

Reinvigorating Florida's Legal Services Community

Florida's Plan

***Approved by State Plan
Oversight Committee
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I. FLORIDA'S LEGAL SERVICES COMMITMENT AND COMMUNITY

A. Background

Florida's legal community has a longstanding commitment to providing legal services to its poorest individuals. The history of this commitment is detailed in the Joint Commission on the Delivery of Legal Services to the Indigent in Florida (the Joint Commission) Report, "Opening the Doors to Justice -- The Quest To Provide Access for the Poor in Florida," The Florida Bar and the Florida Bar Foundation, 1991, § V, 11-14.¹

The demographics of Florida have changed significantly since 1991. By July 1999, the United States Census Bureau estimated that the state is home to approximately 15.1 million residents, up from close to 13 million residents in 1990. Similarly, the number of poor residing in Florida has increased dramatically in the last decade by over 20.5% to almost 2 million. The number eligible for civil legal assistance through funded provider programs is substantially larger as the basic eligibility guideline is 125% of the federal poverty level and assistance above these guidelines is available to special needs groups like the elderly and victims of domestic violence. Also, as in many parts of the country, the ethnicity of the state is vastly more complicated than it was even ten years ago. Increased urbanization also has occurred in many areas of the state. "Ending welfare as we know it" has created additional hardships and challenges for poor people. These changes have created immense challenges to the legal services to the poor delivery system.

Other factors also have contributed to these challenges. In 1996, Congress imposed significant restrictions on the work of the federally funded programs. These restrictions were onerous. Some made some individuals ineligible for services (*e.g.*, immigrants and prisoners), and others restricted the types of issues that could be addressed (*e.g.*, welfare reform) and the types of strategies that could be utilized (*e.g.*, class actions and claims for attorneys fees). At the same time, federal funding decreased by close to 30%. In response to these Congressional restrictions imposed on LSC funded programs, the Florida Bar Foundation (the Foundation),² in consultation with the Florida

¹ An excerpt from this report is attached as App. A. The formation of the Joint Commission was a very important step in the planning of legal services for the poor. In the Spring of 1990, The Florida Bar and the Florida Bar Foundation brought together representatives from the judiciary, legislature, law schools, private bar, civic organizations, clients, Legal Services Corporation (LSC) funded provider programs and non-LSC funded programs to comprehensively study the delivery system and make recommendations for improvement. The full report is available from the Florida Bar Foundation, 109 East Church Street, Suite 405, Orlando, FL 32801.

² The Foundation administers the Interest on Trust Accounts (IOTA) program, as authorized by the Florida Supreme Court. The Foundation's primary purpose is to make grants to provide legal assistance to the poor, which it does through its Legal Assistance to the Poor (LAP) Grant Committee. A list of the current 33 IOTA grantees is attached as App. B. It is significant to note that of these programs only 12 are LSC programs.

Project Directors Association (PDA),³ allocated funds to address gaps in service. Specialized projects in non-LSC funded provider programs were established to assist immigrants who could no longer be served by the LSC programs.⁴ The Foundation also created a “companion system” designed to provide access to the full range of legal services now restricted by the LSC, primarily through the ability to accept cases where claims for attorneys’ fees were appropriate and to both continue existing class actions and file new class actions as the needs of clients dictated.⁵

B. Portrait of Current Delivery System

Florida’s current delivery system is unique in that it represents a wide range of LSC and non-LSC funded legal services providers including locally funded bar association affiliated basic legal services providers, programs providing services for special populations and programs geared primarily towards impact and law reform work. Through this mix of direct service and statewide programs, the Florida legal services delivery system provides a full range of legal services to Florida’s low income people. These services include community legal education and pro se, brief service and advice, full representation and systemic advocacy. The following brief overview of the legal services to the poor delivery system reflects the system as it was configured at the end of 1998. Since that time, there have been some changes, mostly in increased collaborative efforts.

1. Legal Services Program Identification and Configuration

By 1998, the LSC program had a network of 47 offices providing services for each of Florida’s 67 counties.⁶ Three major, multi-service, non-federal legal aid programs exist in three major metropolitan areas: Miami, Orlando, and West Palm Beach. The delivery system also includes ten

³ The PDA consists of the directors of the 23 largest legal services programs in Florida. The PDA, which was organized more than 25 years ago, meets regularly to review and resolve problems and consider opportunities for improving the statewide delivery of legal services to clients.

⁴ These programs include Florida Immigrant Advocacy Center, Florida Legal Services (FLS), Legal Aid Society of Dade County Bar, Legal Aid Society of the Orange County Bar Association, and Legal Aid Society of Palm Beach County.

⁵ The Companion System consists of four non-LSC programs: Florida Justice Institute, Migrant Farmworker Justice Project of FLS, Legal Aid Society of Palm Beach County, and Southern Legal Counsel. FLS, originally the LSC funded state backup center, receives no LSC funds. In addition to continuing state support work, its work includes litigation and policy advocacy in the area of “welfare reform.”

⁶ Every county without an office was served by outreach and was within a reasonable driving distance to a provider program. Local phone service and/or toll-free lines provided no-cost phone access.

smaller single county legal aid programs; three immigration legal services;⁷ two programs providing legal services to prisoners; six law school clinic programs; one program specializing statewide in a number of areas, including special needs children, human services institutional reform and public housing; a guardianship program; and a state support program which performs a wide variety of functions.

In recent years, there has been increased collaborative projects around the state. For example, with monies provided by the Foundation, there are new projects directed towards children's special education and health needs. One of these projects coordinates the efforts of three LSC field programs providing special education advocacy. This has increased the number of advocates doing this work. It provides assistance through monthly advocate meetings, technical assistance and co-counseling. In a similar vein, a housing task force has been established, with a companion system program providing the leadership and coordinating work with four LSC programs. Three LSC programs received an LSC technology grant for a pilot project on a centralized intake system. There are statewide efforts regarding domestic violence which bring together legal service programs and domestic violence centers. There are other coordinated efforts as well in the areas of community economic development and community education.

2. Relationship to the Florida Bar Foundation

One unifying feature of all the above programs is the Foundation as a common funding source. In addition to overseeing Florida's IOTA program and managing grants to the legal services community, the Foundation also provides critical monitoring and evaluation functions, which include on-site visits, for all of its grantees.

3. Workgroup Structure

Legal services providers have had a long history of working together on substantive areas of the law through workgroups. This coordinated system involved advocates from around the state who identify and address broad systemic problems of low income persons. Workgroups also provided an excellent opportunity for the advocates' professional growth. Workgroups were accountable directly to the PDA, which approved annual work plans and provided funding for statewide litigation. Substantive workgroups

⁷ The Foundation, through an Emma Lazarus Fund grant, established a computer communications network among community-based immigration projects and non-federally funded legal services immigration projects throughout Florida to identify legal immigration issues and support naturalization and other legal assistance to immigrants.

included Community Economic Development, Consumer, Family/Juvenile, Health/Senior, Housing, and Public Benefits.⁸

4. Pro Bono System

In June 1993, the Florida Supreme Court followed Recommendation 24 of the Joint Commission and established the only comprehensive statewide pro bono plan with mandatory reporting in the nation. As part of the Voluntary Pro Bono Attorney Plan, pro bono committees, consisting of representatives of the judiciary, local bar associations, legal services/legal aid providers and clients, were created in each of Florida's 20 judicial circuits. A statewide Standing Committee on Pro Bono Legal Services (the Standing Committee) was also formed to coordinate and provide assistance to the circuit committees and to annually report to the Florida Supreme Court, The Florida Bar and the Foundation on the results from the implementation of the plan.

Statewide pro bono development and support are coordinated through FLS. In 1999, FLS, under a grant from the Foundation, with contributions from The Florida Bar and three law firms, initiated a new statewide pro bono director project to provide staffing and leadership for greater pro bono participation and representation in Florida. Additionally, FLS, under a grant from The Florida Bar, sponsors the Florida Pro Bono Coordinators Association (FPBCA), whose membership includes 30 local pro bono coordinators from around the state. The FPBCA meets periodically, and its members share information on best practices, new developments and successful pro bono projects. FLS also provides staffing for the Standing Committee and directs the continuing implementation of the pro bono plan.

It is this background which provides the context for the state planning process and the state plan.

II. OVERVIEW OF THE PLANNING PROCESS

A. First Steps

In February 1999, with funds provided by the Foundation, the PDA and Foundation representatives held a retreat at which numerous issues regarding Florida's legal services

⁸ The structure and function of these workgroups were thoroughly examined by the state planning Collaboration Committee. The workgroups are reconfigured into Umbrella Groups and Substantive Task Forces under this plan. See Section III below.

to the poor delivery system were discussed.⁹ As the group talked about individual program and statewide accomplishments and the things that “made them most proud,” the phrase *Energetic Affirmative Advocacy* emerged as a statewide goal.¹⁰

The goal of energetic affirmative advocacy emerged from a shared concern about a perception that there had been a diminution of the system’s capacity to engage in energetic affirmative advocacy both within local programs and statewide. This perception was attributed to a number of factors: the impact of LSC restrictions, significant cuts in federal LSC funding, increases in short-term project-oriented funding, and the like. Whatever the perception, and to what extent that perception was a reality in whole or in part, it was clear that a concerted examination of advocacy practices and delivery systems was in order. This also coincided with the need to respond to LSC’s requirement that LSC field programs engage in a statewide planning process. The state planning effort was a response to both of these challenges.

One of the two statewide initiatives, agreed upon at the February 1999 retreat, was to address the needs of the system to support existing and to develop new efforts for client-centered energetic affirmative advocacy. The Committee on Advocacy was formed with the goal to “inspire, develop and implement successful energetic affirmative client-centered advocacy for each individual advocate and program and on a statewide collaborative basis.” At the same time, the Resource Development Committee was formed to seek additional funds to support the work.

B. Stakeholder Involvement & Convening Action Committees

At its first meeting post-retreat, the Committee on Advocacy decided to obtain input from field program staff. To this end, field staff were added to the Committee. Additionally, the Committee decided to survey all IOTA field program staff, seeking information as to what staff believed was needed for them to personally become (or maintain themselves as) energetic affirmative advocates; the support their programs needed; and necessary state collaborative efforts. The Committee also sought to survey the field programs to evaluate the efficacy of current supports for advocacy.

A subcommittee was formed to develop the survey, collect the data, and prepare a report.¹¹ A survey instrument was developed and sent to all IOTA grantees. The survey

⁹ The retreat was attended by 22 participants from 21 programs.

¹⁰ A list of the attributes of energetic affirmative advocacy and working definitions developed at the PDA retreat are attached as App. C, as well as a summary by category of those definitions.

¹¹ The subcommittee consisted 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 Foundation, and Carnot E. Nelson, Ph.D., Professor of

also asked participants to consider how they would design a system if they were writing on a clean slate.¹² The approach was that of “focus” groups: programs were asked to meet with staff representatives (of all types) in groups to respond to the survey. The data were reported.

The Committee on Advocacy met in November 1999. At that time, it quickly became clear that many more individuals needed to be involved in the planning effort. Based on the issues raised by the survey responses, six committees were organized: Client Access, Collaboration, Legislative/Administrative Advocacy, Training and Technical Assistance, Technology, and Vision. It also became clear that the Resource Development Committee, formed at the February 1999 retreat, needed to be part of this process. The chairs of all the committees agreed to work together through a Coordinating Committee.¹³ (The Coordinating Committee also included a representative of the Foundation and an additional member of the PDA.) Throughout the process, the Coordinating Committee and the action committees were assisted by a consultant. In order to involve as many individuals as possible in the process, an invitation was sent to the staff of all IOTA grantees.¹⁴ Approximately 80 people responded. All applicants were assigned to a committee, although not all received their first choice.¹⁵ Clients also participated in committee work. (These committees’ members are collectively referred to as “the planners.”)

While the initial goal in convening the action committees -- to draw upon the diversity of perspective and experience of the extended statewide legal services community -- was certainly met, the actual involvement and participation of committee members in this process greatly exceeded initial hopes and expectations. Over the many months, action committee members contributed their time, labor and thoughtfulness to the extensive research, problem-analysis and strategy development that characterize each committee’s report and recommendations. These committees’ members, including those of the Coordinating Committee, were willing to put aside their own and program concerns in the interest of looking at the delivery system as a whole. This is a very important aspect of this

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.

¹² The survey instrument is posted on the Florida Legal Services, Inc., website: www.floridalegal.org.

¹³ The committees were initially called “working committees” and the “steering committee.” In order to better convey the process, these committees were renamed “action committees” and “coordinating committee,” respectively. The mission of each of these committees can be found in the attachment to the invitation, App. D (also see the committees’ reports, App. G).

¹⁴ A copy of that invitation is attached as App. D.

¹⁵ A list of all committee members is attached as App. E.

work and bodes well for implementation.

C. The Foundation Oversight Committee

The planners recognized the need for a review and final action group to oversee the planning process and to ensure a wider stakeholder consideration of the plan being developed by the action committees and Coordinating Committee. In order to do this, the Foundation's LAP Committee created an ad hoc Oversight Committee, comprised of LAP Committee members and representatives from the Florida Bar's Board of Governors, the judiciary, local bar associations, and the PDA, as well as a client representative.¹⁶

The Oversight Committee held a day-long meeting in December 1999, with the purpose of reviewing and approving the proposed planning process and establishing the timetable and procedural steps for adoption of the state plan. At a second day-long meeting in August 2000, the Oversight Committee reviewed the action committees' recommendations and the Coordinating Committee's draft state plan. It provided its input and recommendations. The final draft of the plan was submitted to the Oversight Committee on January 5, 2001 by the Coordinating Committee for distribution to stakeholders and final review by the Oversight Committee. An executive summary of the plan and the final draft were distributed and made available to over 200 stakeholders for comment. The Oversight Committee unanimously adopted the state plan on January 29, 2001 after further review, including comments from stakeholders.

D. Planning Goals

The goals in the planning process were two-fold: (1) to ensure that the notion of *energetic affirmative advocacy* was reflected in the work of individuals, programs and the state as a whole; and (2) to develop the structure and staff capabilities in order to support ongoing planning, implementation and evaluation of legal services delivery.

E. Starting Assumption

From the beginning, it was assumed that legal services providers were interested in working together as a statewide delivery system in the broadest sense. The action committees examined a number of instances in which programs were already collaborating. For example, they examined staff participation in substantive workgroups through which systemic and other statewide issues had historically been addressed, coordination of training programs for staff locally and statewide, and use of technology to share information, as well as the partnering of LSC and non-LSC funded programs through

¹⁶ A list of Oversight Committee members is attached as App. F.

the “companion” system, developed in response to LSC restrictions.

Through this process, it was concluded that partnership and collaboration assume and require a high degree of interdependence and communication among programs. Actions or inactions taken by one program (e.g., in areas of program priorities, technology, staff development, and participation in statewide initiatives) often affect the ability of other programs to carry out their work on behalf of clients. Committee recommendations included suggested improvements to collaborative efforts as well as suggested areas in which additional collaborations could be undertaken (e.g., pilot regional intake projects, regional agreements, and legislative and administrative advocacy).¹⁷

F. Guiding Principles for Collaborative Change

In carrying out this planning process, the planners were committed to a number of principles:

- & *Successful change requires involvement of a broad range of stakeholders in the design and implementation of change initiatives.*

To that end, the process began with a statewide survey through which input was received from over 270 field staff around the state about an assortment of legal services delivery issues. Additionally, their input was solicited through the circulation of a draft report followed by local program meetings during the summer and early fall 2000. Approximately 30 comments were received, which included a number of comments from individual staff members.

- & *Successful change requires commitment of adequate time and resources to produce desired results.*

The breadth and time necessary for this work were underestimated. It quickly became apparent that successful change requires time to convene stakeholders, analyze the root causes of particular problems, and evaluate potential ways to respond to the problem or opportunity at hand. This work could not have been accomplished without the commitment of financial resources from the Foundation, the PDA, and LSC for consultant services. (These consultative services were a very important part of the planning process, providing necessary facilitative services and technical assistance.) In addition, local programs bore the travel and phone expenses incurred by their staffs’ participation in the planning process.

- & *There must be ready access to information about the change process so that people from all levels and parts of the organization can engage in meaningful dialogue.*

¹⁷ These are discussed more fully below.

To that end, all action committees produced complete minutes of their meetings as did the Coordinating Committee. These minutes were posted on the FLS website which became operational in January 2000. They also were delivered by e-mail to all action committee chairs and co-chairs. E-groups were established for all committees.

& *Effective meeting management is crucial.*

The planners agreed that there is great frustration in attending poorly run, unproductive meetings, and all had experienced those frustrations in some of their prior collaborative efforts. Significant time and resources were spent on improving meeting management and facilitation skill in order to make optimal use of committee members' considerable expertise and talent.

G. Development of Recommendations

The committees met over the next few months. During this period, the Coordinating Committee held monthly conference calls to update its members on the status of each of the action committees.

The full Coordinating Committee and the co-chairs of the action committees met for two days in May 2000 to review each committee's findings and recommendations and to reach consensus on which recommendations would be included in the final state plan.¹⁸ Once the group agreed on proposed final recommendations, they delegated to a "design team" the initial task of developing an implementation plan.¹⁹ The design team re-organized committee recommendations to accommodate overlapping recommendations and reformulated "action" committees into various "implementation" committees. The design team identified which recommendations could be implemented in six months or less ("quick hits"), one year or less ("short term"), or more than one year ("long term"). These time frames begin to run after the adoption of the state plan.

Finally, the Coordinating Committee circulated a report on its findings and proposed recommendations to the entire legal services community, the PDA and the Oversight Committee. The Coordinating Committee and co-chairs met again in October 2000, to review comments from legal services providers and their staff in order to develop a final draft of the plan for submission to the Oversight Committee. (The results of this meeting

¹⁸ Only a few recommendations were not adopted. The notes of the May meeting are attached as App. H.

¹⁹ Design team members were: Paul Doyle, the Foundation; Alice Nelson, Southern Legal Counsel, Coordinator of the Coordinating Committee; Glenn Shuman, Withlacoochee Legal Services; Kent Spuhler, FLS; and Richard Woltmann, Bay Area Legal Services and President, PDA. The design team was assisted by consultant Ellen Hemley.

are described further in Section IV (a) below.)

III. ACTION COMMITTEES' REPORTS AND RECOMMENDATIONS

Following is a summary of each committee's findings and recommendations which the Coordinating Committee adopted at its May 2000 meeting. In conjunction with the development by the Vision Committee of core values and vision, the other six action committees undertook the study of additional areas necessary for the provision of client-centered energetic affirmative advocacy. In some instances, the committees' recommendations are merely a fine-tuning of existing efforts. In others, the recommendations involve significant changes to the delivery system that impact how programs and the system as a whole deliver services to clients. The recommendations reflect the core values and vision.

A. Development of Core Values and Vision

"Core values" refer to an organization's or community's enduring beliefs or tenets; they articulate an organization's stance and provide measures by which to evaluate activities. Core values often operate on two levels. First, they may make explicit what has been implicit. Second, they may challenge a community to re-examine and change how it has been doing business. The core values developed through this process reflect the Florida legal services community's commitment to equal access to justice for all low income people and to the provision of the highest quality legal services. These values guide the relationships between staff and programs and programs and clients. They provide the standards to which programs adhere and/or aspire and to which they will be held accountable. They also will provide standards for funders to measure performance, especially the Foundation. The development of core values and a vision statement is consistent with one of the initial goals of the planners: to articulate more fully the meaning of "client-centered energetic affirmative advocacy." These core values and vision are as follows:

1. Core Values

■ Client-centered Services

We believe in involving our clients as full participants in resolving their legal problems, and in treating them with dignity and respect. Our program systems should reflect these commitments.

■ Empowerment

We believe in seeking creative solutions that empower our clients, with the goal that they will be able to break the cycle of poverty and improve the quality of their lives.

■ **Equal Access to Justice**

We believe in the fundamental right of all persons, rich or poor, to have equal access to our judicial system, whether their legal matter is simple or complex. We believe no person should be denied access to justice because of the controversial or unpopular nature of his or her cause. In setting priorities for legal assistance, we shall encourage the communities we serve to collaborate with us in periodically identifying those legal issues most important to its citizens.

■ **Client Access to Service**

We must continually explore and implement improvements to our outreach and intake to ensure our clients, particularly including difficult to reach clients such as farmworkers, immigrants, the elderly, children, the disabled, non-English speaking persons, the incarcerated, and the institutionalized, have access to legal services.

■ **Appreciation of Diversity and Fairness**

We believe passionately in the beauty of human diversity and the importance of treating clients, co-workers and others in a spirit of fairness and equality.

■ **Commitment to Excellence**

We are committed to high quality legal representation in civil legal matters whether they are routine, complex or unique, recognizing that this requires constant self-improvement. We believe in the holistic provision of a full range of legal strategies including legislative, administrative and policy advocacy, litigation (including class actions), community economic development and community legal education to meet the needs of clients.

■ **Program Staffing**

We are dedicated to the recruitment and retention of outstanding and committed advocates and staff who reflect the diversity of our client communities and are involved with and are informed about our client communities.

■ **Strong Work Ethic**

We believe we must work diligently and effectively on behalf of our clients in order to help them reach their desired goals.

■ **Innovation**

We believe we and our clients benefit from the development and evaluation of innovations that seek to expand and improve legal assistance and its availability.

- **Collaborations and Partnerships**

We strive to build productive partnerships within the legal community and “beyond the walls” of the legal community to best serve our clients and to build a viable and relevant legal services delivery system of the future. We believe that legal services programs in Florida must work together collaboratively to serve our clients and improve the Florida legal services delivery system.

- **Pro Bono**

We believe that pro bono support constitutes an integral and significant part of the legal services delivery system which allows us to expand our reach and accomplish more than could possibly be done without this support.

- **Evaluation**

We believe we can improve and expand client services and enhance our work environments with the benefit of ongoing, open, constructive, and professional internal (self) and external assessments of individual programs and the state legal services delivery system.

2. Vision Statement

a. Long Version

Legal services in the State of Florida is a network of law firms committed to the principle that low income people need client-centered energetic affirmative advocacy to assist them with the important legal issues that they face and that access to justice is a basic human right. Through the use of a combination of legal assistance programs, we provide comprehensive legal services and strategies to address the civil legal needs of the indigent population of Florida.

We seek creative solutions that empower our diverse client community. We strive to involve our clients as full participants in resolving their legal problems, treating them with dignity and respect. We value collaborations with other community organizations in order to break the cycle of poverty and improve the quality of our clients’ lives.

We believe that our clients’ legal problems, whether simple or complex, require access to skilled advocates who are sensitive to client needs and who are able to address the critical issues faced by low income people.

b. Short Version

The Florida legal services delivery system reaches out to low income individuals or communities to empower them through education, to protect them against abuse and injustice through representation, and to promote their fair and equal treatment through advocacy.

B. The Action Committees' Work²⁰

The following summaries describe each committee's purpose, vision of success, description of the current situation and recommendations. Note that while each committee initially developed its own set of recommendations, these have since been consolidated into three categories – statewide, regionalization and companion system/collaboration – for purposes of developing next steps and an implementation plan.

1. Client Access

The purpose of the Client Access Committee was to explore and develop recommendations on how to maximize the use of existing resources to move toward the ideal of equal access, both as to availability and nature of legal assistance, on a statewide basis.

a. Vision of Success

A holistic approach to serving clients with an emphasis on serving special needs populations and a strong and broad community connectedness. There will be greater commonality of services and community education available to clients, but regional and local capability to respond to special needs and opportunities for client service will also be strengthened. Client-based organizations and community services organizations will be integral parts of an expanded client access system. Expanded use of technology will provide more efficient client intake and referral on a regional and statewide basis.

b. Scope of Review

²⁰ These summaries correspond to the committees' reports found in App. G. The full reports also are available on the FLS website. There have been some minor changes to language and the outline structure for internal consistency in this document. The recommendations are those agreed to at the May meeting and are substantially the same, albeit in somewhat different formulations, as those of the action committees. Also a few recommendations were not adopted. See May notes, App. H.

In developing its recommendations, the Committee reviewed Florida's legal services/legal aid programs and their geographic service areas; the client intake and brief service systems of several provider programs both within Florida and in other states, including some statewide systems; the case priorities/case selection criteria of many of the provider programs and their case referral policies in relation to the statewide referral agreement; the programs' responses to the Foundation's Self-Assessment Report (SAR) supplemental questionnaire on community education and client outreach; and outreach projects and intake procedures for special needs populations from within Florida and around the country.

c. Description of Current Situation

- & **A Patchwork System of Client Access:** Client access to legal services is currently organized through a "patchwork" system of many legal services and legal aid programs with autonomously developed, and most often different, client intake and case priority and selection criteria. On the positive side, the current system allows local response to local client needs, language barriers, local resource opportunities, including pro bono, and the "local practice" culture in the courts and legal community. On the negative side, low income residents in different parts of the state have vastly different access to legal assistance, community education and pro se assistance. There is no ability to assure clients in one part of the state that their legal needs will be met in another part of the state.

- & **Impact of Special Grant Funding:** In response to decreased, or stagnant, general service funding, we have seen an increase in special grant funding. As a result, these funding sources are having an increasing role in determining the services available to clients. This has also caused, in many instances, a general disconnection from the clients' community and a movement away from holistic and comprehensive client access and services which are fundamental to client-centered energetic affirmative advocacy. Many special needs populations, especially the unpopular that do not engender special funding, have greatly reduced access. Without special access plans and efforts, these special populations are in danger of not having any access.

- & **Florida's size and diversity:** Florida is a large and diverse state with many different ethnic groups, languages, and urban and rural populations. The programs in Florida have

developed expertise and special projects to respond to the challenge of providing client access to the delivery system. However, inadequate communication and sharing of resources, and the lack of common minimum core legal assistance availability and of consistent referral policies have limited the delivery system's ability to provide client-centered energetic affirmative advocacy. Effective client access for our client community is very much dependent on development of client trust which requires greater consistency, predictability, client connectedness and flexibility.

d. Conclusions

The Committee concluded that the delivery system has two overarching challenges that must be met in order to achieve client-centered energetic affirmative advocacy. First, there needs to be an increased recognition of the crucial importance of access for special needs populations. Without a special focus on reaching and providing needed legal services to the many special needs populations in Florida, these needy clients often have no access to legal assistance at all and suffer unrestrained abuse of their legal rights. Second, the building of client community trust is at the core of effective client access, and an expanded and broad client connectedness is necessary to build this trust. Building a client connectedness must be a clear part of staff work and recognition, and not an optional add-on to work expectation.

The size and diversity, ethnic populations, languages, and urban/rural populations of Florida make a single statewide client access system impracticable, and such a system would lack the flexibility to respond to the differing client needs in Florida. However, a regional approach to client access with regional agreements on client intake, brief advice, and case selection and referral systems would provide the advantages of greater sharing of limited resources, increased efficiency, greater commonality of availability of services, increased ability to target special needs populations, and expanded client access points while maintaining needed local flexibility and opportunities for local resource development.

e. Recommendations

- **One or two pilot projects for “regional centralized intake”** staffed by attorneys and non-attorneys to provide regional client intake hotlines, client telephone intake, brief advice, client pro se and community education, and extended service

referrals with established quality control systems.

- **Statewide support** provided for development of community education materials, training, technology and pro bono capacity development.
- **Regional agreements** on client intake, brief advice, case selection and referral systems with minimum core legal services, including pro bono, provided within a region, specific needs populations identified on regional basis and specific plans for outreach and services developed.²¹
- **Information about additional local program priorities** shared among programs in the region, as well as regional development of ongoing relationships with community-based organizations, human service organizations and special needs populations.
- **Expanded statewide program directory** to include information on availability of regional and program services as well as regional and program staff expertise.
- **Sharing of expertise and mentoring** to develop core capacities in all program service areas.
- **Statewide community education material availability.**
- **Statewide information sharing** via web page, e-mail, listservs.
- **Training** on community education, community connectedness, diversity, and technology provided on statewide level.

2. Collaboration

The Collaboration Committee's purpose was to develop recommendations to increase collaborative efforts and projects among providers and their staffs in order to encourage energetic affirmative advocacy for low-income clients in Florida.

²¹ While the planners did not reach agreement on establishment of regional advisory councils, they did suggest that use of councils may be an effective vehicle for implementing the regional agreements.

a. Vision of Success

The Collaboration Committee identified the following vision regarding the importance of collaboration in legal services practice:

- All categories of staff, from legal services programs and other organizations, working together on common issues – drawing from and building upon each other’s different roles, perspectives, skills and experience.
- Day-to-day “routine” work enhanced by accessible back-up and support from experienced advocates within local programs, companion programs and the private bar.
- Systemic advocacy accomplished through joint contributions of local and companion programs or within an individual program.

b. Values

Following up on their “vision,” the Committee went on to identify the following values that underlie effective collaboration:

- Mutual investment and responsibility.
- Recognition of and mutual respect for different roles and experiences.
- Being part of the larger legal services and justice community.
- Result-oriented (*e.g.*, collaboration not for its own sake, but rather for the sake of making a difference in clients’ lives).

c. Description of Current Situation

The Committee identified a number of factors contributing to a perceived diminution in energetic affirmative advocacy.

- **Impact of LSC Restrictions:** The Committee found that perceived diminution in affirmative advocacy resulted in part from the LSC restrictions, both the actual prohibitions resulting from the restrictions as well as a possibly too restrictive reading of them. The Committee also found that development of the companion system has led to a rift between direct service and impact-oriented staff.
- **Staff Issues:** The Committee also attributed some of the

changes in legal services practice to a number of other factors including lack of shared values regarding the purpose of legal services, loss of support (from national back-up centers and other experienced colleagues), lack of clear program priorities coupled with uncontrolled intake schedules, and case number requirements from a host of new and varied funding sources.

- **Understanding “Collaboration”:** The Committee noted that there was not a shared understanding of what “collaboration” actually means, with some thinking that it meant something above and beyond one’s day-to-day work. (See the “values” set out above for this committee’s articulation of the meaning of collaboration.)
- **Communication Barriers:** The Committee noted the importance of good communication in carrying out successful collaboration and identified a number of areas in which communication had broken down both within individual programs as well as among programs. On a statewide level, they attributed these communication breakdowns to a number of factors including impact of the restrictions, volume and complexity of the work, lack of clear expectations regarding how programs might work, and limited contacts among staff statewide. Within individual programs, they noted that staff funded by particular grants were often disconnected from others in their programs and that management staff did not provide opportunities for people to come together.
- **Workgroups:** The Committee noted a number of factors contributing to the lack of effectiveness of workgroups including the rigid and bureaucratic structure, lack of commitment by programs, lack of leadership and accountability, and infrequency of meetings.
- **Companion Delivery System:** The Committee identified a number of areas in need of attention: communication and accountability between companion programs and field programs; field not getting to the companion programs with issues; morale issues resulting from perception that “talented” staff left LSC funded programs and that remaining field staff were somehow less talented; and lack of clarity regarding FLS’ role as a companion versus state support program.

d. Recommendations

- **Companion system modified** to increase collaborative projects and strengthen mutual accountability such as via written project plans or formal agreements.
- **Clarification of role of companion system** (e.g., how similar to or different from state support).
- **Regional and statewide structure of issue-driven task forces** that would provide opportunities for both statewide and regional collaborative advocacy.
- **Umbrella groups** organized according to substantive areas that will support networking and communication.
- **Enhanced communication** via such things as newsletters, litigation docket, and expanded FLS website with links to each program's website, if any; visits to programs by companion program staff; annual meeting of all providers; designated contact person at each program; co-counseling within programs and between programs; and program retreats.

3. **Legislative and Administrative Advocacy**

The purpose of the Legislative and Administrative Advocacy Committee was to make recommendations on the best ways to effectively and efficiently provide and use legislative/administrative advocacy on behalf of clients.

a. **Description of Current Situation**

The Committee identified a number of areas of concern in the current system:

- **The current system for providing legislative/administrative advocacy is unwieldy and disjointed.** Advocates in Tallahassee are charged with the responsibility for advocating positions on key issues, but there is often little support or "buy-in" from the field with supportive stories and clients willing to testify. At the same time, advocates in the field, who have viable issues, are unsure how to get advocacy efforts started: Does one get workgroup approval first? How about the PDA committee? Which approves priorities? Does one just call FLS directly? Does one's director or board have to hear this first? Many opportunities for "filtering" or blocking these issues exist to the point where many staff simply give up and assume

that there is nothing that can be done.

- **The current system is too slow and too removed from the client and client groups and advocates who first confront an issue that might be subject to resolution through legislative/administrative advocacy.** There are many hoops to jump through -- LSC regulations, project directors, workgroups, PDA committee, FLS priority process, etc.
- **The sharing of information between clients, field programs, and FLS staff is very poor in the current system.** It is the Committee's impression that most field programs do not have active intake systems that enable staff to solicit information from clients on a broad range of problems impacting the low-income community. Most programs solely depend on a client's capacity to identify legal issues. Field programs are generally not identifying potential legislative/administrative advocacy issues or compiling client stories for FLS on these issues. FLS could do a better job in collecting and disseminating to all programs in the delivery system information about legislative/administrative issues of statewide importance. In many programs, information as to legislative/administrative advocacy activity is shared only at the upper echelons of local programs. The sharing of information in the current system takes too long. By the time an issue goes from an advocate in the field, to a workgroup, to a PDA legislative committee, to the PDA, then to FLS, a year or more has passed. Often a client is out of touch and an advocate has lost initial enthusiasm. The process is currently too slow to be an effective remedy for clients.
- In the current system, **advocates are not receiving consistent and uniform instruction from project directors about permissible legislative/administrative advocacy under LSC restrictions.** For example, most field advocates in LSC restricted programs are not aware that they can pursue rule challenges under the Florida Administrative Procedures Act (APA). Consequently, field programs have little expertise on APA strategies available to assist their clients. Further, advocates do not receive adequate information to understand their program's capacity to identify potential legislative/administrative advocacy issues and their obligation to work cooperatively with the companion delivery system to pursue these issues.

b. Recommendations

- **Better outreach and intake strategies**, including soliciting input from client groups and human services providers, to identify problems in client communities which may be addressed through legislative or administrative advocacy.
- **Seamless and timely communication and decision-making system**, among clients, advocates and FLS staff, regarding issues that lend themselves to legislative/administrative advocacy.
- **Florida Clearinghouse for legislative and administrative advocacy** created with advocates from local programs designated as liaison for the purpose of facilitating client representation on issues requiring legislative and administrative advocacy.
- **PDA consensus** regarding what legislative/administrative advocacy is permitted under LSC regulations.
- **Training** regarding strategies and remedies available to clients under the APA and what advocacy is allowed under LSC regulations.

4. Resource Development

a. Background of Resource Development Committee

Prior to this process, the group had already been in existence as the PDA Funding Committee, and had identified and implemented three major initiatives: IOTA enhancement efforts; legislative education campaign; and funding for special projects (e.g., Medicare advocacy).

b. Description of Current Situation

- There is not full cooperation among extended legal services community in participating in collaborative fundraising activities.
- Most people in the general public do not know who we are and what we do.
- Much of our funding is time-limited, which requires that we continually look for continuation or replacement funding.

- Program staff are not fully aware of need to be educated regarding the importance of resource development efforts.
- There is no mechanism for statewide resource development – no plan, no shared goals, no cohesive message.
- There is no coordinated public relations/media campaign – we are not very good at it and we do not have the media relationships.

c. Review of research

The Committee contacted Washington State, New Mexico, Pennsylvania, Oregon, Colorado, and California to research statewide resource development projects. They also heard a report on the NLADA National Message Campaign and reviewed the ABA’s 2000 edition of “Significant Fundraising Activities for Legal Services.”

The research revealed that other states who were successful had established a funded staff person(s) position. Most other statewide programs were based on filing fees and bar campaigns. In Florida, more money is raised with local option filing fees, \$350 pro bono buyouts and local fundraising. However, some other states have been successful in obtaining legislative appropriations.

d. Recommendations

- Statewide structure to support communication and resource development, staffed by full-time staff person who is funded jointly by local programs and who works under the auspices of FLS, with policy direction and priorities established by the Resource Development Committee whose membership includes PDA representatives, local programs’ resource development staff and the Foundation staff person.²²
- Resource Development Committee continues to work on special initiatives, including (1) IOTA enhancement efforts; (2) Legislative Education Campaign; and (3) funding for special projects.

²² Implementation of this recommendation was begun even in advance of the finalization of the state plan. At the PDA meeting held in April 2000, the PDA assessed programs to raise \$100,000 to initiate this project. As of this writing, the hiring process has begun with the anticipated completion of hiring and the initiation of activities in January 2001.

5. Technology

The purpose of the Technology Committee was to develop recommendations to effectively promote energetic affirmative advocacy and expand inter-program collaboration through the use of technology.

a. Vision of Success

As a starting off point, the Technology Committee developed a “vision” of how technology could be used to promote energetic affirmative advocacy. This vision – both from a staff/management and client perspective – will continue to guide our use of technology over the coming years.

(1) Management/advocacy-oriented Vision

As a result of effective use of technology, advocates and managers will be able to:

- access relevant work product of other legal services advocates (e.g., pleadings, briefs) through integrated document assembly and case management systems
- easily utilize client intake material to generate pleadings and other legal documents
- draw upon expertise of other advocates locally, statewide and nationally (through e-mail list-serves, web-pages, etc)
- increase their advocacy skills and professional development generally through technology-based training, written materials, other resources
- stay up to date on legal and policy issues relevant to their client communities
- solicit information from other staff and clients about specific issues (e.g., companion programs looking for certain kinds of clients or cases)
- analyze intake data and open and closed cases in order to analyze effectiveness and spot emerging trends
- efficiently produce reports to funders
- use technology with skill and proficiency
- gather client stories for use on legislative campaigns, etc.

(2) Client-oriented technology vision

As a result of effective use of technology, clients will be able to:

- enter any legal services program and be referred to the appropriate service provider (seamless intake system)
- easily access services regardless of geography, age, physical ability etc. (easy access to legal services)
- learn about legal rights and policy issues that affect them; will feel empowered and able to more readily take on issues on their own
- get up to date information about the status of their case
- provide input to legal services programs about issues that concern them and/or that they would like to see addressed by legal services advocates (e.g., pleadings, briefs) through integrated document assembly and case management systems
- easily utilize client intake material to generate pleadings and other legal documents.

b. Description of Current Situation

In developing their recommendations, the Committee reviewed the current use of technology in Florida by legal aid and legal services programs as well as use of technology by other programs and states. The Committee identified a number of areas that get in the way of providing energetic affirmative advocacy for clients, and for which technology may provide part of a solution.

- **Mix of Technology:** Historically, legal services programs have tended to acquire technology without reference to what other programs in the state are doing, and without the benefit of other programs' experience in acquiring and using technology. While some programs are fairly advanced technologically, there are still programs in which advocates and staff do not have desktop Internet access or individual e-mail accounts. Lack of a basic communication tool such as e-mail impedes the flow of information within and among programs. The Committee concluded that there is a lack of commitment to statewide collaboration on technology, that many programs have failed to make technology a priority, and that many programs do not have an ongoing plan for acquiring and using technology.
- **Not Using Effectively What We Already Have:** As one committee member put it, "WordPerfect 2000 on a Pentium-class PC is an extremely expensive typewriter." Not using the technology we have to eliminate repetitive tasks such as producing letters and pleadings wastes time and results in

low productivity. The Committee found there to be a lack of standards for employees regarding what is required of them technologically in order to serve clients effectively. There is not enough training, particularly training that shows how technology helps us do our jobs better and serve clients better. The Committee also found that programs have difficulty attracting and keeping technologically proficient people.

- **Client Access:** The Committee observed that our programs are not serving as many clients as are eligible for our services. Client access is limited as a result of a number of factors including inability to get to an office or a phone, lack of information regarding our services and lack of self-help information. Use of technology can help us expand client access.
- **Problems with Referrals:** Referring a client to another program, to an appropriate service provider, or to a pro bono attorney can be a slow, cumbersome, haphazard process. Technology may provide at least partial solutions to this problem.
- **Case Management, Document Assembly, and Knowledge Management software:** Most committee members expressed frustration with their programs' existing software, or lack of software, to handle these functions. The Committee concluded that it will require a significant amount of time and research to determine if it is even feasible to undertake a statewide effort in these areas.

c. **Recommendations**

- **Creation of statewide technology position(s)** in order to develop statewide minimum technology standards; have a place to call for help; identify and procure volume discounts; evaluate and make recommendations regarding how programs are using technology; review and evaluate emerging technologies; help programs develop technology budgets; and develop minimum technology standards for staff.
- **Further support and development of a statewide website** to include pro se materials, information for pro bono attorneys, lists of advocates and workgroup members' email addresses, training materials and other information.

- **Ongoing training for all staff on effective use of technology** and at least annual training for computer responsible people in each legal services program.

6. Training and Technical Assistance

The purpose of the Training and Technical Assistance Action Committee was to develop recommendations for training and technical assistance that will encourage and support energetic affirmative advocacy.

a. Vision of Success

In order to further the goal of excellence in client services, to encourage energetic affirmative advocacy, and to promote professional development and life-long learning, training and technical assistance will be available to all members of the legal services community. These goals will be achieved through a re-definition of training so as to embrace all available learning and teaching tools. This will include supervision, mentoring, co-counseling, professional memberships, sharing of information through technology, and formal training events. Formal training events will consist of in-house, local, regional, statewide and national events. Existing and emerging technologies will be utilized to promote accessibility to training resources.

b. Description of Current Situation

- There is an insufficient structure to provide comprehensive, meaningful, and accessible training and technical assistance to all segments of the Legal Services/Legal Aid community (attorneys, support staff, board members, clients, pro bono attorneys, and volunteers) to effectuate energetic affirmative advocacy on behalf of clients.
- FLS' role in providing training is limited to conducting an annual survey of training needs and coordinating the presentation of approximately five annual statewide trainings based on the survey results, and usually is targeted to relatively inexperienced lawyers. FLS also conducts trainings on an as requested basis. Trainings are not evaluated effectively to determine their role in enhancing the quality of services delivered to clients or their impact on improved networking, morale and employee retention as a result of the trainees' participation in the training.

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- Since the LSC restrictions came into effect in 1996, the workgroups play a minimal role in the identification of training needs, the delivery of training to their members, and the provision of ongoing technical assistance and support to advocates.
- There never was a mechanism in place to meet similar needs of support staff. Individual programs are responsible for providing the balance of the training and technical assistance provided to staff.
- There is no mechanism in place for the identification and delivery of training to aid lawyers and staffs in responding to quickly developing issues.
- The current training system does not take the opportunity to imbue new staff and rekindle in experienced staff a sense of the history, mission, and goals of legal services to promote access to justice and fairness for all members of our society.
- Little, if any, use is made of emerging training technologies such as on-line learning or video-conferencing.

The Committee concluded that, as a result of the above situation, both legal and support staff members do not receive the quantity and quality of training and technical assistance necessary to promote a sense of mission and purpose, the delivery of high quality legal services, and efficiency in the practice of law. Staff members do not have an opportunity to adequately network with other practitioners and experts in their fields so as to promote professionalism, camaraderie and excitement about their work and the legal profession.

c. Understanding Root Causes

Program management and staff do not make training a priority because (1) there is a perception that training does not result in positive outcomes for clients; (2) training is difficult to access due to travel, time and financial constraints; (3) training is frequently not responsive to the training needs of staff due to the failure to conduct a comprehensive needs assessment, offer advanced training, training in rapidly emerging areas of the law, and effective skills training; (4) training offered to non-attorney staff does not effectively address the critical need for computer training and client relations, and there is no coordinated system for providing support staff with technical

assistance; and (5) trainers are not properly trained to be trainers, and as a result training is frequently presented in an uninteresting or ineffective manner which detracts from the substance of the presentation. Qualified trainers are not identified, and therefore are not invited or asked to be trainers.

Furthermore, with the loss of the national backup centers, and the diminished activity of the workgroups, there is no ongoing, comprehensive and coordinated system for providing technical assistance, co-counseling, and mentoring; maintenance of pleading banks; and the sharing of legal developments and other pertinent information.

d. Research

The Committee reviewed information obtained from the Project for the Future of Equal Justice website which is a joint initiative of the NLADA and the Center for Law and Social Policy. Their website is located at www.equaljustice.org.

The Committee also reviewed information about the New England Regional Training Consortium and the Committee on Regional Training (CORT). The New England Regional Training Consortium consists of twenty-two (22) legal service programs in New England who have gathered their resources to fund design and delivery of training programs specifically for the legal services community. CORT is a cooperative effort of legal services programs in Michigan, Ohio and Virginia created to provide quality training to their legal services staff.

e. Recommendations

- Statewide training and technical assistance coordinator.
- Statewide training and technical assistance coordinating committee.
- Training responsible person in each program.
- Training costs to be included in individual program budgets, staff given time and support to effectively participate in training and technical assistance.
- Use of technology in training.

- Development of a statewide core curriculum and training protocol.
- Each program to develop individual professional development goals for each staff member.
- Development of a statewide network for training and technical assistance for support staff.
- Development and maintenance of best practice manuals for all staff members.

IV. FINAL PLANNING ACTIVITIES AND NEXT STEPS

A. Review of Comments

On October 12, 2000, the Coordinating Committee and the co-chairs of the action committees met to review the comments that had been received from the field, the PDA, and the Foundation Oversight Committee regarding the Committee's findings and recommendations. As the result of these comments, some changes were made to the number and mission of each proposed implementation committee. (See description of implementation committees below.) As decided at this meeting, each committee will be led by two co-chairs, all of whom will serve on an implementation coordinating committee. There was one important addition to the implementation committees: a separate committee to address pro bono issues. While it was recognized that pro bono activities are crucial in all areas of implementation, it was felt that these activities had not been sufficiently highlighted during the planning process. By adding this committee, it is hoped that this important aspect of the community's work will be given sufficient attention. Suggestions were also made for revisions to the draft report.

Decisions were made regarding the next steps to be taken with emphasis placed on the beginning of implementation. The design team that had been working on various issues over the past number of months was re-appointed to assist in the coordination of implementation. Finally, it was decided that a statewide meeting of IOTA grantees would be held in mid-March 2001, and that one of the main purposes of that meeting would be to begin the implementation of the state plan.

B. Implementation Committees

The Florida legal services community recognizes that a state plan cannot end with development of the state planning document. The planners believe that the hard work of turning these recommendations into reality will take place incrementally and over an extended period of time. To that end, the planners have developed an implementation plan in which the same thoughtful and inclusive process which characterized the study and

recommendation phase will be continued. The plan will be “kicked off” at a statewide meeting in late winter of 2001. The meeting, to be attended by staff, client representatives and board members from across the state, will provide a platform for engaging the larger legal services community by sharing the core values, vision and specific initiatives contained within the state plan.

The following descriptions of the implementation committees include the revisions discussed at the October 2000 meeting.

1. Coordinating Committee

The purpose of the Coordinating Committee is to coordinate the work of the implementation committees in order to identify overlapping or inconsistent implementation steps and to assure that time frames are met. This committee will also undertake the work of ensuring that the core values and vision statements reflect the community’s commitments and devising criteria to help in the evaluation by both the Foundation and the extended legal services community of the success of the Florida legal services system in realizing its vision and core values.

2. Companion System/Collaboration/Task Force/Umbrella Committees

a. Companion System Role Committee

(1) Goal: Clarify role of companion system (e.g., how similar to or different from state support):

(a) Identify current roles; and

(b) Define appropriate roles.

Timeframe: six months

*Source:*²³ Collaboration Committee

(2) Goal: Establish method of providing for visits to programs by companion program staff:

(a) Identify purpose of visits.

Timeframe: six months

²³ This identifies the committees from which these recommendations arose.

Source: Collaboration Committee

(3) Goal: Modify companion system to increase collaborative projects and strengthen mutual accountability such as via written project plans or formal agreements:

- (a) Identify projects and agreements; and
- (b) Evaluate joint efforts to date, including developing evaluation criteria.
- (c) Formulate “boilerplate” portions of agreements

Timeframe: one year

Source: Collaboration Committee

b. Issue Task Forces/Umbrellas

(1) Goal: Develop regional and statewide structures for issue-driven task forces that would provide opportunities for both statewide and regional collaboration.

Timeframe: six months

Source: Collaboration Committee

(2) Goal: Organize umbrella groups according to substantive areas that will support networking and communication.

Timeframe: six months

Source: Collaboration Committee

(3) Goal: Enhanced communication and collaboration:

- (a) Determine process for forming issue task force and umbrella groups;
- (b) Determine organizational mission/responsibilities of each;
- (c) Provide guidance for accountability mechanisms both within the groups and to the system;

- (d) Develop evaluation criteria;
- (e) Provide suggestions for funding:
 - i. general collaborative work;
 - ii. litigation or other advocacy requiring more than “routine” funds;
- (f) Address issues of co-counseling (outside context of issue task forces) between programs (not including companion system programs); and
- (g) Develop ideas for enhancing co-counseling between programs.

Timeframe: six months

Source: Collaboration Committee

3. Pro Bono Committee

- a. Goal:** Develop initial recommendations and a process for making ongoing recommendations on the activities of the statewide pro bono director project to improve pro bono participation in the state.

Timeframe: six months

Source: Coordinating Committee

- b. Goal:** Develop recommendations for the integration of pro bono assistance into the implementation of the state plan and provide the recommendations to the implementation committees.

Timeframe: three months

Source: Coordinating Committee

- c. Goal:** Provide technical assistance to all of the implementation committees to make pro bono assistance an integral part of the implementation of the state plan.

Timeframe: one year

Source: Coordinating Committee

4. Regionalization Committees

a. Regional Intake

(1) **Goal:** Assist in the development and evaluation of two pilot projects for regional centralized intake staffed by attorneys and non-attorneys providing regional client intake hotlines, client telephone intake, brief advice, client pro se and community education, and extended service referrals with quality control. The purpose of these regional pilot projects is to test and evaluate the regional approach to core services.

(a) Test site selection in conjunction with Florida Bar Foundation. (Suggestion: one urban and one rural.)

Time frame: six months

Source: Client Access Committee

(b) Set standards for intake;

(c) Develop necessary protocols and forms; and

(d) Establish evaluation criteria and mechanisms.

Time frame: six Months

Source: Client Access Committee

b. Regional Intake and Other Agreements

(1) **Goal:** Establish regional agreements on client intake, brief advice, case selection and referral systems with minimum core legal services provided within a region; includes pro bono and identification of any special needs populations within a region that require specific plans for outreach and services.

Time frame: one year

(a) Identify core services necessary to provide full access;

(b) Identify necessary steps to build core;

(c) Develop agreements and protocols;

- (d) Develop methods for identify special needs populations
- (e) Develop suggestions for reaching special needs populations;
- (f) Develop standards and evaluation criteria; and
- (g) Develop “boilerplate” standardized intake form.

Time Frame: six months

Source: Client Access Committee

- (2) Goal:** Develop, on a regional basis , ongoing relationships with community-based organizations, human service organizations and special needs populations.

Time frame: six months

Source: Client Access Committee

- (3) Goal:** Establish better outreach and intake strategies, including soliciting input from client groups and human services providers, to identify problems in client communities which may be addressed through legislative or administrative advocacy.

Timeframe: one year

Source: Legislative/Administrative Advocacy Committee

5. Statewide

a. General State Support Committee

- (1) Develop an implementation process to initiate and maintain substantive content for:
 - (a) An expanded program directory;
 - (b) Newsletters;
 - (c) Program Dockets;
 - (d) Web Site Information Sharing;
 - (e) Best practices manual; and
 - (f) Community education material.

Timeframe: six months and one year

Source: Client Access, Collaboration and Technology Committees

- (2) Develop a process and protocols for a clearinghouse of legislative and administrative advocates.

Timeframe: nine months

Source: Legislative/Administrative Advocacy Committee

- (3) Develop a system and protocols for a seamless and timely communication and decision-making system between advocates, clients and FLS on legislative and administrative issues.

Timeframe: one year

Source: Legislative/Administrative Advocacy Committee

- (4) Implement a process to obtain a consensus on LSC case advocacy and legislative/ administrative advocacy regulations to provide basic guidance to field program staff. Also, develop a process for prompt response to ongoing questions of regulatory compliance in the area of legislative and administrative advocacy.

Timeframe: six months

Source: Legislative/Administrative Advocacy Committee

b. Training and Technical Assistance and Technology Committee

- (1) Develop a network of training responsible persons from programs/regions that will be the link between local program staff and statewide training and technical assistance.

Timeframe: one year

Source: Training & Technical Assistance Committee

- (2) Create a statewide training and technical assistance committee and develop the substance of a core training curriculum which is connected to the core vision and values. This training should include training on technology, the Administrative Procedures Act, the advocacy permitted by LSC regulations,

community education, community connectedness diversity and statewide advocacy meetings. This committee is also to address the development a professional training coordination.

Timeframe: one year

Source: Training & Technical Assistance Committee

- (3) Develop standards and a process on holding programs accountable for:
 - (a) Having a training responsible person in every program;
 - (b) Budgeting a reasonable level of support for training of program staff; and
 - (c) Establishing professional development goals for program staff.

Timeframe: three months for (a) and one year for (b) & (c)

Source: Training & Technical Assistance Committee

- (4) Develop a network of technology responsible persons from programs/regions that will be the link between local programs and the statewide technology resource system, which shall include persons available to the system, whether employed by the system or “outsourced” for assistance on technological issues.

Timeframe: six months

Source: Technology Committee

- (5) Create a statewide technology committee and the basic technology resources to be made available at the state level, including but not limited to:
 - (a) Assistance in developing statewide standards for program and delivery system standards for technology;
 - (b) Provision of answers to technology questions;
 - (c) Expertise in program technology evaluation and recommendation on improvement;

- (d) Provision of information and evaluation of emerging technology; and
- (e) Pro Bono technology assistance.

Timeframe: one year

Source: Technology Committee

- (6) Develop a system for the efficient delivery of the following information to provider programs and clients:
 - (a) Community education materials;
 - (b) Pro se materials;
 - (c) Information for pro bono attorneys;
 - (d) Training materials; and
 - (e) Substantive legal information and form pleadings.

Timeframe: six months to one year

Source: Client Access, Collaboration, Technology and Training & Technical Assistance Committees

c. Resource Development Committee

- (1) Continue implementation of the statewide structure and staff position for resource development to enhance local resource development efforts and opportunities.

Timeframe: ongoing

Source: Resource Development Committee

- (2) Continue to implement the special initiatives to increase support for civil legal assistance to the poor:
 - (a) IOTA interest rate enhancement with the Florida Bar Foundation taking the lead;
 - (b) The legislative education campaign to improve elected officials' understanding of the services provided by the legal services/legal aid programs; and
 - (c) State funding for special service projects.

Source: Resource Development Committee

Timeframe: ongoing

6. Implementation Committee Chairs and Members

In accordance with the agreements reached at the October 2000 Coordinating Committee meeting, the design team identified the leadership of the new committees. The co-chairs are: Coordinating Committee Coordinator: Alice K. Nelson, Southern Legal Counsel; Companion System: Paul Doyle, the Foundation, and JoNel Newman, Florida Justice Institute; General State Support: Kris Knab, Legal Services of North Florida, and Anne Swerlick, FLS; Issue Oriented Task Forces/Umbrella Groups: Glenn Shuman, Withlacoochee Area Legal Services, and Lisa Brody, Gulfcoast Legal Services; Pro Bono: Mary Anne DePetrillo, Legal Aid Society of Orange County, and Sheila Seig, Bay Area Legal Services; Regional Intake: Tony Karrat, Legal Aid Service of Broward County, and Maria Soto, Legal Services of Greater Miami; Regionalization: Kent Spuhler, FLS, and Allison Thompson, Three Rivers Legal Services; and Resource Development: Marcia Cypen, Legal Services of Greater Miami, and Richard Woltmann, Bay Area Legal Services; Training and Technical Assistance and Technology: Bill Abbuehl, Central Florida Legal Services, and Sally Schmidt, Florida Rural Legal Services.

The next step is to appoint committee members. No final decisions have been made, but it is thought that membership should be recruited from membership of the action committees, to ensure continuity between the recommendations and the implementation steps. Membership will also be recruited from those who commented on the draft state plan, as well as a general invitation to field staff.

Planning for the statewide meeting is underway, with the meeting to be held on February 21-23, 2001.

V. Regionalization

Regionalization of legal assistance programs is an essential component of this state plan. It is the centerpiece of the client access proposals and is important to many of the other proposals. Establishing a workable regionalization plan will help programs visualize some of the practical impact of the plan and help the implementation committees proceed with early implementation activities.

The planners acknowledge the obvious -- that no proposal will be perfect. Moreover, there are a significant number of important factors which compete for consideration in designing each region, such as geographic contiguousness, client population, number of programs, resources of programs, geographic size, natural affinity among programs, client population diversity and homogeny, client services centralization, etc.

The regionalization proposal, attached as App. I, is based upon a discussion of all of the above factors. It proceeds on the basis that a simple plan, requiring a minimum of

program reorientation, is the better approach, less disruptive of current services and most likely to result in improved services and access to clients throughout Florida. The six regions are based generally upon the current service areas of federally funded programs (except for Regions Two, Four and Five). All IOTA-funded legal assistance programs within those service areas would be included within the corresponding region. Each program's identity and structure would remain in place.

The overall proposed plan would require only two programs to operate within more than one region: (1) Central Florida Legal Services because of linking Seminole and Brevard Counties within Region Four and (2) Florida Rural Legal Services because of the linking of Palm Beach and Broward Counties to form Region Five.

Programs included within each region and the region's poor population per the 1990 census are reflected in the attached plan. It is envisioned that there may be shifts in the regions after 2000 census data are available.

VI. Configuration

A. Overview

The Florida legal services system consists of 33 general legal services programs including 12 LSC programs and 11 major non-LSC programs (each with a minimum of 3 staff attorneys). The planners, believing strongly that the configuration of Florida's programs must support the successful implementation of the Florida state plan for the delivery of legal services and must lead to a statewide comprehensive and integrated delivery system, undertook the following analysis.

As described above, one of the starting assumptions in the Florida community's planning process was the belief that the Florida legal services community already works together as a statewide delivery system and is committed to improvements. Florida is fortunate to have a strong tradition of working together on a statewide level through its PDA, various statewide activities coordinated through its state support program and the Foundation, and growing collaborative work between individual programs.

B. Guiding Values

In analyzing the extent to which the current program configuration can support the goals of this state plan, the planners identified two distinct but complementary values that are reflected in several of the committees' recommendations and that must be in place to ensure successful implementation of the state plan. These include, on the one hand, the value of local presence and connection to client communities and institutions such as local bar associations, community groups and funders (as is reflected in recommendations of the Client Access Committee in particular) and, on the other hand, the values of statewide effectiveness and accountability (as is reflected to some extent in all of the action

committees' recommendations).

Regarding the importance of local connections, the Client Access Committee recognized the importance of certain functions staying on the local level (such as determination of local case priorities, intake decisions, direct representation, recruitment and assignment of pro bono attorneys, and outreach to client communities). However, that committee also started with the assumption that all clients must be able to access high-quality legal services regardless of where they live. Their recommendation to create regional intake systems for and regional agreements on provision of core legal services reflects a mix of these values of local connection and statewide accountability.

Another example of this mix of state and local values is found in the work of the Resource Development Committee which concluded that programs need to work together in a unified and coordinated way in order to generate increased resources at the state level. However, these efforts complement, but do not replace, essential local fundraising that is dependent on connection and relationships with local bar associations, municipalities and other funders.

C. Restructuring Through Regionalization

Given these distinct but complementary values, the Florida planners conclude for now that they can most effectively realize the vision, values, and goals set out in its state plan with its current program configuration. While the planners believe that the current configuration best supports the maintenance of deep ties and connections to local client communities and institutions, they also recognize that simply maintaining the status quo will not move the Florida community closer to realizing its core values and vision. The regionalization plan for client intake and core services with substantially enhanced state support and community education represents a significant restructuring of the existing legal services delivery system and reflects the complementary values of local connection and statewide effectiveness. The Florida legal services community believes that such an approach will both improve state integration and coordination, and will continue Florida's success in developing local partnerships.

The planners are confident that other recommendations such as those to be addressed by the statewide and companion/collaboration implementation committees also can be successfully realized through the current configuration but will require increased support, communication and coordination.

D. Evaluation and Monitoring

The Florida community, with direct involvement and oversight by the Foundation, will carefully monitor and evaluate the effectiveness of this configuration plan. After some experience in implementing the overall plan, and especially the regionalization plan, the Florida State Plan Implementation Coordinating Committee will meet with a national legal services consultant who has substantial hands-on experience with the issue of

configuration. The Implementation Coordinating Committee will learn more about the experiences of other states with configuration and about their success and/or failures with regionalization and program consolidation. That knowledge will be important as Florida evaluates the implementation of the Florida state plan through on-site visits of the Foundation. The Foundation is undertaking a review of its program assessment process and standards to incorporate program and region responsibilities and perform accountability for state plan progress.

Finally, future decisions as to program configuration will be based on the needs of clients not institutions, and will consider issues such as cost and equalization of access, technology, and services.

VII. Conclusion

The planners believe that every member of the legal services community -- including those who work within it as well as those who support it through their service on boards or in other capacities -- shares in the responsibility for ensuring that Florida's civil legal assistance system as a whole serves clients effectively. The planners are confident that by building on shared values and broad areas of agreement, the Florida legal services community will be able to realize the goals and objectives contained within this plan. And while the Florida community already has begun to experience some of the fruits of collaboration simply by participating in the planning process, the planners look forward to beginning the hard, but exciting work, of implementing the many initiatives contained within this state plan.

In sum, the planners are energized by the ongoing and dynamic process. The community is committed to a strong system which is able to build on the solid base of services and to improvements which will support client-centered energetic affirmative advocacy.

