credit counseling and other community services
- training provided on a regional basis.

3. & 4. Benefits to Staff and Clients from Training

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<b>Staff Benefits*</b>	
Very Much	17%
Somewhat	53%
Very Little	30%

<b>Client Benefits</b>	
Very Satisfactory	20%
Somewhat Satisfactory	56%
Not Satisfactory	25%

(\*No cross comparisons were made as to whether these were the same respondents.)

**5. & 6. Positives and Negatives of Statewide Training:**

Participants were asked to rank order the positives and negatives of statewide training. Analysis of the rank ordering is difficult as most answers are not in that precise framework. In no instance did any of the programs list more than ten items as positive and most listed between five and six. Thus, for purposes of this report, the results are summarized and no rank order analysis was performed.

<b>Positives</b>	
Sharing/Networking*	15
Focused on issues relevant to legal svc. providers	12
Trainers knowledge	9
Cost	6
Re-energizes staff & reduces burnout	4
Others: Materials Presentation of up-to-date information Statewide perspective	

(\*Besides the 15 responses, a number of others included both “networking” and “sharing” or some formulation of that concept in their responses. Thus, it is reasonable to conclude that this is one of the highlights of statewide training.)

<b>Negatives</b>	
Insufficient number of training events	9
Insufficient funds to attend training (some linked to travel)	7
Takes time away from office and serving clients	6

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<p>Others:</p> <ul style="list-style-type: none"><li>Too general or too basic</li><li>Too specialized</li><li>Issues/topics too narrow or too advanced</li><li>Insufficient support staff training</li><li>Too repetitive</li><li>Irrelevancy to practitioners</li><li>Insufficient hands-on training</li><li>Location</li><li>Failure of trainees to share information with their program</li></ul>	
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7. Substantive Areas Helpful to New Case Handlers

Almost all topics were identified as substantive areas. These included family, consumer, public benefits, including WAGES, public housing, landlord/tenant, fair housing, children's law, employment, farm worker law, civil rights, Title VI and Title VII, the ADA, and Section 1983. The basic tools of lawyering were also listed including evidence, civil procedure, local court procedures, federal practice and issue spotting. Finally, skill areas were also identified including trial practice, basic discovery, and professionalism. Restoration of BLAST training was also suggested, not only for case handlers but also for energetic affirmative advocacy.

8. Areas for Orientation of New Case Handlers

As to orientation for new case handlers,<sup>7</sup> the responses can be categorized as those addressing administrative concerns, relationship to the poverty community, community resources, relationship to the legal services community, and skills. As to administrative concerns, frequently mentioned was basic file maintenance, basic office procedures, a desire to be personally introduced to all staff and knowledge of program priorities. As to the poverty community, there was an expressed interest in the sociology of the poverty community with role play on being poor, and cultural diversity. (This was also mentioned as a change needed to be an effective affirmative advocate.) As to the legal services community, there was an expressed interest in the history of the legal services movement, a knowledge of Florida's delivery system including the role of FLS and the companion system, and how the specific program fits into the larger picture. Also mentioned was information on the LSC regulations. At a skill/practice level were ethics, effective techniques for communicating with and interviewing clients, identification of national/statewide resources, knowledge of local resources (knowledge of local resources was also suggested for changes to effective affirmative advocacy), dealing with special populations such as victims of domestic violence, the elderly, people with mental illnesses, irate and emotional clients, plain speaking, job stress and identification of patterns of issues.

9. Changes Needed to Be an Energetic Affirmative Advocate

Suggested changes in training addressed techniques of training, the types of training desired, as well as other ideas. As to techniques of training, more hands on training is desired, use of role playing, more interactive sessions, longer training sessions, more use of technology, the creation of audio/video tapes in substantive areas, and smaller training. Additional training was desired in how to deal with difficult clients, orientation type of course of new employees, and training/orientation of the meaning of energetic affirmative advocacy. Also mentioned was a desire to bring in national

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<sup>7</sup> Not reported here are suggestions already captured in the previous paragraph regarding substantive training.

substantive experts, additional separate list-serves for each substantive area; publication of list of experts and co-counsel, more opportunity to attend national, regional and more specialized training, and scholarships to seminars [non-FLS] not offering discounts. At a program level, one response suggested that there should be frequent meetings with supervising attorneys with feedback and evaluation and the use of simulated cases for training. A training committee for new attorneys was suggested. For support staff, it was suggested that more training was needed in computers, pleadings, grammar, job stress, telephone and client contact skills, and the development of a secretarial manual directed specifically for the legal services community.

**B. Technical Assistance on Substantive and Procedural Legal Matters**

1. & 3. Technical Assistance Needs

<b>During Past Year</b>	
Needed	93%
Not Needed	7%

<b>Needs During Past Year</b>	
Very Well Met	73%
Satisfactorily Met	22%
Very Poorly Met	6%

<b>Needs During Past Year</b>		
	<b>Larger Programs</b>	<b>Smaller Programs</b>
Very Well Met	76%	52%
Satisfactorily Met	17%	48%
Very Poorly Met	7%	

2. Sources of Technical Assistance

Individuals identified many sources of technical assistance. In-house individuals relied on fellow attorneys, team leaders, managing attorneys, litigation directors, information specialist, and mentoring Board members. Also mentioned at the local level were pro bono attorneys (perhaps from the pro bono panels), the private bar, and the courts. People also sought technical assistance from around the state, mentioning Florida Legal Services, Florida Immigrant Advocacy Center, Florida Institutional Legal Services, Southern Legal Counsel, the Companion System, and other lawyers experienced in substantive areas and with governmental agencies, the Florida Bar, the Domestic Violence Coalition, 1000 Friends of Florida, the workgroups and other legal services offices. National backup centers were also asked for assistance as were other national advocacy organizations such as the ACLU, the Children’s Defense Fund and others. Also mentioned was the Internet and Infonet.

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4. Substantive Areas in Which Technical Assistance Was Sought

Respondents asked for technical assistance in almost every area of the law: immigration, criminal law (non-LSC programs), public benefits, taxes, mechanic's liens, bankruptcy, probate, guardianship, insurance coverage, family law, Medicaid, HUD, housing, consumer, social security, domestic violence, child support, federal procedure, education, civil rights, legislative, constitutional issues, experts, procedural issues, education, child welfare and welfare report, real estate, commercial, Medicare, ADA, juvenile law, Haugh Convention/International child kidnaping, unemployment compensation, health, mobile home law, AIDS, naturalization, farmworker law, appellate practice, evidence, discovery, administrative procedure, dealing with difficult people, CED, LSC regulations, WAGES, wage/hour, trial/case strategies, disability law, discrimination and harassment, attorneys fees (non-LSC programs), truth-in-lending, and elder law/nursing homes. The words of one program sum up these responses: "all areas in which we practice."

5. Substantive Areas in Which Technical Assistance Is Needed

Similarly, many areas of the law were mentioned in response to the item regarding substantive areas where help is needed. These included immigration, criminal (non-LSC programs), tax, consumer, education, juvenile, domestic violence, family law, consumer, child support, federal procedure, civil rights, housing, public benefits, worker's compensation, Title VII, § 1983, bankruptcy, corporate law, litigation strategy, maximizing damages (non-LSC program), international law, class actions (non-LSC programs), social security, pension evaluations, property issues, QDRO's (?), civil procedures, health, veteran's rights, farmworker rights, bankruptcy, elder law/nursing homes, employment, and student loans. Once again, the words of one program, although a different one, sum up these responses: "procedural issues, substantive law issues, evidentiary issues, and compliance issues."

6. Ideas on How to Provide Technical Assistance

The ideas of how to provide technical assistance were many and varied. Some respondents wished to see the workgroups restored or activated on a larger scale so that they could be split into speciality areas, have quarterly meetings, conduct training, identify special issues and determine strategies for resolving them through the courts and legislatively. Consistent with this suggestion was one that would ask workgroups to provide more memoranda on substantive updates and the development of a system of better access to attorneys who have expertise in specific areas. Further, consistent with this was an idea to assemble experts to work pro bono to provide technical assistance, and for companion program advocates to be more proactively involved in field programs. A program heavily involved in family law issues suggests a family law newsletter covering current issues, substantive law articles, editorials and the like focusing on the specialized issues of family law for poor families. A program working on immigration issues work wished more access to INS. Others suggested that money be added to grants for national

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training. Taking a somewhat different approach to arrive at the same goal was the development of scholarships for seminars presented by companies that do not have discounts or require travel expenses. Another wished to develop a resource directory.

Technological suggestions also played a role in the provision of technical assistance. One program suggested a technology resource person for legal services, presumably statewide to organize and make form pleadings and other materials available. Of interest was Internet training and direction to useful sites. Additional training in general were suggested. Also suggested was the development of access to private attorneys with specialized expertise who agreed to be consulted and provide mentoring for program staff. Consistent with this was a suggestion for "subject-area-designated mentors." Better relationships with law schools was another suggestion. Finally, a director of statewide non-legal experts was suggested, presumably to locate individuals willing to help and to serve as a resource in this regard.

**C. Co-Counseling**

<b>Co-Counseled During Past Year</b>	
Yes	50%
No	50%

<b>Co-Counseled With</b>	
Within own program	81%
Another IOTA program	45%
Private bar	35%

<b>Co-Counseling</b>	
Would Be Beneficial	87%
Want to Co-Counsel	72%
Want to Co-Counsel with Other Programs	62%

**6. Advantages**

There was substantial agreement among respondents about the benefits of co-counseling. Almost all thought that the benefits of co-counseling included:

- educational experience of teaming up with experts
- creativity and synergy that occurs
- capacity to strategize with another
- expansion of an idea base
- expansion of a client base.

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Additional benefits suggested were:

- mentoring
- networking and efficiency of sharing work, responsibilities and costs
- easier to work with the client
- obtaining better results
- having assistance in recognizing and researching issues
- capacity to take a good guy/bad guy approach
- ability to take on more complex cases (i.e., personnel, money, etc.)
- shared work provides flexibility to deal with other work demands and the ability of clients to get service where there is no local expertise
- increased credibility and strength to opposing party and court
- availability of attorneys' fees
- service to ineligible clients
- fulfillment of workgroup strategies
- optimization of scarce resources
- capacity to cover court conflicts for each other
- reduction of stress for an attorney who lacks experience.

**7. Disadvantages**

Disadvantages of co-counseling included:

- differing priorities
- unequal contributions (the "slacker" problem)
- possible unequal skills of the co-counsel
- stylistic differences
- conflicts in case strategies and theories
- personality conflicts
- "loss of control"
- time consuming
- geographic distance barriers
- different word processing software.

One of the smaller programs thought that there were "too many [disadvantages] to list."

**D. Library**

**1. Program Library Resources**

<b>Resources</b>			
	<b>Overall</b>	<b>Larger Programs</b>	<b>Smaller Programs</b>

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Very Satisfactory	40%	37%	54%
Somewhat Satisfactory	54%	55%	46%
Not Satisfactory	7%	8%	0%

2. Improvements Wanted in Program Library

Some of the improvements to libraries desired seem very basic, and included:

- a large unabridged dictionary
- more manual aids to back up on-line research
- books as back-up with some specific types of volumes, such as Florida Digest
- more substantive manuals of legal services topics
- specialized services such as the Family Law Reporter
- horn books
- Code of Federal Regulations
- pattern depositions
- jury instructions
- practice manuals (such as Moore's and Trawick) and the like
- more space.

It is clear from the responses that more programs are utilizing on-line services such as Lexis. (This survey was sent to the programs shortly after the Bar Foundation organized a group contract rate for Lexis. It is not clear the effect of this on the totality of these responses, although one set of responses wanted a return to Westlaw.) One program wanted additional lines for Internet access, remote access, and greater Internet access. But, as suggested in the preceding paragraph, books are not forgotten. Indeed, a number of respondents wanted more copies of various manuals, and two programs wanted a set of Florida Statutes for each case handler. Indeed, a larger program wanted to undertake a search and re-shelve mission for missing books. Even with the arrival of on-line research, some respondents wished to see their paper libraries maintained.

**E. Legislative and Administrative/Policy Advocacy**

1. Importance of Advocacy

	<b>Local Level</b>	<b>State Level</b>	<b>National Level</b>
Very Important	75%	86%	72%
Somewhat Important	25%	14%	26%

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Not Important	1%	0%	2%
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<b>Advocacy as “Very Important”</b>			
	<b>Local Level</b>	<b>State Level</b>	<b>National Level</b>
LSC Programs	69%	81%	73%
Non-LSC Programs	84%	93%	72%

There was not much difference when the percentages were calculated by large and small programs.

2. Ideas for Achieving Effective Advocacy

There was a wide variety of ideas for achieving effective legislative and administrative advocacy. Among these were:

- fostering collaboration and coordination with a host of advocates
- involving communities directly affected in designing and achieving goals
- establishing relationships based on consistent credible advocacy with legislators, policy makers, staff and other advocates
- engaging in long-range planning
- developing substantive expertise, resourcefulness, and ability to solve problems with flexibility, increased technical knowledge of legislative drafting and process
- use of technology
- lifting of restrictions
- more training on the specifics of the restrictions
- framing of issues by workgroups for others to work on
- community education including providing literature to clients and instituting some letter writing campaigns
- working with client groups to prepare them to advocate on their own behalf
- educating support staff about these issues so they can educate the members of the communities where they live
- take advantage of opportunities to do radio interviews about issues such as domestic violence to increase public awareness and generate discussion
- writing op-ed pieces
- urging FBF to encourage programs to make an impact on local legislation
- local programs identify influential "contacts" and share the information with FLS
- more resources placed in lobbying
- early identification of priority legislative issues with broad field input and the development of issue briefings with the stories of poor people and the direct effect on them from the proposed legislation, and distribution of the information to key legislative players

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- developing stronger alliances with others on our issues
- more of a presence in Washington, D.C., where there are voids because of the loss of some back-up centers.
- creation of a Florida-specific version of Handsnet
- statewide circulation of legislative/administrative issues and fact patterns
- working through Bar committees.

**3. Substantive Areas/Issues Where This Advocacy is Necessary/Desirable**

As to the substantive areas/issues for which respondents believe this type of advocacy is necessary/desirable, it was as inclusive as responses to other items asking for information on substantive areas. These included housing, consumer issues, children's issues, domestic violence, ALF/nursing homes, utility access, Social Security, Medicare/Medicaid, services to low-income population, transportation, immigration, grand parenting issues, third party custody, out of wedlock children and custody, kidnaping/child snatching issues, Department of Children & Families issues, juvenile justice, welfare reform, education, local WAGES boards, farmworker issues, environmental justice, women's issues, retirement and pension benefits for indigents, elder law issues, funding for legal services, CED, employment, child support enforcement, landlord/tenant, federal housing issues, affordable housing, domestic violence, bankruptcy, foreclosures, the allocation of a fair share of revenues in poor communities, participation in the Consolidated Planning process, participation in the PHA planning process, and title loans. In sum, "all poverty areas."

**F. Communication on Issues Affecting the Poor In Florida**

<b>Information Available</b>	
Very Sufficient	22%
Somewhat Sufficient	56%
Not Sufficient	21%

**2. Available Sources of Information**

The following were identified as sources that were readily available to respondents: workgroups and workgroup updates (mentioned frequently), newspapers, web sites, e-mail from other staff, monthly forum by local service providers, Clearinghouse Review (mentioned very frequently), word of mouth, newsletters, library, publications, listserves, backup centers, information from sources with whom we have relationships, Florida Legal Services Updates, trade publications, internal program discussions, memos, mailings, field program staff; case reporting services; social service agencies; national coalitions and advocacy groups; government agencies; clients and low-income community, NOSSCR, Lexis/Nexis, Florida Bar Management Information Exchange Journal, NLADA Update,

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Poverty & Race, Welfare News, National Housing Law Bulletin, ABA's Labor and Employment publications, NLADA Cornerstone, Housing Law Bulletin, ABA's Innovative Fund-raising ideas for legal services, National Support Centers, HUD publications, Health Advocate Newsletter, Advocacy Center Newsletter, Reporter, Family Law Bar groups, Fla. Bar., FLW, memos, teleconferences, periodicals (specialized), Internet, and Fla. Coalition Against Domestic Violence.

3. Additional Sources Thought Useful

Ideas regarding additional sources of information that respondents would like to have available included:

- statewide e-mail
- newsgroups (established on Internet)
- more information on the diverse issues affecting the poor together with useful statistics and information about needs of the poor, with emphasis on family law for indigents
- more information on a national, state, and local basis about what LSC & IOTA programs are doing and about civil rights organizations
- comprehensive directory of public & private services, funds and benefits for needy people
- information on using technology for more information on the casework being done in programs
- specialized listserves on poverty-law issues with broad participation
- greater access to news, including small-town newspapers, magazine articles, additional updates from governmental agencies and business community
- FLS mailings on the Internet
- workgroups' minutes
- statewide analog for Handsnet
- FLS web page
- professionally done periodic statewide needs assessment
- bibliography of information sources, web sites and listserves
- information on all substantive areas
- nonlegal information about the poor in general (not tied to just legal issues)
- client focus groups
- creation of a statewide Clearinghouse function
- the Federal Register on the Internet (This shows the need for better training as this publication is available at least on Lexis and may be also be available elsewhere.)
- "better distribution of recently passed legislation" (Similarly, this is also available from several web sites including that of the Florida Legislature and Congress.).

4. Substantive Areas

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Again, as for all other items seeking information regarding substantive areas of interest, the list includes all areas of poverty law. As the list is identical in content, if not specific wording, it is not repeated here. See A.7 & 8, B.5, & D.3 *supra*.

5. Statewide/Collaborative Efforts

Suggested efforts included:

- use of technology including linking up with social services/medical providers through Internet or e-mail to increase flow of information both ways
- links with selected state agencies to facilitate communication on individual or broader issue basis
- FLS web site which should include issues and litigation, case developments, hot topics, trainings, more information from the workgroups, newsgroups with links to backup centers, and experts listing
- use of technology for greater use of conference calls on substantive matters with broad participation
- wider use of task forces and workgroups around substantive areas regarding collaborative communications
- greater paralegal participation
- networking among Florida's progressive organizations
- collaboration of all organizations with similar agendas
- collaboration among companion system, other IOTA grantees and representatives of communities of color
- development of a system to better share client information and make referrals
- collaboration between pro bono programs.
- smaller and more specific workgroups
- ad hoc single, statewide conference, and regional conferences with programs close to each other.

**G. Statewide Collaboration**

1. Collaborative Efforts That Are Working

Some sets of respondents thought the companion system has been responsive to requests for assistance; and that the Florida Coalition on Domestic Violence Legal Clearinghouse is working effectively to increase service to domestic violence victims through financial support and training, networking. Also mentioned in this regard is the Florida Immigrant Coalition and there was the opinion that the children's legal services network seems to be improving.

Some individuals thought that some of the workgroups were effective. Specifically mentioned was the consumer, family/juvenile, housing (the model lease was particularly praised), and public benefits. Also mentioned was that some of the issues on which

Florida Legal Services has taken the lead was a signal that collaboration is working.

One set of respondents thought the fact that this survey was being done was another signal that something was working.

One set of respondents identified other specific collaborative efforts that were working and identified the reasons for that opinion: the Emma Lazarus collaborative effort works well but funding is ending, so it may not continue; it worked because joint-funded project, for immediate, clear need of clients, and regular communication among providers. The WAGES Task Force and the Coalition for a Working Wage in Dade County worked well because it was a time-limited collaborative effort, included a wide range of players, and the work was issue driven. The Housing Workgroup works well because experts are identified in specific areas and they follow through on keeping the members updated on changes in their areas, the members are responsive to each other, and they regularly consult on cases and share pleadings. Florida Legal Services MFJP have good collaboration with some FRLS staff and with BALS on farmworker advocacy because there is open and early communication on identified client problems and good experiences with co-counseling. FLS MFJP developed an excellent collaborative work arrangement with FIAC on employment advocacy with shared work and expertise that was responsive to both programs and the client needs. FLS has a good collaborative work relationship with 1000 Friends of Florida on housing and growth management issues largely because of the working relationship with a specific staff member with recognized expertise.

FLS was seen as continuing to be an effective state support organization for providing legal information, educational materials, legal strategies, and technical assistance. Statewide training was another positive as were statewide meetings. Specific litigative efforts were praised including those on public benefits and migrants issues. Also praised was “defensive” lobbying efforts.

FPBCA has been able to adapt to lots of new people, those with little experience to more experienced. The sharing of the burden of work varies with the willingness of individuals to do something. It has been most successful in helping new people get some information about pro bono, ideas, resources, etc. It has been least successful in moving past this intermediate level of work. The Fair Housing Continuum was also mentioned.

Also mentioned as working very well was the new Special Education/Children's grant.

## 2. Collaborative Efforts That Are Not Working

Respondents here had somewhat divergent views when compared to the responses to the previous items. For example, a part of one group did not believe that any of the collaborative efforts are working very effectively at this time. A number of set of respondents thought that there is little sense of shared responsibility for serving the poor in Florida and one set of respondents attributed this to a view that there is limited

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information on what other advocates are doing, little regular contact among advocates so they do not know one another and do not share client work and needs, ongoing turf wars and distrust of other programs.

A number of sets of respondents did not believe that the Companion System was working and one set of respondents thought that the Companion System needs to educate local programs on how they work. Similarly, another set of respondents thought the Companion System has worked in handling a large number of impact issues but it has not worked, with some exceptions, in developing close working relationships with field programs for reasons ranging from field program disengagement from impact issues, personality conflict, feelings of competition, confusion on the roles and responsibilities to simple lack of familiarity with the "companion system" within programs. Additionally, another set of respondents thought that Companion System does not seem to identify issues or make field programs aware of they work. Another set of responses thought that the Companion System delivery is not consistent throughout the state. Yet another set of responses thought that the Companion System refuses cases too often. There was a specific concern expressed that the Companion Delivery System is not working for immigration cases because it is not generally open for intake. Finally in this regard, one comment was that "companion system needs to more equitably share substantive work, don't give us grunt work."

Another common theme was a concern about workgroups. Some thought that some of the workgroups are not working, expressing as a reason the high turnover which requires re-education, the lack of personal and program commitment to the workgroups and a lack of incentive to complete tasks. Also regarding the workgroups, one set of respondents thought that they were a waste of money and another set thought them too bureaucratic. Another set of respondents had a somewhat different, but consistent, view. It thought that the workgroups do not function, by in large, for collaborative work on common client issues but serve somewhat for information exchange by workgroup members, some specialized training and limited networking. And workgroups were not effective as places where staff meet and identify common issues and strategies. Another concern was that discussions of problems in an area of law is not general enough (AIDS/Homeless) and also too general (Fam/Juv). There was concern expressed that there was too much "pontificating" in the workgroups. Further, there was a lack of awareness of existence and purpose of workgroups. One set of respondents had specific concerns about specific workgroups as follows: As to the consumer workgroup, it was perceived that there is poor communication to workgroup members, no technical assistance for legal advice to nonmembers, and insufficient meetings. As to the housing workgroup, it was perceived that there was too much time on developing work plans and not enough time on round tables. As to the family juvenile workgroup, there was dissatisfaction expressed that it was combined with education issues which was seen as needing a different group. And, finally on this point, as to public benefits, there was a concern expressed that basic introductory courses are needed and that the number of meetings was insufficient. On another point, FLS should take more of a leadership role in some workgroups. If we don't ask for help, there is none. One can ask questions, but

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there are no issue alerts. And, finally in this regard, it was thought that there is not enough FLS support for housing and consumer law.

Also on the downside, it was thought that with respect to advocate communication, collaboration and client referral: advocates within programs and especially across programs appear to work more and more in isolation. Along these lines, it was thought that there is a lack of support at the local program level for their advocates to be involved in statewide advocacy.

Referral process needs to be reworked.

Training needs improvement. It was thought that there were not enough events and that better assessing of training needs was needed.

Relations with private bar including participation on bar committee needs improvement.

Statewide system for training, lobbying, greater knowledge at staff level what FLS is doing in this area.

Another area of concern was that there was not enough local collaboration on housing issues. There is not enough local collaboration on local housing policy. It was suggested that existing resources be reallocated to increase local restricted housing advocacy.

One set of respondents have the impression that FLS has no impact cases, that the companion programs will not take cases and this set of respondents do not see that impact cases are won. Another thought that FLS is not doing any litigation.

**3. Ideas to Work Collaboratively Statewide**

As to the workgroups, some thought that they need to recruit new attorneys with new ideas and others, and perhaps in a similar vein that they need revamping and re-energizing, and one group thought that was something that should be done by the PDA. Also, as to group membership, it was thought that there needs to be more diversity in those involved in workgroups. Further, it would be helpful to disseminate more information from workgroups to non-workgroup individuals and that there be more awareness of existence and purpose of the workgroups. Finally, it was suggested that there should be simplification of the annual wordplay, administration of workgroups and addressment of morale issues.

Without specification of how, there was a sense that there needs to be developed a mechanism to bring together issue-driven teams to do collaborative advocacy.

Regarding the Companion System, it was thought that casehandlers need more

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availability from companion programs to provide back-up/mentoring to regional substantive law task forces. It was also thought that the Companion Programs should be more involved in the community and with other IOTA grantees. Finally, it was thought that the Companion Programs should be made to plan for specific lawsuits.

On another point, it was suggested that there should be link-ups with social services/medical providers through Internet or e-mail -- to increase flow of information both ways; and E-links with selected state agencies to facilitate communication on individual or broader issue basis.

Regarding technology, it was a consistent theme that FLS have a website and coordinate more effectively Internet activities. Specifically, it was suggested that FLS take the lead in setting up scheduled "chat room" times where people around the state could meet and discuss ideas in a chat room forum. Details of this idea were provided such as identifying chat room participants by web names and additional information about participants being made available. Several conversations could be held at one time. A mediator or "host" could be named and rules of order, such as those used by AOL, could be followed. The chat room idea was suggested by another group as well.

Regarding another use of technology, it was suggested that there be greater use of telecommunications for meetings (so staff can find more time to actively participate without having to leave the office).

Also, it was suggested that there be regular forums on substantive areas; Internet listserves, following the example of Children's Health Coalition, Fla. Immigrant Coalition, and Grandparents Raising Grandchildren Coalitions. One set of respondents thought there needs to be sufficient resources to meet and communicate with other agencies.

It was suggested that there should be a refinement and a uniformity of the client-referral system and that there be a "statewide workgroup for telephone hotline intake people."

Another suggestion was that there should be more co-counseling and ad hoc task forces. Expressed somewhat differently was that there should be task forces across program lines for speciality/substantive issues. One task force suggested was in education to develop strategies to help parents have more meaningful involvement in the Student Advisory Councils required by state law and to examine of the statewide tests that prohibit blacks and other minorities from being promoted or graduating from high school.

Yet another thought that state planning needs to be accelerated and that there needs to be an annual statewide meeting.

Turning to another area of collaboration, it was suggested that the pro bono components of each program collaborate more, the statewide referral system be improved,

and a statewide technology plan be developed.

Finally, it was suggested that there should be statewide efforts to obtain state funding from the Legislature.

4. Substantive Areas That Should Involve Statewide Collective Efforts

As discussed above with regard to other substantive areas, all areas of poverty law and issues affecting the collective client community were addressed. They are not repeated here except that added to the list is LULAC enforcement.

**H. Community Education**

1. & 2. Coordination of Community Education Statewide:

<b>Coordinate Statewide</b>	
Yes	56%
No	45%

If it community education is to be coordinated statewide, then it was widely agreed that FLS<sup>8</sup> should be the coordinating entity for those issues that lend themselves to statewide coordination with in-put from the local programs. As one program explained, FLS could keep track of the community education that has occurred in each area and could help fill the gap. Two programs that mentioned FLS also thought that the workgroups had a role to play. Another said that FLS would need more resources to do this. One program took a different approach: it did not mention FLS and suggested that there should be a statewide approach with representatives from each area.

Another program thought that there should be county-level organizations. Yet another pointed out that “one size does not fit all client communities.” Another similar comment was that such coordination “would vary depending on purpose and goals of community education.” And, yet another had a variation on the theme suggesting that local programs should coordinate community education through the individual project director to FLS who would collect information but allow for addition of local practice.

3. Satisfaction with the Present System

<b>Present System</b>
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<sup>8</sup> Eleven programs mentioned FLS in one manner or another.

Very Satisfactory	15%
Somewhat Satisfactory	43%
Not Satisfactory	42%

4. Aspects of Present System that Work

The aspect of the community-based system that work include:

- responsive to local needs
- encourages collaboration with non-legal-services groups and leverages resources
- enhances visibility and credibility of local program with clients, service providers, funders
- well written and visually appealing locally produced brochures that are generally available to clients the come to programs
- enables local programs to either produce our own materials or acquire them from various other sources, such as Fla. Bar and Salvation Army (already printed material)
- local initiative
- what works depends on the locale and in their work they have been accessing education materials from a variety of sources
- information available such as the Domestic Violence Legal Hotline information distributed by the shelters and the DV network has proven effective in stimulating calls to the hotline,
- public benefits issues pamphlets, housing materials, special education materials, and statewide fliers
- positive advocacy and results have been obtained, where community education and outreach had been accomplished around specific issues by committed staff
- networks seen as effective were elderly outreach, VISTA programs, immigration efforts, and workgroups
- creation of statewide fliers
- easy local access that were customized to local rules
- informing the community of concerns and issues.

Additionally, two programs explicitly mentioned a statewide training that was conducted in December 1998.

5. Aspects of Present System that Do Not Work

Aspects identified of the present system that do not work (or cause the system not to work) included:

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- lack of resources (mentioned more a number of times)<sup>9</sup>
- lack of expertise in area where education is needed
- lack of knowledge of problems' existence
- limited material into other languages (lack of translations was referred to by a number of programs)
- community education is a low priority in most programs
- no one individual (or group) that is particularly responsible so that this activity gets little attention
- community education is not always close to the need
- no agreed upon goals for community education
- no comprehensive plan
- no one to assist in the development of local information
- lack of comprehensive program tailored to the community
- statewide materials may be out of date
- little publicity or communication on these issues
- keeping current a basic set of substantive law community education brochures
- not teaching people "how to" proceed pro se at local level
- little statewide review of materials
- lack of training that includes orientation to statewide system and resources and lack of videos to show staff that provide such orientation and include issues such as core values, confidentiality, and sensitivity to poverty (Fla. Bar has produced some helpful videos re: client confidentiality, preparing for depositions & presentation in court.)
- lack of wide circulation and availability of pamphlets
- each program "reinventing the wheel"
- LSC restrictions, although no specific restriction was mentioned
- competition from other sources for client influence.

There was also frustration expressed when there was a meeting on tenants' rights at the public library, 99% of the individuals who attended were landlords.

**6. Elements Desired in a New System**

Items mentioned here included:

- catalogue of topics and materials available in state from local and FLS programs
- recognition/exposure through media
- identification of the repository for information and responsibility both locally and for the state

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<sup>9</sup> Additional resources were seen as necessary for the development of pamphlets and videos.

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- collaboration with community agencies
- acknowledgment by funders of and support for community education as source of impact. well-made and well-produced materials on substantive areas of law
- articles in newspapers
- locally based initiatives tying to state coalition working in concert on major issues and training elements
- need for "someone" to be responsible
- statewide coordination
- better distribution of pamphlets including the use of bulk mailings
- statewide public signs directing individuals to legal services
- statewide publicity including public service announcements
- better coordination with the Florida Bar.
- renewed emphasis needed on this vital aspect of program goals
- better awareness
- structured communication
- cooperation
- more time
- more collaboration between legal agencies and involved nonlegal agencies
- better use of technology including graphics and communication devices
- on-line source of educational materials for downloading
- web page for easy access to all written materials
- Internet access for clients
- annual editing of materials to incorporate new law and cases
- a speaker's bureau
- structured outreach so everyone does it
- focus on issues
- community education as everyone's responsibility
- public relations viewed as very important
- work with private bar & judges
- focus on different cultural groups.

One program felt that it could not respond until there is clarification of the goals and purposes of community education and identification of whether there is sufficient consensus that building a statewide community education system (from a simple sharing of materials and techniques to a comprehensive statewide plan) makes any sense. If community education is to be undertaken statewide than also needed is an evaluation component to determine if we are being effective.

7. & 8. Additional Resources Needed

**Resources Needed in  
Addition to Brochures**

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Yes	88%
No	13%

Some of the same items mentioned above were also mentioned here including videotapes, public service announcements, and better publicity. Additional suggestions included:

- publicity including appearing on local television channels and radio talk
- development of training outlines
- intake questionnaires/surveys
- “road shows with experts”
- training on community organizing, community mapping, relationships in communities, effective client education, technology and program commitment
- sufficient dedicated staff resources
- train the trainer sessions
- development of training modules that would be adaptable to local conditions
- development of more effective local trainings
- interactive question/answer computer software/program.

**9. All Individuals/Groups Who Should Be Responsible for Developing Resources**

Mentioned here was FLS, workgroups, clients, FCADV Clearinghouse, Migrant Justice, FIAC, universities, law schools, county bar associations, state bar associations, including the Florida Bar and specifically the Public Interest Law Section, FBF, PDA, development directors, member organization, private consultants, volunteers, funders (as part of a grant package), local and state governments, statewide experts. One program thought everyone should be involved.

One program thought that the primary responsibility is with the programs closest to the clients, but that a statewide entity could assist with training, coordination, sharing of information, etc.

**I. Technology**

**1.-3. Use of Computers and Internet on Regular Basis**

	<b>Word Processing (computers)</b>	<b>Legal Research (computers)</b>	<b>Legal/Factual (Internet)</b>
Yes	96%	73%	75%
No	4%	27%	25%

4. Training

<b>Computer/Internet Training</b>	
Very Well Trained	29%
Satisfactorily Trained	52%
Very Poorly Trained	19%

5. Technological Improvements Wanted in Programs

It is suspected that the wish list of technological improvements for each program reflects in part what is currently available in that program. However, there seemed to general agreement on what a program "should have."

- Fast computers and modems
- Scanners
- Individual printers for all case handlers
- Color printers
- Portable printer
- Soundcards and speakers for all computers
- Battery back-up for all computers
- Envelope feeders
- Voice recognition system
- Photocopiers
- Adequate phone systems
- Cell phones
- Digital camera
- Dictaphones
- Litigation related software
- Videoconferencing
- Remote Access to program computers
- Internet for all computers including full on-demand as opposed to shared access
- Web Page
- Access to Public Records
- Electronic case Management system
- Sophisticated Management Information System
- Limited Shared Data System
- Networking
- Off site access to e-mail, calendar, statistics, and case information
- Data based resource person
- Training on setting up and using listserves
- Training on the use of technology

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- ADLS (?)
- More forms and macros
- Individual e-mail boxes for all staff

**6. Technological Improvements Wanted Statewide**

The following is a list of all suggestions made for statewide technological improvements:

- Standardized application form for inter-program referrals
- Affordable access to Clerk's docketing statewide, for all counties
- Greater use of Internet to link advocates
- E-mail for all and a directory of e-mail addresses
- Videoconferencing
- Technology center available in Tallahassee during legislative session.
- FLS Webpage as statewide Webpage with personnel to manage the Webpage and keep it updated
- Training on maximizing the technology potential in serving clients
- Statewide LS Website and e-mail system
- Case management
- Computer networking with other programs in the state
- Statewide pleadings library, statewide Internet discussion groups
- Comprehensive list serves
- Westlaw
- Uniform case management.

**J. Client Groups**

**1. & 3. Working with Client Groups**

<b>During Past Year</b>	
Yes	42%
No	58%

<b>Working with Client Groups</b>	
Very Important	77%
Somewhat Important	18%
Not Important	6%

**2. Activities**

The activities were varied but some common themes emerged. A number of programs reported that they had participated in community education activities while others listed training or presentations. When all answers that reference training are combined fourteen programs described some type of community education/training/presentation in response to this question.

Other activities were described as follows:

- Representation activities including representation/litigation, consulting and advising, involvement in settlement negotiations, research and assessment of legal issues and development of legal strategies, participation in advice and pro se divorce clinics, meeting with individuals at domestic violation shelters, on-site intake
- Resource referrals
- Establishing collaborations
- Advocacy in administrative and judicial forums
- Organization and coalition development and participation
- Legislative agenda
- Attend meetings
- Grass roots legislative camp. & advocacy
- Community/economic activities and incorporation of a community group and obtaining non-tax status
- Participating in client outreach efforts
- Service on community group board of directors
- Organization of focus groups and facilitating for client groups
- Clients participation in priority setting
- Networking
- Representation at community meetings.

#### 4. Support Needed to Work with Client Groups

There was fairly wide agreement on the support needed to work with client groups. These included:

- funding for special projects with client groups
- relief from intake and other duties
- statewide support, including technical assistance, demonstrative aids and literature
- relevant videos
- a computer program (PowerPoint)
- more time
- more outreach workers, including an organizer on staff
- actual identification of client groups
- inducements for the community to participate such as transportation, child care, refreshments and the like
- cultural education for staff
- staff language capacity and interpreters
- knowledge of non-profit law and tax issues
- institutional patience and recognition for this work
- employee flextime.

## K. Clients' Access to Legal Services

### 1. Empowering Clients

There were many ideas generated by the question regarding what is believed necessary to empower client groups. They included:

- providing clients information on their rights and options
- actual money to client
- identification of sources of funds
- broad publicity
- a positive, enthusiastic attitude
- familiarity with community resources
- fewer restrictions on advocates' strategies
- culturally sensitive advocates and cross cultural education
- better telephone access to program
- better geographical access by location and transportation
- good outreach information
- absence of cultural and physical barriers
- good communication with potential clients including speakers of other languages and communication with the deaf
- outreach

### 2. Effectiveness of Current Intake System

Current Intake System	
Very Effective	47%
Somewhat Effective	48%
Very Poor	6%

### 3. Improvements Wanted in Intake System

There were many suggestions about improving to the intake systems, including:

- process should be client friendly and multilingual
- absence of cultural and physical barriers
- increased intake staff (In this regard one program suggested the use of volunteers and another more volunteers, presumably as it already uses volunteers.)
- more attorney oversight and review
- more detailed attorney notes
- mandatory staff rotation

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- computerized intake
- more outreach
- better telephone access without busy signals and an emphasis on a live person, not a phone mail menu to answer.

A number of programs have variations on the theme of better screening:

- better screen (presumably pre-screening) for eligibility prior to in-office intake
- more efficient interviewing process
- streamlining initial screening
- ensure all administrative paperwork is fully completed prior to the client meeting with the casehandler
- intake process that was less time consuming for clients and staff
- legal checklists/questionnaires for intake
- addition of a general public benefits question to the intake form
- shorter intake forms
- appointment confirmation system
- on-line intake
- a hotline
- telephone intake
- ensure that clients are not pigeonholed by the problem presented
- eliminate intake workers and combine screening and initial substantive review together (one program's entirely different approach)
- less red tape from LSC.

**4. Referring Clients Across Program Lines**

Almost all respondents (262/273) wished wanted to be able to refer clients across program lines.

**5. Improving Access to Services**

As in other areas of the survey responses, there were similar answers to various questions. Here, the improvements suggested to improve clients' access to services were similar to those regarding improvements in the intake system. Included in these were:

- multilingual staff
- improvements to telephone systems
- more and better outreach
- community education
- more information on referral options
- more staff
- hotline
- use of volunteers in the intake process

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- phone intake
- mail intake
- more frequent intake
- availability a walk-in (no prior) appointment
- use of computerized systems, include access to websites at public libraries
- parking.

There were also some additional or variant suggestions, including:

- evening/Saturday hours
- provision of transportation for clients
- home visits for clients unable to come to the office
- satellite sites
- use of statewide 800 numbers to obtain statewide advice on basic legal issues
- obtain Florida Bar support
- “marketing” including contacting community media and groups, and public service announcements.
- consideration of a statewide or regional information and access hotline
- more uniform case acceptance criteria
- shared litigation costs and expenses
- mandatory referral system allowing receiving program to decide acceptance and a continued involvement of the referring program
- ensure there is a local continuum of service and other providers willing to accept referrals and include pro bono as a resource for references
- centralized on-line database for agency’s program services.

**6. Strengths and Weaknesses of Intra-State Legal Services Referral System**

There were not many strengths listed. Indeed, 14 of the responding programs did not list any. The list of strengths identified by the remaining programs were:

- some cooperation between programs
- helps clients with no other options
- responsiveness
- availability of a referral system and clients’ access to services throughout the state
- long standing practice of intra-state referrals
- reaffirmation/enforcement of existing referral agreement which is pretty much followed
- directory
- program cooperation
- local control and involvement and local control means varied product statewide
- history with other agencies and organizations prevents duplication and

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- improves services to clients
- priorities set within client/local community.

As to weaknesses:

Seven programs did not respond to this question. Of those that did, their concerns are listed as follows:

- Inadequate information on referral forms with a suggestion that a standardized form for application
- A lack of willingness to accept cases
- Different acceptance criteria statewide and a need for more uniform methods of intake. Also there are differences in local priorities which makes referrals difficult
- The referring programs are referring non-meritorious cases. On the other side of the coin, there is concern that a the receiving program can easily reject cases
- There may be difficulties because of program workloads and staffing
- There is no way of knowing whether a case referred will be accepted
- There is often a lack of communication and, follow up on cases referred
- In some areas, client referrals are not made because of mistrust and or hostility between programs
- The system was seen as complicated, confusing for clients, with most of the burden to gain access put on client
- People get lost in system of referral.
- No commitment of staff from the referral program. Inadequate information from referring program
- Some programs don't accept cases or do not respond to referrals
- Some programs do not respond to referrals
- Some referring programs provide incomplete information
- Programs take too long to make decisions about referrals
- Poor screening and referral by other programs
- Lack of knowledge of system
- Lack of cooperation between sending/receiving programs
- Lack of sharing litigation expenses and a suggestion that this occur
- Statewide practice of not referring cases that are not accepted internally
- Referral of cases outside program priorities
- High rate of denials
- Sometimes "we take theirs -- they don't take ours"
- Pro bono restrictions on assisting out of service area clients
- One program suggested that there is virtually no intra-state referral system.

**L. Overview**

1. Individual Needs to be an Energetic Effective Advocate

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Here, there was consensus that more money was needed. When asked to rank order their answers, five programs' responses raised money issues in one way or another. Three other programs raised this as well, although not as number one. Another common theme was training. Other needs identified included incentives, appreciation, time to explore creative options, state of the art technology, better educated bar willing to do pro bono work, additional staff, a social worker on staff, clarification of expectations and agenda, knowledge of the community, individual full-time secretaries, more support staff in general, including paralegal, more information about non-legal community resources, greater involvement with client community, more advocates around the state involved in statewide issues, loan repayment program, opportunities to branch out into more substantive areas to continue personal/professional growth, mentoring, volunteer supports, retreats, more time, less bureaucracy, respect and professionalism, seeing clients obtaining their goals, more statewide communication, task forces to bring about systematic change, better expert support at the state level, more statewide communication, and improved legal research capabilities. There were also identified personal issues such as greater appreciation including encouragement and recognition and a more balanced life.

2. Program Needs to be an Energetic Effective Advocate

The responses to this item mirrored those of the needs identified on the individual needs item. These included:

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- more money
- unrestricted money
- favorable publicity
- corporate support/sponsorship
- more time
- retreats
- more committed pro bono attorneys
- broad outreach
- more support staff
- more attorney staff
- more technology
- less intake
- Lexis
- additional space
- reallocation of resources to promote more efficient practice of law
- development of unit workplans
- more training
- better screening of cases for merit of claims.

**3. State Needs for Energetic Effective Advocates**

Here too, there were many ideas that were similar to those identified as needed on an individual and program wide basis and these are not re-listed here. Additional ideas included effective lobbying, more statewide grants, better statewide coordination, more clearinghouse functions, more effective workgroups, more cooperation and less competition, a measurement system for energetic effective advocacy, recruiting, higher quality-committed attorneys, foster collegiality, use people's strengths, wisdom and experience, use new energy and ideas from young attorneys, a system to harness the talent/energy of advocates around the state to focus on issues of priority, a more cohesive, informed system with strong links, a statewide client referral system, improvement partnerships with other organizations in local communities and around the state, programs to be less turf protective, development of more consistent standards for access statewide, state leadership to inspire and hold together the comprehensive, cohesive collaborative delivery system, commitment and flow through by local programs on statewide issues, communication including better publicizing others' achievements, a more responsive companion system, retention of outstanding advocates, more planning and local program involvement, co-counseling and networking services in areas with common community concerns, an statewide advocacy coordinator, empowerment of local problems, more communication between program staff.

**4. Ideas to Attract, Develop and Retain Energetic Effective Advocates**

Again, many of the ideas and suggestions that were expressed by respondents throughout the survey are repeated here. These include higher salaries, law-school-loan payoffs, education assistance, and better fringe benefits, including free continuing legal

education training, the payment of bar dues, and a retirement program. Additional suggestions included flex time and part-time opportunities, and family support for the needs of workers including child care and elder care, expressed by one program as greater flexibility to balance personal and family lives with work demands. A sabbatical program was mentioned by one program. Some respondents wanted to have promotion opportunities and recognition for the work being done. Joint recruiting as well as on-campus recruiting was also mentioned. Not mentioned previously was the suggestion to work more closely with law schools on law school curriculum and to make an effort to attract advocates from the communities we represent. Across program mentoring was another recommendation. There was also the suggestion to diversify leadership so that leadership is inclusive of both men and women, as well as inclusive racially and ethnically. Some respondents suggested that they need more time to do quality comprehensive work on a few number of cases. The importance of staff support was also recognized as well as better working facilities. People also wished compensatory time. On the education front, the time to learn language skills was mentioned. One program mentioned the desire for a team concept for the entire office and the opportunity to pursue interesting cases/issues outside core responsibilities. Another mentioned wanting a sense of mission and to be inspired.

#### **M. Suggestions As to Structure of the System**

The last section of the survey asked respondents to think “outside the box” and to take a truly ground zero approach to planning a statewide delivery system. It asked people to assume that they were starting afresh. As with the other portions of the survey, the responses to this inquiry showed great seriousness of thought and creativity. It is clear that respondents took to heart the “ground zero” concept and thought about things uncluttered by their own institutional concerns. In reviewing these responses, several themes emerge which provide much to think about and point to several different and incompatible directions, although there certainly may be ways to meld some portions of these ideas. These themes are outlined here. However, to obtain the full flavor of these responses, all are reproduced in App. C.

- A. Keep local program’s identity to maintain local ownership and diversity  
The benefits of this is that local programs remain responsible for:
  - a. Client representation.
  - 2. Personnel decisions.
  - 3. Community involvement and outreach to increase resources for clients including but not limited social services organizations, private bar (pro bono) and local government.
  - 4. Ensuring access to legal services to all eligible clients including the most vulnerable.
  - 5. Can opt to perform additional fund-raising to supplement budget.
  
- B. Maintain Local Control But Centralize Intake
  - 1. Two models are proposed:

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- a. Phone/computer/video intake office
    - b. Statewide or regional
  2. Also mentioned was to expand intake hours into the evening and on the weekends.
  3. General Guiding Principles Articulated:
    - a. It is essential to ensure system provides real service to clients and meets clients needs.
    - b. Intake will be exploratory and not limited to solely what client is initially presenting as a problem.
- C. Regional Offices or Regional Resource Centers
  1. Between 3 and 6 in state.
  2. Providing the following:
    - a. Regional fund-raising including PR.
    - b. Case consultation, mentoring.
    - c. Community Education Team.
    - d. Media contact.
    - e. Regional Training.
    - f. Technology coordination and development.
    - g. LSC Compliance.
    - h. Substantive support including in house expertise to either consult with program staff or handle major litigation, appeals, and local or regional legislative advocacy.
    - i. Coordinate library purchasing.
- D. Statewide Program
  1. One or two programs (LSC and Non-LSC).
  2. Responsibilities include:
    - a. Statewide management and budgeting.
    - b. Fund-raising and marketing (coordinate image of legal services on statewide basis).
    - c. Development of community legal education material.
    - d. Statewide Training.
    - e. Statewide Planning.
    - f. Substantive support activities including technical assistance.
    - g. Statewide Legislative Advocacy.
    - h. Statewide bulk purchasing of services and supplies.
- E. Technology

Here there were many ideas expressed which are very similar to the responses to other items in the survey. They are outlined here.

  1. Telecommunications -
    - a. Regular meetings to share ideas and experiences.
    - b. Collaborative efforts.
    - c. Case review by teleconferencing.

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2. Computer access for clients through public computer terminal in schools, libraries and public buildings.
3. System fully networked and available to all programs.
4. State of the Art technology to communicate with and access information and material from regional or state offices or other legal services programs
5. Special chat rooms.
6. The employment of a technology coordinator to train local program staff, maintain regional and or statewide website and ensure programs stay current with rapidly changing technology.

F. Uniformity and Standardization

1. Standardize work throughout the state to insure all clients throughout state receive similar services.
2. Uniform case acceptance.
3. Minimum service standards.
4. Uniformity in salary and other benefits.
5. Uniform Financial Eligibility Requirements.
6. Outreach to isolated population.

G. Relationship between LSC and Non LSC Programs

Here there was little consensus and the reader is directed to the individual responses.